

# Comhairle Contae Chorcaí Cork County Council

Knocknamanagh CLG,  
C/O Helen O' Dowd,  
Dunbogey,  
Nohoval,  
Co. Cork  
P17 N594

15<sup>th</sup> January, 2025

REF: D/270/24  
LOCATION: Tracton Arts & Community Centre, Minane Bridge, Co. Cork P17 NP40

**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 14<sup>th</sup> October, 2024, by email on 19<sup>th</sup> November, 2024 and 13<sup>th</sup> January, 2025 the Planning Authority, having considered whether the installation of 20 Solar PV Panels on the grounds of **Tracton Arts & Community Centre, Minane Bridge, 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 and 5 of the Planning and Development Act 2000, as amended
- Article 9 of the Planning and Development Regulations 2001-2024, as amended
- Class 61 of Part 1, Schedule 2 of the Planning and Development Regulations 2001-2024, as amended.

**And Whereas the Planning Authority** hereby concludes that

- a) The works proposed represent development
- b) The proposed development meets the requirements of Class 51, Part 1, Schedule 2 of the Planning and Development Regulations 2001-2024

The Planning Authority concludes that the installation of 20 Solar PV Panels on the grounds of **Tracton Arts & Community Centre, Minane Bridge, Co. Cork P17 NP40** constitutes **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.*

Pleanáil agus Forbairt,  
Halla an Chontae,  
Bóthar Charraig Ruacháin,  
Corcaigh T12 R2NC.  
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Web: [www.corkcoco.ie](http://www.corkcoco.ie)



**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,



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**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>*

## **D/270/24 Clarification of Further Information**

A request for clarification of further information was sought on 04/12/2024.

The request was sought was follows:

### **Item 1**

*In relation to the response to item 1 (i.e. that no ancillary equipment is proposed) please clarify if an inverter unit and/or battery are proposed as part of this system and if so please indicate on drawings the proposed location of same.*

### **Item 2**

*In relation to the response to item 3, the proposal to omit two mountain ash trees and four holly trees from the permitted landscaping plan on planning file ref. 23/6490 (to accommodate the proposed solar panel array) confirms that the proposed development conflicts with the permitted plans and particulars of application 23/6490 and, as proposed, would not be considered exempted development having regard to article 9(1)(a)(i) of the Planning and Development Regulations 2001-2024. Furthermore, the only way to agree a change in the permitted landscaping plan of planning file ref. 23/6490 is via the compliance mechanism. It is not possible to agree changes to permitted plans of a planning permission through the section 5 mechanism. You therefore are advised to seek the changes required to the permitted landscaping plan by making a compliance submission on file ref. no. 23/6490. If you are successful in agreeing the required changes, you should submit evidence of same as your response to this item. **Please contact Area Planner Susan Hurley ([susan.hurley@corkcoco.ie](mailto:susan.hurley@corkcoco.ie)) before your response to this clarification of further information request.***

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The applicant has responded to this clarification of further information on 13/01/2025.

### **Response to item 1**

The response outlines that an inverter and battery are proposed in a location “*adjacent to one another, in then newer section of the building, on the opposite side of the wall to where the main electrical panel is located.*”

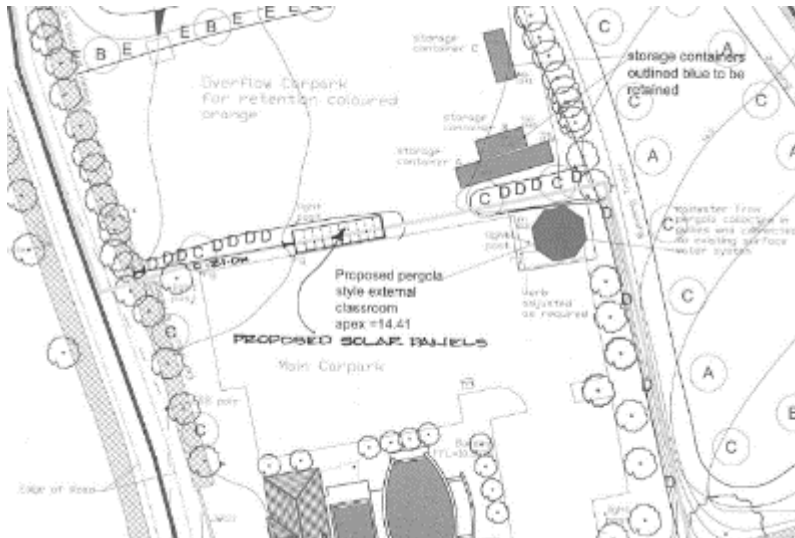
Condition/limitation 5 of Class 61 states any ancillary equipment shall not be placed or erected on a wall or any roof that is not a flat roof. I am satisfied that the response by the applicant indicates the ancillary equipment will be located within the building and not on a wall or roof.

### **Response to item 2**

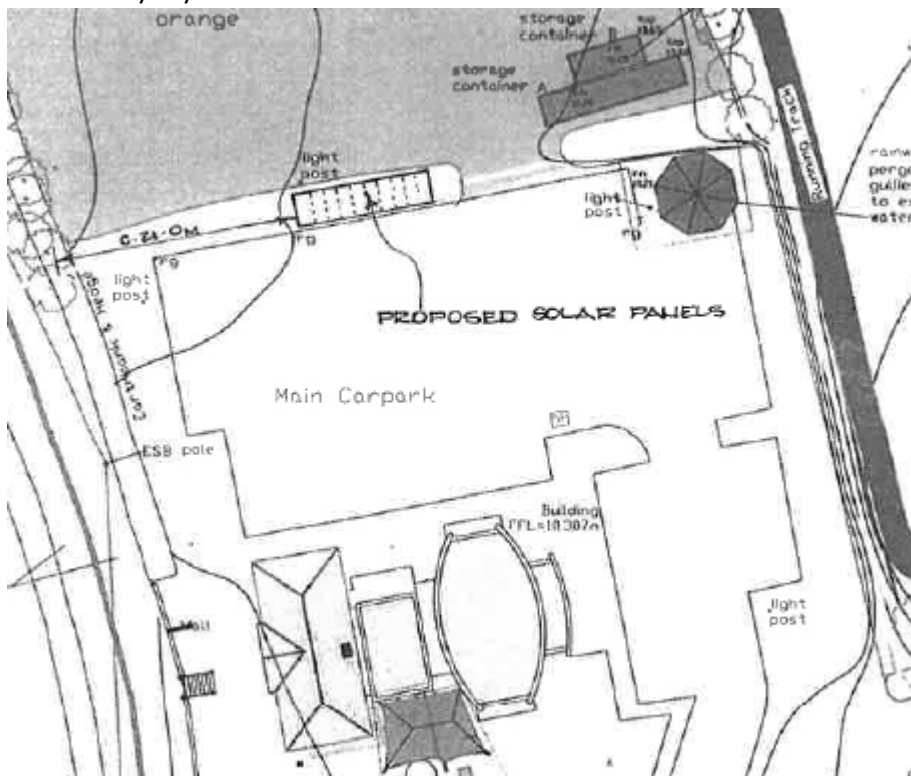
The applicant has achieved agreement through the compliance mechanism to revise the landscaping plan permitted under 23/6490. The letter of compliance has been submitted in support. The applicant has proposed to omit planting of 2 mountain ash and 4 holly trees to

the north of the car park and relocate this planting to the east and west of the car park. This leaves the area to the north of the car park free for the installation of the solar panels.

The applicant has not submitted a revised site plan with respect to this Section 5 showing the location of proposed array at the proposed location (and where the omitted planting is shown at the revised location to the east and west of the car park). The layout only shows the landscaping plan agreed by way of compliance on file 23/6490. Ideally, the proposed site layout plan should have shown the proposed array but I note that it has been shown in earlier versions such as below which was submitted on 20/11/2024:



And on 15/10/2024:





I am satisfied that this is sufficient evidence that the solar panels are proposed at the location previously shown in earlier versions.

I am also satisfied that the proposed development of solar panels does not contravene a condition attached to a permission because the permitted landscaping plan no longer proposes planting in this area.

Therefore, the applicant has demonstrated that the proposed development meets all of the conditions/limitations of Class 61, Part 1, Schedule 2 of the Planning and Development Regulations 2001-2024 as amended.

### **Recommendation**

Whereas a question has arisen as to whether the installation of 20 solar PV panels on the grounds of Tracton Arts and Community Centre at Minane Bridge, Co. Cork P17NP40 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 and 5 of the Planning and Development Act 2000 as amended,
- (b) Article 9 of the Planning and Development Regulations 2001-2024 as amended,
- (c) Class 61 of Part 1, Schedule 2 of the Planning and Development Regulations 2001-2024 as amended,

And whereas the Planning Authority has concluded that:

- (a) The works proposed represent development,
- (b) The proposed development meets the requirements of Class 61, Part 1, Schedule 2 of the Planning and Development Regulations 2001-2024,

The Planning Authority concludes that the installation of 20 solar PV panels on the grounds of Tracton Arts and Community Centre at Minane Bridge, Co. Cork P17NP40 is development and is exempted development.



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Susan Hurley  
Executive Planner  
14/01/2025

**Knocknamanagh CLG, T/A Tracton Arts and Community Centre**

Minane Bridge  
Co. Cork P17 NP40

To:

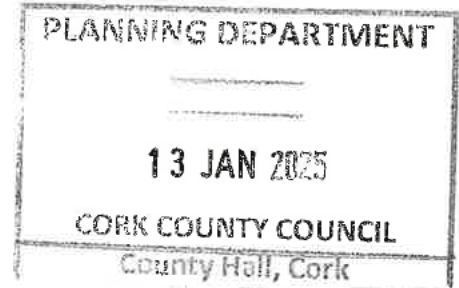
Planning and Development

County Hall

Carrigrohane Road,

Cork T12 R2NC

10/01/2025



**Re: Declaration of Exempted Development under Section 5 of the Planning and Development Act 2000-2010**

**Ref: D/270/24**

With regard to your request for further information in your letter dated 4<sup>th</sup> December 2024

**Item 1 response:** An inverter and battery are an integral part of the solar installation and are proposed. Please see drawing and attached photos enclosed which detail their location adjacent to one another, in the newer section of the building, on the opposite side of the wall to where the main electrical panel is located.

**Item 3 response.** Please find attached a letter from the compliance dept confirming that a change in the landscaping plan has been agreed/deemed in compliance. This change omits the planting of 6 trees to the north of the car park. This tree planting will be undertaken at another location on the site. The result is that there are no longer trees proposed in the area where we propose to construct the solar panels. Therefore, the proposal to construct the solar panels at this location no longer contravenes conditions 1 and 6 of 23/6490. "

We still wish to construct the solar panels at the location shown in the drawing submitted in our response to further information to Section 5 D270/24 on 20/11/2024.

Please find enclosed with this letter

- 1. Copy of letter of compliance**
- 2. Drawing of the new location of the battery and inverter**
- 3. Photos of area where they are proposed to be located**
- 4. Landscaping plan agreed by compliance**

**Yours Sincerely**

Helen O'Dowd

087-2909739

On Behalf of Knocknamanagh CLG

# Comhairle Contae Chorcaí Cork County Council

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Corcaigh T12 R2NC.

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Knocknamanagh CLG  
C/O Helen O'Dowd  
Dunbogey,  
Nohoval,  
Co. Cork  
09/01/2025

Planning Department

13 JAN 2025

Cork County Council  
County Hall  
Cork.

**Re: 23/06490 Knocknamanagh CLG**

*Retention of canopy, pizza oven and external boiler to south side of existing building, retention of three storage containers, extended car parking area and running track to north and east of site and permission for pergola style external classroom to north east of existing building existing car parking area and all associated site works. The proposed works and works retained are being carried out within the curtilage of a protected structure. Tracton Arts & Heritage Centre is a protected structure.*

**At: Tracton Arts and Heritage Centre Knocknamanagh Minane Bridge Co. Cork**

A chara,

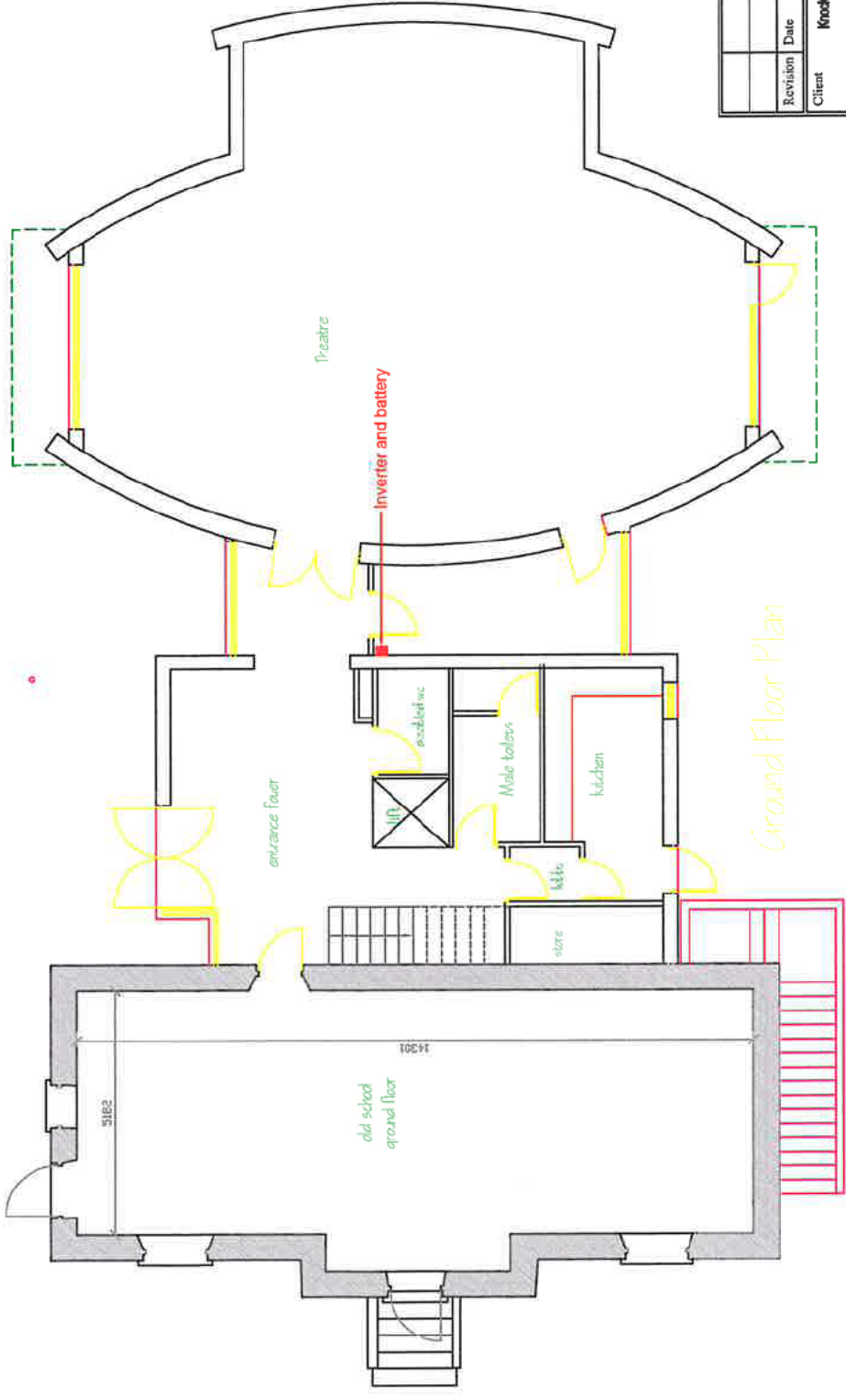
With reference to the above and your submission of the 16<sup>th</sup> December 2024, received 19<sup>th</sup> December 2024, in relation to this permission, details submitted are acceptable and are considered to be in accordance with Condition No. 6 of this permission.

Is mise le meas,

---

Leah Cooke  
Clerical Officer

*Location of BATTERY AND INVERTER*



*Ground Floor Plan*

**Planning Department**  
**13 JAN 2025**  
**Cork County Council**  
**County Hall**  
**Cork.**

Revision	Date	Description
Client	Knobknorranagh Limited	
Project	Solar panels at Knobknorranagh Old School Minnis Bridge, Co. Cork	
Title of Drawing Ground floor plan		
Scale	1:100	Date
		11.01.25
		Drawn
		Bary'Good
		Baltimore, Minnis
		Bridge, Co. Cork
		Revision
		<b>C05003-Sk-30</b>



Extent of overall site outlined red and comprises 1.266 ha. Area outlined yellow is not within the ownership of Knocknamagh CLG. A letter of consent has been provided by the owner

Running track indicated in blue to be retained

storage containers outlined blue to be retained

Previously proposed 2 no. Mountain Ash and 4 no. Holly trees to omitted from north of carpark. New proposed locations shown in blue to east and west of carpark.

Proposed pergola style external classroom apex = 14.41

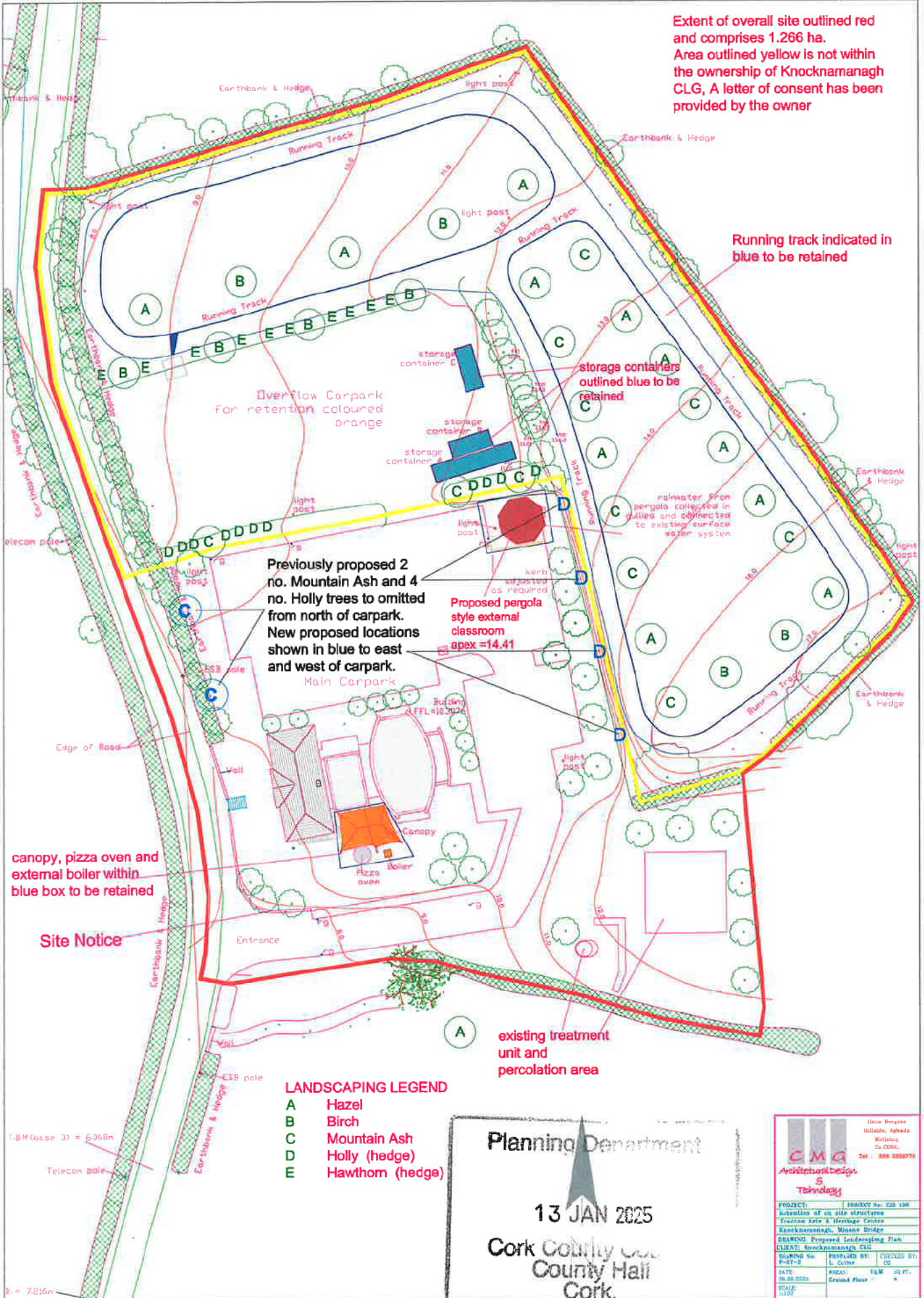
canopy, pizza oven and external boiler within blue box to be retained

Site Notice

existing treatment unit and percolation area

**LANDSCAPING LEGEND**


- A Hazel
- B Birch
- C Mountain Ash
- D Holly (hedge)
- E Hawthorn (hedge)



Planning Department

13 JAN 2025

Cork County Council  
County Hall  
Cork.

 <p><b>CMA</b> Architectural design &amp; Technology</p>		Louise Bergin Michelle Aghada Madeline O'Connell Tel: 088 2088779
PROJECT: Installation of on site structure location site & Heritage Centre Knocknamagh, Minor Bridge CLIENT: Knocknamagh CLG	PROJECT No: 028 198 PREPARED BY: E. O'Leary CHECKED BY: CO DATE: 26.09.2023 SCALE: 1:100	AREA: 14.41 F&M: 104 FT. Ground Floor



Planning Department

13 JAN 2025

Cork County Council  
County Hall  
Cork.

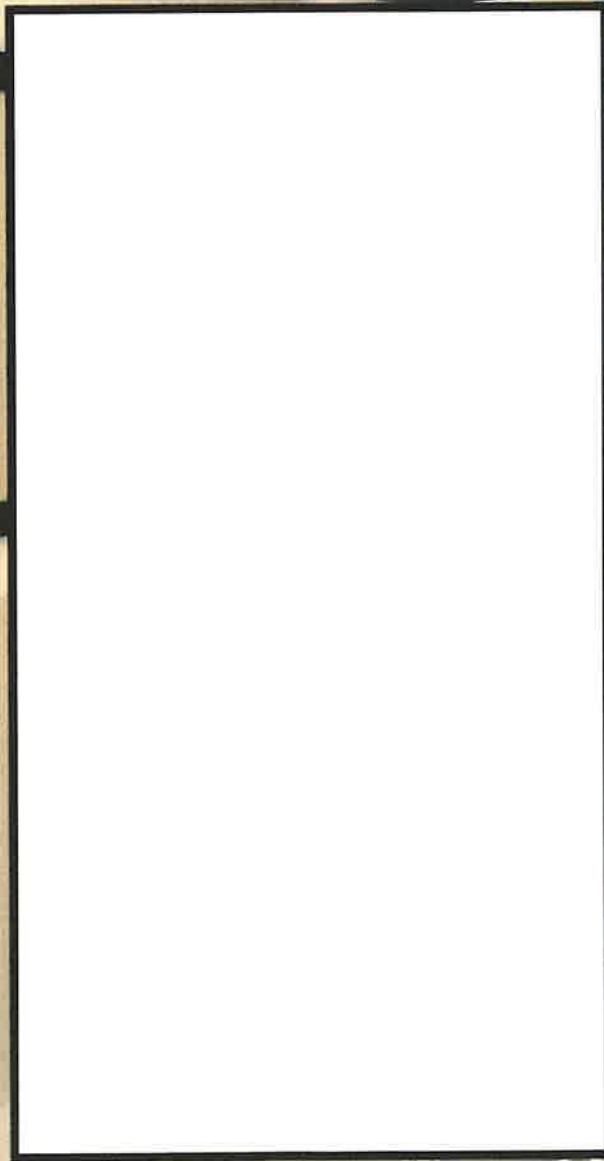




Planning Department

13 JAN 2025

Cork County Council  
County Hall  
Cork.





# Comhairle Contae Chorcaí Cork County Council

Knocknamanagh CLG,  
C/O Helen O' Dowd,  
Dunbogey,  
Nohoval,  
Co. Cork  
P17 N594

4<sup>th</sup> December, 2024

Our Ref.: D/270/24

**Re: Declaration of Exempted Development under Section 5 of The Planning and Development Act 2000 – 2010.**

***Whether the installation of 20 Solar PV Panels on the grounds of Tracton Arts & Community Centre, Minane Bridge, Co. Cork is or is not development and is or is not exempted development.***

Dear Madam,

I refer to your application for a Declaration of Exemption in relation to the above.

It is considered that the further information submitted with the Section 5 Declaration application is insufficient to enable the Planning Authority to make a determination in this case. You are therefore requested to clarify and submit the following further information:

In relation to the response to Item 1 (i.e. that no ancillary equipment is proposed) please clarify if an inverter unit and/or battery are proposed as part of this system and if so please indicate on drawings the proposed location of same.

In relation to the response to Item 3, the proposal to omit two mountain ash trees and four holly trees from the permitted landscaping plan on Planning file Ref. 23/6490 (to accommodate the proposed solar panel array) confirms that the proposed development conflicts with the permitted plans and particulars of application 23/6490 and, as proposed, would not be considered exempted development having regard to Article 9(1)(a)(i) of the Planning and Development Regulations 2001-2024. Furthermore, the only way to agree a change in the permitted landscaping plan of Planning file Ref. 23/6490 is via the compliance mechanism. It is not possible to agree changes to permitted plans of a planning permission through the Section 5 mechanism. You therefore are advised to seek the changes required to the permitted landscaping plan by making a compliance submission on file Ref. No. 23/6490. If you are successful in agreeing the required changes, you should submit evidence of same as your response to this item.

**Please contact Area Planner Susan Hurley ([susan.hurley@corkcoco.ie](mailto:susan.hurley@corkcoco.ie)) before your response to this clarification of further information request.**

Pleanáil agus Forbairt,  
Halla an Chontae,  
Bóthar Charraig Ruacháin,  
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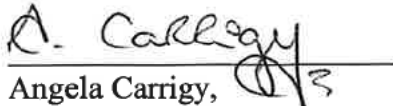


We are Cork.



Recycled

Yours faithfully,

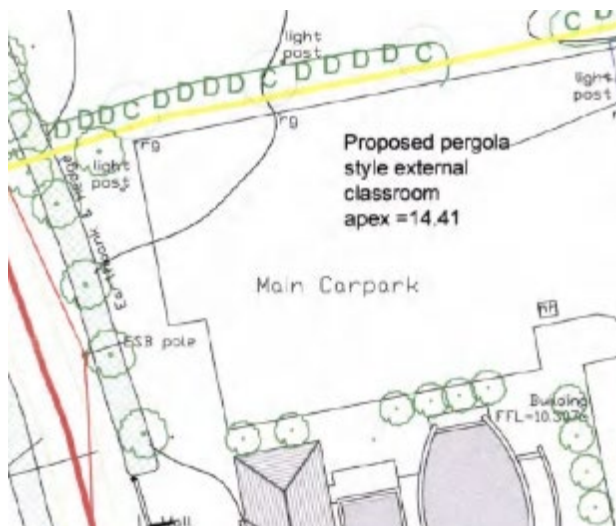
  
Angela Carrigy,  
ASO Planning Department

*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/270/24 Further Information

A request for further information was sought was follows:

1. *Condition/limitation 5 of Class 61 of Part 1, Schedule 2 of the Planning and Development Regulations 2001-2023 as amended, states that any ancillary equipment associated with the solar photo-voltaic panels shall not be placed or erected on a wall or any roof that is not a flat roof. Can you please give details of the location of ancillary equipment (if any) and confirm it is not proposed to be located on any roof or walls of any structure within the property.*
2. *Please confirm that the proposed solar photovoltaic installation will be primarily used for the provision of electricity for use within the curtilage of the building or site.*
3. *Article 9(1)(a)(i) outlines that development may not be exempt if it consists of a development which would contravene a condition attached to a permission under the Act. I note that condition 1 of planning ref. no. 23/6490 requires “the proposed development shall be carried out as per plans and particulars lodged with the application as amended by the documents/drawings received by the Planning Authority on the 07/08/2024 and 29/08/2024 except as may otherwise by required in order to comply with the conditions herein”. Condition 6 requires “landscaping to be carried out as per submission on 07/08/2024 and shall be undertaken within 24 months of the date of grant of this permission”. The proposed ground mounted solar panels appear to be proposed in an area where new landscaping is required to be undertaken (to comply with condition 1 and 6 of 23/6490). The required landscaping includes two mountain ash trees and four holly trees see extract from landscaping plan as follows:*



*There would seem to be insufficient room to undertake the permitted landscaping/tree planting and install the solar panels and also it would appear that the trees particularly as they mature could significantly overshadow the panels and block light to same. This may undermine the functioning of the solar panels.*

Please submit assessments from both your landscape designer and solar panel supplier confirming that there is sufficient space to plant the trees and install the panels as proposed and show both the permitted landscaping and the proposed solar panels on a revised site layout plan.

The response submitted by email was as follows:

Dear Ewan

In response to your letter of 6<sup>th</sup> November 2024 ( Copy attached)

Ref: D/270/24

Re Declaration of Exempted Development under Section5 of the planning and Development Act 2000-2010

Further information. See below in red

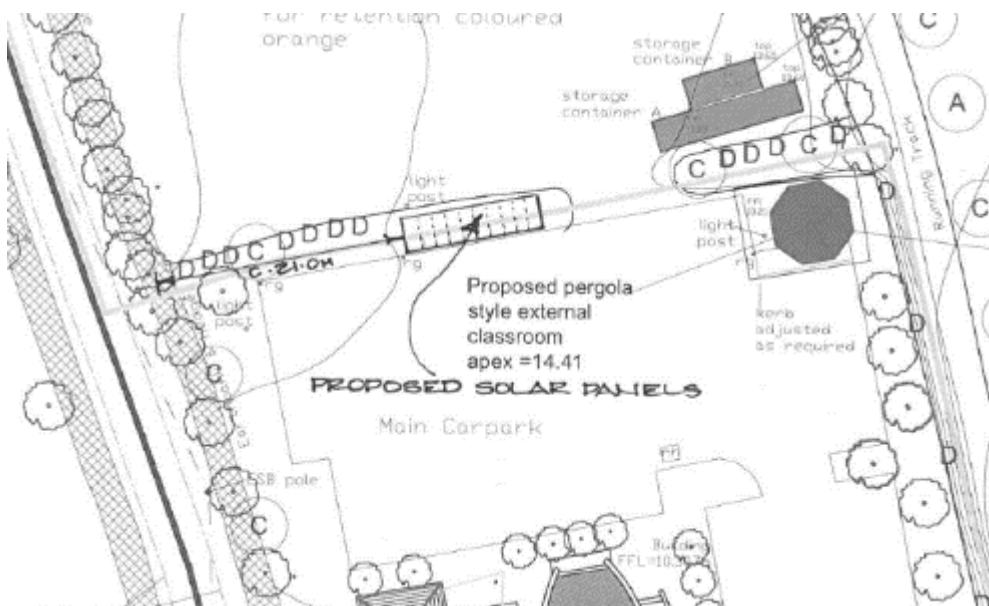
- Q. Can you please give details of the location of ancillary equipment ( if any) and confirm it is not proposed to be located on any roof or walls of any structure within the property  
A. Our supplier has confirmed that there is no ancillary equipment to the solar installation.
- Q. Please confirm that the proposed solar photovoltaic installation will be primarily used for the provision of electricity for use within the curtilage of the building or site.  
A. Yes we confirm that it will be primarily used for the provision of electricity for use within the curtilage of the building .
- Q. Please submit assessments from both your landscape designer and solar panel supplier confirming that there is sufficient space to plant the trees and install the panels as proposed and sho both the permitted landscaping and the proposed solar panels on a revised site layout plan  
A. Please see attached plan of revised landscaping and the solar panels installation as proposed, within the required landscaping

Yours sincerely  
Helen O'Leary

The response to item 1 states that the supplier indicates that there is no ancillary equipment to the solar installation.

The response to item 2 states that the system will be primarily used for the provision of electricity for use within the curtilage of the building.

The response to item 3 states that they have submitted a revised landscaping plan. Here is an extract:



Assessment

The response to item 1 is not acceptable. At a minimum there must be an invertor unit. Typically, but not always there is also a battery where energy made from the panels is stored. There must be some ancillary equipment associated with the proposed panels. While it is unlikely that it will be placed on a wall or roof that is not a flat roof, it is still important to state where the ancillary equipment will be positioned.

The response to item 2 is acceptable.

The response to item 3 is not acceptable. The response seeks to remove two mountain ash trees and four holly trees which are required to be planted as part of the permitted landscaping plan, to accommodate the proposed panels. The only way to agree a change in the landscaping plan is via the compliance mechanism under application 23/6490. The applicants have not done this. I cannot agree a change to a permitted landscaping plan through the section 5 mechanism. It falls outside the scope of same.

Article 9(1) (a)(i) of the Planning and Development Regulations 2001-2024 states 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 contravene a condition attached to a permission under the Act or be inconsistent with any use specified in a permission under the Act.”*

I consider that the proposed development contravenes condition 1 and 6 of permission 23/6490 as it is proposed where new tree planting has is required to be undertaken (as per the landscaping plan) as required in condition 6. Condition 1 requires the development to be carried out as per plans and particulars. The proposal seems to suggest that tree planting will be omitted to accommodate the panels. This does not comply with the landscaping condition. See the wording of these conditions below:

No.○	Condition○	Reason○
1○	The proposed development shall be carried out in accordance with the plans and particulars lodged with the application as amended by the documents/drawings received by the Planning Authority on the 07/08/2024 and 29/08/2024 except as may otherwise be required in order to comply with the conditions herein.○	In the interests of clarity.○
6○	Landscaping shall be carried out as per submission on 07/08/2024 and shall be undertaken within 24 months of the date of grant of this permission.○	In the interests of visual amenity and bio-diversity.○

If a change in the landscaping plan is required to accommodate the proposed development, then this needs to be agreed via the compliance mechanism on file 23/6490. This section 5 application should be deferred again to give the applicants an opportunity to agree a revised landscaping plan.

## Recommendation

I recommend that this section 5 application is deferred for clarification of further information.

In relation to the response to item 1 (i.e. that no ancillary equipment is proposed) please clarify if an inverter unit and/or battery are proposed as part of this system and if so please indicate on drawings the proposed location of same.

In relation to the response to item 3, the proposal to omit two mountain ash trees and four holly trees from the permitted landscaping plan on planning file ref. 23/6490 (to accommodate the proposed solar panel array) confirms that the proposed development conflicts with the permitted plans and particulars of application 23/6490 and, as proposed, would not be considered exempted development having regard to article 9(1)(a)(i) of the Planning and Development Regulations 2001-2024. Furthermore, the only way to agree a change in the permitted landscaping plan of planning file ref. 23/6490 is via the compliance mechanism. It is not possible to agree changes to permitted plans of a planning permission through the section 5 mechanism. You therefore are advised to seek the changes required to the permitted landscaping plan by making a compliance submission on file ref. no. 23/6490. If you are successful in agreeing the required changes, you should submit evidence of same as your response to this item. **Please contact Area Planner Susan Hurley ([susan.hurley@corkcoco.ie](mailto:susan.hurley@corkcoco.ie)) before your response to this clarification of further information request.**



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Susan Hurley  
Executive Planner  
04/12/2024



## Eveleen Crowley

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**From:** Eveleen Crowley  
**Sent:** Wednesday 20 November 2024 10:21  
**To:** Susan Hurley  
**Cc:** Greg Simpson; Tracy OCallaghan; Angela Carrigy  
**Subject:** Section 5 Application Ref No. D/270/24 - Knocknahanagh CLG  
**Attachments:** Tracton Solar Panel position WRT revised Landscape Plan.pdf; scan0173.pdf

Good morning,

Please find FI response for Section 5 application D/270/24. The new decision due date for this is **Tuesday 10<sup>th</sup> December, 2024.**

Kind Regards,

**Eveleen Crowley | Oifigeach Cléireachais | Pleanail agus Fobairt**  
Comhairle Contae Chorcaí | Halla an Chontae | Corcaigh | T12 R2NC | Éire  
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[eveleen.crowley@corkcoco.ie](mailto:eveleen.crowley@corkcoco.ie) | [www.corkcoco.ie](http://www.corkcoco.ie)  
**Tairseach na gcustaiméirí: [www.yourcouncil.ie](http://www.yourcouncil.ie)**

**Eveleen Crowley | Clerical Officer | Planning & Development**  
Cork County Council | County Hall | Cork | T12 R2NC | Ireland  
T +353-(0)21 – 4285874 |  
[Eveleen.crowley@corkcoco.ie](mailto:Eveleen.crowley@corkcoco.ie) | [www.corkcoco.ie](http://www.corkcoco.ie)  
**Customer Portal: [www.yourcouncil.ie](http://www.yourcouncil.ie)**



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**From:** PlanningInfo <PlanningInfo@CorkCoCo.ie>  
**Sent:** Wednesday, November 20, 2024 8:30 AM  
**To:** Eveleen Crowley <Eveleen.Crowley@CorkCoCo.ie>  
**Subject:** FW: Knocknahanagh CLG - Solar installation ref: D/270/24. Attn Eveleen Crowley

Hi Eveleen,  
Please find FI response for your attention.  
Kind Regards,

**Tracy Ní Cheallacháin | Oifigeach Fóirne | Pleanáil agus Fobairt**  
Comhairle Contae Chorcaí | Halla an Chontae | Corcaigh | T12 R2NC | Éire  
T +353-(0)21 – 428 5633  
[tracy.ocallaghan@corkcoco.ie](mailto:tracy.ocallaghan@corkcoco.ie) | [www.corkcoco.ie](http://www.corkcoco.ie)  
**Tairseach na gcustaiméirí: [www.yourcouncil.ie](http://www.yourcouncil.ie)**

**Tracy O' Callaghan | Staff Officer | Planning & Development**  
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[tracy.ocallaghan@corkcoco.ie](mailto:tracy.ocallaghan@corkcoco.ie) | [www.corkcoco.ie](http://www.corkcoco.ie)





**Smaoinigh ar an timpeallacht sula ndéanann tú an ríomhphost seo a phriontáil. Please consider the Environment before printing this mail.**

**From:** Helen O'Dowd [REDACTED]  
**Sent:** Tuesday, November 19, 2024 11:48 PM  
**To:** PlanningInfo <[PlanningInfo@CorkCoCo.ie](mailto:PlanningInfo@CorkCoCo.ie)>  
**Cc:** Tracton Arts & Community Centre [REDACTED] Barry Good [REDACTED]  
**Subject:** Knocknamanagh CLG - Solar installation ref: D/270/24. Attn Eeveleen Crowley

**CAUTION FROM CORK COUNTY COUNCIL IT SECURITY:** This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe. If in doubt, please contact [itservicesdesk@corkcoco.ie](mailto:itservicesdesk@corkcoco.ie) / ext 5700 or [phishingreport@corkcoco.ie](mailto:phishingreport@corkcoco.ie) to report the e-mail as suspicious

Dear Eeveleen

In response to your letter of 6<sup>th</sup> November 2024 ( Copy attached)

Ref: D/270/24

Re Declaration of Exempted Development under Section 5 of the planning and Development Act 2000-2010

Further information. See below in red

1. Q. Can you please give details of the location of ancillary equipment ( if any) and confirm it is not proposed to be located on any roof or walls of any structure within the property  
**A. Our supplier has confirmed that there is no ancillary equipment to the solar installation.**
2. Q. Please confirm that the proposed solar photovoltaic installation will be primarily used for the provision of electricity for use within the curtilage of the building or site.  
**A. Yes we confirm that it will be primarily used for the provision of electricity for use within the curtilage of the building .**
3. Please submit assessments from both your landscape designer and solar panel supplier confirming that there is sufficient space to plant the trees and install the panels as proposed and show both the permitted landscaping and the proposed solar panels on a revised site layout plan  
**A. Please see attached plan of revised landscaping and the solar panels installation as proposed, within the required landscaping**

Yours sincerely

*Helen O'Dowd*

[REDACTED]  
On Behalf of Knocknamanagh CLG  
T/A Tracton Community Council

Extent of overall site outlined red and comprises 1.266 ha.  
 Area outlined yellow is not within the ownership of Knocknamagh CLG, A letter of consent has been provided by the owner

Running track indicated in blue to be retained

storage containers outlined blue to be retained

Proposed pergola style external classroom apex = 14.41

PROPOSED SOLAR PANELS

canopy, pizza oven and external boiler within blue box to be retained

Site Notice

existing treatment unit and percolation area

LANDSCAPING LEGEND

- A Hazel
- B Birch
- C Mountain Ash
- D Holly (hedge)
- C Hawthorn (hedge)



REV. B - SOLAR PANELS ADDED 11/14

		Breda Begone Eilísde Aghada Máiread Du.CORL TM   086 2588779	
		Architectural design & Technology	
PROJECT:		PROJECT NO: 001140	
Client: Knocknamagh CLG			
Location: Knocknamagh, Breda Begone, Co. Wick			
Date: 11/14			
Client: Knocknamagh CLG			
DRAWING NO:	PROJECT NO:	CHECKED BY:	
DATE:	AREA:	NO. OF SHEETS:	
SCALE:	DRAWN BY:	DATE:	
FILE:	TITLE:	NO. OF SHEETS:	



# Comhairle Contae Chorcaí Cork County Council

Knocknamanagh CLG,  
c/o Helen O' Dowd,  
Dunbogeey,  
Nohoval,  
Co. Cork  
P17 N594

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



6<sup>th</sup> November, 2024

Our Ref.: D/270/24

**Re: Declaration of Exempted Development under Section 5 of The Planning and Development Act 2000 – 2010.**

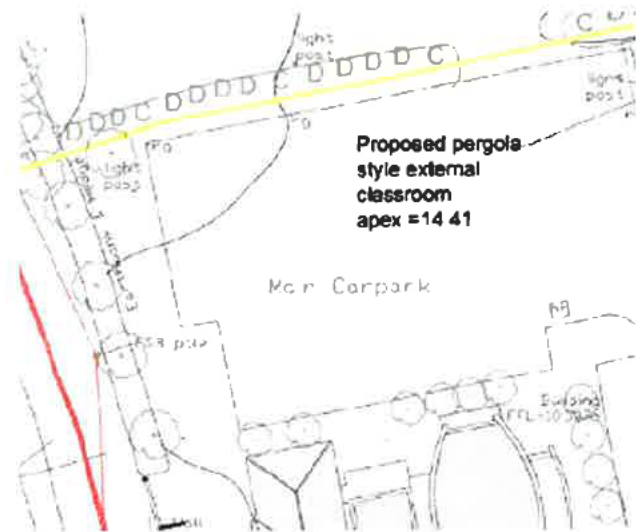
***Whether the installation of 20 Solar PV Panels on the grounds of Tracton Arts & Community Centre, Minane Bridge, Co. Cork is or is not development and is or is not exempted development.***

Dear Madam,

I refer to your application for a Declaration of Exemption in relation to the above.

It is considered that the information submitted with the Section 5 Declaration application is insufficient to enable the Planning Authority to make a determination in this case. You are therefore requested to submit the following further information:

1. Condition/limitation 5 of Class 61 of Part 1, Schedule 2 of the Planning and Development Regulations 2001-2023 as amended, states that any ancillary equipment associated with the solar photo-voltaic panels shall not be placed or erected on a wall or any roof that is not a flat roof. Can you please give details of the location of ancillary equipment (if any) and confirm it is not proposed to be located on any roof or walls of any structure within the property?
2. Please confirm that the proposed solar photovoltaic installation will be primarily used for the provision of electricity for use within the curtilage of the building or site.
3. Article 9(1)(a)(i) outlines that development may not be exempt if it consists of a development which would contravene a condition attached to a permission under the Act. It is noted that Condition No. 1 of Planning Reference No. 23/6490 requires "*the proposed development shall be carried out as per plans and particulars lodged with the application as amended by the documents/drawings received by the Planning Authority on 07/08/2024 and 29/08/2024 except as may otherwise be required in order to comply with the conditions herein*". Condition No. 6 requires "*landscaping to be carried out as per submission on 07/08/2024 and shall be undertaken within 24 months of the date of grant of this permission*". The proposed ground mounted solar panels appear to be proposed in an area where new landscaping is required to be undertaken (to comply with Conditions Nos. 1 and 6 of Planning Reference No. 23/6490). The required landscaping includes two mountain ash trees, and four holly trees see extract from landscaping plan as follows:



There would seem to be insufficient room to undertake the permitted landscaping/tree planting and install the solar panels. It would also appear that the trees, particularly as they mature, could significantly overshadow the panels and block light to some. This may undermine the functioning of the solar panels.

Please submit assessments from both your landscape designer and solar panel supplier confirming that there is sufficient space to plant the trees and install the panels as proposed and show both the permitted landscaping and the proposed solar panels on a revised site layout plan.

Yours faithfully,

Eveleen Crowley  
Clerical Officer  
Planning Department

## D/270/24

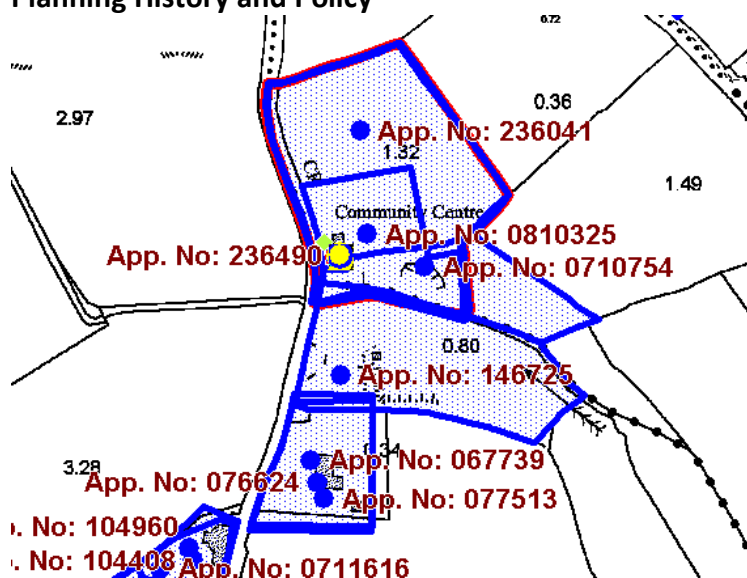
### Declaration on Exempted Development Under Section 5 of the Planning and Development Act 2000 as amended.

#### 1.0 Introduction

1.1 Tracton Arts and Community Centre has submitted a Section 5 declaration asking to confirm that “our proposed project is an exempted development”. I suggest a reformulation of the question as follows:

“whether the installation of 20 solar PV panels on the grounds of Tracton Arts and Community Centre at Minane Bridge, Co. Cork P17NP40 is or is not development and is or is not exempted development?”

#### 2.0 Planning History and Policy



##### 23/6490

Knocknamanagh CLG were granted planning permission for retention of canopy, pizza oven and external boiler to south side of existing building, retention of three storage containers, extended car parking area and running track to north and east of site and permission for pergola style external classroom to north east of existing building existing car parking area and all associated site works. The proposed works and works retained are being carried out within the curtilage of a protected structure. Tracton Arts & Heritage Centre is a protected structure.

23/6041- incomplete application.

##### 08/10325

Knocknamanagh Limited were granted planning permission for Construction of new two-storey extension to the existing Old School House (Protected Structure). The ground floor is to consist of after-school and pre-school areas, toilet, kitchen facilities, reception area, store rooms and passenger lift and the first floor area is to consist of a community hall, toilet and kitchen facilities, store rooms and external deck area, construction of new storage shed,

pump house and water well, entrance gates, access road, car parking facilities, soft surface play area, community play area, treatment plant, percolation area, retaining wall and 2.4m high palisade fence to site boundary together with associated site works and retention of existing earthworks including alterations to site levels.

**07/10754**

Cedar Resource Management Limited were granted an extension of duration for 02/2179 (Completion of waste transfer station to include waste transfer building, concrete yard, machinery maintenance building, relocation of canteen building and storage container, new site entrance and installation of waste water treatment unit).

**14/6725**- incomplete application.

---

- 2.1 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 High Value Landscape as where policy objectives GI 14-9 and GI 14-10 apply.
- 2.2 The existing original building is a protected structure ref. no. 662 and the building is also on the NIAH ref. no. 20909912. It is also recorded as a monument under SMR No. CO099-062 and is within the Zone of Archaeological Potential of same. Policy objectives HE 16-14, HE 16-15, HE 16-19, HE 16-21 and HE 16-2 of the County Development Plan 2022-2028 are relevant.

**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 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 Section 5(1) defines ancillary equipment for the purpose of rooftop solar photo-voltaic or solar thermal collector panels in classes 56(d), 56(e), 60 or 61 of Part 1 of Schedule 2 and class 18(c) of Part 3 of Schedule 2 does not include any equipment which must be placed or erected on a wall or a rooftop to allow a solar photo-voltaic or solar thermal collector installation to function.



3.5 Schedule 2, Part 1, Class 61 may also be relevant:

<p><b>CLASS 61</b></p> <p>The placing or erection on a roof, or within the curtilage, or on a roof of any ancillary buildings within the curtilage, of the following buildings or sites of a solar photo-voltaic and/or solar thermal collector installation:</p> <p>(i) an educational building,</p>	<p>1. Where such development is located within a solar safeguarding zone, the total aperture area of any solar photo-voltaic and/or solar thermal collector panels, taken together with any other such panels previously placed on a roof, shall not exceed 300 square metres.</p>
<p>(ii) health centre or hospital,</p> <p>(iii) recreational or sports facility,</p> <p>(iv) place of worship,</p> <p>(v) community facility or centre,</p> <p>(vi) library,</p> <p>(vii) sites for the provision of gas, electricity, telecommunications services or water supplies or wastewater services operated by a statutory undertaker.</p>	<p>2. Where such development is located within a solar safeguarding zone, the planning authority for the area shall be notified in writing no later than 4 weeks after the commencement of such development and such notification shall include details regarding the location and scale of the development.</p> <p>3. The distance between the plane of the roof and the solar photo-voltaic or solar thermal collector panels shall not exceed 1.2 metres in the case of a flat roof or 15cm in any other case.</p> <p>4. The solar photo-voltaic or solar thermal collector panels shall be a minimum of 2 metres in the case of a flat roof or 50cm in any other case from the edge of the roof on which it is mounted.</p> <p>5. Any ancillary equipment associated with solar photo-voltaic or solar thermal collector panels shall not be placed or erected on a wall or any roof that is not a flat roof.</p>
	<p>6. The height of any ancillary equipment associated with solar photo-voltaic or solar thermal collector panels on a flat roof shall not exceed 1.6 metres above roof level.</p> <p>7. Any ancillary equipment associated with solar photo-voltaic or solar thermal collector panels on a flat roof shall be a minimum of 2 metres from the edge of the roof on which it is mounted.</p> <p>8. Any free-standing solar photo-voltaic or solar thermal collector installation shall not be placed or erected forward of the front wall of the building or site.</p>

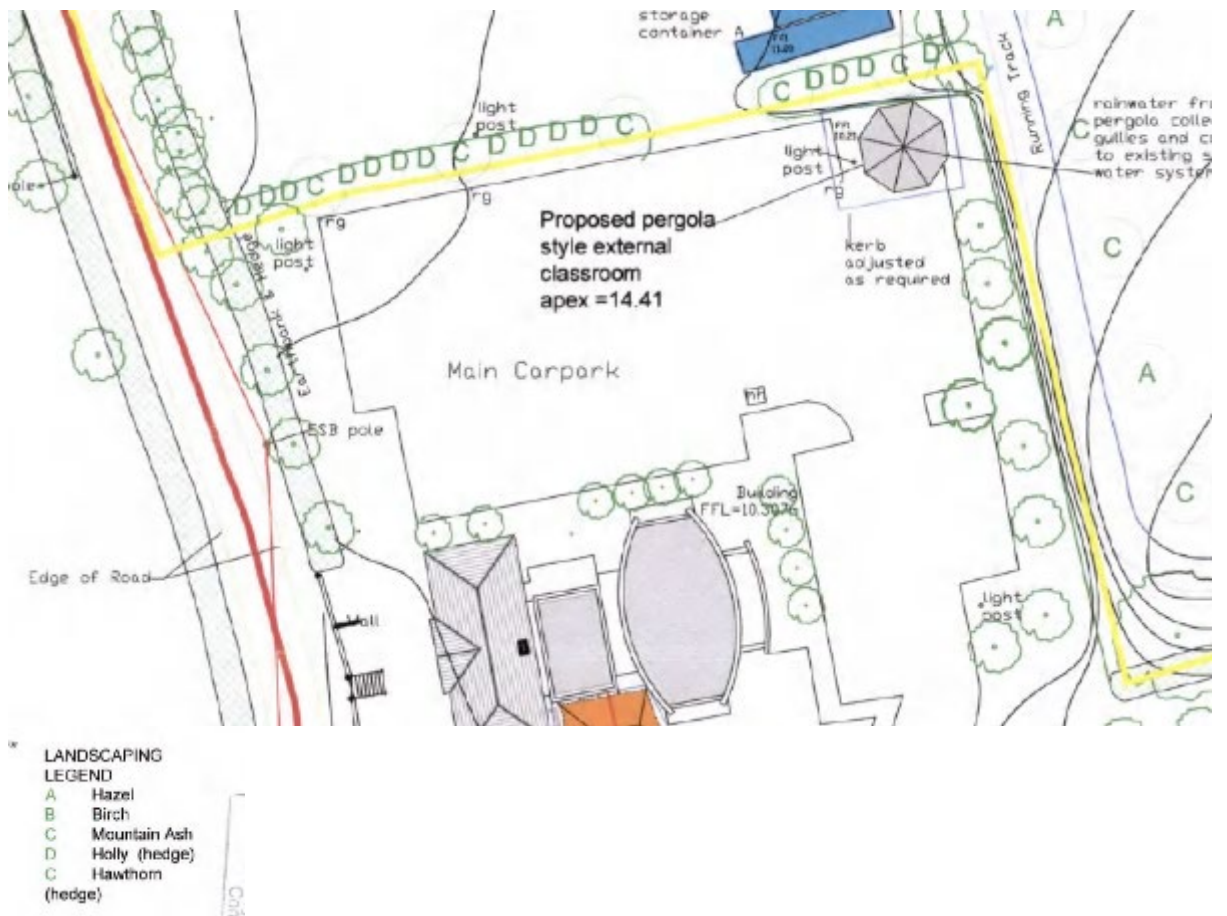
	<p>9. The total aperture area of any free-standing solar photo-voltaic and solar thermal collector panels taken together with any other such existing free-standing panels shall not exceed 75 square metres.</p> <p>10. The height of any free-standing solar photo-voltaic or solar thermal collector installation shall not exceed 2.5 metres at its highest point above ground level.</p> <p>11. The placing or erection of a solar photo-voltaic or solar thermal collector installation on any wall shall not be exempted development.</p> <p>12. The placing or erection of any free-standing solar photo-voltaic or solar thermal collector installation within an Architectural Conservation Area shall only be exempted development if those works would not materially affect the character of the area.</p> <p>13. No sign, advertisement or object not required for the functioning or safety of the solar photo-voltaic or solar thermal collector installation shall be attached to or exhibited on such installation.</p> <p>14. Development under this Class shall only be exempted development where the solar photo-voltaic or solar thermal collector installation is primarily used for the provision of electricity or heating for use within the curtilage of the building or site, and shall not be considered a change of use for the purposes of the Act.</p> <p>15. Development under this Class which causes hazardous glint and/or glare shall not be exempted development and any solar photo-voltaic or solar thermal collector panels which are</p>
	<p>causing hazardous glint and/or glare shall either be removed or be covered until such time as a mitigation plan to address the hazardous glint and/or glare is agreed and implemented to the satisfaction of the Planning Authority.</p>

3.6 Article 9 (1) (a) of the Planning and Development Regulations 2001-2023 is relevant.

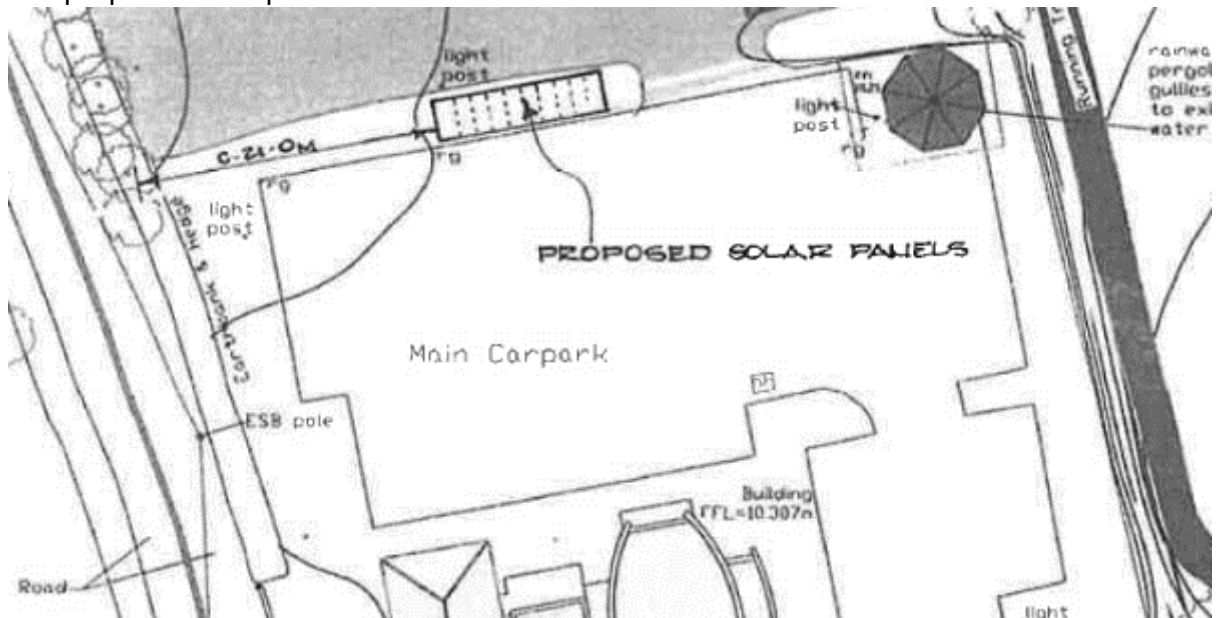
**4.0 Assessment**

- 4.1 The details submitted with the application outlines that 20 panels are proposed to be mounted on the ground. It shows 20 panels arranged in a row. The length of the row is 11.52m and the width is 3m. They will be mounted at a 30 degree angle on a frame.
- 4.2 The installation of photo-voltaic panels constitutes 'works' being an act of construction. It also constitutes development being works on land. The next question is whether it could be considered exempted development? I refer to Class 61, Part 1 of Schedule 2 of the Planning and Development Regulations 2001-2023 as amended. It is an exemption for the placing or erection on a roof, or within the curtilage, or on a roof of any ancillary buildings within the curtilage, of specified buildings of a solar photovoltaic and/or solar thermal collector installation. One of the buildings specified under (v) is community facilities or centres. I am satisfied that the Tracton Arts and Community Centre is a community facility as per item (v) of Class 61. There are 15 conditions/limitations which must be satisfied in order to meet the criteria for the exemption.
- 4.3 Condition/limitation 1 specifies if the development is located in a solar safeguarding zone, the total aperture area shall not exceed 300 sqm. I have checked the Solar Safeguarding Zones Map and the site is not within such a zone and in any case, the total aperture area will not exceed 40 sqm. Condition/limitation 2 is not relevant as the site is not within a solar safeguarding zone.
- 4.4 Condition/limitation 3 is not relevant as it relates to the distance between the plane of the roof and the solar PV. These panels are intended to be ground mounted.
- 4.5 Condition/limitation 4 is not relevant as it relates to the distance required between the solar PV and edge of the roof.
- 4.6 Condition/limitation 5 states any ancillary equipment shall not be placed or erected on a wall or any roof that is not a flat roof. No information has been provided about ancillary equipment. Further information can be sought to query this.
- 4.7 Condition/limitation 6 and 7 relate to the height of ancillary equipment on a flat roof and distance to the edge of same. It is unlikely that the proposal will involve placing ancillary equipment on a roof but this can be clarified.
- 4.8 Condition/limitation 8 states that any free standing installations shall not be placed or erected forward of the front wall of the building or site. The proposed development is not located forward of the front wall of the building. I am satisfied that the proposed development meets with this condition/limitation.
- 4.9 Condition/limitation 9 and 10 refer to total aperture of free-standing panels and height of same. The area shall not exceed 75 sqm and the height shall not exceed 2.5m at its highest point above ground level. The area of the panels does not exceed 40 sqm which complies with condition/limitation 9. The height of the free standing panels is shown as 2.158m.

- 4.10 Condition/limitation 11 states the placing of an installation on a wall is not exempt. The proposed development is intended to be erected on the ground, so this is not relevant.
- 4.11 Condition/limitation 12 refers to free standing installations within an ACA so is not relevant to the proposed development as the proposal is not within an ACA.
- 4.12 Condition/limitation 13 states no sign or advertisement will be attached to the installation. The drawing does not show any signs or advertisements.
- 4.13 Condition/limitation 14 outlines that development under this class shall only be exempted development where the solar photovoltaic installation is primarily used for the provision of electricity for use within the curtilage of the building or site. The application details do not explicitly state that the electricity will only be used for the Arts and Community Centre but given the size of the installation, it would appear reasonable to assume same. However, this can be clarified by further information.
- 4.14 Condition/limitation 15 states development which causes glint and/or glare shall not be exempted development and any panels causing hazardous glint and/or glare shall either be removed or be covered until such time as a mitigation plan to address the hazard has been agreed and implemented to the satisfaction of the Planning Authority.
- 4.15 It would appear that the proposed photo-voltaic installation may comply with Class 61 and may be considered exempted development provided that the electricity generated is for use on site and that no ancillary equipment will be proposed on the roof or walls of the building. These issues can be clarified by way of further information. It is also necessary to examine if any of the items in article 9(1)(a) of the Planning and Development Regulations 2001-2023 as amended could de-exempt the proposed development.
- 4.16 Article 9(1)(a)(i) relates to a development contravening a condition attached to a permission under the Act. I note that condition 1 of 23/6490 requires the development to be carried out as per plans and particulars. Condition 6 requires landscaping to be carried out as per submission on 07/08/2024 and shall be undertaken within 24 months of the date of grant of this permission. The permitted landscaping plan under 23/6490 is as follows:



The proposed solar photovoltaic installation is shown as follows:



I have concerns that the proposed development conflicts with the landscaping proposals in this area. The applicant should clarify that the proposed installation does not impact negatively or undermine the function of same. This will ensure that no condition of the permission is being contravened.

- 4.17 I have reviewed the other items of article 9(1)(a) and am satisfied that the no other item could 'de-exempt' the proposed development. Please also see section 4.19.

*Appropriate Assessment*

- 4.18 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.

*Heritage*

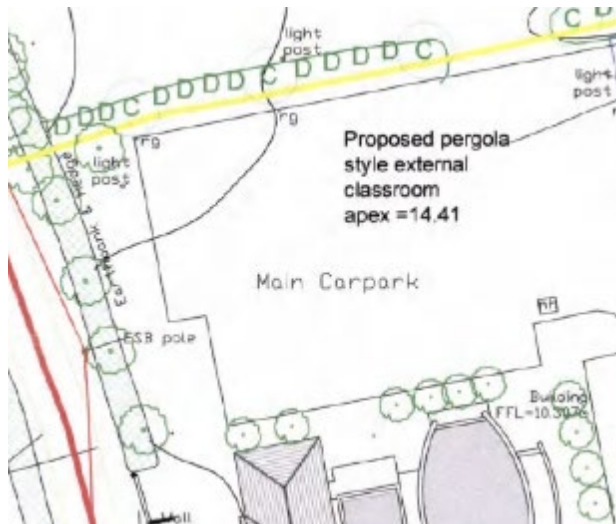
- 4.19 See Appendix 1 for report from the Councils Co. Archaeologist. She is satisfied that the proposed development would not impact negatively on the Record Monument (CO099-062) or Protected Structure ID 662.

**Recommendation**

I recommend that the application be deferred.

1. Condition/limitation 5 of Class 61 of Part 1, Schedule 2 of the Planning and Development Regulations 2001-2023 as amended, states that any ancillary equipment associated with the solar photo-voltaic panels shall not be placed or erected on a wall or any roof that is not a flat roof. Can you please give details of the location of ancillary equipment (if any) and confirm it is not proposed to be located on any roof or walls of any structure within the property.
2. Please confirm that the proposed solar photovoltaic installation will be primarily used for the provision of electricity for use within the curtilage of the building or site.
3. Article 9(1)(a)(i) outlines that development may not be exempt if it consists of a development which would contravene a condition attached to a permission under the Act. I note that condition 1 of planning ref. no. 23/6490 requires *"the proposed development shall be carried out as per plans and particulars lodged with the application as amended by the documents/drawings received by the Planning Authority on the 07/08/2024 and 29/08/2024 except as may otherwise be required in order to comply with the conditions herein"*. Condition 6 requires *"landscaping to be carried out as per submission on 07/08/2024 and shall be undertaken within 24 months of the date of grant of this permission"*. The proposed ground mounted solar panels appear to be proposed in an area where new landscaping is required to be undertaken (to comply with condition 1 and 6 of 23/6490). The required landscaping includes two mountain ash trees and four holly trees see extract from landscaping plan as follows:





There would seem to be insufficient room to undertake the permitted landscaping/tree planting and install the solar panels and also it would appear that the trees particularly as they mature could significantly overshadow the panels and block light to same. This may undermine the functioning of the solar panels.

Please submit assessments from both your landscape designer and solar panel supplier confirming that there is sufficient space to plant the trees and install the panels as proposed and show both the permitted landscaping and the proposed solar panels on a revised site layout plan.

---

Susan Hurley  
Executive Planner  
05/11/2024



## Appendix 1: Reports from Internal Consultants

# Section 5 Application Ref No.: D/270/24 - Knocknamanagh CLG

## Status

### Proposal

Knocknamanagh CLG are querying whether the proposed installation of 20 Solar PV Panels on the grounds of Tracton Arts & Community Centre, Minane Bridge is exempted development. The location for the 20 panels may be just outside or on the periphery of the Zone of Archaeological Potential for a Recorded Monument CO099-062: School at KNOCKNAMANAGH described as an Early 19th century rectangular 2-storey structure (long axis N-S). Front (W) of 3 bays; central 1-bay pedimented breakfront; off-central doorway to right approached by steps; hood moulding over ground floor opens. Stone steps at SE corner gives access to 1st floor. Hipped roof; central chimney at rear. Oval plaque in pediment inscribed 'National School'.



### Planning Regulations, Exemption and Archaeology

Restrictions on exemption. 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—

(vii) consist of or comprise the excavation, alteration or demolition (other than peat extraction) of places, caves, sites, features or other objects of archaeological, geological, historical, scientific or ecological interest, the preservation, conservation or protection of which is an objective of a development plan or local area plan for the area in which the development is proposed or, pending the variation of a development plan or local area plan, or the making of a new development plan or local area plan,

in the draft variation of the development plan or the local area plan or the draft development plan or draft local area plan.

(vii a) consist of or comprise the excavation, alteration or demolition of any archaeological monument included in the Record of Monuments and Places, pursuant to section 12 (1) of the National Monuments (Amendment) Act 1994, save that this provision shall not apply to any excavation or any works, pursuant to and in accordance with a consent granted under section 14 or a licence granted under section 26 of the National Monuments Act 1930 (No. 2 of 1930) as amended.

## **Conclusion**

The proposed development is proposed in an area already devoid of in-situ topsoil in an area now used as a car park and overflow carpark. No impacts to the Recorded Monument are anticipated.

In my opinion, the proposed development is exempt (where it relates to archaeology).



## Section 5 Application Ref No.: D/270/24 - Knocknamanagh CLG

### Status

#### Proposal

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(vii) consist of or comprise the excavation, alteration or demolition (other than peat extraction) of places, caves, sites, features or other objects of archaeological, geological, historical, scientific or ecological interest, the preservation, conservation or protection of which is an objective of a development plan or local area plan for the area in which the development is proposed or, pending the variation of a development plan or local area plan, or the making of a new development plan or local area plan,



Annette Quinn | County Archaeologist | Planning & Development Cork County Council | Tel: 021-4285329 M 086-1688826

in the draft variation of the development plan or the local area plan or the draft development plan or draft local area plan.

(vii a) consist of or comprise the excavation, alteration or demolition of any archaeological monument included in the Record of Monuments and Places, pursuant to section 12 (1) of the National Monuments (Amendment) Act 1994, save that this provision shall not apply to any excavation or any works, pursuant to and in accordance with a consent granted under section 14 or a licence granted under section 26 of the National Monuments Act 1930 (No. 2 of 1930) as amended.

## Conclusion

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In my opinion, the proposed development is exempt (where it relates to archaeology).



# **CORK COUNTY COUNCIL APPLICATION FOR SECTION 5 DECLARATION OF EXEMPTION**

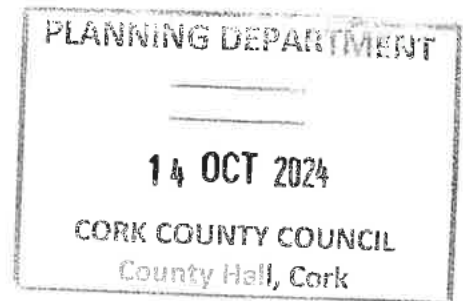
## **APPLICANT CHECKLIST**

(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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<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>

? already submitted



## **FOR OFFICE USE ONLY**

Receipt No.	PLG0046363
Cash/Cheque/ Credit Card	CARD
Date	14/10/24
Declaration Ref. No.	D/270/24

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 3<sup>rd</sup> 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](mailto: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 (m<sup>2</sup>)

(a) Floor area of existing/proposed structure(s):	
(b) If a domestic extension is proposed, have any previous extensions/structures been erected at this location after 1 <sup>st</sup> October, 1964 (including those for which planning permission has been obtained):	Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, please provide floor areas (m <sup>2</sup> ) 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 Wide Grass margin at the edge of Car park 1	Proposed use Site for the solar panels
(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 checked="" type="checkbox"/> No <input 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)	Helen O'Dowd
Date	14-Oct-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	

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](mailto:planninginfo@corkcoco.ie) or by contacting the Planning Department, Norton House, Cork Road, Skibbereen, Co. Cork. Tel: (028) 40340 Email: [westcorkplanninginfo@corkcoco.ie](mailto: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.

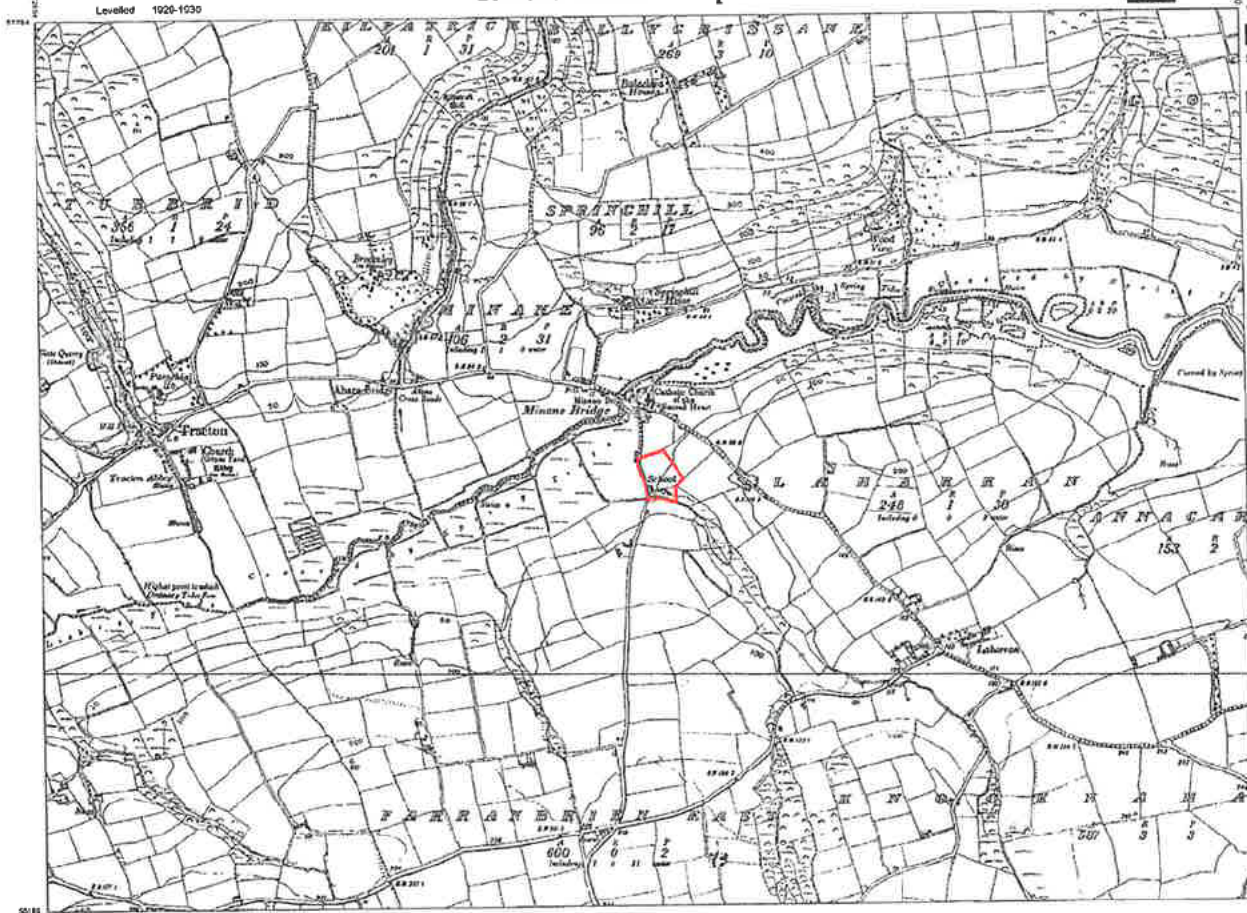
*The application form and advisory notes are non-statutory documents prepared by Cork County Council for the purpose of advising the type of information which is normally required to enable the Planning Authority to issue a Declaration of Exemption under Section 5. This document does not purport to be 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:**

<i>Signed (Applicant or Agent as appropriate)</i>	Helen O'Dowd 
Date	14-Oct-2024

Surveyed 1841-1842  
Revised 1930  
Levelled 1928-1930

# Record PLACE Map



ITM CENTRE PT. COORDS  
574363,556250

DESCRIPTION

MAP SHEETS

6 Inch  
CK113 CK099



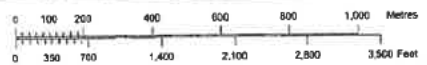
Produced by National Map Services,  
The Court House Chambers,  
27-29 Wellington Quay,  
Cork City, Co. Cork  
On behalf of Ordnance Survey Ireland,  
Phoenix Park, Dublin 8.

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cead sárionn na riail ná áirgeadh in chópáil.  
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Scale:- 1:10,560  
Scale:- 1:10,560



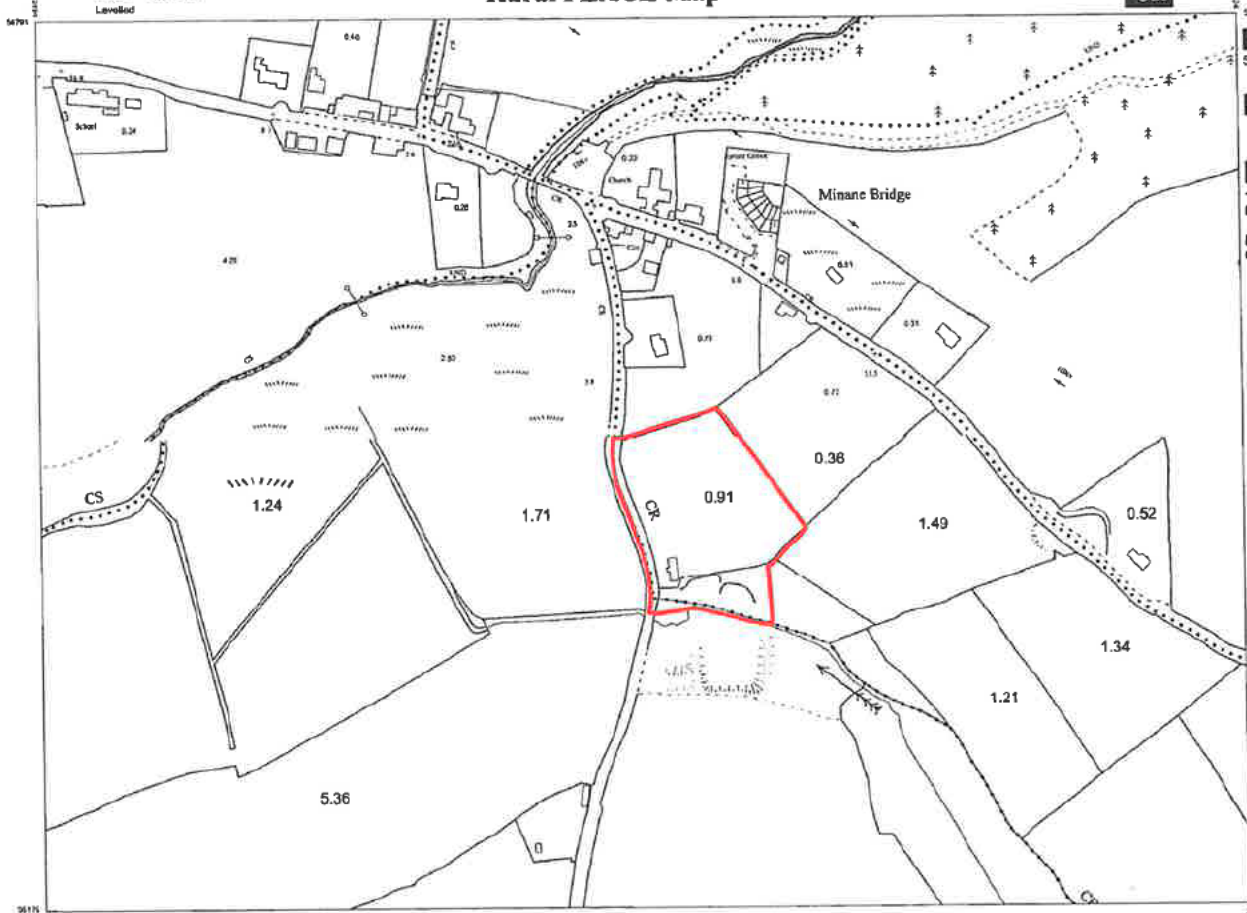
Plot Ref. No. 1045442\_1  
Plot Date 05-SEP-2005





Surveyed 2000-2003  
Revised 2000-2003  
Levelled

# Rural PLACE Map



ITM CENTRE PT COORDS  
574365,556549

DESCRIPTION

MAP SHEETS

1:2500  
8583-B

Digital Map  
6583



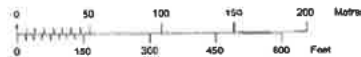
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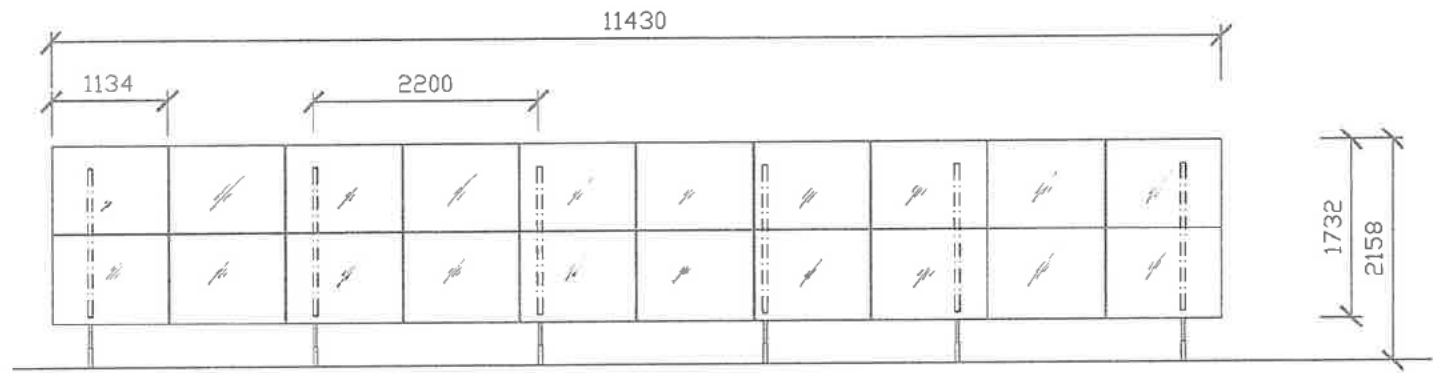
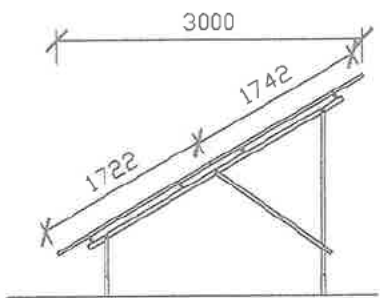
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© Ordnance Survey Ireland, 2005

Scale:- 1:2,500  
Scála:- 1:2,500

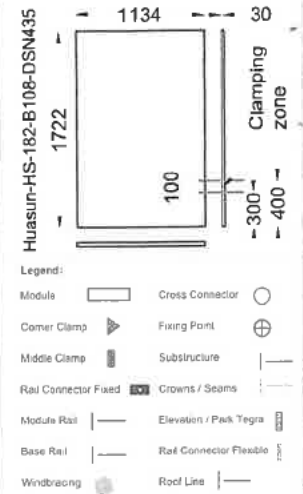
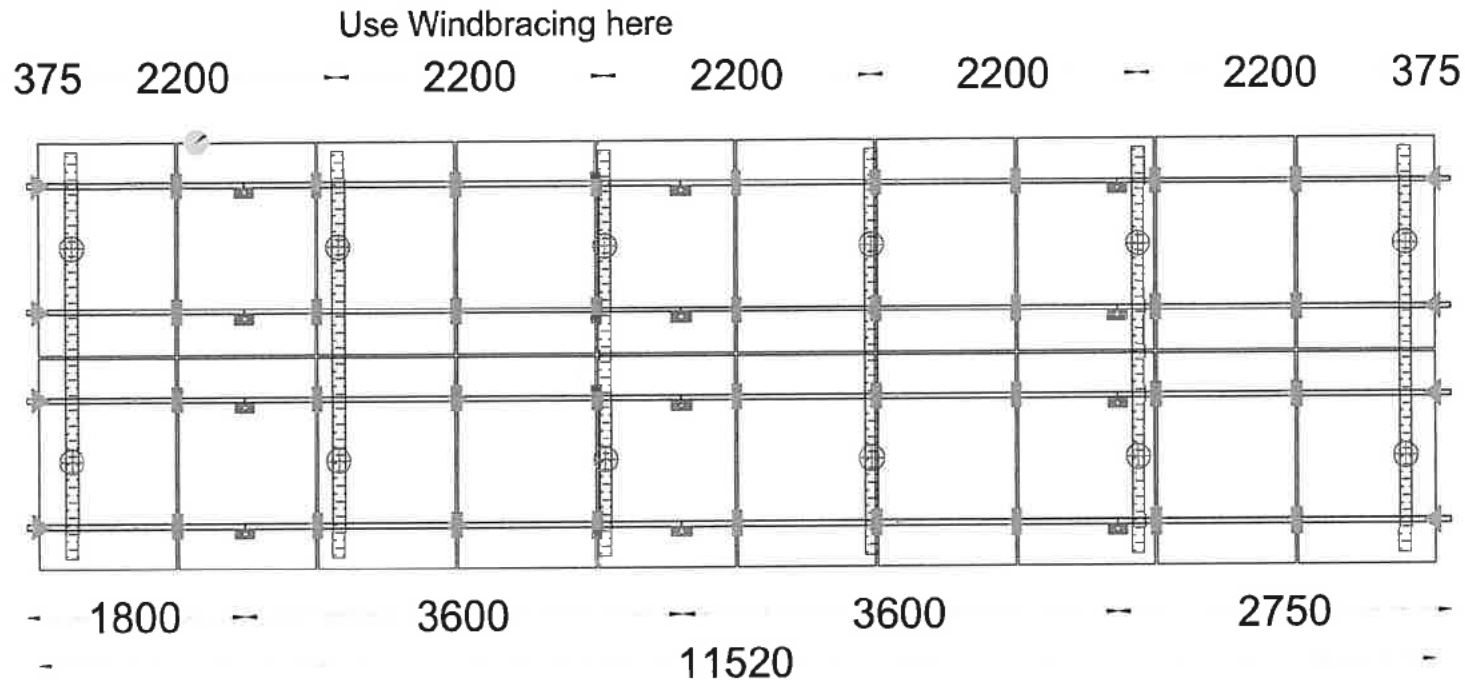


Plot Ref. No. 1045442\_1\_1  
Plot Date 05-SEP-2005





SCALE: 1/50, DATE: OCTOBER 2024



Notes:

20 modules

**CONFIDENTIAL**  
**PROPOSAL ONLY**

Project: Treston Community Centre  
 System: PT GA  
 Mod. Dimensions: 1722x1134x30mm  
 Base Rail: n/a  
 Module Rail: 40x80  
 Date: 09/10/2024  
 Dwn: JURAJ POTOCKY Ckd: JP

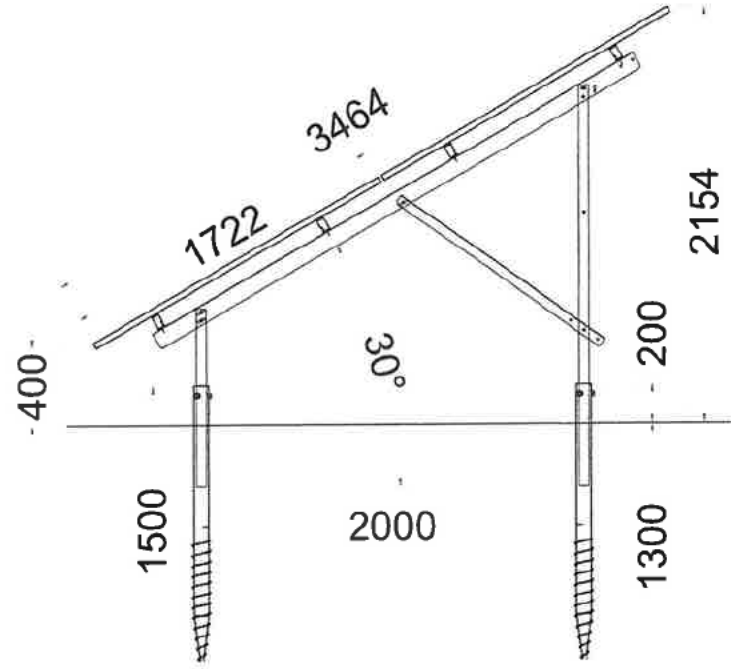
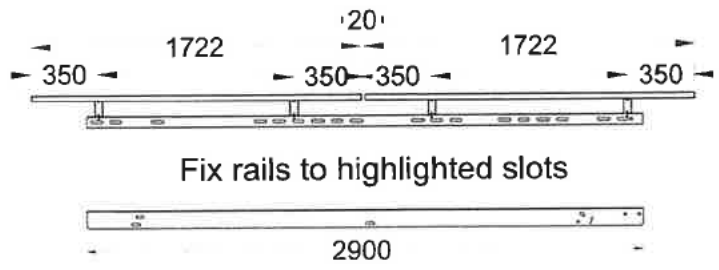


www.sunfixings.co.uk  
 R2 Bunsen Industrial Park, Buntingford, Cambs, UK  
 CB11 3JG  
 +44 (0) 1451 824 312 info@sunfixings.co.uk

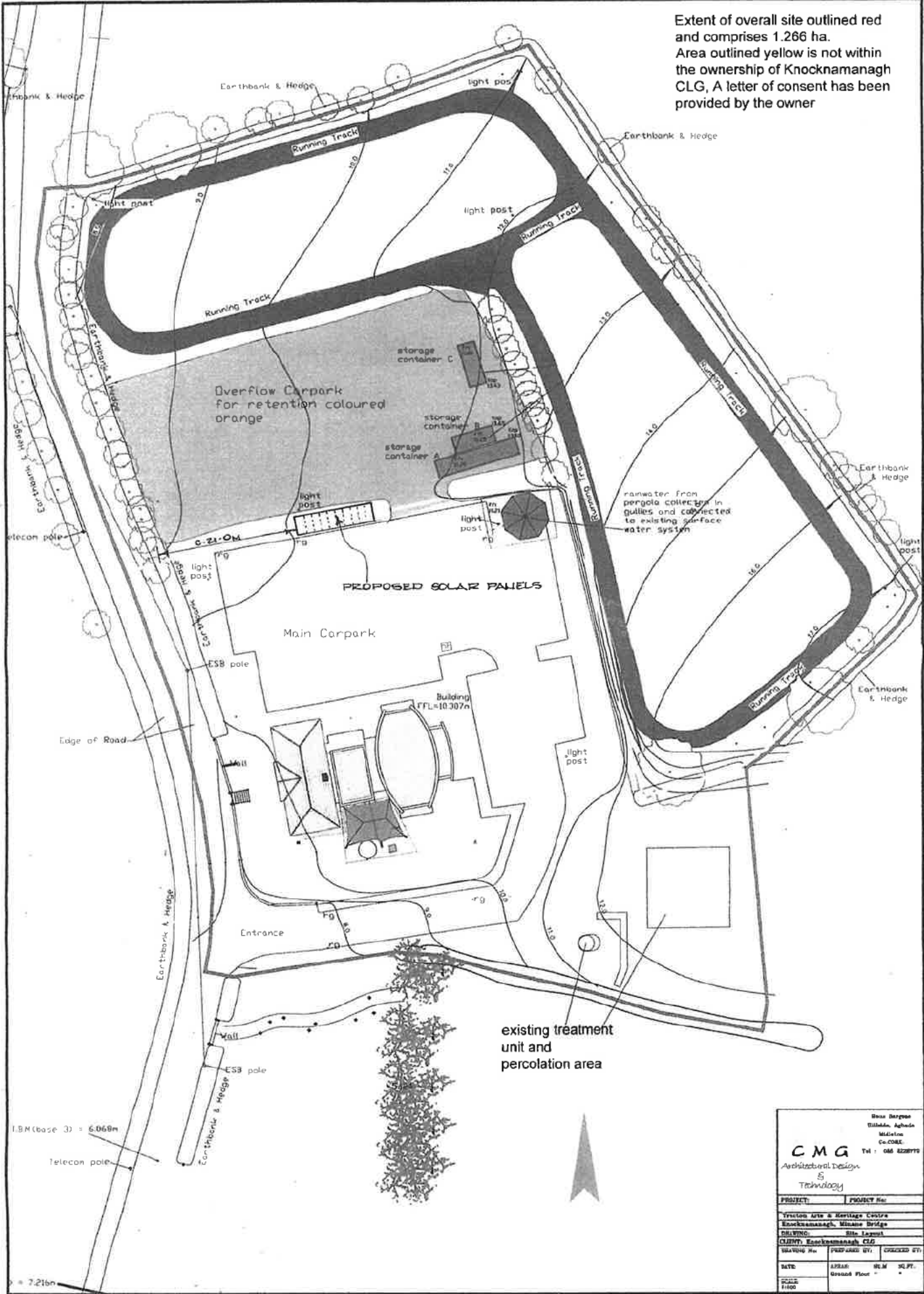
Ground mounted systems are subject to ground conditions. Roof mounted systems are subject to structural survey. Intention is correct drawing for sub-tended structure and is subject to change. Please refer to the system mounting instructions. Always do so with your own eyes. This drawing with respect to this project is prepared on the assumption that Sunfixings products will be used and that they are not intended for any other use. Consequently Sunfixings cannot accept any responsibility for the use of any or various other drawings by third parties. All third parties should calculate their own specifications and drawings in order to ensure these are correct for their own products.

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Extent of overall site outlined red and comprises 1.266 ha.  
 Area outlined yellow is not within the ownership of Knocknamagh CLG, A letter of consent has been provided by the owner



existing treatment unit and percolation area



Ross Burgess Dillaha, Aghada Malina Co. CARL. Tel: 045 822872		
<b>CMG</b> Architectural Design & Technology		
PROJECT:	PROJECT No:	
Systems Area & Heritage Centre		
Knocknamagh, Milnes Bridge		
DRAWING:	Site Layout	
CLIENT: Knocknamagh CLG		
DRAWING No:	PREPARED BY:	CHECKED BY:
DATE:	ISSUE:	NO. M SQ. FT.
SHEET:	Ground Floor	
FILED:		

I.B.M (base 3) = 6.068m  
 Telecon pole

0 = 7.21m