

Comhairle Contae Chorcaí Cork County Council

Maria Dilworth,
c/o Niall Skehan & Associates,
4 Charlotte Place,
Glenbrook,
Passage West,
Co. Cork.
T12 K286.

Pleanáil agus Forbairt,
Halla an Chontae,
Bóthar Charraig Ruacháin,
Corcaigh T12 R2NC.
Fón: (021) 4276891 • Faics: (021) 4276321
R-phost: planninginfo@corkcoco.ie
Suíomh Gréasáin: www.corkcoco.ie
Planning & Development,
County Hall,
Carrigrohane Road, Cork T12 R2NC.
Tel (021) 4276891 • Fax (021) 4276321
Email: planninginfo@corkcoco.ie
Web: www.corkcoco.ie



10th July, 2023

REF: D/251/23
LOCATION: Tullagreen, Carrigtwohill, Co. Cork.

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

Dear Madam,

On the basis of the information submitted by you on 12th June 2023 the Planning Authority, having considered the question whether or not the proposed temporary use of lands for storage of construction materials at **Tullagreen, Carrigtwohill, Co. Cork** is or is not development and is or is not exempted development has declared that it **is development and is not exempted development.**

Reason for Decision

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

- The particulars received by the Planning Authority on 12th June 2023
- Section 2(1) and Section 3(1) the *Planning and Development Act 2000 (as amended)*
- Article 6 of the *Planning and Development Regulations 2001 (as amended)*
- SCHEDULE 2, Part 1 *Exempted Development*, Class 16 and Class 17 of the *Planning and Development Regulations 2001 (as amended)* and,
- Article 9(1)(a)(iii) of the *Planning and Development Regulations 2001 (as amended)*,

And Whereas Cork County Council has concluded that –

The proposed temporary use of lands for storage of construction materials at Tullagreen, Carrigtwohill, Co. Cork **is development and is not exempted development.**

Please note that under Section 5 Subsection 3(a) where a declaration is issued under this section, any person issued with a declaration under subsection 2(a) may, on payment to the Board of such fee as may be prescribed, refer a declaration for review by the Board within 4 weeks of the date of the issuing of the declaration.

Yours faithfully,



**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.corkcoco.ie/privacy-statement-cork-county-council>

SECTION 5 DECLARATION – PLANNER’S REPORT

File Reference: D/253/23

Description: The temporary storage of materials to facilitate the nearby Merck Millipore construction site for storage of piping spools, materials, equipment and containers in advance of works onsite and to alleviate the build up of materials onsite for Jones Engineering along with cladding and steel for the Sisk Group and other sub contractors currently working on the nearby Merck site.

Applicant: Marie Dilworth

Location: Lands at Tullagreen, Carrigtwohill, Co. Cork

Date: 06/07/2023

SUMMARY OF RECOMMENDATION

IS DEVELOPMENT AND IS NOT EXEMPTED DEVELOPMENT

PURPOSE OF REPORT

Under Section 5 of the Planning and Development Act, 2000 (as amended), if any question arises as to what, in any particular case, is or is not development and is or is not exempted development within the meaning of the 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.

SITE LOCATION

Lands at Tullagreen, Carrigtwohill, Co. Cork



Fig.1: Site Location

SUBJECT DEVELOPMENT

The proposed temporary use of lands for the storage of construction materials at Tullagreen, Carrigtwohill, Co. Cork.

PLANNING HISTORY

Subject Site

Planning Ref.	Development Description	Decision
10/5388	Site development works to include 2 no. entrances for warehousing and to construct an electrical sub-station. (Hilary Loftus) *Planner's report recommended refusal on the grounds 1) the proposed use would materially contravene zoning objective and 2) in the absence of an AA Screening Report and AA, the PA was not satisfied that the proposed development would not result in the protection and conservation of natural heritage sites.	APPLICATION WITHDRAWN
07/12387	Retention of infill of land and reinstatement of same to agricultural use and the opening of entrance (John & Hillary Loftus)	GRANT
06/11622	Retention of change of use from agricultural to landfill. (John & Hillary Loftus)	REFUSE
06/4651	Retention of change of use from agricultural to landfill. (John & Hillary Loftus)	REFUSE
04/6928 PL.04.209791	Site development works for 7 no. light industrial units. (Hillary Loftus) *Site located outside of dev boundary in Metro Greenbelt.	REFUSE
03/1247	Construction of warehouse and ancillary site works. (Alan Loftus)	REFUSE

The site is located at the opposite side of the road to the Merck Millipore campus site at Tullagreen, Carrigtwohill. Merck Millipore is an established medical device manufacturing plant, which was originally granted permission under register reference 87/537. The site has been subject to numerous permissions for development in the intervening period, the most recent and of relevance to this Section 5 application are listed below.

Nearby / Other Relevant Applications

Planning Ref.	Development Description	Decision
22/4839	The demolition of existing switch room and an existing drum store and the construction of a new 3 storey manufacturing building to the east of the existing manufacturing building. At ground floor level the new manufacturing building will comprise warehouse area with two loading docks, a main production area, changing facilities, entrance area, offices, circulation corridors, workshops and a quality control laboratory. First floor level will comprise laboratory accommodation, offices, meeting rooms, circulation corridors, mechanical and electrical plant rooms. Second floor level will comprise process, mechanical and electrical plantrooms and circulating corridors. Roof level will comprise double stacked air handling units, chillers, miscellaneous mechanical pipework and electrical cable tray on pipe bridge structures traversing the roof. This application also includes a temporary contractors construction compound (for the construction duration of the project only) comprising of double stacked portacabins, truck wheel wash area, workshops and materials set down areas. A Natura Impact Statement and appropriate assessment screening is submitted to the planning authority with this application. An Environmental Impact Assessment Report is submitted to the planning authority with this application. The proposed development is for a new build on an existing manufacturing establishment site to which the Major Accidents Directive applies. Please see application for full development description.	GRANT

LEGISLATIVE CONTEXT

Planning & Development Act 2000 (as amended)

S.2(1) *In this Act, except where the context otherwise requires—*

“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.

S.3 – (1)

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 structure or other land.

F38[(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.*

Planning & Development Regulations 2001 (as amended)

Article 6 *Subject to article 9, development consisting of a class specified in column 1 of Part 1 of Schedule 2 shall be exempted development for the purposes of the Act, provided that such development complies with the conditions and limitations specified in column 2 of the said Part 1 opposite the mention of that class in the said column 1.*

Article 9. *Restrictions on Exemption*

(1) Development to which article 6 relates shall not be exempted development for the purposes of the Act—

(a) if the carrying out of such development would—

(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 4m in width.

(iii) Endanger public safety by reason of traffic hazard or obstruction of road users.

.....

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

....

(viiB) Comprise development in relation to which a planning authority or ABP 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.

(viiC) 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.

....

(d) if it consists of the provision of, or modifications to, an establishment, and could have significant repercussions on major accident hazards.

SCHEDULE 2, Part 1, *Exempted development – General*

Column 1 Description of Development	Column 2 Conditions and Limitations
<p>CLASS 16</p> <p>The erection, construction or placing on land on, in, over or under which, or on land adjoining which, development consisting of works (other than mining) is being or is about to be, carried out pursuant to a permission under the Act or as exempted development, of structures, works, plant or machinery needed temporarily in connection with that development during the period in which it is being carried out.</p>	<p>Such structures, works, plant or machinery shall be removed at the expiration of the period and the land shall be reinstated save to such extent as may be authorised or required by a permission under the Act.</p>
<p>CLASS 17</p> <p>The erection, construction or placing on land on, in, over or under which, or on land adjoining which, development (other than mining) is being, or is about to be carried out, pursuant to any permission, consent, approval or confirmation granted under the Act or any other enactment or as exempted development, of temporary on-site accommodation for persons employed, or otherwise engaged, in connection with the carrying out of the development, during the period in which it is being carried out.</p>	<p>Such accommodation shall be removed at the expiration of the period and the land shall be reinstated save to such extent as may be authorised or required by the permission, consent, approval or confirmation granted under the Act or any other enactment.</p>

POLICY CONTEXT

The site is located just outside of the settlement boundary of Carrigtwohill as per the 2022 Cork County Development Plan within the Metropolitan Greenbelt Area where the following policy objectives apply:

- RP 5-3: County Metropolitan Cork Strategic Planning Area**
- RP 5-11: County Metropolitan Cork Greenbelt**
- RP 5-12: Purpose of Greenbelt**
- RP 5-13: Land Uses within the County Metropolitan Greenbelt**
- RP 5-14: Sustainability of Exceptions to Greenbelt Policies**
- BE 15-2: Protect Sites, Habitats and Species**
- BE 15-6: Biodiversity and New Development**
- BE 15-7: Control of Invasive Alien Species**
- WM 11-1: EU Water Framework Directive and the River Basin Management Plan**
- WM 11-2: Surface Water Protection**

WM 11-3:	Groundwater Protection
WM 11-13:	Flood Plains and Wetlands
WM 11-14:	Strategic Flood Risk Management
WM 11-15:	Flood Risk Assessments
WM 11-16:	Flood Risks – Overall Approach
WM 11-17:	Development in Flood Risk Areas

FLOOD RISK

The southern boundary of the site is located within Flood Zone A, as per the CCDP SSFRA 2022. The submitted documentation does not include any detailed site layout plan therefore it is not clear whether any works are proposed within the flood zone area. It would appear that a buffer area is proposed along part of the southern/eastern boundary of the site but not the entire boundary. Clarification is required to include a detailed site layout plan illustrating the proximity of proposed works to the flood zone.

SUB-THRESHOLD EIAR

Having regard to the contents of Article 103 (as amended by Article 14 of the Planning and Development (Amendment) (No3) Regulations 2011) and Schedule 7 of the Planning and Development Regulations 2001 (as amended) it is considered that the proposed development by reason of its nature, scale and location would not be likely to have significant effects on the environment. Accordingly it is considered that an EIS is not required to be submitted.

APPROPRIATE ASSESSMENT

The Cork Harbour Special Protection Area (Site code: 4030) is located approximately 100m south west of the site and the site directly adjoins the Great Island Channel Special Area of Conservation (Site Code: 1058) along the southwestern boundary. Both are connected to the site via the Tibbotstown watercourse and via the flood plain. The Tibbotstown 010 watercourse runs along the southern boundary of the site and flows in a south westerly direction to the Slatty pond which discharges to Lough Mahon further west.

The entire site was previously Flood Zone B under the 2017 Cobh MD LAP. The most up to date maps are the CCDP SSFRA (June 2022) maps which identify just the southern boundary of the site as Flood Zone A (see Fig.1 below).

The Tibbotstown watercourse and Slatty Pond was classed as having Moderate water quality status in the 2013-2018 WFD Cycle 2013-2018. Lough Mahon Transitional waters were classed as being of Moderate status and 'At Risk of not achieving good status within the same WFD cycle.

The main concern in relation to the proposed development is potential risk of adverse effects on the *Great Island Channel SAC* and *Cork Harbour SPA* given the direct and indirect hydrological connections to these sites and proximity to these sites. There is potential that this site is used by wetland birds including species associated with the Cork Harbour SPA, given the proximity of the site to the SPA. There is a concern of potential disturbance related risks to birds using adjoining wetlands which could be associated with both site prep/development and the operational phase.

The main concerns from an ecological perspective (outside of AA matters) is potential water pollution risks and risks associated with the possible introduction or spread of invasive alien species into the site.

Having regard to the limited information submitted, the potential impacts outlined above, the proximity to the SAC and the SPA and the direct and indirect hydrological connections to these sites, further details are required in order to screen for Appropriate Assessment. In the event Appropriate Assessment cannot be screened out and Stage 2 NIS is required, the development would not be exempted development as per Article 9(1)(viiB) and 9(1)(viiC) and the Planning and Development Regulations 2000 (as amended).

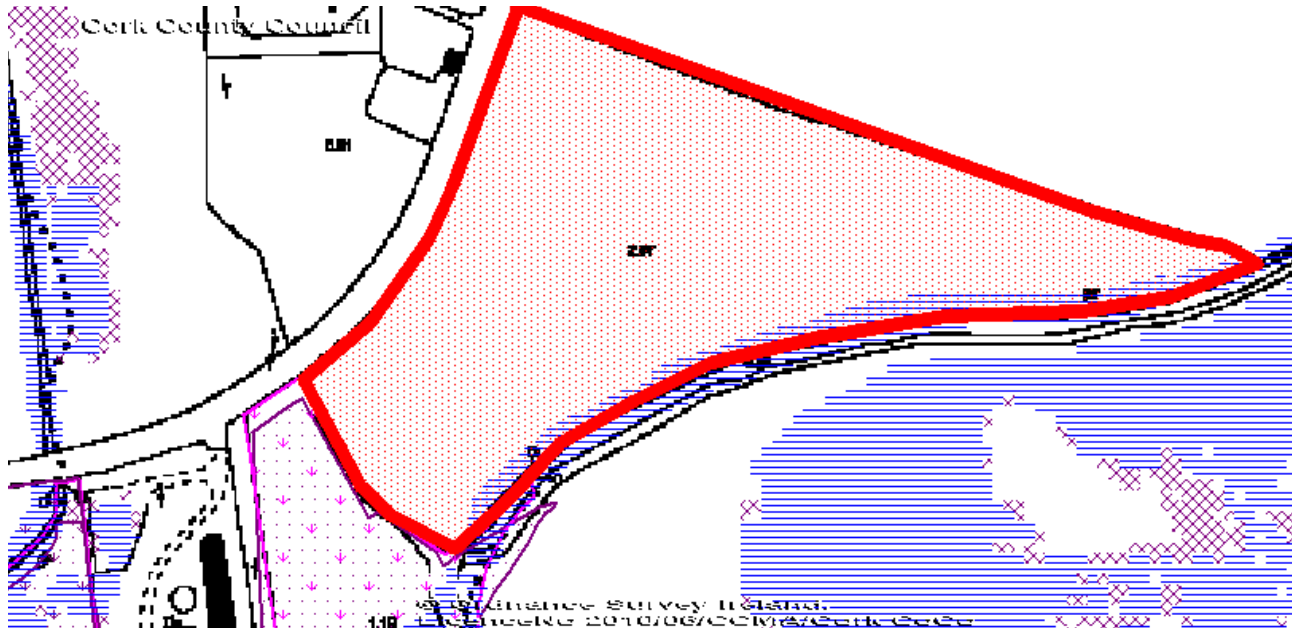


Fig.1: CCDP SSFRA 2022 Maps



Fig.2: EPA Map

ASSESSMENT

The question before the Planning Authority can be reasonably construed as:

Whether the proposed temporary use of lands for the storage of construction materials at Tullagreen, Carrigtwohill, Co. Cork, is or is not development and is or is not exempted development.

The temporary storage of materials is to facilitate the nearby Merck Millipore construction site for storage of piping spools, materials, equipment and containers in advance of works onsite and to alleviate the build up of materials onsite for Jones Engineering along with cladding and steel for the Sisk Group and other sub contractors currently working on the nearby Merck site. The application site is located at the opposite side of the public road to the Merck Millipore campus site where works pursuant to planning ref 22/4839 are being or are about to be carried out, and further east on the same public road.

WORKS AND DEVELOPMENT

As set out in Section 2(1) of the Act “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” As set out in Section 3(1) “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 structure or other land.

The site is located within the Metropolitan Greenbelt area and is currently agricultural use. The proposal will result in a temporary change in the use of land and is therefore considered to be development.

CLASS 16 AND CLASS 17

SCHEDULE 2, Part 1 *Exempted Development*, Class 16 of the P&D Regulations provides for:

“The erection, construction or placing on land on, in, over or under which, or on land adjoining which, development consisting of works (other than mining) is being or is about to be, carried out pursuant to a permission under the Act or as exempted development, of structures, works, plant or machinery needed temporarily in connection with that development during the period in which it is being carried out.”

Column 2 of Class 16 stipulates:

“Such structures, works, plant or machinery shall be removed at the expiration of the period and the land shall be reinstated save to such extent as may be authorised or required by a permission under the Act.”

SCHEDULE 2, Part 1 *Exempted Development*, Class 17 of the P&D Regulations provides for:

“The erection, construction or placing on land on, in, over or under which, or on land adjoining which, development (other than mining) is being, or is about to be carried out, pursuant to any permission,

consent, approval or confirmation granted under the Act or any other enactment or as exempted development, of temporary on-site accommodation for persons employed, or otherwise engaged, in connection with the carrying out of the development, during the period in which it is being carried out.”

Column 2 of Class 17 stipulates:

“Such accommodation shall be removed at the expiration of the period and the land shall be reinstated save to such extent as may be authorised or required by the permission, consent, approval or confirmation granted under the Act or any other enactment.”

The submitted documents include a site location map only. There is no detailed site layout plan or details of containers etc to be stored on site.

As previously stated, the application site is located at the opposite side of the public road to the Merck Millipore campus site and further east on the same public road. It is noted that the site is also in separate ownership. *Adjoining* in my view would be physically adjoining, touching or bounding the site which is not the case in this instance and therefore I would consider the subject site to be outside of the scope of Class 16 and Class 17 of Schedule 2 of the Planning & Development Regulations.

Furthermore, the location of the site at the opposite side of a public road to the lands on which development is being carried out pursuant to a permission under the Act would introduce traffic safety issues. This is a busy public road with high volumes of HGV traffic from the warehousing developments at the eastern end of this public road and from the Merck Millipore site. I note from recent planning history on neighbouring development sites adjacent this public road, including the Merck Millipore planning application, traffic volumes and traffic safety issues have been raised as concerns. The applicant has not provided any details of traffic accessing the subject site however it is considered that any development which would give rise to traffic accessing or crossing the public road between the two sites would endanger public safety by reason of traffic hazard or obstruction of road users and therefore in accordance with Article 9(1)(a)(iii) the proposed development would not be exempted development for the purposes of the Act.

CONCLUSION AND RECOMMENDATION

The application site is located at the opposite side of the public road to the Merck Millipore campus site and further east on the same public road. The proposed development site therefore is not adjoining the development consisting of works being or about to be carried out pursuant to a permission under the Act and is outside of the scope of Class 16 and Class 17 of Schedule 2 of the Planning & Development Regulations.

The location of the application site would require traffic to cross a heavily trafficked public road to access the development site where works are being or are about to be carried out pursuant to a permission under the Act and would endanger public safety by reason of traffic hazard or obstruction of road users. Therefore in accordance with Article 9(1)(a)(iii) of the Planning and development Regulations 2001 (as amended), the proposed development would not be exempted development for the purposes of the Act.

Further information relating to all physical works proposed as well as details relating to the materials proposed to be stored on site and all associated timelines are required for the purpose appropriate assessment screening. There is potential that this site is used by wetland birds including species associated with the Cork

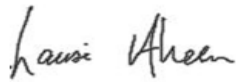
Harbour SPA, given the proximity of the site to the SPA. The Planning Authority would also be concerned about potential disturbance related risks to birds using adjoining wetlands which could be associated with both site prep/development and the operational phase. These matters, as well as any potential water pollution risks and risks associated with the possible introduction or spread of invasive alien species into the site need to be addressed through a Screening Report, which should be prepared by a qualified and experienced ecologist. In the absence of a Habitats Directive Screening Report and appropriate assessment, the Planning Authority is not satisfied that the proposed development would not result in the protection and conservation of natural heritage sites. The Planning Authority therefore is not satisfied based on the information provided that the proposed development complies with Section (4) of the Planning and Development Act 2000 (as amended) and Article 9(1)(a)(vii), 9(1)(a)(viiB) and 9(1)(a)(viiC) of the Planning and Development Regulations 2001 (as amended).

Having regard to:

- the particulars received by the Planning Authority on 12/06/2023;
- Section 2(1) and Section 3(1) the *Planning and Development Act 2000 (as amended)*;
- Article 6 of the *Planning and Development Regulations 2001 (as amended)*
- SCHEDULE 2, Part 1 *Exempted Development*, Class 16 and Class 17 of the *Planning and Development Regulations 2001 (as amended)* and,
- Article 9(1)(a)(iii) of the *Planning and Development Regulations 2001 (as amended)*,

it is considered that, the proposed temporary use of lands at Tullagreen, Carrigtwohill, Co. Cork, not adjoining the Merck Millipore campus site on which development consisting of works being or about to be carried out pursuant to a permission under the Act, for the storage of construction materials associated with the development on the Merck Millipore site, **Is Development and Is Not Exempted Development.**

Furthermore, in the absence of a Habitats Directive Screening Report, the Planning Authority is not satisfied that the proposed development would not result in the protection and conservation of natural heritage sites or that the proposed development would comply with Section 4 of the *Planning and Development Act 2000 (as amended)* and Article 9(1)(a)(vii), 9(1)(a)(viiB) and 9(1)(a)(viiC) of the Planning and Development Regulations 2001 (as amended).



Louise Ahern
Executive Planner

Niall Skehan & Associates

ENVIRONMENTAL DESIGNERS

4 CHARLOTTE PLACE, GLENBROOK, PASSAGE WEST, Co. CORK. T12 K286
Ph. 021 4863590 Mob. 086 8093908
E mail: nialskehan5411@gmail.com

12th June 2023

The Secretary,
Planning Department,
Cork County Council,
County Hall,
Carrigrohane Road,
Cork.

Re: Lands at Tullagreen, Carrigtwohill, Co Cork Co. Cork.

Dear Sirs,

My client Marie Dilworth, wish to ask the councils position with regard to carrying out some proposed external ground works under section 5 of the planning and development act (€80 prescribed fee attached). The works proposed will comprise of the temporary storage of materials to facilitate the nearby Merck Millipore construction site for storage of piping spools, materials, equipment and containers in advance of works onsite and to alleviate the build up of materials onsite for Jones Engineering along with cladding and steel for the Sisk group and other sub contractors currently working on the nearby Merck Site.

My clients suggest that the works would fall under Section 16 and 17 of the planning and development act and wish the Council to assess the same.

CLASS 16

The erection, construction or placing on land on, in, over or under which, or on land adjoining which, development consisting of works (other than mining) is being or is about to be, carried out pursuant to a permission under the Act or as exempted development, of structures, works, plant or machinery needed temporarily in connection with that development during the period in which it is being carried out.

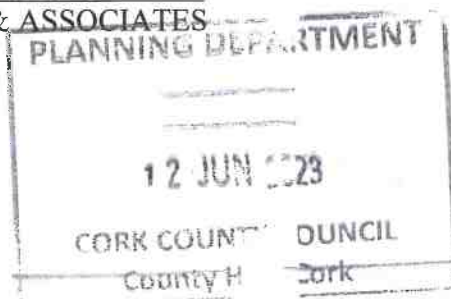
Please find attached completed application form and drawings. For reference purposes a previous application relating to this property is S/07/11023.

I look forward to your favourable decision, however should you have any queries please do not hesitate to contact me.

Yours faithfully,

NIALL SKEHAN & ASSOCIATES
Enc

VAT No. 6987177C



Architectural Consultancy
Planning & Design
Project Management
Interior design
Reg. No 261304



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.	PL2-0002265
Cash/Cheque/ Credit Card	Cheque
Date	18/06/2023
Declaration Ref. No.	D/251/23

Planning Department

12 JUN 2023

County Hall

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)

Marie Dilworth
Maria Dilworth

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

Tullagreen
Carrigtwohill
Co Cork

Tullagreen
Carrigtwohill
Co Cork

Planning Department

12 JUN 2023

Cork County Council
County Hall
CORK

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

That the proposed temporary use of lands at Tullagreen, Carrigtwohill, Co Cork is exempted development under class 16 of the Planning and development Act

That the proposed temporary use of lands for the storage of construction materials at Tullagreen, Carrigtwohill, Co Cork is exempted development under class 16 + 17 of the Planning and Development Act

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):	site area 3.2 hectares
(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 Open lands/agriculture <hr/> Open lands/agriculture	<div style="border: 1px solid black; padding: 5px; text-align: center;"> <p>Planning Department</p> <p>12 JUN 2023</p> <p>County Council</p> <p>County Hall</p> </div> <p>Proposed use Temporary storage</p> <hr/> <p>Temporary storage of builders materials</p>
(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 type="checkbox"/>

7. APPROPRIATE ASSESSMENT:

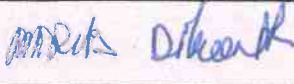
Would the proposed development require an appropriate assessment because it would be likely to have a significant effect on the integrity of a European site (SAC, SPA etc)? Yes No

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

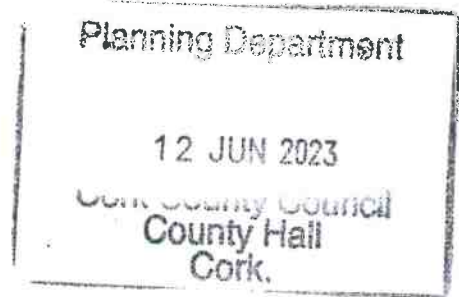
Signed (By Applicant Only)	
Date	8 June 2023

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

Please note that all information / supporting documentation submitted will be available publicly to view at the Planning Authority offices.


ADVISORY NOTES:

The application must be accompanied by the required fee of €80
The application must be accompanied by a site location map which is based on the Ordnance Survey map for the area, is a scale not less than 1:1000 and it shall clearly identify the site in question.
Sufficient information should be submitted to enable the Planning Authority to make a decision. If applicable, any plans submitted should be to scale and based on an accurate survey of the lands/structure in question.
The application should be sent to the following address:
The Planning Department, Cork County Council, Floor 2, Co. Hall, Carrigrohane Road, Cork, T12 R2NC; or for applications related to the Western Division, The Planning Department, Cork County Council, Norton House, Cork Road, Skibbereen, Co. Cork, P81 AT28.

- The Planning Authority may require further information to be submitted to enable the authority to issue a decision on the Declaration of Exemption application.
- The Planning Authority may request other person(s), other than the applicant; to submit information on the question which has arisen and on which the Declaration of Exemption is sought.
- Any person issued with a Declaration of Exemption may on payment to An Bord Pleanála refer a Declaration of Exemption for review by the Board within 4 weeks of the date of the issuing of the Declaration of Exemption decision.
- In the event that no Declaration of Exemption is issued by the Planning Authority, any person who made a request may on payment to the Board of such a fee as may be prescribed, refer the question for decision to the Board within 4 weeks of the date that a Declaration of Exemption was due to be issued by the Planning Authority.

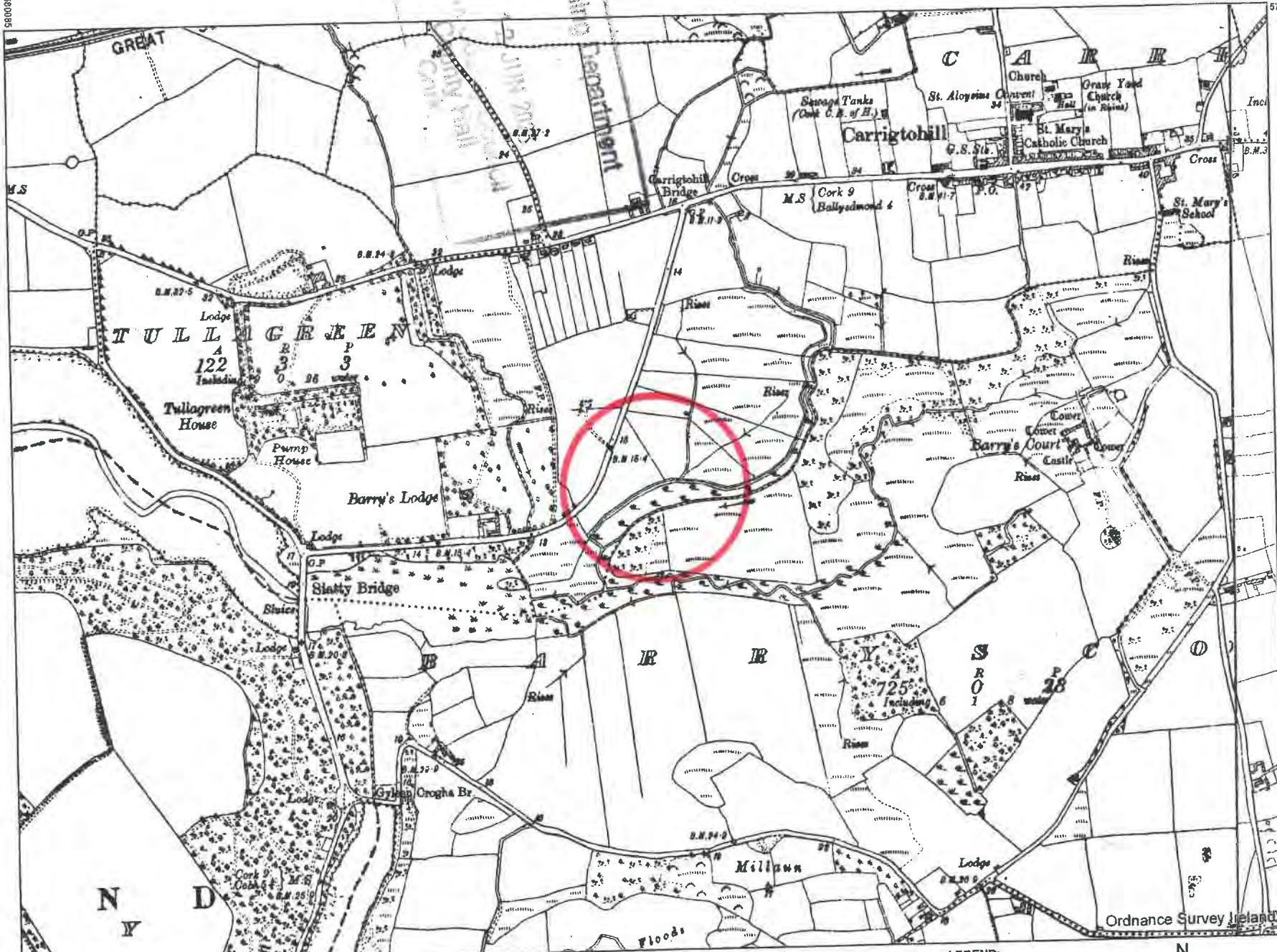
The application form and advisory notes are non-statutory documents prepared by Cork County Council for the purpose of advising the type of information which is normally required to enable the Planning Authority to issue a Declaration of Exemption under Section 5. This document does not purport to be a legal interpretation of the statutory legislation nor does it state to be a legal requirement under the Planning and Development Act 2000 as amended, or Planning and Development Regulations, 2001, as amended.

9. **I hereby declare that, to the best of my knowledge and belief, the information given in this form is correct, accurate and fully compliant with the Planning and Development Acts 2000, as amended and the Regulations made thereunder:**

Signed (Applicant or Agent as appropriate)	
Date	12th June 2023



Site Location Map



CENTRE COORDINATES:
ITM 581316,572460

PUBLISHED: 12/06/2023
ORDER NO.: 50339816_1

MAP SERIES: 6 Inch Raster
MAP SHEETS: CK075, CK076

COMPILED AND PUBLISHED BY:
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Phoenix Park,
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Ireland.
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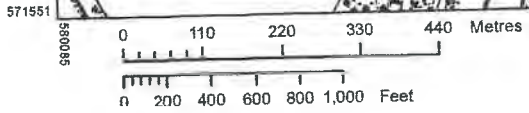
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Planning Pack Map



Tailte Éireann

CENTRE COORDINATES:
ITM 581316,572460

PUBLISHED: 12/06/2023 ORDER NO.: 50339816_1

MAP SERIES: 1:2,500 MAP SHEETS: 6386

12 JUN 2023
County Hall
Cork
Planning Department

COMPILED AND PUBLISHED BY:
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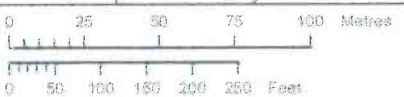
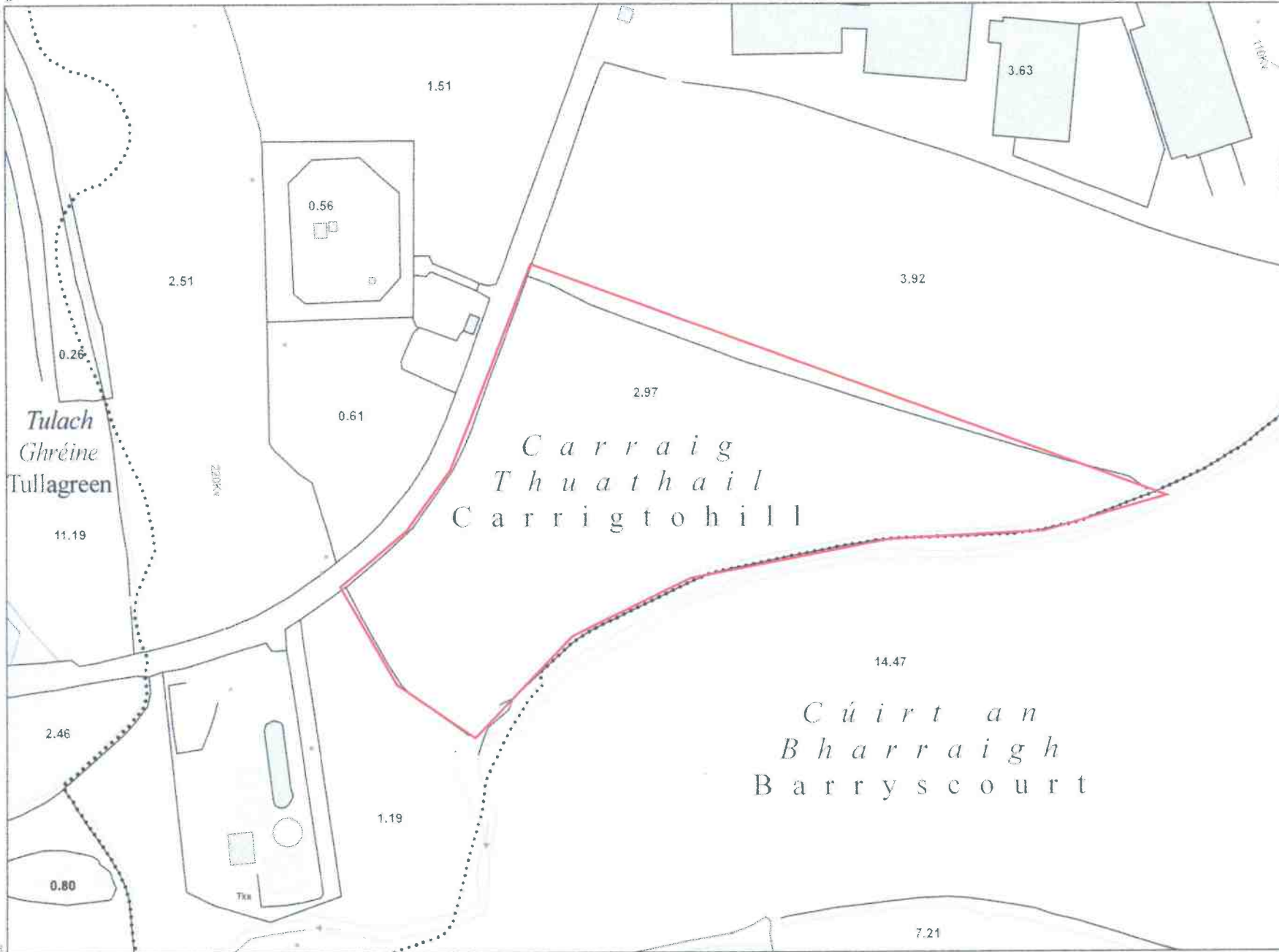
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'Large Scale Legend'



Planning Department
12 JUN 2023
Cork County Council
County Hall
Cork.

Public Road

Existing agricultural entrance

this area not included

Sewage Treatment Plant

Scale 1:1000 @A3

