

Comhairle Contae Chorcaí Cork County Council

Pleanáil agus Forbairt,
Halla an Chontae,
Bóthar Charraig Ruacháin,
Corcaigh T12 R2NC.
Fón: (021) 4276891
R-phost: planninginfo@corkcoco.ie
Suíomh Gréasáin: www.corkcoco.ie
Planning & Development,
County Hall,



Veolia Environmental Services Technical Solutions Ltd.,
C/O Tony Dunlea,
MWP,
Park House,
Bessboro Road,
Blackrock,
Cork.
T12 X251

Carrigrohane Road, Cork T12 R2NC.
Tel (021) 4276891
Email: planninginfo@corkcoco.ie
Web: www.corkcoco.ie

8th July, 2024

REF: D/241/24
LOCATION: Corrin, Fermoy, Co. Cork P61 FD74.

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

Dear Sir/Madam,

On the basis of the information and plans submitted by you on the 13th June, 2024 the Planning Authority having considered whether the provision of 2 No. low level concrete bunds for storage of bulk storage tanks within an existing storage yard at **Veolia Environmental Services Technical Solutions Ltd (VESTS), Corrin, Fermoy Co. Cork P61 FD74** is or is not development and is or is not exempted development has declared that it is **exempted development**.

Reason for Decision

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

- The details submitted to the Planning Authority on the 13th June, 2024,
- Sections 2(1), 3(1), 4, and 5 of the Planning and Development Act (2000, as amended),
- The terms and conditions of PL 04.214359
- Articles 3, 6, 9 and Schedule 2, Part 1, Class 21 of the Planning and Development Regulations (2001, as amended).

And Whereas Cork County Council has concluded that –

The provision of 2 No. low level concrete bunds for storage of bulk storage tanks within an existing storage yard at **Veolia Environmental Services Technical Solutions Ltd, Corrin, Fermoy, Co. Cork is development and is exempted development.**



We are Cork.

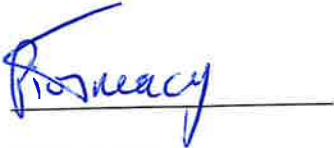
This exemption does NOT itself empower a person to carry out a development unless that person is legally entitled to do so.



Recycled

Please note that under Section 5 Subsection 3(a) where a declaration is issued under this section, any person issued with a declaration under subsection 2(a) may, on payment to the Board of such fee as may be prescribed, refer a declaration for review by the Board within 4 weeks of the date of the issuing of the declaration.

Yours faithfully,



PIO TREACY,
ADMINISTRATIVE OFFICER,
PLANNING DEPARTMENT

Reference Number	D 241/24
Applicant's Name	Veolia Environmental Services Technical Solutions Ltd. (VESTS)
Section 5 question	Whether the provision of 2 no. low level concrete bunds for storage of bulk storage tanks within an existing storage yard is or is not development and is or is not exempted development.
Location	Veolia Environmental Services Technical Solutions Ltd. (VESTS), Corrin, Fermoy, Co. Cork, P61 FD74.

Section 5 Request

MWP Consulting Engineers Ltd. on behalf of the applicants [Veolia Environmental Services Technical Solutions Ltd. (VESTS)] are requesting a declaration of exemption in accordance with Section 5 of the Planning and Development Act (2000, as amended), querying whether 2 no. low level concrete bunds for storage of bulk storage tanks within an existing storage yard at Veolia Environmental Services Technical Solutions Ltd. (VESTS), Corrin, Fermoy, Co. Cork, P61 FD74, is or is not development and is or is not exempted development.

Site Description

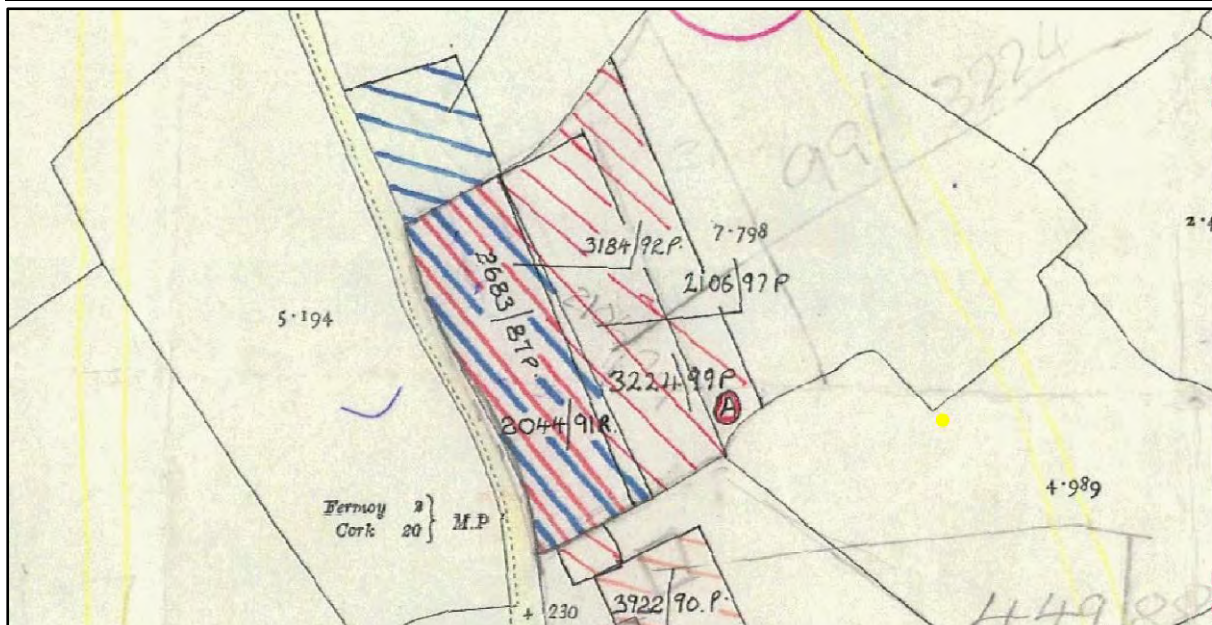
The subject site forms part of an established complex in use by Veolia Environmental Services Technical Solutions Ltd. (VESTS) who provide waste management services licensed by the EPA. The bunds in question are located towards the rear of the site adjacent to existing bund storage areas. The site is fully enclosed by walls/fencing with a mature tree line running along the rear boundary.

Planning History

Section 5 History

D 277/23 – determination that the provision of 2 no. bunds for storage of bulk storage tanks and 1 no. bund for storage of tank/ equipment within an existing storage yard at Veolia Environmental Services Technical Solutions Ltd. (VESTS), Corrin, Fermoy, Co. Cork is development and is not exempted development.

Site History



05/5029 – permission granted on appeal (ABP ref: PL 04.214359) to AVR Safeway Ltd for extension to chemical (prime and waste) storage building, staff amenities, bulk liquid storage bund and ancillary facilities. The proposed development comprises or is for the purposes of an activity in relation to which a Waste Licence is required.

03/6082 withdrawn outline application by South Coast Transport Ltd. for a car/truck parking and container handling facility including new access road, weighbridge and diesel pumps/storage.

99/3224 – permission granted following appeal (ABP ref: PL.04.112976) to South Coast Transport Ltd. for a shed over wash bays, relocation & extension of first aid/ equipment store/laboratory, weighbridge hut & extension to offices & car park.

97/2106 – permission granted to South Coast Transport Ltd. For the construction of transfer station waste chemicals warehouse and ancillary facilities.

92/3184 – permission granted for workshop and diesel storage unit.

91/2044 – permission refused for a truck store, workshop and diesel storage area.

87/2683 – permission granted for a lorry park.

Legislation Context

Planning and Development Act (2000, as amended)

Section 2 defines ‘works’ includes any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal and in relation to a protected structure or proposed protected structure, includes any act or operation involving the application or removal of plaster, paint, wallpaper, tiles, or other material to or from the surfaces of the interior or exterior of a structure.

Section 3 (1) of the Act states:

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

Section 4 of the Act sets out developments which shall be exempted development for the purposes of the Act.

Section 4(4) Notwithstanding..... any regulations under subsection (2), development shall not be exempted development if an environmental impact assessment or an appropriate assessment of the development is required.

Planning and Development Regulations (2001, as amended)

Section 5 (1) sets out definitions in the context of interpreting Exempted Development. Definitions of relevance to this case are set out below.

“*Industrial building*” means a structure (not being a shop, or a structure in or adjacent to and belonging to a quarry or mine) used for the carrying on of any industrial process;

“*industrial process*” means any process which is carried on in the course of trade or business, other than agriculture, and which is-

- (a) for or incidental to the making of any article or part of an article, or
- (b) for or incidental to the altering, repairing, ornamenting, finishing, cleaning, washing, packing, canning, adapting for sale, breaking up or demolition of any article, including the getting, dressing or treatment of minerals, and for the purposes of this paragraph, "article" includes-
 - (i) a vehicle, aircraft, ship or vessel, or
 - (ii) a sound recording, film, broadcast, cable programme, publication and computer program or other original database;

“*industrial undertaker*” means a person by whom an industrial process is carried on and “*industrial undertaking*” shall be construed accordingly;

Schedule 2, Part 1 of the Regulations sets out provisions in relation to *Exempted Development – General*.

<i>Description of Development</i>	<i>Conditions and Limitations</i>
CLASS 21	
<p>(a) Development of the following descriptions, carried out by an industrial undertaker on land occupied and used by such undertaker for the carrying on, and for the purposes of, any industrial process, or on land used as a dock, harbour or quay for the purposes of any industrial undertaking—</p> <ul style="list-style-type: none"> (i) the provision, rearrangement, replacement or maintenance of private ways or private railways, sidings or conveyors, (ii) the provision, rearrangement, replacement or maintenance of sewers, mains, pipes, cables or other apparatus, (iii) the installation or erection by way of addition or replacement of plant or machinery, or structures of the nature of plant or machinery. <p>(b) Any works for the provision within the curtilage of an industrial building of a hard surface to be used for the purposes of or in connection with the industrial process carried on in the building.</p>	<p>1. Any such development shall not materially alter the external appearance of the premises of the undertaking.</p> <p>2. The height of any plant or machinery, or any structure in the nature of plant or machinery, shall not exceed 15 metres above ground level or the height of the plant, machinery or structure replaced, whichever is the greater</p>

Article 6(1) of the Regulations states as follows:- *“(a) Subject to article 9, development consisting of a class specified in column 1 of Part 1 of Schedule 2 shall be exempted development for the purposes of the Act, provided that such development complies with the conditions and limitations specified in column 2 of the said Part 1 opposite the mention of that class in the said column 1.*

Article 9 sets out restrictions on exemption to which article 6 relates. It states that development to which article 6 relates shall not be exempted development for the purposes of the Act in a number of specific instances.

Article 9, S9(b)(1)

d) if it consists of the provision of, or modifications to, an establishment, and could have significant repercussions on major accident hazards.

Consultees

Health and Safety Authority (HSA) – discussed previous Section 5 proposal (ref: D277/23) with a HSA inspector on the 25/09/2023 who advised the complex is not a Seveso Site and is well under the threshold for Lower Tier designation.

EIA

Having reviewed the documentation submitted (including the points set out in the EIA Screening document I am satisfied that an EIA is not required having regard to the nature/scale of development proposed and relevant provisions set out under Schedules 5 and 7 of the Planning and Development Regulations (2001, as amended).

Appropriate Assessment

The subject site is located approximately 3.2km south of the River Blackwater SAC (Site Code 002170).

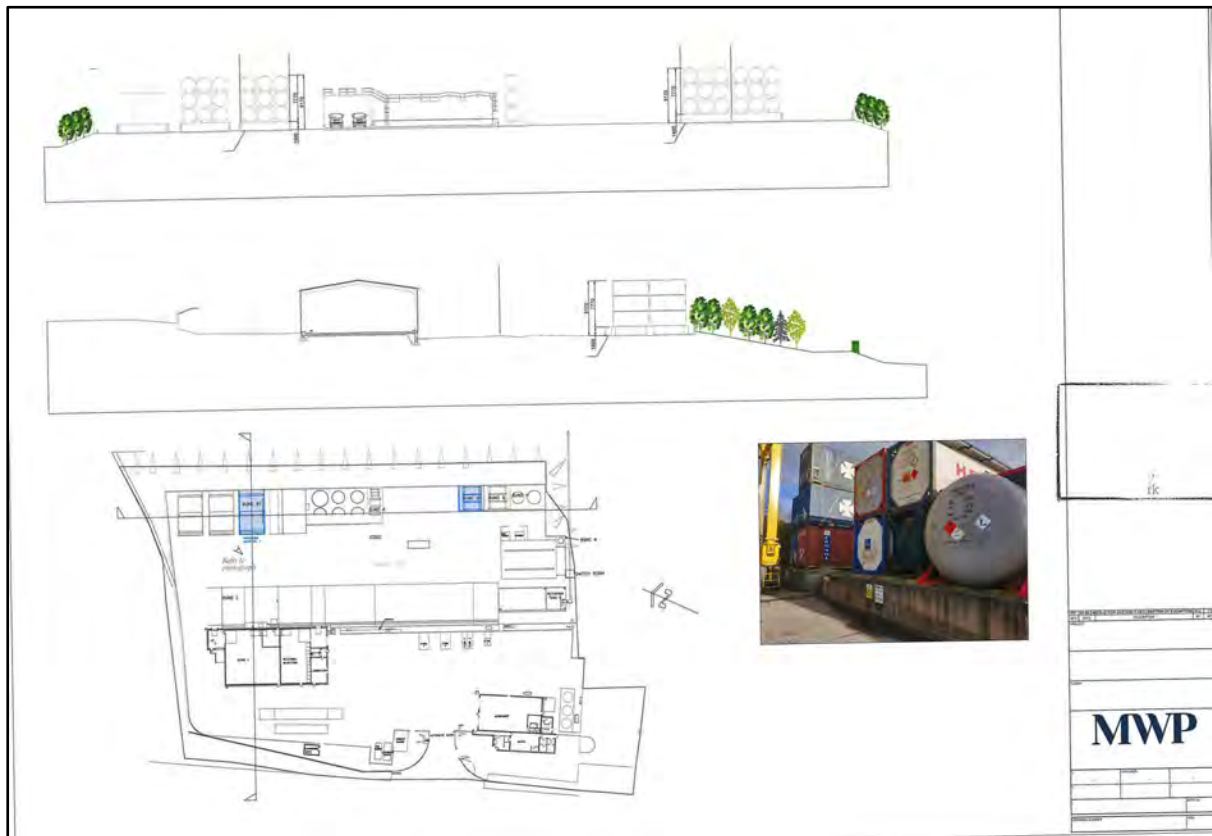
It is noted that no service connections are proposed as part of the development proposal and the site is licensed by the EPA. Having regard the nature, scale and location of the development I am satisfied that the proposed development would not affect the integrity of the Natura 2000 sites referred to and a Stage 2 AA is not required in this case.

Assessment

This Section 5 application is querying whether the provision of 2 no. low level concrete bunds for storage of bulk storage tanks within an existing storage yard is or is not development and is or is not exempted development at Veolia Environmental Services Technical Solutions Ltd. (VESTS), Corrin, Fermoy, Co. Cork, P61 FD74, is or is not development and is or is not exempted development.

Description of Proposed Works

The development proposal for which the Section 5 determination is sought relates to the proposed 2 no. low level concrete bunds for storage of bulk storage tanks within an existing storage yard.



Extract of Site Layout Plan, Section drawing and Photo of existing Bund on site submitted

In the documentation submitted it is stated that the proposed low level concrete bund/bulk storage tanks are the same height as and sited directly adjacent to existing bunds at the southern end of the site and do not materially alter the external appearance of the premises. Reference is also made to the omission of condition no. 2 from the final ABP decision which is therefore not relevant.

Confirmation is sought that the proposed low level bunds/bulk storage units are exempted development under Class 21 of the Planning and Development Regulations (2001, as amended).

Is the Proposal Development?

On the basis of the information submitted it is considered that the proposal amounts to 'works' as defined by Section 2 (1) of the Planning and Development Act (2000, as amended) and therefore it comes within the meaning of 'development' in accordance with Section 3 of the Planning and Development Act 2000 (as amended). The question at hand, therefore, is whether the development is exempted development.

Is the Proposal Exempted Development

It is considered that the key legislative provision for determining the query raised is set out under Schedule 2, Part 1, Class 21 of the Planning and Development Regulations (2001, as amended) as put forward by the applicant and referenced above.

Having regard to the nature of the processing/business being carried out by the applicants, as detailed in the application and following online research I am satisfied that the applicant can be deemed an “*industrial undertaker*” for the purposes of the legislation and the process involved (bulk storage) relates to an industrial undertaking. Furthermore, the proposed creation of a bunded area is in line with section (b) of Class 21 which facilitates “*provision within the curtilage of an industrial building of a hard surface to be used for the purposes of or in connection with the industrial process carried on in the building.*”

The scale and nature of the proposed extension is consistent with the existing tank farm/bund storage area and is not considered to materially alter the external appearance of the premises as per condition/limitation no. 1 of Class 21. Furthermore, the structures do not exceed the 15m height limitation (c.9.17m above ground level) and therefore also comply with the parameters of condition/limitation no. 2 of Class 21.

Therefore, having regard to nature of the development proposed and the relevant legislative definitions/parameters I am satisfied that the proposal comes within the scope of Schedule 2, Part 1, Class 21 of the Planning and Development Regulations (2001, as amended).

Restrictions on Exemption

I have reviewed the proposal against potential restrictions on exemption as set out under Article 9 of the Planning and Development Regulations (2001, as amended). The key relevant potential restrictions on exemption are discussed below.

Article 9, (1)(a)(i)

(i) contravene a condition attached to a permission under the Act or be inconsistent with any use specified in a permission under the Act,

The Planning Authority previously determined that the proposal materially contravened condition no. 2 of the most recent permission granted on site, Pl. Reg. No. 05/5029, which precludes the construction of any ancillary structures other than those permitted.

As set out in the application documentation this decision was appealed to An Bord Pleanála (ABP) and condition no. 2 was omitted from the final ABP decision (ABP ref: PL 04.214359). As such it is not relevant for consideration and there is no restriction on exemption for additional ancillary structures on site such as that proposed in the subject Section 5 application.

Article 9(1)(d)

d) if it consists of the provision of, or modifications to, an establishment, and could have significant repercussions on major accident hazards.

I have previously liaised with the relevant HSA Inspector who advised the complex is not a Seveso Site and is well under the threshold for Lower Tier designation. As such it is therefore concluded that there is no restriction on exemption having regard to Article 9, S9(b)(1) of the Regulations.

Recommendation

Accordingly, whereas a question has been raised regarding whether the provision of 2 no. low level concrete bunds for storage of bulk storage tanks within an existing storage yard is or is not development and is or is not exempted development at Veolia Environmental Services Technical Solutions Ltd. (VESTS), Corrin, Fermoy, Co. Cork, P61 FD74, is or is not development and is or is not exempted development and having had regard to:

- the details submitted to the Planning Authority on the 13/06/2024
- Sections 2 (1) 3(1), 4 and 5 of the Planning and Development Act (2000, as amended)
- the terms and conditions of PL 04.214359
- Articles 3, 6, 9 and Schedule 2, Part 1, Class 21 of the Planning and Development Regulations (2001, as amended)

it is concluded by the Planning Authority that:

the provision of 2 no. low level concrete bunds for storage of bulk storage tanks within an existing storage yard is or is not development and is or is not exempted development at Veolia Environmental Services Technical Solutions Ltd. (VESTS), Corrin, Fermoy, Co. Cork, P61 FD74, is **development** and is **exempted development**.

The Planning Authority had regard to the following:

- the details submitted to the Planning Authority on the 13/06/2024
- Sections 2 (1) 3(1), 4 and 5 of the Planning and Development Act (2000, as amended)
- the terms and conditions of PL 04.214359
- Articles 3, 6, 9 and Schedule 2, Part 1, Class 21 of the Planning and Development Regulations (2001, as amended)



John Lalor
Executive Planner
03/07/2024

SENIOR EXECUTIVE PLANNER RECOMMENDATION

- I agree with action recommended above.
- I agree with action recommended above subject to revisions noted in the body of the report.
- I disagree with recommendation; see alternative directions attached.

Senior Executive Planner

/07/ 2024

Ref: 24856-MWP-ZZ-XX-LT-Z-001

Date 11th June 2024

Cork County Council
Planning Department
County Hall
Cork



Re: Veolia Environmental Services Technical Solutions Ltd, Corrin, Fermoy, Co. Cork P61 FD74 –
Application for Section 5 – Declaration of Exemption for Provision of 2 no. low level concrete
bunds for storage of bulk storage tanks within an existing storage yard at Corrin, Fermoy, Co.
Cork

Dear Sir/Madam,

On behalf of Veolia Environmental Services Technical Solutions Ltd (VESTS), we submit the Section 5
Exemption Application as described above and please find attached the following
documentation/drawings:

- 4 No copies Proposed Site Location Plan (1:10560) 24856-MWP-ZZ-ST-DR-C-5101 Rev. P01
- 4 No copies Proposed Site Location Plan (1:2500) 24856-MWP-ZZ-ST-DR-C-5102 Rev. P01
- 4 No. copies Proposed Site Layout Plan/Site Section 24856-MWP-ZZ-ST-DR-C-5201 Rev. P01
- 4 No. copies Completed Application Form
- Application Fee €80.00 paid electronically by the Client (Remittance Ref. No. PLG0044606)

The undersigned has had discussions with Ms Louise Ahern and Mr John Lalor of Cork County Council
Planning Department. These discussions related to a previously unsuccessful Section 5 – Declaration of
Exemption submitted in 2023 (Ref No. D/277/23). Following discussions with the Planners we have
addressed the issues raised in the previous exemption application below as we are of the opinion that
the proposal meets the requirements of Schedule 2, Part 1, Class 21 of the Planning and Development
Regulations (2001, as amended).

ENGINEERING AND ENVIRONMENTAL CONSULTANTS

Directors Peter Fay BSc CEng MIEI MStructE FConsEI | Paul Collins BE CEng MIEI MStructE | John Lee BE HDipSHWW CEng FIEI |
Brian Sayers BE MSc CEng MIEI | Ian Brosnan BE CEng MIEI MICE MStructE
Associate Directors Ken Fitzgerald BSc Surv Dip CEcon PG Dip Planning EIA CZM | David Aherne BE CEng MIEI MCIBSE |
Tim Hurley BEng MEngSc CEng MIEI | Micheál Fenton BE CEng MIEI | Olivia Holmes BSc MSc CEng MIEI MCIWEM |
Caitriona Fox BA MSc

Registered in Ireland as Malachy Walsh & Company Limited
Company Registration Number 133445 VAT Number 4726135H
Registered Office Park House, Bessboro Road, Blackrock, Cork, Ireland



Exempted Development

Within the D/277/23 planning report under the above heading, it is noted

"The scale and nature of the proposed bunds and referenced bulk storage units have not been fully detailed by supporting drawings to enable a full assessment of the proposal relative to the scope of Class 21 of the Planning and Development Regulations (2001, as amended)"

We enclose Drawing No. 24856-MWP-ZZ-ST-DR-C-5201 with Site Cross Section in two directions which shows the existing low level concrete bunds/bulk storage tanks. The proposed low level concrete bund/bulk storage tank at the Southern end is the same height/type as the existing and is immediately adjacent to them. The proposed low level concrete bund/bulk storage tank at the Northern end is again the same height/type as adjacent low level concrete bund/bulk storage tanks either side. We believe that the attached drawing supports our argument regarding the proposal as being Exempt Development and that the proposed low level concrete bunds/bulk storage tanks do not materially alter the external appearance of the premises.


Restriction on Exemption

Within the D/277/23 planning report under the above heading Condition No. 2 of the Planning Reg. No. 05/5029 is quoted. This condition precludes the construction of ancillary structures other than those permitted. We note that Planning Reg No. 05/5029 was appealed to An Bord Pleanala (ABP) Ref No. PL04.214359, however Condition No. 2 was not included in the Final ABP decision to grant so it is not relevant.

In summary for the reasons outlined above, in our opinion the proposed low level concrete bunds/bulk storage tanks comply with the requirements of Schedule 2, Part 1, Class 21 of the Planning and Development Regulations (2001, as amended).

Should you have any queries or need more information, please contact the undersigned.

Yours faithfully,


 Tony Dunlea B. Eng C.Eng MIEI
 for MWP

Planning Department

13 JUN 2024

Cork County Council
 County Hall
 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:

✓
✓
✓
✓
✓
✓
✓

FOR OFFICE USE ONLY

Receipt No.	PL60044606
Cash/Cheque/ Credit Card	CASH
Date	11/6/24
Declaration Ref. No.	D/24/24

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.

13 JUN 2024
Cork County Council
County Hall
Cork.

1. NAME OF APPLICANT: (ADDRESS TO BE SUPPLIED AT QUESTION A – CONTACT DETAILS)

Veolia Environmental Services Technical Solutions Limited (VESTS)

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

Veolia Environmental Services Technical Solutions Limited (VESTS)
Corrin
Fermoy
Co. Cork
P61 FD74

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

Veolia Environmental Services Technical Solutions Limited (VESTS) want to provide two low level concrete bunds for storage of bulk storage tanks within an existing storage yard. The site is licenced with the EPA and the existing storage yard is a complete bunded area as the surface water goes to a holding tank. The proposed bunds will have low level walls. We require confirmation that the proposed low level concrete bund and bulk storage tanks are exempt development under Class 21 Planning Exemptions as they are in a permitted storage yard area at the rear of the site and would meet the criteria for exempt development. Please also refer to attached cover letter.

Planning Department

13 JUN 2024

Cork County Council
County Hall
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):	N/A Application for proposed bunds
(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: N/A Application for proposed bunds
(c) If a change of use of land and/or building(s) is proposed, please state the following: Existing/previous use _____ N/A Application for proposed bunds _____	Proposed use _____ N/A Application for proposed bunds _____
(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:	N/A Applicant is owner	
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):	N/A Applicant is owner	

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. _____ N/A _____		
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"/>

Planning Department
 15 JUN 2024
 Cork County Council
 County Hall
 Cork.

7. **APPROPRIATE ASSESSMENT:**


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

8. DATA PROTECTION DECLARATION:

In order for the Planning Authority to process the personal data you have provided, your consent is required. By ticking the box below, you consent to the Planning Authority processing the personal data provided by you in line with the terms of Cork County Council's Privacy Policy available at <http://www.corkcoco.ie/privacy-statement-cork-county-council> or in hardcopy from any Council office; and to having your information processed for the following purposes:

Processing of your Declaration of Exemption application by the Planning Authority

I give permission for my personal information to be processed for the purpose stated above

Signed (By Applicant Only)	
Date	10-Jun-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

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	N/A
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.

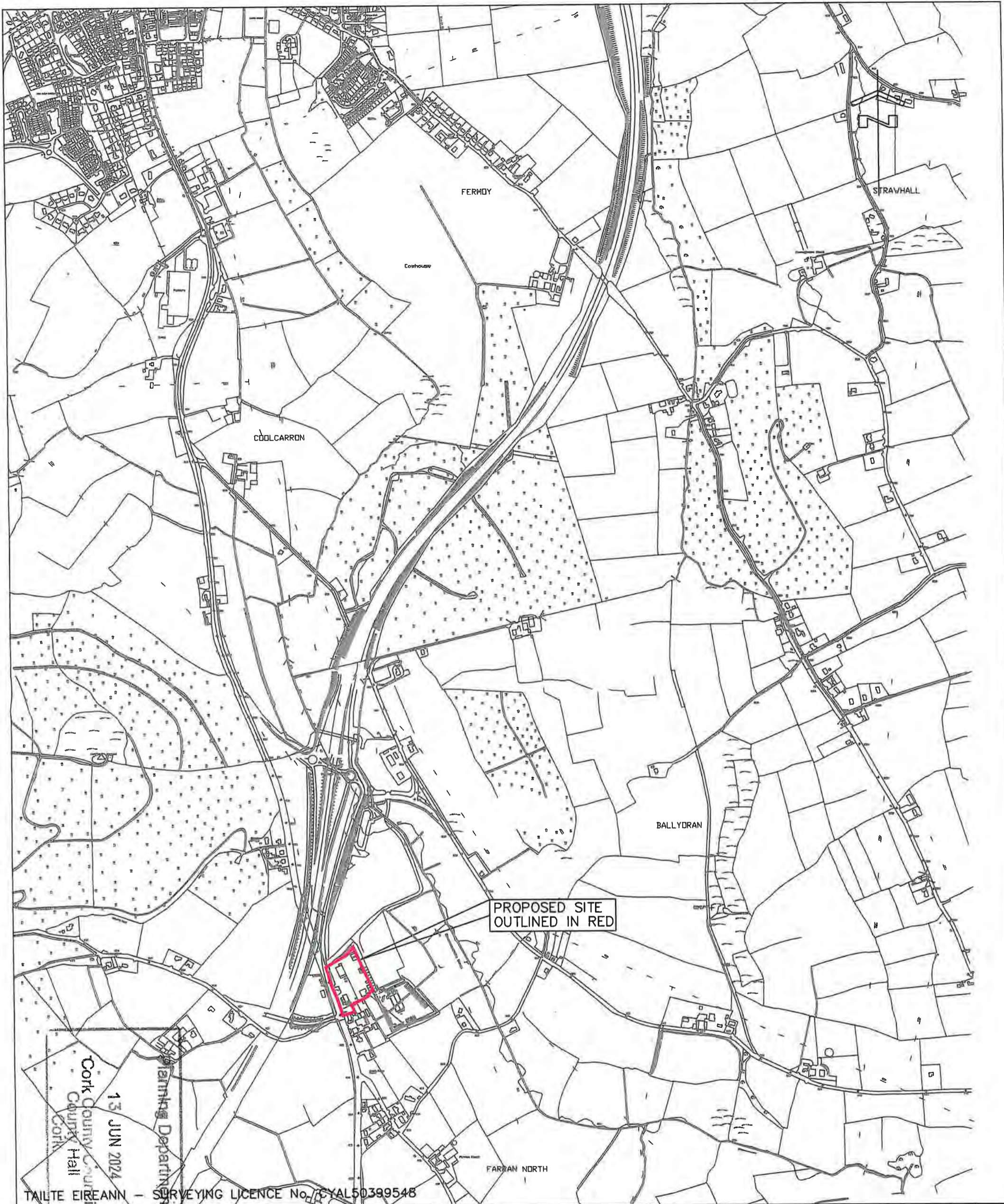
- The Planning Authority may require further information to be submitted to enable the authority to issue a decision on the Declaration of Exemption application.
- The Planning Authority may request other person(s), other than the applicant; to submit information on the question which has arisen and 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	10-Jun-2024

Planning Department
 13 JUN 2024
 Cork County Council
 County Hall
 Cork.



TAILTE EIREANN - SURVEYING LICENCE No. CYAL50399548

MWP

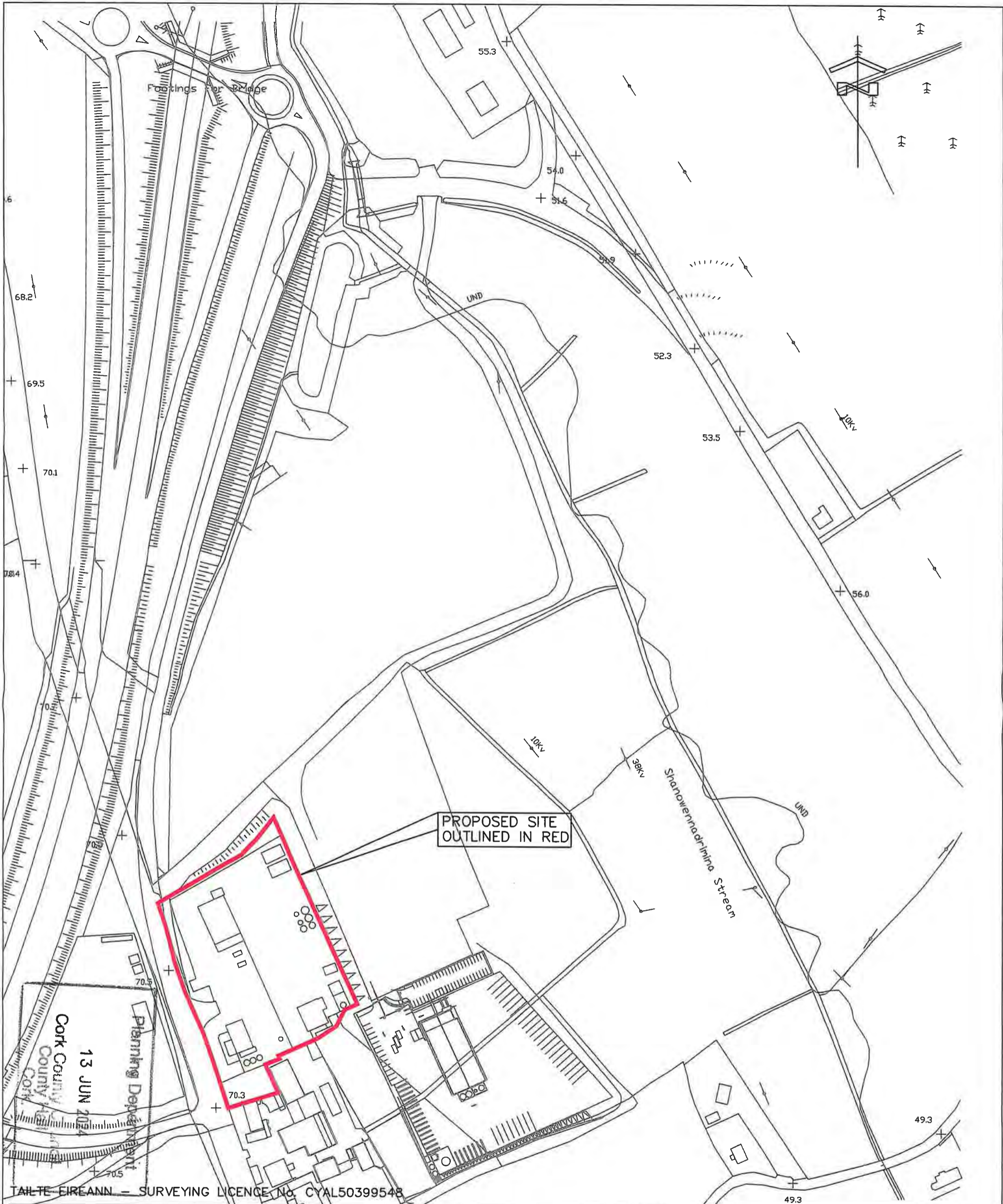
ENGINEERING AND ENVIRONMENTAL CONSULTANTS
 CORK TRALEE LONDON LIMERICK
 mwp.ie

PROJECT:
**PROPOSED SECTION 5 -
 DECLARATION OF EXEMPTION**

TITLE:
**PROPOSED SITE LOCATION PLAN
 (1:10560)**

CLIENT:
**VEOLIA ENVIRONMENTAL SERVICE
 TECHNICAL SOLUTIONS LTD
 (VESTS)**

P01	04.06.24	ISSUE FOR SECTION 5 DECLARATION OF EXEMPTION	R.C.	T.D.
REV	DATE	DESCRIPTION	BY	APP
DRAWN:		CHECKED:	APPROVED:	
R.C.		T.D.	T.D.	
PROJECT NUMBER:		DATE:	SCALE @ A3:	
24856		JUNE '24	1:10560	
STATUS DESCRIPTION			STATUS:	
FOR INFORMATION			S2	
DRAWING NUMBER:				REV:
24856 - MWP - ZZ - ST - DR - C - 5101				P01



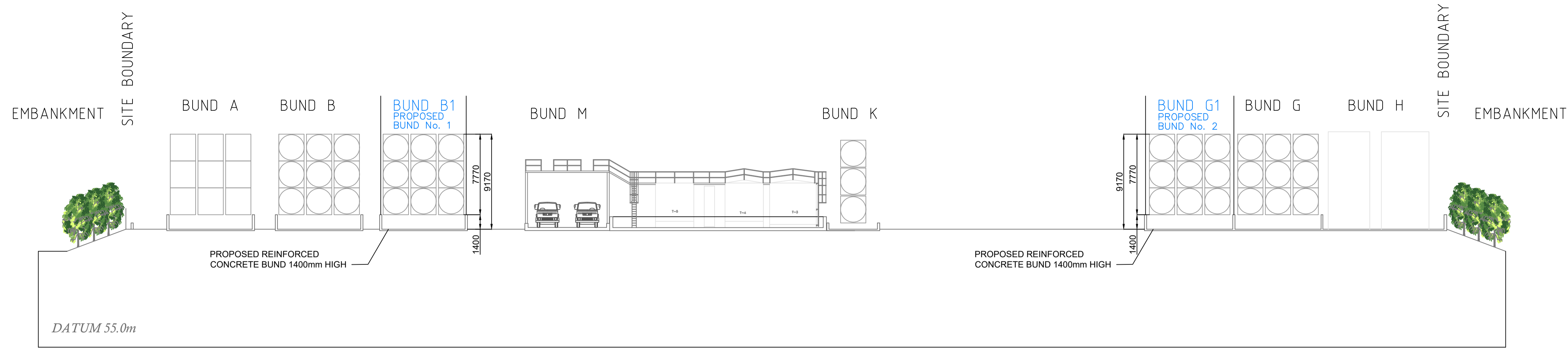
TAILTE ÉIREANN - SURVEYING LICENCE No. CYAL50399548

PROJECT:
**PROPOSED SECTION 5 -
 DECLARATION OF EXEMPTION**

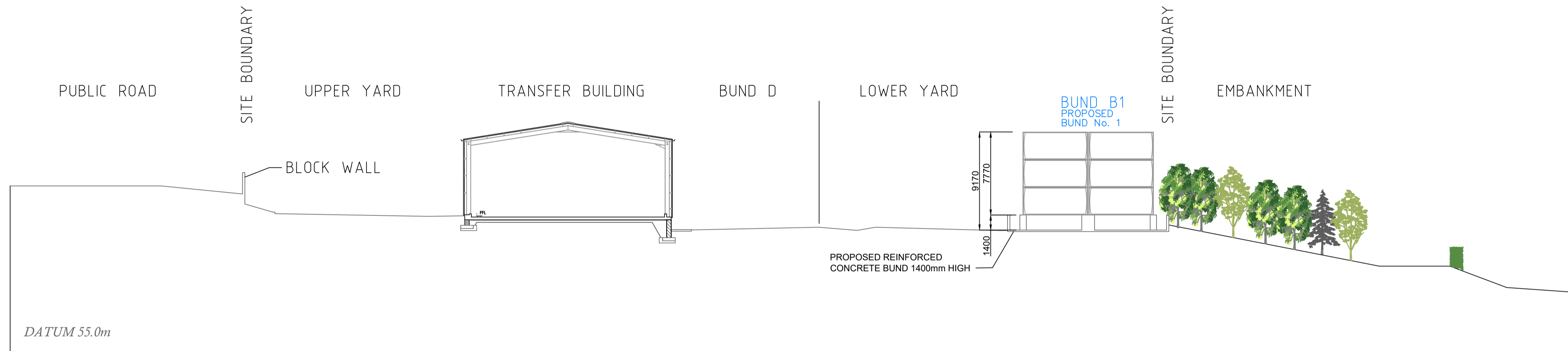
TITLE:
**PROPOSED SITE LOCATION PLAN
 (1:2500)**

CLIENT:
**VEOLIA ENVIRONMENTAL SERVICE
 TECHNICAL SOLUTIONS LTD
 (VESTS)**

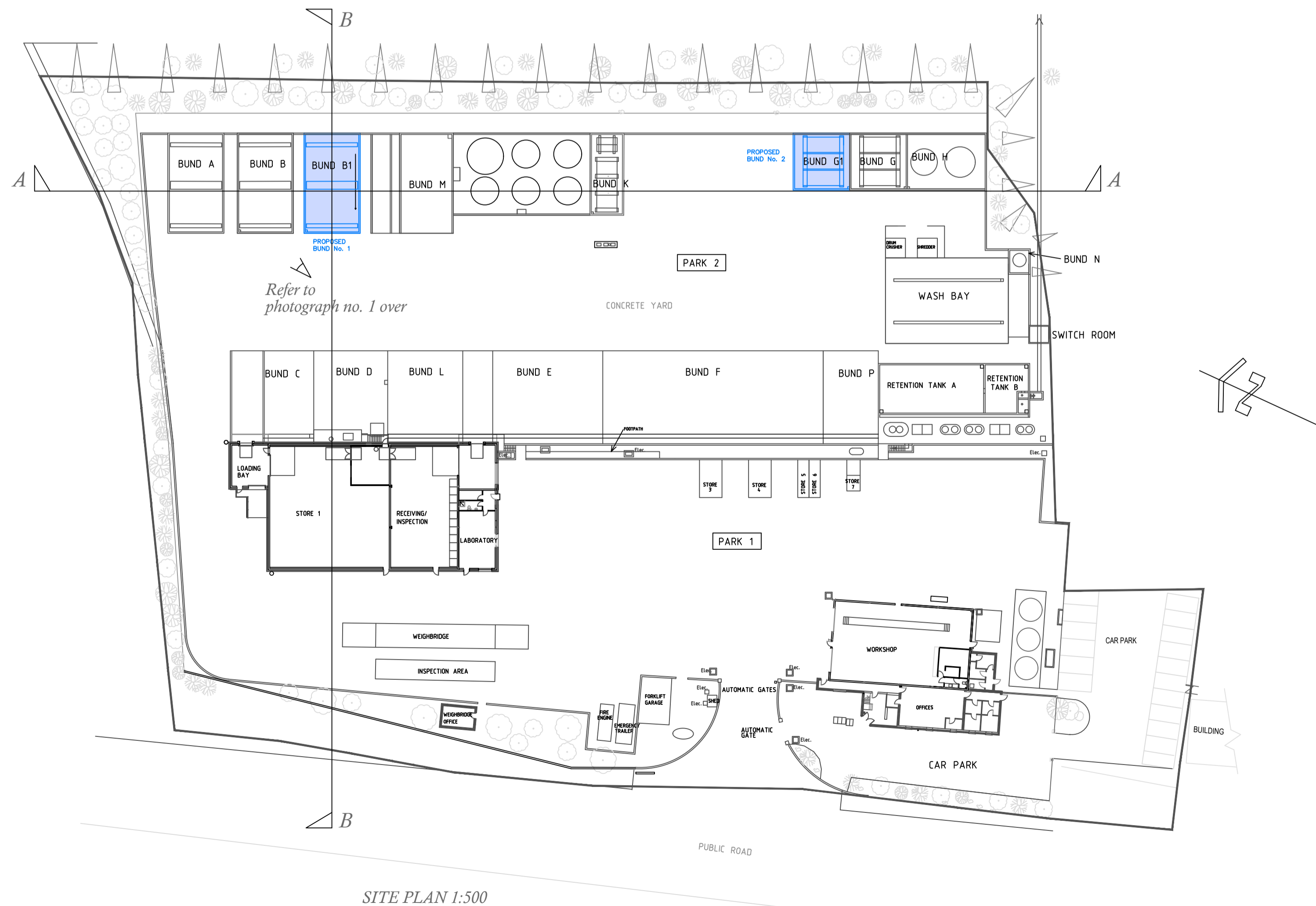
P01	04.06.24	ISSUE FOR SECTION 5 DECLARATION OF EXEMPTION	R.C.	T.D.
REV	DATE	DESCRIPTION	BY	APP
DRAWN:		CHECKED:	APPROVED:	
R.C.		T.D.	T.D.	
PROJECT NUMBER:		DATE:	SCALE @ A3:	
24856		JUNE '24	1:2500	
STATUS DESCRIPTION			STATUS:	
FOR INFORMATION			S2	
DRAWING NUMBER:				REV:
24856 - MWP - ZZ - ST - DR - C - 5102				P01



SECTION A-A



SECTION B-B



SITE PLAN 1:500



PHOTOGRAPH No 1, EXISTING BULK STORAGE TANKS BUND B
(See Site Plan over for photograph location)

P01 04.06.24 ISSUE FOR SECTION 5 DECLARATION OF EXEMPTION R.C. T.D.

REV	DATE	DESCRIPTION	BY	APP

PROJECT: PROPOSED SECTION 5 DECLARATION OF EXEMPTION

TITLE: SITE LAYOUT PLAN & SITE CROSS SECTIONS SHOWING STORAGE

CLIENT: VEOLIA ENVIRONMENTAL SERVICES TECHNICAL SOLUTIONS LTD (VESTS) IRELAND



DRAWN:	CHECKED:	APPROVED:
R.C.	T.D.	T.D.

PROJECT NUMBER:	DATE:	SCALE @ A1:
24856	JUNE '24	1:250

STATUS DESCRIPTION:	STATUS:
FOR INFORMATION	S2

DRAWING NUMBER:	REV:
24856 - MWP - ZZ - ZZ - DR - C - 5201	P01