

# Comhairle Contae Chorcaí Cork County Council

Richard Gleasure,  
c/o Richard Roycroft,  
Ceres Consulting,  
Barleyfield,  
Kilbrittain,  
Co. Cork.

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



16<sup>th</sup> August 2023

REF: D/264/23  
LOCATION: Knocknav, Belgooly, Co. Cork

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

Dear Sir,

On the basis of the information submitted by you on 18<sup>th</sup> July 2023 the Planning Authority, having considered the question whether or not the development of a machinery shed within an established farm complex at **Knocknav, Belgooly, Co. Cork** is or is not development and is or is not exempted development has declared that it **is development and is exempted development**.

### **Reason for Decision**

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

- Article 6, Schedule 2, Part 3, Class 9 of the Planning and Development Regulations 2001 (as amended)
- Article 9(1) of the Planning and Development Regulations 2001 (as amended) and
- The particulars received by the Planning Authority on 18<sup>th</sup> July 2023

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

The development of a machinery shed within an established farm complex at **Knocknav, Belgooly, Co. Cork** constitutes **development which 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.*

**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>*

16 August 2023

## **S.5 DECLARATION UNDER P&DA 2000 – 2010 (as amended).**

**APPLICANT: RICHARD GLEASURE**

**LOCATION: KNOCKNANAV, BELGOOLY, COUNTY CORK.**

**Your Ref: D 264 / 23**

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I have not inspected the site. I am familiar with the location. I have examined the plans and particulars provided by Ricky Roycroft, Ceres Consulting.

The proposal is for a machinery shed (297.7 m<sup>2</sup>) within an established farm complex consisting of 2 No. roofed silo sheds (185.5m<sup>2</sup>) and 6 No. storage / machinery sheds (500.5m<sup>2</sup>).

I have received a report from my colleague Kevin Murphy, Environment Department CCC (Appendix 1), and he reported that the proposal is acceptable.

I am satisfied the proposal therefore comes within the scope of Article 6, Schedule 2, Part 3, Class 9, of the Planning Regulations 2001 as amended - and meets all the requirements and limitations of Class 9.

Furthermore, I am satisfied the proposal does not conflict with Article 9,(1) restrictions on exemptions in Planning Regulations 2011 (as amended) and the criteria (i) to (xxi).

Having regard to the nature and scale of the proposed development, the existing use on the site and the nature of the receiving environment, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

The proposed development would not be located within a Natura 2000 site or within a screening zone for Natura 2000 sites. Having regard to the site's location and the lack of a hydrological connection to any Natura 2000 site, there is no potential for the proposal to have significant impacts on any Natura 2000 site and the requirement for Appropriate Assessment has been screened out for the proposed development.

### **CONCLUSION**

The proposed machinery shed constitutes development as defined in Planning Act – but is an exempted development under Article 6, Schedule 2, Part 3, Class 9 under the Planning Regulations 2001 (as amended) as follows:

1. No such structure shall be used for any purpose other than the purpose of agriculture or forestry but excluding the housing of animals or the storing of effluent. **PASS**
2. The gross floor space of such structures together with any other such structures situated within the same farmyard complex or complex of such structures or within 100 metres of that complex shall not exceed 900 square metres gross floor space in aggregate. **PASS**
3. No such structure shall be situated within 10m of any public road. **PASS**
4. No such structure within 100 metres of any public road shall exceed 8 metres in height. **PASS: The shed is c.75m from public road BUT 7.7m in height**
5. No such structure shall be situated within 100 metres of any house (other than the house of the person providing the structure) or other residential building or school, hospital, church or building used for public assembly, save with the consent in writing of the owner and, as may be appropriate, the occupier or person in charge thereof. **PASS: The only dwelling within 100m is the person providing the structure).**
6. No unpainted metal sheeting shall be used for roofing or on the external finish of the structure. **PASS**

Regards  
Steve Baxter  
Executive Planner  
BA Hons Dip Town Planning

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## Application for Planning Exemption

**Reference:** D/264/23

**Applicant:** Richard Gleasure

**Address:** ~~Knocknanav, Belgooly, Co. Cork~~

**Date:** 9<sup>th</sup> August '23

**By:** Kevin Murphy

### Details of Application

The application for planning exemption relates to:

- Construction of a machinery shed.

The application for exemption appears to be for a Class 9 agricultural structure which cannot be used for the housing of animals or the storing of effluent.

The proposed 24.4m x 12.2m shed is to be located within an existing farmyard which includes roofed silos and storage sheds. Livestock are not housed on the farmyard.

The Applicant's dwelling house is adjacent to the existing farmyard. The nearest third-party dwelling house or other structure is at approx. 110m south of the farmyard. The proposed development is on the north side of existing sheds.

A stream flows north to south at approx. 70m west of the farmyard and the proposed shed.

### Assessment

- The proposed shed will have a floor area of approx. 288m<sup>2</sup>.
- It is not proposed to house animals or store effluents in the shed.
- The gross floor area of the proposed structure plus other such structures within the farmyard does not appear to be more than 900m<sup>2</sup>.
- The proposed 7.7m high structure is to will be located at approx. 70m from the public road.
- The proposed shed will be more than 100m from the nearest third-party dwelling house or other significant structure.

### Conclusions

I have no objection to the proposed machinery shed.

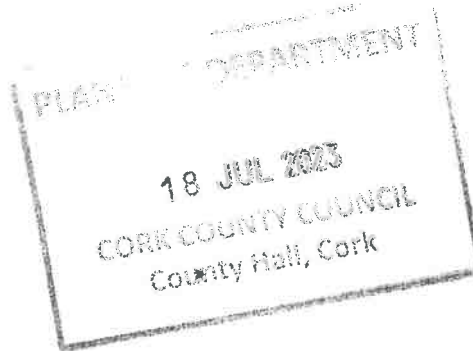
END

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



17 July 2023

**RE: Application for Agricultural Planning Exemption under Class 9.**

**Richard Gleasure, Knocknav, Belgooly, Co. Cork.**

Dear Sir / Madam,

Please find enclosed the following in relation to the above application for an Agricultural Planning Exemption under Class 9:

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

Total for existing Class 9 buildings is 500.5m<sup>2</sup>. Total for proposed Class 9 building is 297.7m<sup>2</sup> which we understand is within the Class 9 limits.

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

Yours Sincerely,

**Ricky Roycroft BSc. Agri. Bus. (Hons.)**

Phone: 023 8849000

Mobile: 087 2804202



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

## **APPLICANT CHECKLIST**

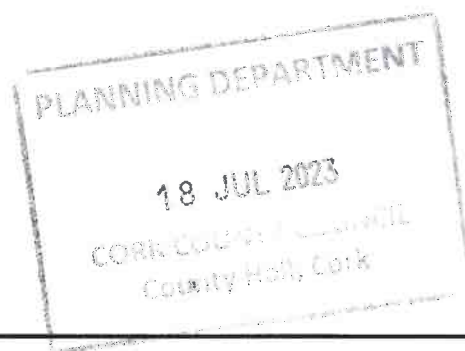
(Please tick ✓)

- 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.	P12-0002284
Cash/Cheque/ Credit Card	Cheque
Date	18/07/2023
Declaration Ref. No.	D/264/23



**DATE STAMP HERE**

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

In the case of a Declaration of Exemption for Land Reclamation, the following additional information is required:

- A copy of the details submitted to the Council's Environment Department (Inniscarra) for a Waste Licence Permit
- Correspondence from Teagasc (detailing how the land reclamation would benefit the land in question for agricultural purposes)
- Details of existing and proposed levels
- Details of fill material and duration of fill.

## **DATA PROTECTION**

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

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

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

Richard Gleasure

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

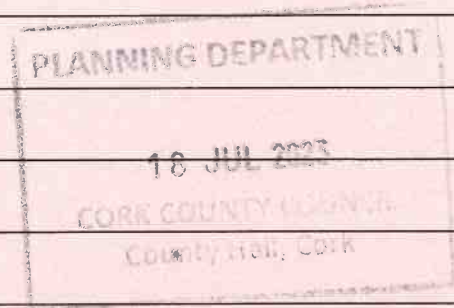
Knocknanav  
Belgooly  
Co. Cork

**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

D - Machinery Shed





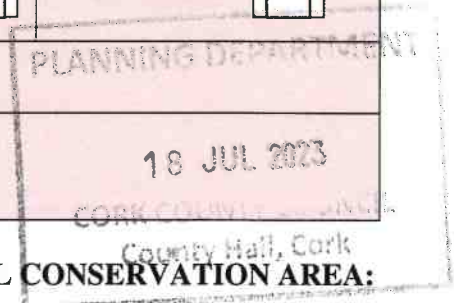
**4. APPLICATION DETAILS:**

Answer the following if applicable. Note: Floor areas are measured from the inside of the external walls and should be indicated in square metres (m<sup>2</sup>)

(a) Floor area of existing/proposed structure(s):	Existing Class 9 -500.5m <sup>2</sup> , proposed Class 9 - 297.7m <sup>2</sup>
(b) If a domestic extension is proposed, have any previous extensions/structures been erected at this location after 1 <sup>st</sup> October, 1964 (including those for which planning permission has been obtained):	Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, please provide floor areas (m <sup>2</sup> ) and previous planning reference(s) where applicable:
(c) If a change of use of land and/or building(s) is proposed, please state the following:  Existing/previous use  N/A	Proposed use  N/A
(d) Are you aware of any enforcement proceedings connected to this site?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, please state relevant reference number(s):

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

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



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

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

**7. APPROPRIATE ASSESSMENT:**


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

## 8. DATA PROTECTION DECLARATION:

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

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

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

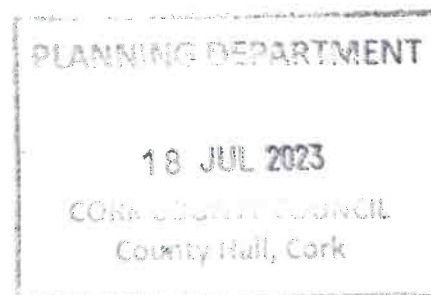
Signed (By Applicant Only)	
Date	17/07/2023

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

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

Special Categories of data / Sensitive Personal data include:

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



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

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

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

Signed	
Date	

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

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


**ADVISORY NOTES:**

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

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

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

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

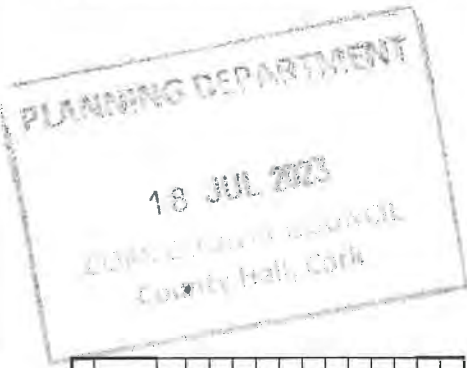
Signed (Applicant or Agent as appropriate)	
Date	17-07-2023





Class 6 ANIMAL HOUSING				Class 8 DAIRY (ETC.); SILOS; SOILED YARDS				Class 9 STORAGE BUILDINGS; CLEAN YARDS										
ID No.	Description of Structure	Animal Type	Animal No.	Discharge to: (ID No.)	Length(m)	Width(m)	Area(m <sup>2</sup> )	ID No.	Description of Structure	Discharge to: (ID No.)	Length(m)	Width(m)	Area(m <sup>2</sup> )	ID No.	Description of Structure	Length(m)	Width(m)	Area(m <sup>2</sup> )
<b>A. EXISTING STRUCTURES IN FARMYARDS</b>																		
							0.0	A	Roofed Silo		13.5	8.8	118.8	1	Machinery Store	13.4	8.4	111.9
								B	Roofed Silo		11.7	5.7	66.69	2	Machinery Store	13.4	7.2	96.9
														3	Machinery Store	13.4	6.57	88.0
														4	Store	12.2	3.4	41.5
														5	Store	8.4	5	42.0
														C	Store	14.8	8.2	120.2
							0.0											500.5
													Total:		185.5			

<b>B. PROPOSED NEW STRUCTURES</b>																			
ID No.	Description of Structure	Animal Type	Animal No.	Discharge to: (ID No.)	Length(m)	Width(m)	Area(m <sup>2</sup> )	ID No.	Description of Structure	Discharge to: (ID No.)	Length(m)	Width(m)	Area(m <sup>2</sup> )	ID No.	Description of Structure	Length(m)	Width(m)	Area(m <sup>2</sup> )	
<b>A. EXISTING STRUCTURES IN FARMYARDS</b>																			
							0.0	D	Machinery Shed		12.2	24.4	297.7						
							0.0						0						
							0.0												
							0.0												
													Total:		0.0				
													Total:		297.7				



<b>C. Existing Slurry and Soiled Water Stores.</b>																		
ID No.	Description (open, slatted, present, etc)	Effluent type stored	Length(m)	Width(m)	Depth(m)	Vol.(m <sup>3</sup> )	ID No.	Description (open, slatted, present, etc)	Effluent type stored	Length(m)	Width(m)	Depth(m)	Gross Vol.(m <sup>3</sup> )					
						0.00							0.00					
						0.00												
						0.00												
						0.00												
						0.00												
						0.00												
						0.00												
													Total:		0.00			

WE HEREBY DECLARE THAT THE ABOVE INFORMATION AND THE ACCOMPANYING LAYOUT PLAN ARE A TRUE RECORD OF EXISTING AND PROPOSED STRUCTURES FOR THIS FARM

PREPARED BY

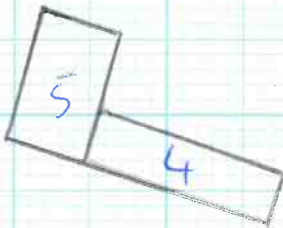
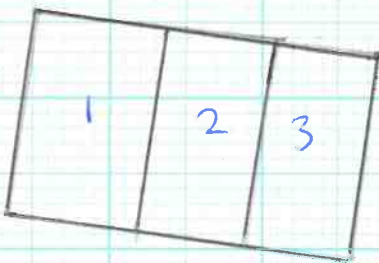
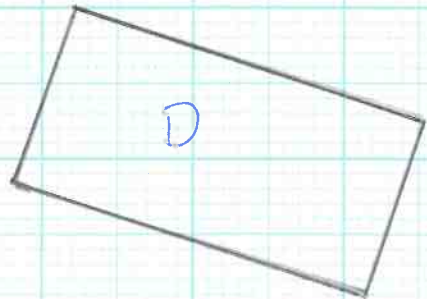
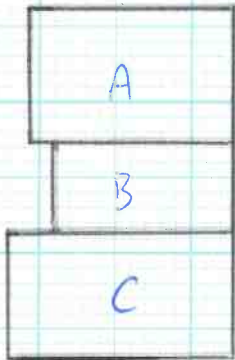
*[Signature]*  
Rickard Roycroft, BSc. Agri Bus. (Hons)

FARM STRUCTURES RECORD

RICHARD GLEASURE, KNOCKMANAU, BEZGOLLY, Co. Cork

SITE LAYOUT

SCALE 1:1500

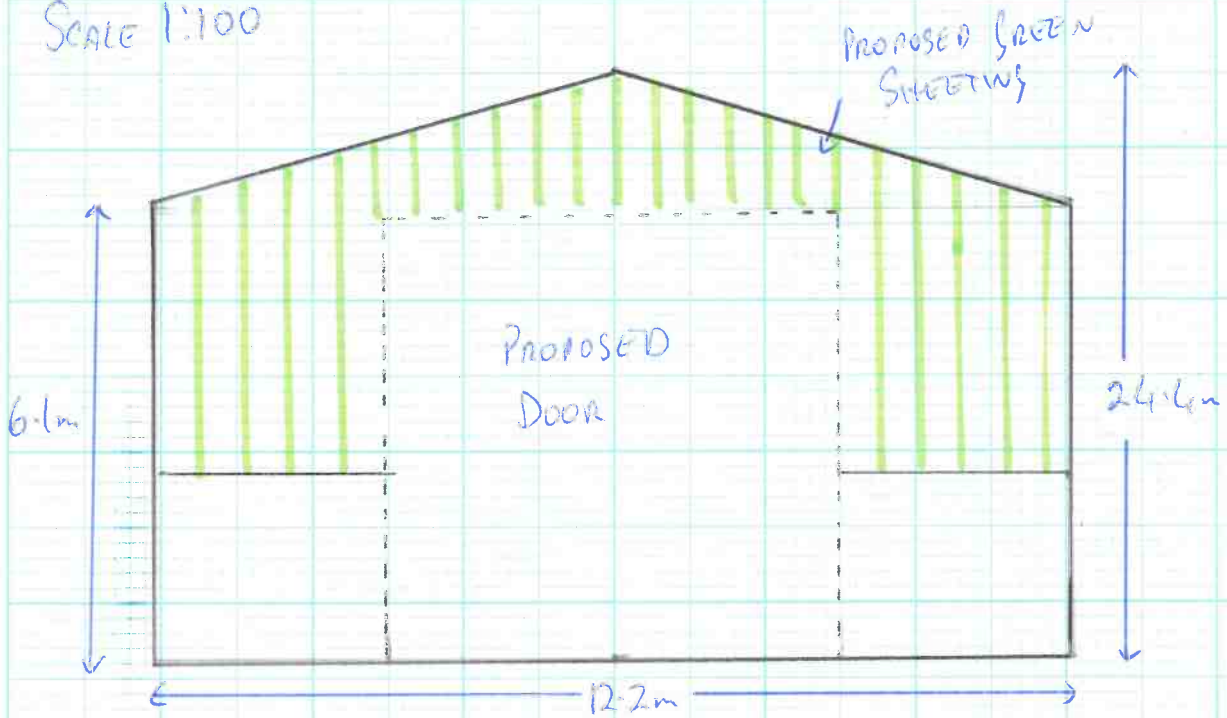


FARMYARD ENTRANCE

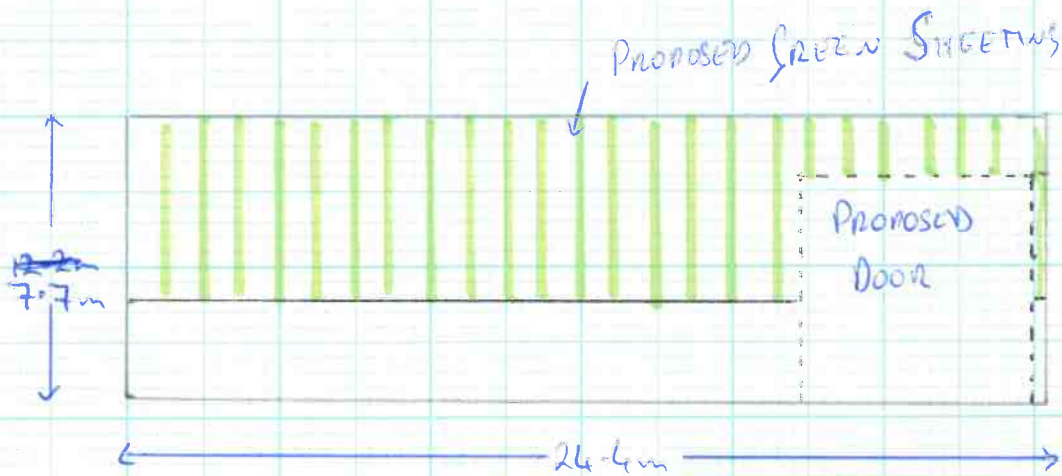
Scale 1:500

RICHARD GEASURE, KNOCKANAU, BELGOLLY, Co. Cork.

SCALE 1:100



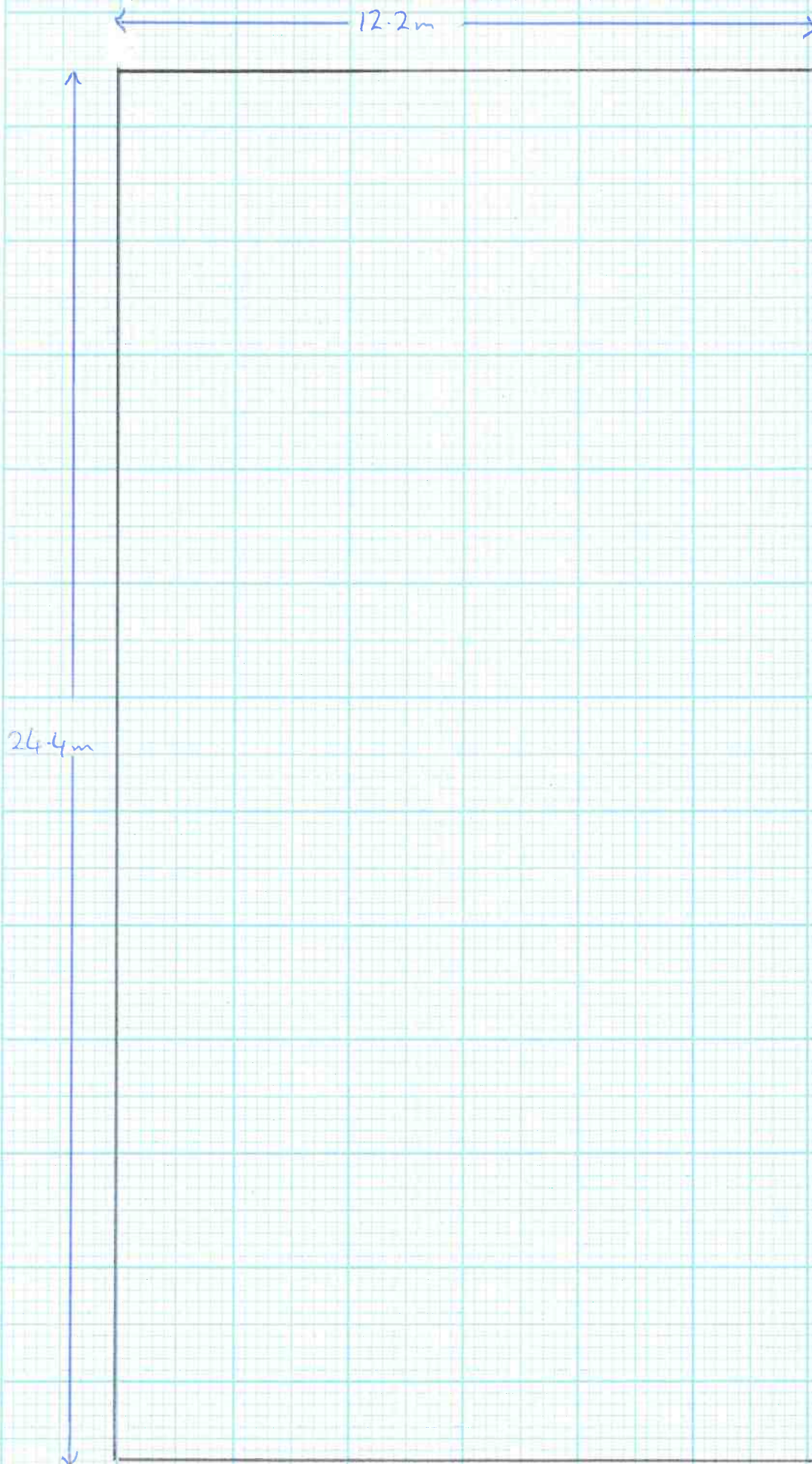
SCALE 1:200



PLANNING DEPARTMENT  
18 JUL 2023  
CORK COUNTY COUNCIL  
County Hall, Cork



RICHARD GLEASURE, KNOCKNANAU, BERGOLLY, Co. CORK.  
FLOOR PLAN



PLANNING DEPARTMENT

18 JUL 2023  
CORK COUNTY COUNCIL  
County Hall, Cork

Scale 1:100



# Site Location Map

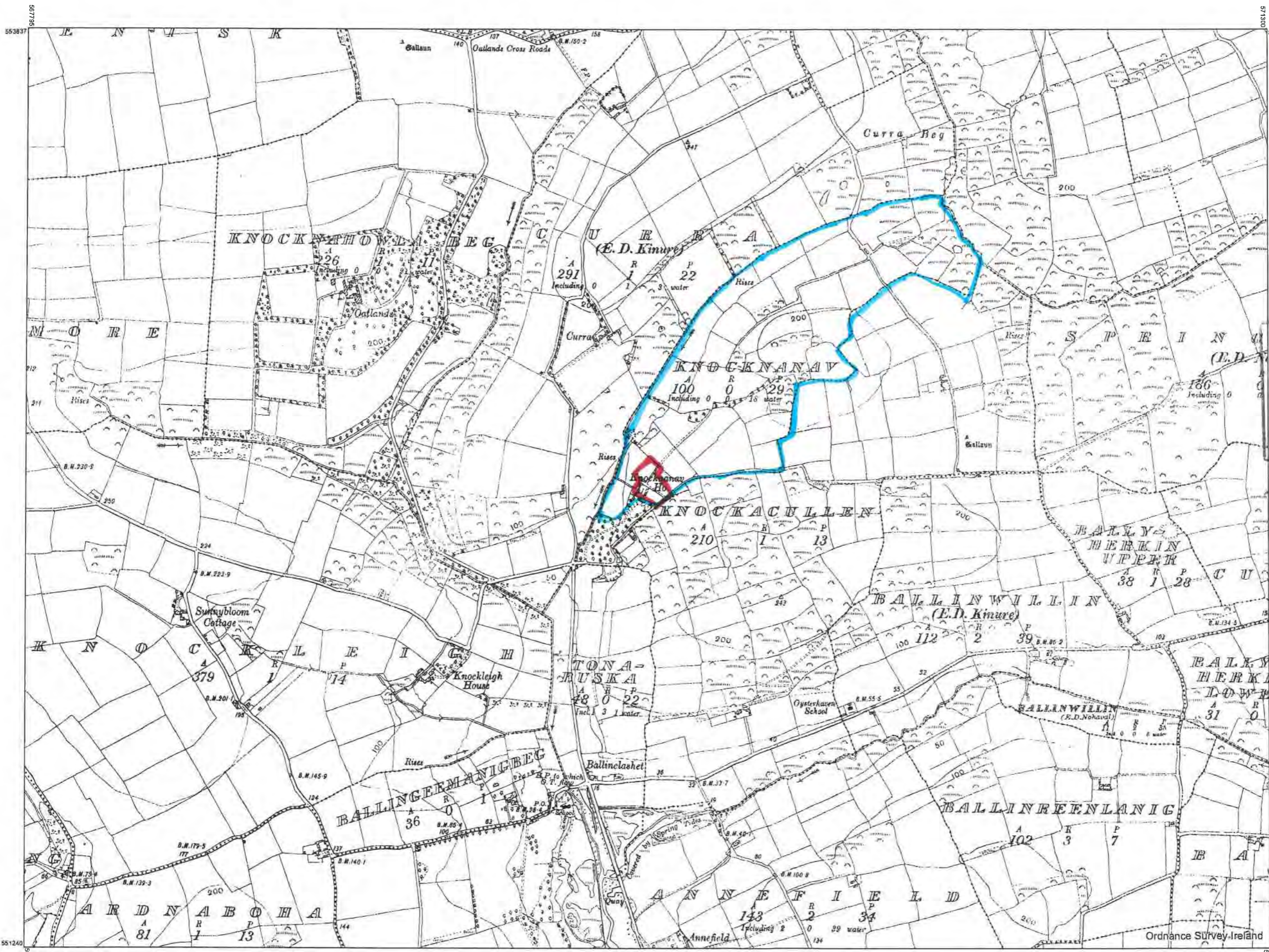
CENTRE  
COORDINATES:  
ITM 569548,552539

PUBLISHED:  
02/03/2023

ORDER NO.:  
50320821\_1

MAP SERIES:  
6 Inch Raster

MAP SHEETS:  
CK112



PLANNING DEPARTMENT

18 JUL 2023

CORK COUNTY COUNCIL

County Hall, Cork

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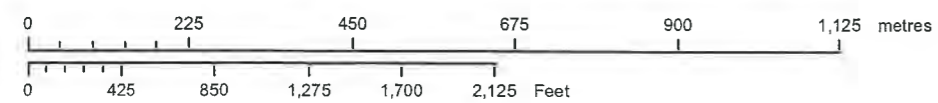
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LEGEND:

[http://www.osi.ie/  
search 'Large Scale Legend'](http://www.osi.ie/search/LargeScaleLegend)



OUTPUT SCALE: 1:10,560

CAPTURE RESOLUTION:  
The map objects are only accurate to the  
resolution at which they were captured.  
Output scale is not indicative of data capture scale.  
Further information is available at:  
[http://www.osi.ie/search 'Capture Resolution'](http://www.osi.ie/search/CaptureResolution)





# Planning Pack Map

**CENTRE COORDINATES:**  
ITM 569548,552539

**PUBLISHED:** 02/03/2023  
**ORDER NO.:** 50320821\_1

**MAP SERIES:** 1:5,000  
**MAP SHEETS:** 6612

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is not evidence of the existence  
of a right of way.

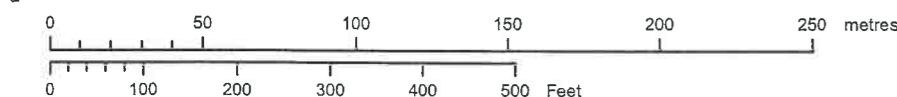
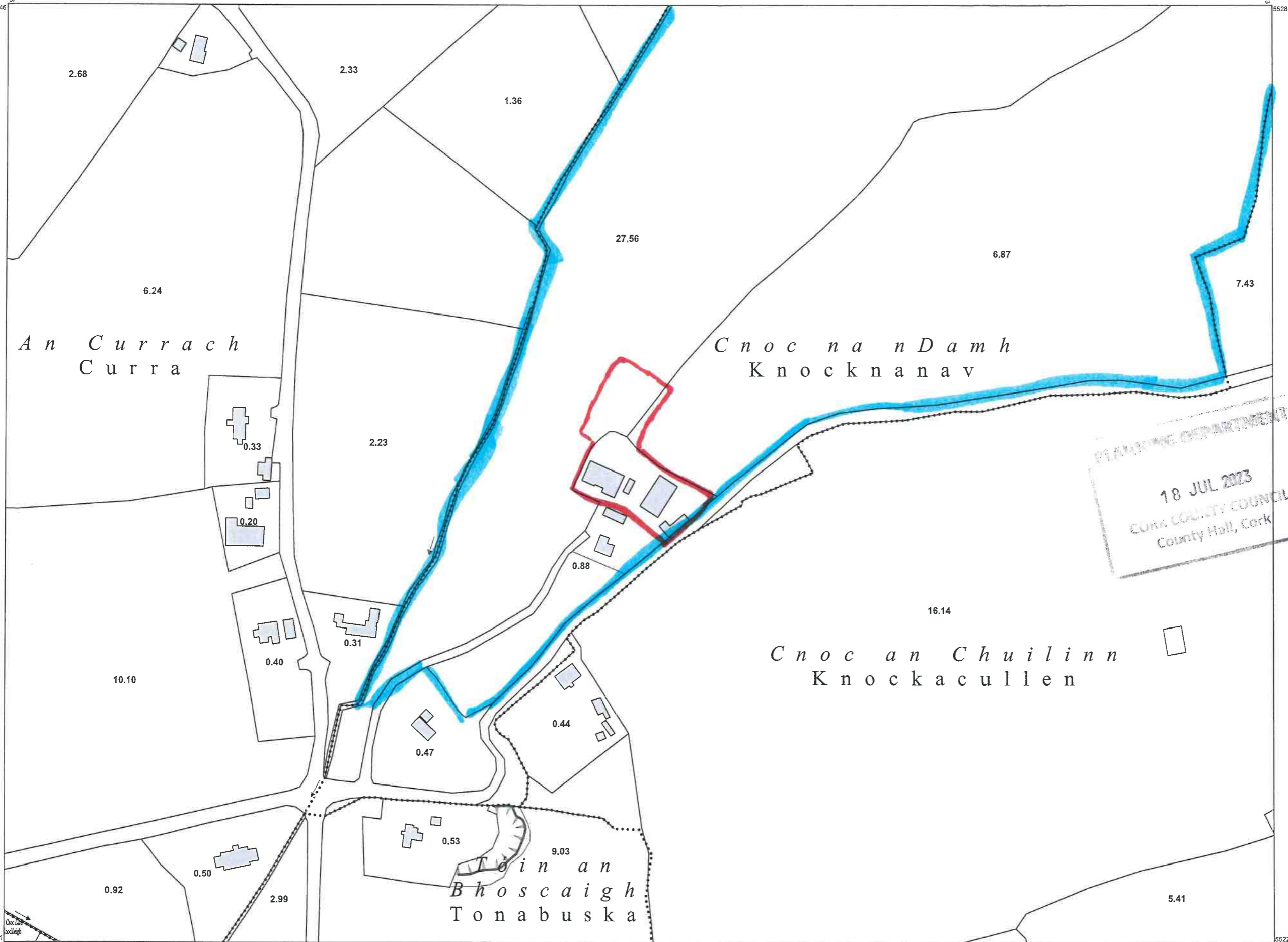
Ordnance Survey maps  
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**LEGEND:**

<http://www.osi.ie>;  
search 'Large Scale Legend'



**OUTPUT SCALE:** 1:2,500

**CAPTURE RESOLUTION:**  
The map objects are only accurate to the  
resolution at which they were captured.  
Output scale is not indicative of data capture scale.  
Further information is available at:  
<http://www.osi.ie>; search 'Capture Resolution'

