

Coimhairle Contae Chorcaí Cork County Council

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



John J. O'Sullivan
& Associates,
Consulting Engineers,
"Lindhu"
Reenmeen East,
Glengarriff,
Co. Cork.

5th April, 2024.

Our Ref: D/8/24.

**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 by you on 14th March, 2024 on behalf of David & Helen Gough, the Planning Authority declares that the proposed development to the side of existing dwelling at Derryconnery, Glengarriff, Co. Cork **does not constitute** "exempt development" as per Schedule 2, Class 3 of the Planning & Development Regulations 2001-2018 (as amended).

As there is an existing store on the site, the proposal does not meet the criteria of Class 3 whereby the total area of such structures constructed, erected or placed within the curtilage of a house shall not, taken together with any other such structures previously constructed, erected or placed within the said curtilage, exceed 25 sq.m.

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.

Receipt No. WCP12523, in respect of €80.00 fee, is issued herewith.

Yours faithfully,


KEVIN O'REGAN
SENIOR EXECUTIVE OFFICER

REG. No.
PLANNING (WEST) DEPT
10 APR 2024
CORK COUNTY COUNCIL
NORTON H.

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



We are Cork.



Recycled

Anne Lordan

From: Ronnie Barry
Sent: Tuesday 2 April 2024 10:25
To: Anne Lordan
Subject: FW: D-8-24 Declaration garage exemption glengarriff
Attachments: D-8-24 Declaration garage exemption glengarriff.docx

Anne,

I note the content of the report of the Area Planner and agree with his conclusion that the proposed development constitutes development and is not exempted development.

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: Sean Taylor <Sean.Taylor@CorkCoCo.ie>
Sent: Tuesday, April 2, 2024 10:22 AM
To: Anne Lordan <Anne.Lordan@CorkCoCo.ie>
Cc: Ronnie Barry <Ronnie.Barry@CorkCoCo.ie>
Subject: D-8-24 Declaration garage exemption glengarriff

Cork County Council – Norton House – Skibbereen
Declaration on exempted development D/8/24

Location: Derryconnery Glengarriff.

Development: domestic garage.

Section 5 application for a declaration that a garage constructed to the side of an existing dwelling is exempted development as per Schedule 2 of the Planning and Development Regulations 2001 -2018 (as amended).

The development as constructed has been assessed under Class 3 of the planning and development regulations 2001.

Exempted development general:

CLASS 3. (Planning and development regulations 2001 - 2018)

Description of development	Conditions and limitations
The construction erection or placing within the curtilage of a house of any tent, awning, shade or other object, greenhouse, garage, store, shed or other similar structure	<ol style="list-style-type: none">1. No such structure shall be constructed, erected or placed forward of the front wall of the house.2. The total area of such structures constructed, erected or placed within the curtilage of a house shall not, taken together with any other such structures previously constructed, erected or placed within the said curtilage, exceed 25sqm.3. The constructed, erected or placed within the curtilage of a house of any such structure shall not reduce the amount of private open space reserved exclusively for the use of the occupants of the house to the rear or side of the house to less than 25sqm.4. The external finish of any garage or other structure constructed, erected or placed to the side of a house, and the roof covering where any such structure has a tiled or slated roof

	<p>shall conform with those of the house.</p> <ol style="list-style-type: none">5. The height of any such structure shall not exceed, in the case of a building with a tiled or slated pitched roof, 4 meters or, in any other case 3 m.6. The structure shall not be used for human habitation or for the keeping of pigs, poultry, pigeons, ponies or house, or for any other purpose other than a purpose incidental to the enjoyment of the house as such.
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I inspected the site 26/03/2024 and I note that there is an existing store on the site. This has a stated floor area of 13sqm the proposed garage is 25sqm.

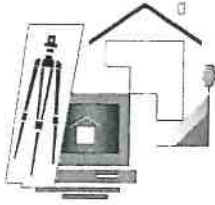
Therefore the proposal does not meet the criteria of Class 3 whereby the total area of such structures constructed, erected or placed within the curtilage of a house shall not, taken together with any other such structures previously constructed, erected or placed within the said curtilage, exceed 25sqm.

Recommendation

Development is not considered to be exempted and does require planning permission.

Sean Taylor
Executive Planner
2/04/2024





GLEN DESIGN PARTNERSHIP T/A

JOHN J. O'SULLIVAN & ASSOCIATES

· Planning & Architectural Consultants · Consulting Engineers & Surveyors ·

· 'Lindhu', Reenmeen East, Glengarriff, Co. Cork, P75 YX92 Ireland

· Tel: 027 63126 · Fax: 027 63557 · Office email: info@jjos.ie · Website: www.jjos.ie ·

Our Reference:
JOS /P-0027/23

Your Reference:

Date:
11th March 2024

Cork County Council,
West Cork Planning Office,
Norton House,
Cork Road,
Skibbereen,
Co. Cork, P81 AT28

RE: Section 5 application seeking Declaration of Exemption for Demolition of existing garage/carport and the Construction of a detached domestic garage and all associated site works.

At: Derryconnery, Glengarriff, Co. Cork

For: David & Helen Gough

D/18/24
REG. NO. [REDACTED] DEPT
PLANNING (WEST) DEPT
14 MAR 2024
CORK COUNTY COUNCIL
NORTON HOUSE, SKIBBEREEN, Co. CORK

Dear Sir/Madame,

I hereby submit for your consideration the above application for the Section 5 Declaration of Exemption. All the necessary site location maps, site layout, drawings, application forms, etc. are enclosed herewith along with the necessary fee of €80.

We hope that the information included below will be of assistance to you.

Property Description

This existing two-storey detached substantial hip roofed dwellinghouse was we understand constructed in the early 1930s. At that time a number of domestic sheds were also constructed. Our understanding is that the existing sheds on the left-hand side of the dwelling near the entrance may be of a more recent vintage, these were possibly constructed after 1964. This is a nice mature property adjoining the western shores of Glengarriff near Firkale pier.

Planning History

This existing two-storey detached substantial hip roofed dwellinghouse was constructed long before the enactment of Planning Legislation in 1964. In more recent times the Planning permission cited below was granted by the Planning Department.

- **Planning Ref. No. 03/2913** Granted on the 10th day of **September 2003** related to permission for **Installation of dormer window and retention of sunroom and rooflight to dwelling at Firkale, Firkale, Derryconnery,**

This this permission was never fully utilised in that the dormer window was never constructed. Furthermore the sun room which was retained under this permission was in more recent times demolished and replaced by a more comfortable rear extension comprising a total floor area of 26 m². In essence the footprint of this sunroom was stretched very slightly to the rear and then in a northerly direction across the back of the dwelling directly behind it. We believe that this would be exempted from formal planning permission.

Continued...

Zoning of site

The site is not located within any development limits. The property is located in an area of high value landscape where rural housing controls apply and the said property lies adjacent to scenic route S113 which is the main road leading to the Ring of Beara.

Flooding

The applicants who have resided in the house for many years have confirmed that it does not flood notwithstanding the fact that it is comprised within Flood zone A. They have indicated that surface water does pond from time to time around the entrance to the property, mainly due to surface water gravitating in from the public road. They are very familiar with the situation on the ground and confirm that the new domestic garage to be constructed will be raised to a level of 400 mm above this existing low-lying area near the entrance. They will of course ensure that visible dead work around the perimeter of the garage will be kept to a minimum, no more than 200 mm.

Roads

The site adjoins a public road R-572-24 the main Glengarriff to Castletownbere road, sight distance available is quite good at this location and the proposed development will not give rise to any additional traffic using this existing entrance.

Parking

Parking for two vehicles has been provided within the hardstanding area adjoining the house.

Provision of potable water

Potable water is supplied via the public mains available on the adjoining public road. Potable water is not required for this Detached Domestic Garage.

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Disposal of foul sewage

The property is connected to an existing septic tank on site, ~~this serves the house.~~ There will be no wastewater generated in the Detached Domestic Garage

CORK COUNTY COUNCIL
NORTON HOUSE, SKIBBEREEN, Co. CORK

Proximity to designated sites.

The property does not adjoin any designated sites and lies outside any SAC or SPA. The nearest designated site is the pNHA - Glengarriff Harbour and Woodland (site code 000090) & the SAC - Glengarriff Harbour and Woodland SAC (site code 000090) which both lie close to the site. The Caha Mountains SAC (site code 000093) and this lies 0.45km to the north. The proposed development will not give rise to any impacts on these sites. In essence the proposals provide for the upcycling of an existing garage/carport to a more robust and durable structure in order to enhance the amenities of the property.

Archaeology

The property does not have any archaeology recorded within its boundaries. Research undertaken at archaeology.ie has revealed the following. Martello tower reference number CO104-051001 located 1,184m to the East of the site. Redundant record Reference number CO104-030 located 495m to the South of the site. The proposals outlined in this application will not detract from these sites in any way.

Application Fees

We have calculated the application fee to be €80 on the basis of this being the required amount for the Section 5 Declaration of Exemption. We hope that our calculations are correct but please do not hesitate to contact us if you require any further fees to be paid in this case.

Continued...

Conclusion

Our clients have owned and resided on the property for a number of decades now and degradation of the existing garage/carport has driven them to make a decision in regard to replacement of same with a more robust and usable structure, hence this application. As can clearly be seen our clients have from the very day they purchased the property respected its character and setting and we believe that the design of the proposed garage will not detract from the appearance of the property in any way. Indeed we believe the new domestic garage will if anything enhance the appearance of the property. The construction of this modest structure will be of significant benefit to them and will enhance their enjoyment of their home. We very much look forward to your decision and if there are any queries in the meantime, please do not hesitate to contact us.

Yours sincerely,


JOHN J. O'SULLIVAN, B.E. C.Eng. M.I.E.I.
Writer's e-mail: johnj@jjos.ie

REG. No. _____
PLANNING (WEST) DEPT

14 MAR 2024

CORK COUNTY COUNCIL
NORTON HOUSE, SKIBBEREEN, Co. CORK



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:

✓
✓
✓
✓
✓
✓
✓

REG. No. _____
PLANNING (WEST) DEPT

14 MAR 2024

CORK COUNTY COUNCIL
NORTON HOUSE, SKIBBEREEN, Co. CORK

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.

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)

David & Helen Gough

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

Derryconnery, Glengarriff, 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

Section 5 application seeking Declaration of Exemption for Demolition of existing garage/carport and the Construction of a detached domestic garage and all associated site works.

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NORTON HOUSE, SKIBBEREEN, Co. CORK

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):	Existing Dwelling – 240.76m ² Rear Extension – 28m ² (built more than 7 years) Storage Shed – 13.32m ² . Demolition works –13m ² -existing garage & car port. Proposed works –25m ² Detached Garage
(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	
(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:	REG. No. _____	
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):	PLANNING (WEST) DEPT	
	14 MAR 2024	

CORK COUNTY COUNCIL

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


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.

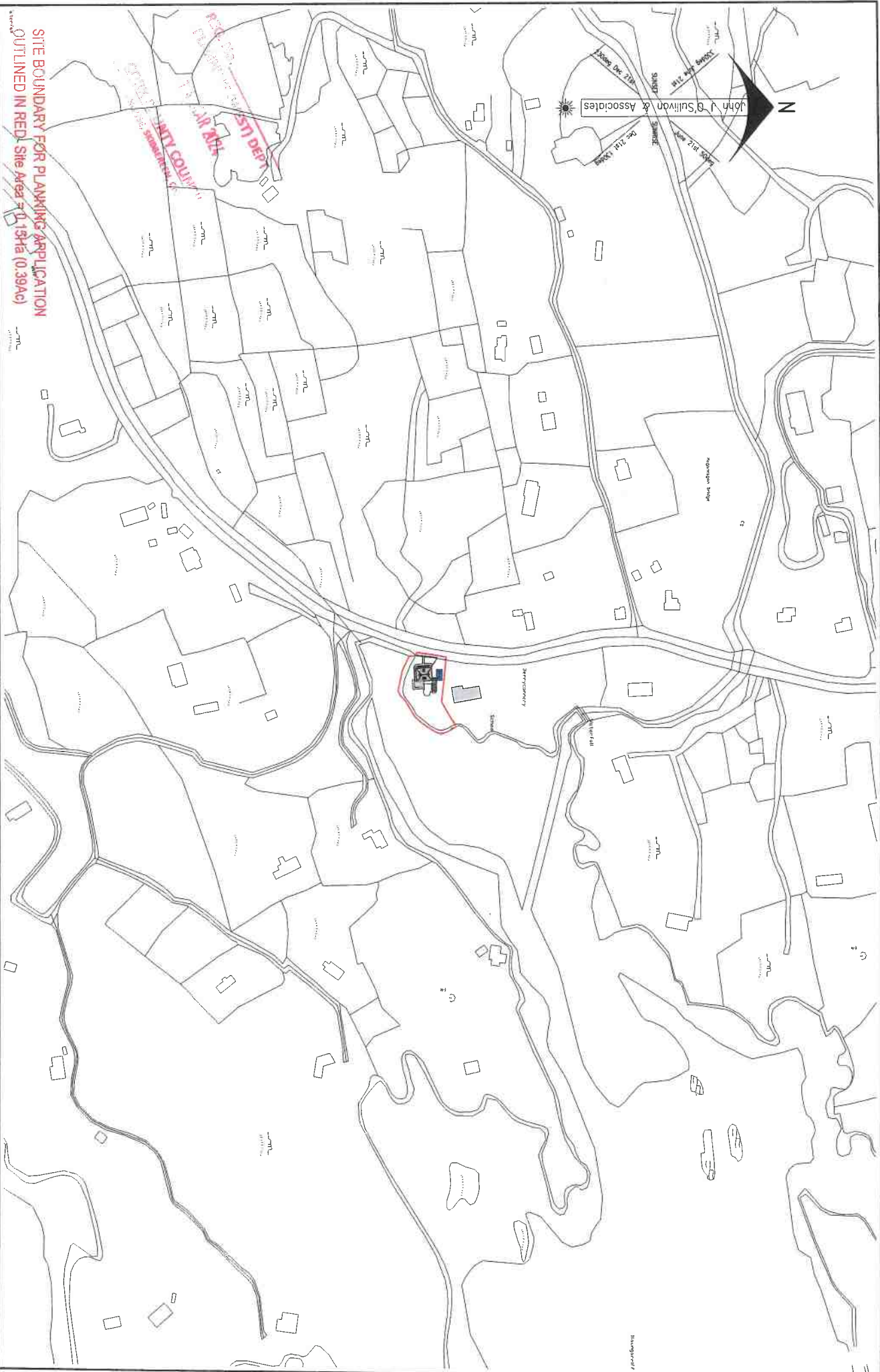
9. **I hereby declare that, to the best of my knowledge and belief, the information given in this form is correct, accurate and fully compliant with the Planning and Development Acts 2000, as amended and the Regulations made thereunder:**

Signed (Applicant or Agent as appropriate)	
Date	08/09/2023 12/03/24

REG. No. _____
 PLANNING (WEST) DEPT

14 MAR 2024

CORK COUNTY COUNCIL
 NORTON HOUSE, SKIBBEREEN, Co. CORK



**SITE BOUNDARY FOR PLANNING APPLICATION
OUTLINED IN RED. Site Area 7.15Ha (0.39Ac)**

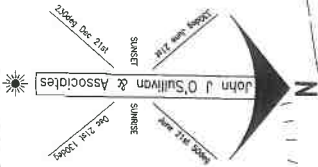
Client: **DANIEL & HELEN COUGH**
 Project: **SECTION FIVE EXEMPTION CERT FOR GARAGE AT
 DERRUCOMMERY GLENGARRIFF CO. CORK**

Drawing Status: **ISSUE FOR EXEMPTION CERT**
 Drawing Title: **SITE LOCATION MAP**
 Scale: **A3 - 1:2,500**
 Date: **0.5.5**
CORK



JOHN J. O'SULLIVAN & ASSOCIATES
 Planning & Architectural Consultants - Consulting Engineers & Surveyors
 'Lindus', Reemeeen East, GLENGARRIFF, Co. Cork, P75 YX92 Ireland
 Tel: 027 63126 - Fax: 027 63657 - Office email: info@jjos.ie - Website: www.jjos.ie

Drawn By: **Saamuis O'Regan B.Sc. Arch. Tech.**
 Checked By: **John J O'Sullivan BE MIEI CEng**
 Date: **20/02/2024**
 Dwg No: **P00482301-00**



R572-57 Glengarriff to Castletownbere road



**SITE BOUNDARY FOR PLANNING APPLICATION
OUTLINED IN RED Site Area = 0.15Ha (0.39Ac)**

PUBLIC WATER MAINS

- 1 - Existing Garage with Car Port to be Demolished
- 2 - Existing storage shed used for wood and storing garden equipment / furniture
- 3 - Rear extension undertaken 10 to 15 years ago. Floor area of 28m2 with a height of 3m and below the height of the old rear sunroom extension under Planning Ref. 0324915

Client: DAVID & HELEN GOUGH

Project: SECTION FIVE EXEMPTION CERT FOR GARAGE AT
DERRUCONNERY GLENGARRIFF CO. CORK

Drawing Status: ISSUE FOR EXEMPTION CERT
Drawing Title: EXISTING SITE LAYOUT PLAN
Scale: A3 - 1:500
0.5:5 CORK

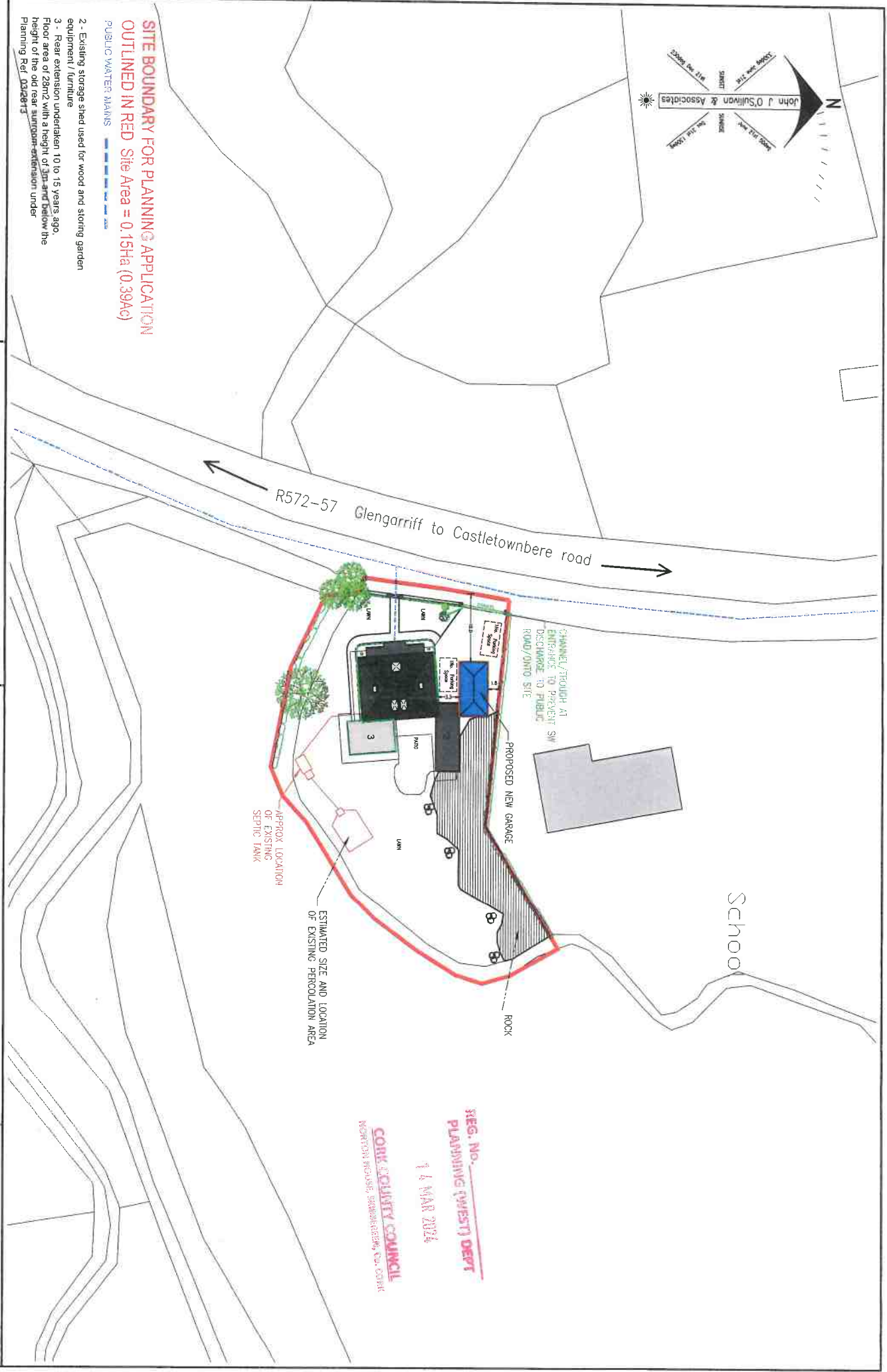
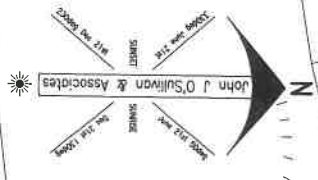


GLENN DESIGN PARTNERSHIP T/A
JOHN J. O'SULLIVAN & ASSOCIATES
Planning & Architectural Consultants - Consulting Engineers & Surveyors
Lindfield, Reemheen East, GLENGARRIFF, Co. Cork, P75 YX92 Ireland
Tel: 027 63126 - Fax: 027 63657 - Office email: info@jlos.ie - Website: www.jlos.ie

Drawn By: Seamus O'Regan B.Sc. Arch. Tech.
Checked By: John J O'Sullivan BE MIEI CEng
Date: 20/02/2024
Dwg No: P00482301-00

REG. NO. _____
PLANNING (WEST) DEPT
14 MAR 2024

CORK COUNTY COUNCIL
MOUNTAIN ROAD, DERRUCONNERY, CO. CORK



**SITE BOUNDARY FOR PLANNING APPLICATION
OUTLINED IN RED Site Area = 0.15Ha (0.39Ac)**

- PUBLIC WATER MAINS**
- 2 - Existing storage shed used for wood and storing garden equipment / furniture
 - 3 - Rear extension undertaken 10 to 15 years ago. Floor area of 28m² with a height of 3m and below the height of the old rear sunroom-extension under Planning Ref. 0328913

**REG. No. _____
PLANNING (WEST) DEPT
14 MAR 2024
CORC COUNTY COUNCIL
NORTON HOUSE, SANDHURST, CO. CORK**

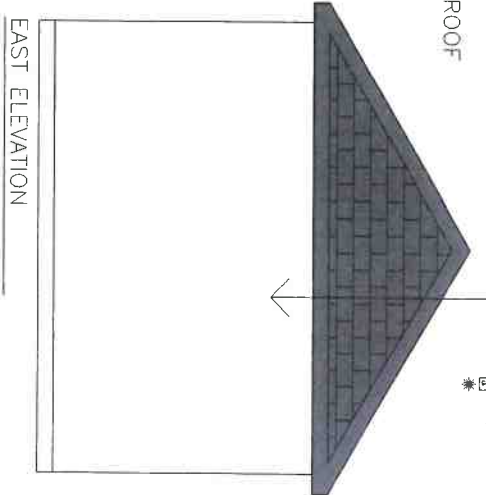
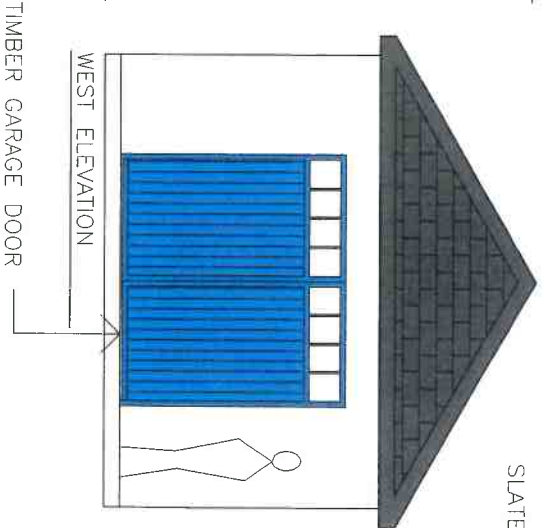
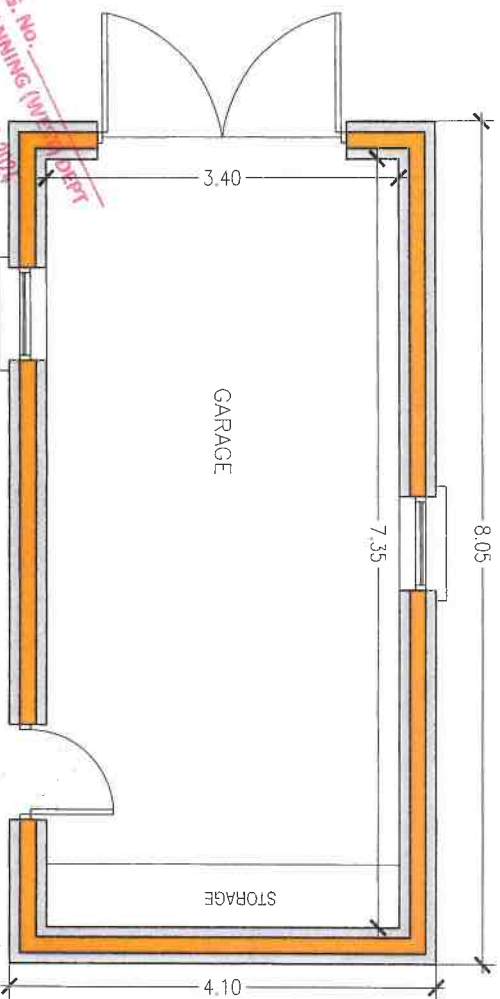
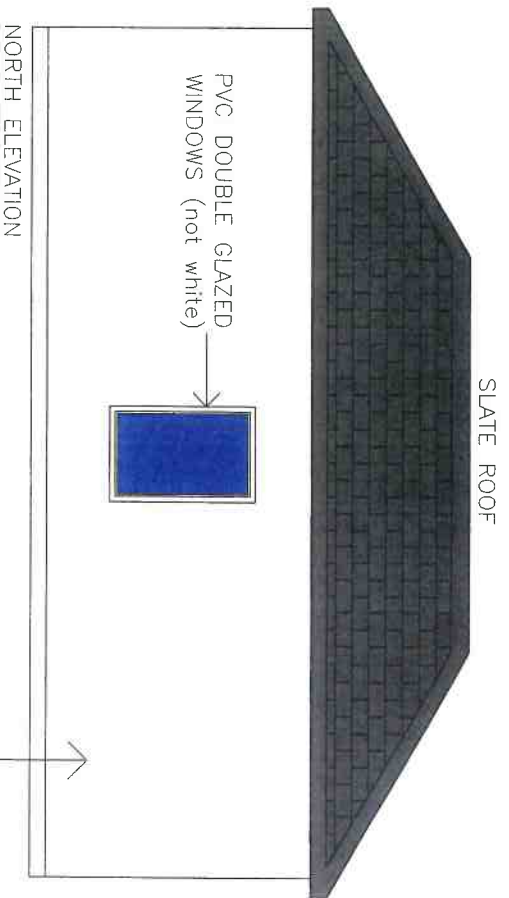
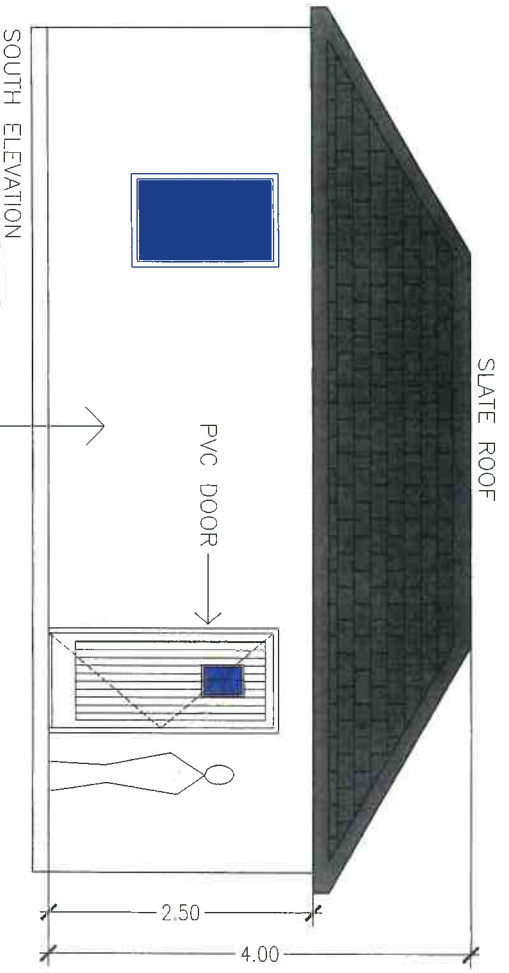
Client: **DAVID & HELEN GOUGH**
Project: **SECTION FIVE EXEMPTION CERT FOR GARAGE AT DERUCONNERY GLENGARRIFF CO. CORK**

Drawing Status: **ISSUE FOR EXEMPTION CERT**
Drawing Title: **PROPOSED SITE LAYOUT PLAN**
Scale: **A3 - 1:500**
DSS: **CORK**



JOHN J. O'SULLIVAN & ASSOCIATES
Planning & Architectural Consultants - Consulting Engineers & Surveyors
Lindur, Reemheen East, GLENGARRIFF, Co. Cork, P75 YX92 Ireland
Tel: 027 631726 Fax: 027 63557 Office email: info@jlos.ie Website: www.jlos.ie

Drawn By: **Seamus O'Regan B.Sc. Arch. Tech.**
Checked By: **John J O'Sullivan BE MCI CEng**
Date: **20/02/2024**
Dwg No: **P0048230-00**



REG. No. ~~14 MAR 2024~~
 PLANNING (WV) DEPT
 CDRL COLLINGWOODLINE
 MORTON HOUSE, COLINGWOOD

Client: **DANIEL & HELEN COUGH**

Project: Section 5 application seeking Declaration of Exemption for the Construction of a detached domestic garage and all associated site works.

Drawing Status: **ISSUE FOR EXEMPTION CERT**

Drawing Title: **GARAGE DRAWINGS**

Scale: **A3 - 1:50**

DWG No.: **PO0482302-00**

Drawn By: **Seamus O'Regan B.Sc. Arch. Tech.**

Checked By: **John J O'Sullivan BE MIEI CEng**

Date: **23/02/2024**

GLENN DESIGN PARTNERSHIP T/A
JOHN J. O'SULLIVAN & ASSOCIATES
 Planning & Architectural Consultants - Consulting Engineers & Surveyors -
 'Linchdu', Reemheen East, GLENGARRIFF, Co. Cork, P75 YX92 Ireland
 Tel: 027 83126 - Fax: 027 63967 - Office email: info@jjas.ie - Website: www.jjas.ie