

Comhairle Contae Chorcaí Cork County Council

Pleanáil agus Forbairt,
Halla an Chontae,
Bóthar Charraig Ruacháin,
Corcaigh T12 R2NC.

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Suíomh Gréasáin: www.corkcoco.ie
Planning & Development,
County Hall,

Cathal & Sara Cronin,
c/o Deborah Murphy,
FDS Concept Design,
Unit 49 Castlejane Court,
Glanmire,
Cork.

Carrigrohane Road, Cork T12 R2NC.

Tel (021) 4276891

Email: planninginfo@corkcoco.ie

Web: www.corkcoco.ie



9th April 2024

REF: D/207/24

LOCATION: Cronin's Butchers, Strand Street, Kanturk, Co. Cork

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

Dear Sir & Madam,

On the basis of the information submitted by you on 6th February and 20th March 2024 the Planning Authority, having considered the question whether or not the elevation changes to the side extension of **Cronin's Butchers, Strand Street, Kanturk, Co. Cork P51 NR22** (list of changes highlighted on Drawing 696-CD-180) 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:

- The particulars received by the Planning Authority on 06/02/2024 and 20/03/2024,
- Section 3 of the Planning and Development Act (2000, as amended),
- Section 4(1)(h) of the Planning and Development Act (2000, as amended) and
- Articles 6, 9 and 10 of the Planning and Development Regulations (2001, as amended)

And Whereas Cork County Council has concluded that –

The elevation changes to the side extension of **Cronin's Butchers, Strand Street, Kanturk, Co. Cork P51 NR22 is development and is exempted development.**

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



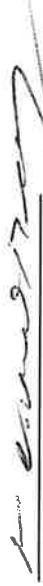
We are Cork.



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,



**KEVIN O' REGAN,
SENIOR EXECUTIVE OFFICER,
PLANNING DEPARTMENT.**

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

PLANNER'S REPORT – Ref. D/207/24

Application Type: Section 5

Description: Elevation changes to side extension

Location: Cronin's Butchers, Strand Street, Kanturk P51 NR22

Applicant: Cathal & Sara Cronin

1. Requirements for a Section 5 Declaration Application

Section 5(1) of the Planning and Development Act, 2000 (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. The question before the planning authority

The question is whether the following is or is not development and is nor is not exempted development, can reasonably be considered to be as follows:

'Are Elevational changes to the Side Extension exempted development?'

3. Site Location and Description

The subject building pertains to Cronin's Butchers, Strand Street, Kanturk, Co. Cork, which is a two-storey, end-of-terrace property that fronts onto the public realm. It is not a Protected Structure, and is not listed on the NIAH. However, it is within St. Mary's Architectural Conservation Area.



Figure 1: Extract from Planning Enquiry with satellite imagery, with approximate location of property outlined in Red.

4. Relevant Planning Legislation and Regulations

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.”

Section 4(1) states that the following shall be exempted development for the purposes of this Act:

- (h) development consisting of the carrying out of works for the maintenance, improvement or other alteration of any structure, being works which affect only the interior of the structure or which do not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure or of neighbouring structures;*

Planning and Development Regulations, 2001, as amended

Article 6(1) defines the scope of exempted development for the purposes of the Act as referred in Section 4(2) of the Act. The article refers to Schedule 2 forming part of the Regulations. Article 6(1) is subject to provisions of Article 9.

Article 9(1) sets out circumstances in which exempted development defined by Article 6 Second Schedule shall not be exempted development, including if the carrying out of 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”.*

5. Relevant Planning History

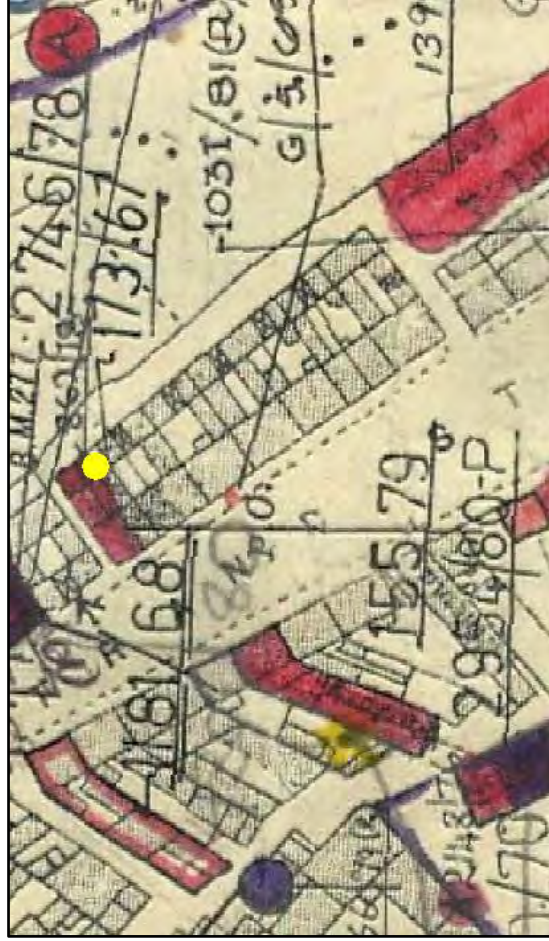
5.1 Planning History

No known recent history.



Figure 3: Extract from Planning Enquiry, with location of property highlighted with a 'Star'.

Figure 4: Extract from Historical Mapping / Archives.



Historical Permission: Reg. 155/79 – **Permission granted** for the reconstruction and extension of shop / dwelling house.

6. Planning Assessment

Is or is not development?

The first issue for consideration is whether or not the 'Elevational changes to the Side Extension of the subject building is 'development' which is defined in Section 3(1) and 'works' is defined in Section 2(1) of the Act. **It is considered that the development as described by the Referrer clearly falls within the definition of 'development'.**

Is or is not exempted development?

Development can be exempted from the requirement for planning permission by either Section 4 of the Act, or Article 6 of the Regulations.

In this case the said development does not come within the scope of any class specified in any part of Schedule 2, having particular regard for Part 1: Exempted Development – General, of the Planning & Development Regulations:

The Agents states the following works as the focus of this Question:

List of minor elevation changes to back extension ref 155/79.

Q1 -Block up existing large window for security reasons and replace with a timber style door to match existing and use as private secure access to residence.

Q2- Glass Panel to existing door frame removed for security reasons.

Q3-New window to WC. The original planning ref 155/79 included a larger window here, but was never installed.

Q4a/Q4b. One window was granted planning ref 155/79 but 2 were required for 2 separate rooms for building regulations. Both windows have been in place since the extension was constructed in 1979 with no enforcement made. Also no overhanging occurs to the Credit Union adjacent as there are no windows at first floor.

Q4b will be brought back to its original height (not floor length).

Conservation Officer

Given that the property is within an ACA, this Question has been Referred to the Conservation Officer for comment, and on 13/2/2024 ‘...confirming I have no issues with the proposal it is not visible.’

Proposed Amendments

In the main, the works can be considered as mainly being ‘cosmetic alterations’ to the property, the reporting Planner would be satisfied that these could be considered “exempt development “as per S4(1)(h) of the Act as these changes would not materially affect the external appearance of the structure so as to render the appearance inconstant with the character of the structure or of neighbouring structures.”

However, notwithstanding the above, and in the case of the new door at the Side Elevation which provides access to the Proposed First Floor, which is depicted as a 2-Bedroom residential unit, this would require further information from the Applicant. The submitted Ground Floor Plan depicts this as being currently laid out as an ancillary Office use for the Ground Floor commercial unit. As such any historical Permission as residential could not be relied upon as that use is not in place. This matter, therefore, requires to be clarified with the Applicant.

7. Recommendation and Conclusion

Further information as follows is required from the Applicant:

Further Information for Section 5: D-207/24 for Cronins Butchers, Strand Street, Kanturk, Co. Cork

Whilst the Question posed to the Planning Authority relates mainly to ‘cosmetic changes’, it is nonetheless noted that the proposed new door at the Side Elevation which provide access to the First Floor which is depicted as a proposed 2-Bedroom residential unit. This is currently depicted as an ancillary Office use for the Ground Floor commercial unit. It is not clear what Exempted Development

or what Planning Permission or the First Floor residential use relies upon, having regard for the historical Planning history.

Therefore, the above shall be clarified, and it may be a case that the Applicant wishes to submit a new Section 5 for the First Floor if it is considered that it may fall within Exempted Development criteria of the Regulations cited as the Planning and Development (Amendment)(No.2) Regulations 2018 [existing buildings that have a current commercial use with reference to Classes 1, 2, 3, and 6 of Part 4 to Schedule 2 of the Planning and Development Regulations 2001], and has been vacant for a period of 2 years or more immediately prior to the commencement of the proposed development].

Further, if the above is not the case, then a Planning application should be prepared for the proposed development that, *inter-alia*, provides for a residential use at the First Floor.



Helen O' Sullivan
Area Planner
29/2/2024

9. Further Information Response

FURTHER INFORMATION RESPONSE

The Agent has submitted a Response in respect to the Planning Authority's request for Further Information.

The following has been stated '*The office depicted is only a home office like many over the shop residents and family run business (there is only a dining table & filing cabinets in place). The use was never changed to commercial on the first floor*'.

Given the above, and having regard for the submitted documentation with this Section 5 application, and the proposed new door at the Side Elevation which provides access to the Proposed First Floor, and which is depicted as a 2-Bedroom residential unit, the reporting Planner is satisfied that the subject door would not accommodate access to any un-authorised use at the upper level.

Therefore, it is the opinion of the reporting Planner with respect to the proposed works that they can be considered as mainly being '*cosmetic alterations*' to the property, and would be "exempt development "as per S4(1)(h) of the Act as these changes would not *materially affect the external appearance of the structure so as to render the appearance inconstant with the character of the structure or of neighbouring structures.*"

10. Recommendation and Conclusion

The proposed works include the following (ref. submitted drawings):

List of minor elevation changes to brick extension ref 155/79.

01-Block up existing large window for security reasons and replace with a timber style door to match existing and use as private secure access to residence.

02- Glass Panel to existing door frame removed for security reasons.

03-New window to WC. The original planning ref 155/79 included a larger window here, but was never installed.

04a/04b. One window was granted planning ref 155/79 but 2 were required for 2 separate rooms for building regulations. Both windows have been in place since the extension was constructed in 1979 with no enforcement made. Also no overlooking occurs to the Credit Union adjacent as there are no windows at first floor.

04b will be brought back to its original height (not floor length)

It is considered the proposed works i.e. 'Elevational changes to the Side Extension of the subject building' at **Cronin's Butchers, Strand Street, Kanturk P51 NR22** amounts to development. Therefore, the issue to be considered is whether the development is exempted development or not.

The Planning Authority has concluded that the proposed works "**is development and is exempted development**".

In reaching this opinion regard has been had to Section 2(1) , Section 3 (1) Section 4(1) of Planning and Development Act, 2000 (as amended) and Article 6(1) and Article 9(1)of the Planning and Development Regulations 2011 (as amended).



Helen O' Sullivan
Area Planner
8/4/2024

The report of the Area planner is noted and I concur that the subject development is **development** and is **exempted development**.

In response to the Further Information Request, the applicant has confirmed that the first floor use is residential as permitted under planning ref. 79/155 and the office depicted on the first floor plans is a 'home office' like many over the shop residents and family run business and the first floor use was never commercial use. The proposed elevational changes will provide a separate access to the existing first floor residential use.

Based on the information provided, I conclude that the works proposed come within the scope of Section 4(1)(h) of the Planning and Development Act 2000 (as amended), being works which affect only the interior of the structure or which do not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure or

neighbouring structures and I consider the provision of a separate access to the existing first floor residential unit over the shop would not have material consequences and would not constitute an intensification of the use of the land.

Accordingly, whereas a question has been raised regarding whether the elevation changes to the side extension of Conin's Butchers, Strand Street, Kanturk, P51 NR22 (list of changes highlighted on Drawing 696-CD-180) is or is not development and is or is not exempted development and having had regard to:

- The particulars received by the Planning Authority on 06/02/2024 and 20/03/2024,
- Sections 3 of the Planning and Development Act (2000, as amended),
- Section 4(1)(h) of the Planning and Development Act (2000, as amended),
- Articles 6, 9 and 10 of the Planning and Development Regulations (2001, as amended)

it is concluded by the Planning Authority that:

the elevation changes to the side extension of Conin's Butchers, Strand Street, Kanturk, P51 NR22 is **development and is exempted development**.



Louise Ahern
A/Senior Executive Planner
09/04/2024

From: CustomerService <CustomerService@CorkCoCo.ie>
Sent: Wednesday 20 March 2024 15:26
To: Eveleen Crowley <Eveleen.Crowley@CorkCoCo.ie>
Subject: FW: REF: D/207/24

Hi Eveleen,

Please see below for your attention.

Kind regards,

Aishling Ní Shúileabhán | Oifigeach Foirme | Seirbhísí Corparáideacha
Comhairle Contae Chorcaí, Halla an Chontae, Corcaigh, T12 R2NC Éire
T +353-(0)21 – 428 4904 | e aishling.walsh@corkcoco.ie | www.corkcoco.ie
Tairseach na geustaiméirí: www.yourcouncil.ie

Aishling O’Sullivan | Clerical Officer | Corporate Services
Cork County Council | County Hall | Cork, T12R2NC Ireland
T +353-(0)21 – 428 4904 | e aishling.walsh@corkcoco.ie | www.corkcoco.ie
Customer Portal: www.yourcouncil.ie



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

From: FDS Concept Design <freelancedrawingservice@gmail.com>
Sent: Wednesday, March 20, 2024 12:37 PM
To: Info <Info@CorkCoCo.ie>
Subject: Fwd: REF: D/207/24

CAUTION FROM CORK COUNTY COUNCIL IT SECURITY: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Attention: Eveleen Crowley

REF: D/207/24 Declaration of exempted Development

LOCATION: Cronin's Butchers, Strand street, Kanturk, Co. Cork P51 NR22

As per call earlier please find my email response to the letter of clarification dated 4th March 20224 below.

Apologies, it may have been lost in a thread of emails or issued to the wrong person. If a formal letter of response is required let me know.

----- Forwarded message -----

From: **FDS Concept Design** <freelancedrawingsservice@gmail.com>
Date: Fri, 8 Mar 2024 at 17:47
Subject: REF: D/207/24
To: Helen OSullivan <helen.osullivan2@corkcoco.ie>

REF: D/207/24

LOCATION: Cronin's Butchers, Strand street, Kanturk, Co. Cork P51 NR22

Hi Helen

I received your letter re' the above requesting further clarification.

The existing first floor relies on planning permission 155/79 residential use, no exemption is required I would have thought. The office depicted is only a home office like many over the shop residents and family run business (there is only a dining table & filing cabinets in place). The use was never changed to commercial on the first floor.

Regards,

Deborah Murphy
FDS Concept Design, Glanmire, Cork City.

Email Disclaimer

"Any Services provided within this email are conceptual only and for the convenience of reference only. A certificate of compliance is required for all new build work and for all alterations, additions or extension work to an existing property to ensure that all work is carried out in accordance with any planning permission required, building regulations, building control and fire regulations. A registered certifier should be appointed to access the proposed work before any such development takes place. Concept designs should not be relied upon as representation express or implied of the included content. The developer does not indemnify or otherwise provide security, Insurance cover or protection against any loss or other financial burden to the user of this content"

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--

Regards,

Deborah Murphy
FDS Concept Design, Glanmire, Cork City.

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Web: www.corkcoco.ie

Cathal & Sara Cronin,
c/o Deborah Murphy
FDS Concept Design,
Unit 49 Castlejane Court,
Glanmire,
Cork.

4th March 2024

REF: D/207/24
LOCATION: Cronin's Butchers, Strand Street, Kanturk, Co. Cork P51 NR22.

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

Dear Sir & Madam,

I refer to your application for a Declaration of Exemption in relation to the above. In respect of the proposal submitted, you are requested to submit further clarification in accordance with Section 5 (2)(b):

Whilst the question posed to the Planning Authority relates mainly to 'cosmetic changes', it is nonetheless noted that the proposed new door at the side elevation would provide access to the first floor, which would be a proposed 2-Bedroom residential unit. This is currently depicted as an ancillary office use for the ground floor commercial unit on the existing layout. It is not clear what exempted development criteria or what Planning Permission the first floor residential use relies upon, having regard for the historical planning history.

Therefore, the above shall be clarified, and it may be a case that you wish to submit a new Section 5 for the First Floor if it is considered that it may fall within Exempted Development criteria of the Regulations cited as the Planning and Development (Amendment) (No.2) Regulations 2018 [existing buildings that have a current commercial use with reference to Classes 1, 2, 3, and 6 of Part 4 to Schedule 2 of the Planning and Development Regulations 2001, and has been vacant for a period of 2 years or more immediately prior to the commencement of the proposed development].

Further, if the above is not the case, then a Planning application should be prepared for the proposed development that, *inter-alia*, provides for a residential use at the First Floor.

Yours faithfully,


Eileen Crowley
Clerical Officer

Planning Department



PLANNER'S REPORT – Ref. D/207/24

Application Type: Section 5

Description: Elevation changes to side extension

Location: Cronin's Butchers, Strand Street, Kanturk P51 NR22

Applicant: Cathal & Sara Cronin

1. Requirements for a Section 5 Declaration Application

Section 5(1) of the Planning and Development Act, 2000 (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. The question before the planning authority

The question is whether the following is or is not development and is nor is not exempted development, can reasonably be considered to be as follows:

'Are Elevational changes to the Side Extension exempted development?'

3. Site Location and Description

The subject building pertains to Cronin's Butchers, Strand Street, Kanturk, Co. Cork, which is a two-storey, end-of-terrace property that fronts onto the public realm. It is not a Protected Structure, and is not listed on the NIAH. However, it is within St. Mary's Architectural Conservation Area.

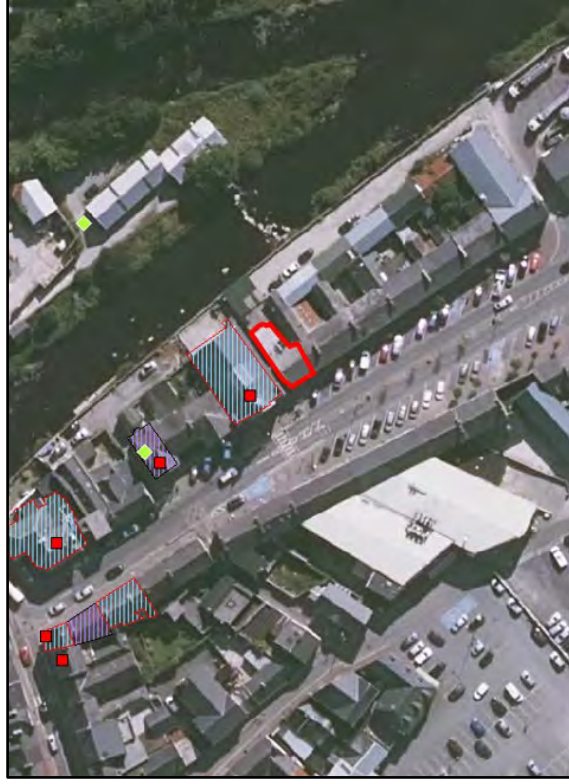


Figure 1: Extract from Planning Enquiry with satellite imagery, with approximate location of property outlined in Red.

4. Relevant Planning Legislation and Regulations

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.”

Section 4(1) states that the following shall be exempted development for the purposes of this Act:

- (h) development consisting of the carrying out of works for the maintenance, improvement or other alteration of any structure, being works which affect only the interior of the structure or which do not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure or of neighbouring structures;

Planning and Development Regulations, 2001, as amended

Article 6(1) defines the scope of exempted development for the purposes of the Act as referred in Section 4(2) of the Act. The article refers to Schedule 2 forming part of the Regulations. Article 6(1) is subject to provisions of Article 9.

Article 9(1) sets out circumstances in which exempted development defined by Article 6 Second Schedule shall not be exempted development, including if the carrying out of 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”.

5. Relevant Planning History

5.1 Planning History

No known recent history

Figure 3: Extract from Planning Enquiry, with location of property highlighted with a 'Star'.

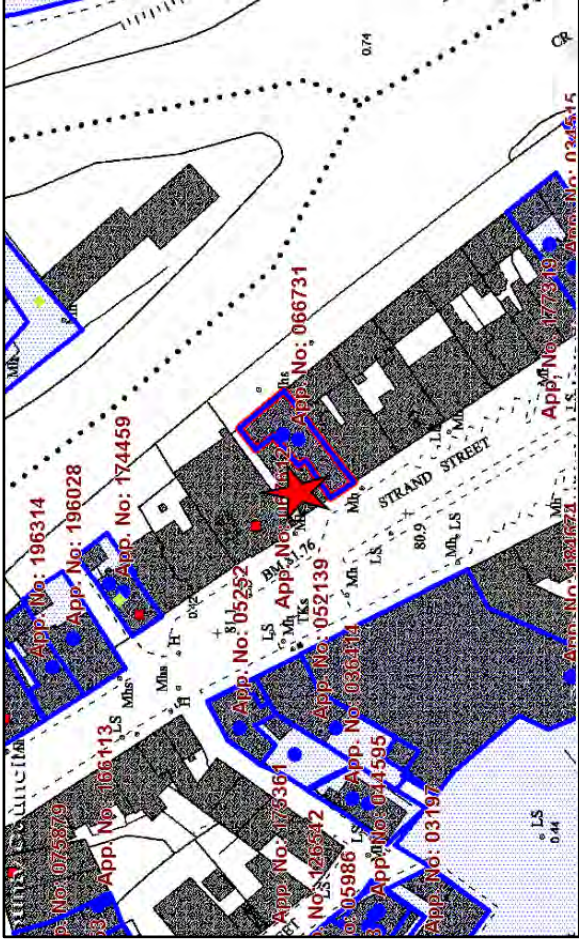


Figure 4: Extract from Historical Mapping / Archives.



Historical Permission: Reg. 155/79 – *Permission granted* for the reconstruction and extension of shop / dwelling house.

6. Planning Assessment

Is or is not development?

The first issue for consideration is whether or not the proposed amendments are 'development' which is defined in Section 3(1) and 'works' is defined in Section 2(1) of the Act. *It is considered that the development as described by the Referrer clearly falls within the definition of 'development'.*

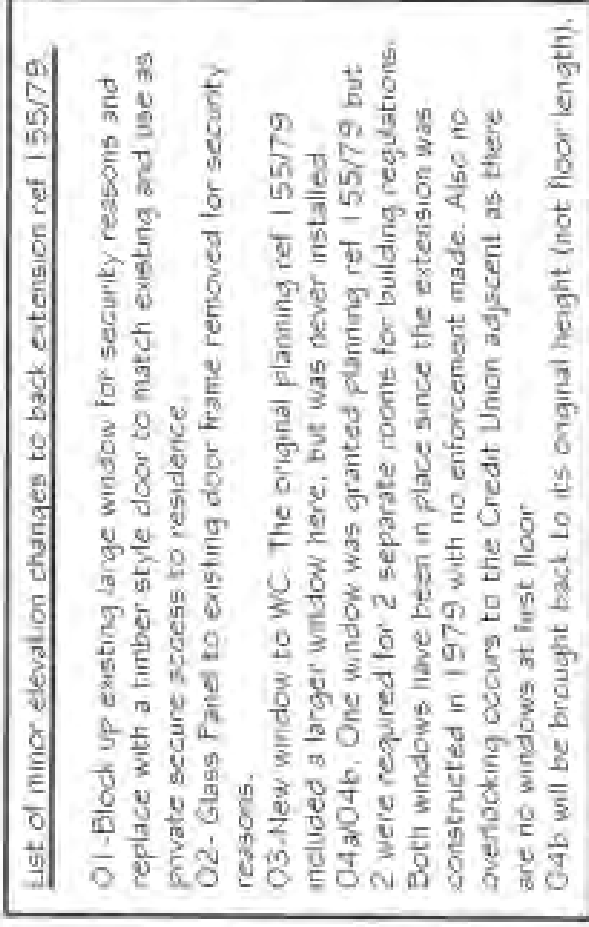
Is or is not exempted development?

Development can be exempted from the requirement for planning permission by either Section 4 of the Act, or Article 6 of the Regulations.

In this case the said development does not come within the scope of any class specified in any part of Schedule 2, having particular regard for Part 1: Exempted Development – General,

of the Planning & Development Regulations:

The Agents states the following works as the focus of this Question:



Conservation Officer

Given that the property is within an ACA, this Question has been Referred to the Conservation Officer for comment, and on 13/2/2024 ‘...confirming I have no issues with the proposal it is not visible.’

Proposed Amendments

In the main, the works can be considered as mainly being ‘cosmetic alterations’ to the property, the reporting Planner would be satisfied that these could be considered “exempt development “as per S4(1)(h) of the Act as these changes would not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure or of neighbouring structures.”

However, notwithstanding the above, and in the case of the new door at the Side Elevation which provides access to the Proposed First Floor, which is depicted as a 2-Bedroom residential unit, this would require further information from the Applicant. The submitted Ground Floor Plan depicts this as being currently laid out as an ancillary Office use for the Ground Floor commercial unit. As such any historical Permission as residential could not be relied upon as that use is not in place. This matter, therefore, requires to be clarified with the Applicant.

7. Recommendation and Conclusion

Further information as follows is required from the Applicant:

Further Information for Section 5: D-207/24 for Cronins Butchers, Strand Street, Kanturk, Co. Cork

Whilst the Question posed to the Planning Authority relates mainly to ‘cosmetic changes’, it is nonetheless noted that the proposed new door at the Side Elevation would provide access to the First Floor, which would be a proposed 2-Bedroom residential unit. This is currently depicted as an

ancillary Office use for the Ground Floor commercial unit on the Existing Layout. It is not clear what exempted development criteria or what Planning Permission the First Floor residential use relies upon, having regard for the historical Planning history.

Therefore, the above shall be clarified, and it may be a case that the Applicant wishes to submit a new Section 5 for the First Floor if it is considered that it may fall within Exempted Development criteria of the Regulations cited as the Planning and Development (Amendment)(No.2) Regulations 2018 [existing buildings that have a current commercial use with reference to Classes 1, 2, 3, and 6 of Part 4 to Schedule 2 of the Planning and Development Regulations 2001, and has been vacant for a period of 2 years or more immediately prior to the commencement of the proposed development].

Further, if the above is not the case, then a Planning application should be prepared for the proposed development that, *inter-alia*, provides for a residential use at the First Floor.



Helen O' Sullivan
Area Planner
4/3/2024

FDS Concept Design,
Unit 49
Castlejane Court,
Glanmire,
Co. Cork
TY45 FY80

Planning & Development Directorate
Cork County Council
County Hall
Carrigrohane Road,
Cork
T12 R2NC

06.02.2024
(By hand)

SECTION 5 DECLARATION OF EXEMPTION

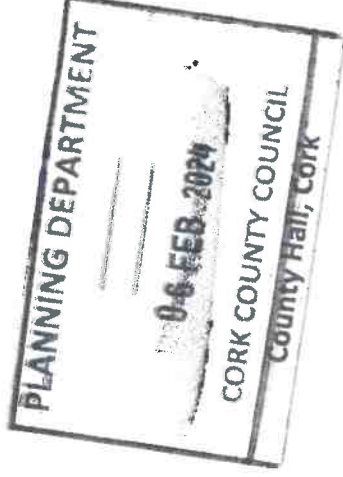
Location: Cronin's Butchers, Strand Street, Kanturk, Co. Cork.

A Chara,

Please find enclosed documents in relation to the above application.

Yours Faithfully,

Deborah Murphy
FDS Concept Design





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

APPLICANT CHECKLIST

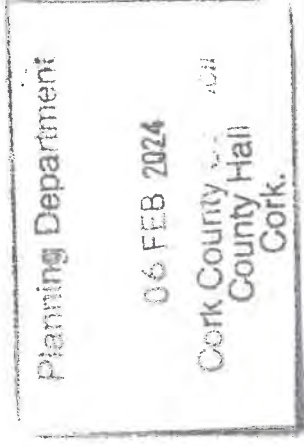
(Please tick ✓)

✓
✓
✓
✓
✓
✓
✓

- 4 No. Copies of Application Form:**
- 1 No. Copy of Contact Details:**
- 4 No. Copies 6" O.S. Maps:**
- 4 No. Copies 25" O.S. Maps:**
- 4 No. Copies of Site Layout Plan:**
- 4 No. Copies Scaled Drawings of Development:**
- €80 Application Fee:**

FOR OFFICE USE ONLY

Receipt No.	PLG 0043442
Cash/Cheque/ Credit Card	CARD
Date	6/2/24
Declaration Ref. No.	D/207/24



DATE STAMP HERE

You should make sure that you are satisfied that any information/documentation that you submit is appropriate to be viewed by the public. Please do not submit any information that you do not want 3rd parties to view.

- In the case of a Declaration of Exemption for Land Reclamation, the following additional information is required:
- A copy of the details submitted to the Council's Environment Department (Inniscarra) for a Waste Licence Permit
 - Correspondence from Teagasc (detailing how the land reclamation would benefit the land in question for agricultural purposes)
 - Details of existing and proposed levels
 - Details of fill material and duration of fill.

DATA PROTECTION

The planning process is an open and public one. In that context, all applications for Declarations of Exemption are made available for public inspection.

Personal information collected by Cork County Council is done so in order for us to process your application for a Section 5 Declaration of Exemption. Legally we can process this information as it is necessary for us to comply with our statutory/legal obligations. The protection of our personal data is a key priority for the Council and your data will be processed in line with our Privacy policy which is available at <http://www.corkcoco.ie/Privacy-Policy> or hardcopy from our offices at County Hall, Carrigrohane Road, Cork, Ireland. Should you have any questions about our privacy policy or the information we hold about you, please contact us by email to dpo@corkcoco.ie or write to us at Data Protection Officer, Cork County Council, County Hall, Carrigrohane Road, Cork, Ireland.



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

CATHAL & SARA CRONIN

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

CRONIN'S BUTCHERS
STRAND STREET
KANTURK
CO. CORK
P51 NR22

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

Exemption is sought to confirm that Minor elevation changes to the side extension of Cronin's Butchers are exempt.
List of minor changes highlighted on Drawing 696-CD-180.

Planning Department
06 FEB 2024
Cork County Council
County Hall
Cork

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):	EXISTING AREA 134sqm
(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 type="checkbox"/> If yes, please provide floor areas (m ²) and previous planning reference(s) where applicable:
(c) If a change of use of land and/or building(s) is proposed, please state the following: Existing/previous use	NOT APPLICABLE 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:	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 checked="" type="checkbox"/> No <input type="checkbox"/>

16 FEB 2024
Cork County Council
County Hall

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)	Cathal & Seana Cronin
Date	02/02/2024

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

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

Special Categories of data / Sensitive Personal data include:

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

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

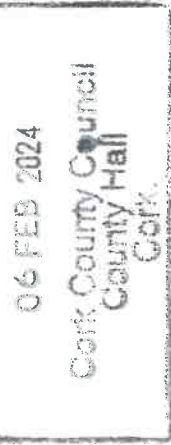
Sensitive personal data being submitted in support of Declaration of Exemption Application

I give permission for my sensitive personal data submitted to the Planning Authority to be processed for the purpose stated above.

Signed	Cathal & Seana Cronin
Date	02/02/2024

You have the right to withdraw your consent by contacting the Planning Department, Ground Floor, County Hall, Carrigrohane Road, Cork. Tel: (021) 4276891 Email: planninginfo@corkcoco.ie or by contacting the Planning Department, Norton House, Cork Road, Skibbereen, Co. Cork. Tel: (028) 40340 Email: westcorkplanninginfo@corkcoco.ie However if consent to the use of personal data is withdrawn during the declaration of exemption decision-making process this information cannot be considered as part of the decision making process. Once a decision has been made, an applicant is not entitled to withdraw consent, as the right of erasure does not apply to a situation where processing is required for compliance with a legal obligation or for the performance of a task carried out in the public interest. **Planning Department**

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.

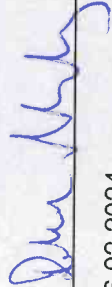
The application should be sent to the following address:

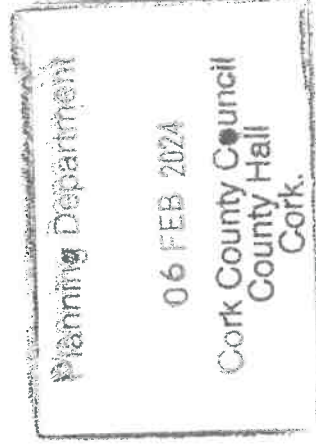
The Planning Department, Cork County Council, Floor 2, Co. Hall, Carrigrohane Road, Cork, T12 R2NC; or for applications related to the Western Division, The Planning Department, Cork County Council, Norton House, Cork Road, Skibbereen, Co. Cork, P81 AT28.

- 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)	AGENT: DEBORAH MURPHY, FDS CONCEPT DESIGN, UNIT 49, CASTLEJANE COURT, GLANMIRE, CORK CITY. 
Date	06.02.2024





Description:
Historic 6" Latest Edition
Publisher / Source:
Ordnance Survey Ireland (OSi)
Data Source / Reference:
CK023

Revision Date = 31-Dec-1933
Survey Date = 31-Dec-1933
Levelled Date = 31-Dec-1937
CK031

Revision Date = 31-Dec-1933
Survey Date = 31-Dec-1933
Levelled Date = 31-Dec-1938

File Format:
Tagged Image File Format (TIFF)

File Name:
R_50380327_1.tif

Clip Extent / Area of Interest (AOI):
LLX,LLY= 534626.0,600542.0

LRX,LRY= 541636.0,600542.0

ULX,ULY= 534626.0,605736.0

URX,URY= 541636.0,605736.0

Projection / Spatial Reference:
IRENET95_Irish_Transverse_Mercator

Centre Point Coordinates:
X,Y = 538131.0,603139.0

Data Extraction Date: 30-Jan-2024
Product Version: 1.3
License / Copyright:

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The representation on this map of a road, track
or footpath is not evidence of the existence of a
right of way. Ordnance Survey maps never show
legal property boundaries, nor do they show
ownership or physical features.

Planning DefNotes:

PRELANCE DRAWING SERVICE
Phone: 086-3391371
irelandcedrawingservice@gmail.com
FB:irelandcedrawingsservice.com

OWNER: DM
CHECKED: DM
DATE: 30/01/24
REVISION: A

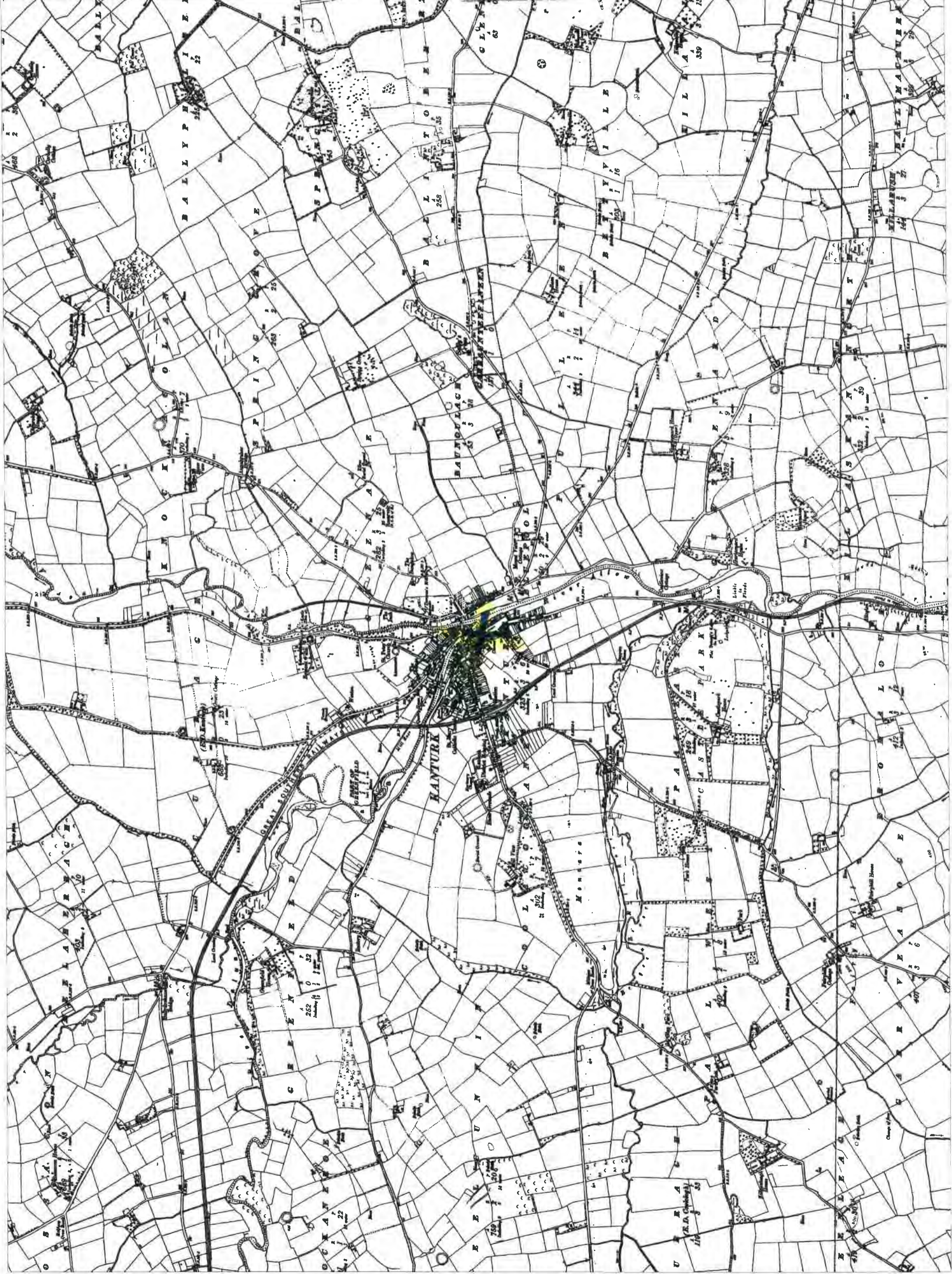
PROJECT NAME:
INTERNAL REDESIGN

DRAWING TITLE:
RURAL PLACE MAP

SCALE: 6"
SHEET SIZE: A3
SHEET NO.: 1 of 1

PROJECT NO.: 696
CONCEPT DESIGN

DRAWING NO.: 696-CD-100



Rural Place map-Scale 6"



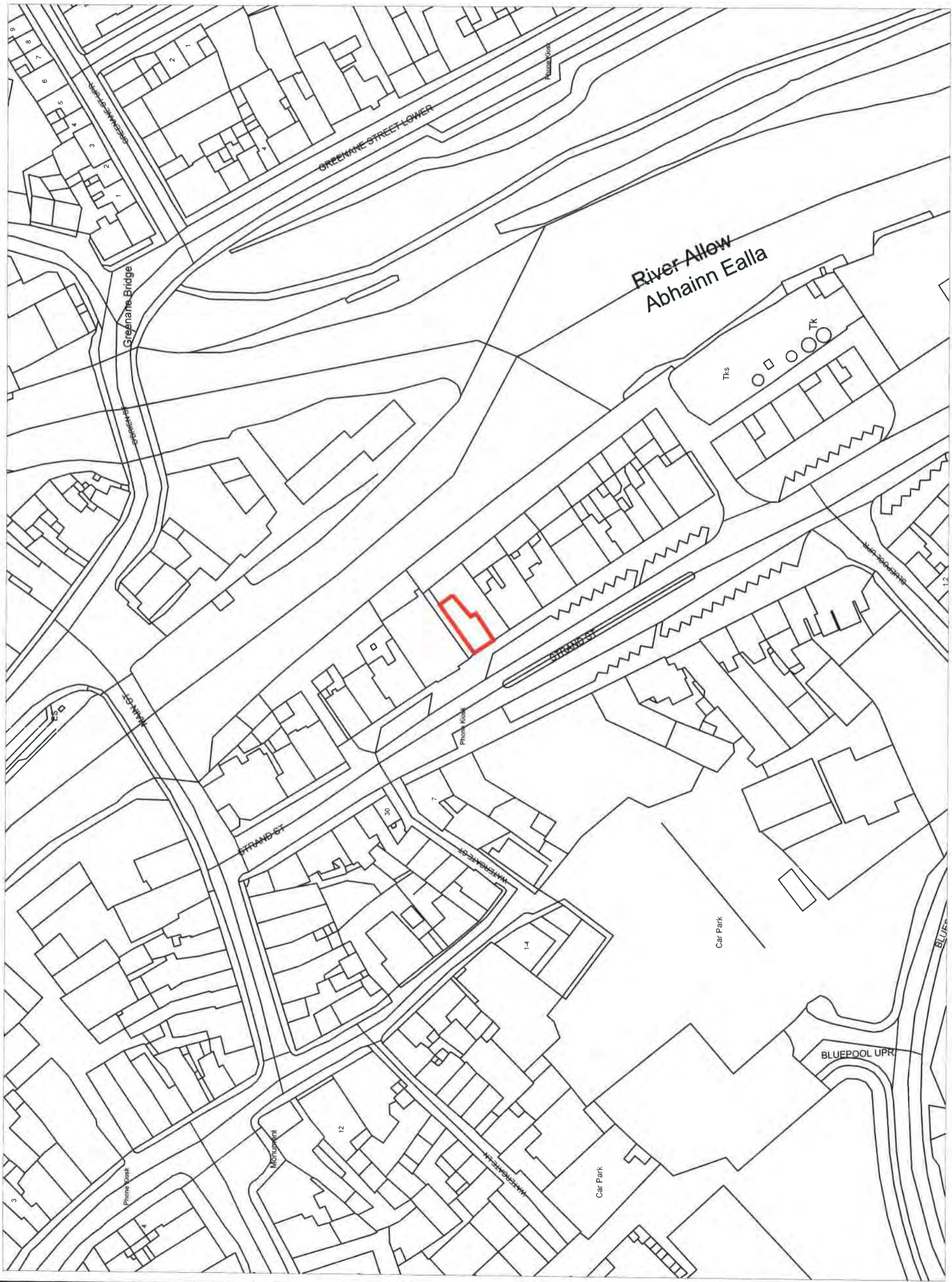
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 Publisher / Source: Ordnance Survey Ireland (OS)
 Data Source / Reference: PRIME2
 File Format: Autodesk AutoCAD (DWG_R2013)
 File Name: v_50380327_1.dwg
 Clip Extent / Area of Interest (AOI):
 LLX,LLY= 537965.0,603016.0
 LRX,LRY= 538297.0,603016.0
 ULX,ULY= 537965.0,603262.0
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 Centre Point Coordinates:
 X,Y= 538131.0,603139.0
 Reference Index:
 Map Series | Map Sheets
 1:1,000 | 5814-23
 1:1,000 | 5885-03
 Data Extraction Date: Date= 30-Jan-2024
 Source Data Release:
 DCMLS Release V1.172.117
 Product Version:
 Version= 1.4
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 The representation on this map of a road, track
 or footpath is not evidence of the existence of a
 right of way. Ordnance Survey maps never show legal
 property boundaries, nor do they show ownership of
 physical features.

Planning Documents

REV	DESCRIPTION	BY	DATE
1	A Rural OS Map 2024	DM	30/01/24

FD6
FRIZLANE DRAWING SERVICE
 Phone 086-3981371
irelanddrawingsservice@gmail.com
FB:irelanddrawingsservice.com

CLIENT:	SARA & CATHAL CRONIN CRONIN'S BUTCHER'S, STRAND STREET, KANTURK, CO. CORK - P51 NR22
ARCHITECTURAL TECHNICIAN:	DEBORAH MURPHY FDS CONCEPT DESIGN UNIT 49 CASTLEJANE COURT, GLANMIRE, CORK
DRAWN:	DM
CHECKED:	DM
DATE:	30/01/24
REVISION:	A
PROJECT NAME:	INTERNAL REDESIGN
DRAWING TITLE:	URBAN PLACE MAP
SCALE:	1:1000
SHEET SIZE:	A3
SHEET NO.:	1 of 1
PROJECT NO.:	696
STATUS:	CONCEPT DESIGN
DRAWING NO.:	696-CD-101



URBAN PLACE MAP Scale : 1:1000

Site outlined in Red -



Client's attention is drawn to the following notes, indicating clients design responsibilities.

Layouts are CONCEPT drawings for CONCEPT only exact dimensions to be taken by all individual contractors on site. Notes and specifications are only guidance for client & not a specification for tender or construction use. Also refer to appointed Engineers report. The contractor shall visit & examine the site prior to beginning or pricing work to verify accuracy and suitability of conditions for the work. Any defects or errors which would cause defective installation/application of products to cause the contractor to be held liable for the work. The contractor should note that not all existing underground services are necessarily shown & that confirmation should be sought from by selective excavation prior to construction. All electrical work to be in accordance with the National rules for electrical installations. All plumbing, heating, electrical & general works shall be carried out in accordance with the Building regulations & by registered tradesmen only. All contractors work to be in accordance with Technical Guidance Documents Part A, - M & Cavity wall and general details. Any discrepancies in the drawings should be highlighted to the Engineer before proceeding with work. The contractor shall daily & upon completion, clean all surfaces, remove from the site all rubbish & accumulated materials of whatever nature caused or resulting from the work & shall leave the site in a clean & orderly condition.

NOTE FOR DESIGNER:
 -This drawing is conceptual only and for the convenience of reference. It should not be relied upon as representations or proposals for construction. The developer does not indemnify or otherwise provide security, insurance cover or protection against any loss or other financial burden to the user. The developer expressly reserves the right to make any modifications, revisions, and changes it deems desirable. The client shall appoint a Chartered Engineer to design all structural details for this project please refer to the engineers specification for any details and not the sketch provided.

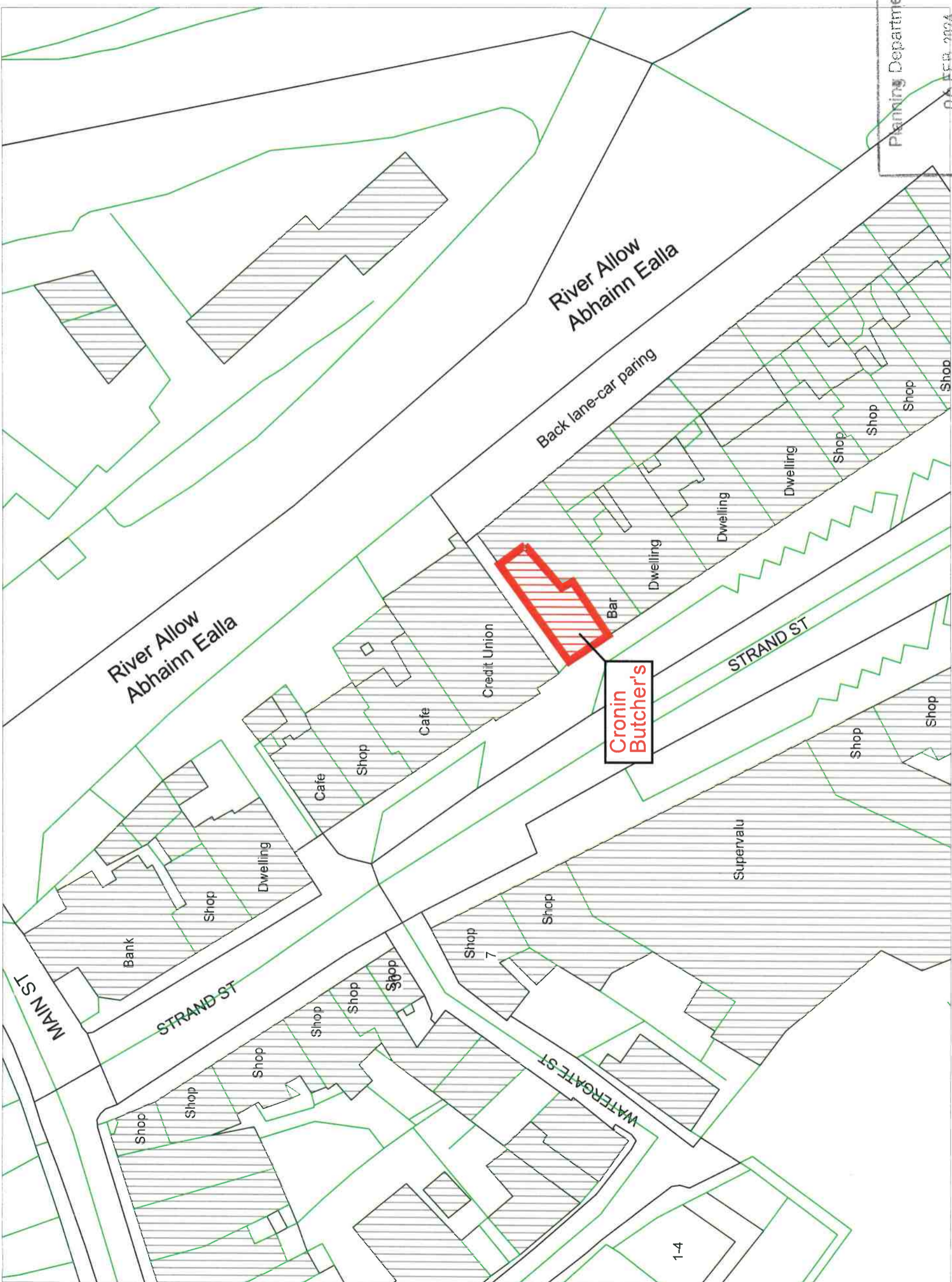
CERTIFICATE OF COMPLIANCE:
 A Certificate of compliance is required for all new build work and for all alterations, additions or extension work to an existing property to ensure that all works have been carried out in accordance with any planning permission required, building regulations, building control and fire regulations. Certificate of completion required for work not requiring planning permission. A Chartered Engineer should be appointed before any such development work takes place.

Notes:

REF: A	DESCRIPTION: Rural OS Map	DM	30/01/24
		BY:	DATE:

FDS
FRIZELLANCE DRAWING SERVICE
 Phone 085-3981371
 ffrizellancedrawingsservice@gmail.com
 FB/frizellancedrawingsservice.com

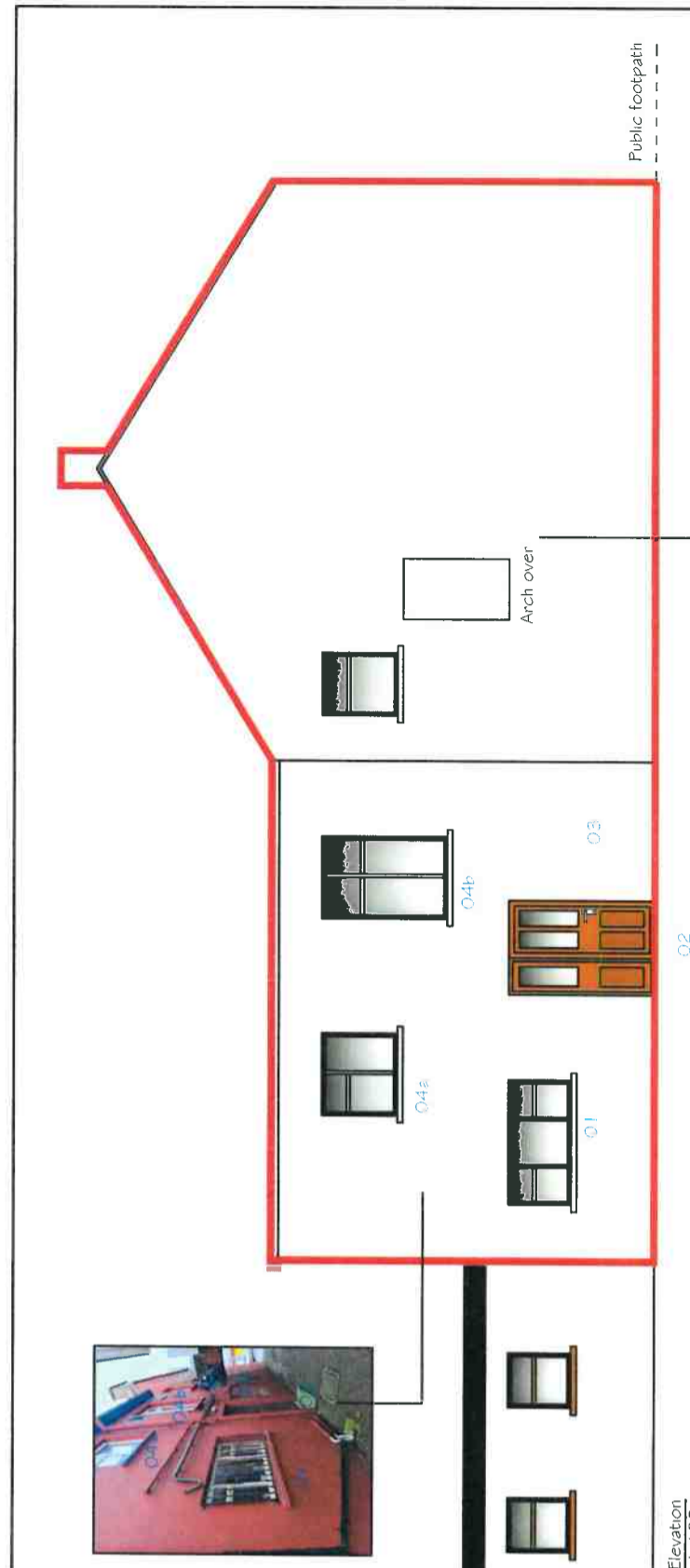
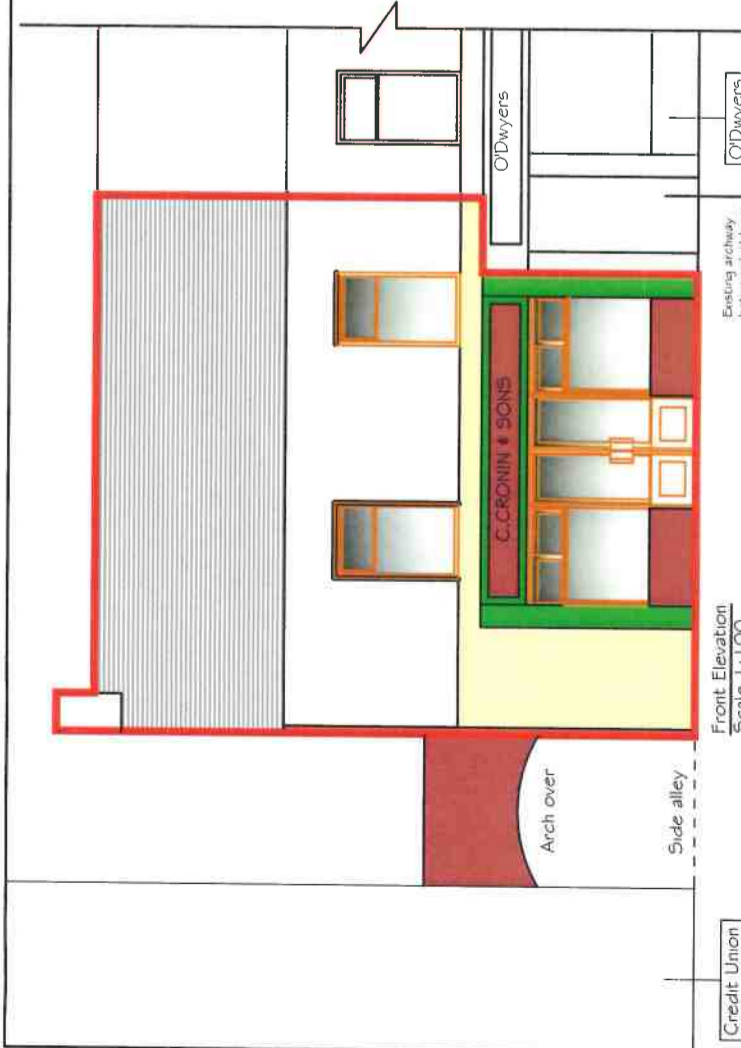
CLIENT:	SARA & CATHAL CRONIN CRONIN'S BUTCHER'S, STRAND STREET, KANTURK, CO. CORK - P51 NR22		
ARCHITECTURAL TECHNICIAN:	DEBORAH MURPHY FDS CONCEPT DESIGN UNIT 49 CASTLEJANE COURT, GLANMIRE, CORK		
DRAWN: DM	CHECKED: DM	DATE: 30/01/24	REVISION: A
PROJECT NAME: INTERNAL REDESIGN			
DRAWING TITLE: SITE LAYOUT			
SCALE: 1:500	SHEET SIZE: A3	SHEET NO.: 1 of 1	
PROJECT NO.: 696	STATUS: CONCEPT DESIGN		
DRAWING NO.: 696-CD-130			



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 Cork County Council
 County Hall
 Cork.

SITE LAYOUT Scale : 1:500

Site outlined in Red - █



No overlooking occurs to Credit Union adjacent as there are no windows at first floor exist.

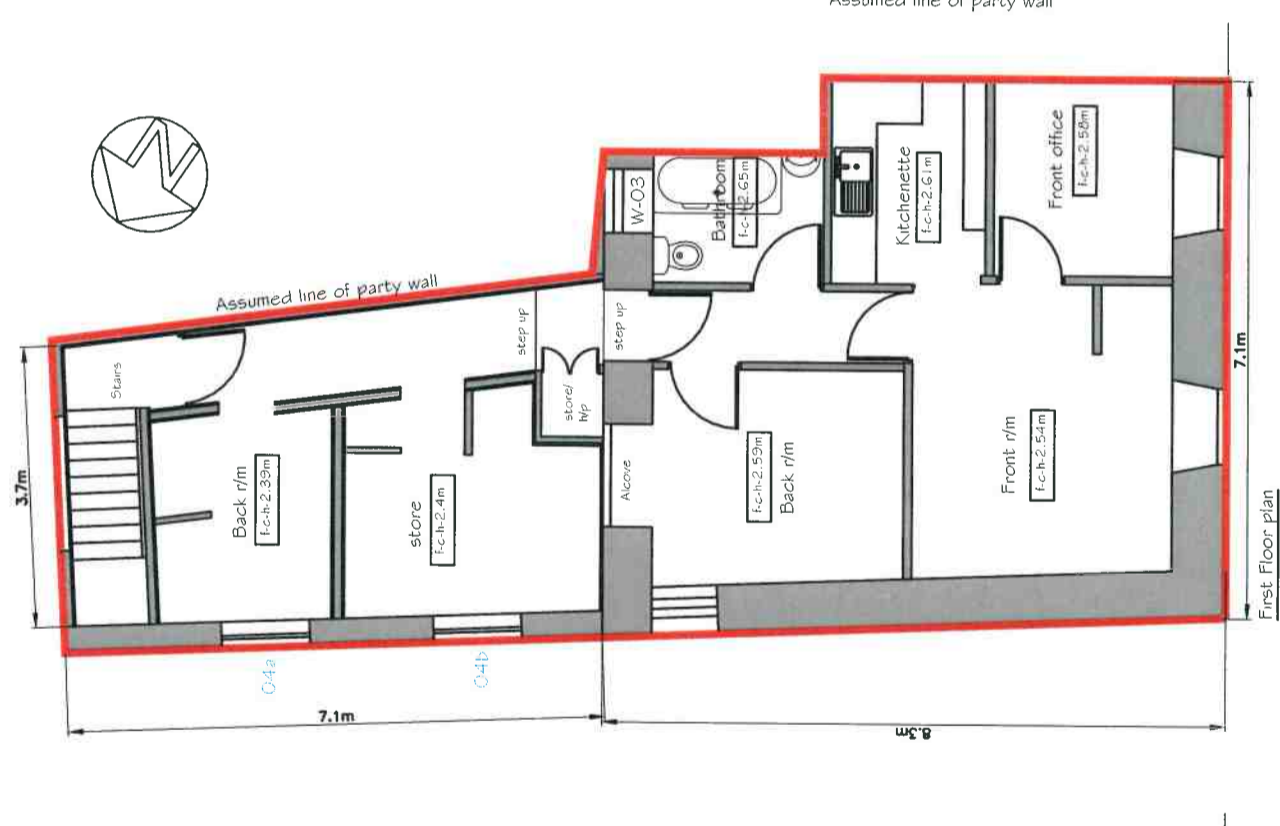
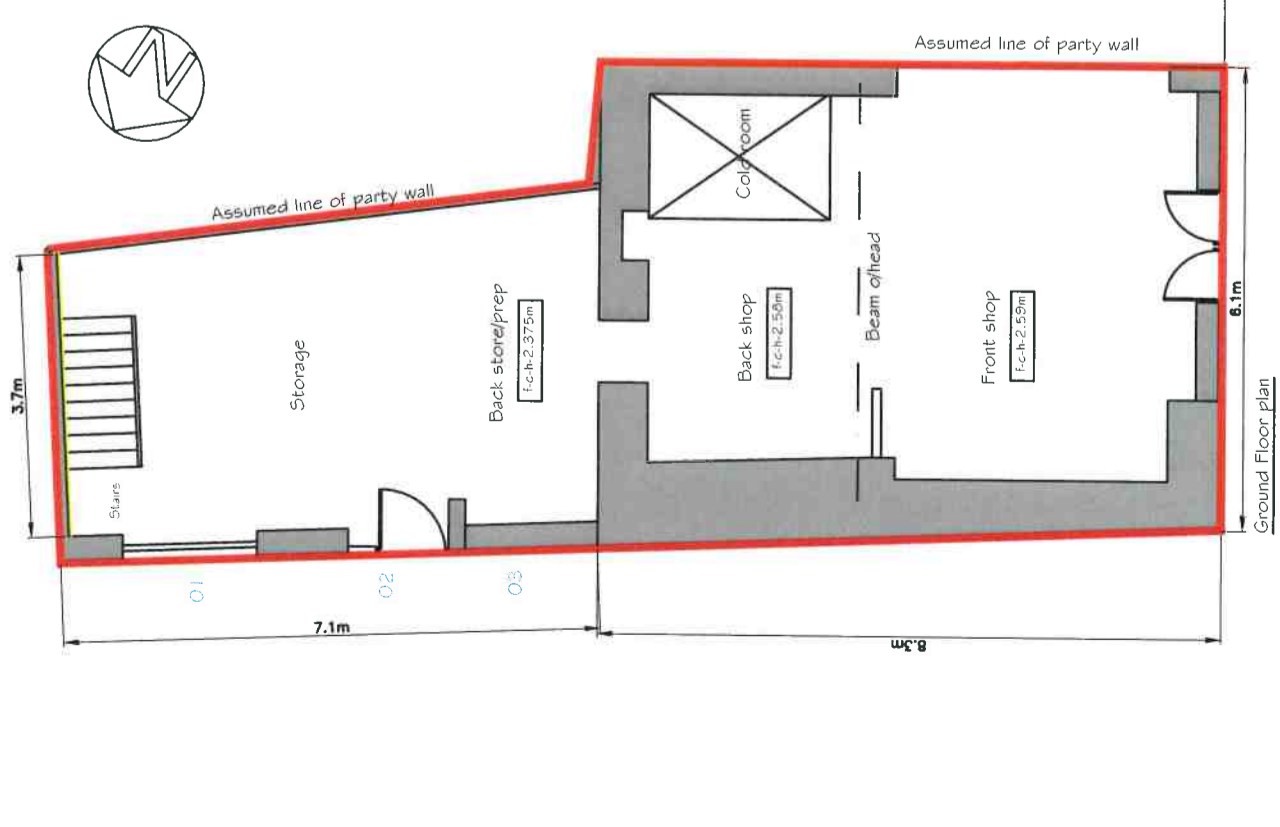
Front Elevation Scale 1:100

Side Elevation Scale 1:100

Public footpath



No alterations can be seen from the gable side or public road.



Ground Floor plan

First Floor plan

Notes:

C	ISSUED FOR SECTION 5	DM	31/02/24
B	MINOR REVISIONS	DM	18/12/23
A	EXISTING DWELLING	DM	21/09/23
REV:	DESCRIPTION:	BY:	DATE:



CLIENT: SARA & CATHAL CRONIN
CRONIN'S BUTCHER'S, STRAND STREET,
KANTURK, CO. CORK - P51 NR22

ARCHITECTURAL TECHNIQUE: DEBORAH MURPHY
FDS CONCEPT DESIGN
UNIT 49 CASTLEJANE COURT, GLANMIRE, CORK

DRAWN: DM
CHECKED: DM
DATE: 01/02/24
REVISION: C

PROJECT NAME: INTERNAL DESIGN

DRAWING TITLE: EXISTING CRONIN'S BUTCHERS

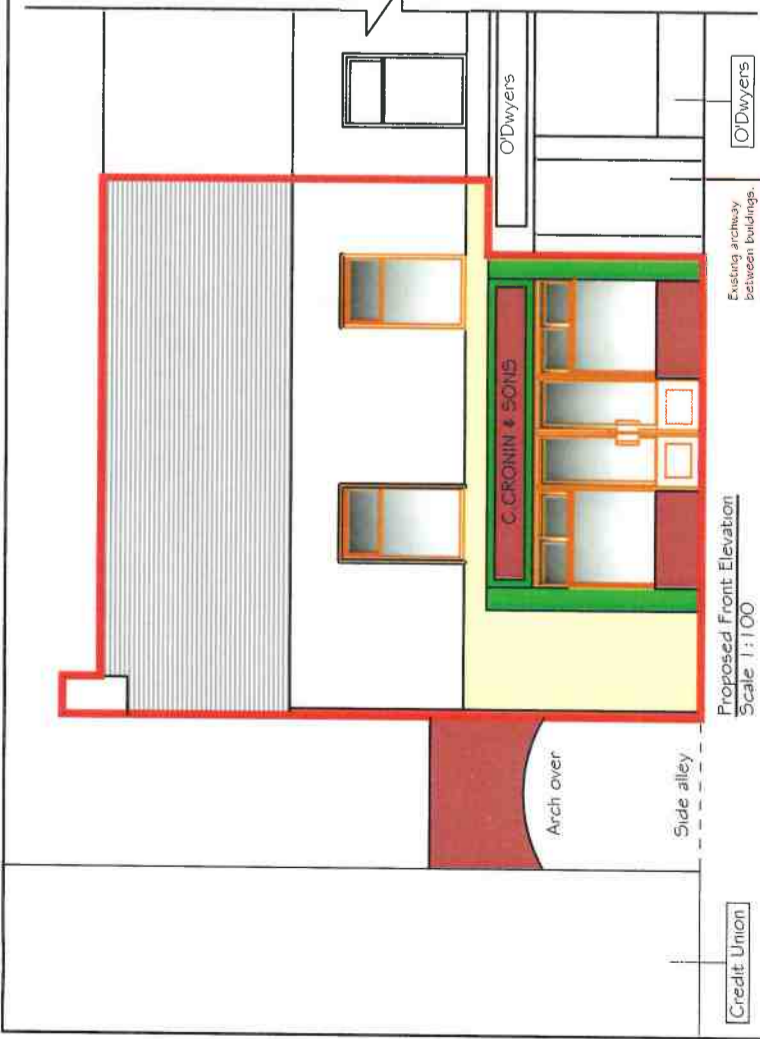
SCALE: 1:100
SHEET SIZE: A3
SHEET NO: 1 of 1

PROJECT NO: 696
REVISION: CONCEPT DESIGN

DRAWING NO: 696-CD-170

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06 FEB 2024
Cork County Council
County Hall
Cork.

Roof plan



Credit Union

Proposed Front Elevation
Scale 1:100

Existing archway
between buildings.

ODwyers

List of minor elevation changes to back extension ref. 155/79.

O1 - Block up existing large window for security reasons and replace with a timber style door to match existing and use as private secure access to residence.

O2 - Glass Panel to existing door frame removed for security reasons.

O3 - New window to WC. The original planning ref. 155/79 included a larger window here, but was never installed.

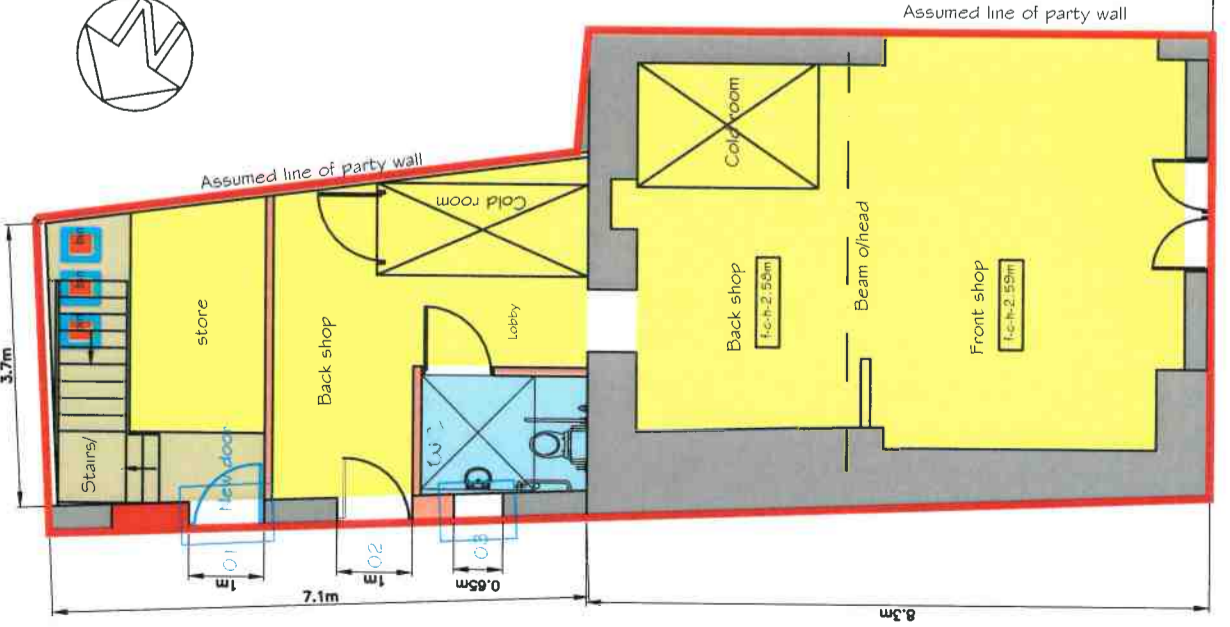
O4a/O4b. One window was granted planning ref. 155/79 but 2 were required for 2 separate rooms for building regulations. Both windows have been in place since the extension was constructed in 1979 with no enforcement made. Also no overlooking occurs to the Credit Union adjacent as there are no windows at first floor.

O4b will be brought back to its original height (not floor length).

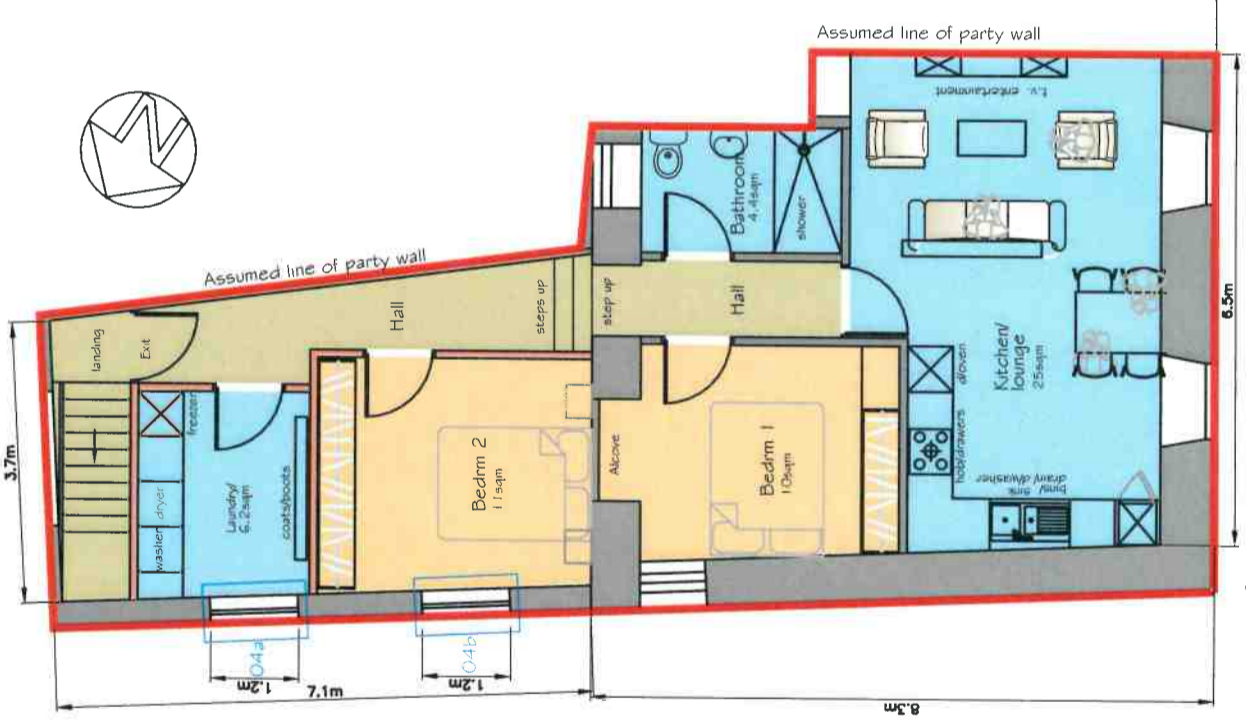
Back lane

Proposed Side Elevation
Scale 1:100

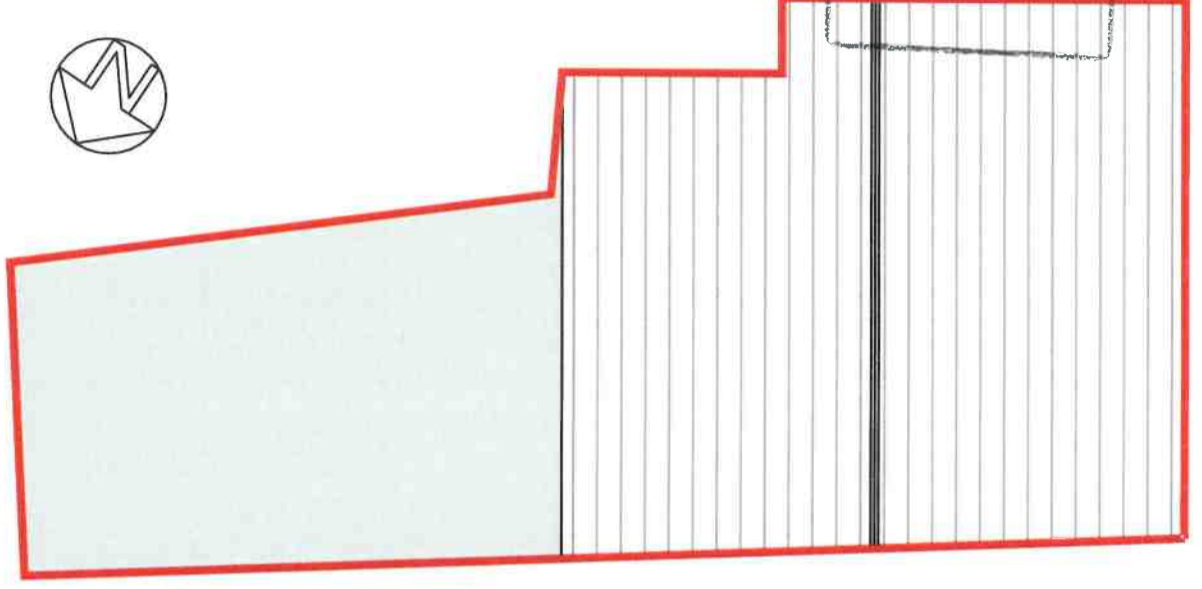
Public footpath



Proposed Ground Floor plan



Proposed First Floor plan



Proposed Roof plan

Notes:

C	ISSUED FOR SECTION 5	DM	01/02/24
B	DESIGN REVISED	DM	04/12/23
A	EXISTING DWELLING	DM	21/09/23

REV: DESCRIPTION BY: DATE:

FDS
FREE LANCE DRAWING SERVICE
Phone: 086-5981371
free.lance.drawing.service@gmail.com
FB: free.lance.drawing.service.com

CLIENT: SARA & CATHAL CRONIN
CRONIN'S BUTCHER'S, STRAND STREET,
KANTURK, CO. CORK - P51 NR22

ARCHITECTURAL TECHNIQUE:
DEBORAH MURPHY
FDS CONCEPT DESIGN
UNIT 49 CASTLEJANE COURT, GLANMIRE, CORK

DATE: 01/02/24

REVISION: C

PROJECT NAME: INTERNAL DESIGN

TITLE: PROPOSED
Cronin's Butcher's

SCALE: 1:100

SHEET NO.: 1 of 1

PROJECT NO.: 696

STUDIO: CONCEPT DESIGN

DRAWING NO.: 696-CD-180

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County
Cork