### Comhairle Contae Chorcaí Cork County Council

Victor & Elizabeth Connolly, Burgage, Leighlinbridge, Co. Carlow. R93 RK35 Pleanáil agus Forbairt, Halla an Chontae, Bóthar Charraig Ruacháin, Corcaigh T12 R2NC. Fón: (021) 4276891

Fón: (021) 4276891 R-phost: planninginfo@corkcoco.ie Suíomh Gréasáin: www.corkcoco.ie Planning & Development, County Hall,

Carrigrohane Road, Cork T12 R2NC.

Tel (021) 4276891 Email: planninginfo@corkcoco.ie Web: www.corkcoco.ie



30<sup>th</sup> November 2023

Our Ref.: D/295/23

Re: Declaration of Exempted Development under Section 5 of The Planning and

Development Act 2000 – 2010.

Whether the use of the property at P72RP70 for short-term letting is or is not development or is or is not exempted development.

Dear Sir/Madam,

Further to recent correspondence notifying you of a third-party Declaration with regard to the above development I enclose for your information copy of the Planning Authority's decision.

Yours faithfully,

Tracy O' Callaghan

SO PLANNING DEPARTMENT

Encl.

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: <a href="https://www.corkcoco.ie/privacy-statement-cork-county-council">https://www.corkcoco.ie/privacy-statement-cork-county-council</a>





### Comhairle Contae Chorcaí Cork County Council

Corcaigh T12 R2NC, Éire. Fón: (021) 4276891 • Faics: (021) 4276321 Suíomh Gréasáin: www.corkcoco.ie County Hall,

Halla an Chontae,

Cork T12 R2NC, Ireland.

Tel: (021) 4276891 • Fax: (021) 4276321 Web: www.corkcoco.ie



Brendan Ahern, La Casa De Broda, Harbour View, Kilbrittain, Co. Cork. P72 VH30.

28th November 2023

REF:

D/295/23

LOCATION:

Harbour View, Kilbritain, Co. Cork, P72 RP70.

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 1<sup>st</sup> November 2023 the Planning Authority, having considered the question whether or not the use of the property for short-term letting on Airbnb (or any other platform) at **Harbour View, Kilbrittain, Co. Cork, P72 RP70** is or is not development and is or is not exempted development has declared that the Planning Authority cannot make a determination on the information to date, coupled with a site inspection and a review of online resources.

### **Reason for Decision**

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

- Sections 2(1), 3(1), 3A, and 4 of the Planning and Development Act 2000 (as amended),
- Article 6 of the Planning and Development Regulations 2001 (as amended)
- Relevant Precedent, and
- The particulars received by the Planning Authority on 1<sup>st</sup> November 2023

### And Whereas Cork County Council has concluded that -

Having reviewed the information supplied in the Section 5 application, there is insufficient information submitted to determine whether the dwelling is being used for short-term letting on Airbnb (or any other platform).

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 water 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 <a href="https://www.corkcoco.ie/privacy-statement-cork-county-council">https://www.corkcoco.ie/privacy-statement-cork-county-council</a>

### Planning Ref D/295/23

### Declaration on Exempted Development under Section 5 of the Planning and Development Act 2000

**Site Location:** Harbour View, Kilbrittain, Co. Cork

P72RP70

**Proposed Development:** Whether the use of the property for short

term letting on Airbnb or any other

platform is exempted development?

### Proposal /Context

The referrer is seeking a determination by the planning authority as to whether or not the use of the property for short term letting on Airbnb or any other platform in Harbour View, Kilbrittain is exempted development.



The referral site is part of the Bandon -Kinsale Local Electoral Area which was identified as a Rent Pressure Zone under S.I. No. 247/2020 (15<sup>th</sup> July 2020).

### Legislation

### Planning and Development Act, 2000 (as amended)

Section 2(1) of the Act provides the following definitions of relevance – "habitable house" means a house which

- (a) Is used as a dwelling,
- (b) Is not in use but when last used was used, disregarded by any unauthorised use, as a dwelling and is not derelict,
- (c) Was provided for use as a dwelling but has not been occupied.

"house" means a building or part of a building which is being or has been occupied as a dwelling or was provided for use as a dwelling but has not been occupied, and were appropriate, includes a building which was designed for use as 2 or more dwellings or a flat, an apartment or other dwelling within such a building.

"land" includes any structures and any land covered with water (whether inland or coastal); "structure" means any building, structure, excavation, or other thing constructed or made on, in or under land, or any part of a structure so defined, and —

(a) Where the context so admits, includes the land on, in or under which the structure is situate...

"use", in relation to land, does not include the use of land by the carrying out of works thereon;

Section 2(1) provides the following interpretation of works

"includes any act or operation of construction, excavation, demolition, extension, alteration repair or renewal."

Section 3(1) in respect of development

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 of use of any structures or other land

Section 3(3) of the Act states "For the avoidance of doubt, it is hereby declared that, for the purposes of this section, the use of two or more dwellings of any house previous used as a single dwelling involves a material change of use of the structure and of each part thereof which is so used."

Section 3A Short term lettings

3A. (1) The use of a house or part of a house situated in a rent pressure zone for short term letting purposes is a material change in use of the house or part thereof, as the case may be.

- (2) For the purposes of this section, the Minister may make regulations requiring such persons as are specified in the regulations to provide a planning authority with such information as may be so specified and at such intervals as may be so specified in relation to short term lettings in the administrative area of the planning authority.
- (3) A person who contravenes a provision of regulations under this section that is described in the regulations as a penal provision shall be guilty of an offence and shall be liable, on summary conviction, to a class A fine.
- (4) This section shall not operate to abrogate or amend the law with regard to—
- (a) lettings (including short term lettings) outside a rent pressure zone, or
- (b) lettings (other than short term lettings) in a rent pressure zone.
- (5) In this section—

"rent pressure zone" means—

- (a) any area standing prescribed for the time being under section 24A of the Residential Tenancies Act 2004, or
- (b) an administrative area deemed to be a rent pressure zone under section 24B of that Act;

"short term letting" means the letting of a house or part of a house for any period not exceeding 14 days, and includes a licence that permits the licensee to enter and reside in the house or part thereof for any such period in consideration of the making by any person (whether or not the licensee) of a payment or payments to the licensor.

Section 4(1)(a)-(i) sets out what is exempted development for the purpose of the 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 rendered r the appearance inconsistent with the character of the structure or of neighbouring structures.

Section 4(2)(a) The Minister may by regulations provide for any class of development to be exempted development for the purposes of this Act where he or she is of the opinion that – (i) By reason of the size, nature or limited effect on its surroundings, of development belonging to that class, the carrying out of such development would not offend against the principles of proper planning and sustainable development....

Section 4(2) (c) Regulations under this subsection may, in particular and without prejudice to the generality of paragraph (a), provide, in the case of structures or other land used for a

purpose of any specified class, for the use thereof for any other purpose being exempted development for the purposes of this Act.

Section 5(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 a fee as may be prescribed refer a declaration for review by the Board within 4 weeks of the date of issuing the declaration.

### Article 6

- (5) (a) Each of the following shall be exempted development:
- (i) development consisting of the short term letting in a rent pressure zone of not more than 4 bedrooms in a house that is the principal private residence of the landlord or licensor concerned provided that –
- (I) It is a condition of the short term letting that each bedroom that is subject of the letting shall not be occupied by more than 4 persons, And
- (ii) The development
  - (a) Does not contravene a condition attached to a permission granted in respect of the house under the Act, and
  - (b) Is consistent with any use specified in any such permission.
- (ii) Development consisting of the short term letting in a rent pressure zone of a house that is the principal private residence of the landlord or licensor concerned provided that –
- (i) The aggregate number of days during a year in which the house is the subject of short-term lettings does not exceed 90 days, and
- (ii) The development
  - (A) Does not contravene a condition attached to a permission granted in respect of the house under the Act, and
  - (B) Is consistent with any use specified in any such permission.
- (b) where a person proposes to undertake development to which paragraph (a) applies, he or she shall, not later than 2 weeks before the commencement of the development, notify the planning authority in whose functional area the proposed development will occur of the proposed development, or cause the planning authority to be so notified, in writing

"Principle private residence" means, in relation to a house that is the subject of a short term letting, a house in which the landlord or licensor concerned ordinarily resides;

'rent pressure zone' and 'short term letting have the meanings assigned to them by section 3A (inserted by section 38 of the Residential Tenancies (amendment) Act 2019 of the Planning and Development Act 2000.

### **Relevant Precedent**

**ABP -304771-19** That the use of properties for commercial purposes in an area zoned as "Residential" is a material change of use and is therefore not exempted development

**RL3490** Question Posed as to whether the use of a residential apartment 1A, 505A Crown Alley Dublin, for short term holiday lettings is or is not development or is or is not exempted development. The Board determined that

- (a) The use of a residential apartment for short term holiday lettings, as described at Apartment 1A, 5-5A Crown Alley, Dublin Constitutes a change of use,
- (b) The change of use to an apartment for short term holiday lettings, as described above, raises planning considerations that are materially different to the planning considerations relating to the permitted use as a residential apartment. In particular, (i) the extent and frequency of coming and going to and from the apartment by short term renters and servicing staff, (ii) associated concerns for other resident is in respect of security and general disturbance, and (iii) the fully commercial nature of the activity.
- (c) The change of use constitutes; therefore, a material change of use and is development as defined in section 3 of the Planning and Development Act, 2000, and
- (d) Neither the Planning and Development Act 2000, as amended, or the planning and Development Regulations, 2001, as amended, provide any exemption in respect of such a material change of use;
- **RL 3502** On the question as to whether the use of residential apartments as serviced apartments at Metro Apartment, Santry Cross, Ballymun Road is development or is not exempted development. The Board concluded that –
- (a) the use of residential apartments for use as serviced apartments including for short term lettings constitutes a change of use
- (b) the change of use to serviced apartments, as described above, raises planning considerations that are materially different to the planning considerations relating to permitted use as residential apartments. In particular, (i) the extent and frequency of coming and going to and from the apartments from short-term renters and servicing staff, and (ii) the fully commercial nature of the activity,
- (c) the change of use, therefore, constitutes a material change of use and is development as defined in section 3 of the Planning and Development Act, 2000, and
- (d) neither the Planning and Development Act, 2000, as amended, nor the Planning and Development Regulations, 2001, as amended, provide any exemption in respect of such a change of use:

The Board decided that the use of residential apartments as serviced apartments at Metro Apartments, Santry Cross, Ballymun Road, Dublin is development and is not exempted development using for short-term lettings constitutes a change of use,

**ABP302856**, **ABP302859**, **ABP302862**, **ABP302865**, **ABP302861**, **ABP302858**, **ABP302866**, **ABP302857**. The questions posed as to whether the proposed use of Apartments No 26, No 22, No 7 and No 4, No 16, No 24, No 5 and No 30 Chancery Hall, Blackhall Place, Dublin 7 for short term letting is or is not development and whether the development constitutes exempted development. The Board determined that

- (a) The use of a residential apartment for short term accommodation lettings, as outlined in the submissions, constitutes a change of use from the permitted use as a residential apartment, having regard to case law,
- (b) The change of use to an apartment for short term accommodation lettings, as described above, raises planning considerations relating to the permitted use as a residential apartment, having regard to case law. In particular (i) the extent and frequency of coming and going to and from the apartment by short term renters and servicing staff, (ii) associated concerns for other residents in respect of security and general disturbance, and (iii) the fully commercial nature of the activity,
- (c) The change of use constitutes; therefore, a material change of se and is development as defined in section 3 of the Planning and Development Act 2000, an
- (d) Neither the Planning and Development Act 2000, as amended nor the Planning and Development Regulations, 2001, as amended, provide any exemption in respect of such a material change of use;" The Board decided in all cases that the use of the apartments as set out for short stay accommodation is development and is not exempted development.

### 300996

The question as to whether the use of the property at number 28 Leinster Square, Rathmines as short-term lettings based on internet bookings is a change of use from the established use of short-term lettings as bedsits and, if it is, whether it is a material change of use and or is not development or is or is not exempted development: The Board decided that

- (a) the use of the building for a short-term holiday letting based on internet bookings is a change of use from the current established use for lettings for bedsits, in the light of the different matters that it raises for planning assessment compared to those which would have arisen for original use as residential accommodation, including intensification of use and associated disturbance at neighbourhood level and as the building is exclusively used for commercial short term letting purposes on a year round basis, is a material change of use and is, therefore, development, and
- (b) that neither the Planning and Development Act, 2000, as amended, nor the Planning and Development Regulations, 2001, as amended, provide any exemption in respect of such material change of use: The Board decided that the change of use of the property from the established use of short-term lettings as bedsits to short term lettings based on internet bookings is development and is not exempted development.

### Assessment

The house is located in Harbour View, Killbrittain which is part of the Bandon -Kinsale Local Electoral Area which was identified as a Rent Pressure Zone under S.I. No. 247/2020

(15<sup>th</sup> July 2020). The site was inspected on 23/11/2023 and it appeares that someone was living in the dwelling on the day of inspection. It did not appear to be a tourist.



Having reviewed the Airbnb website, the dwelling is not currently for rent on its platform. Having reviewed the information submitted in the Section 5 there is insufficient information provided to make a determination on whether the dwelling is (a) the principle private residence of the owner and (b) if it is being used for short term letting.

### Conclusion

Having reviewed the information supplied in the Section 5 there is insufficient information submitted to determine whether the dwelling is being used for short term letting on Airbnb or any other platform.

John Redmond

Area Planner

27/11/2023

### Comhairle Contae Chorcaí Cork County Council

Victor & Elizabeth Connolly, Burgage, Leighlinbridge, Co. Carlow. R93 RK35 Pleanáil agus Forbairt, Halla an Chontae, Bóthar Charraig Ruacháin, Corcaigh T12 R2NC.

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Planning & Development,
County Hall,
Carrigrohane Road, Cork T12 R2NC.

Tel (021) 4276891 Email: planninginfo@corkcoco.ie Web: www.corkcoco.ie



1st November 2023

Our Ref.: D/295/23

Re: Declaration of Exempted Development under Section 5 of The Planning and

Development Act 2000 – 2010.

Whether the use of the property at P72RP70 for short term letting is or is not development or is or is not exempted development.

Dear Sir/Madam,

Please be advised that a declaration has been sought with respect to Section 5 of the Planning and Development Act 2000 (as amended) from the Planning Authority by Brendan Ahern with respect to whether the above description at Harbour View, Kilbrittain, Co. Cork constitutes development.

You are being notified as the applicant has indicated that you are the legal owners of the land in question.

Yours faithfully,

**Eveleen Crowley** Clerical 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 <a href="https://www.corkcoco.ie/privacy-statement-cork-county-council">https://www.corkcoco.ie/privacy-statement-cork-county-council</a>







# CORK COUNTY COUNCIL APPLICATION FOR SECTION 5 DECLARATION OF EXEMPTION

### APPLICANT CHECKLIST

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:

### (Please tick √)





### FOR OFFICE USE ONLY

Receipt No.	PLG 426.44
Cash/Cheque/ Credit Card	£80-00
Date	01/11/23
Declaration Ref. No.	D   295   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 <a href="http://www.corkcoco.ie/Privacy-Policy">http://www.corkcoco.ie/Privacy-Policy</a> 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 <a href="mailto:dpo@corkcoco.ie">dpo@corkcoco.ie</a> or write to us at Data Protection Officer, Cork County Council, County Hall, Carrigrohane Road, Cork, Ireland.

1.	IAME OF APPLICANT: (ADDRESS TO BE SUPPLIED AT QUESTION A – CONTACT DETAILS)
Brendan	Ahern
	POSTAL ADDRESS OF LAND OR STRUCTURE FOR WHICH DECLARATION OF EXEMPTION IS SOUGHT:
Harbour '	
Co. Cork	
3.	QUESTION/DECLARATION DETAILS:
lease sta	ate the specific question for which a Declaration of Exemption is sought
lote: On	ly works listed and described under this section will be assessed under the Section 5 Declaration of Exemption
-Whether	the use of the property for short term letting on Airbnb (or any other platform) is exempt development
-	
-	Plannia
	2 Planning Departments
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Answer the following if applicable. Note: Floor areas are measured from the inside of the external valls and should be indicated in square metres (m<sup>2</sup>)

(a)	Floor area of existing/proposed structure(s):	56sqm
(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 No No In If yes, please provide floor areas (m²) and previous planning reference(s) where applicable:
	If a change of use of land and/or building(s	
	is proposed, please state the following:	
Holiday h	Existing/previous use ouse	Proposed use Holiday home- short term letting
(d)	Are you aware of any enforcement	Yes No No
	proceedings connected to this site?	If yes, please state relevant reference number(s):
		if yes, please state relevant reference number(s).
5. I	LEGAL INTEREST OF APPLICANT IN	THE LAND/STRUCTURE:
	LEGAL INTEREST OF APPLICANT IN tick appropriate box to show applicant's	THE LAND/STRUCTURE:  A. Owner B. Other
Please legal	e tick appropriate box to show applicant's interest in the land or structure:	
Please legal i	e tick appropriate box to show applicant's interest in the land or structure: e legal interest is "Other", please state	A. Owner B. Other
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Please legal i Where your i	e tick appropriate box to show applicant's interest in the land or structure: e legal interest is "Other", please state nterest in the land/structure:  a are not the legal owner, please state the	A. Owner B. Other
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Please legal i When your i If you name Quest Struct If yes, or issu If yes, Is this	e tick appropriate box to show applicant's interest in the land or structure: e legal interest is "Other", please state interest in the land/structure: a are not the legal owner, please state the of the owner/s (address to be supplied at ion C in Contact Details):  PROTECTED STRUCTURE DETAILS / a Protected Structure/Proposed Protected Structure: Yes No  has a Declaration under Section 57 of the Planting Authority please state relevant reference No	A. Owner B. Other  Neighbour, owner of access road to the development.  Victor & Elizabeth Connolly  ARCHITECTURAL CONSERVATION AREA:  Tructure or within the curtilage of a Protected  Ilanning & Development Act 2000 been requested

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

#### 8. DATA PROTECTION DECLARATION:

In order for the Planning Authority to process the personal data you have provided, your consent is 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

1	I give permissi	i <mark>on</mark> for <mark>my perso</mark> na	l information	to be processed	for the purpose	stated above
-						

Signed (By Applicant Only)	BCX
Date	31 OCTOBOR 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 perso	onal data submitted to t	the Planning Authority to be processe
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 <u>Planning and Development Acts 2000</u>, as amended and the Regulations made thereunder:

Signed (Applicant or Agent as appropriate)	BER
Date	31 OCTOBER 2023





