

# Comhairle Contae Chorcaí Cork County Council

Rickard Roycroft,  
c/o Sandra Buttimer,  
Ceres Consulting,  
Barleyfield,  
Kilbrittain,  
Co. Cork.

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)



2<sup>nd</sup> November 2023

REF: D/276/23  
LOCATION: Ring, Ballymacoda, Co. Cork

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

Dear Sir,

On the basis of the information submitted by you on 29<sup>th</sup> August and 11<sup>th</sup> October 2023 the Planning Authority, having considered the question whether or not the proposed development of a Class 8/9 structure – loose house, general purpose area and feed passage at **Ring, Ballymacoda, Co. Cork** is or is not development and is or is not exempted development has declared that it **is development and is exempted development.**

### Reason for Decision

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

- Sections 2, 3, 5 and 177U of the Planning and Development Act 2000 (as amended)
- Articles 6 and 9 of the Planning and Development Regulations 2001 (as amended) and
- The particulars received by the Planning Authority on 29<sup>th</sup> August and 11<sup>th</sup> October 2023

**And Whereas Cork County Council has concluded that –**

The proposed development of a Class 8/9 structure – loose house, general purpose area and feed passage at **Ring, Ballymacoda, Co. Cork** constitutes **development which is exempted development.** You are advised that to avail of the exemption, no unpainted metal sheeting shall be used for roofing or the external finish. Also, the Environment Officer advises that the bored well should be at least 60m from the shed and effluent tank.

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



We are Cork.



Recycled

**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,



**CATHAL DE BARÓID,  
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>*

## PLANNER'S REPORT - Ref. D/276/23

<b>Application Type:</b>	Section 5
<b>Description:</b>	Whether or not the following is or is not development and is nor is not exempted development:  Class 8/9 structure – loose house, general purpose area and feed passage.
<b>Location:</b>	Ring, Ballymacoda, Cork
<b>Applicant:</b>	Richard Roycroft c/o Ceres Consulting

Further Information issued based on my report of 29/09/2023.

The questions raised and the response received can be summarised as follows:

1. *This Section 5 proposal includes a blue line boundary which is small in area given the scale of structure proposed. Please clarify if any other lands/agricultural landholdings relate to this proposed structure.*

Response: No other lands relate to the structure.

2. *Please clarify the area of the proposed shed to be used for the housing of animals and for general storage.*

Response: It is stated that it is intended to have a degree of flexibility but an estimate is 50% for housing animals and 50% general storage.

3. *Clarify the type, number and age of animals to be housed in the shed.*

Response: It is intended to house 15 cattle of 0-1 year.

4. *Submit details for the collection and storage of effluents and soiled bedding generated in the loose housing. Demonstrate compliance with the GAP Regulations.*

Response: A pre-cast soiled water tank is proposed (details supplied). Farmyard manure will be spread directly from the shed.

5. *Provide details for the land spreading/disposal of effluents and soiled bedding generated in the shed. Demonstrate compliance with the GAP Regulations.*

Response: Farmyard manure will be spread directly from the shed.

6. *Provide details of the proposed source of water for animals.*

Response: Rain water harvesting from the shed and a bored well.

7. *Please submit a site layout plan at a scale of 1:100 or 1:200 including any details of effluent storage. The site layout plan shall also include dimensions identifying the distance between the loose house and associated development, to neighbouring dwellings and the local road.*

Response: Details are provided. Distances to the nearest dwelling, the caravan park and the public road all exceed 100m. The area of the proposed shed is less than 200sqm and is within the exemption allowance for both Class 8 and 9 developments.

8. *Clarify the external finish proposed. In this regard, to avail of the exemption, no unpainted metal sheeting shall be used for roofing or on the external finish of the structure.*

Response: Dark grey sheeting is proposed.

The Environment Officer has submitted an updated report and is satisfied with the response received to the questions raised by him (items 2-6 above).

The developer has satisfactorily addressed the questions raised. Having regard to this response, Sections 2 and 3, 5 and 177U of the Planning & Development Act 2000 (as amended), Articles 6 and 9 of the Planning & Development Regulations, the works proposed are considered exempted development.

The developer should be advised that to avail of the exemption, no unpainted metal sheeting shall be used for roofing or the external finish. Also, the Environment Officer advises that the bored well should be at least 60m from the shed and effluent tank.

N Sheridan

Senior Executive Planner

01/11/2023

# Application for Planning Exemption

**Reference:** D/276/23

**Applicant:** Rickard Roycroft

**Address:** Ring, Ballymacoda, Co. Cork

**Date:** 31<sup>st</sup> Oct '23

**By:** Kevin Murphy

## Details of Application

The application for planning exemption relates to the construction of a loose (livestock) house and general purpose shed on a 4.21Ha landholding at Ring, Ballymacoda, Co. Cork.

The application for exemption is for a combination Class 8 & 9 development with a total area under 200m<sup>2</sup>.

The proposed 19.2m x 9m shed is to have a 1.2m overhang over the feed passage which is to run the length of the shed.

In my report dated 20/09/23, I recommended that the Applicant be asked to clarify the following:

1. The area of the proposed shed is to be used for the housing of animals and for general storage.
2. Type, number and age of animals to be housed in the shed.
3. Details for the collection and storage of effluents and soiled bedding generated in the loose housing. Demonstrate compliance with the GAP Regulations.
4. Details for the landspreading/disposal of effluents and soiled bedding generated in the shed. Demonstrate compliance with the GAP Regulations.
5. Details of the proposed source of water for animals.

Based on information received by CCC Planning on 11/10/23:

- It is proposed to split the shed equally between housing for animals and general whilst keeping a degree of flexibility to adjust the split.
- It is proposed to house 15 no. 0 – 1 yr old cattle.
- Animals are to be housed on straw bedding with effluent seepage collected to an effluent tank which is to be located adjacent to the shed. FYM is to be moved directly from the shed to lands for spreading during the permitted period.
- Calculations submitted demonstrate adequate lands and storage capacity for the effluents generated by the proposed cattle numbers.

- Drinking water from animals is to be sourced from rainwater harvesting and from a bored well.

**Conclusion**

I have no objection to the proposed development subject to the proposed bored well being located at least 60m from the shed and effluent tank.

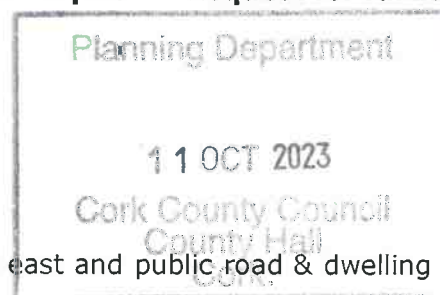
**END**

Kevin O'Regan,  
Planning Department,  
Cork County Council,  
County Hall,  
Cork.  
T12 R2NC

10 October 2023

**RE: D/276/23 - Application for Agricultural Planning Exemption – Request for further information.**

**Rickard Roycroft, Ring, Ballymacoda, Co. Cork.**



Dear Kevin,

Further to your letter of 3<sup>rd</sup> October, please find enclosed:

- Bing map showing distances to caravan park to the east and public road & dwelling to the west
- Site Layout @ 1:200 also showing same distances
- Floor Plan @ 1:100 showing proposed location of soiled water tank but this can be relocated if requested.
- Teagasc Storage Calculations with relevant figures highlighted
- Dimensions of proposed soiled water tank

In reply to the queries listed;

1. No other land or holdings effectively apply directly to this application. Applicant farms elsewhere but the distance to other land (approx. 80km), means that this size of shed is needed for animal welfare and management purposes for this land parcel.
2. While it is intended to have a degree of internal flexibility, as a rough estimate 50% (86.4m<sup>2</sup>) each for housing of animals and general storage.
3. Proposed 15 no. 0 – 1yr old cattle both for the year and over the winter period. This is within the 170kg/ha Organic N limit.
4. Straw Bedding – farmyard manure will be spread directly from the shed rather than adding another structure, plus precast soiled water tank (12.3m<sup>3</sup>) to cater for seepage from bedding area. Said tank to be installed in the north-east corner in the feed passage area (but this can be relocated on request). Calculations are attached showing a surplus of both fym storage and seepage/soiled water with the tank installed.
5. FYM to be spread directly from shed to land. Same applies for any soiled water/seepage collected.
6. Rainwater harvesting from proposed shed along with bored well.



Barleyfield, Kilbrittain, Co. Cork

Phone: 023 8849000

Mobile: 087 2804202

Email: info@ceres.ie

Consultants in Agriculture

7. Distance to neighbouring dwelling is 122m, to caravan park boundary is 151m and 145m to the public road. If you would like further information in this regard, please let us know.

8. Dark grey sheeting is proposed but happy to go with whatever CCC request if they prefer an alternative.

If you have any further queries, please do not hesitate to contact us and we're happy to discuss verbally if required.

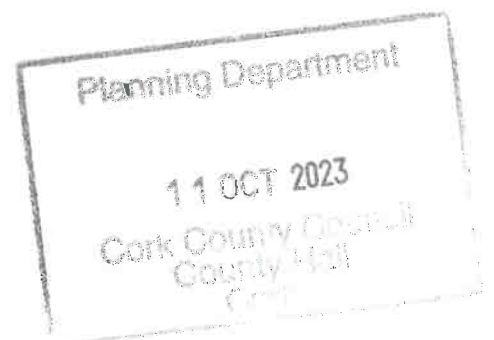
Yours Sincerely,

A handwritten signature in black ink, appearing to read "Sandra Buttimer", is written over a light blue horizontal line.

**Sandra Buttimer**

Phone: 087 1090982

Email: sandra@ceres.ie

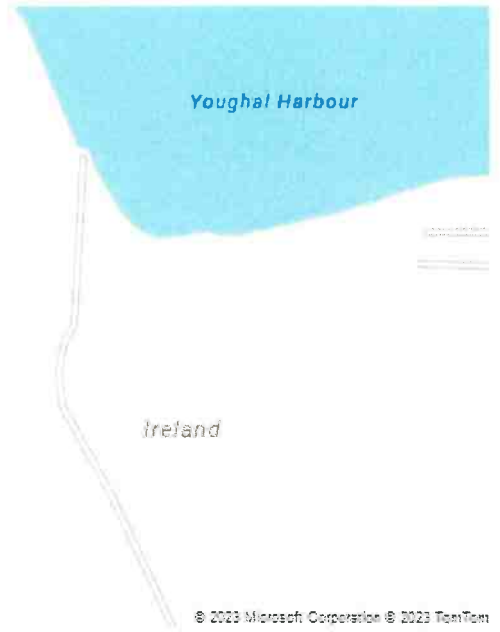




 bing maps

Notes

Rickard Roycroft  
Ring  
Ballymacoda  
Co. Cork



Planning Department  
11 OCT 2023  
Cork  
No.  
123456789  
123456789

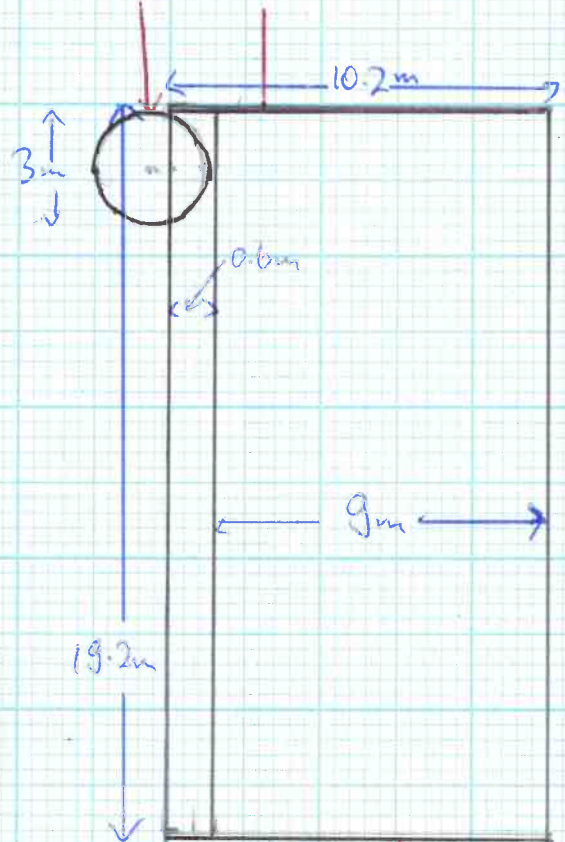
RICKARD ROYCROFT, Ring, BALLYMACODA, Co. LORIK.

Site Layout

← North

↑ 15m to Carawan Park

Precast concrete tank - 3m diameter



145m to local road

122m to nearest dwelling

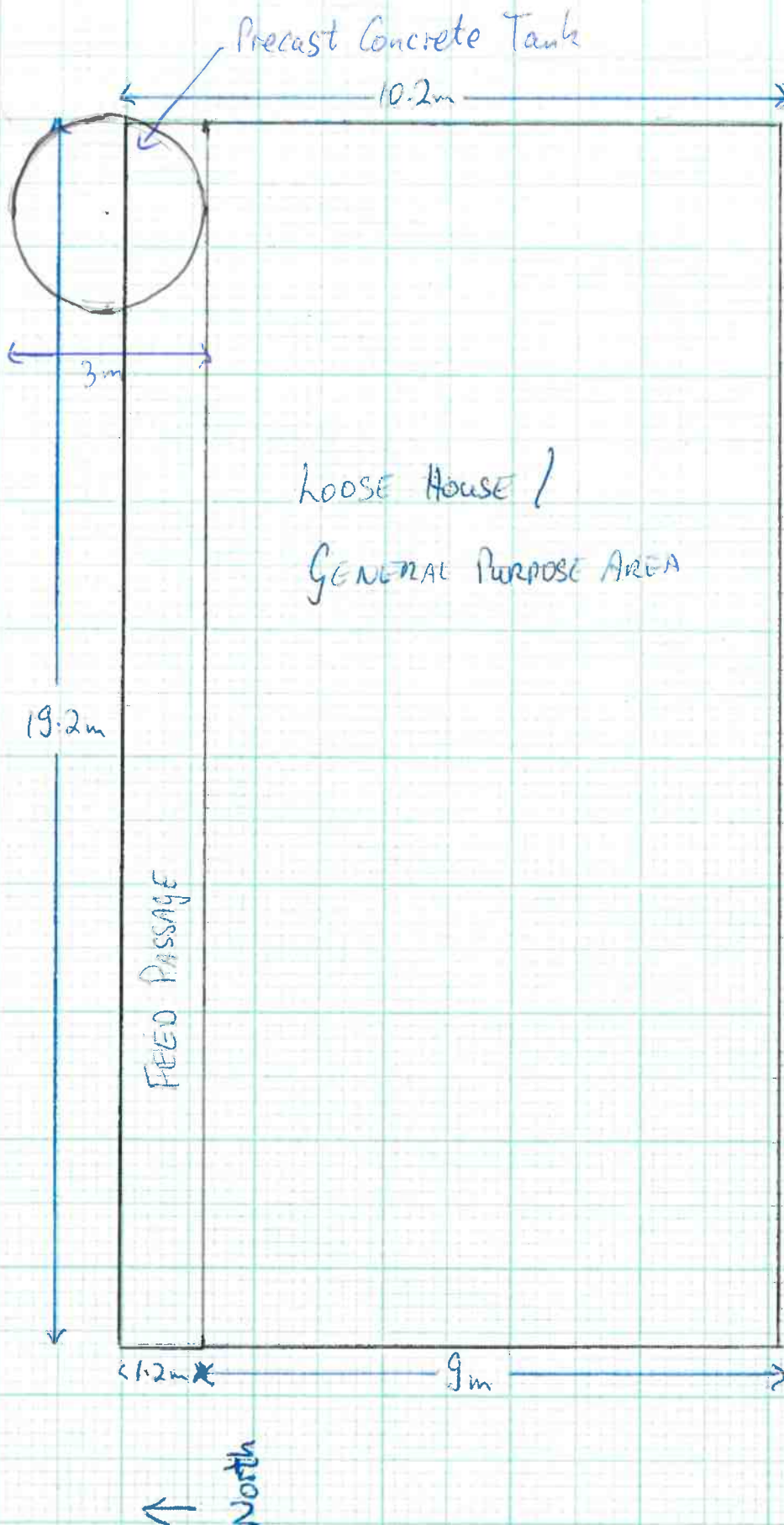
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Cork.

Scale 1:200



RICHARD ROYCROFT, Ring, BALLYMACOODA, Co. LK.

FLOOR PLAN



Scale 1:100



## Non-Derogation/ Non-GLAS

Warnings: 2

### Livestock - Animal Numbers



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#### Average Stock Numbers for the Year - Grazing Livestock

Animal	No. Animals	N/head	N Total	P/head	P Total
Cattle (0-1 year old)	15	24.0	360.0	3.0	45.0

Add Livestock

Advisor notes



Farmer notes



Report notes



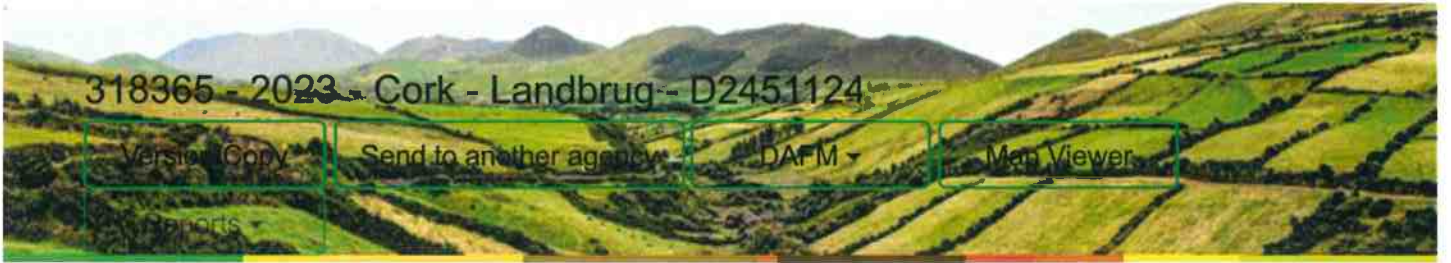
#### Plan Menu

- Soil Samples
- Land Setup
- Livestock

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County Hall  
Cork.



## Non-Derogation/ Non-GLAS

Warnings: 2

### Plan - Winter Housing



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#### Livestock Winter Housing Numbers

Animal	Total Animals	Animals Over Winter	No. Animals Out Wintering	On FYM	Straw Usage	On Slurry
Cattle (0-6 months old)	-	-	-	-	null	0
Cattle (6-12 months old)	15	15	0	15	M	0

Advisor notes



Farmer notes



Report notes

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## Non-Derogation/ Non-GLAS

Warnings: 2

### FYM - FYM Storage



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#### FYM Storage

Add FYM Storage

#### Total FYM Produced

48.0 m<sup>3</sup>

#### Storage under animals

Shed	Length (m)	Width (m)	Depth (m)	Storage Capacity (m3)
A (Under Animals)	9.6	9.0	0.6	51.8

#### Total Storage under animals:

51.8 m<sup>3</sup>

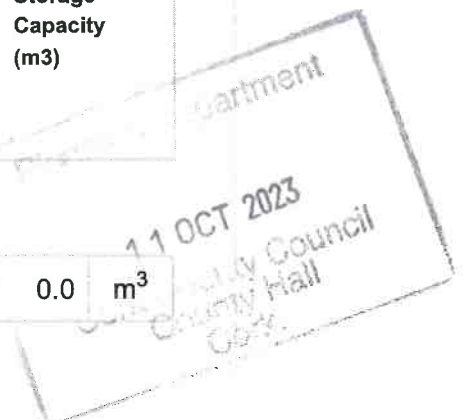
#### Covered FYM Heaps

Heap	Length (m)	Width (m)	Depth (m)	Seepage Produced (m3)	Storage Capacity (m3)
No data available in table					

#### Total covered FYM Heap Storage:

0.0 m<sup>3</sup>

#### Uncovered FYM Heaps





Heap	Length (m)	Width (m)	Depth (m)	Seepage Produced (m3)	Storage Capacity (m3)
No data available in table					

**Weeks Active Usage:**

 weeks

Change Active period

**Total seepage from uncovered Heaps:**

 0.0 m<sup>3</sup>

**Total uncovered FYM Heap Storage:**

 0.0 m<sup>3</sup>

**Advisor notes**



**Farmer notes**



**Report notes**



**Plan Menu**

- Soil Samples
- Land Setup
- Livestock
  - Animal Numbers
  - Organic Fertiliser import
  - Organic fertiliser export
  - Org N&P Summary
- Concentrate Feeds
- Winter Housing
- Manure Storage
  - Storage Requirements
  - Soiled Water

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Version Copy

Send to another agency

DAFM

Map Viewer

Reports

### Non-Derogation/ Non-GLAS

Warnings: 2

#### FYM - FYM Storage Balance



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#### Seepage Produced

##### Under Animals

	7.2	m <sup>3</sup>
	1539.8	Gallons

##### From Uncovered FYM Heaps

	0.0	m <sup>3</sup>
	0.0	Gallons

#### Total FYM Seepage to be Stored

	7.2	m <sup>3</sup>
	1539.8	Gallons

*12.2m<sup>3</sup> tank being installed to cater for this.*

#### FYM Storage Balance

##### Total FYM Storage Required

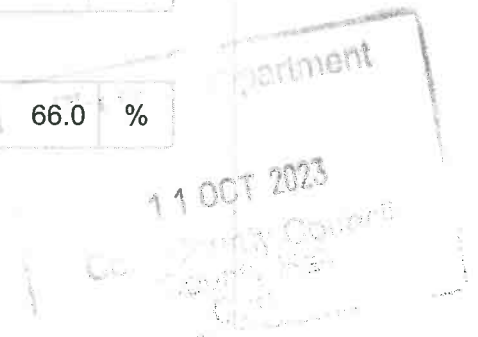
	48.0	m <sup>3</sup>
--	------	----------------

##### Nutrient Adjustment Factor

	66.0	%
--	------	---

#### FYM Storage Available

##### Storage Available Under Animals





51.8 m<sup>3</sup>

**Storage Available As Covered FYM Stores**

0.0 m<sup>3</sup>

**Storage Available As Uncovered FYM Stores**

0.0 m<sup>3</sup>

**Total FYM Storage Available**

51.8 m<sup>3</sup>

**FYM Storage Balance**

**Surplus Storage Available**

3.8 m<sup>3</sup>

**Advisor notes**



**Farmer notes**



**Report notes**



**Plan Menu**

Soil Samples

Land Setup

Livestock

Animal Numbers

Organic Fertiliser import

Organic fertiliser export

Org N&P Summary

Concentrate Feeds

Winter Housing

Manure Storage

Storage Requirements

Soiled Water

Winter Dairy Herd

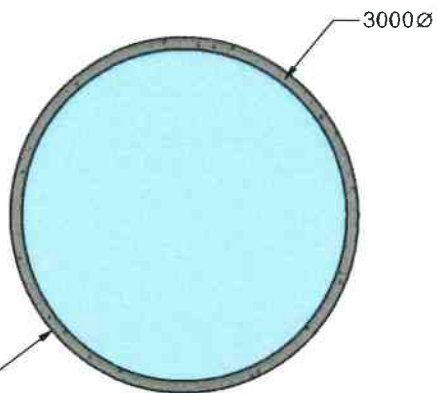
Soiled Water Locations

Plan Department

11 OCT 2023

County Council  
County Hall  
Cork.

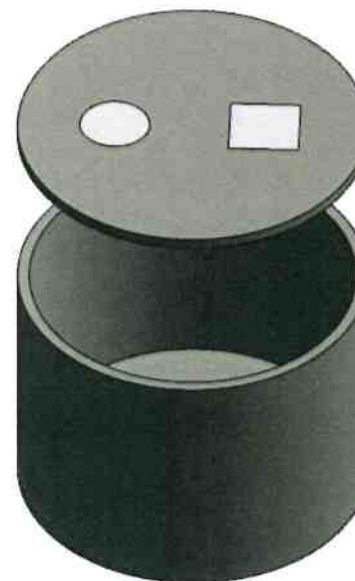
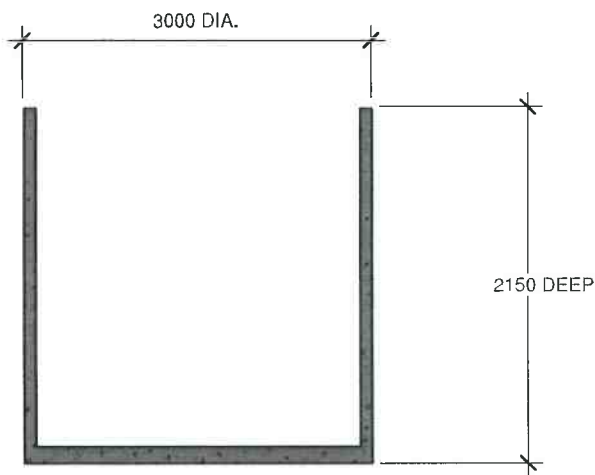
PLAN



PRE-CAST TANK

**KIELY PRECAST TANK  
12300 LITRE**

SECTION



ISOMETRIC

**NOTES:**

1. Drawing not to scale.
2. Safety Regulations to be observed at all times.
3. Client requirements to be noted with order.
4. All Civil works to be carried out by client.
5. All tanks to be placed on a level firm compacted surface free of water.
6. Cleaning/desludging to be carried out by suitable waste management companies.

**NOTE:**

EXCAVATION DIMENSIONS:  
Dig a hole 4.5m in diameter.  
Depth depends on inlet pipe invert.

Tank to be filled with water and backfilled with suitable material.



Courtbrack, Blarney, Co. Cork.  
Tel: 021 4385872 Fax: 021 4381644  
email: info@wmkiely.ie  
Vat No. 4527967U

**DESCRIPTION:**

12300 LITRE TANK

**TANK DIMENSIONS:**

3000mm DIAMETER x 2150mm DEEP

**SUITABLE FOR:**

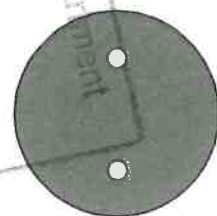
- SEPTIC TANKS
- GREASE TRAPS
- OIL INTERCEPTORS
- EFFLUENT STORAGE
- WATER STORAGE

INLET & OUTLETS CAN BE CORED TO SUIT

TANK WEIGHT: 7000 KG'S

COVER WEIGHT: 2500 KG'S

COVER LOADING: 4T POINT LOAD (TRACTOR SPEC).

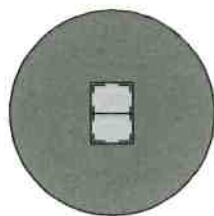


**Cover Type A**

Weight - 2500kg

(Plain Access Cover for Vacuum Suction)

NOTE: 150mm Deep



**Cover Type B**

Weight - 2500kg

(Galvanised Double Door Cover suitable for Dual Pump Station)

NOTE: 150mm Deep

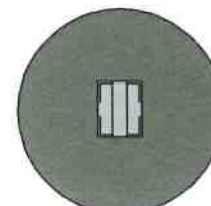


**Cover Type C**

Weight - 3000kg

(Galvanised Slatted Door in totally slatted concrete cover Heavy Duty)

NOTE: Covers 9"230mm deep



**Cover Type D**

Weight - 2500kg

(Galvanised Slatted Door in plain cover)

NOTE: 150mm Deep

1  
W&M KIELY LTD.  
CONCRETE PRODUCTS  
COURTBRACK, BLARNEY, CO. CORK.  
11 OCT 2023  
Department

# Comhairle Contae Chorcaí Cork County Council

Ceres Consulting  
Barleyfield  
Kilbrittain  
Co Cork

Pleanáil agus Forbairt,  
Halla an Chontae,  
Bóthar Charraig Ruacháin,  
Corcaigh T12 R2NC.  
Fón: (021) 4276891 • Faics: (021) 4276321  
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 • Fax (021) 4276321  
Email: [planninginfo@corkcoco.ie](mailto:planninginfo@corkcoco.ie)  
Web: [www.corkcoco.ie](http://www.corkcoco.ie)



E-mail: [Kevin.oregan@corkcoco.ie](mailto:Kevin.oregan@corkcoco.ie)  
Direct Dial: 021 4285352

Our Ref: D/276/23

3<sup>rd</sup> October 2023

**Re: Declaration of Exempted Development under Section 5 of the Planning & Development Act 200 (as amended)**

***Class 8/9 structure – Loose house, general purpose area & feed passage at Ring, Ballymacoda Co Cork is or is not exempted development***

Dear Sirs

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

It is considered that the information submitted with the application is not yet sufficient to enable the Planning Authority to make a decision in this case. Therefore, to enable the Planning Authority to give further consideration to your application you are requested to submit the following information:-

1. This Section 5 proposal includes a blue line boundary which is small in area given the scale of structure proposed. Please clarify if any other lands/agricultural landholdings relate to this proposed structure.
2. Please clarify the area of the proposed shed to be used for the housing of animals and for general storage.
3. Clarify the type, number and age of animals to be housed in the shed.
4. Submit details for the collection and storage of effluents and soiled bedding generated in the loose housing. Demonstrate compliance with the GAP Regulations.
5. Provide details for the land spreading/disposal of effluents and soiled bedding generated in the shed. Demonstrate compliance with the GAP Regulations.
6. Provide details of the proposed source of water for animals.
7. Please submit a site layout plan at a scale of 1:100 or 1:200 including any details of effluent storage. The site layout plan shall also include dimensions identifying the distance between the loose house and associated development, to neighboring dwellings and the local road.

8. Clarify the external finish proposed. In this regard, to avail of the exemption, no unpainted metal sheeting shall be used for roofing or on the external finish of the structure.

Yours Sincerely,



Kevin O' Regan  
Senior Executive Officer  
Planning and Development Directorate

## PLANNER'S REPORT - Ref. D/276/23

<b>Application Type:</b>	Section 5
<b>Description:</b>	Whether or not the following is or is not development and is nor is not exempted development:  Class 8/9 structure – loose house, general purpose area and feed passage.
<b>Location:</b>	Ring, Ballymacoda, Cork
<b>Applicant:</b>	Richard Roycroft c/o Ceres Consulting

### 1.0 REQUIREMENTS FOR A SECTION 5 DECLARATION APPLICATION

Section 5(1) of the Planning and Development Act as amended states:

*5.—(1) If any question arises as to what, in any particular case, is or is not development or is or is not exempted development within the meaning of this Act, any person may, on payment of the prescribed fee, request in writing from the relevant planning authority a declaration on that question, and that person shall provide to the planning authority any information necessary to enable the authority to make its decision on the matter.*

### 2.0 THE QUESTION BEFORE THE PLANNING AUTHORITY

The question on which is declaration is whether the following is or is not development and is nor is not exempted development:

Class 8/9 structure – loose house, general purpose area and feed passage.

### 3.0 SITE LOCATION AND DESCRIPTION

The subject site is located within the townland of Ring, Ballymacoda, Co. Cork. The site is located to the west of Sonas Mobile Home Park and to the east of the L-38162-0 which is a local cul de sac road. A map of the site is included hereunder. The site is short distance to the foreshore. There is a designated scenic route running south (towards Knockadoon Head).

On my inspection (28/09), cattle were grazing in the field.



Image 1: Site Photo dated 13.09.2023 (taken by Area Planner)



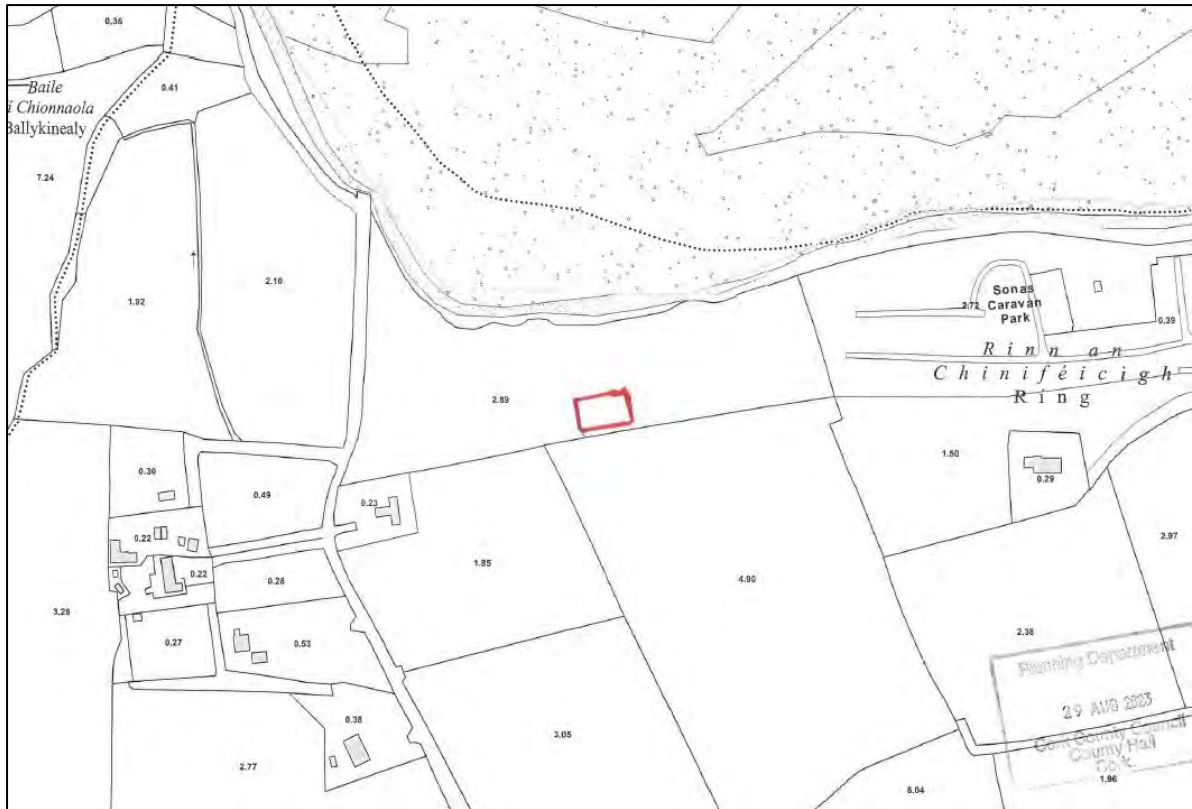


Image 1: Extract from the OSI Map submitted with the Section 5 Application

#### 4.0 RELEVANT PLANNING LEGISLATION AND REGULATION

##### *Planning and Development Act 2000, as amended*

Section 2(1) of the Act defines “works” as follows:

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

*“alteration” includes—*

- (a) plastering or painting or the removal of plaster or stucco, or*
- (b) the replacement of a door, window or roof, that materially alters the external appearance of a structure so as to render the appearance inconsistent with the character of the structure or neighbouring structures;*

Section 3 (1) of the Act defines “development” as follows:

*“In this Act, “development” means, except where the context otherwise requires, the carrying out of any works on, in, over or under land or the making of any material change in the use of any structures or other land.”*

The Planning and Development Act 2000 (as amended) provides the following definition of agriculture:

*“agriculture” includes horticulture, fruit growing, seed growing, dairy farming, the breeding and keeping of livestock (including any creature kept for the production of food, wool, skins or fur, or for the purpose of its use in the farming of land), the training of horses and the rearing of bloodstock, the use of land as grazing land, meadow land, osier land, market gardens and nursery grounds, and “agricultural” shall be construed accordingly;*

### **Planning and Development Regulations**

Class 8 and 9 of Part 3 of Schedule 2, of the Planning and Development Regulations, 2001, as amended which refers to rural development, this provision of the Regulations specifically refers to agricultural structures.

<b>Column 1</b> <b>Description of Development</b>	<b>Column 2 Conditions and Limitations</b>
<p>Agricultural Structures</p> <p>CLASS 6 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 200 square metres (whether or not by extension of an existing structure), and any ancillary provision for effluent storage</p>	<ol style="list-style-type: none"> <li>1. No such structure shall be used for any purpose other than the purpose of agriculture.</li> <li>2. The gross floor space of such structure together with any other such structures situated within the same farmyard complex or within 100 metres of that complex shall not exceed 300 square metres gross floor space in aggregate.</li> <li>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 to the need to avoid water pollution.</li> </ol>



	<p>4. No such structure shall be situated, and no effluent from such structure shall be 462 stored, within 10 metres of any public road.</p> <p>5. No such structure within 100 metres of any public road shall exceed 8 metres in height.</p> <p>6. No such structure shall be situated, and no effluent from such structure shall be stored, within 100 metres 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.</p> <p>7. No unpainted metal sheeting shall be used for roofing or on the external finish of the structure.</p>
<p><i>Agricultural Structures</i></p> <p>CLASS 8</p> <p>Works consisting of the provision of roofless cubicles, open loose yards, self-feed silo or silage areas, feeding aprons, assembly yards, milking parlours or structures for the making or storage of silage or any other structures of a similar character or description, having an aggregate gross floor space not exceeding 200 square metres, and any ancillary provision for effluent storage.</p>	<p>1. No such structure shall be used for any purpose other than the purpose of agriculture.</p> <p>2. The gross floor space of such structures together with any other such structures situated within the same farmyard complex or within 100 metres of that complex shall not exceed 300 square metres gross floor space in aggregate.</p> <p>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 the Department of the Environment and Local Government requirements and shall have regard to the need to avoid water pollution.</p>

	<p>4. No such structure shall be situated, and no effluent from such structure shall be stored, within 10 metres of any public road.</p> <p>5. No such structure within 100 metres of any public road shall exceed 8 metres in height.</p> <p>6. No such structure shall be situated, and no effluent from such structure shall be stored, within 100 metres 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.</p> <p>7. No unpainted metal sheeting shall be used for roofing or on the external finish of the structure.</p>
<p><i>Agricultural Structures</i></p> <p>CLASS 9</p> <p>Works consisting of the provision of any store, barn, shed, glass-house or other structure, not being of a type specified in class 6, 7 or 8 of this Part of this Schedule, and having a gross floor space not exceeding 300 square metres.</p>	<p>1. No such structure shall be used for any purpose other than the purpose of agriculture or forestry, but excluding the housing of animals or the storing of effluent.</p> <p>2. The gross floor space of such structures together with any other such structures situated within the same farmyard complex or complex of such structures or within 100 metres of that complex shall not exceed 900 square metres gross floor space in aggregate.</p> <p>3. No such structure shall be situated within 10 metres of any public road.</p> <p>4. No such structure within 100 metres of any public road shall exceed 8 metres in height.</p> <p>5. No such structure shall be situated within 100 metres of any house (other than the house of the person providing the structure)</p>

	<p>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.</p> <p>6. No unpainted metal sheeting shall be used for roofing or on the external finish of the structure.</p>
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Article 9(1) Restrictions on Exemption:

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

(a) If the carrying out of such development would-

(i) contravene a condition attached to a permission under the Act or be inconsistent with any use specified in a permission under the Act;

(ii) consist of or comprise the formation, laying out or material widening of a means of access to a public road the surfaced carriageway of which exceeds 4 metres in width;

(iii) endanger public safety by reason of traffic hazard or obstruction of road users;

vi) interfere with the character of a landscape, or a view or prospect of special amenity value or special interest, the preservation of which is an objective of a development plan for the area in which the development is proposed or, pending the variation of a development plan or the making of a new development plan, in the draft variation of the development plan or the draft development plan;

(vii B) comprise development in relation to which a planning authority or An Bord

Pleanála is the competent authority in relation to appropriate assessment because it would be likely to have a significant effect on the integrity of a European site.

**6.0 ENVIRONMENTAL SCREENING**

***Environmental Impact Assessment***

Section 4(4) states that:

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

Having regard to the contents of Article 103 of Schedule 7 of the Planning and Development Regulations 2001, as amended it is considered that the proposed development by reason of

the nature, scale and location would not be likely to have a significant effect on the environment. Accordingly, an EIA is not required.

**Appropriate Assessment**

Section 177U (9) states that:

*“In deciding upon a declaration for the purposes of Section 5 of this Act a planning authority or the Board, as the case maybe, shall where appropriate, conduct a screening for appropriate assessment in accordance with the provisions of this section.”*

A report is received from the Ecology Section. The Asst Ecologist, in a report dated 20/09/2023, is satisfied that the proposal is not likely to have a significant effect on the integrity of a European Site and therefore a Stage 2 Appropriate Assessment is not required and the development will not have a significant effect on any features or other objects of ecological interest.

**7.0 PLANNING HISTORY**

Adjoining Site/Within the Blueline Boundary

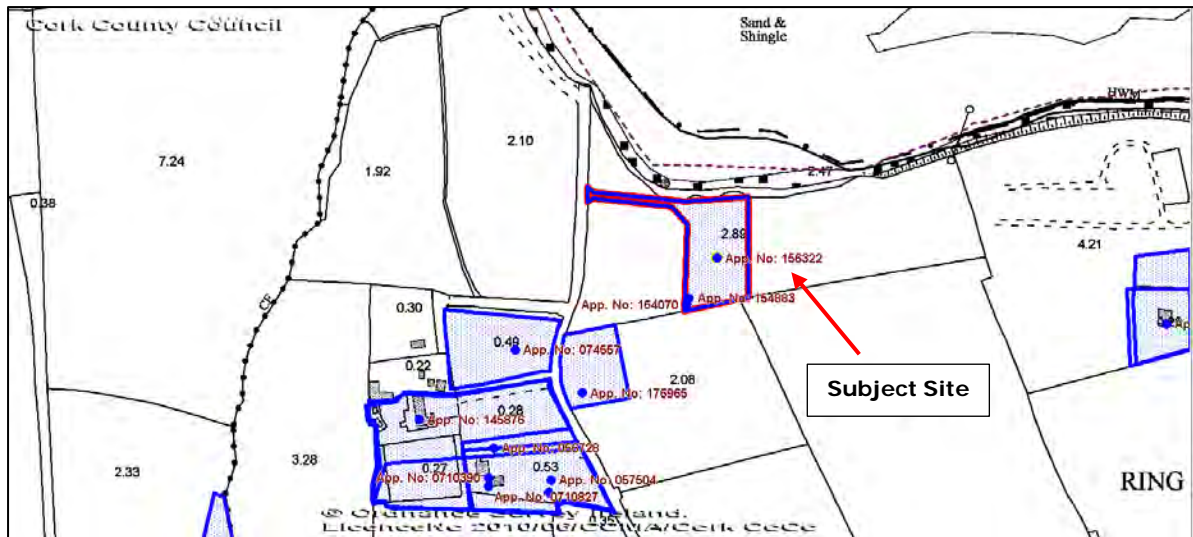
15/4883: Permission refused to Michael Ahern for a dwellinghouse, wastewater treatment system, percolation area and all associated site works.

No.	Reason
1	The proposed development is located in an area classed as a "Rural Area under Strong Urban Influence" under the provisions of the current County Development Plan 2014. New dwellinghouses within such an area are only permissible where an applicant demonstrates compatability with the requirements of policy objective RCI 4-2. Based on the details submitted the applicant has failed to show compatability with the requirements of this objective. Accordingly, to grant permission would materially contravene this objective and would, therefore, be contrary to the proper planning and sustainable development of the area.
2	The proposed development is located in a scenic area and classed as a "high value landscape" under the provisions of the County Development Plan 2014. it is an objective under GI 6-1 of the current CDP to "protect the visual and scenic amenities of Corks built and natural environment". It is considered that any development on this site is likely to undermine this objective and is will be detrimental to the visual and scenic amenities of the area. Furthermore development on the site is also likely to undermine the attractiveness of the adjacenet public strand as an amenity for the wider community. Accordingly a grant of permission would contravene the stated objective of the development plan and is therefore contrary to the proper planning and sustainable development of the area

3	Taken in conjunction with existing and permitted development in the area, the proposed development would result in an undesirable density of development of a suburban nature in an unserviced rural area. The proposed development would contribute to undesirable ribbon of development and would seriously injure the scenic and visual amenities of the area which is necessary to preserve in accordance with objective GI 6-1 of the County Development Plan. The proposed development would therefore be contrary to the proper planning and development of the area.
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16/4070: Outline permission refused to Michael Ahern for a dwelling house, waste water treatment system, percolation area and all associated site works.

No.	Reason
1	The proposed development is located in an area classed as a "rural area under strong urban influence" under the provisions of the current County Development Plan 2014. New dwellinghouses within such an area are only permissible where an applicant demonstrates compatibility with the requirements of policy objective RCI 4-2. Based on the details submitted the applicant has failed to show compatibility with the requirements of this objective. Accordingly, to grant permission would materially contravene this objective and would, therefore, be contrary to the proper planning and sustainable development of the area.
2	The proposed development is located in a scenic area and classed as a "high value landscape" under the provisions of the County Development Plan 2014. It is an objective under GI 6-1 of the current CDP to "protect the visual and scenic amenities of Corks built and natural environment". It is considered that any development on this site is likely to undermine this objective and will be detrimental to the visual and scenic amenities of the area. Furthermore development on the site is also likely to undermine the attractiveness of the adjacent public strand as an amenity for the wider community. Accordingly a grant of permission would contravene the stated objective of the development plan and is therefore contrary to the proper planning and sustainable development of the area
3	Taken in conjunction with existing and permitted development in the area, the proposed development would result in an undesirable density of development of a suburban nature in an unserviced rural area. The proposed development would contribute to undesirable ribbon of development and would seriously injure the scenic and visual amenities of the area which is necessary to preserve in accordance with objective GI 6-1 of the County Development Plan. The proposed development would therefore be contrary to the proper planning and development of the area.



## 8.0 PLANNING ASSESSMENT

### Is or is not development?

The first issue for consideration is whether or not the matter at hand is 'development' which is defined in Section 3(1) and 'works' is defined in Section 2(1) of the Act. It is considered the construction of the proposed structure constitutes development within this definition. Therefore, this referral falls within the definition of 'development'.

**Conclusion: is development.**

### Is or is not exempted development?

The second aspect to consider in this referral is whether or not the development is or is not exempted development. The Section 5 documentation describes the proposal as a Class 8/9 structure, a loose house, general purpose area and feed passage. The proposed area is stated to be 195.84sqm. the submitted drawings show a loose house/general purpose area with associated feed passage. The max height of the structure will be 7.8m. It features a mono-pitch roof. A site layout plan is not included. This is necessary to determine the distances to the public road and neighbouring residences.

The details submitted include a redline boundary and a blueline boundary. The blueline boundary comprises a small area (c4 hectares). It is recommended that the developer clarify the extent of farm holdings. The report of the Environment Officer states that the number of cattle that could be housed in the shed is far greater than the capacity of the landholding.

The report of the EO also states that the loose cattle house appears to be a Class 6 structure rather than a Class 8 structure. There is a lack of information submitted in terms of the environmental assessment and further information is recommended in this regard.

The development will not be visible from the nearby scenic route (which is to the south of the site). In views towards the site from the foreshore (to the north of the site), there is a treeline to the rear of the structure which will anchor it visually. The Article 9 restriction

relating to interference with the character of a landscape, or a view or prospect of special amenity value or special interest, does not apply in this instance.

## **9.0 RECOMMENDATION**

In view of the above, and having regard to Section 2, 3 and 4 of the Planning and Development Act, as well as Class 5 and Class 6 of the Planning and Development Regulations, it is considered that the Planning Authority does not have sufficient information to determine this Section 5.

Further information in accordance with Section 5 (2)(b) is recommended as follows:

1. This Section 5 proposal includes a blue line boundary which is small in area given the scale of structure proposed. Please clarify if any other lands/agricultural landholdings relate to this proposed structure.
2. Please clarify the area of the proposed shed to be used for the housing of animals and for general storage.
3. Clarify the type, number and age of animals to be housed in the shed.
4. Submit details for the collection and storage of effluents and soiled bedding generated in the loose housing. Demonstrate compliance with the GAP Regulations.
5. Provide details for the land spreading/disposal of effluents and soiled bedding generated in the shed. Demonstrate compliance with the GAP Regulations.
6. Provide details of the proposed source of water for animals.
  
7. Please submit a site layout plan at a scale of 1:100 or 1:200 including any details of effluent storage. The site layout plan shall also include dimensions identifying the distance between the loose house and associated development, to neighbouring dwellings and the local road.
  
8. Clarify the external finish proposed. In this regard, to avail of the exemption, no unpainted metal sheeting shall be used for roofing or on the external finish of the structure.

Noel Sheridan

SEP 29/09/2023

**Ref. D/276/23 - Proposal for the installation of an agricultural loose house, general purpose area and feed passage at Ring, Ballymacoda, Co. Cork.**

The subject Section 5 Declaration application has been referred to this department to confirm whether any ecological related restrictions on exemptions are relevant in this case. This report should be read in conjunction with the application material received.

This section 5 declaration application queries whether the provision of an agricultural loose house, general purpose area and feed passage is exempt from planning permission.



**Figure 1: Site Location (yellow dot) relative to the Ballymacoda (Clonpriest and Pillmore) SAC (pink shade) and the Ballymacoda Bay SPA (purple shade)**

**Article 9 Restrictions Assessment:** Should the proposal be considered under a Class of Part 3 of Schedule 2 of the Planning and Development Regulations 2001 (as amended), namely Classes 8 and 9, then the development to which Article 6 of the Regulations relates shall not be exempted development for the purposes of the Act should any Article 9 restrictions apply.

Part 3	
Exempted Development — Rural	
Column 1 Description of Development	Column 2 Conditions and Limitations
<p><u>Class 8:</u> Works consisting of the provision of roofless cubicles, open loose yards, self-feed silo or silage areas, feeding aprons, assembly yards, milking parlours or structures for the making or storage of silage or any other structures of a similar character or description, having an aggregate gross floor space not exceeding 200 square metres, and any ancillary provision for effluent storage.</p>	<ol style="list-style-type: none"> <li>1. No such structure shall be used for any purpose other than the purpose of agriculture.</li> <li>2. The gross floor space of such structures together with any other such structures situated within the same farmyard complex or within 100 metres of that complex shall not exceed 300 square metres gross floor space in aggregate.</li> <li>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 the Department of the Environment and Local Government</li> </ol>



	<p>requirements and shall have regard to the need to avoid water pollution.</p> <ol style="list-style-type: none"> <li>4. No such structure shall be situated, and no effluent from such structure shall be stored, within 10 metres of any public road.</li> <li>5. No such structure within 100 metres of any public road shall exceed 8 metres in height.</li> <li>6. No such structure shall be situated, and no effluent from such structure shall be stored, within 100 metres 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.</li> <li>7. No unpainted metal sheeting shall be used for roofing or on the external finish of the structure.</li> </ol>
<p><u>Class 9:</u> Works consisting of the provision of any store, barn, shed, glass-house or other structure, not being of a type specified in class 6, 7 or 8 of this Part of this Schedule, and having a gross floor space not exceeding 300 square metres.</p>	<ol style="list-style-type: none"> <li>1. No such structure shall be used for any purpose other than the purpose of agriculture or forestry, but excluding the housing of animals or the storing of effluent.</li> <li>2. The gross floor space of such structures together with any other such structures situated within the same farmyard complex or complex of such structures or within 100 metres of that complex shall not exceed 900 square metres gross floor space in aggregate.</li> <li>3. No such structure shall be situated within 10 metres of any public road.</li> <li>4. No such structure within 100 metres of any public road shall exceed 8 metres in height.</li> <li>5. No such structure shall be situated within 100 metres 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.</li> <li>6. No unpainted metal sheeting shall be used for roofing or on the external finish of the structure.</li> </ol>

I have reviewed the proposal having regard to the Article 9(1)(a)(vii), (viiB) and (viiC) which include ecological related restrictions on Article 6 exemptions as detailed in columns 1 and 2 of **Table 1** below. I include my conclusion in relation to this assessment in **Table 2** also. I have had regard to the ecological reports submitted in support of this application as part of my determination.

**Table 2: Article 9 Restrictions Assessment (Ecological Related)**

Relevant Provisions	Detailed Provisions
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Article 9 (1)(a)(vii)	<p><i>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,</i></p>
<p><b>Conclusion of Assessment</b> - Having regard to the information provided, a review on online imagery and mapping, and noting that the proposal site sits within an existing habitat of low ecological value i.e. improved agricultural grassland, I am satisfied that the proposal as presented will not significantly impacted on any features or other objects of ecological interest in respect of this Article 9 restriction on exemption.</p>	
Article (1)(a)(viiB)	<p>9  <i>comprise development in relation to which a planning authority or An Bord Pleanála is the competent authority in relation to appropriate assessment and the development would require an appropriate assessment because it would be likely to have a significant effect on the integrity of a European site</i></p>
<p><b>Conclusion of Assessment</b> - I am satisfied that proposed development does not pose a risk of significant effects on any Natura 2000 site based on the following;</p> <ul style="list-style-type: none"> <li>• There is no spatial overlap between the proposed development site and any Natura 2000 site;</li> <li>• The development site does not form part of the SAC or SPA, nor does it require resources from these designated sites thereby ruling out any direct habitat loss impacts;</li> <li>• An ecological appraisal (desktop) of the works area indicates it supports common habitats which are not of high value in the context of European designation.</li> <li>• Based on the Ballymacoda Bay Special Protection Area Conservation Objectives Supporting Document the development footprint does not represent a critical ex-situ foraging and / or roosting habitat for species of conservation interest for which it is designated. Furthermore, there are is a significant amount of similar habitat available in close proximity to the site, which are also further removed from the adjoining Caravan Park.</li> <li>• I am satisfied that a significant reduction in the range, timing or intensity of use of the area by species of conservation interest of the SPA can be ruled out in respect of noise. There may be some localised increase in noise during the site construction works, however given the large expanse of the SPA and similar existing habitats in the wider environment any potential displacement effects generated are not considered significant and temporary in nature. Furthermore, noting the existing nature of the area i.e. agricultural practices and recreational (Caravan park and beach / shoreline walkers) the nearby estuarine system would regularly experience anthropogenic disturbances. As such, birds utilising the area and adjoining shoreline during the day would be habituated to a certain degree of noise and visual stimuli / disturbance.</li> <li>• The risk of surface water emissions associated with the development is considered low during the construction phase. I note that silting up or accretion are natural processes in estuarine and marine environments. Habitats associated with these environments e.g. intertidal habitats, including those recorded proximal to the development site experience fluctuations in sediments on a daily basis and are only likely to experience negative effects from extremely severe changes in the sedimentation rate. These habitats as a whole will naturally adjust or reach equilibrium in response to any minor local changes. Therefore, considering the scope and location of the development I would consider that any such potential discharge to the adjoining waters would be minor, localized and short lived i.e. would likely be dispersed within a single tidal cycle and would not have a potential to lead to any significant impact on receiving environment or on foraging habitat of the species of conservation interest of the SPA .</li> <li>• A condition of Class 8 of Part 3 of Schedule 2 of the Planning and Development Regulations 2001 (as amended), is that 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</li> </ul>	

Development and the Department of the Environment and Local Government requirements and shall have regard to the need to avoid water pollution.

- No direct loss, alteration or fragmentation of habitats will occur within any Natura 2000 site.

Therefore, I am satisfied that the proposed development is not likely to have a significant effect on the integrity of a European Site and therefore a Stage 2 Appropriate Assessment is not required in relation to the development.

<i>Article (1)(a)(viiC)</i>	<i>9</i>	<i>consist of or comprise development which would be likely to have an adverse impact on an area designated as a natural heritage area by order made under section 18 of the Wildlife (Amendment) Act 2000.</i>
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**Conclusion of Assessment** - Based on the location of the works and the information provided, I am satisfied that the proposal will not have an adverse impact on a natural heritage area.

### Conclusion

Having regard to the proposal as presented, I am satisfied that the proposal is not likely to have a significant effect on the integrity of a European Site and therefore a Stage 2 Appropriate Assessment is not required and it will not have a significant effect on any features or other objects of ecological interest.

Ian McDermott

Assistant Ecologist - Ecology Office

# Application for Planning Exemption

**Reference:** D/276/23

**Applicant:** Rickard Roycroft

**Address:** Ring, Ballymacoda, Co. Cork

**Date:** 20<sup>th</sup> Sept '23

**By:** Kevin Murphy

## Details of Application

The application for planning exemption relates to the construction of a loose (livestock) house and general purpose shed on a 4.21Ha landholding at Ring, Ballymacoda, Co. Cork.

The application for exemption is for a combination Class 8 & 9 development with a total area under 200m<sup>2</sup>.

The proposed 19.2m x 9m shed is to have a 1.2m overhang over the feed passage which is to run the length of the shed.

## Assessment

Based on the information provided:

- The proposed shed will have a floor area of approx. 170m<sup>2</sup>.
- The proposed loose cattle house appears to be a Class 6 structure rather than Class 8; Conditions/Limitations are similar for the two classes.
- A Class 9 structure cannot be used for the housing of animals or the storage of effluents; the extent of the Class 9 structure is not shown.
- The feed passage is to be under a 1.2m cantilever roof running the length of the shed so the entire shed could be used for the housing of cattle.
- No details have been provided for the collection and storage of effluents generated by the livestock to be housed in the shed.
- No details have been provided for the type, number or age of livestock to be housed in the shed. Based on Dept of Agriculture specification S123, the proposed shed could house up to 40 dairy cows.
- The 4.21Ha landholding includes approx. 2.5Ha of grassland. This area can be used for the landspreading of slurry generated by 5 dairy cows.
- The proposed shed will be at approx. 140m from the caravan park to the east and approx. 60m from the foreshore of Youghal Bay.

## Conclusions

1. The area of Class 8 (or 6) v Class 9 structures has not been shown so the entire shed could be used for the housing of animals.

2. The number of cattle that could be housed in the shed is far greater than can be sustained on the landholding.
3. No effluent storage facilities are being proposed.

### **Recommendations**

The Applicant should be asked to clarify the following:

1. The area of the proposed shed to be used for the housing of animals and for general storage.
2. Type, number and age of animals to be housed in the shed.
3. Details for the collection and storage of effluents and soiled bedding generated in the loose housing. Demonstrate compliance with the GAP Regulations.
4. Details for the landspreading/disposal of effluents and soiled bedding generated in the shed. Demonstrate compliance with the GAP Regulations.
5. Details of the proposed source of water for animals.

**END**

Planning Department,  
Cork County Council,  
County Hall,  
Cork.  
T12 R2NC

21 August 2023

**RE: Application for Agricultural Planning Exemption.**

**Rickard Roycroft, Ring, Ballymacoda, Co. Cork.**

Dear Sir / Madam,

Please find enclosed the following in relation to the above application:

- 4 no. copies – Application Form.
- 1 no. copy – Contact Details.
- 4 copies – Location Map           Scale 1:10,560
- 4 copies – Location Map           Scale 1:2,500
- 4 copies – Drawings & Elevations
- €80 application fee.



We believe a site layout plan is non-applicable as there is currently no building on the landholding, but if you require a site layout, please let me know.

Proposed structure will be a loose house and general purpose shed, thereby a combination of Class 8 & 9 with total area being under 200m<sup>2</sup> which we understand is within the exemption limits.

If you have any further queries, please do not hesitate to contact me.

Yours Sincerely,

**Sandra Buttimer**

Phone: 087 1090982

Email: sandra@ceres.ie



## **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: N/A
- 4 No. Copies Scaled Drawings of Development:
- €80 Application Fee:

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

N/A



**FOR OFFICE USE ONLY**

<b>Receipt No.</b>	PL20002294
<b>Cash/Cheque/ Credit Card</b>	CHEQUE
<b>Date</b>	30/8/23
<b>Declaration Ref. No.</b>	D/276/23

**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):	Existing = 0, proposed = 195.84m <sup>2</sup>
(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 checked="" 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  N/A	Proposed use  N/A
(d) Are you aware of any enforcement proceedings connected to this site?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, please state relevant reference number(s):



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

Please tick appropriate box to show applicant's legal interest in the land or structure:	A. Owner <input checked="" type="checkbox"/>	B. Other <input type="checkbox"/>
Where legal interest is "Other", please state your interest in the land/structure:		
If you are not the legal owner, please state the name of the owner/s (address to be supplied at Question C in Contact Details):		

**6. PROTECTED STRUCTURE DETAILS / ARCHITECTURAL CONSERVATION AREA:**

Is this a Protected Structure/Proposed Protected Structure or within the curtilage of a Protected Structure: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
If yes, has a Declaration under Section 57 of the Planning & Development Act 2000 been requested or issued for the property by the Planning Authority: Yes <input type="checkbox"/> No <input type="checkbox"/>
If yes, please state relevant reference No. _____
Is this site located within an Architectural Conservation Area (ACA), as designated in the County Development Plan? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

**7. APPROPRIATE ASSESSMENT:**


Would the proposed development require an appropriate assessment because it would be likely to have a significant effect on the integrity of a European site (SAC, SPA etc)? Yes  No

**8. DATA PROTECTION DECLARATION:**

In order for the Planning Authority to process the personal data you have provided, your consent is required. By ticking the box below, you consent to the Planning Authority processing the personal data provided by you in line with the terms of Cork County Council's Privacy Policy available at <http://www.corkcoco.ie/privacy-statement-cork-county-council> or in hardcopy from any Council office; and to having your information processed for the following purposes:

**Processing of your Declaration of Exemption application by the Planning Authority**

I give permission for my personal information to be processed for the purpose stated above

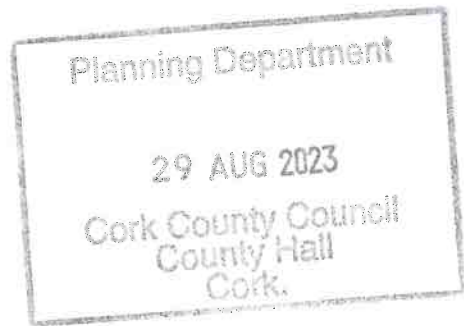
Signed (By Applicant Only)	
Date	21-08-2023

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

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

Special Categories of data / Sensitive Personal data include:

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



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:**

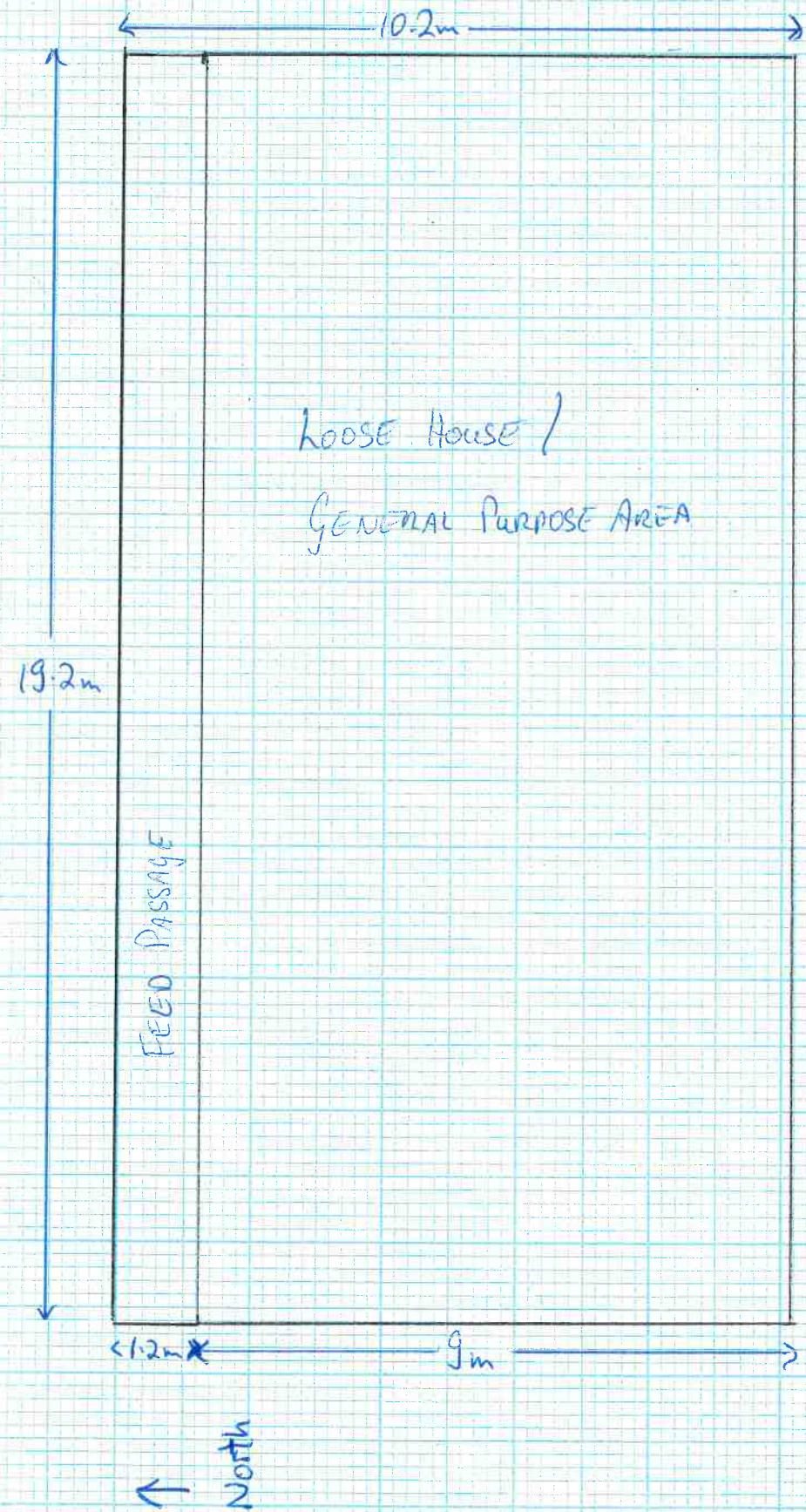
Signed (Applicant or Agent as appropriate)	
Date	21-Aug-2023





RICKARD ROYCROFT, Ring, BALLYMACODA, Co. LRM.

FLOOR PLAN



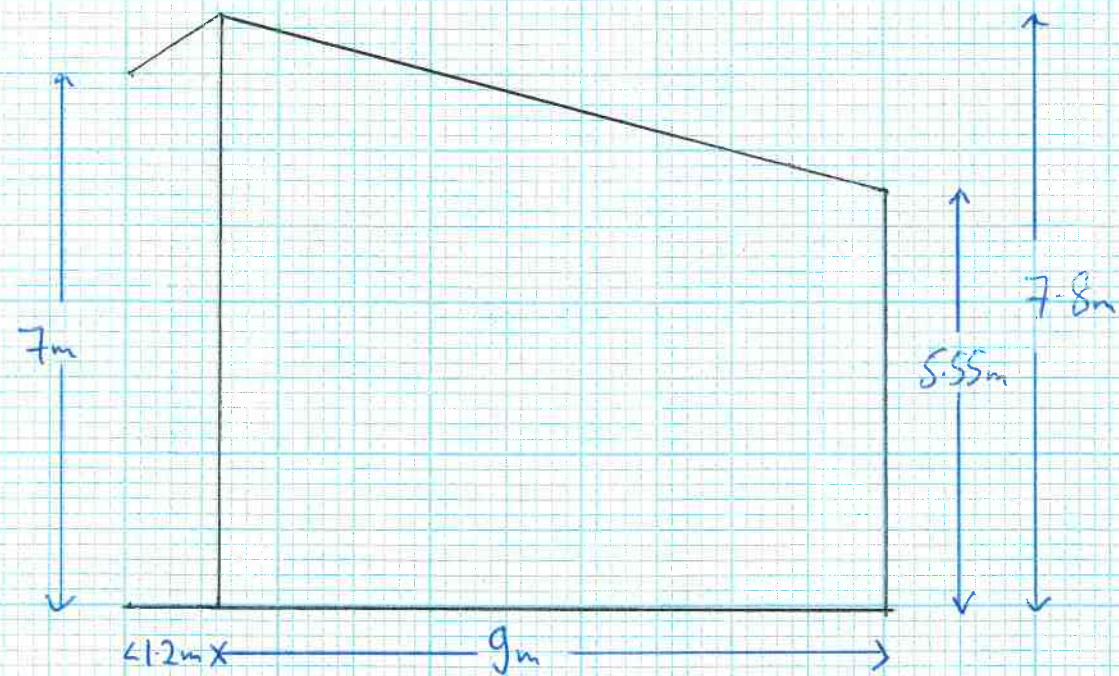
Planning Department  
29 AUG 2023  
Cork County Council  
County Hall  
Cork.

Scale 1:100



RICKARD ROYCROFT, Ring, BALLYMACODA, Co. LORIC.

ELEVATION



WEST ELEVATION

Planning Department  
29 AUG 2023  
Cork County Council  
County Hall  
Cork.

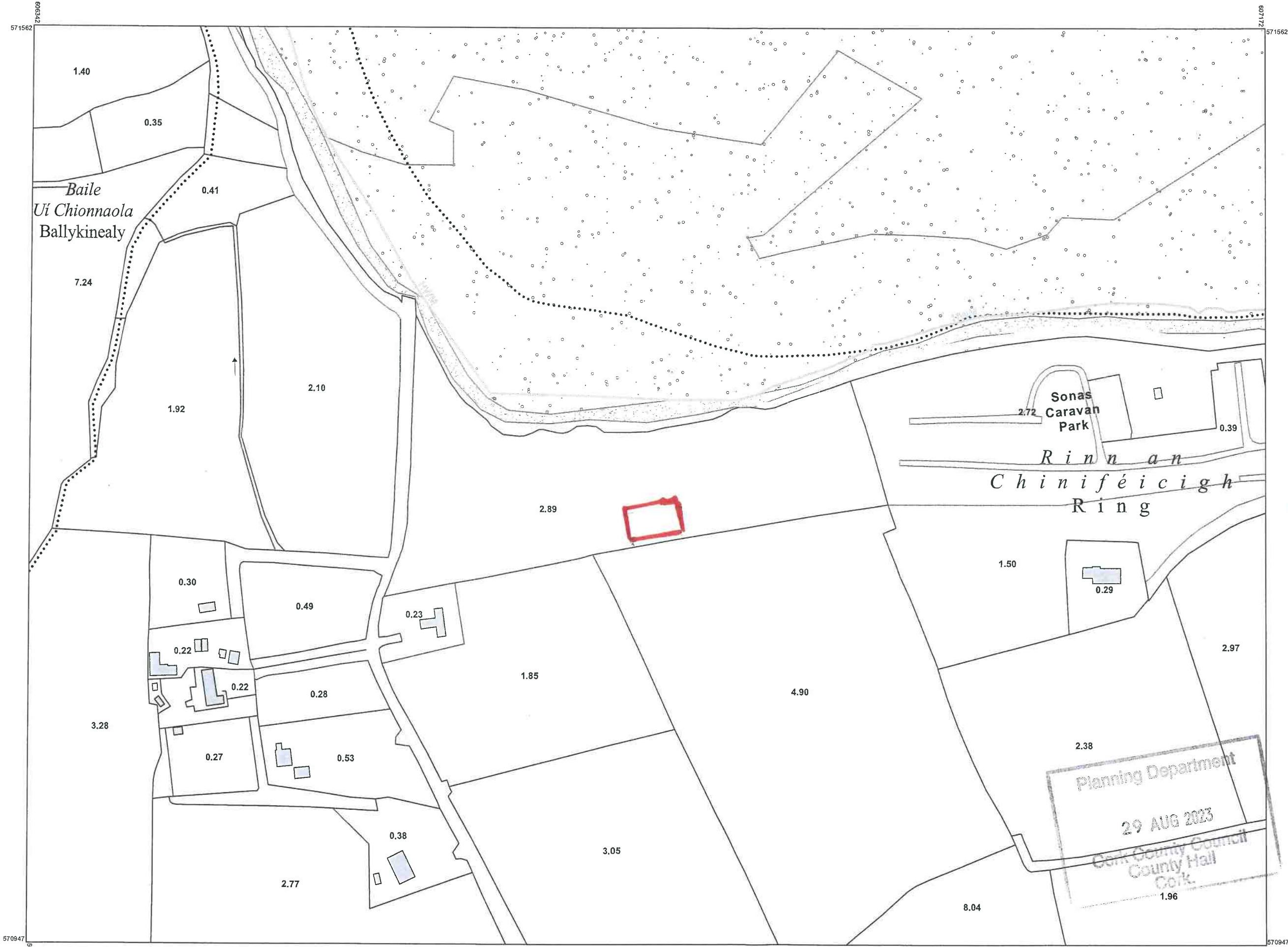
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# Planning Pack Map



Tailte Éireann



**CENTRE COORDINATES:**  
ITM 606757,571255

**PUBLISHED:**  
21/08/2023

**ORDER NO.:**  
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**MAP SERIES:**  
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6392-D

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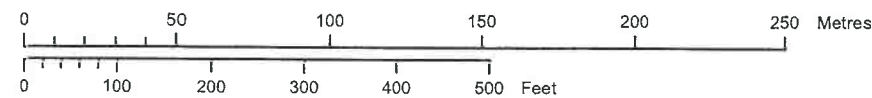
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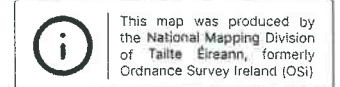
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# Site Location Map



Tailte Éireann

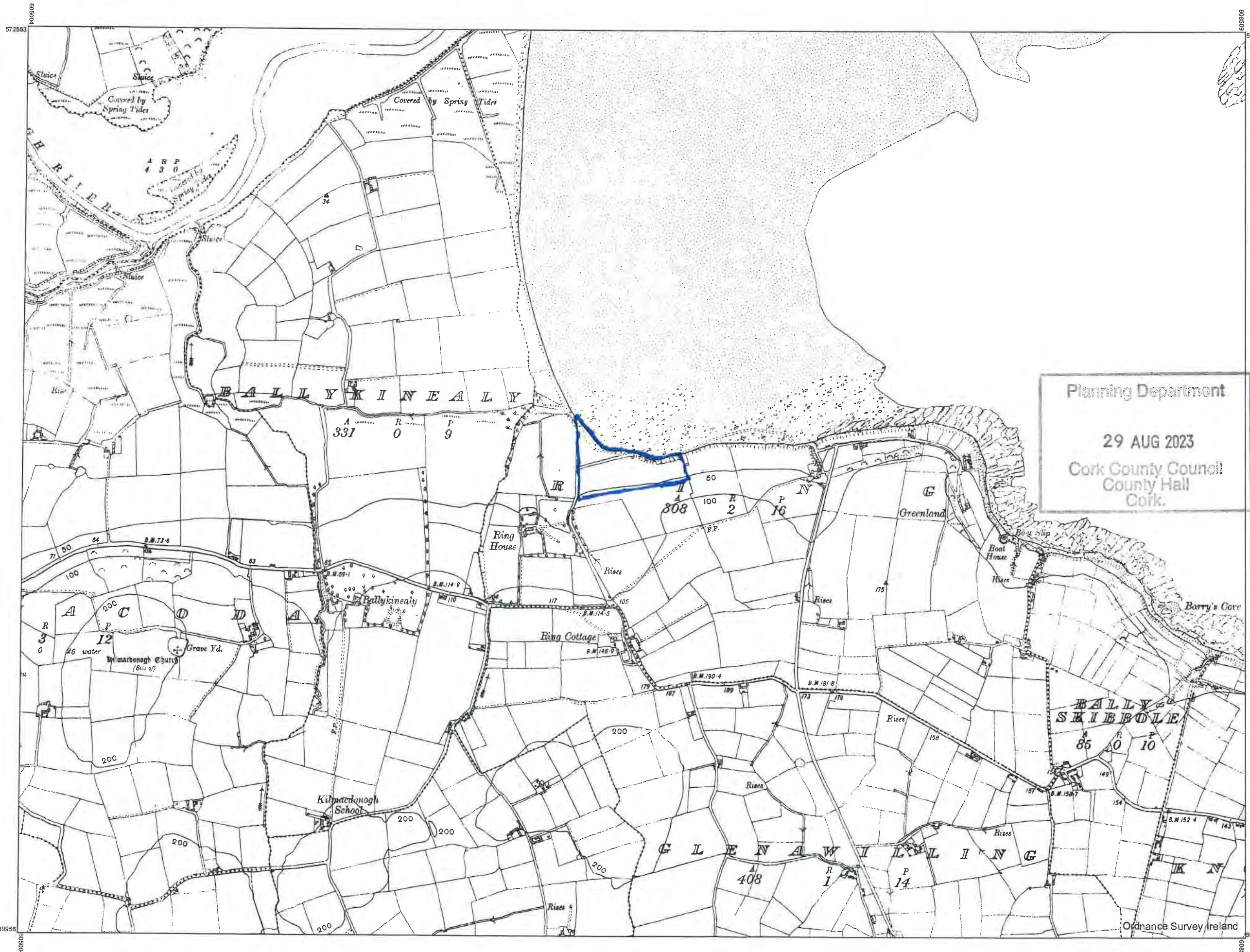
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Planning Department  
29 AUG 2023  
Cork County Council  
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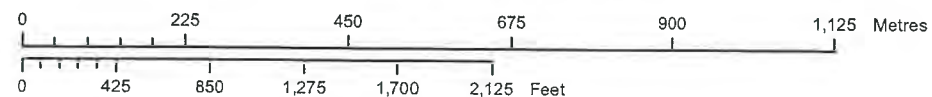
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