

Comhairle Contae Chorcaí Cork County Council

Rannóg Pleanála, Teach Norton,
Bóthar Chorcaí, An Sciobairín,
Co. Chorcaí P81 AT28.
Fón: (028) 40340 • Faics (028) 21660
Suíomh Greasain: www.corkcoco.ie
Planning Section, Norton House,
Cork Road, Skibbereen,
Co. Cork P81 AT28.
Tel: (028) 40340 • Fax: (028) 21660
Web: www.corkcoco.ie



COPY

**Darko & Irene Hauswirth,
c/o Barry Norman, MRIAI,
Studio-BNA,
St. Patrick's Road,
Greenhills,
Dublin D12 N5F7.**

27th January, 2025.

Our Ref: D/38/24.

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

Dear Sir,

On the basis of the information and plans submitted by you on 19th December, 2024 on behalf of Darko & Irene Hauswirth, the Planning Authority declares that the proposed construction of animal storage building at Dromagowlane House, Trafrask, Adrigole, Beara, Co. Cork constitutes "exempt development" under Class 6 of the Planning & Development Regulations, 2001 (as amended).

Please note that any material departure from the proposals as submitted may remove the development from the Exempted category and require the submission of an application for Permission under the Act.

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

Yours faithfully,

Handwritten signature of Pio Treacy in blue ink.

**PIO TREACY
A/SENIOR EXECUTIVE OFFICER**

Cork County Council – Norton House – Skibbereen

Declaration on exempted development D/38/24

Location: Dromagowlane Adrigole

Development: Farm building under class 6

The applicant is seeking a declaration of exempted development for the construction of a 200sqm animal storage building. (class 6).

The applicant has outlined that the buildings already on the site are for storage purposes only and are Use Class 9 as per the planning and development regulations 2021 as amended.

The proposal is located to the rear of the existing building on the site and involves the removal of a small chalet building.

I have inspected the site and the out buildings on site are long established and located within a farmyard setting, to the rear of the dwelling house.

In terms of the planning and development regulations 2001 the following exemption class is relevant.

Agricultural structures

CLASS 6 (Planning and development regulations 2001).

Description of development	Conditions and limitations
Works consisting of the provision of a roofed structure for the housing of cattle, sheep, goats, donkeys, horses, deer or rabbits having a gross floor space not exceeding 200sqm (whether or not by extension of an existing structure), and any ancillary provision for effluent storage.	<ol style="list-style-type: none">1. No such structure shall be used for any purpose other than the purpose of agriculture.2. The gross floor space of such structure together with any other such structures situated within the same farmyard complex or within 100m of that complex shall not exceed 300sqm gross floor space in aggregate.3. Effluent storage facilities adequate to serve the structure having regard to its size, use and location shall be constructed in line with department of agriculture, food and rural development and department of the Environment and local government requirements and shall have regard

	<p>to the need to avoid water pollution.</p> <ol style="list-style-type: none"> 4. No such structure shall be situated, and no effluent from such structure shall be stored, within 10m of any public road. 5. No such structure within 100m of any public road shall exceed 8m in height. 6. No such structure shall be situated, and no effluent from such structure shall be stored, within 100m of any house (other than the house of the person providing the structure) or other residential building or school, hospital, church or building used for public assembly, save with the consent in writing of the owner and, as may be appropriate the occupier or person in charge thereof. 7. No unpainted metal sheeting shall be used for roofing or on the external finish of the structure.
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Class 6.

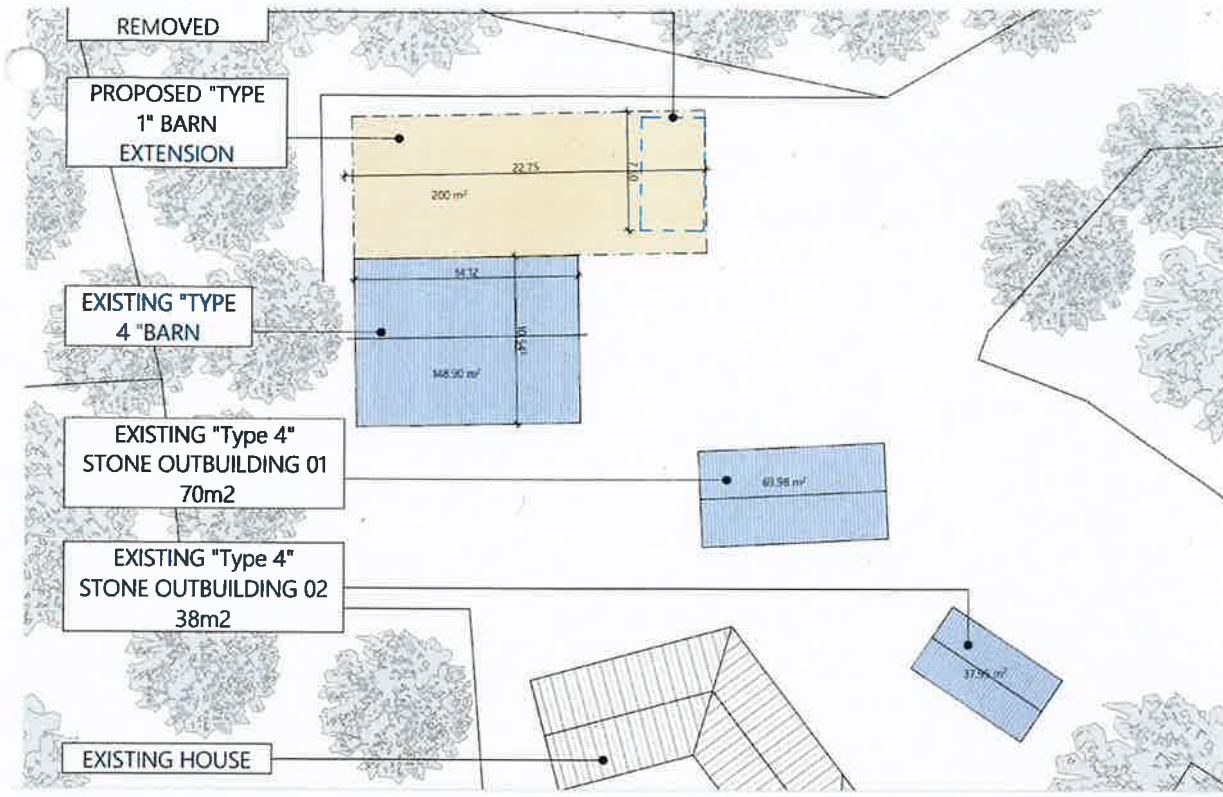
I have examined the documentation submitted.

1. The proposed unit is 200sqm the maximum specified in class 6.
2. The gross floor space of the structure together with other such structures situated within the same farmyard complex or within 100m of that complex does not exceed 300sqm gross floor space in aggregate.
3. Effluent storage shall be adequate to serve the structure having regard to its size, use and location shall be constructed in line with department of agriculture, food and rural development and department of the Environment and local government requirements and shall have regard to the need to avoid water pollution.
4. The development is further than 100m from the public road.
5. Structure does not exceed 8m in height.
6. Proposal is further then 100m from any adjoining neighbouring dwellings.
7. Structure shall be painted.

The applicant has submitted the written consent of the adjoining landowner

Conclusion.

Having examined the proposal and taking into account the location, the extent of the proposed works. The development as proposed is considered exempt under of Class 6 of the Planning and Development regulations 2001 (as amended.)



Sean Taylor
 Executive Planner
 21/01/2025



STUDIO-BNA

St Patricks Road

Greenhills

D12 N5F7

Project: Agricultural Land at Dromagowlane House

To Whom it may concern,

We are acting as agents on behalf of our clients who are seeking to erect an Agricultural Unit at Dromagowlane House, Trafask, Ardigole, Beara Peninsula Co Cork.

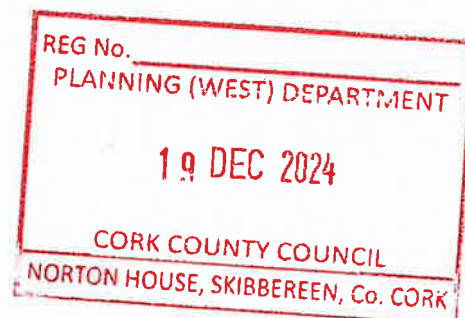
Our clients are not the owners of this property (*they are currently in the process of buying the property with the sale to finalise in mid January*) but please see included within this application a copy of a written consent obtained from the current owner, Ahrlene and Greg Fuller, allowing them to make this application.

Our clients are seeking to get a declaration on the exemption from planning under the following:

- **Type 1:** A roofed structure housing cattle, sheep, goats, donkeys, horses, deer or rabbits, provided that its floor area does not exceed 200 square metres and that the total floor area of all Type 1 structures within the farmyard complex (or within 100 metres of the complex) does not exceed 300 square metres floor space.

The existing buildings currently on site are:

- The dwelling house
- Existing "Type 4" Barn: **148.90m²**
- Existing "Type 4" Stone Outbuilding 1: **70m²**
- Existing "Type 4" Stone Outbuilding 1: **38m²**



Excluding the existing dwelling house, the combined area of outbuildings on the site is: **256.9m²**

It is the opinion of the applicants that the current barn/storage buildings on site are not suitable for their animals and as such they will only be used for storage of materials, namely as Type 4 Buildings: .

- *A store, barn, shed, glasshouse etc., not exceeding 300 square metres in floor area and not used for housing animals or storing effluent, provided that the total floor area of all Type 4 structures within the farmyard complex (or within 100 metres of the complex) does not exceed 900 square metres*

As a result of this they wish to exercise the following planning exemption and are proposing a 200m² structure for the storage of animals; Type 1 Building. Drawings showing the layout of these proposals have been included within this submission for clarity.

Please also see below images of the existing outbuildings on site:



Image 001: Interior of 148.90M² Barn





Image 002: Interior of 148.90M2 Barn



Image 003: Interior of Existing Stone Outbuildings

REG No. _____
PLANNING (WEST) DEPARTMENT
19 DEC 2024
CORK COUNTY COUNCIL
NORTON HOUSE, SKIBBEREEN. CO. CORK



Image 004: Interior of Existing Stone Outbuildings

If you have any further questions please don't hesitate in contacting us, we look forward to hearing from you in the near future.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Barry Norman MRIAI'. The signature is fluid and cursive.

Barry Norman MRIAI





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:
- 1 No. Copies 6" O.S. Maps:
- 4 No. Copies 25" O.S. Maps:
- 4 No. Copies of Site Layout Plans:
- 4 No. Copies Scaled Drawings of Development:
- €80 Application Fee:

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

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

PAYMENT TO BE MADE OVER
THE PHONE. Please call 0861715974

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 (Imiscarr) 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 <https://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 dpa@corkcoco.ie or write to us at Data Protection Officer, Cork County Council, County Hall, Carrigrohane Road, Cork, Ireland.



1. NAME OF APPLICANT: (ADDRESS TO BE SUPPLIED AT QUESTION A - CONTACT DETAILS)

Davies + heise Hauswirth

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

Dromogowlane House, Traanisk, Anrigde
Beana Peninsula, Co. Cork, P75 FY88

3. QUESTION/DECLARATION DETAILS:

Please state the specific question for which a Declaration of Exemption is sought
Note: Only works listed and described under this section will be assessed under the Section 5 Declaration of Exemption

Section of a 200m² "Type 1" Barn
on property



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):	20m ²	
(b) If a domestic extension is proposed, have any previous extensions/structures been erected at this location after 1 st October, 1964 (including those for which planning permission has been obtained):	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
(c) If a change of use of land and/or building(s) is proposed, please state the following: Existing/previous use Proposed use	/	
(d) Are you aware of any enforcement proceedings connected to this site?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
	If yes, please state relevant reference number(s):	

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

Please tick appropriate box to show applicant's legal interest in the land or structure:

Where legal interest is "Other", please state your interest in the land/structure:	A. Owner <input type="checkbox"/>	B. Other <input checked="" type="checkbox"/>
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):	Please See Attached Letter	

6. PROTECTED STRUCTURE DETAILS / ARCHITECTURAL CONSERVATION AREA:

Is this a Protected Structure/Proposed Protected Structure or within the curtilage of a Protected Structure: Yes No

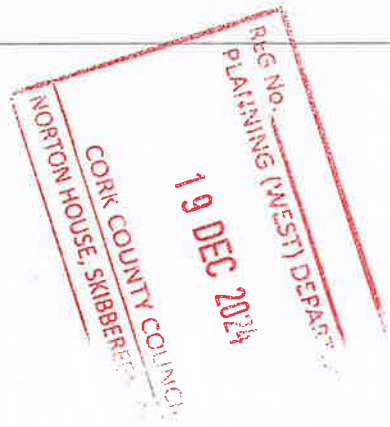
If yes, has a Declaration under Section 57 of the Planning & Development Act 2000 been requested or issued for the property by the Planning Authority: Yes No

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 No

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	14	12	24

GDPR Special Categories of data / Sensitive Personal data - Explicit Consent

Where Special Categories of personal data / sensitive personal data are provided as part of / in support of a declaration application, explicit consent to the processing of the special categories of data must be given by the person to whom the data refers, namely the Data Subject.

Special Categories of data / Sensitive Personal data include:

- Race
- Ethnic origin
- Political opinions
- Religion
- Philosophical beliefs
- Trade union membership
- Genetic data
- Biometric data
- Health data
- Concerning a natural person's sex life
- Sexual orientation

In order for the Planning Authority to process the sensitive personal data you have provided, your consent is required. By ticking the box below, you consent to the Planning Authority processing the personal data provided by you in line with the terms of Cork County Council's Privacy Policy available at <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 or by contacting the Planning Department, Norton House, Cork Road, Skibbereen, Co. Cork. Tel: (0239) 40340 Email: westcoastplanninginfo@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:

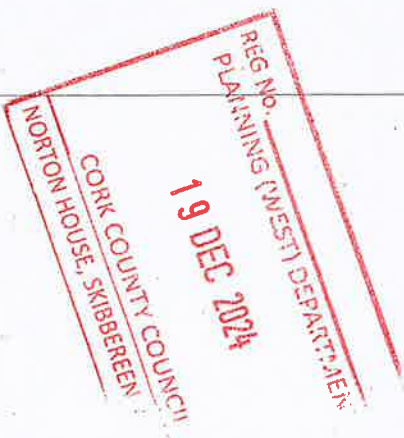
The application must be accompanied by the required fee of €30. The application must be accompanied by a site location map which is based on the Ordnance Survey map for the area, in a scale not less than 1:1000 and it shall clearly identify the site in question. Sufficient information should be submitted 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, Cartterobane 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.

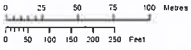
- The Planning Authority may require further information to be submitted to enable the authority to issue a decision on the Declaration of Exemption application.
- The Planning Authority may request other person(s), other than the applicant, to submit information on the question which has arisen and 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	19 th December 2024





OUTPUT SCALE: 1:2,500

CAPTURE RESOLUTION
The map objects are only accurate to the resolution at which they were captured. Output scale is not indicative of data capture scale. Further information is available at www.tai.ie/search/CaptureResolution

LEGEND:
To view the legend, visit www.tai.ie/website/ta/web/ta/ta/ or Large Scale Legend.



CENTRE COORDINATES:
ITM: $-55^{\circ}12'54.91''$
PUBLISHED: 28/02/2024
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MAP SHEETS: 1611

COMPILED AND PUBLISHED BY:
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Dublin 8,
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D08F6E4

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200725

Fastening Building

Areas to be Demolished

Site Boundary

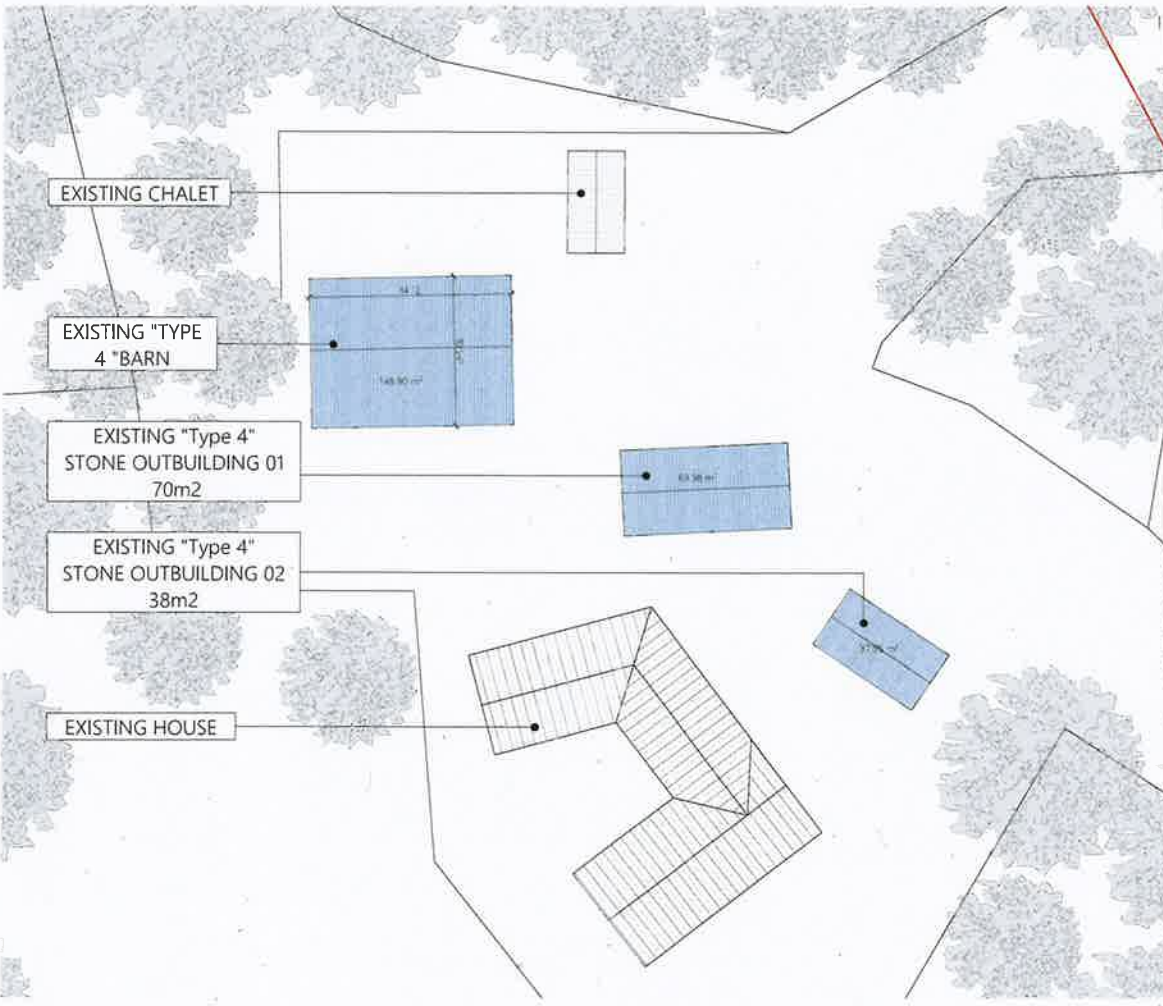
Type 1: A plot of land to which permitted uses in terms of the Planning and Development Act 2000 (as amended) and the Planning and Development Regulations 2001 (as amended) are permitted, where the permitted uses do not exceed 300 square metres.

Type 2: A plot of land to which permitted uses in terms of the Planning and Development Act 2000 (as amended) and the Planning and Development Regulations 2001 (as amended) are permitted, where the permitted uses do not exceed 300 square metres.

part V application

Studio b
architecture

REC No.
PLANNING (WEST) DEPARTMENT
19 DEC 2024
CORK COUNTY COUNCIL
NORTON ROAD, SPILGLREEN, CO. CORK



Existing Building (Blue hatched pattern)

Areas to be Demolished (X pattern)

Site Boundary (Red line)

Type 3 - A solid yellow area representing a specific building type.

Type 4 - A solid blue area representing a specific building type.



Area	Area (m²)	Volume (m³)	Remarks

part V application

Drawn by: [Name]

Date: [Date]

Scale: 1:500

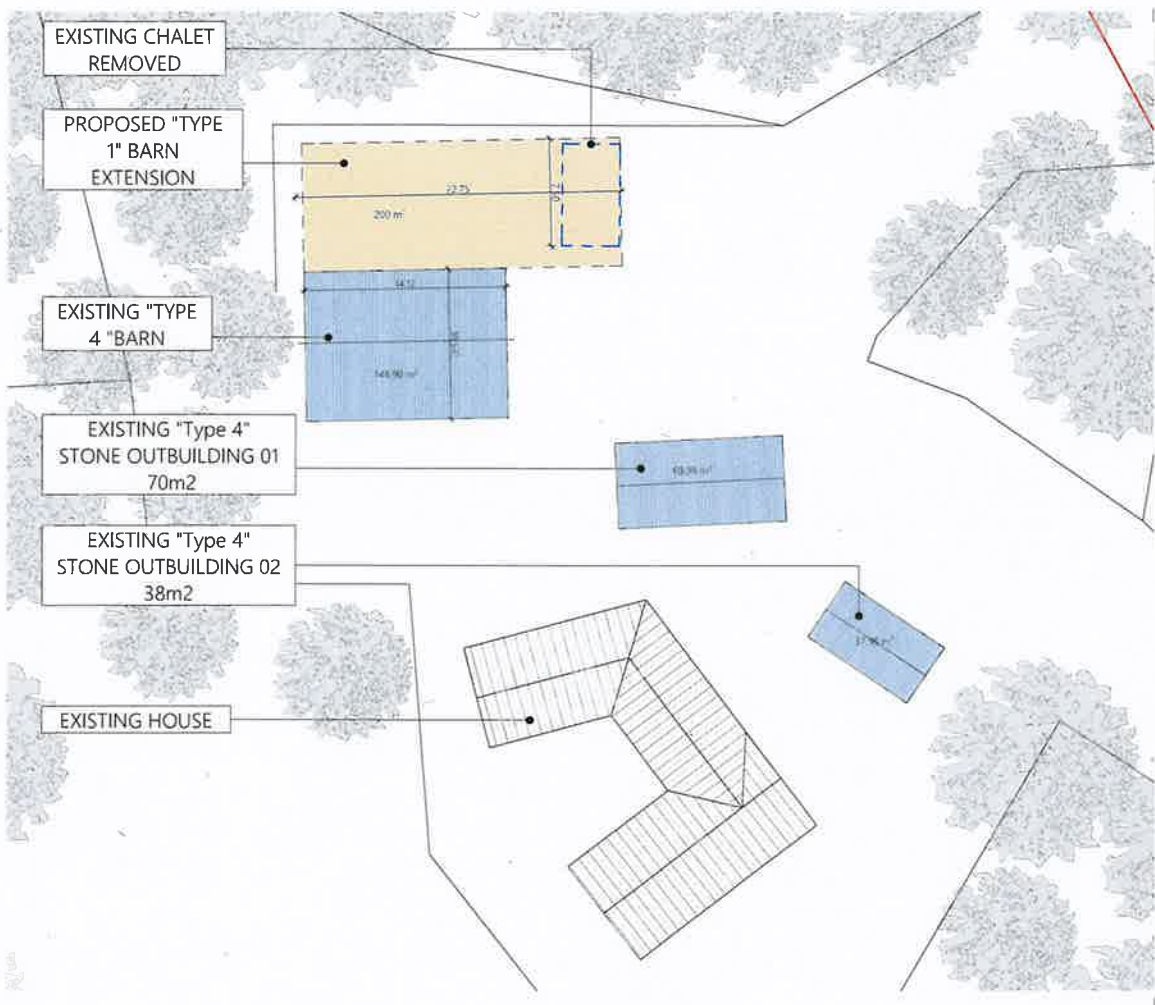
Sheet: 1 of 1

Project: [Project Name]

Client: [Client Name]

Studio b architecture

REG No. _____
 PLANNING (WEST) DEPARTMENT
 19 DEC 2024
 CORK COUNTY COUNCIL
 NORTON HOUSE, SKIBBEREEN, Co. CORK



Existing Building (diagonal hatching)

Areas to be Demolished (cross-hatching)

Site Boundary (red line)

Type 1: A water-curtain building (Type 1) with a maximum height of 4.5m and a maximum length of 30m. The building shall be constructed of stone or brick and shall be finished with a natural or painted finish.

Type 4: A water-curtain building (Type 4) with a maximum height of 4.5m and a maximum length of 30m. The building shall be constructed of stone or brick and shall be finished with a natural or painted finish.

Area	Area (m²)	Volume (m³)	Height (m)

part V application

Name: _____
 Address: _____
 Date of issue: _____

Proposed Site Layout

Scale: 1:500
 Date: _____
 Drawing No: _____

Studio b
architecture

REC No. _____
PLANNING (WEST) DEPARTMENT
19 DEC 2024
CORK COUNTY COUNCIL
 NORTON HOUSE, SKIBBEREEN, Co. Cork