

Comhairle Contae Chorcaí Cork County Council

Rannóg Pleanála, Teach Norton,
Bóthar Chorcaí, An Sciobairín,
Co. Chorcaí P81 AT28.
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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



Department of Education,
c/o John Cronin & Associates,
3a Westpoint Trade Centre,
Link Road,
Ballincollig,
Co. Cork.

13th September, 2023.

Our Ref: D/28/23.

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 on 18TH August, 2023 on behalf of Dept. of Education, the Planning Authority declares that the essential repair works to masonry boundary wall on the pedestrian footpath beside the N71 at Sacred Heart Secondary School, Clonakilty, Co. Cork is development which is *exempt 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. PLG42030, in respect of €80.00, is issued herewith.

Yours faithfully,


KEVIN O'REGAN
SENIOR EXECUTIVE OFFICER

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

D/28/23 - Sacred Heart Secondary School, Clonakilty

I note the submitted S.5 documentation and report of the Area Planner. As advised by the Area Planner, the subject site has a valid S.57 declaration under 20000055/SDEC1/2018 which provides for works to the building and the repair and/or replacement (where gone beyond reasonable repair) of boundary treatments (stone walls, cast and wrought iron railings).

I note the Conservation Officer has reviewed the proposed alterations/repairs to the wall and considers the work to be maintenance of the site which would not materially alter the wall or damage its heritage significance. I have also spoken to the Conservation Officer (13/09/23) who has no objection to the works proposed as part of the current S.5 declaration and who also noted that these works are also set out in the S.57 declaration.

On the basis of the advice of the Conservation Officer, the proposal would constitute exempted development under the provisions of Section 4(1)(h) of the Planning and Development Act, 2000 as amended, as the works would comprise of works for the maintenance, improvement or other alteration of any structure, being works which would 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. The proposal would also not materially affect the character of the protected structure, or any element of the structure which contributes to its special interest.

As there is no prohibition under planning legislation from seeking a S.5 for specific works where a S.57 declaration has already been issued and having regard to the advice from the Conservation Officer, I consider the proposed works to be development which is exempt development as the subject works would not materially affect the character of the protected structure, or any element of the structure which contributes to its special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest.

G.O'Mahony
Senior Planner
13/09/23

NAME OF APPLICANT: John Cronin & Associates on behalf of
Department of Education

ADDRESS OF DEVELOPMENT: Sacred Heart Secondary School, Clonakilty,
Co. Cork

DEVELOPMENT: essential repair works to a partially
collapsed portion of masonry boundary wall
on the pedestrian footpath beside the N71

APPLICATION TYPE:- Exempted Development

Assessment

The proposed development as described in the application form, and with consultation from the Conservation officer should actually be applying for a section 57 declaration application and not a section 5 exemption certificate

On consultation with the Conservation officer and a check of our own records the following is noted

A previous declaration no 20000055/SDEC1/2018 was sought which covered works to the building and gave permission for, among other things, Repair and/or replacement (where gone beyond reasonable repair) of boundary treatments (stone walls, cast and wrought iron railings).

The Conservation Officer is of the opinion that the declaration previously sought and issued covers the proposed repairs to the wall as proposed in this section 5 exempted development certificate and they do not even need to issue another one.

Further to this the Conservation officer has requested that the applicants send in a before and after series of photos for the records.

Conclusion:

It is considered that the proposed works affect a protected structure and a section 5 exempted development certificate cannot be issued for the works.

However, it is considered that the proposed works have been previously covered in a section 57 Declaration issued by Cork County Council and I have attached a copy of same. For the applicant's records.

Kate Killian
Executive Planner

07/08/2023

CORK COUNTY COUNCIL
DIVISIONAL MANAGER'S ORDER

No: 148 /2018

Subject: Declaration in pursuance of Section 57 of the Planning & Development Acts, 2000 - 2010

Declaration No: 20000055/SDEC1/2018

Order: In pursuance of the Powers conferred on Cork County Council by Section 57 of the Planning & Development Acts, 2000 - 2010 and in accordance with the recommendations of the Director of Services (Planning), Mr. John O'Neill and the Conservation Officer, Ms. Mona Hallinan, I hereby decide that the attached Declaration shall be issued to:

Applicant: Department of Education and Skills,

Of: Portlaoise Road, Tullamore, Co. Offaly.

Re: Sacred Heart Secondary School, Convent of Mercy, Clonakilty, Co. Cork.


DIVISIONAL MANAGER

Dated this 9th day of April, 2018

Declaration

Pursuant to the Provisions of Section 57 of the
Local Government (Planning & Development) Act, 2000 - 2010

Declaration No: 20000055/SDEC1/2018

Address: Sacred Heart Secondary School, Convent of Mercy, Clonakilty, Co. Cork.

Works which would not affect the character of the Protected Structure:

1. Repair and/or replacement on a like for like basis of roof slates, ridge tiles, rainwater goods.
2. Repair and re-pointing of stonework with suitable lime render.
3. Replacement of cement render with appropriate lime render.
4. Repair and/or replacement (where gone beyond reasonable repair) on a like for like basis of windows/window frames.
5. Repair and/or replacement (where gone beyond reasonable repair) of timber joinery on a like for like basis. Timber joinery shall include doors, windows, floors, skirting's, staircase(s), conservatory, wainscoting, laths, roof members, or other fixtures and fittings.
6. Repair and/or replacement of (where gone beyond reasonable repair) on a like for like basis of decorative fixtures and fittings, which may include, terracotta tiles, cast iron brackets, fireplaces, glass fixtures, cast iron columns, brass fixtures, marble/stone furniture, etc.
7. Repair of lath and plaster ceilings.
8. Repair of historic plasterwork (cornice/covings etc) with compatible materials.
9. Chemical treatment of wet/dry rot, carried out by suitably qualified consultants.

10. Upgrading of services, whereon there is no requirement for the removal of historic fabric.
11. Repair and/or replacement (where gone beyond reasonable repair) of boundary treatments (stone walls, cast and wrought iron railings).
12. General renewal of roads/footpaths.
13. General up keep of gardens.

Works, which would affect the character of the Protected Structure.

1. All other works.

Dated this 9th day of April, 2018.


DIVISIONAL MANAGER



D/128/23

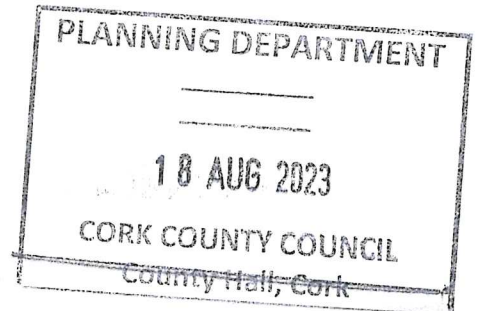
CORK COUNTY COUNCIL APPLICATION FOR SECTION 5 DECLARATION OF EXEMPTION

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"/>



FOR OFFICE USE ONLY

Receipt No.	P29 004 2030
Cash/Cheque/ Credit Card	CASH
Date	18/08/2023
Declaration Ref. No.	D/274/23

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.

REG. NO.
PLANNING (WEST) DEPT

18 AUG 2023

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.

CORK COUNTY COUNCIL
NORTON HOUSE, HILBEREEN, Co. CORK

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)

Department of Education
c/o John Cronin & Associates
3a Westpoint Trade Centre
Link Road,
Ballincollig, County Cork

REG. No. _____
PLANNING (WEST) DEPT

18 AUG 2023

CORK COUNTY COUNCIL
NORTON HOUSE, SKIBBEREN, CO. CORK

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

(N71 roadside boundary wall)
Sacred Heart Secondary School,
Clonakilty
County Cork

PLANNING DEPARTMENT

18 AUG 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

It is proposed to undertake essential repair works to a partially-collapsed portion of the masonry boundary wall along the

pedestrian footpath beside the N71. The wall has been repaired at various times since its original construction in the late

eighteenth or early nineteenth-century and is considered to form part of the effective curtilage of the convent school

premises, a protected structure listed within the current 2022-2028 Cork County Development Plan (RPS ID: 01536).

No alterations from the original form or scale of the historic wall are proposed with only essential repairs planned to reinstate a safe and effective boundary structure here.

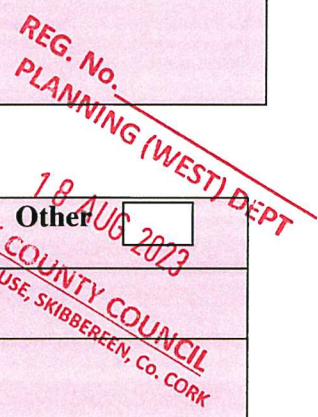
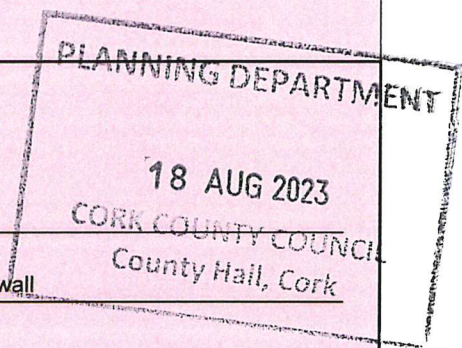
These repair and maintenance works are proposed to be undertaken in accordance with conservation best practice by an

experienced masonry contractor under the supervision of a suitable conservation consultant.

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):	n/a; repairs to free-standing boundary wall
(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 Property boundary wall	Proposed use Property boundary wall
(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:	<i>WPA</i>	
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 checked="" type="checkbox"/> No <input 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 checked="" 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:

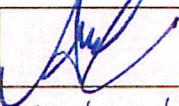
Would the proposed development require an appropriate assessment because it would be likely to have a significant effect on the integrity of a European site (SAC, SPA etc)? Yes No

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)	 SENIOR ARCHITECT, DEPT OF EDUCATION
Date	10/08/2023

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

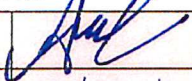
REG. No. _____
 PLANNING (WEST) DEPT
 18 AUG 2023
 CORK COUNTY COUNCIL
 NORTON HOUSE, SKIBBEREEN CO. CORK

PLANNING DEPARTMENT
 18 AUG 2023
 CORK COUNTY COUNCIL
 County Hall, 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	 SENIOR ARCHITECT, DEPT OF EDUCATION
Date	10/08/2023

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.

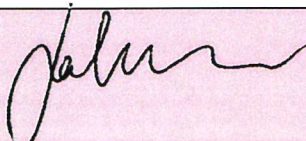
ADVISORY NOTES:

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	18/08/2023

REG. No
18/08/2023
PLANNING (WEST) DEPT
18 AUG 2023
CORK COUNTY COUNCIL
NORTON HOUSE, SKIBBEREEN, CO. CORK

PLANNING DEPARTMENT
18 AUG 2023
CORK COUNTY COUNCIL
County Hall, Cork

Site Location Map



Tailte Éireann

CENTRE COORDINATES:
ITM 539218.541839

PUBLISHED:
02/08/2023

ORDER NO.:
50349711_1

MAP SERIES:
6 inch Raster

MAP SHEETS:
CK135

PLANNING DEPARTMENT
18 AUG 2023
CORK COUNTY COUNCIL
County Hall, Cork

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National Mapping Division of
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18 AUG 2023

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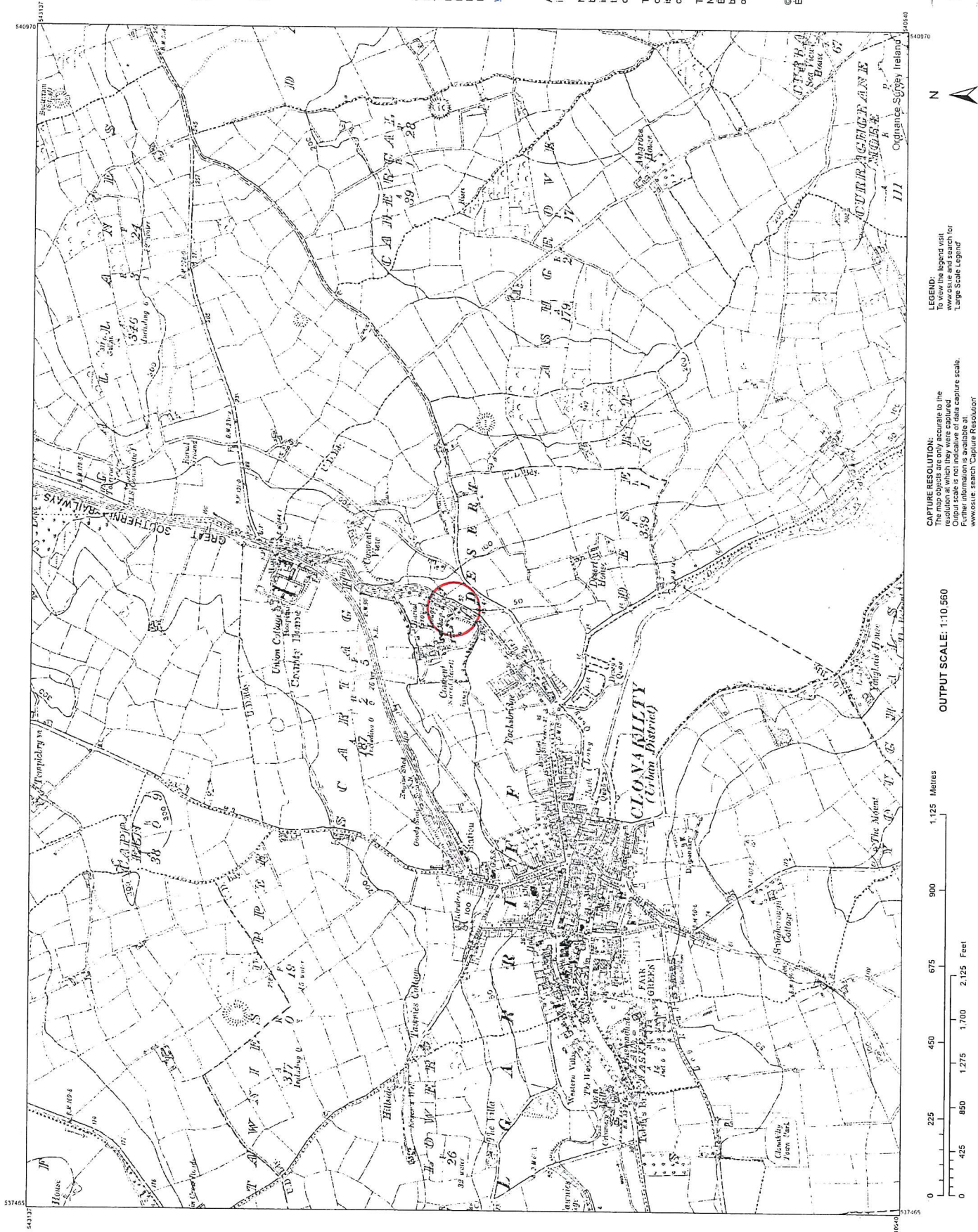
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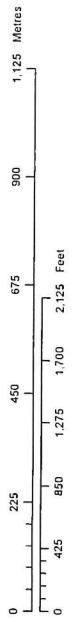
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Planning Pack Map



Tailte
Éireann

CENTRE COORDINATES:
ITM 539218.541839

PUBLISHED:
02/06/2023

ORDER NO.:
56348711_1

MAP SERIES:
1:1,000
1:2,500

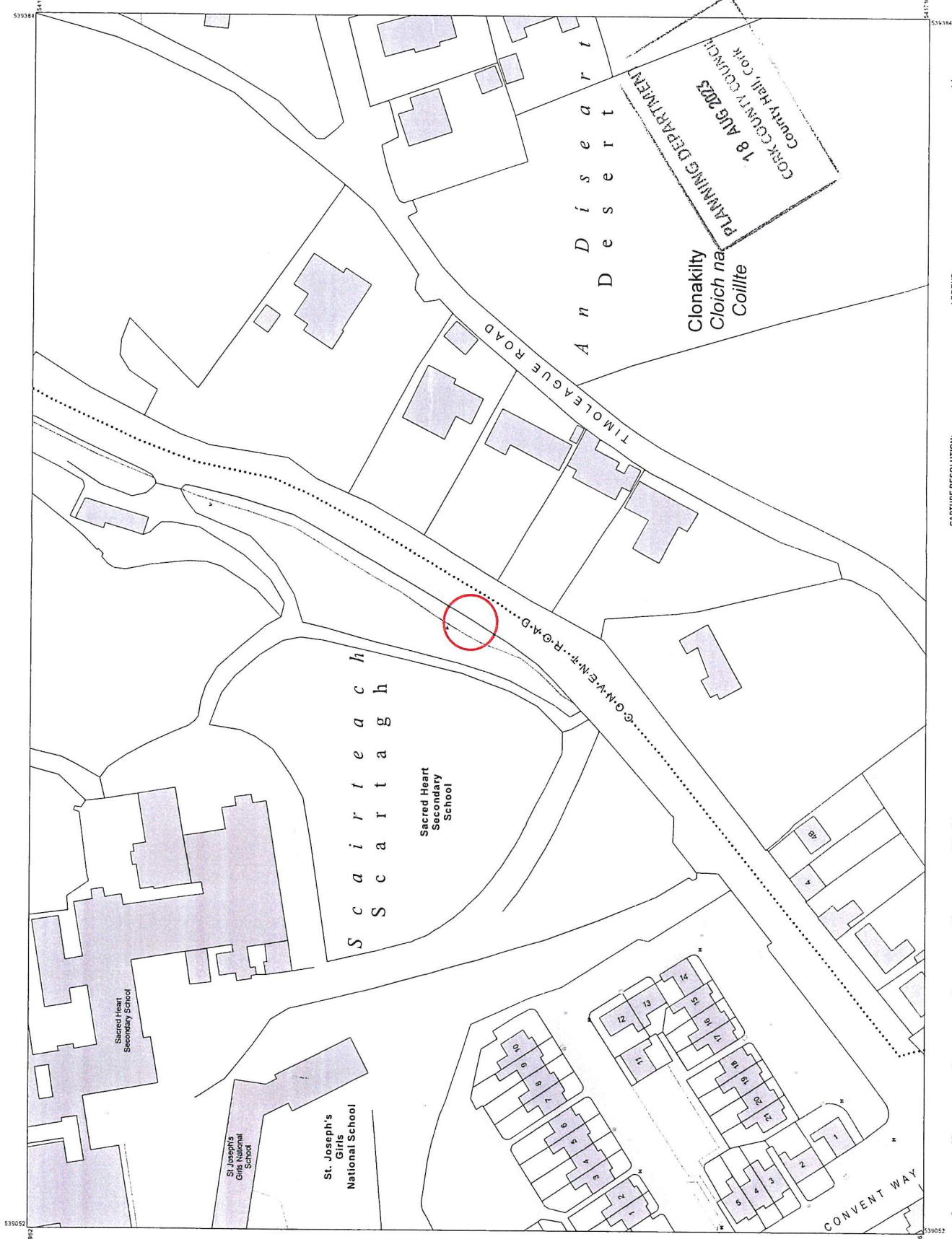
MAP SHEETS:
6720-14
6720-8

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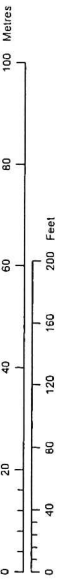
NORTHMOY HOUSE, SHIRBERENY, Co. COBK
COBK COUNTY COUNCIL
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LEGEND:
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Output scale is not indicative of capture scale.
Further information is available at
www.os.ie search 'Capture Resolution'

OUTPUT SCALE: 1:1,000



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 THE DRAWING TO BE READ WITH ALL OTHER DRAWINGS AND REPORTS
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EXISTING STONE TO BE REMOVED BACK TO
 REPAIR WALL ZONE

PLANNING DEPARTMENT
 18 AUG 2023
 CORK COUNTY COUNCIL
 County Hall, Cork

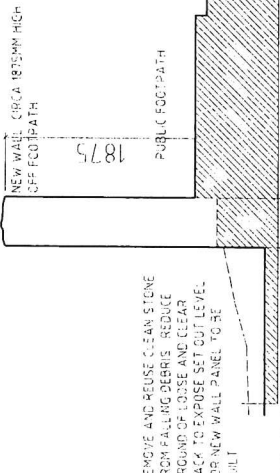
STANDING STONE CLIPPING DETAIL TO EXPAND THROUGH
 REPAIR WALL ZONE

TRIANGULAR REAR STONE
 OF UNKNOWN PURPOSE

EXISTING PUBLIC CONCRETE FOOTPATH CIRCA
 1970M WIDE AT BASE OF WALL MADE GOOD
 AFTER WORKS

PROPOSED SOUTH ELEVATION

STONE MATCH PATTERN FOR ILLUSTRATION ONLY
 UNCORRODED RANDOM RUBBLE TO BE USED TO REINSTATE THE
 WALL. SUBJECT TO METHOD STATEMENT AND ON SITE GUIDANCE



PROPOSED SECTION A-A

0 1M 5M

EXISTING COLLAPSED WALL SECTIONS TO BE
 DISMANTLED DOWN TO BELOW PATH LEVEL TO SOUND
 EVEN BASE
 NEW WALLING TO BE CONSTRUCTED AS INDICATED OFF
 LEVEL BASE AS PER ISSUED METHOD STATEMENTS BY
 JOHN CRONN ASSOCIATES

EXISTING TIMBER POSTS
 WALL ENDS DISMANTLED AND LEANED
 BACK READY FOR REBUILDING AND
 TYPING OF NEW WALLS TO EXISTING
 ENDS

REG. No.
 PLANNING (WEST) DEPT

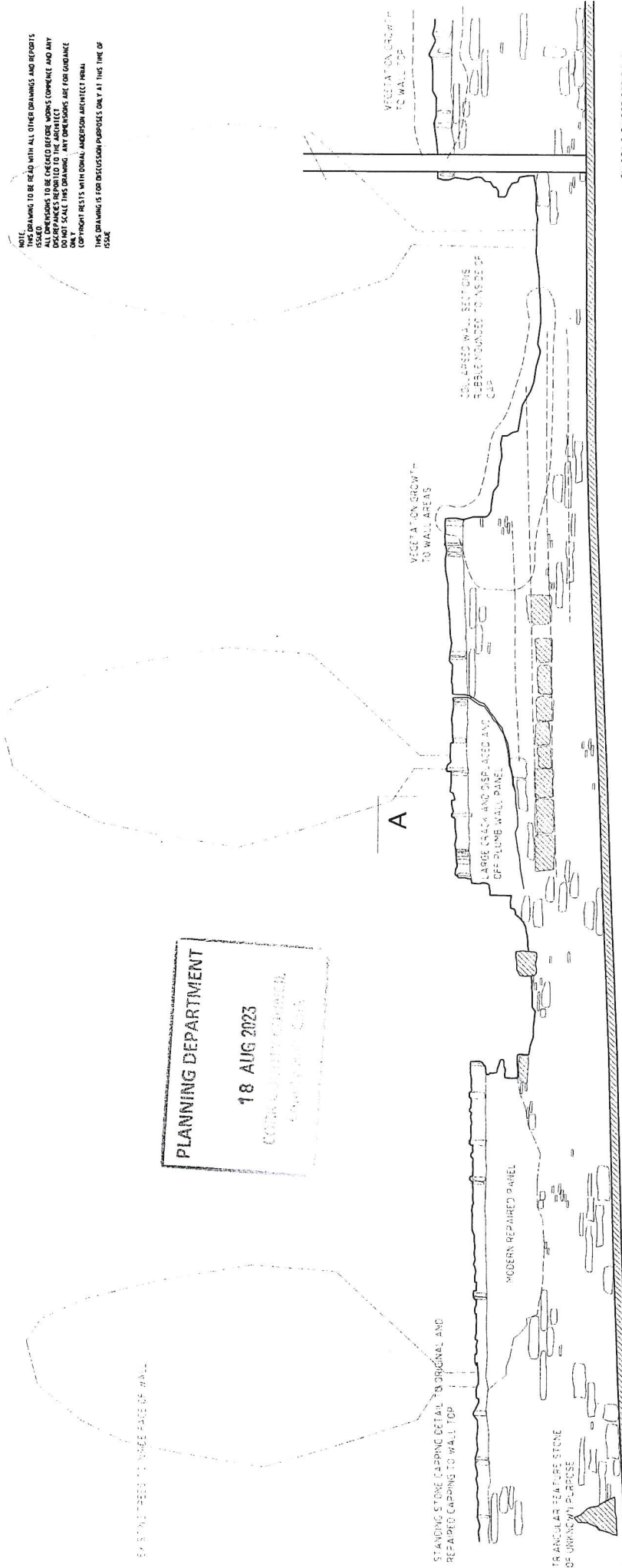
18 AUG 2023

CORK COUNTY COUNCIL
 NORTON HOUSE, SKIBBEREEN, Co. CORK

Donal Anderson Architect MR/IAI
 BALLINRISSEIG-BALLYGARVAN, CO. CORK, IRELAND PH: 01 871 488613
 CLIENT: SACRED HEART SECONDARY SCHOOL, CLOMANELLY
 DEPARTMENT OF EDUCATION
 PROJECT: REPAIRS TO SOUTHERN BOUNDARY WALL
 PROPOSED REINSTATED WALL
 SCALE: 1:50 DATE: 18/07/2023 DRG NO

RIAI	Registered Architect	2023	Architect Accredited in Conservation	G3

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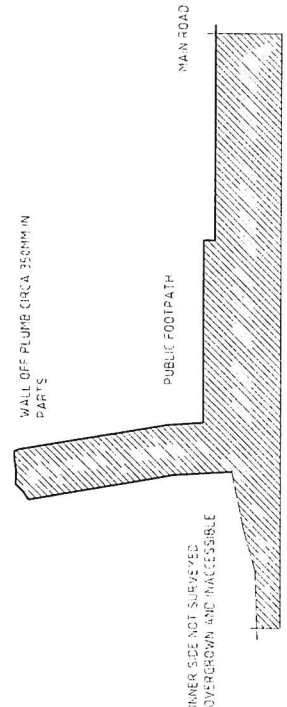


PLANNING DEPARTMENT
 18 AUG 2023
 CORK COUNTY COUNCIL
 NORTON HOUSE, SKIBBEREEN, Co. CORK

SUGGESTED COURSING REMAINING FROM ORIGINAL BOUND GENERAL WALL FACE APPEARS TO BE UNCOARSE RUBBLE IN SANDSTONE ON VARYING QUALITIES OF LIME MORTAR AND MODERN CEMENTS TO ADJACENT AREAS

SOUTH ELEVATION

STONE MATCH PATTERN FOR ILLUSTRATION ONLY NOT SURVEYED



SECTION A-A



RIAI
 Registered Architect 2023

Architect Accredited in Conservation G3

Donal Anderson Architect MRIAI
 BALLINRISSEIG, BALLYGURANK, CO. CORK, IRELAND PH & FX 021 4886511
 CLIENT: SACRED HEART SECONDARY SCHOOL, CLONAHILLY
 DEPARTMENT OF EDUCATION
 PROJECT: REPAIRS TO SOUTHERN BOUNDARY WALL

REG. NO. PLANNING (WEST) DEPT
 18 AUG 2023
 CORK COUNTY COUNCIL
 NORTON HOUSE, SKIBBEREEN, Co. CORK

Site Layout Plan

Prepared by John Cronin & Associates

