

Comhairle Contae Chorcaí Cork County Council

Michael O' Brien,
The Rectory,
Innishannon,
Co. Cork.

14th December 2023

Our Ref.: D/307/23

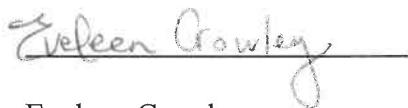
Re: Declaration of Exempted Development under Section 5 of The Planning and Development Act 2000 – 2010.

Whether the proposed increase in occupancy at the preschool at Bridge House, Innishannon, Co. Cork, T12 P265, or is not development or is or is not exempted development

Dear Sir,

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,



Eveleen Crowley
Clerical Officer
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: <https://www.corkcoco.ie/privacy-statement-cork-county-council>



Comhairle Contae Chorcaí Cork County Council

Mary Margaret Desmond,
c/o Alan Crowley,
'Broadlands',
Old Blarney Road,
Clogheen,
Mallow,
Co. Cork

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

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



14th December, 2023

REF: D/307/23
LOCATION: Bridge House, Innishannon, Co. Cork, T12 P265.

RE: DECLARATION OF EXEMPTED DEVELOPMENT UNDER SECTION 5 OF THE PLANNING & DEVELOPMENT ACT 2000

Dear Madam,

On the basis of the plans and information submitted by you on the 17th November, 2023 the Planning Authority having considered whether the increase in the number of children at an existing pre-school at **Bridge House, Innishannon, Co. Cork, T12 P265** is or is not development and is or is not exempted development has declared that it is **not development**.

Reason for Decision

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

- Section 3 of the Planning and Development Acts 2000 (as amended) and
- The particulars received by the Planning Authority on 17th November 2023

And Whereas Cork County Council has concluded that -

The increase in the number of children at an existing pre-school at **Bridge House, Innishannon, Co. Cork, T12 P265** **does not constitute development** as defined in Section 3 of the Planning Acts.

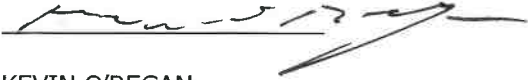
You are invited to note the Childcare (Pre-School Services) Regulations 2006 which set out a range of childcare related standards for childcare facilities as stipulated by the Department of Children and Youth Affairs.

And the Planning Authority hereby decides that the increase in the number of children at an existing pre-school at Bridge House, Innishannon, Co. Cork, T12 P265 **is not 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,

A handwritten signature in black ink, appearing to read 'Kevin O'Regan', written over a horizontal line.

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>

13 December 2023

S.5 DECLARATION

APPLICANT:

ADDRESS: BRIDGE HOUSE, INISHANNON, T12 P265, COUNTY CORK

Your Ref: D 307 23

Question

The refer is asking whether-or-not they can increase the number of children at an existing pre-School.

The applicant wishes to increase the occupancy of the building.

History

There is no record of any Permission for the existing use: but it was a School before the Planning Act came into being (1963).

The 1st Edition OS Map shows the building marked up as 'Hall' and also registered on National Inventory of Architectural Heritage.

The appraisal states the building is part of a grouping of buildings in and around 'The Rectory' and was former (Col?) school to the south-west.

Assessment

I have not inspected the site.

I am familiar with the area and location of the structure.

The referral states there will be no external changes to the structure only internal changes.

In my opinion, the proposed increase in numbers does not constitute development as assigned in S.3 of the Planning Act which states:-

'the carrying out of any works in, on, over or under land, or the making of any material change in the use of any land or structures situated on land'.

I have looked at Circular Letter PL 3/2016 in the study and assessment of this S.5. [85b6563a-2ab2-4ff0-960e-674813afb647.pdf \(www.gov.ie\)](https://www.gov.ie/publications-and-statements/publication/85b6563a-2ab2-4ff0-960e-674813afb647)

CONCLUSION

In respect of the specific question being asked the increase in the occupancy does not constitute development as defined in Section 3 of Planning Acts.

The referrer is invited to note Child Care (Pre-School Services) Regulations 2006 set out a range of childcare related standards for childcare facilities as stipulated by the Department of Children and Youth Affairs.

Regards

Steve Baxter
Executive Planner
BA Hons Dip Town Planning

Comhairle Contae Chorcaí Cork County Council

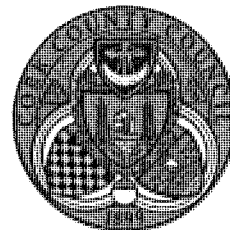
Michael O' Brien,
The Rectory,
Innishannon,
Co. Cork.

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

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



20th November 2023

Our Ref.: D/307/23

Re: Declaration of Exempted Development under Section 5 of The Planning and Development Act 2000 – 2010.


Whether the proposed increase in occupancy at the preschool at Bridge House, Innishannon, Co. Cork is or is not development or is or is not exempted development

Dear Sir,

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 Mary Margaret Desmond with respect to whether the above description at Bridge House, Innishannon, Co. Cork constitutes development.

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

Yours faithfully,


Tracy O' Callaghan
SO 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>





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:**

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

PLANNING DEPARTMENT

17 NOV 2023

CORK COUNTY COUNCIL
County Hall, Cork

FOR OFFICE USE ONLY

Receipt No.	P290042781
Cash/Cheque/ Credit Card	CASH
Date	17/11/2023
Declaration Ref. No.	D/307/23

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 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)

Mary Margaret Desmond

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

Bridge House,
Innishannon,
Co Cork

T12 P265

Planning Department

17 NOV 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

Existing building is a pre-school and has been in operation as a school pre-1963.
Applicant seeks planning exemption as she wishes to increase the occupancy of the building.
No alterations or extensions will be carried out, all internal.

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):	138sqm
(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 checked="" 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 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):

Planning Department

 17 NOV 2023
 Community Council
 County Hall
 Cork.

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 type="checkbox"/>	B. Other <input checked="" type="checkbox"/>
Where legal interest is "Other", please state your interest in the land/structure:	Applicant is leasing the property.	
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):	Michael O' Brien	

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

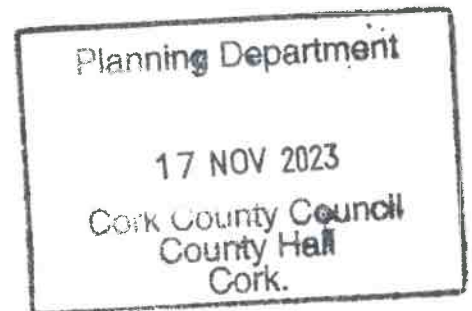
Signed (By Applicant Only)	
Date	15-Nov-2023

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	15-11-23

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.

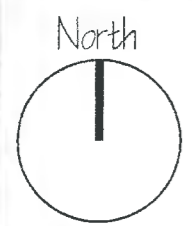
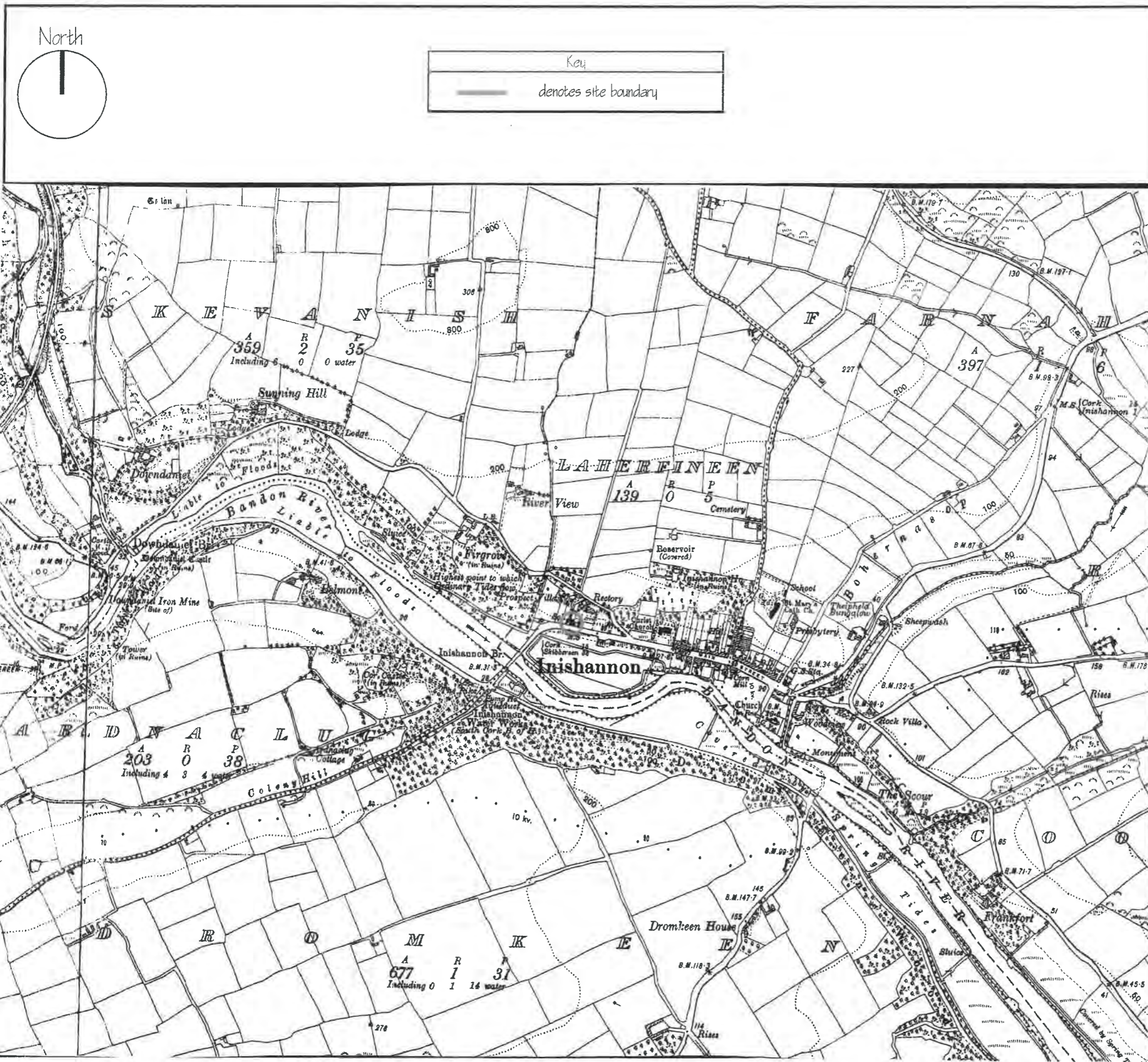
9. **I hereby declare that, to the best of my knowledge and belief, the information given in this form is correct, accurate and fully compliant with the Planning and Development Acts 2000, as amended and the Regulations made thereunder:**

<i>Signed (Applicant or Agent as appropriate)</i>	
Date	15-Nov-2023

Planning Department

17 NOV 2023

**Cork County Council
County Hall
Cork.**



Key
 ----- denotes site boundary

Description:
 Historic 6" Latest Edition

Publisher / Source:
 Ordnance Survey Ireland (OS)

Data Source / Reference:
 CK110
 Revision Date = 31-Dec-1935
 Survey Date = 31-Dec-1935
 Levelled Date = 31-Dec-1939

CK111
 Revision Date = 31-Dec-1935
 Survey Date = 31-Dec-1935
 Levelled Date = 31-Dec-1939

CK098
 Revision Date = 31-Dec-1904
 Survey Date = 31-Dec-1904
 Levelled Date = 31-Dec-1904

CK097
 Revision Date = 31-Dec-1934
 Survey Date = 31-Dec-1934
 Levelled Date = 31-Dec-1942

File Format:
 Tagged Image File Format (TIFF)

File Name:
 R_50366932_1.tif

Clip Extent / Area of Interest (AOI):
 LLX,LLY= 551765.6481,555433.2241
 LRX,LRY= 556687.6481,555433.2241
 ULX,ULY= 551765.6481,559067.2241
 URX,URY= 556687.6481,559067.2241

Projection / Spatial Reference:
 IRENET95_Irish_Transverse_Mercator

Centre Point Coordinates:
 X,Y = 554226.6481,557250.2241

Data Extraction Date:
 01-Nov-2023

Product Version:
 1.3

License / Copyright:
 Ordnance Survey Ireland 'Terms of Use' apply.
 Please visit 'www.osi.ie/about/terms-conditions'

© Ordnance Survey Ireland, 2023
 Compiled and published by Ordnance Survey Ireland, Phoenix Park, Dublin 8, Ireland.

Unauthorised reproduction infringes Ordnance Survey Ireland and Government of Ireland copyright.

All rights reserved. No part of this publication may be copied, reproduced or transmitted in any form or by any means without the prior written permission of the copyright owners.

The representation on this map of a road, track or footpath is not evidence of the existence of a right of way

Ordnance Survey maps never show legal property boundaries, nor do they show ownership of physical features.

© Suirbhéireacht Ordnáis Éireann, 2023

Planning Department
 17 NOV 2023
 Cork County Council
 County Hall
 Cork.

PROPOSED DEVELOPMENT AT THE BRIDGE HOUSE,
 INNISHANNON, Co. CORK.
 CLIENT: Mrs. Margaret Desmond REG. NO. 1
 SCALE: 2500
 DRAWING: 5 to 1 east on map
 DRAWN BY: Aon Corle, Broadlands, Old Parry Road, Co. Cork. DATE: November 2023
 087 6691536



Description:
 =====
 Digital Landscape Model (DLM)
 =====
 Publisher / Source:
 =====
 Ordnance Survey Ireland (OSI)
 =====
 Data Source / Reference:
 =====
 PRIME2
 =====
 File Format:
 =====
 Autodesk AutoCAD (DWG_R2013)
 =====
 File Name:
 =====
 v_50365632_1.dwg
 =====

Clip Extent / Area of Interest (AOI):
 =====
 LLX,LLY= 553935.1481,557035.2241
 LRX,LRX= 554518.1481,557035.2241
 ULX,ULY= 553935.1481,557465.2241
 URX,URY= 554518.1481,557465.2241
 =====

Projection / Spatial Reference:
 =====
 Projection= IRENET95_Irish_Transverse_Mercator
 =====

Centre Point Coordinates:
 =====
 X,Y= 554226.6481,557250.2241
 =====

Reference Index:
 =====
 Map Series | Map Sheets
 1:2,500 | 6578-A
 1:2,500 | 6578-B
 =====

Data Extraction Date:
 =====
 Date= 01-Nov-2023
 =====

Source Data Release:
 =====
 DCMLS Release V1.169.116
 =====

Product Version:
 =====
 Version= 1.4
 =====

License / Copyright:
 =====
 Ordnance Survey Ireland 'Terms of Use' apply.
 Please visit 'www.osi.ie/about/terms-conditions'.
 =====

© Ordnance Survey Ireland, 2023

Compiled and published by Ordnance Survey Ireland, Phoenix Park, Dublin 8, Ireland.

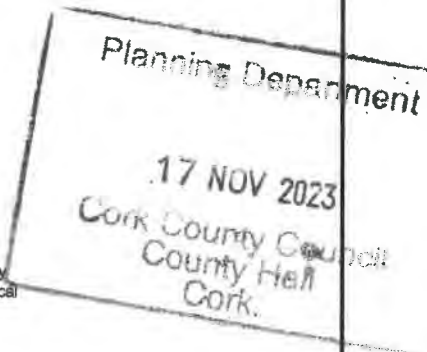
Unauthorised reproduction infringes Ordnance Survey Ireland and Government of Ireland copyright.

All rights reserved. No part of this publication may be copied, reproduced or transmitted in any form or by any means without the prior written permission of the copyright owners.

The representation on this map of a road, track or footpath is not evidence of the existence of a right of way.

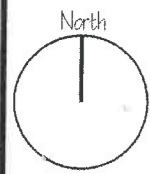
Ordnance Survey maps never show legal property boundaries, nor do they show ownership of physical features.

© Suirbhéireacht Ordánais Éireann, 202



PROPOSED DEVELOPMENT AT THE BRIDGE HOUSE,
 INNISHANNON, Co. CORK.

CLIENT: Mary Margaret Desmond	DRG. NO. 1
SCALE: 1:2500	
DRAWING: Site Location Map	
DRAWN BY: Alan Crowley, "Broadlands", Old Blansy Road, Cloakheen, Co. Cork. 087 6691536	DATE: November 2023



Site outlined in red

Pre-School

shed

shed

Playarea

steps

steps

steps

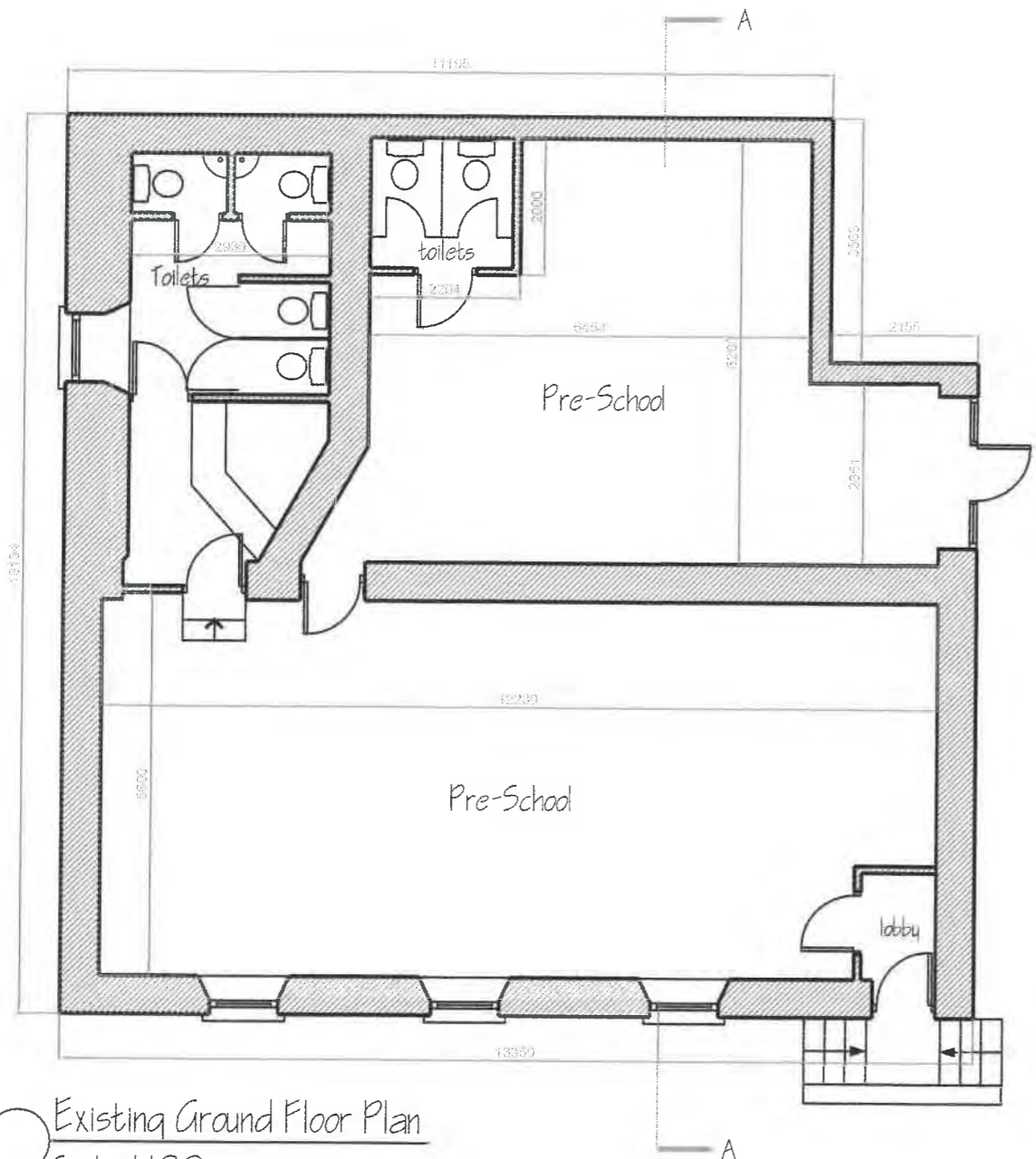
Existing Site Layout Plan
Scale: 1: 200

Public Roadway

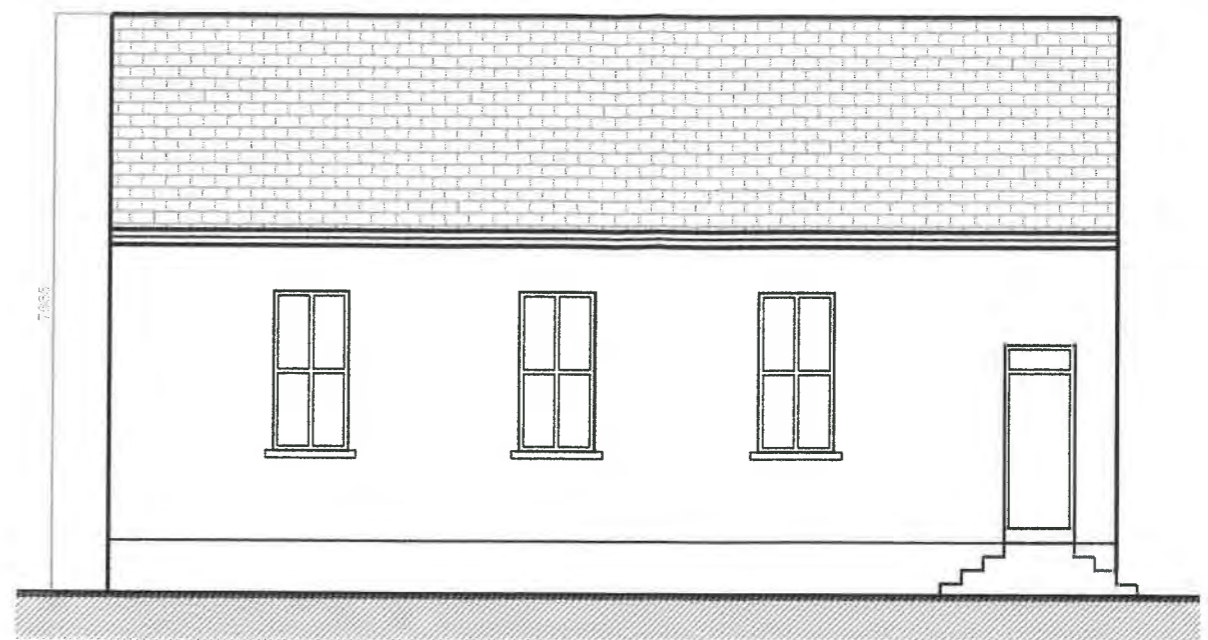
Planning Department
17 NOV 2023
Cork County Council
County Hall
Cork.

PROPOSED DEVELOPMENT AT THE BRIDGE HOUSE,
INNISHANNON, Co. CORK.

CLIENT: Mary Margaret Desmond	DRG. NO. 2
SCALE: 1: 200	
DRAWING: Existing Site Layout Plan	
DRAWN BY: Alan Crowley, "Broadlands", Old Planney Road, Cloaghreen, Co. Cork. 087 6691536	DATE: November 2023



Existing Ground Floor Plan
Scale: 1:100



Existing (Front) South Elevation
Scale: 1:100

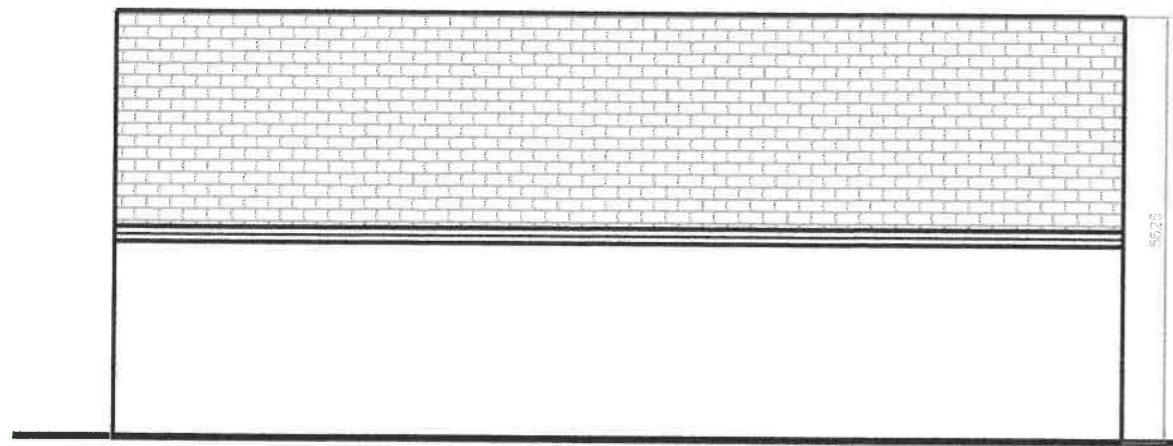
Planning Department
17 NOV 2023
Donegal Street, Dublin 1
01 856 2200

**PROPOSED DEVELOPMENT AT THE BRIDGE HOUSE,
INNISHANNON, Co. CORK.**

CLIENT: Mary Margaret Desmond DRG. NO. 3

SCALE: 1:100
DRAWING: Existing Floor Plan and Elevation

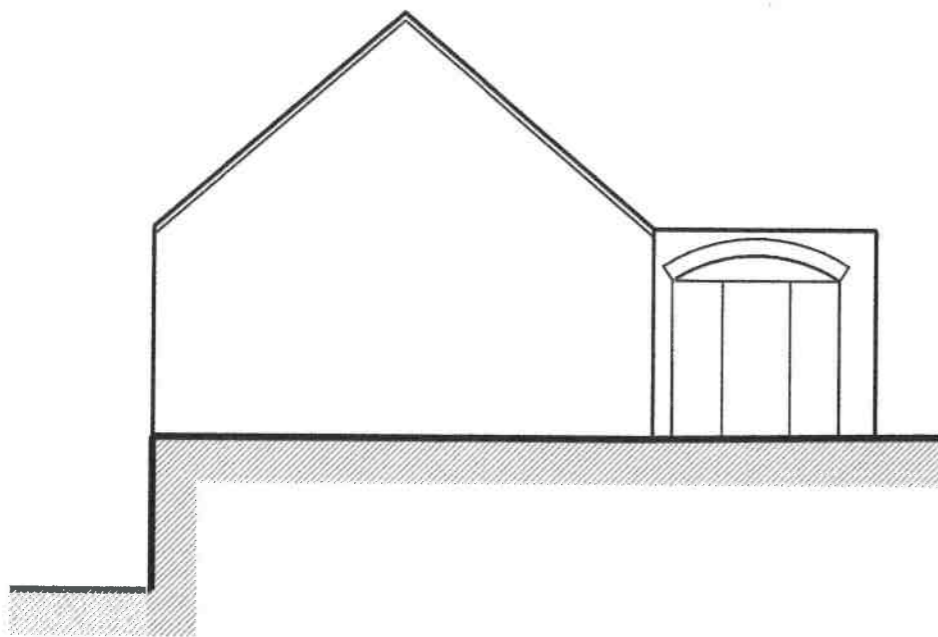
DRAWN BY: Alan Crowley,
"Broadlands",
Old Blarney Road,
Clochee, Co. Cork,
087 6691536 DATE: November 2023



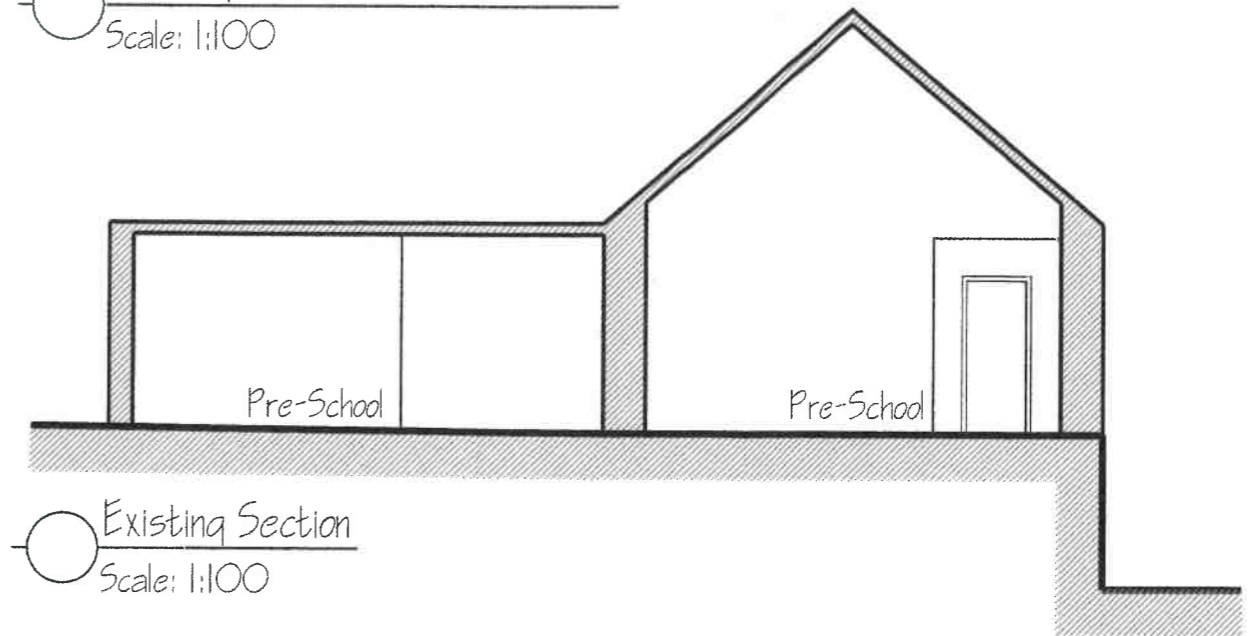
Existing (Rear) North Elevation
Scale: 1:100



Existing (Side) West Elevation
Scale: 1:100



Existing (Side) East Elevation
Scale: 1:100



Existing Section
Scale: 1:100

PROPOSED DEVELOPMENT AT THE BRIDGE HOUSE,
INNISHANNON, Co. CORK.

CLIENT: Mary Margaret Desmond

DRG. NO. 4

SCALE: 1:100

DRAWING: Existing Elevations and Section AA

DRAWN BY: Alan Crowley,
"Broadlands",
Old Blarney Road,
Cobheen, Co. Cork,
087 6691536

Planning Department
DATE: November 2023

17 NOV 2023