

Comhairle Contae Chorcaí Cork County Council

Rannóg Pleanála, Teach Norton,
Bóthar Chorcaí, An Sciobairín,
Co. Chorcaí P81 AT28.
Fón: (028) 40340 • Faics (028) 21660
Suíomh Greasain: www.corkcoco.ie
Planning Section, Norton House,
Cork Road, Skibbereen,
Co. Cork P81 AT28.
Tel: (028) 40340 • Fax: (028) 21660
Web: www.corkcoco.ie



**Ballineen & Enniskeane
Development Association,
c/o Mr. Tadg Sheehan,
Sleaveen West,
Macroom,
Co. Cork.**

24th May, 2024.

Our Ref: D/14/24.

**RE/ Declaration request on exempted development under Section 5
of the Planning & Development Act, 2000 (as amended).**

Dear Sir,

On the basis of the information and plans submitted on 30th April, 2024 on behalf of Ballineen & Enniskeane Development Association, the Planning Authority declares that the refurbishment of existing vacant property and the provision of replacement windows and doors at Station House/Community House, Derrigra, Ballineen, Co. Cork is development and is **exempted development** under the provisions of Section 4(1)(h) of the Planning and Development Act, 2000 (as amended).

Please note that any material departure from the proposals as submitted may remove the development from the Exempted category and require the submission of an application for Permission under the Act.

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

Receipt No. WCP12667, in respect of €80.00, is issued herewith.

Yours faithfully,


**KEVIN O'REGAN.
SENIOR EXECUTIVE OFFICER.**

Anne Lordan

From: Ronnie Barry
Sent: Thursday 23 May 2024 15:13
To: Anne Lordan
Subject: FW: D14-24 Station house Ballineen
Attachments: D14-24 enniskeane stationhouse.docx

Anne,

I have read the report of the Area Planner and note the email from the Conservation Officer.

I agree with the conclusion of the Area Planner that the proposed refurbishment of an existing vacant building and the provision of replacement windows and doors constitutes development and is considered as exempted development, with the proposed maintenance improvement or other alterations works considered to come within the scope of the provisions of Section 4(1)(h) of the Planning and Development Act 2000 (as amended).

Given the comments of the Conservation Officer, as per her email of 01/05/24, it would also be worthwhile, by way of an accompanying cover letter, to advise the applicants i.e. Ballineen and Enniskeane Development Association (BEDA) that they could approach the Conservation Officer Dr. Elena Turk for a letter of support, in the event that the community wish to apply for assistance through the heritage council grants etc.

Regards,

Ronnie.

Ronnie Barry | Pleanálaí Feidhmiúcháin Sinsearach | Pleanáil agus Forbairt

Comhairle Contae Chorcaí | Teach Norton | Bóthar Chorcaí | An Sciobairín | Co.Chorcaí P81 AT28, Éire
T+353 (0)28-40340 | ronnie.barry@corkcoco.ie | www.corkcoco.ie

Tairseach na gcustaiméirí: www.yourcouncil.ie

Ronnie Barry | Senior Executive Planner | Planning and Development

Cork County Council | Norton House | Cork Road | Skibbereen | Co.Cork P81 AT28, Ireland
T+353 (0)28-40340 | ronnie.barry@corkcoco.ie | www.corkcoco.ie

Customer Portal: www.yourcouncil.ie

From: Kate Killian <Kate.Killian@CorkCoCo.ie>

Sent: Thursday, May 23, 2024 3:03 PM

To: Ronnie Barry <Ronnie.Barry@CorkCoCo.ie>; Anne Lordan <Anne.Lordan@CorkCoCo.ie>

Subject: D14-24 Station house Ballineen

NAME OF APPLICANT

Ballinleen & Enniskeane Development Association

ADDRESS OF DEVELOPMENT:

Derriga Ballinleen, Co Cork

DEVELOPMENT:

Section 5 declaration for the refurbishment of existing vacant building replacement of windows and doors

APPLICATION TYPE:-

Exempted Development

Assessment

Consideration as to whether a development constitutes exempted development or not is governed by Sections 4 and 5 of the Planning and Development Act 2000 and Articles 5,6,7,8,9,10 and 11 of the Planning and Development Regulations 2001.

Is the proposal development?

The proposal comes within the definition of development in S.3 of the Planning and Development Act 2000 for the following reason: -

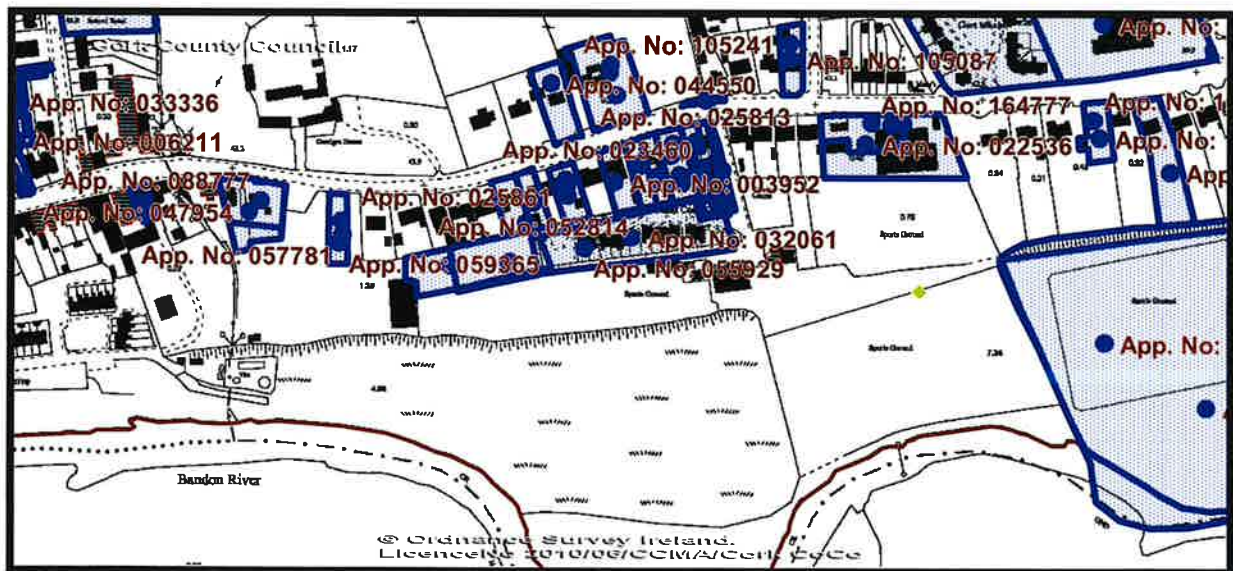
In the Act, 'development' means, except where the context otherwise requires, the carrying out of any works on, in, over or under land or the making or any material change in the use of any structures or other land.

Policy Context

In terms of planning designations, the subject site lies within a designated development boundary area indicated in the County Development Plan 2022 for Ballinleen/Enniskeane

Planning History

None



Assessment

Applicants are applying for Section 5 certificate of exempted development and asking the question whether or not the refurbishment works including new windows and doors requires planning permission or not.

It is considered that there is no specific classification of exempted development which allows for the refurbishment of a derelict structure that is not a dwelling. The planning authority therefore assessed this proposal under section 4(1) (H) of the planning and development act.

- Section 4(1)(h) of the Act states:

“The following shall be exempted development for the purposes of this act: Development consisting of the carrying out of works for the maintenance improvement or other alterations of any structure, being works which effect only the interior of the structure or which do not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure or of neighbouring structures.”

It is considered by the planning authority that the level of works proposed by the applicant to bring this structure back to a useable state is acceptable. I have received a report from the Conservation officer as the structure is listed on the National inventory of architectural heritage and she has indicated that there are no objections to the works from a conservation prospect. The works are considered to be within of the definition of maintenance improvement or other alterations which would only affect the interior of the structure, and which do not materially affect the external appearance of the structure as to render the appearance inconsistent with the character of the structure or of neighboring structures.

Conclusion:

Given the proposed works do not fall under any specific classification of exempted development and the applicants has not indicated what classification they are applying for the exemption certificate under the PA has assessed the proposal section 4(1)(H)of the Planning and Development Act 2000 as amended. It is considered that the proposed works would not materially affect the appearance of the structure and would be exempt development and therefore and a section 5 exempted development certificate can be issued for the works.

Kate Killian
Executive Planner
23/05/2024



10.14.24

Tadg Sheehan Civil Eng. Dip
Sleaveen West, Macroom, Co. Cork
Phone:086-0555964
Email: tadgpsheehan@gmail.com

25th April 2024
REG 2024
PLANNING (WEST) DEPT

**Re – Declaration of Exemption for Station House/Community House, Ballineen
Enniskeane Development Association, Derrigra, Ballineen, Co. Cork**

30 APR 2024
CORK COUNTY COUNCIL
NORTON HOUSE, SKIBBEREEN, Co. CORK

To whom it may concern,

Please find enclosed application for a Declaration of Exemption for Station House/Community House at Derrigra, Ballineen, Co. Cork. This building was the former Station House for the West Cork Railway which was situated on this location until 1961. The Station House and lands were purchased by a group namely Ballineen and Enniskeane Development Association with a view to providing facilities for the local community. Since 1961/62 the Association have provided playing field, tennis courts, playground, Pitch and Putt course and Community Hall (which has provided for many indoor sports and social events). The Station House was the hub of the organization and was used for holding meetings for many organisations/clubs on the first floor while the ground floor had many different uses over the years (i.e. Snooker Room, Pitch and Putt Room, GAA Dressing Rooms/Toilets, Storage Rooms, Shop/Tea Room, Culteral Events/Arts and Crafts, Painting Exhibitions etc., etc.). Many famous celebrities stood outside (and inside) this building and opened the BEDA Festival which drew large crowds in the seventies and eighties.

However in the past thirty years or so the landscape had changed greatly and the big events like local festivals began to die out and this left associations like BEDA with no big revenue income. Subsequently this meant no major investment could be made on a building which was over a 100 years old. In recent times the building began to deteriorate although works were carried out on the main roof, the building was left idle and eventually between vandalism and the ingress of birds etc, the building became derelict and the roof of the single story section fell in.

This troubled many in the community, as having a derelict building in the middle of the community centre was projecting a poor image of the centre and the villages. Thankfully a committee was formed in the past 12months and fundraising began and thanks to the generous sponsorsip from buisnesses and donations from individuals enough funds were gathered to enable to get the building cleaned and sanitised, single storey roof replaced and a new front door installed.

It is hoped to refurbish the building internally including the installation of sash windows (which was there originally) and new doors over the next 12months to 2 years. The

refurbishment will include within reason bringing the building back as close as it was when it operated as a Station House/Dwelling before BEDA took ownership of it.

It will still be used as a community building for all the uses that were mentioned above along with adding new facilities like a digital room, reinstating the old ticket Office and waiting room (which will be used as a Cultural Room/Exhibition/Launch Room). It will also become once again the headquarters of the Association as there are no appropriate rooms in the Community Hall for meetings etc. And more importantly these refurbishment works will save this iconic building for the future generations of the community for many many years to come.

With all this in mind the Association are seeking funding from various bodies (Leader, CCC, Irish Rail, Lottery etc.) and one of the items they look for is planning documents.

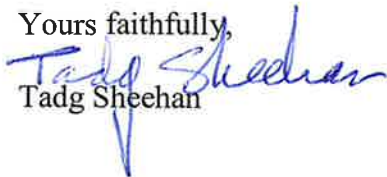
Therefore on behalf of Ballineen Enniskeane Development Association I am seeking a Declaration of Exemption Certificate for the Station House building. The uses of the building have not changed since 1961 and no major external works or alterations have taken place since 1961 or will take place during this period of refurbishment..

Please find enclosed, Plans and Location Maps etc.

Please also note that BEDA (Ballineen & Enniskeane Development Association) is a non profit Community/Voluntary Organisation. Tax Registration Number (TRN) is 9831789N and the Tax Clearance Access Number (TCAN) is 098317 and therefore it is presumed is exempt from paying planning fees!

I look forward to hearing from you.

Yours faithfully,


Tadg Sheehan

REG. No. _____
PLANNING (WEST) DEPT
30 APR 2024
CORK COUNTY COUNCIL
NORTON HOUSE, SKIBBEREEN, Co. CORK



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 ✓)

<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"/>	N/A

FOR OFFICE USE ONLY

Receipt No.	
Cash/Cheque/ Credit Card	
Date	
Declaration Ref. No.	

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.

REG. No. _____
PLANNING (WEST) DEPT

30 APR 2024

CORK COUNTY COUNCIL
NORTON HOUSE, SKIBBEREEN, Co. CORK

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)

BALLINEEN & ENNISKEANE DEVELOPMENT ASSOCIATION

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

DERRIGRA, BALLINEEN, CO. CORK
P47 FR 60

REG. No. _____
PLANNING (WEST) DEPT

30 APR 2024

CORK COUNTY COUNCIL
NORTON HOUSE, SKIBBEREN, 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

B.E.D.A ARE SEEKING A DECLARATION OF EXEMPTION FOR THE OLD STATION HOUSE / RAILWAY HOUSE WHICH HAS BEEN IN USE FOR COMMUNITY SINCE 1961/1962. THEY ARE SEEKING GRANTS ETC FROM VARIOUS BODIES AND ARE LOOKING FOR THE COUNCIL TO DEEM THE BUILDING EXEMPT FROM PLANNING! REFURBISHMENT WORKS ARE ON GOING AT PRESENT BUT ARE ONLY INTERNAL + NEW SASH WINDOWS (TO MATCH ORIGINAL) ARE TO BE INSTALLED. WORKS COMPLETED LATELY INCLUDED REPLACING DAMAGED ROOF ON SINGLE STOREY SECTION, CLEANING + SANITISING THE INSIDE OF BUILDING + INSTALLING NEW FRONT DOOR.

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):	265.75m ²
(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 _____ Proposed use _____	
(d) Are you aware of any enforcement proceedings connected to this site?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, please state relevant reference number(s):

REF. No. _____
 PLANNING (WEST) DEPT
 30 APR 2024
CORK COUNTY COUNCIL
 NORTON HOUSE, SKIBBEREEN, CO. 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 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)	Taty Sheehan CHAIRPERSON (BEDA)
Date	15/04/2024

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

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

Special Categories of data / Sensitive Personal data include:

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

REG. No. _____
 PLANNING (WEST) DEPT
 30 APR 2024
 CORK COUNTY COUNCIL
 NORTON HOUSE, SKIBBEREEN, CO. CORK

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.

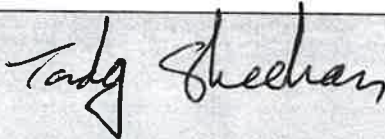
ADVISORY NOTES:

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.

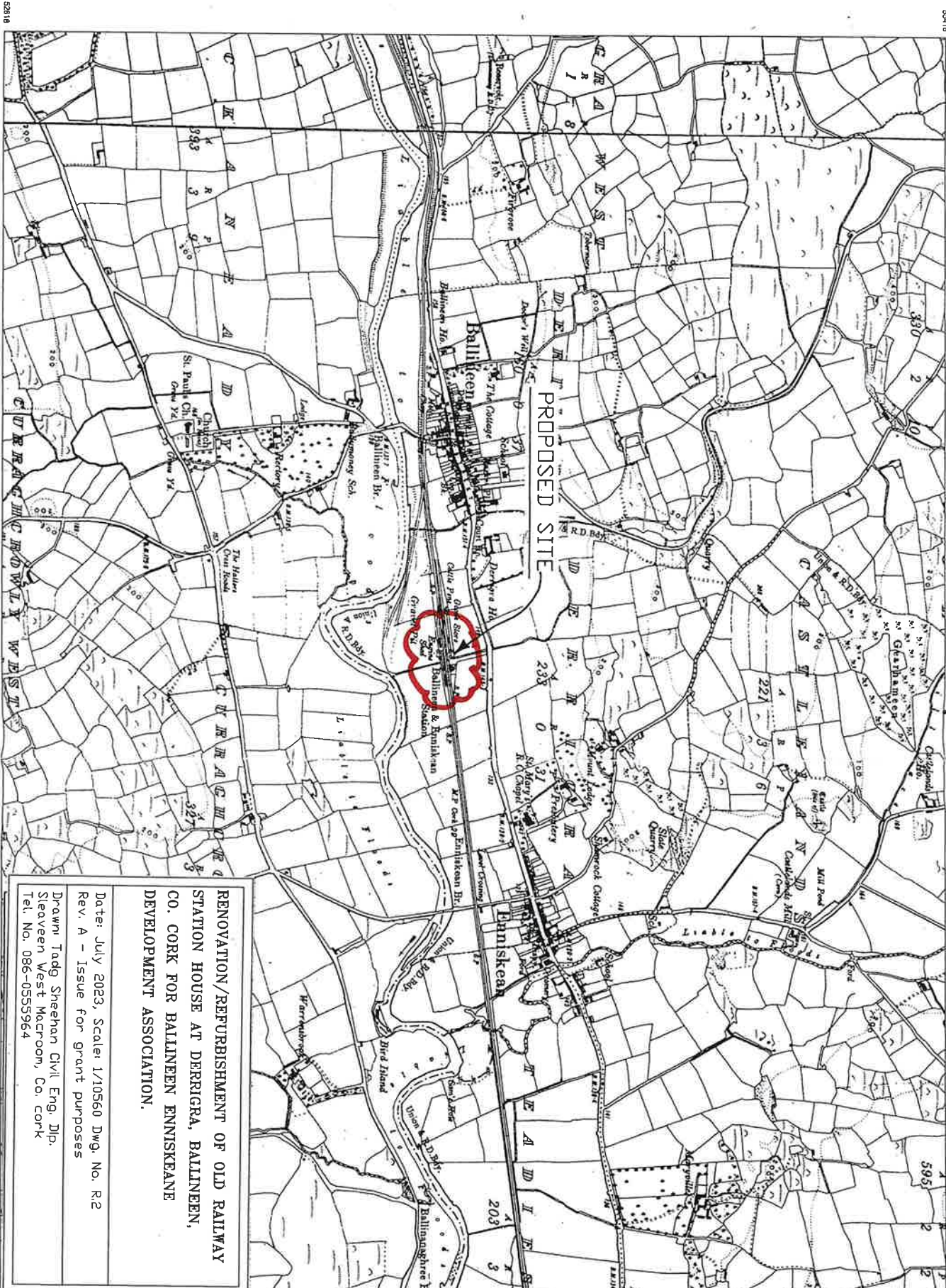
The application form and advisory notes are non-statutory documents prepared by Cork County Council for the purpose of advising the type of information which is normally required to enable the Planning Authority to issue a Declaration of Exemption under Section 5. This document does not purport to be 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	15/04/2024

REG. No. _____
PLANNING (WEST) DEPT
30 APR 2024
CORK COUNTY COUNCIL
NORTON HOUSE, SKIBBEREEN, Co. CORK

Record Place Map



RENOVATION/REFURBISHMENT OF OLD RAILWAY STATION HOUSE AT DERRIGRA, BALLINEEN, CO. CORK FOR BALLINEEN ENNISKEANE DEVELOPMENT ASSOCIATION.

Date: July 2023, Scale: 1/10560 Dwg. No. R.2
 Rev. A - Issue for grant purposes

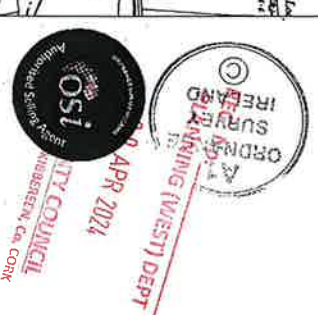
Drawn: Tadh Sheehan Civil Eng. Dip.
 Sheaveen West McCreom, Co. Cork
 Tel. No. 086-0555964



Plot Ref. No. 1048344_1
 Plot Date 16-SEP-2005

ITM CENTRE PT. COORDS
534973,554183
DESCRIPTION

MAP SHEETS
6 inch CK109 CK108



Produced by National Map Services,
 The Court House Chambers,
 27/29 Washington Street,
 Cork City, Co. Cork
 On behalf of Ordnance Survey Ireland,
 Phoenix Park, Dublin 8.

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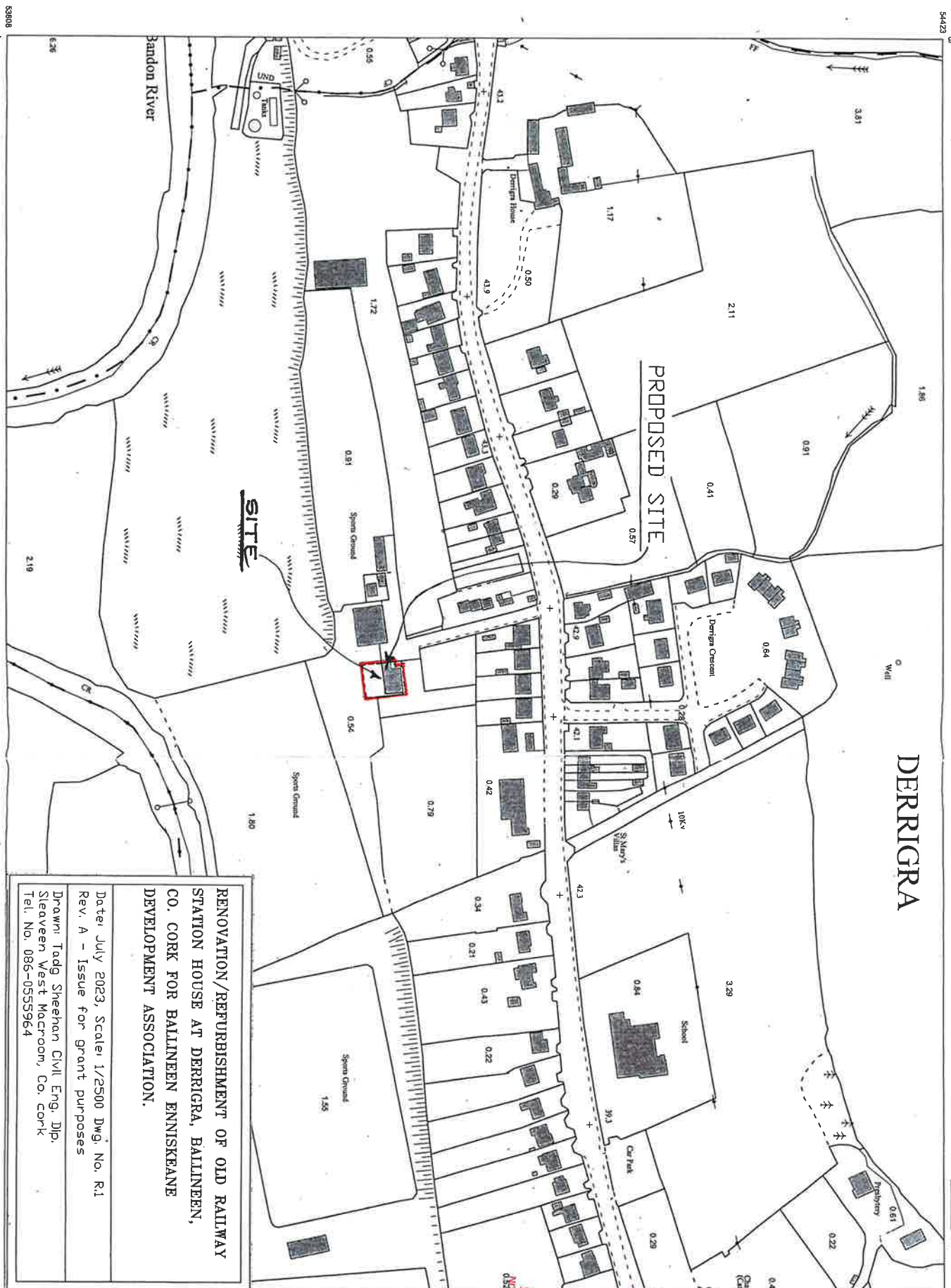
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Rural Place Map



ITM CENTRE PT COORDS
534972.554182

DERRIGRA



RENOVATION/REFURBISHMENT OF OLD RAILWAY STATION HOUSE AT DERRIGRA, BALLINEEN, CO. CORK FOR BALLINEEN ENNISKEANE DEVELOPMENT ASSOCIATION.

Date: July 2023, Scale: 1/2500 Dwg. No. R1
Rev. A - Issue for grant purposes

Drawn: Tadhg Sheehan Civil Eng. Dip.
Sieveen West Macroom, Co. Cork
Tel. No. 085-0555964

DESCRIPTION
MAP SHEETS

1:2500
6603-B



Produced by National Map Services,
The Court House Chambers,
27/29 Washington Street,
Cork City, Co. Cork
On behalf of Ordnance Survey Ireland,
Phoenix Park, Dublin 8.

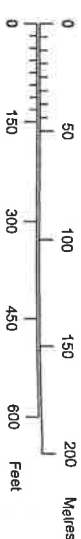
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Rialtas na hÉireann.
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cead i scríobh nó in é ó úinéirí an taidéil.
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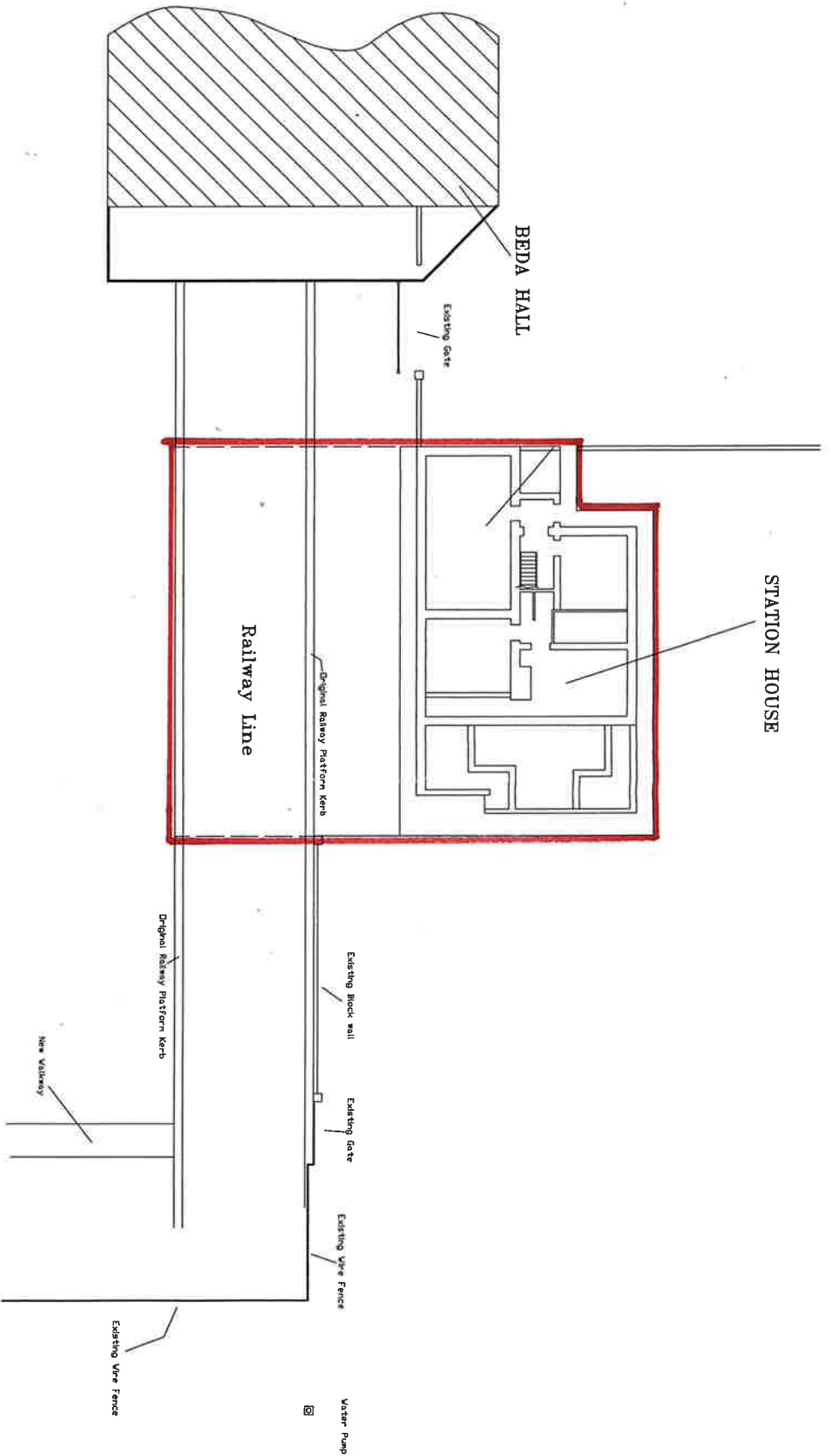
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© Ordnance Survey Ireland, 2005



Scale:- 1:2,500
Scale:- 1:2,500



Plot Ref. No. 1048344_1_4
Plot Date 16-SEP-2005



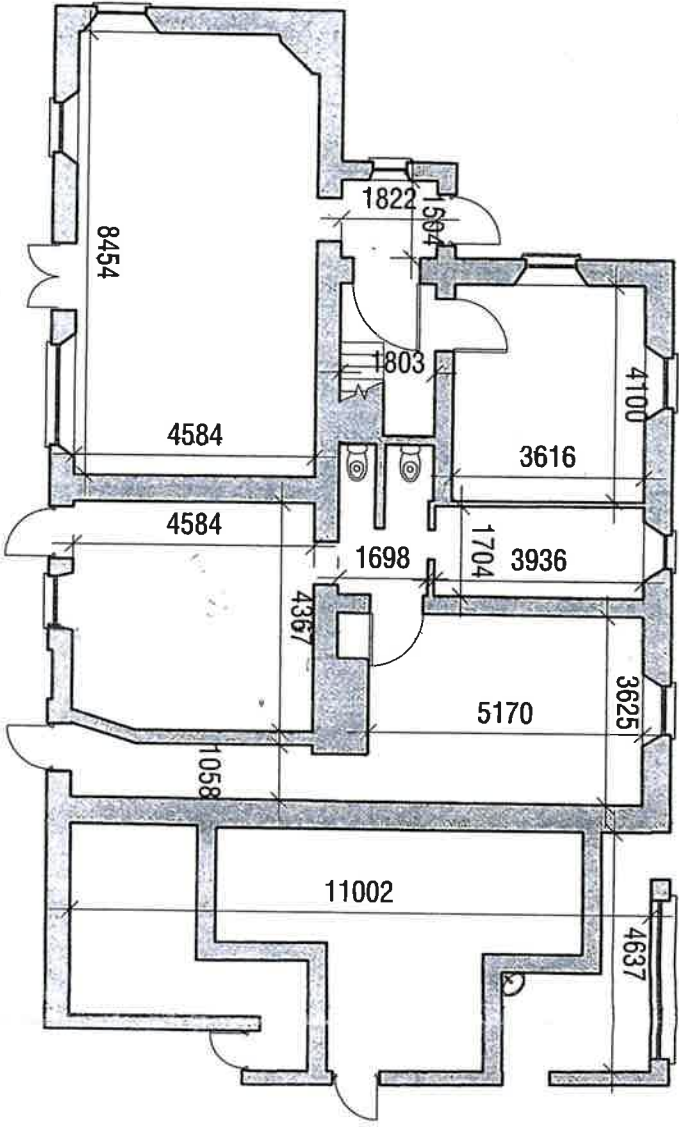
SITE PLAN

EXISTING STATION HOUSE, DERRIGRA, BALLINEEN, CO. CORK

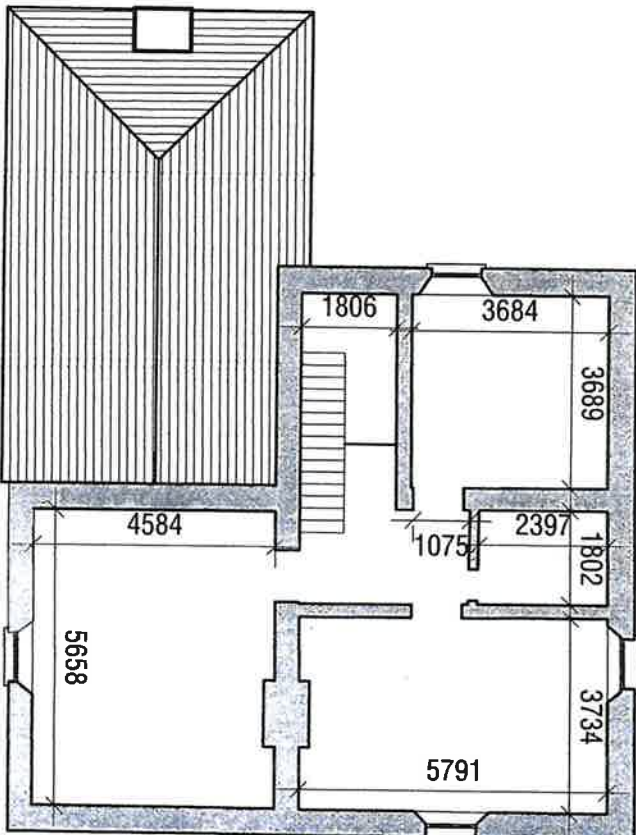
DATE: April 2024, SCALE: 1/250, DWG. NO. 3 - Rev A - Issue for Declaration of Exemption
 DRAWN: Tadhg Sheehan, Civil Eng. Dip. Sheaveen West, Macroom, Co. Cork

REG. No. PLANNING (WEST) DEPT
 30 APR 2024
 CORK COUNTY COUNCIL
 MORTON HOUSE, SULLIBERTEN, CO. CORK

**STATION HOUSE:
EXISTING FLOOR PLANS**



GROUND FLOOR PLAN



FIRST FLOOR PLAN

30 APR 2024

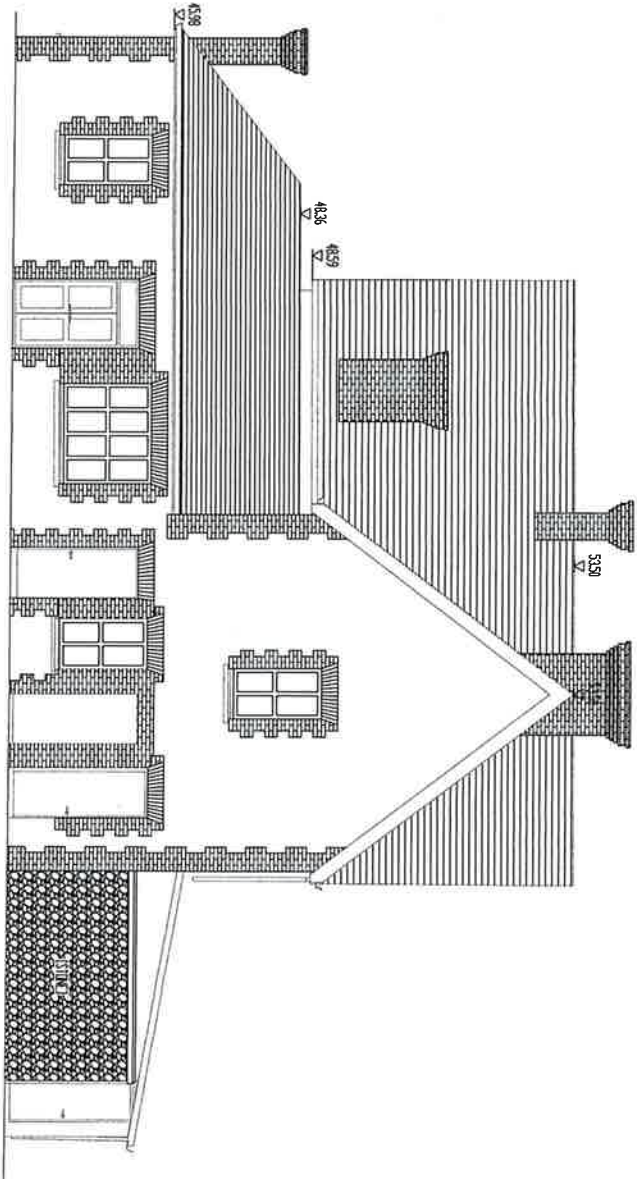
REG. No. _____
PLANNING (WEST) DEPT

CORK COUNTY COUNCIL
MONTON HOUSE, SCRIBBEREN, Co

DWG. No. 4

SCALE 1:100

Toby Sheehan CIVIL ENG. DIP



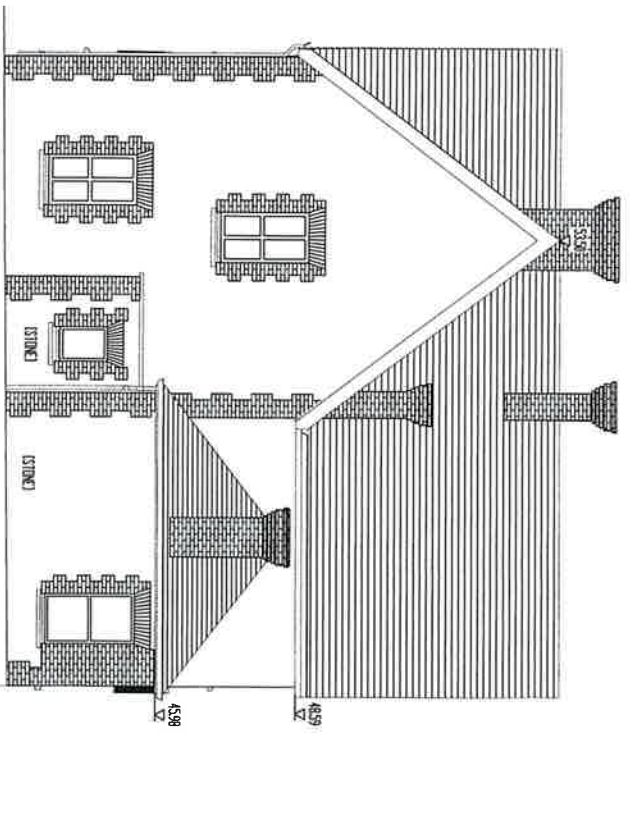
REAR ELEVATION

(Station Office Side)

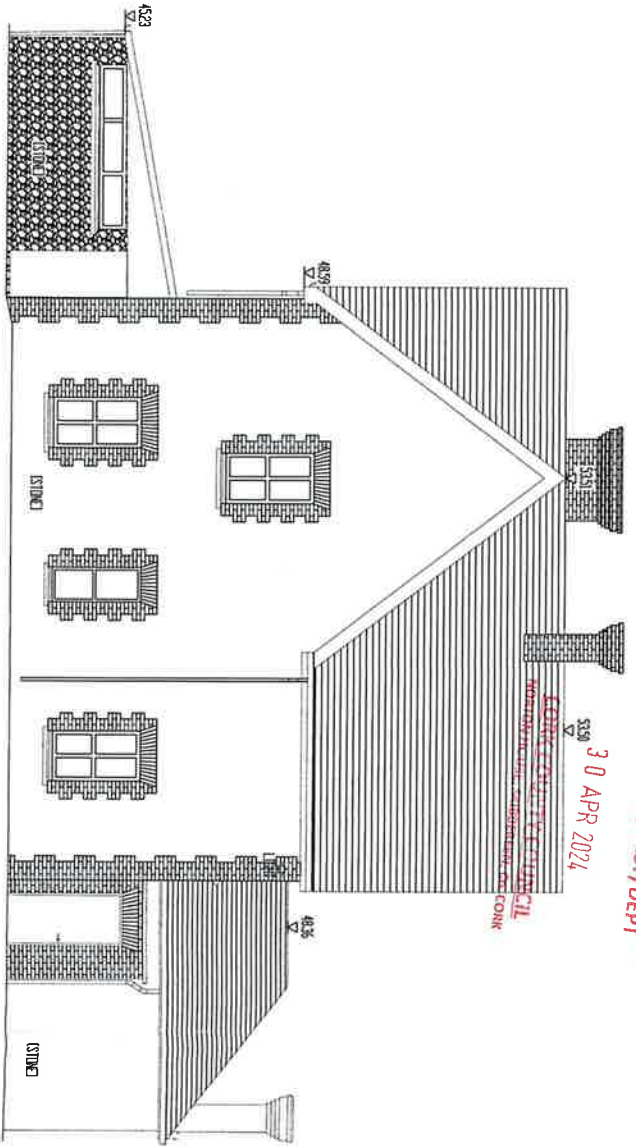
REG. No. ANNING (WEST) DEPT

30 APR 2024

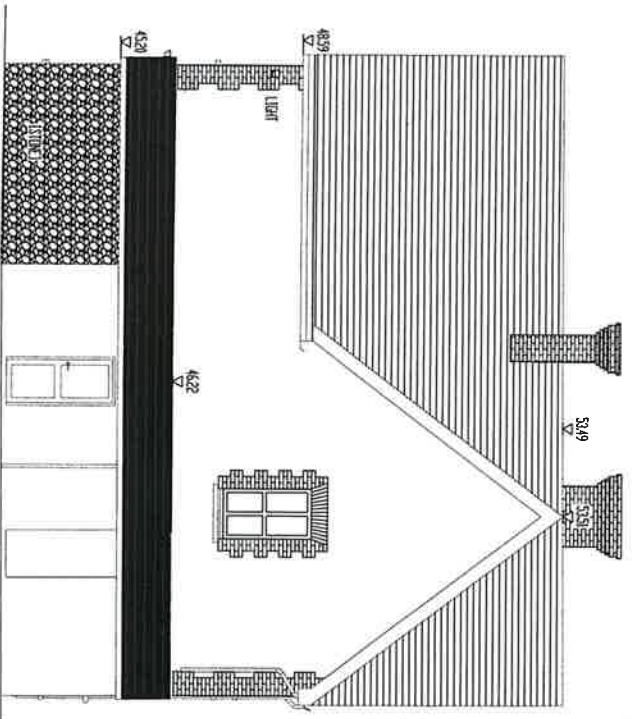
CORK COUNTY COUNCIL
 ARCHITECTURAL SERVICES DEPARTMENT
 CORK



SIDE ELEVATION



FRONT ELEVATION



SIDE ELEVATION

DWG. No. 5
 EXISTING STATION HOUSE AT BALLINEEN CO. CORK
 SCALE: 1/100,
 Tadge Sheehan Civil Eng. Dip.