

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 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



Mr. Aidan Coughlan,
c/o Mr. Liam O'Donovan,
South View House,
Caherkirky,
Rossmore,
Clonakilty,
Co. Cork.

12th July, 2023.

Our Ref: D/26/23

**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 15th June, 2023 on behalf of Mr. Aidan Coughlan, the Planning Authority declares that the construction of cattle house with slatted slurry tank at Ardura Beg, Ballydehob, Co. Cork is development and is **not exempted development** having specific regard to Article 9(1)(a)(iii) of the Planning & Development Regulations, 2001 (as amended).

The existing access to the field is located on the N71 and may need the approval of Transport Infrastructure Ireland for any intensification of use in this instance. Adequate sight distance is not apparent and the development as proposed would be de-exempted under Article 9(1)(a)(iii) of the Planning & Development Regulations, 2001 (as amended).

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. WCP11728, in respect of €80.00 fee, is issued herewith.

Yours faithfully,

KEVIN O'REGAN
SENIOR EXECUTIVE OFFICER

Cork County Council – Norton House – Skibbereen

Declaration on exempted development D/26/23

Location: Ardura Beg, Ballydehob

Development: Cattle house

The applicant is seeking a declaration of exempted development for the construction of a Cattle house with slatted unit.

In terms of the planning and development regulations 2001 the following exemption class is relevant.



Agricultural structures

CLASS 6 (Planning and development regulations 2001).

Description of development	Conditions and limitations
Works consisting of the provision of a roofed structure for the housing of cattle, sheep, goats, donkeys, horses, deer or rabbits having a gross floor space not exceeding 200sqm (whether or not by extension of an existing structure), and any ancillary provision for effluent storage.	<ol style="list-style-type: none">1. No such structure shall be used for any purpose other than the purpose of agriculture.2. The gross floor space of such structure together with any other such structures situated within the same farmyard complex or within 100m of that complex shall not exceed 300sqm gross floor space in aggregate.

	<ol style="list-style-type: none"> 3. Effluent storage facilities adequate to serve the structure having regard to its size, use and location shall be constructed in line with department of agriculture, food and rural development and department of the Environment and local government requirements and shall have regard to the need to avoid water pollution. 4. No such structure shall be situated, and no effluent from such structure shall be stored, within 10m of any public road. 5. No such structure within 100m of any public road shall exceed 8m in height. 6. No such structure shall be situated, and no effluent from such structure shall be stored, within 100m of any house (other than the house of the person providing the structure) or other residential building or school, hospital, church or building used for public assembly, save with the consent in writing of the owner and, as may be appropriate the occupier or person in charge thereof. 7. No unpainted metal sheeting shall be used for roofing or on the external finish of the structure.
--	--

I have examined the documentation submitted and discussed the development with the Area Engineer who is not satisfied with the road entrance and traffic safety issues are therefore apparent.

The existing access to the field is located on the N71 and may need the approval of Transport Infrastructure Ireland for any intensification of use in this instance. Adequate sight distance is not apparent and the development as proposed would be de-exempted under the following section of the regulations.

Planning and Development Regulations 2001 -2022 Section 9 (1) (iii) Endanger public safety by reason of traffic hazard or obstruction to road users.

The applicant should therefore be informed that the Planning Authority do not consider the proposal to be exempted development under the current Planning and Development Regulations 2001 (as amended).

Sean Taylor
Executive Planner



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
 1.5 JUN 2023
 CORK COUNTY COUNCIL
 NORTON HOUSE, SKIBBEREEN, Co. CORK P81 AT28

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)

AIDAN COUGHLAN

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

ARDURA BEG
BALLYDEHOB

3. QUESTION/DECLARATION DETAILS:

Please state the specific question for which a Declaration of Exemption is sought

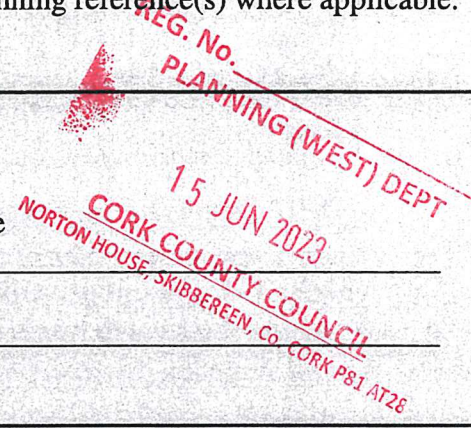
Note: Only works listed and described under this section will be assessed under the Section 5 Declaration of Exemption

CONSTRUCT A CATTLE HOUSE WITH
SLATTED SLURRY TANK.

REG. NO. / PLANNING (WEST) DEPT
15 JUN 2023
CORK COUNTY COUNCIL
NORTON HOUSE, SKIBBEREEN, Co. CORK P81 AT28

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 = 73 m ² ← CATTLE HANDLING YARD PROPOSED = 198 m 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 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):

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 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)	Aidan Caughlan.
Date	10-6-2023

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

REG. No. _____
 PLANNING (WEST) DEPT
 15 JUN 2023
 CORK COUNTY COUNCIL
 NORTON HOUSE, SKIBBEREEN, Co. CORK P81 AT28

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)	Liam O Donovan
Date	15-6-2023

REG. No. _____
15 JUN 2023
CORK COUNTY COUNCIL
NORTON HOUSE, SKIBBEREEN, Co. CORK P81 AT28
PLANNING (WEST) DEPT

FARM STRUCTURES LIST

Class 6

Class 8

Class 9

Roofed structures for housing cattle sheep, horses and deer.

Roofless cubicles, open loose yards, Silos, Milking parlour, holding yards,

Storage buildings, Sheds, Glass houses, Clean yards

Pl. No.	Type of structure	Animal Type	Animal No.s	Discharge to Pl. No.	Length metres	Width metres	Square metres	Pl. No.	Type of structure	Discharge to Pl. No.	Length metres	Width metres	Square metres	Pl. No.	Type of structure	Length metres	Width metres	Square metres
1	CATTLE HANDLING YARD			/	10.4	7.0	73											
Total area													73					

Proposed new structures																		
Pl. No.	Type of structure	Animal Type	Animal No.s	Discharge to Pl. No.	Length metres	Width metres	Square metres	Pl. No.	Type of structure	Discharge to Pl. No.	Length metres	Width metres	Square metres	Pl. No.	Type of structure	Length metres	Width metres	Square metres
2	CATTLE HOUSE	6-18 mts	40	2a	19.2	10.3	198											
Total area													198					

Existing slurry and soiled water stores						
Pl. No.	Type of structure	Length metres	Width metres	Depth metres	Cubic metres	Total Volume

Proposed slurry and soiled water stores						
Pl. No.	Type of structure	Length metres	Width metres	Depth metres	Cubic metres	Total Volume
2(a)	SLATTED SLURRY TANK	22.0	4.1	2.4	216	

Applicant: AIDAN COUGHLAN

Signed: Liam O'Riordan

Date: 12-6-2023

Site Location Map



Tailte Éireann

CENTRE COORDINATES:
ITM: 301980, 556330

PUBLISHED:
14/06/2023

ORDER NO.:
50340513_1

MAP SERIES:
6 inch Raster

MAP SHEETS:
CK140

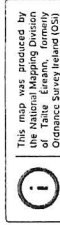
COMPILED AND PUBLISHED BY:
National Mapping Division of
Tailte Éireann
Planning Park,
Plandubh,
Dublin 15,
Ireland.
D08F8E4
www.tailte.ie

PLANNING (WEST) DEPT
NORTON HOUSE, SKELDON ROAD, DUBLIN 15
5 JUN 2023

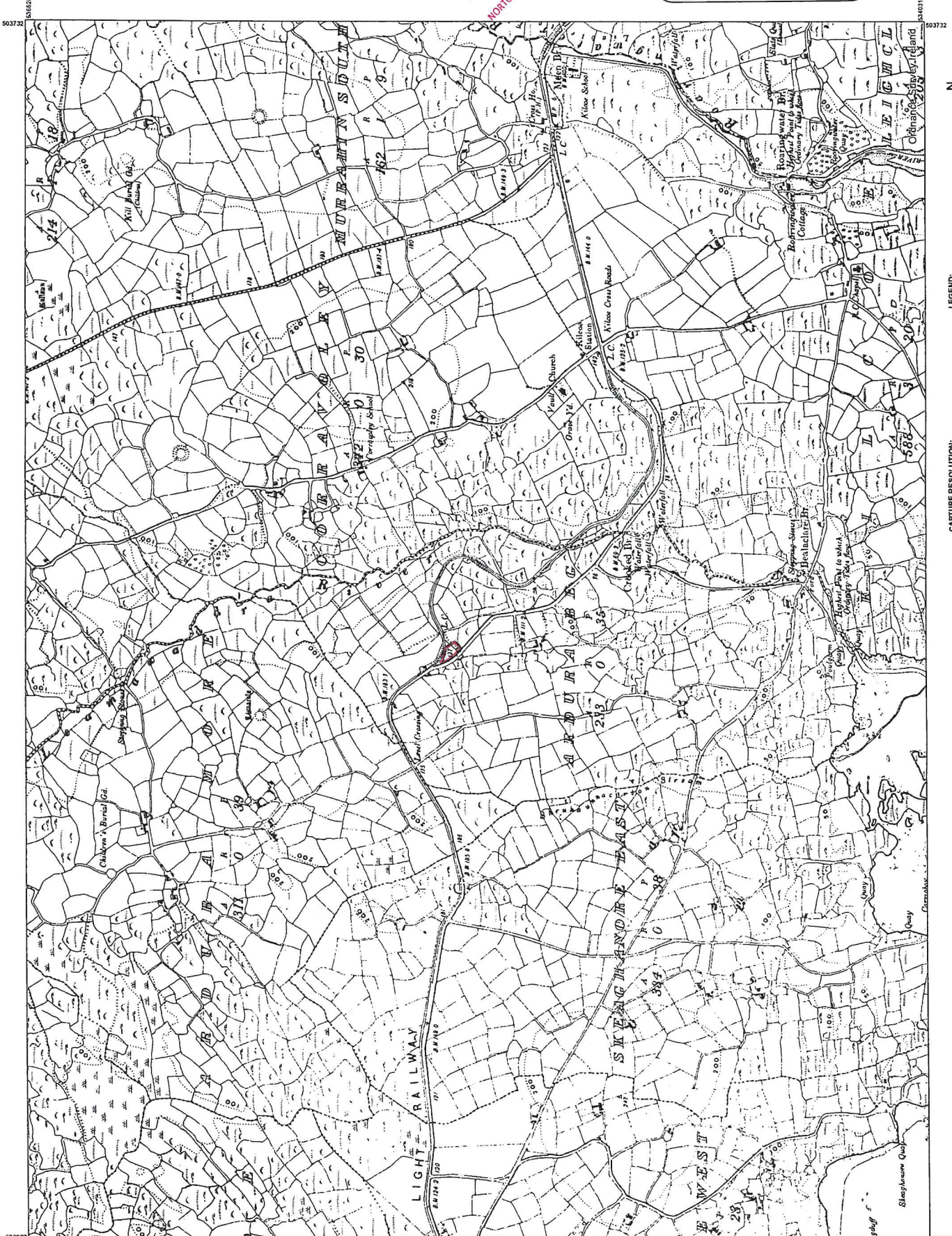
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South View Designs 14 (202) 843081 Ardara View House, South View House, Rosanore, Clonsilla.	
SITE LOCATION MAP	
Scale	1:10,560
Applicant	Mr Aidan Coughlan
Location of site	Ardara Beg, Ballydehob
Proposed Development	Agricultural Building
Drawn by	Mr. Liam O Donovan, Eitech
OS Map No.	140
Date	12-6-2023



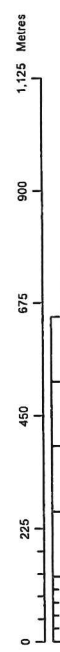
This map was produced by the National Mapping Division of Tailte Éireann, formerly Ordnance Survey Ireland (OSI)



LEGEND:
To view the legend visit:
www.tailte.ie
Large Scale Legend

CAPTURE RESOLUTION:
The map objects are only accurate to the
display resolution.
Output scale is not a true digital capture scale.
Further information is available at:
www.osi.ie, search 'Capture Resolution'

OUTPUT SCALE: 1:10,560



503732
503732
502277
502277

503732
503732
502277
502277

Planning Pack Map



**Tailte
Éireann**

**CENTRE
COORDINATES:**
ITM 501980.535330

PUBLISHED:
14/06/2023

ORDER NO.:
50340513_1

MAP SERIES:
1:5,000

MAP SHEETS:
6763

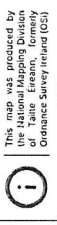
REG. NO. 15 JUN 2023
CORK COUNTY COUNCIL
PLANNING (WEST) DEP.

COMPILED AND PUBLISHED BY:

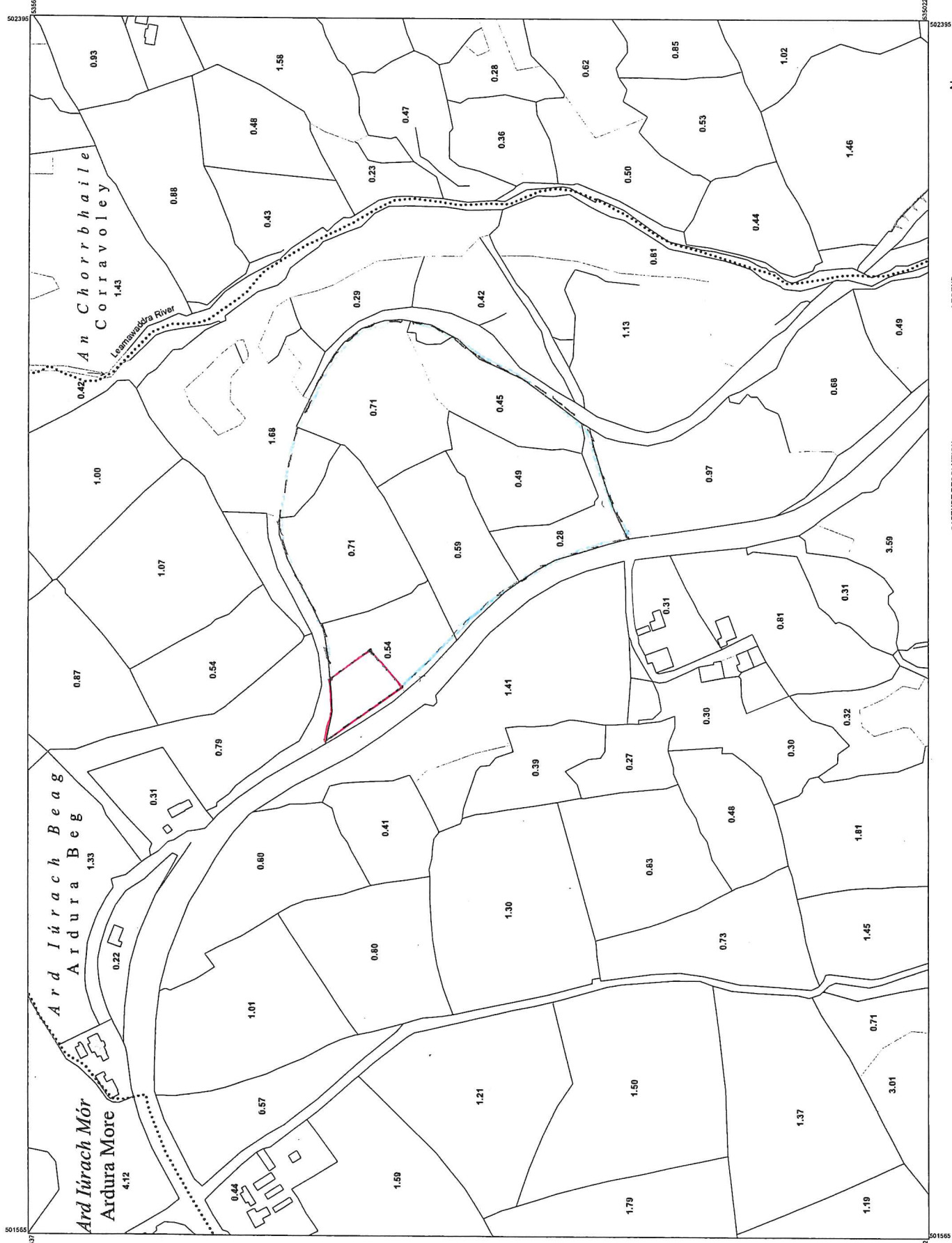
National Mapping Division of
Tailte Éireann,
Phoenix Park,
Dublin 8,
Ireland.
D08F6E22
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South View Designs Architectural Services, South View House, Rosmore, Clonsilla.	
14 (003) 88001 	
SITE LOCATION MAP	
Scale	1:2,500
Applicant	Mr Aidan Coughlan
Location of site	Ardura Beg, Ballydehob
Proposed Development	Agricultural Building
Drawn by	Mr. Liam O Donovall - ETEch.
OS Map No.	140
Date	12-6-2023



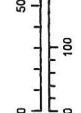
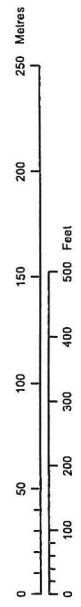
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of Tailte Éireann, formerly
Ordnance Survey Ireland (OSI)



LEGEND:
The legend key
www.tailte.ie and search for
"Large Scale Legend"

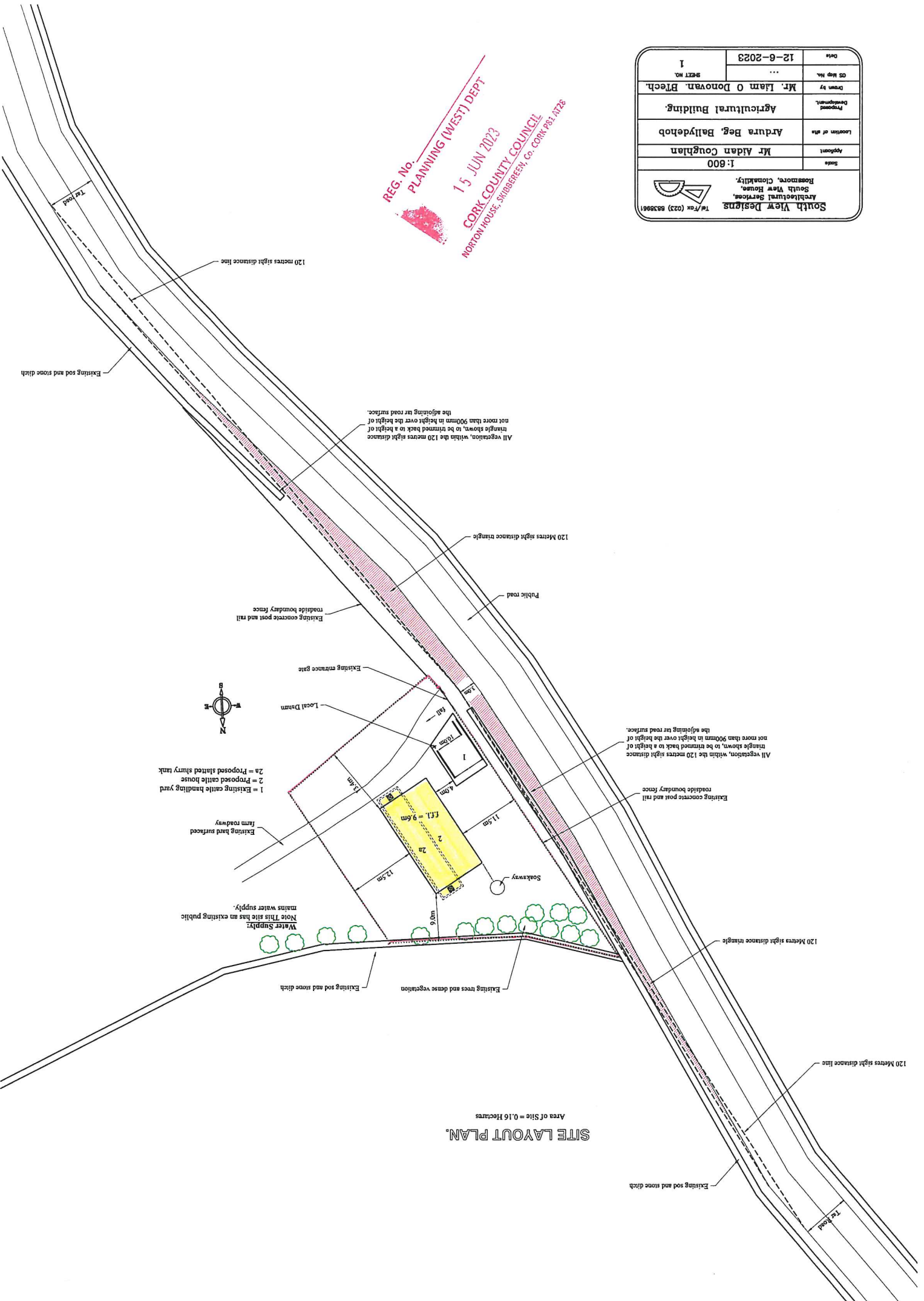
CAPTURE RESOLUTION:
Subjects to the
resolution at which they were captured.
Output scale is not indicative of data capture scale.
Further information is available at:
www.tailte.ie; search "Capture Resolution"

OUTPUT SCALE: 1:2,500



Date	12-6-2023
CS Map No.	...
Drawn by	Mr. Liam O'Donovan, B.Tech.
Prepared	Agricultural Building.
Location of site	Ardrara Beg, Ballydehob
Applicant	Mr Aidan Coughlan
Scale	1:600
South View Designs Architectural Services, South View House, Rossmore, Clonakilly, Tel/Fax (022) 682981	

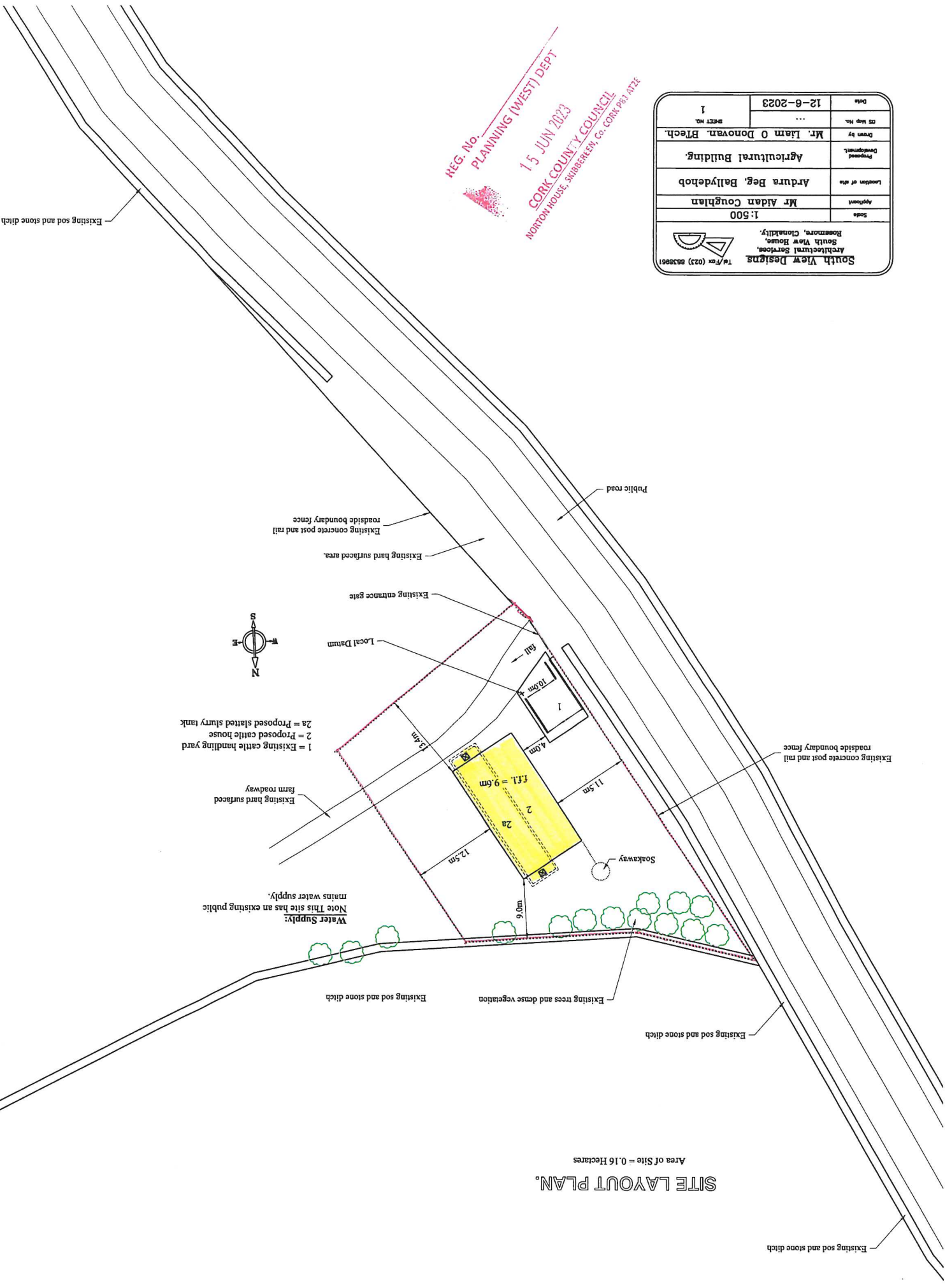
REG. No. **PLANNING (WEST) DEPT**
15 JUN 2023
CORK COUNTY COUNCIL
 NOTION HOUSE, SKIBBEREEN, Co. CORK P81, A128



SITE LAYOUT PLAN.
 Area of Site = 0.16 Hectares

REG. No. PLANNING (WEST) DEPT
 15 JUN 2023
 CORK COUNTY COUNCIL
 MOLLION HOUSE, SARRISKEN, CO. CORK, P24 1A2E

Date	12-6-2023
CS Map No.	...
Drawn by	Mr. Liam O Donovan, B.Tech.
Proposed Development	Agricultural Building
Location of site	Ardara Beg, Ballydehob
Applicant	Mr Aidan Coughlan
Scale	1:500
South View Designs Architectural Services, South View House, Rossmore, Clonaldi. T/Fax (023) 8638861	

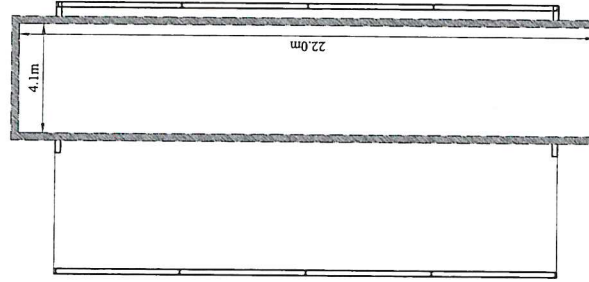
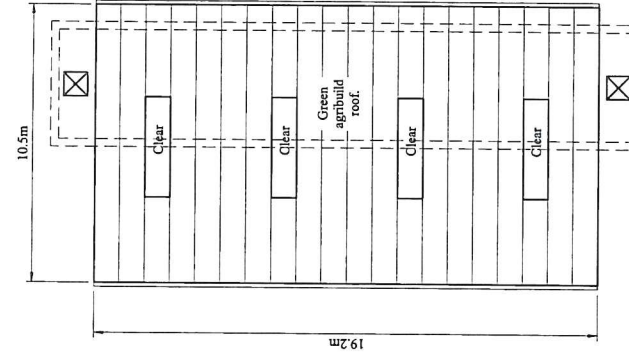
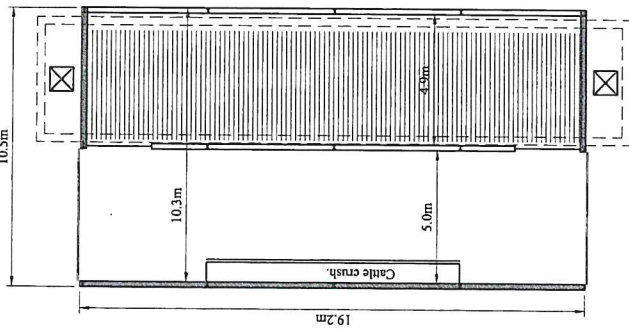
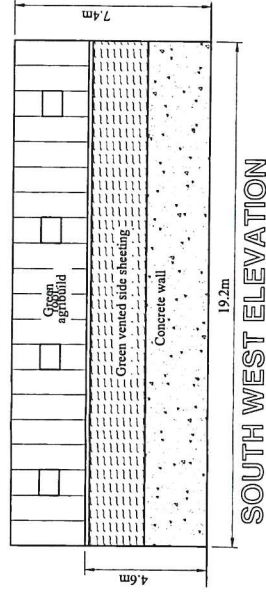
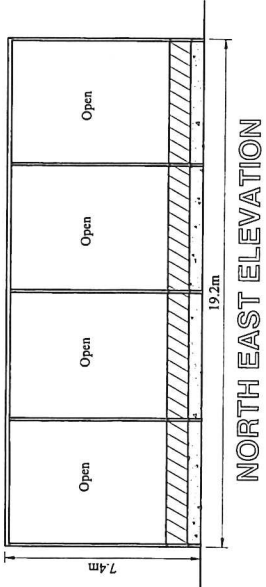


1 = Existing cattle handling yard
 2 = Proposed cattle house
 2a = Proposed slatted slurry tank

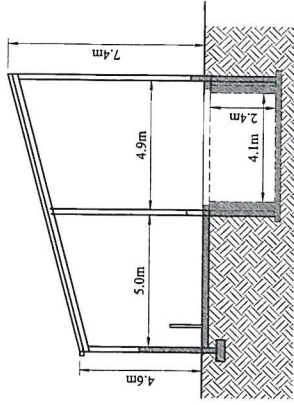
Water Supply:
 Note This site has an existing public mains water supply.

SITE LAYOUT PLAN.
 Area of Site = 0.16 Hectares

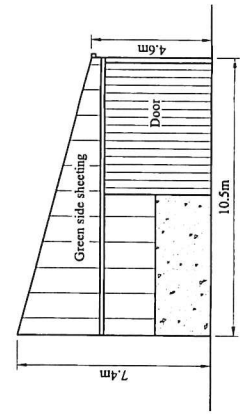
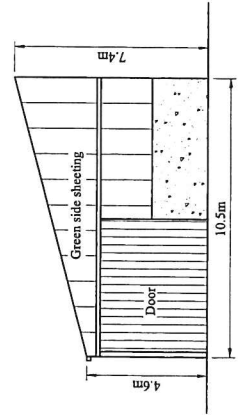
PROPOSED CATTLE HOUSE WITH SLATTED SLURRY TANK.



VERTICAL SECTION




REG. No.
 PLANNING (WEST) DEPT
 15 JUN 2023
 CORK COUNTY COUNCIL
 NORTON HOUSE, SHIBBEREEN, Co. CORK P91, A726



FLOOR PLAN

ROOF PLAN

TANK DETAIL

South View Designs Architectural Services, South View House, Rossmore, Clonsilla.		Tel/Fax (021) 833994 
Scale	1:200	
Applicant	Mr Aidan Coughlan	
Location or site	Ardura Beg, Ballydehob	
Proposed Development	Agricultural Building.	
Drawn by	Mr. Liam O Donovan. B.Tech.	
CR Map No.	...	SHEET no. 3
Date	12-6-2023	

SOUTH EAST ELEVATION

NORTH WEST ELEVATION