

Comhairle Contae Chorcaí Cork County Council

Daire Lordan,
C/O Peadar Wade,
Eldar Grove,
Mogeely,
Castlemartyr,
Co. Cork
P25 YF84

9th December, 2024

REF: D/276/24
LOCATION: No. 14 Featherbed Lane, Sleveen, Kinsale, Co. Cork.

**RE: DECLARATION OF EXEMPTED DEVELOPMENT UNDER SECTION 5 OF THE
PLANNING & DEVELOPMENT ACT 2000 - 2010.**

Dear Sir,

On the basis of the information submitted by you on 16th September and 8th November, 2024 the Planning Authority, having considered whether the conversion of existing garage to a new bedroom including a new window instead of the existing garage door at **No. 14 Featherbed Lane, Sleveen, Kinsale, Co. Cork** is or is not development or 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:

- Schedule 2, Article 6, Part 1, Class 1 (Development within the curtilage of a house) of the Planning and Development Regulations 2001, as amended.
- Section 4(1) and 82(1) of the Planning and Development Act 2000, as amended.

And Whereas the Planning Authority hereby concludes that

The conversion of existing garage to a new bedroom including a new window instead of the existing garage door at **No. 14 Featherbed Lane, Sleveen, Kinsale, Co. Cork** constitutes **development and is exempted development**.

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

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

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



We are Cork.



Recycled

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.**

In order to process your query, it may be necessary for Cork County Council to collect Personal information from you. Such information will be processed in line with our privacy statement which is available to view at <https://www.corkcoco.ie/privacy-statement-cork-county-council>

5 December 2024

x5807

S.5 DECLARATION

APPLICANT: 14 Featherbed Lane, Sleveen, Kinsale, County Cork.

Your Ref: D24 276

Proposal

The proposal is for conversion of existing side garage (14.42 m²) to part of semi-detached two storey dwelling house.



Assessment

I have not inspected the dwelling.

But I am familiar with property having recently visited as part of recent planning application granted under Planning Register No.23/5747 which has not been implemented at time of reporting.

The proposed location of the development on the side elevation of the dwelling comes within scope of Schedule 2, Article 6, Part 1, Class 1 (Development within the curtilage of a house) of the Planning Regulations 2001 which states:

The extension of a house, by the construction or erection of an extension (including a conservatory) to the rear of the house or by the conversion for use as part of the house

of any garage, store, shed or other similar structure attached to the rear or to the side of the house.

And as the proposal is under the 40m² threshold, the property has not been previously extended, does not involve any extension within 2m of any boundary, nor any window opening within 1m of any boundary, the proposed development can comply with conditions and limitations set out within Schedule 2, Article 6, Part 1, Class 1 (Development within the curtilage of a house) of the Planning Regulations 2001

For clarity the property concerned is within the Architectural Conservation Area (ACA) but is not a heritage structure itself, nor within or near the core of the ACA that is important from an architectural or historical perspective.

The alteration to the front elevation consisting of insertion of window opening in place of garage door notwithstanding section 4(1) of Planning Act, or any regulations made under section 4(2), are exempted development because the works proposed shall not materially affect the character of the area as per section 82(1) of Planning Acts.

Requirement for Appropriate Assessment has been screened out for this proposed development having regard to the scale and nature of the proposal and the lack of any physical or hydrological connection between the development site and any European Site.

Having regard to the nature and small scale of the proposed development, the existing use and proposed development and the nature of the receiving environment, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

CONCLUSION

The proposal comes within the scope of Schedule 2, Article 6, Part 1, Class 1 (Development within the curtilage of a house) – because the proposal involves conversion of attached side garage on the side elevation of the dwelling (not rear).

The proposed complies with conditions and limitations in Schedule 2, Article 6, Part 1, Class 1.

And the proposed complies with Section 4(1) and 82(1) of the Planning Acts.

Having regard to the above the proposed constitutes development: but is exempted development as set out above.

Regards
Steve Baxter
Executive Planner
BA Hons Dip Town Planning

'ELDAR GROVE',
MOGEEELY,
CASTLEMARTYR,
CO. CORK
6TH NOV. '24

RE: APPLICATION FOR EXEMPTION TO CONVERT THE EXISTING GARAGE TO NEW BEDROOM INCLUDING A NEW WINDOW INSTEAD OF THE EXISTING GARAGE DOOR AT NO. 14 FEATHERBED LANE. SLEVEEN, KINSALE, CO. CORK FOR MR. DAIRE LORDAN.

Dear Sir / Madam,

Previously, full permission was granted for the above property under planning reference number 23/05747. This project is not now going ahead due to the very expensive building costs involved and my client's financial restrictions. As a result of same, we now intend to scale down the original project to that of converting the existing garage to a new bedroom with a new window.

We now submit an Exemption Certificate Application Form for same. Please find enclosed the following in support of this subject matter.

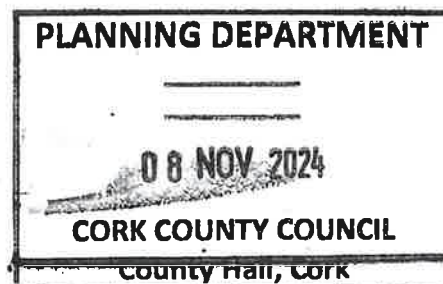
1. 4 no copies of the application forms (1 copy with contact details).
2. 4 no. copies of the 6" O.S. maps.
3. 4 no. copies of the 25" O.S. maps.
4. 4 no. copies of the site Layout plan scale 1:500.
5. 4 no. copies of proposed plans and elevations.
6. 4 no. copies of the proposed streetscape elevation.
7. Cheque in your favour to the value of €80.

I do hope that all the enclosures are to your satisfaction and that you might issue me with a receipt for the enclosed cheque. As usual all correspondence should be addressed to the undersigned at the above address.

Yours sincerely,



PEADAR WADE





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.	P20002427
Cash/Cheque/ Credit Card	CHEQUE
Date	8/11/24
Declaration Ref. No.	D1276/24

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.

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

DAIRE LORDAN

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

NO 14 FEATHERBED LANE,
SLEVEEN,
KINSALE
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

CONVERSION OF EXISTING GARAGE TO A
NEW BEDROOM INCLUDING A NEW WINDOW
INSTEAD OF THE EXISTING GARAGE DOOR



4. APPLICATION DETAILS:

Answer the following if applicable. Note: Floor areas are measured from the inside of the external walls and should be indicated in square metres (m²)

(a) Floor area of existing/proposed structure(s):	14.42 Sq.M. (AS EXISTING)
(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 <u>EXISTING GARAGE</u>	Proposed use <u>CONVERSION TO NEW</u> <u>BEDROOM WITH NEW WINDOW</u> <u>IN PLACE OF GARAGE DOOR</u>
(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:	<div style="border: 1px solid black; padding: 5px; text-align: center;"> Planning Department <input type="checkbox"/> 08 NOV 2024 Cork County Council County Hall Cork. </div>
If you are not the legal owner, please state the name of the owner/s (address to be supplied at Question C in Contact Details):	

6. PROTECTED STRUCTURE DETAILS / ARCHITECTURAL CONSERVATION AREA:

Is this a Protected Structure/Proposed Protected Structure or within the curtilage of a Protected Structure: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
If yes, has a Declaration under Section 57 of the Planning & Development Act 2000 been requested or issued for the property by the Planning Authority: Yes <input type="checkbox"/> No <input type="checkbox"/>
If yes, please state relevant reference No. _____
Is this site located within an Architectural Conservation Area (ACA), as designated in the County Development Plan? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

7. APPROPRIATE ASSESSMENT:

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

8. DATA PROTECTION DECLARATION:

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

Processing of your Declaration of Exemption application by the Planning Authority

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

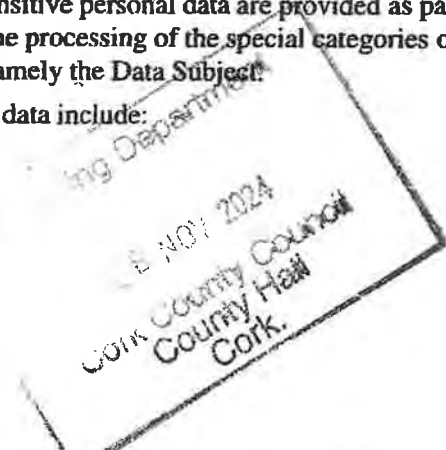
Signed (By Applicant Only)	<i>Daire Lorde</i>
Date	<i>6/11/24</i>

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	<i>Daire Lorde</i>
Date	<i>6/11/24</i>

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.

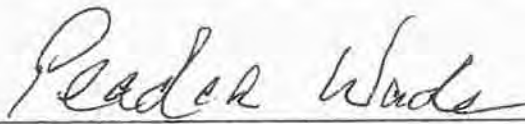

ADVISORY NOTES:

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, Skibbreen, Co. Cork, P81 AT28.

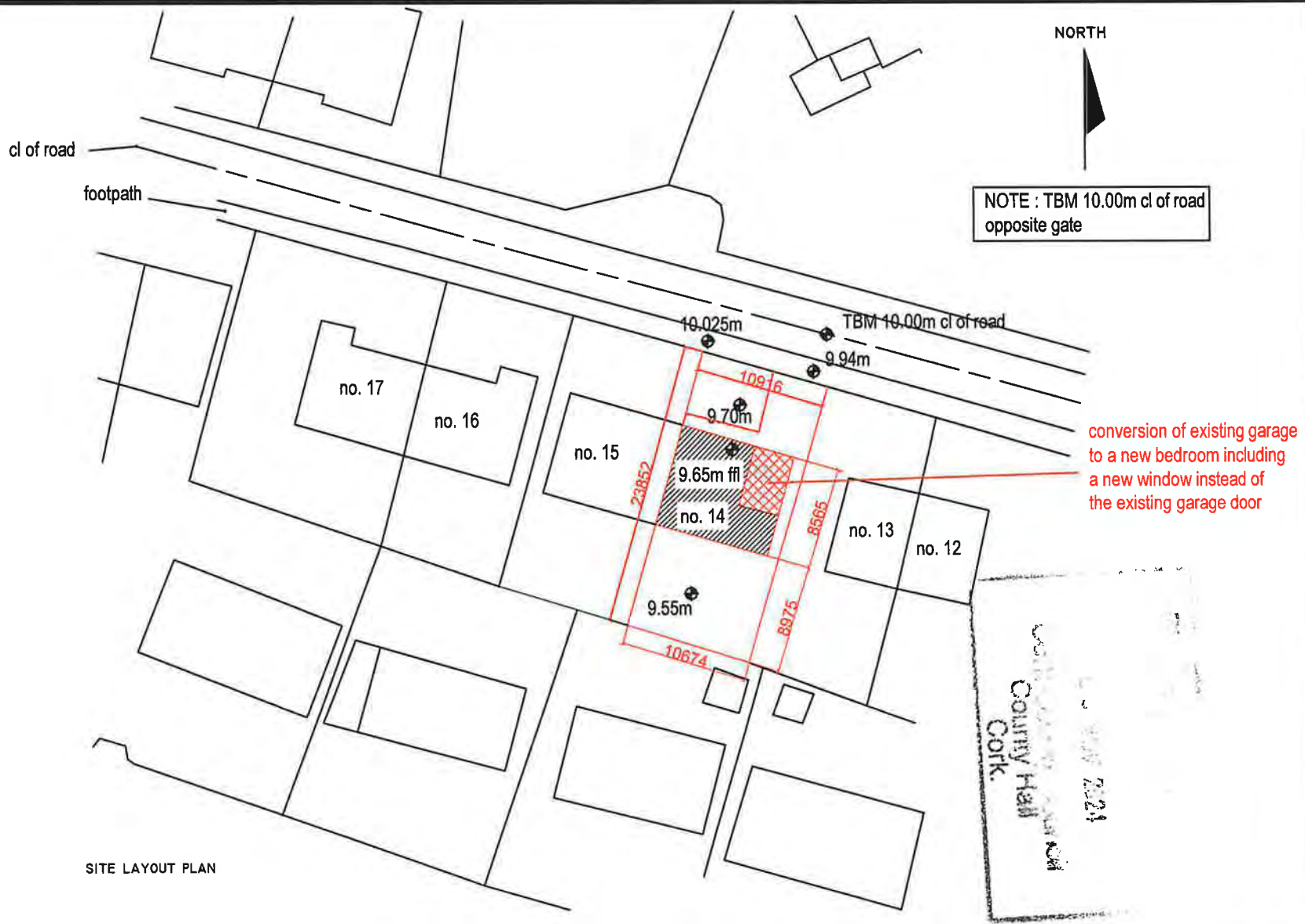
- The Planning Authority may require further information to be submitted to enable the authority to issue a decision on the Declaration of Exemption application.
- The Planning Authority may request other person(s), other than the applicant; to submit information on the question which has arisen and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





NOTE : TBM 10.00m cl of road opposite gate

SITE LAYOUT PLAN

Peadar Wade B.Sc. Arch., Dip. Arch.
 MOGEELY,
 CASTLEMARTYR,
 CO. CORK

MOBILE: 086-8957577
 EMAIL: peterthomaswade@gmail.com

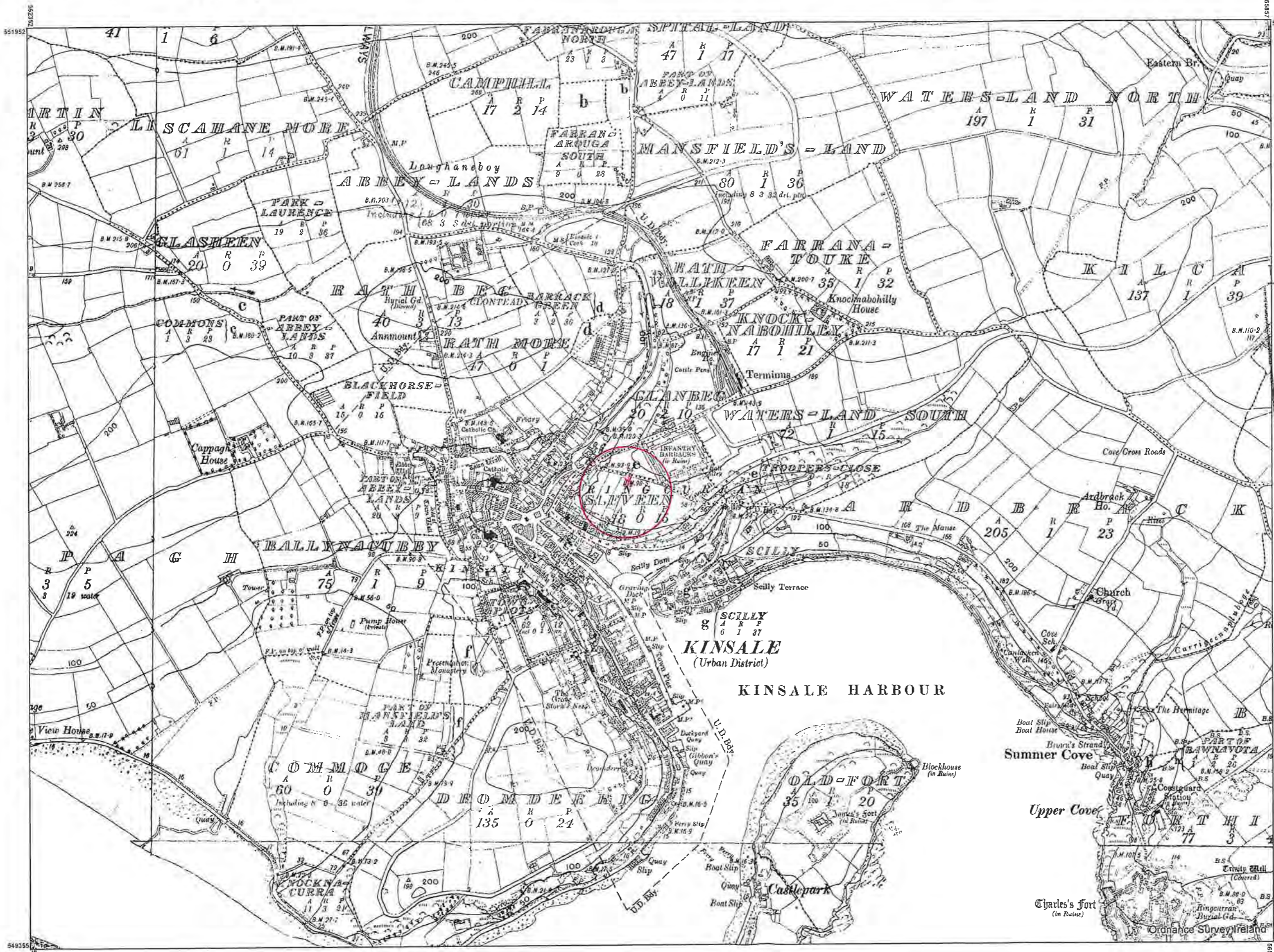
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				Checked PW	Scale 1/500
A	OCT. '24	PW	SITE LAYOUT PLAN	Drawn PW	Drawn Number 21/24
REV.	DATE	BY	COMMENTS	SITE LAYOUT PLAN	A

CONVERSION OF EXISTING GARAGE TO NEW BEDROOM FOR MR. DAIRE LORDAN AT 14, FEATHERBED LANE, KINSALE CO. CORK (EIRCODE P17VH96)

Site Location Map



Tailte Éireann



CENTRE COORDINATES:
ITM 564105,550654

PUBLISHED:
04/08/2023

ORDER NO.:
50350095_1

MAP SERIES:
6 Inch Raster
6 Inch Raster
6 Inch Raster

MAP SHEETS:
CK111
CK112
CK124
CK125

Planning Department

08 NOV 2024

Cork County Council
County Hall
Cork.

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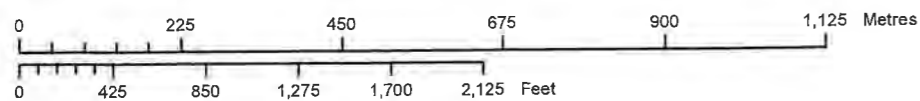
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LEGEND:
To view the legend visit
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'Large Scale Legend'



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Planning Pack Map



Tailte Éireann



CENTRE COORDINATES:
ITM 564105,550654

PUBLISHED:
04/08/2023

ORDER NO.:
50350095_1

MAP SERIES:
1:1,000
1:1,000

MAP SHEETS:
6640-15
6641-11

Planning Department
08 NOV 2024
Cork County Council
County Hall
Cork.

COMPILED AND PUBLISHED BY:
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www.tailte.ie

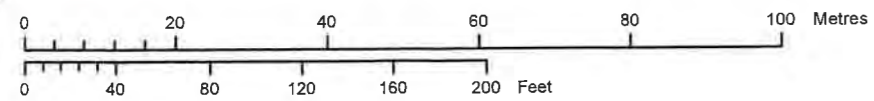
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564095
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LEGEND:
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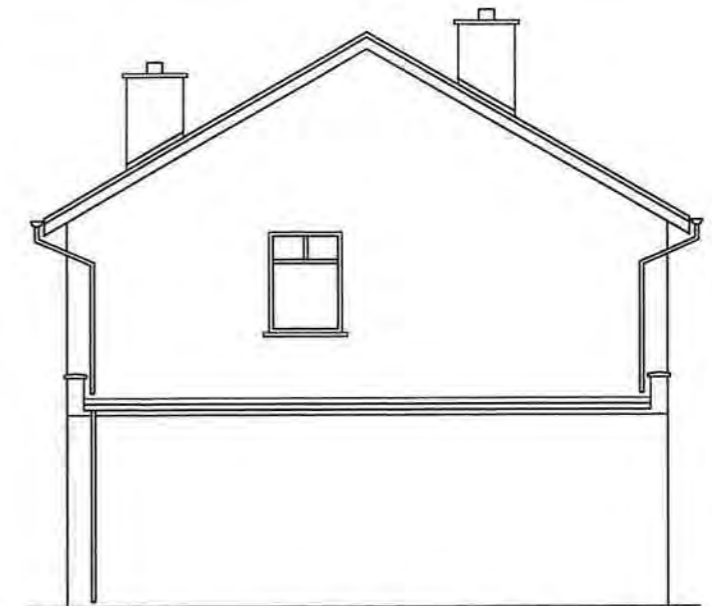
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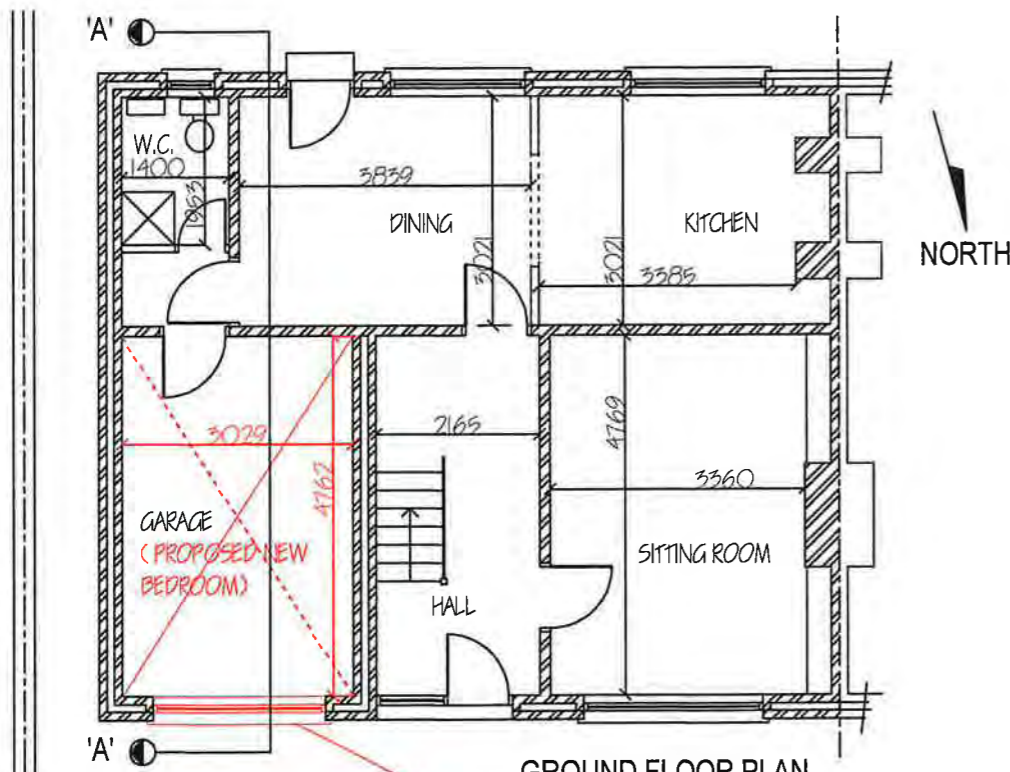
PROPOSED FRONT ELEVATION



REAR ELEVATION (no change)

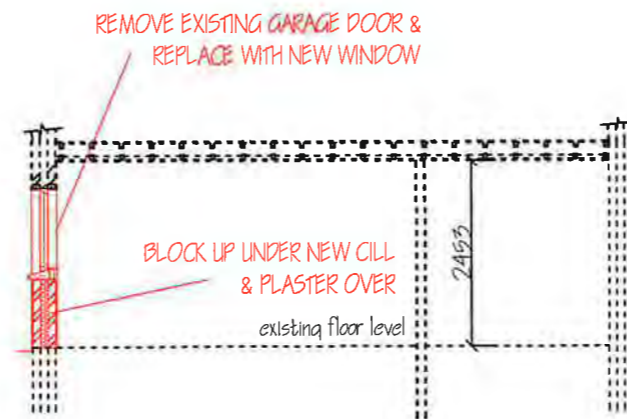


SIDE ELEVATION (no change)
Planning Department

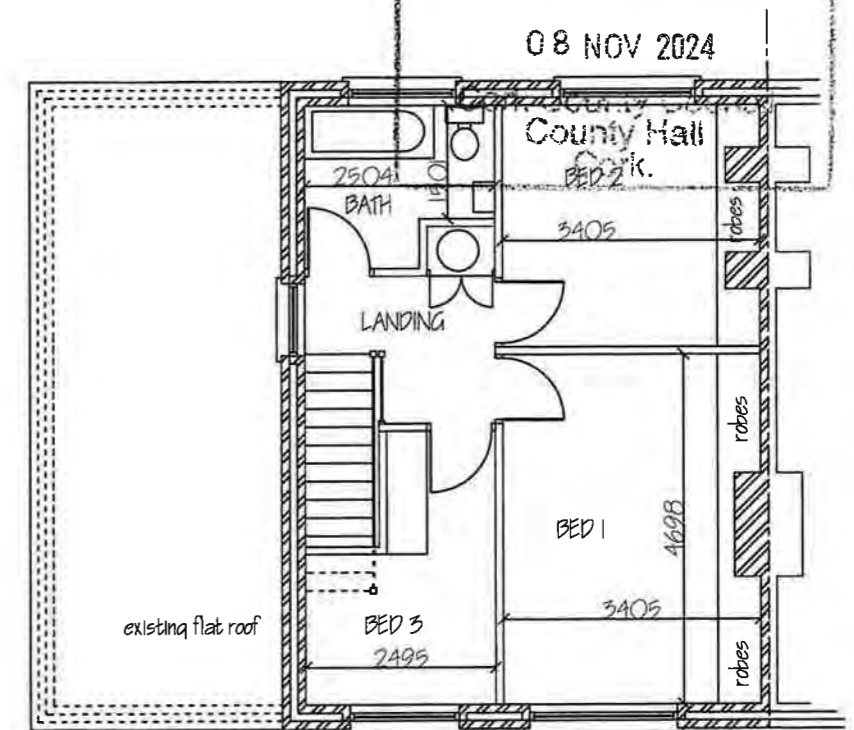


GROUND FLOOR PLAN

area 82.77 sq. m. (which includes new bedroom area of 14.42 sq.m.)



SECTION 'A-A'



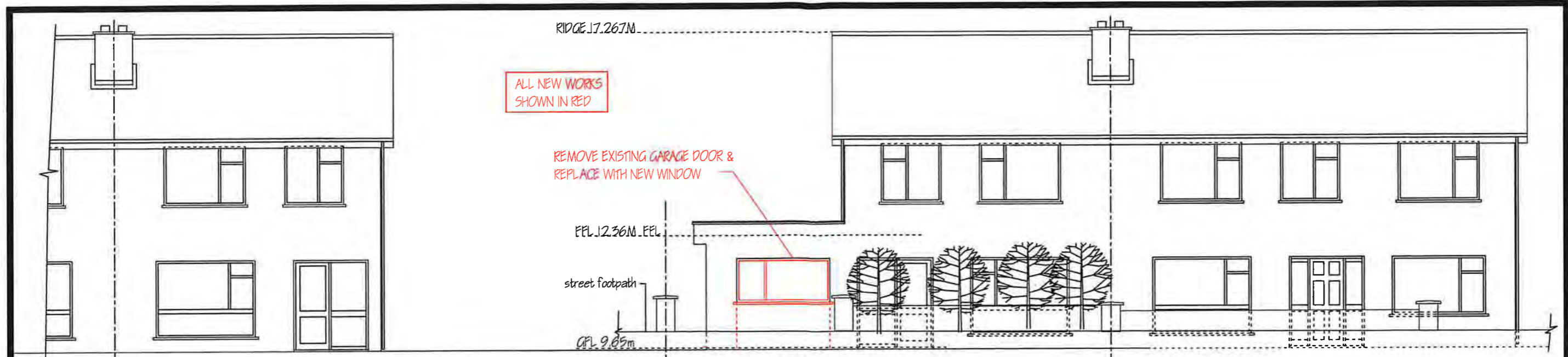
FIRST FLOOR PLAN
area 46.61 sq. m.

Peadar Wade B.Sc. Arch., Dip. Arch.
MOGEELY,
CASTLEMARTYR,
CO. CORK

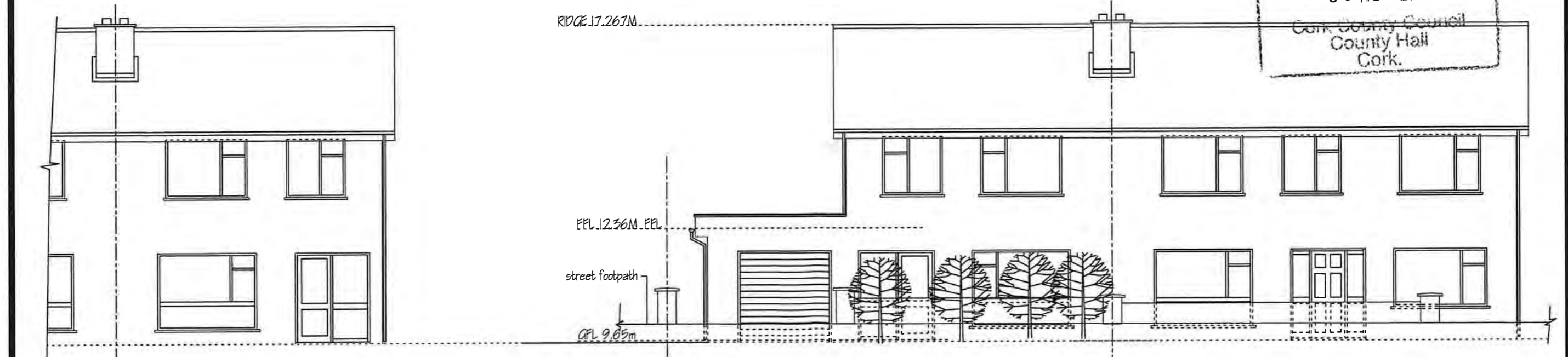
MOBILE: 086-8957577
EMAIL: peterthomaswade@gmail.com

				Drawn By	PW	Date	OCT. '24
				Checked	PW	Scale	1/100
A	OCT. '24	PW	EXISTING HOUSE SURVEY	Drawing	PLANS, ELEVATIONS & SECTION	Drawing Number	21/24
REV.	DATE	BY	COMMENTS			Revision	A

Project
**CONVERSION OF EXISTING GARAGE TO NEW
BEDROOM FOR MR. DAIRE LORDAN AT
14, FEATHERBED LANE, KINSALE CO. CORK
(EIRCODE P17VH96)**



PROPOSED CONTEXTUAL STREETScape



EXISTING CONTEXTUAL STREETScape

Planning Department
08 NOV 2024
Cork County Council
County Hall
Cork.

ALL HEIGHTS RELEVANT TO TBM OF 10.00M ON CL OF ROAD (SEE SITE LAYOUT PLAN)

Peadar Wade B.Sc. Arch., Dip. Arch.
MOGEELY,
CASTLEMARTYR,
CO. CORK

MOBILE: 086-8957577
EMAIL: peterthomaswade@gmail.com

REV.	DATE	BY	COMMENTS
A	OCT. '24	PW	STREETScape ELEVATION

Drawn By	PW	Date	OCT. '24
Checked	PW	Scale	1/100
Drawing	STREET ELEVATION	Drawing Number	21/24
		Revision	A

Project
CONVERSION OF EXISTING GARAGE TO NEW BEDROOM FOR MR. DAIRE LORDAN AT 14, FEATHERBED LANE, KINSALE CO. CORK (EIRCODE P17VH96)