

# Comhairle Contae Chorcaí Cork County Council

William O'Callaghan,  
Longueville House,  
Ballyclough,  
Co. Cork

Pleanáil agus Forbairt,  
Halla an Chontae,  
Bóthar Charraig Ruacháin,  
Corcaigh T12 R2NC.

Fón: (021) 4276891  
R-phost: [planninginfo@corkcoco.ie](mailto:planninginfo@corkcoco.ie)  
Suíomh Gréasáin: [www.corkcoco.ie](http://www.corkcoco.ie)

Planning & Development,  
County Hall,  
Carrigrohane Road, Cork T12 R2NC.

Tel (021) 4276891  
Email: [planninginfo@corkcoco.ie](mailto:planninginfo@corkcoco.ie)  
Web: [www.corkcoco.ie](http://www.corkcoco.ie)



4<sup>th</sup> April, 2025

**Our Ref.: D/218/25**

**Re: Declaration of Exempted Development under Section 5 of The Planning and Development Act 2000 – 2010.**

***Whether the proposed temporary change of use from a former hotel to International Protection Accommodation is or is not exempted development at Longueville House & The Courtyard Mews, Longueville, Ballyclough, Co. Cork P51 WD88***

Dear Sir,

Further to recent correspondence notifying you of a third party Declaration with regard to the above development I enclose for your information copy of the Planning Authority's decision.

Yours faithfully,

PIO TREACY,  
A/SENIOR EXECUTIVE OFFICER  
PLANNING DEPARTMENT

Encl.

*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>*

# Comhairle Contae Chorcaí Cork County Council

Valleyport Limited,  
C/O Linda McEllin,  
Brock McClure Planning & Development Cons.,  
63 York Road,  
Dun Laoghaire,  
Co. Dublin

Pleanáil agus Forbairt,  
Halla an Chontae,  
Bóthar Charraig Ruacháin,  
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4th April, 2025

REF: D/218/25  
LOCATION: Longueville House & The Courtyard Mews, Longueville, Ballyclough, Co. Cork P51 WD99

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

Dear Madam,

On the basis of the information submitted by you on 21<sup>st</sup> February, 2025 the Planning Authority, having considered whether the proposed temporary change of use from former hotel to International Protection Accommodation at **Longueville House & The Courtyard Mews, Longueville, Ballyclough, Co. Cork P51 WD99** 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:

- a) Sections 2, 3 and 4 of the Planning and Development Act, 2000, as amended,
- b) Article 6(1), 9(1) and 10 of the Planning and Development Regulations, 2001, as amended,
- c) Class 20F of Part 1 of Schedule 2 to the Planning and Development Regulations, 2001, as amended,
- d) The planning application history relating to the site,
- e) The nature, extent and scope of the development outlined in the documentation submitted

**AND WHEREAS** Cork County Council has concluded that the authorised use of the property known as the 'Longueville House', is 'Hotel' which is listed under Class 20F. Accordingly, the said change of use would come within the scope of Class 20F of Part 1 of Schedule 2 to the Planning and Development Regulations, 2001, (as amended).

**NOW THEREFORE**, Cork County Council, in exercise of the powers conferred on it by Section 5 of the 2000 Act, hereby decides that the temporary change of use of the property known as the **Longueville House**,

**Ballyclough, Mallow, Co. Cork, P51 WD88**, to residential temporary accommodation associated with accommodating International Protection Applicants (as defined in Class 20F) **IS exempted development**.

**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,



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**PIO TREACY,  
A/SENIOR EXECUTIVE 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>*



**Planning and Development Directorate**  
**Section 5 – Application for Declaration of Exemption Certificate**

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**Ref:** D/218/25 – Section 5 Declaration

**Name:** Valleyport Ltd

**Development:**

*That the proposed temporary change of use from former hotel to International Protection Accommodation is exempted development in accordance with Schedule 2, Part 1, Class 20F of the Planning and Development Regulations 2001 (as amended).*

**Site Location/Address:** Longueville House & The Courtyard Mews, Longueville, Ballyclough, Mallow, Co. Cork, P51 WD88.

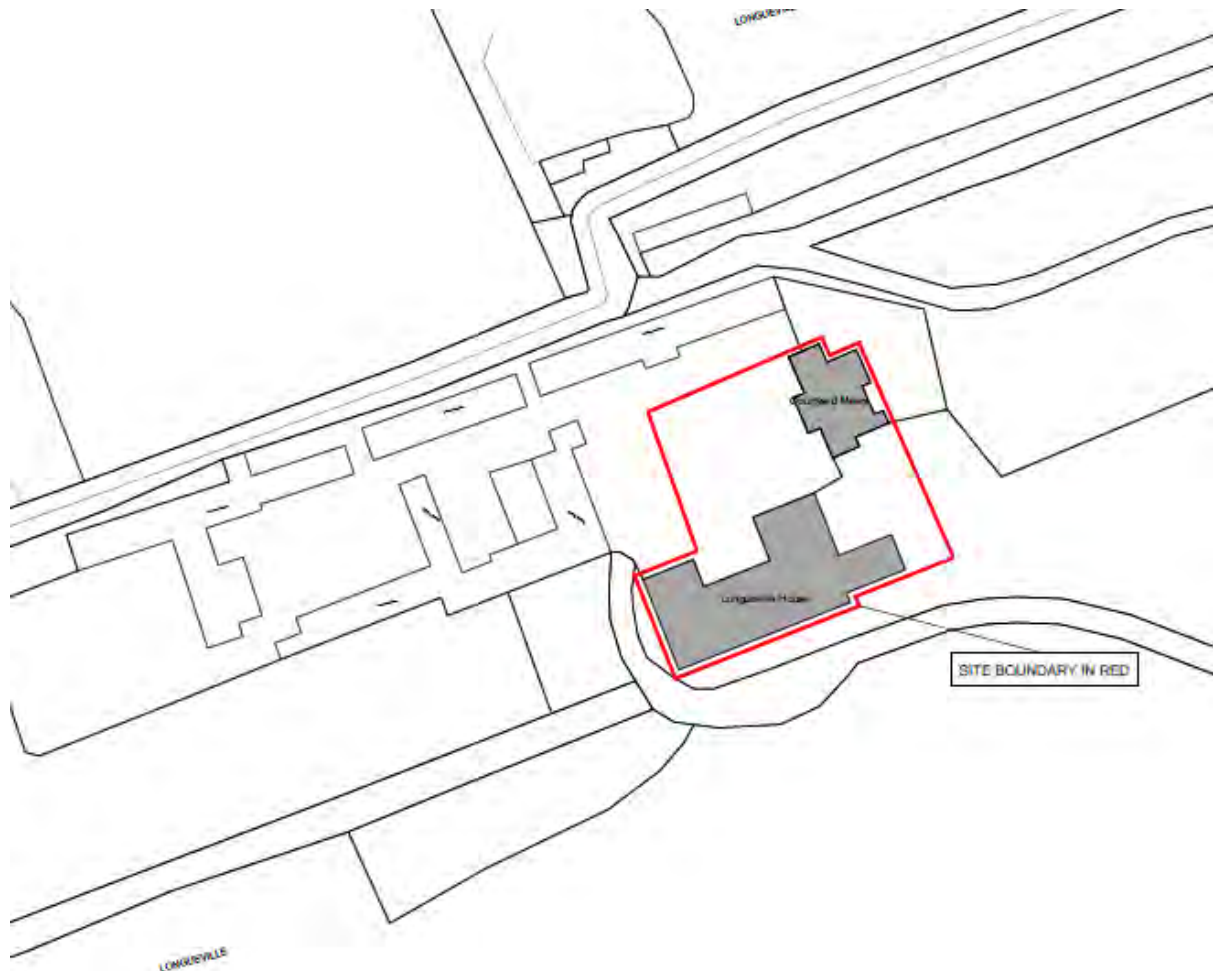


Fig.1: Submitted Site Location Map



Fig.2: Submitted Site Layout

Longueville House is listed on the Record of Protected Structures (RPS ID: 266). The property is also listed on the NIAH (Reg. No. 20903222).

Longueville House is a Recorded Monument (CO032-034) and subject to protection by way of inclusion in the Record of Monuments and Places and in accordance with the National Monuments Acts as amended.

**Submitted details:**

- Application Form
- Cover Letter
- Planning Statement
- Site location maps
- Site layout plan
- Existing and Proposed Floorplans
- Details of contracts and agreement between the developer and the Dept.

**Relevant Planning History:**

Subject site:

04/9504: Michael O’Callaghan - Alterations to and an extension to the rear of Longueville House Hotel, alteration, refurbishment, conversion and change of use of existing ancillary storage buildings, the demolition of 590 sq.m of additional buildings including the part demolition and change of use of an existing habitable residential unit, and the construction of 5181 sq.m. of additional buildings all to facilitate the provision of 60 additional hotel bedrooms, 21 suites, 18 staff bedrooms with laundry, a

spa facility, an additional restaurant/bar and an oratory to the existing hotel. Provision of additional car parking areas and extension of existing car park to provide in total 140 spaces, upgrading of existing access at the public road including alterations to the existing entrance walls. Provision of a new sewage treatment plant and sand filter/percolation system and an underground storm water attenuation tank to the west of the site and all associated development works and landscaping – Granted.

964318: William O’Callaghan - Planning permission was granted for a large extension to existing domestic quarters to the rear of Longueville House Hotel – Granted.

92:3162: William O’Callaghan - extension to the rear and side of the hotel – Granted.

### **D/210/25**

*Whether the proposed fire performance upgrade works outlined below is or is not exempted development:*

- I Upgrade existing lath and plaster ceilings to 30 minute fire rating
- II Upgrade existing door set to minimum 30 minutes fire resistance with self-closing device
- III Replace existing downlights in ceiling with 30 minute fire rated equivalent.

Site Location/Address: Longueville House, Longueville, Ballyclough, Mallow, Co. Cork, P51 WD88

Conclusion: The proposed fire performance upgrade works at Longueville House, Longueville, Ballyclough, Mallow, Co. Cork, P51 WD88 would not materially affect the character of Longueville House (RPS ID: 00266) and the said works are exempted development.

### **Question subject of the Section 5:**

On the basis of the information submitted the question to be addressed under this request is as follows:

*Whether the proposed temporary change of use from former hotel to International Protection Accommodation is exempted development in accordance with Schedule 2, Part 1, Class 20F of the Planning and Development Regulations 2001 (as amended).*

### **Legislative Context:**

*Planning and Development Act 2000 (as amended)*

**Section 3(1)** of the Act states ‘development’ means:

*“In this Act, except where the context otherwise requires, "development" means— (a) the carrying out of any works in, on, over or under land, or the making of any material change in the use of any land or structures situated on land, or (b) development within the meaning of Part XXI (inserted by section 171 of the Maritime Area Planning Act 2021)”*

**Section 2** of the Act defines ‘works’ as:

*“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 4** of the Act, as amended, sets out the types of works that while considered 'development', can be considered 'exempted development' for the purposes of the Act.

Section 4 (4) of the Act, as amended, states as follows:-

*4 (4) Notwithstanding paragraphs (a), (i), (ia) and (l) of subsection (1) and 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)*

**Article 6** states:- (1) Subject to Article 9, development of a class specified in column 1 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 that development to which article 6 relates shall not be exempted development if the carrying out of such development would conflict with certain criteria.

**Article 10 (1)** Changes of Use of the Planning and Development Regulations 2001 (as amended) outlines that the classes of use specified in Schedule 2, shall be exempted development for the purposes of the Act, if the works carried out are exempted development.

*S.I. No. 376 of 2023 – Planning and Development (Exempted Development) (No.4) Regulations 2023*

<p style="text-align: center;"><i>Column 1 Description of Development</i></p>	<p style="text-align: center;"><i>Column 2 Conditions and Limitations</i></p>
<p><i>CLASS 20F Temporary use by or on behalf of the Minister for Children, Equality, Disability, Integration and Youth to accommodate or support displaced persons or persons seeking international protection of <b>any structure or part of a structure</b> used as a school, college, university, training centre, social centre, community centre, non-residential club, art gallery, museum, library, reading room, sports club or stadium, gymnasium, <b>hotel</b>, convention centre, conference centre, shop, office, Defence Forces barracks, light industrial building, airport operational building, wholesale warehouse or repository, local authority administrative office, play centre, medical and other health and social care accommodation, event and exhibition space or any structure or part of structure normally used for public worship or religious instruction.</i></p>	<ol style="list-style-type: none"> <li><i>1. The temporary use shall only be for the purposes of accommodating displaced persons or for the purposes of accommodating persons seeking international protection.</i></li> <li><i>2. Subject to paragraph 4 of this class, the use for the purposes of accommodating displaced persons shall be discontinued when the temporary protection introduced by the Council Implementing Decision (EU) 2022/382 of 4 March 20221 comes to an end in accordance with Article 6 of the Council Directive 2001/55/EC of 20 July 20012.</i></li> <li><i>3. The use for the purposes of accommodating persons seeking international protection shall be discontinued not later than 31 December 2028.</i></li> <li><i>4. Where the obligation to provide temporary protection is discontinued in accordance with paragraph 2 of this class, on a date that is earlier than 31</i></li> </ol>

	<p><i>December 2028, the temporary use of any structure which has been used for the accommodation of displaced persons shall continue for the purposes of accommodating persons seeking international protection in accordance with paragraph 3 of this class.</i></p> <p>5. <i>The relevant local authority must be notified of locations where change of use is taking place prior the commencement of development.</i></p> <p>6. <i>'displaced persons', for the purpose of this class, means persons to whom temporary protection applies in accordance with Article 2 of Council Implementing Decision (EU) 2022/382 of 4 March 2022.</i></p> <p>7. <i>'international protection', for the purpose of this class, has the meaning given to it in section 2(1) of the International Protection Act 2015 (No. 66 of 2015).</i></p> <p>8. <i>'temporary protection', for the purpose of this class, has the meaning given to it in Article 2 of Council Directive 2001/55/EC of 20 July 2001."</i></p>
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**Internal Consultees:**

Architectural Conservation Officer: No objection

County Archaeologist: No objection

Area Engineer: No objection

**Assessment:**

The application seeks a Section 5 Declaration to confirm that the temporary use of the buildings to accommodate persons seeking international protection, is exempted development in accordance with Class 20F of Schedule 2 Part 1 of the Planning and Development Regulations (2001) as amended.

- *"Is or is not exempted development?"*

The submitted application form states that the proposed use is *"international protection accommodation"*.



**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 (m<sup>2</sup>)

(a) Floor area of existing/proposed structure(s):	2,473 sqm
(b) If a domestic extension is proposed, have any previous extensions/structures been erected at this location after 1 <sup>st</sup> 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 <sup>2</sup> ) 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>Hotel</u>	Proposed use <u>International Protection Accommodation</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):

It is understood the Longville House estate has been in use the past number of years for accommodation supporting displaced persons. Prior to that, the estate was in use as a Hotel. The ‘Courtyard Mews’ within the estate are located adjacent and within the curtilage of the Protected Structure and are considered to be part of the structure which have been used in association with the hotel accommodation ancillary to the operation of the hotel.

The exemption provided under Class 20F provides for change of use “of any structure or part of a structure” and lists the structure types/uses which can avail of the exemption. ‘Hotel’ is listed as a use.

Having regard to Class 20F (and S.I 376 of 2023 - *Planning and Development (Exempted Development) (No.4) Regulations 2023* and Circular Letter PL 09/2023) and the planning history of the site, it is noted that the authorised use of the property is a ‘Hotel’.

Accordingly, Class 20F is applicable to this change of use given the use of the structure as a ‘Hotel’ is listed in Column 1 of Class 20F.

The applicant in their submission have addressed each of the conditions and limitations attached to Class 20F.

The applicant has confirmed that the temporary use of the buildings is only for the purpose of accommodating persons seeking international protection and is on behalf of the Minister for Children, Equality, Disability, Integration and Youth to assist in meeting Ireland's legal obligation to provide accommodation to persons seeking international protection. Details from the existing contract from the Minister's Department is submitted with the application (as Appendix A) to confirm the current arrangement on site.

It is stated that the use for the purposes of accommodating persons seeking international protection will be discontinued not later than 31 December 2028, or on another further extended date set out in relevant statutory instruments.

The applicant notes the meanings of ‘*displaced persons*’, ‘*international protection*’ and ‘*temporary protection*’ as outlined in Class 20F conditions.

The applicant confirms no works are proposed to the buildings themselves. It is only the proposed temporary use of the buildings that is subject to this request for a Section 5 Declaration.

The Council’s Architectural Conservation Officer has reviewed and is satisfied the temporary change of use does not negatively impact the character of the RPS, and thus there are no de-exemptions from a conservation standpoint.

Therefore, it is considered that the temporary change of use from former hotel use to International Protection Accommodation **is exempted development** in accordance with Schedule 2, Part 1, Class 20F of the Planning and Development Regulations 2001 (as amended).

#### Environmental Impact Assessment (EIA) and Appropriate Assessment (AA)

Notwithstanding any exemptions within the regulations, Section 4(4) of the Act states that:

*“development shall not be exempted development if an environmental impact assessment or an appropriate assessment of the development is required”.*

In terms of EIA and Appropriate Assessment, the change of use unlikely to have had a significant effect on the environment or on designated sites. On this basis it is considered that the development does not fall within the scope of Section 4(4) of the Act.

#### **Conclusion**

Is development and is exempted development.

#### **Recommendation:**

**WHEREAS** a question has arisen as to:

*Whether the proposed temporary change of use from former hotel to International Protection Accommodation is exempted development in accordance with Schedule 2, Part 1, Class 20F of the Planning and Development Regulations 2001 (as amended).*

**AND WHEREAS** Cork County Council, in considering this referral, had regard particularly to –

- (a) Sections 2, 3 and 4 of the Planning and Development Act, 2000, as amended,
- (b) Article 6(1), 9(1) and 10 of the Planning and Development Regulations, 2001, as amended,
- (c) Class 20F of Part 1 of Schedule 2 to the Planning and Development Regulations, 2001, as amended,
- (d) The planning application history relating to the site,
- (e) The nature, extent and scope of the development outlined in the documentation submitted,

**AND WHEREAS** Cork County Council has concluded that the authorised use of the property known as the 'Longville House', is 'Hotel' which is listed under Class 20F. Accordingly, the said change of use would come within the scope of Class 20F of Part 1 of Schedule 2 to the Planning and Development Regulations, 2001, (as amended).

**NOW THEREFORE, Cork County Council**, in exercise of the powers conferred on it by Section 5 of the 2000 Act, hereby decides that the temporary change of use of the property known as the Longville House, Ballyclough, Mallow, Co. Cork, P51 WD88, to residential temporary accommodation associated with accommodating International Protection Applicants (as defined in Class 20F) **IS exempted development.**



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**L Ahern**  
**A/Senior Executive Planner**  
04/04/2025

# Comhairle Contae Chorcaí Cork County Council

William O'Callaghan,  
Longueville House,  
Ballyclough,  
Co. Cork

25<sup>th</sup> February, 2025

**Our Ref.: D/218/25**

**Re: Declaration of Exempted Development under Section 5 of The Planning and Development Act 2000 – 2010.**

*Whether the proposed temporary change of use from a former hotel to International Protection Accommodation is or is not exempted development at Longueville House & The Courtyard Mews, Longueville, Ballyclough, Co. Cork P51 WD88*

Dear Sir,

Please be advised that a declaration has been sought with respect to Section 5 of the Planning and Development Act 2000 (as amended) from the Planning Authority by Valleyport Limited with respect to whether the above description at Longueville House & The Courtyard Mews, Longueville, Ballyclough, Co. Cork constitutes development.

You are being notified as the applicant has indicated that you are the legal owner of the land in question.

Yours faithfully,

  
\_\_\_\_\_  
**Angela Carrigy,**  
**ASO, Planning Department**

Pleanáil agus Forbairt,  
Halla an Chontae,  
Bóthar Charraig Ruacháin,  
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Cork County Council  
Planning Department,  
Ground Floor,  
County Hall,  
Carrigohane Road,  
Cork,  
T12 R2NC

21<sup>st</sup> February 2025



**Section 5 Declaration Application  
Longueville House & The Courtyard Mews, Longueville,  
Ballyclough, Co. Cork, P51 H9K8**

Dear Sir/Madam,

We, **Brock McClure, Planning & Development Consultants, 63 York Road, Dun Laoghaire, Co. Dublin**, have been instructed by our client, **Valleyport Limited, Unit 16 C-Tek 2, Riverside Road, Carrickmacross, Co. Monaghan**, to lodge this Section 5 Declaration application to Cork County Council to seek a declaration as per the provisions of Section 5 (2) (a) of the *Planning & Development Act, 2000 (as amended)*.

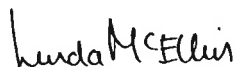
A declaration is sought to determine: **“That the proposed temporary change of use from former hotel to International Protection Accommodation is exempted development in accordance with Schedule 2, Part 1, Class 20F of the Planning and Development Regulations 2001 (as amended).”**

We have enclosed copies of each of the following details to assist the Planning Authority in forming their decision:

- Completed Section 5 Application Form
- Section 5 Planning Statement prepared by Brock McClure Planning & Development Consultants
- The prescribed fee of €80.00 (**paid by EFT on 21.02.25**)
- Site Location Map prepared by RDF Architects
- Site Layout Plan prepared by RDF Architects
- Existing Floor Plans prepared by RDF Architects
- Existing Elevations prepared by RDF Architects

We confirm that we act for Valleyport Limited, and request that all future correspondence in relation to this matter be directed to this office. We trust that you will find everything in order. We ask that in the event that the Planning Authority require any further information in relation to this application that further information be sought.

If you have any queries, please contact this office at the address or number below.



**Linda McEllin**  
MRUP MIPI  
[linda@brockmcclure.ie](mailto:linda@brockmcclure.ie)  
Ph: 087 6301678





## **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**

<b>Receipt No.</b>	F12009531
<b>Cash/Cheque/ Credit Card</b>	EFT
<b>Date</b>	21/2/25
<b>Declaration Ref. No.</b>	D/218/25

**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 3<sup>rd</sup> 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](mailto: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)**

Valleyport Limited

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

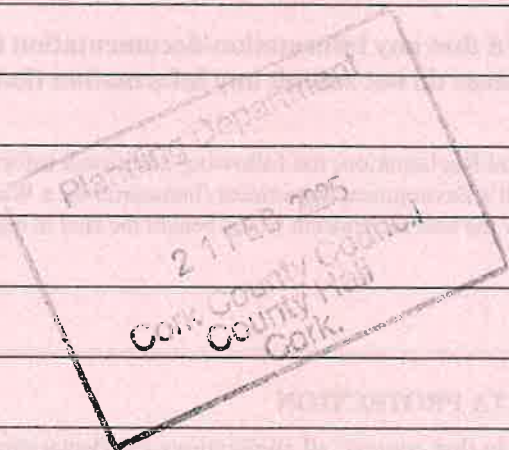
Longueville House & The Courtyard Mews, Longueville, Ballyclough, Co. Cork, P51 WD88

**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

A declaration is sought to determine: "That the proposed temporary change of use from former hotel to International Protection Accommodation is exempted development in accordance with Schedule 2, Part 1, Class 20F of the Planning and Development Regulations 2001 (as amended)."



**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 (m<sup>2</sup>)

(a) Floor area of existing/proposed structure(s):	2,473 sqm
(b) If a domestic extension is proposed, have any previous extensions/structures been erected at this location after 1 <sup>st</sup> 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 <sup>2</sup> ) 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 Hotel	Proposed use International Protection Accommodation
(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 type="checkbox"/>	B. Other <input checked="" 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):	William O'Callaghan Cork County Council County Hall Cork.	

**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)	Karl McMeamin
Date	31-Jan-2025

**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	Karl McMeamin
Date	31-Jan-2025

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](mailto:planninginfo@corkcoco.ie) or by contacting the Planning Department, Norton House, Cork Road, Skibbereen, Co. Cork. Tel: (028) 40340 Email: [westcorkplanninginfo@corkcoco.ie](mailto: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:**

<i>Signed (Applicant or Agent as appropriate)</i>	
<b>Date</b>	31-Jan-2025



**Section 5 Declaration  
Planning Statement**

**Temporary Change of Use  
Under Class 20F**

**at**

**Longueville House & The Courtyard  
Mews,  
Longueville,  
Ballyclough,  
Co. Cork  
P51 H9K8**

**On behalf of  
Valleyport Limited**

February 2025



63 York Road,  
Dún Laoghaire  
Co. Dublin  
[www.brockmcclure.ie](http://www.brockmcclure.ie)



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## 1 Introduction

We, Brock McClure Planning & Development Consultants, 63 York Road, Dún Laoghaire, Co. Dublin, have been instructed by our client, **Valleyport Limited, Unit 16, C-Tek 2, Riverside Road, Carrickmacross, Co. Monaghan** to submit this request for a Declaration as per the provision of Section 5 (2) (a) of the *Planning & Development Act, 2000 (as amended)* in relation to the temporary use of buildings referred to as Longueville House & The Courtyard Mews, Longueville, Ballyclough, Co. Cork, P51 H9K8 as accommodation for persons seeking international protection.

This request is accompanied by the following documents:

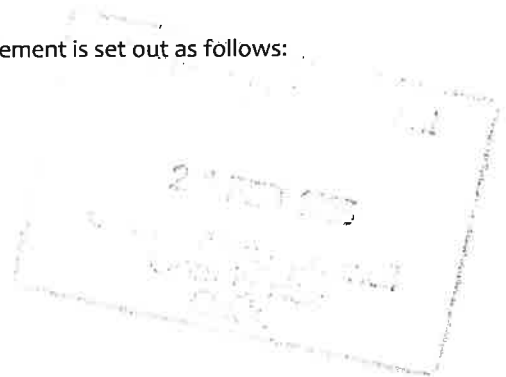
- Completed Section 5 Application Form
- Section 5 Planning Statement prepared by Brock McClure Planning & Development Consultants
- The prescribed fee of €80.00 (**paid by EFT on 21.02.25**)
- Site Location Map prepared by RDF Architects
- Site Layout Plan prepared by RDF Architects
- Existing Floor Plans prepared by RDF Architects
- Existing Sections/Elevations prepared by RDF Architects

The application seeks a Section 5 Declaration to confirm that the temporary use of the buildings to accommodate persons seeking international protection, is exempted development in accordance with Class 20F of Schedule 2 Part 1 of the Planning and Development Regulations (2001) as amended.

The temporary use of the buildings is on behalf of the Minister for Children, Equality, Disability, Integration and Youth to assist in meeting Ireland's legal obligation to provide accommodation to persons seeking international protection. Details from the existing contract from the Minister's Department is provided with this application (as Appendix A) to confirm the current arrangement on site.

To assist the local authority's consideration, this Planning Statement is set out as follows:

- Section 2 - Site Context
- Section 3 - Planning History
- Section 4 - Planning Policy Context
- Section 5 - The Proposal
- Section 6 - Planning Legislation
- Section 7 - Conclusion



This report sets out that:

- The former or most recent use of the buildings prior to occupation by those seeking international protection is 'hotel'. Hotels are included on the list of applicable buildings contained in Class 20F of the Planning and Development Regulations (2001) (as amended).
- Longueville House is a Protected Structure, and the Courtyard Mews is an ancillary building. No works are proposed to the buildings themselves and rather, it is only the proposed temporary use of the buildings that is subject to this request for a Section 5 Declaration.
- The temporary use of the buildings is on behalf of the Minister for Children, Equality, Disability, Integration and Youth to assist in meeting Ireland's legal obligation to provide accommodation to international protection applicants. Details from the existing contract from the Minister's Department is provided with this application to confirm the current arrangement on site.
- The proposal meets the conditions and limitations of Class 20F.





- The proposal meets the requirements of Section 9 1 (a) of the Planning and Development Regulations (2001) (as amended).
- The use for the purposes of accommodating persons seeking international protection will be discontinued not later than 31 December 2028, or on another further extended date set out in relevant statutory instruments; and

### 1.1 Summary of Outcome Sought in this Declaration Request

The applicant is seeking a declaration from Cork County Council under the provisions of Section 5 (2) (a) of the Planning and Development Act to determine:

**“That the proposed temporary change of use from former hotel to International Protection Accommodation is exempted development in accordance with Schedule 2, Part 1, Class 20F of the Planning and Development Regulations 2001 (as amended).”**

It is our professional planning opinion that the proposal outlined above is ‘exempted development’ in accordance with Schedule 2, Part 1, Class 20F of the Planning and Development Regulations 2001 (as amended).





## 2 Site Context

### 2.1 Site Location & Details

The subject site is Longueville House, Ballyclough, Co. Cork. The subject buildings are located on the southern and eastern side of the courtyard. The overall site is generally bounded by agricultural fields to the north, south, east and west. Longueville House was formerly in operation as a hotel and the building known as 'The Courtyard Mews' was associated with Longueville House Hotel for hotel guest accommodation.

A site aerial is shown below for the benefit of the Planning Authority:



Figure 1 – Site Aerial (subject site outlined in red)

Longueville House itself is a Protected Structure (RPS Ref. 00266) and The Courtyard Mews building is ancillary to this main structure. Both buildings are contained within the red line above.

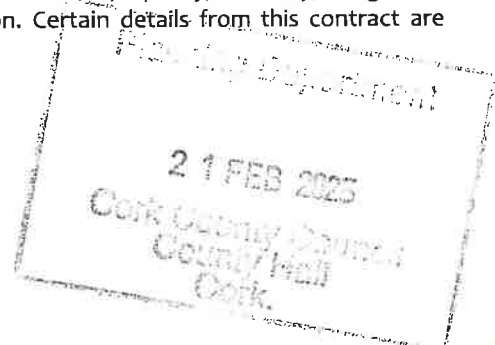
This report can confirm that there are no proposed works internally or externally to Longueville House and The Courtyard Mews building and rather it is the use of the building that is solely the subject of this Section 5 Declaration request.

### 2.2 History & Current Use of the Building

Prior to the occupation of the building by persons seeking international protection, Longueville House had been in use as a hotel. The Courtyard Mews had been used since 1996 as part of the former hotel operation at Longueville House until it ceased trading in early 2024.

Hotel use is sufficiently wide to facilitate the accommodation of those seeking international protection under Class 20F of the Planning and Development Regulations 2001 (as amended).

The applicant currently has a contract with the Department of Children, Equality, Disability, Integration and Youth to house those seeking international protection. Certain details from this contract are enclosed in Appendix A as evidence.





### Relevant Planning History

The key planning history pertaining to the subject building only is set out below.

**Reg. Ref. 964318** Permission **Granted** for alterations and extension to a dwelling house.

**Reg Ref: 049504** Permission **Granted** on 14.07.2005 for Alterations to and an extension to the rear of Longueville House Hotel, alteration, refurbishment, conversion and change of use of existing ancillary storage buildings, the demolition of 590 sq.m of additional buildings including the part demolition and change of use of an existing habitable residential unit, and the construction of 5181 sq.m. of additional buildings all to facilitate the provision of 60 additional hotel bedrooms, 21 suites, 18 staff bedrooms with laundry, a spa facility, an additional restaurant/bar and an oratory to the existing hotel. Provision of additional car parking areas and extension of existing car park to provide in total 140 spaces, upgrading of existing access at the public road including alterations to the existing entrance walls. Provision of a new sewage treatment plant and sand filter/percolation system and an underground storm water attenuation tank to the west of the site and all associated development works and landscaping.

Under the 2004 permission, there were proposals for 'The Courtyard Mews' to be used as a Spa facility. The drawings below outline this in detail.

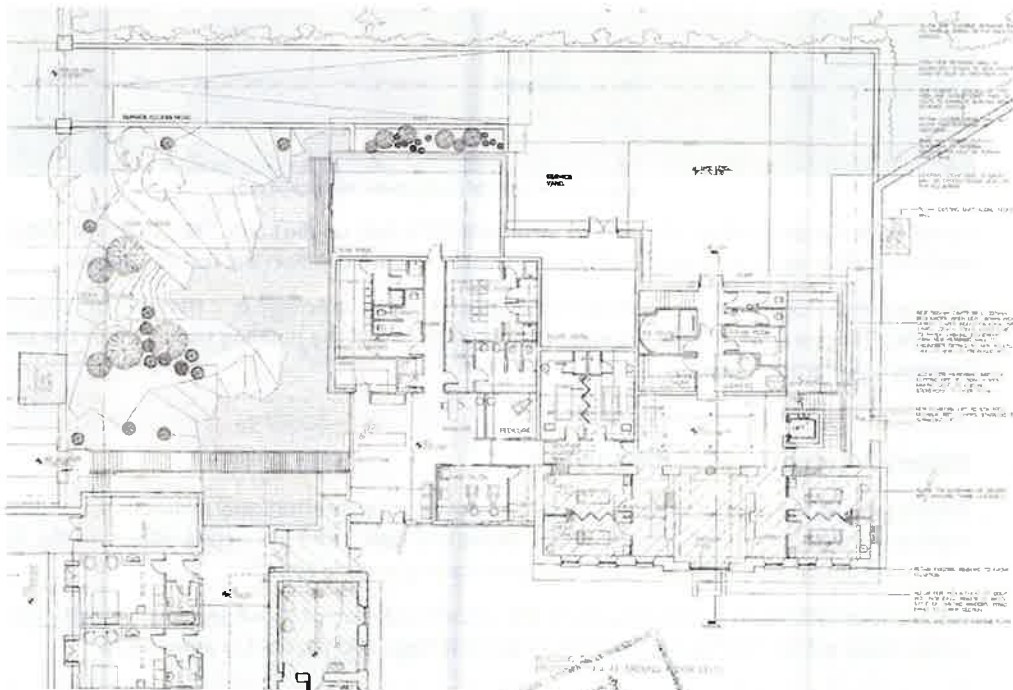
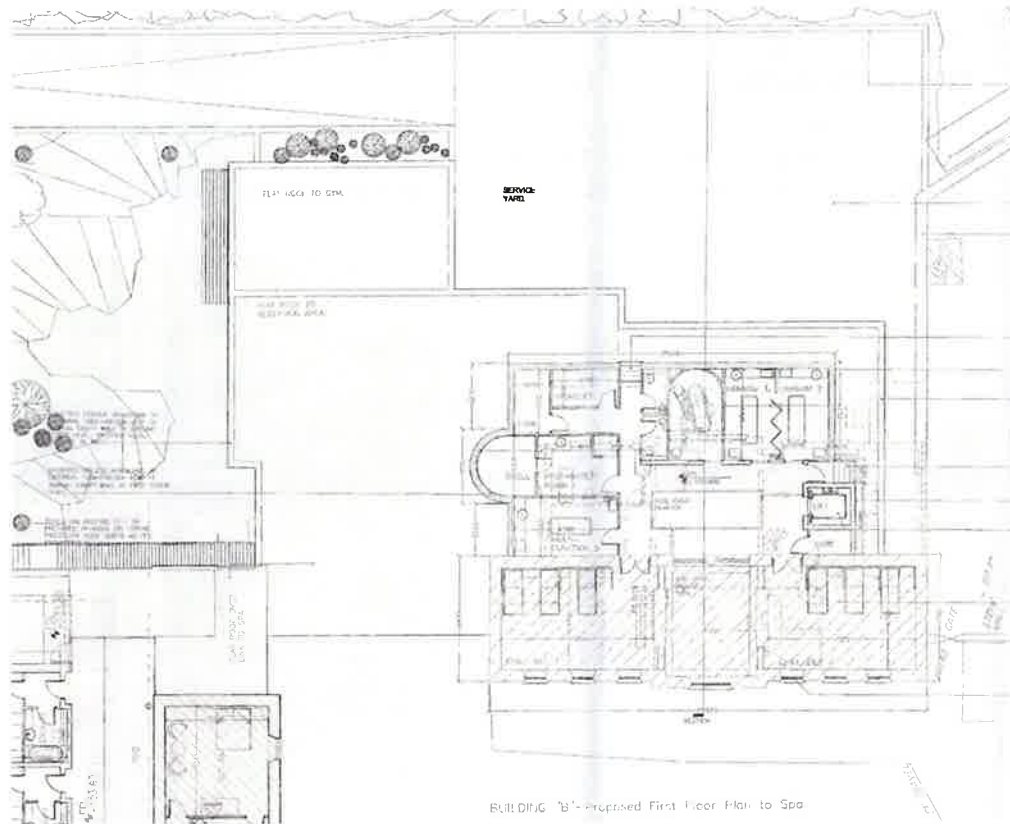


Figure 2 - Proposed Ground Floor Plans lodged as part of the planning application

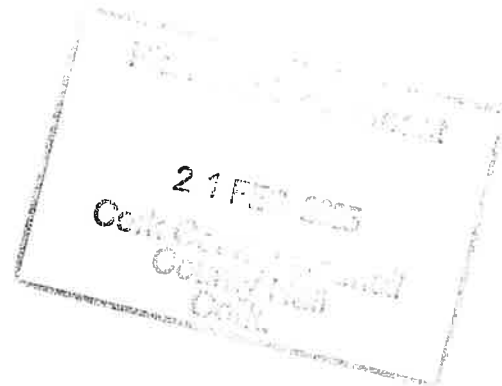






**Figure 3 - Proposed First Floor Plans lodged as part of the planning application**

These proposals were not implemented and rather the most recent use of the building was associated with hotel accommodation ancillary to the operation of Longueville House.





## 4 Planning Policy Context

### 4.1 Cork County Development Plan 2022-2028

The Cork County Development Plan 2022-2028 represents the statutory planning document governing the development of the subject site. The Cork County Development Plan 2022-2028 was adopted by the elected members of Cork County Council on the 25<sup>th</sup> of April 2022. The plan came into effect on the 6<sup>th</sup> of June 2022.

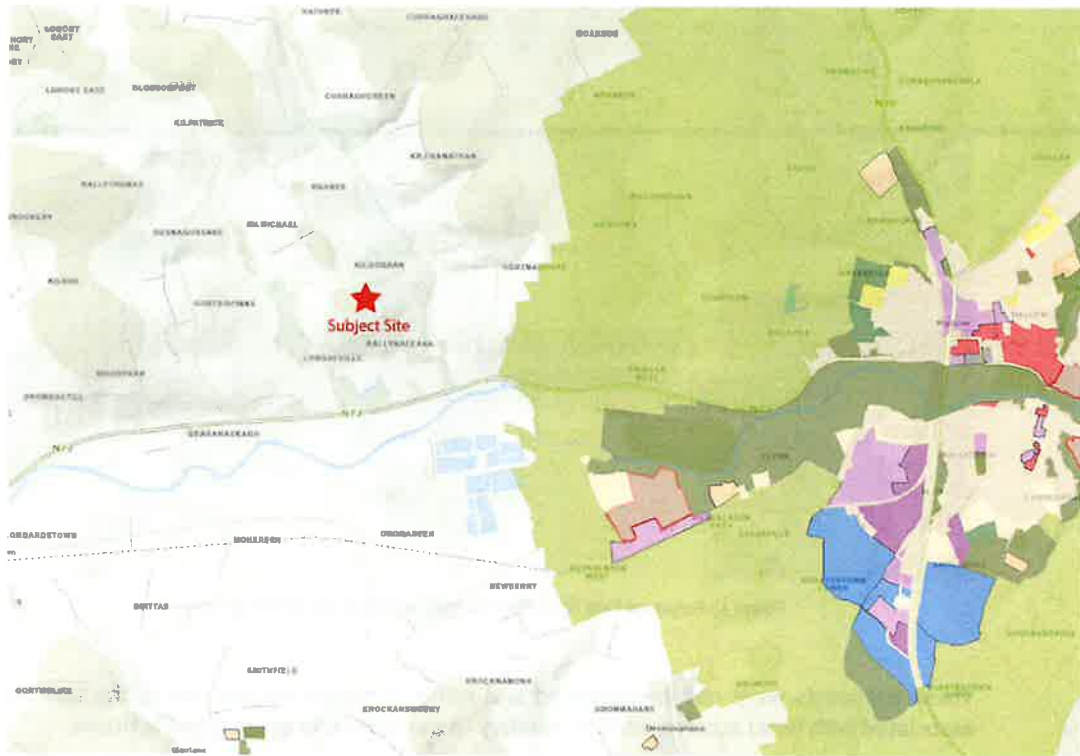


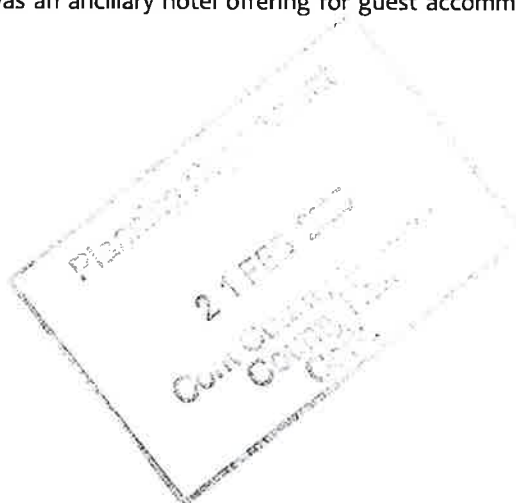
Figure 4 – Site in relation to Zoned Lands

As outlined in Figure 4 above, the subject site is located on lands that are not zoned by the County Development Plan.

We note that Objective ZU 18-4 of the County Development Plan states:

*Where lands have not been explicitly zoned, in the Plan the specific zoning shall be deemed to be that of the existing use of the lands (if such a use is not an authorised use under the Planning Acts) or, if such use is unauthorised, that of the most recent authorised use of the lands.”*

The most recent use at this site is hotel use in the form of the operation of Longueville House Hotel, to which The Courtyard Mews building was an ancillary hotel offering for guest accommodation. Both buildings most recent use is hotel use.





## 5 The Proposal

This report can confirm that there are no proposed works internally or externally to the structures. The existing drawings provided with this declaration are as the buildings exist and as they will remain.

The current proposal very simply seeks the temporary use of the building for those seeking international protection.

The figures below outline the location of the buildings, the layouts and also the existing ground floor plans subject of this Section 5 Declaration. Please refer to the RDF Architects pack included with this application for a full suite of Architectural drawings.

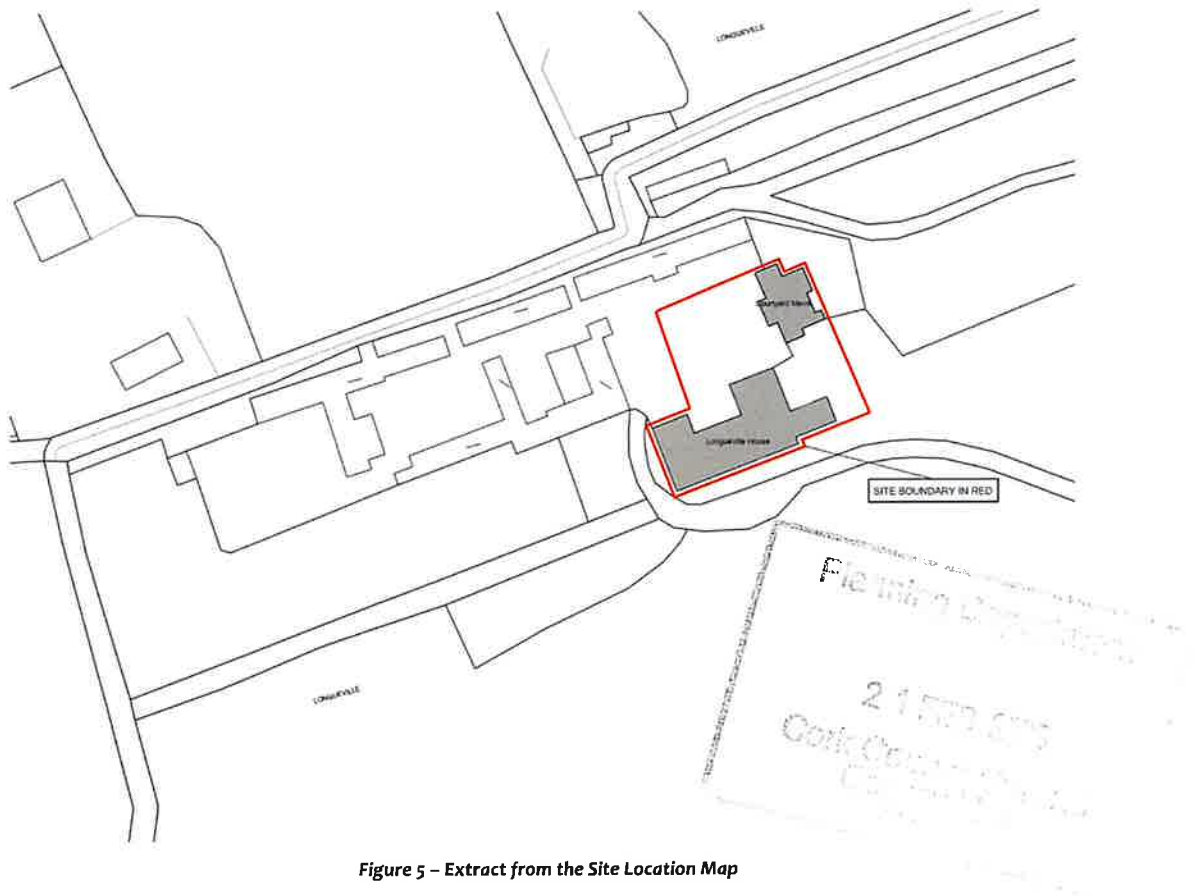


Figure 5 – Extract from the Site Location Map



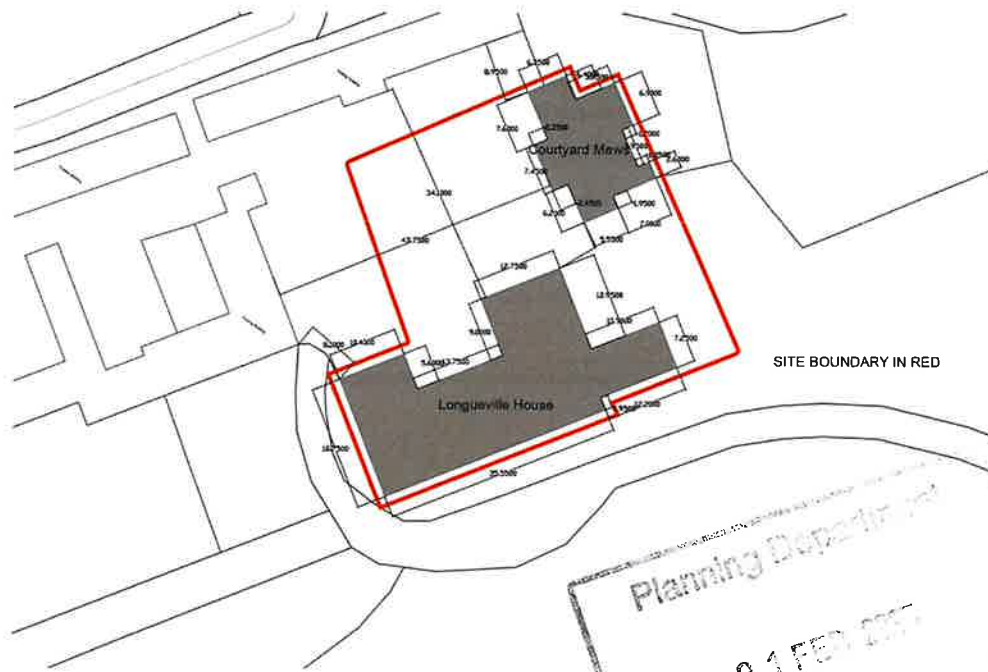
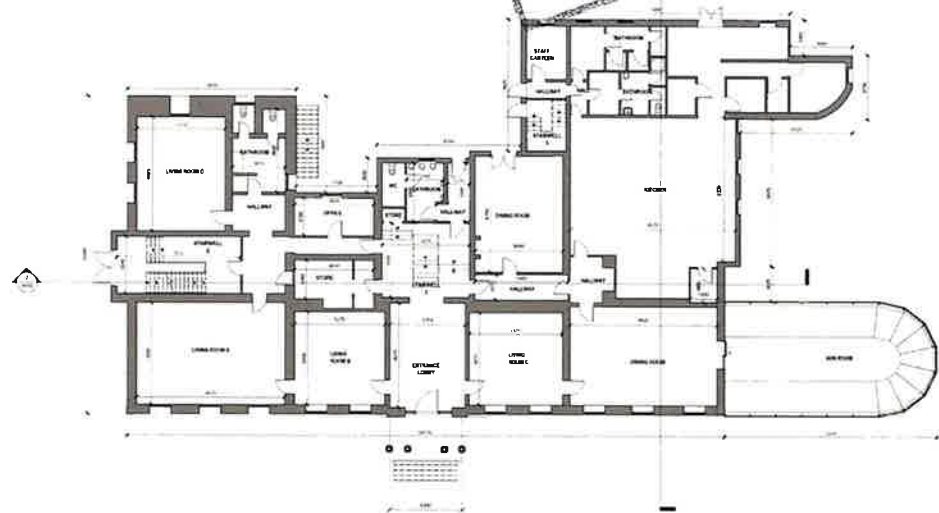


Figure 6 – Site Layout Plan



01 Existing Ground Floor Plan  
Scale 1:100 @ A1

Figure 7 – Existing Ground Floor of Longueville House

The Longueville House building functions as a 19 bedroom property. Each bedroom has its own ensuite bathroom. Storage space areas are located across the 4 floors, including basement level. Kitchen, dining, and living areas are located on ground floor and second floor level. Laundry facilities are also provided for. The building, both its interior and exterior, will remain unaltered by the proposal to accommodate those seeking international protection.



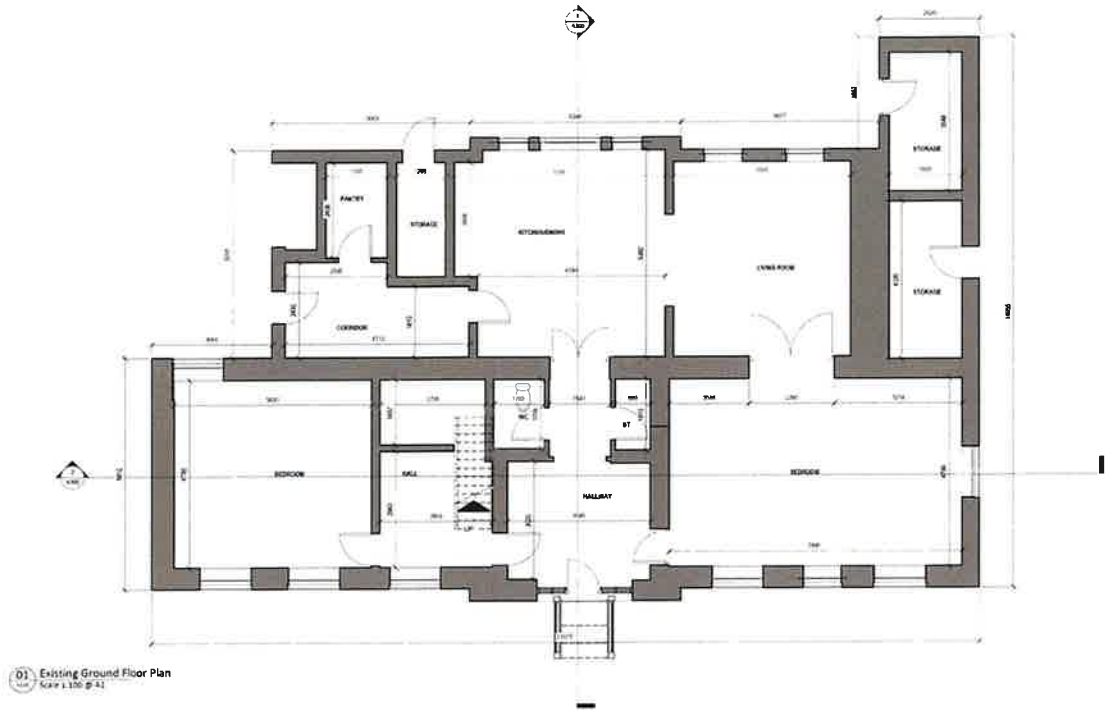


Figure 8 – Existing Ground Floor of The Courtyard Mews

The Courtyard Mews building functions as a 6 bedroom property with facilities for bathrooms, kitchen, dining, living and storage space areas. The building, both its interior and exterior, will remain unaltered by the proposal to accommodate those seeking international protection.





## 6 Statutory Provisions

### 6.1 Planning and Development Act, 2000 (as amended)

Section 2 (1) of the Planning and Development Act 2000 (as amended) states:

*'In this Act, except where the context otherwise requires –*

*“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 Planning and Development Act 2000 (as amended) 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 (4) of the Planning and Development Act 2000 (as amended) states:

*'Notwithstanding paragraphs (a), (i), (ia) and (l) of subsection (1) and 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’.*

It is considered that an environmental impact assessment or appropriate assessment are not required in respect of the subject proposal.

### 6.2 Planning and Development Regulations 2001 (as amended)

The change of use from hotel use to temporary international protection accommodation is considered ‘exempted development’ in accordance with Schedule 2, Part 1, Class 20F of the Planning and Development Regulations 2001 (as amended), which lists the following as exempted development:

*‘Temporary use by or on behalf of the Minister for Children, Equality, Disability, Integration and Youth to accommodate or support displaced persons or persons seeking international protection of any structure or part of a structure used as a school, college, university, training centre, social centre, community centre, non-residential club, art gallery, museum, library, reading room, sports club or stadium, gymnasium, **hotel**, convention centre, conference centre, shop, office, Defence Forces barracks, light industrial building, airport operational building, wholesale warehouse or repository, local authority administrative office, play centre, medical and other health and social care accommodation, event and exhibition space or any structure or part of structure normally used for public worship or religious instruction’.*

Class 20F was inserted by article 2 of S.I. No. 605 Planning and Development (Amendment) (No. 4) Regulations 2022 and substituted by article 2 of S.I. No. 376/2023 Planning and Development (Exempted Development) (No. 4) Regulations 2023. Circular Letter PL 09/2023 is included as Appendix B of this report, issued by the Department of Housing, Local Government and Heritage to notify the Directors of Planning in each Local Authority of the insertion of the Planning and Development (Exempted Development) (No. 4) Regulations 2023 (S.I. 376/2023) which extends the exemption provided by S.I. 605 of 2022, from 31 December 2024 to 31 December 2028.

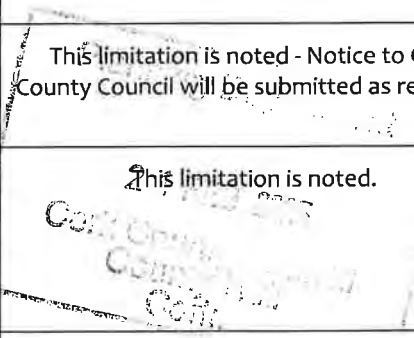
Article 6 (1) of the Planning and Development Regulations 2001 (as amended) states:

*Subject to article 9, development 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.*





The below table 1 outlines the conditions and limitations associated with exempted development Class 20F, and a response from the applicant to each for the benefit of the Planning Authority:

	<b>Exempted Development Class 20F – Conditions and Limitations</b>	<b>Applicant Response</b>
1	The temporary use shall only be for the purposes of accommodating displaced persons or for the purposes of accommodating persons seeking international protection.	The temporary use is only for the purpose of accommodating persons seeking international protection.  Our client has an existing contract with IPAS on behalf of the Minister for Children, Equality, Disability, Integration and Youth to provide accommodation services to persons seeking International Protection. Details from this contract are enclosed in Appendix A.
2	Subject to paragraph 4 of this class, the use for the purposes of accommodating displaced persons shall be discontinued when the temporary protection introduced by the Council Implementing Decision (EU) 2022/382 of 4 March 2022 <sup>1</sup> comes to an end in accordance with Article 6 of the Council Directive 2001/55/EC of 20 July 2001.	This limitation is noted – We confirm that our client has an existing contract with IPAS on behalf of the Minister for Children, Equality, Disability, Integration and Youth to provide accommodation services to persons seeking International Protection only. Details from this contract are enclosed in Appendix A.
3	The use for the purposes of accommodating persons seeking international protection shall be discontinued not later than 31 December 2028.	This limitation is noted - The use for the purposes of accommodating persons seeking international protection will be discontinued not later than 31 December 2028.
4	Where the obligation to provide temporary protection is discontinued in accordance with paragraph 2 of this class, on a date that is earlier than 31 December 2028, the temporary use of any structure which has been used for the accommodation of displaced persons shall continue for the purposes of accommodating persons seeking international protection in accordance with paragraph 3 of this class.	This limitation is noted - Where temporary use of any structure for displaced persons is discontinued in accordance with the above the use shall continue for the accommodation of persons seeking international protection.
5	The relevant local authority must be notified of locations where change of use is taking place prior the commencement of development.	This limitation is noted - Notice to Cork County Council will be submitted as required.
6	'displaced persons', for the purpose of this class, means persons to whom temporary protection applies in accordance with Article 2 of Council Implementing Decision (EU) 2022/382 of 4 March 2022.	This limitation is noted. 
7	'international protection', for the purpose of this class, has the meaning given to it in <a href="#">section 2 (1) of the International Protection Act 2015</a> (No. 66 of 2015).	This limitation is noted - This is fully understood and will be complied with in full.  International protection means status in the State either—(a) as a refugee, on the basis of





	8. "temporary protection", for the purpose of this class, has the meaning given to it in Article 2 of Council Directive 2001/55/EC of 20 July 2001."	a refugee declaration, or (b) as a person eligible for subsidiary protection, on the basis of a subsidiary protection declaration;
8	'Temporary protection', for the purpose of this class, has the meaning given to it in Article 2 of Council Directive 2001/55/EC of 20 July 2001.	This is fully understood and will be compiled with in full.

**Table 1 – Exempted Development Class 20F Conditions and Limitations.**

Referring to Article 9(1) of the Planning and Development Regulations 2001 (as amended), the only restrictions considered potentially relevant to the proposal are set out below:

- a) If the carrying out of such development would –**
- i. contravene a condition attached to a planning permission under the Act or be inconsistent with any use specifies in a permission under the Act.**
  - ii. endanger public safety by reason of traffic hazard or obstruction of road users,**
  - viiB. Comprise development in relation to which a planning authority or An Bord Pleanála is the competent authority in relation to appropriate assessment and the development would require an appropriate assessment because it would be likely to have a significant effect on the integrity of a European site**
  - (viii) consist of or comprise the extension, alteration, repair or renewal of an unauthorised structure or a structure the use of which is an unauthorised use,**

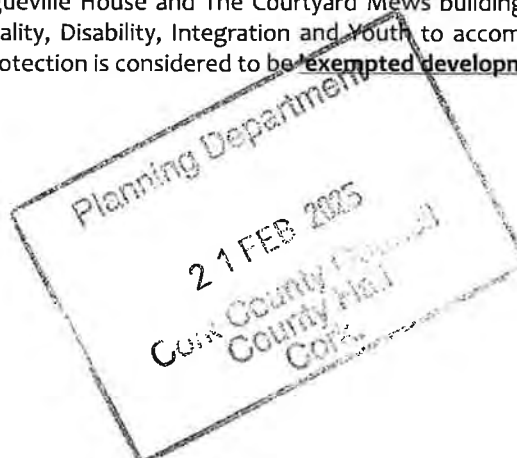
In response to Article 9 and having reviewed the subject proposal against the criteria outlined above, we conclude that the proposal does not contravene a condition attached to any previous planning applications pertaining to the subject site.

The change of use from hotel to Temporary International Protection Accommodation will comply with all requirements of the Department of Children, Equality, Disability, Integration and Youth. It is therefore considered that no impact to traffic safety or public safety is likely to occur as a result.

The proposal does not require appropriate assessment. It is not considered that the proposed development will have a significant impact on the integrity of any European sites.

The proposed temporary change of use from hotel to Temporary International Protection Accommodation will not consist of or comprise the extension, alteration, repair or renewal of an unauthorised structure, or a structure the use of which is an unauthorised use. We note specifically that there are no physical works proposed to the buildings that comprise extension, alteration, repair or renewal. In addition, we note that the most recent use of the buildings is hotel, as a use that was until recently in place for over nearly 30 years. This immune use covers the accommodation of those seeking international protection.

Accordingly, the temporary use of Longueville House and The Courtyard Mews buildings by or on behalf of the Minister for Children, Equality, Disability, Integration and Youth to accommodate or support persons seeking international protection is considered to be **'exempted development'**.







## 7 Conclusion

The content of this report is offered in assistance to Cork County Council in providing a Section 5 Declaration within the 4-week period of receipt of this request.

The applicant is now seeking a declaration from Cork County Council under the provisions of Section 5 (2) (a) of the Planning and Development Act to determine:

**“That the proposed temporary change of use from former hotel to International Protection Accommodation is exempted development in accordance with Schedule 2, Part 1, Class 20F of the Planning and Development Regulations 2001 (as amended).”**

It is our professional planning opinion that the proposal outlined above is ‘exempted development’ in accordance with Schedule 2, Part 1, Class 20F of the Planning and Development Regulations 2001 (as amended).

We ask the Planning Authority to concur with the following points:

- The proposed temporary use of the buildings falls within Class 20F of Part 1 of Schedule 2 of the Planning and Development Regulations 2001, as amended, and would therefore, constitute exempted development.
- None of the restrictions on exemption set out in Article 9 (1) of these Regulations apply in this instance.

We trust the above documentation is in order. If further information is required to assist in the Declaration, Brock McClure Planning and Development Consultants will respond accordingly.

We look forward to a favourable decision in due course.





## 8 Appendix A – Details from the Contract with the Department

An Roinn Leanaí, Comhionannais,  
Míchumais, Lánpháirtíochta agus Óige  
Department of Children, Equality,  
Disability, Integration and Youth



### AGREEMENT

### BETWEEN

The Minister for the Department of Children,  
Equality, Disability, Integration and Youth.

### AND

**Valleyport Ltd, 752417**

FOR EMERGENCY ACCOMMODATION FOR PERSONS  
SEEKING INTERNATIONAL PROTECTION  
AT

**Longueville House, Longueville, Ballyclough, Co.  
Cork, P51 WD88  
FOR THE PERIOD**

26 June 2024 to 25 June 2025

SEIRBHÍS AN tSOLÁTHAIR COSAINT IDIRNÁISIÚNTA, BOSCA O. P. 11487, BAILE ÁTHA CLIATH 2  
INTERNATIONAL PROTECTION PROCUREMENT SERVICES, P.O. BOX 11487, DUBLIN 2  
T +353 1 4183200  
E: [ipps@equality.gov.ie](mailto:ipps@equality.gov.ie)





**An Roinn Leanaí, Comhionannais,  
Míchumais, Lánpháirtíochta agus Óige**  
Department of Children, Equality,  
Disability, Integration and Youth



Dated the 09 day of September 2024

Signed for and on behalf *here to.*  
of the **MINISTER FOR** Department of Children, Equality, Disability, Integration and  
**Youth.**

Signed for and on behalf  
of the **Contractor**

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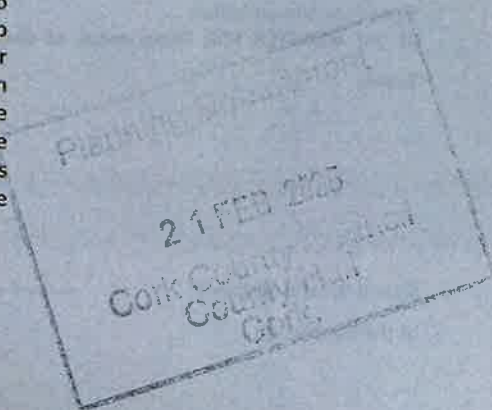


An Roinn Leanat, Comhionannais,  
Míchumais, Lánpháirtíochta agus Óige  
Department of Children, Equality,  
Disability, Integration and Youth



I understand and acknowledge that the provision of inaccurate or misleading information in this declaration may lead to my business/firm/company/partnership being excluded from participation in this or future tenders, and I make this solemn declaration conscientiously believing the same to be true and by virtue of the Statutory Declarations Act, 1938. This declaration is made for the benefit of the Contracting Authority.

Karl McMenamin  
Signature of Declarant



Declared before me by Karl McMenamin who is personally known to me  
(or who is identified to me by \_\_\_\_\_ who is personally known to me)

at One Roden Place, Dundalk, County Louth  
this 1<sup>st</sup> day of July 2024

(signed) Practising Solicitor/Commissioner for Oaths

Simon McArdle  
Solicitor  
McKenna McArdle  
Solicitors LLP  
One Roden Place  
Dundalk, Co. Louth.  
A91 H4CY





## 9 Appendix B – Circular Letter PL 09/2023

An Roinn Tithíochta,  
Rialtais Áitiúil agus Oidhreacht  
Department of Housing,  
Local Government and Heritage



To: Directors of Planning in each local authority

CC: Chief Executives  
Senior Planners  
An Bord Pleanála  
Office of the Planning Regulator  
Directors of Regional Assemblies

Circular Letter PL 09/2023

4 August 2023



**Re: Planning and Development (Exempted Development)(No. 4) Regulations 2023  
(S.I. 376/2023)**

I have been asked by Mr. Darragh O'Brien, T.D., Minister for Housing, Local Government and Heritage to advise that he has signed the above set of Regulations which have immediate effect. A copy of the Regulations is attached for information.

Following engagement with the Department of Children, Equality, Disability, Integration and Youth (DCEDIY) and as a response to the ongoing unprecedented demand for the accommodation of those seeking international protection, regulations were introduced on the 29 November 2022 (S.I. 605 of 2022) to assist the Minister for Children, Equality, Disability, Integration and Youth (MCEDIY) in meeting Ireland's legal obligation to provide accommodation to international protection applicants.

Those Regulations amended Part 1 of Schedule 2, entitled 'Exempted Development - General', to the Planning and Development Regulations 2001, as amended, to insert a new Class 20F exemption. This new Class permitted the change of use of certain specified structures for the purpose of providing the necessary facilities and accommodation for international protection applicants.

Teach an Chustaim, Baile Átha Cliath 1, D01W6X0  
Custom House, Dublin 1, D01 W6X0  
T +353 1 888 2000 | [planning@housing.gov.ie](mailto:planning@housing.gov.ie)  
[www.gov.ie/housing](http://www.gov.ie/housing)





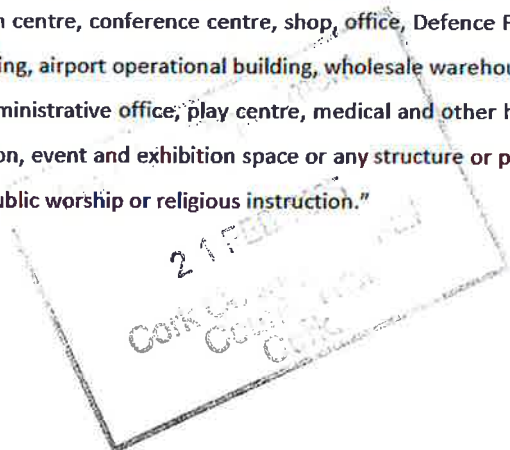
Those provisions were a temporary time-limited measure and were due to expire on 31 December 2024, with the use of the specified structures ceasing to apply on that date.

**Planning and Development (Exempted Development)(No. 4) Regulations 2023 (S.I. 376/2023)**

The new Planning and Development (Exempted Development)(No. 4) Regulations 2023 (S.I. 376/2023) which are the subject of this Circular extend the exemption provided by S.I. 605 of 2022, from 31 December 2024 to 31 December 2028. This is to allow DCEDIY greater flexibility in agreeing leases with potential accommodation providers for international protection applicants. In addition, in order to provide greater flexibility to DECDIY in how they use the accommodation they source, the new regulations extend the scope of the exemption provided by S.I. 605 of 2022 to now also include the provision of accommodation in the listed structures below to persons displaced by the Russian invasion of Ukraine, in addition to the structures which are already exempted for this purpose under S.I. 306 of 2022 – the European Union (Planning and Development)(Displaced Persons from Ukraine Temporary Protection) Regulations 2022.

There is no change to the structures listed from that which was provided by SI 605 of 2022, those structures being:

“school, college, university, training centre, social centre, community centre, non-residential club, art gallery, museum, library, reading room, sports club or stadium, gymnasium, hotel, convention centre, conference centre, shop, office, Defence Forces barracks, light industrial building, airport operational building, wholesale warehouse or repository, local authority administrative office, play centre, medical and other health and social care accommodation, event and exhibition space or any structure or part of structure normally used for public worship or religious instruction.”





Under the regulations, the use for the purposes of accommodating displaced Ukrainian persons shall be discontinued when the temporary protection introduced by the Council Implementing Decision (EU) 2022/382 of 4 March 2022 comes to an end, while the use for the purposes of accommodating persons seeking international protection shall be discontinued not later than 31 December 2028. The temporary protection for Ukrainians will remain in place until such time as the EU decides otherwise.

#### **Notification Requirement**

As with the previous regulations in this regard, a planning authority must be notified in writing of the details of the development prior to the commencement of the proposed change of use.

#### **Compliance with Building Regulations**

In this context, as with the planning system generally, neither the granting of planning permission or the provision of an exemption from the requirement to obtain planning permission, removes the requirement to comply with any other code, particularly in relation to the Building Regulations, including fire safety. The aim of the Building Regulations is to provide for the safety and welfare of people in and about buildings. It is important to note in the context of these exempted development provisions that compliance with the Building Regulations 1997 to 2021 must still be achieved and Building Control procedures will still apply.

Under the Building Control Acts 1990 to 2020, primary responsibility for compliance with the requirements of the Building Regulations rests with the owners, designers and builders of buildings. In particular, the Building Control (Amendment) Regulations 2014 (where they apply) require greater accountability in relation to compliance with Building Regulations in the form of statutory certification of design and construction by registered construction professionals and builders, lodgement of compliance





documentation, mandatory inspections during construction and validation and registration of certificates.

Any queries in relation to this Circular letter should be emailed to [planning@housing.gov.ie](mailto:planning@housing.gov.ie).

Terry Sheridan

Principal

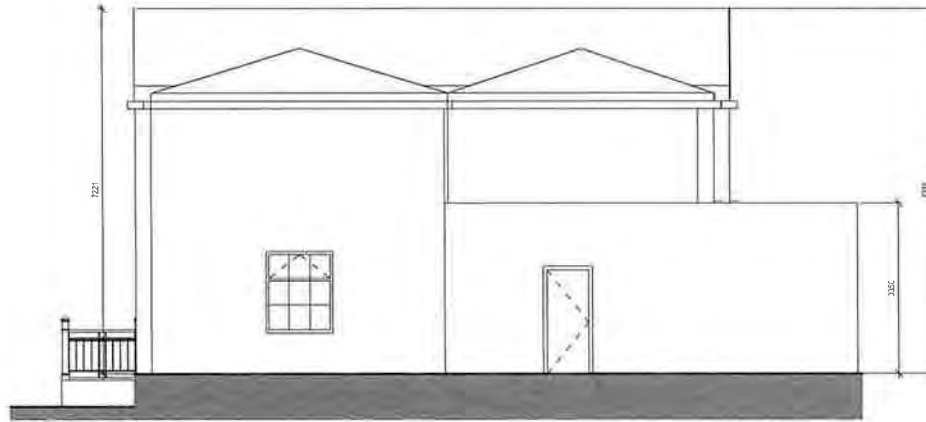
Planning Policy and Legislation

**Attachment for information:**

- Planning and Development (Exempted Development)(No. 4) Regulations 2023







02 Existing RHS Elevation  
Scale 1:100 @ A1

21 FEB 2015  
 COIK County Council  
 County Hall  
 Cork



01 Existing Front Elevation  
Scale 1:100 @ A1

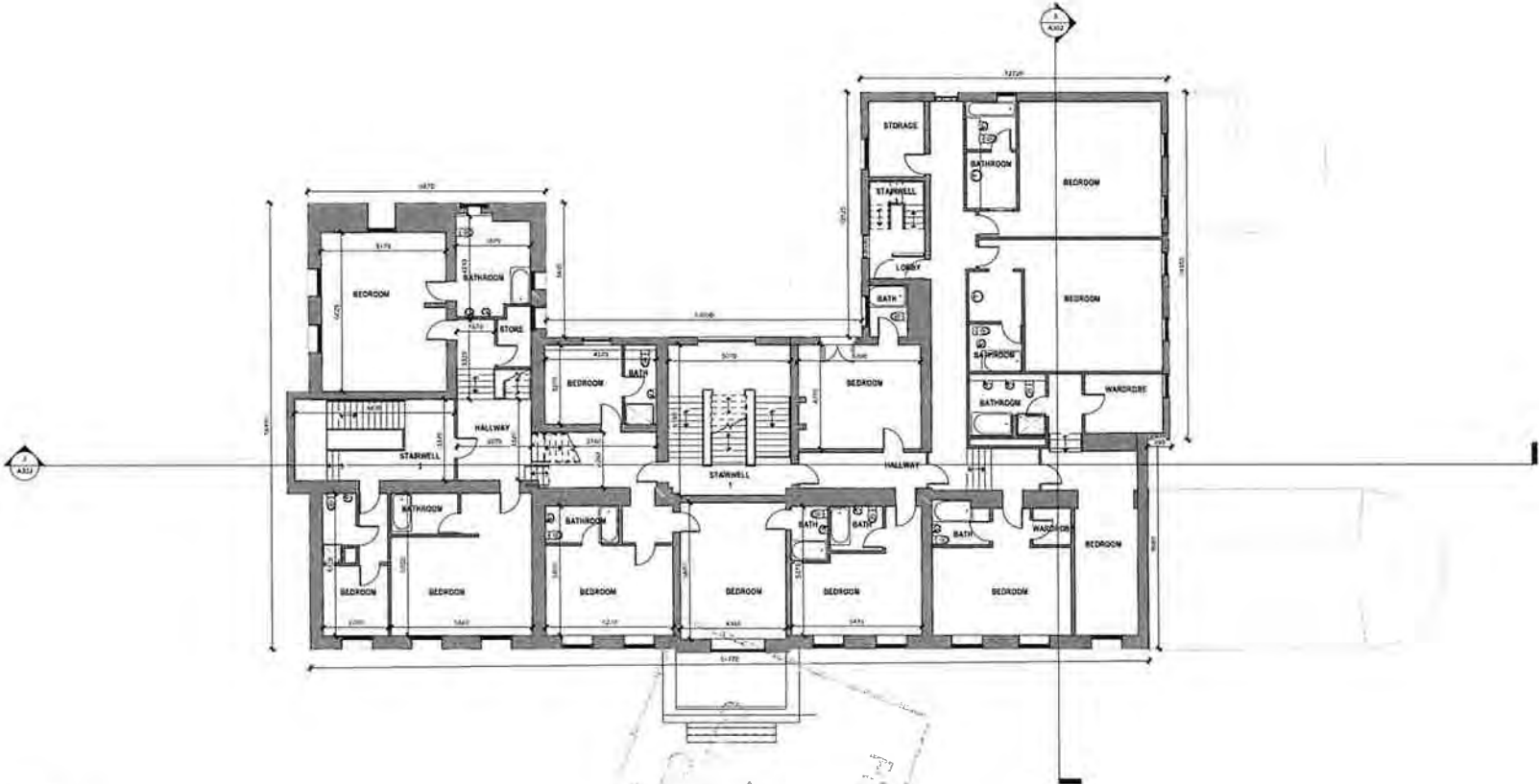
Courtyard  
Mews

23068-RDF-M3-A-5583	Client: Valkeystown	Client Ref: 03 2023	Project: Valkeystown	<b>RDF Architects &amp; Planning Ltd.</b> 100, St. James's Street, Dublin 8, Ireland Tel: 01 454 4141 Email: info@rdf.ie www.rdf.ie
Date: 03/02/23 Scale: 1:100 @ A1 Author: J.P. Checker: J.P. Approver: J.P. Date: 03/02/23	Project: Valkeystown Client: Valkeystown Ref: 03 2023 Date: 03/02/23	Project: Valkeystown Client: Valkeystown Ref: 03 2023 Date: 03/02/23	Project: Valkeystown Client: Valkeystown Ref: 03 2023 Date: 03/02/23	









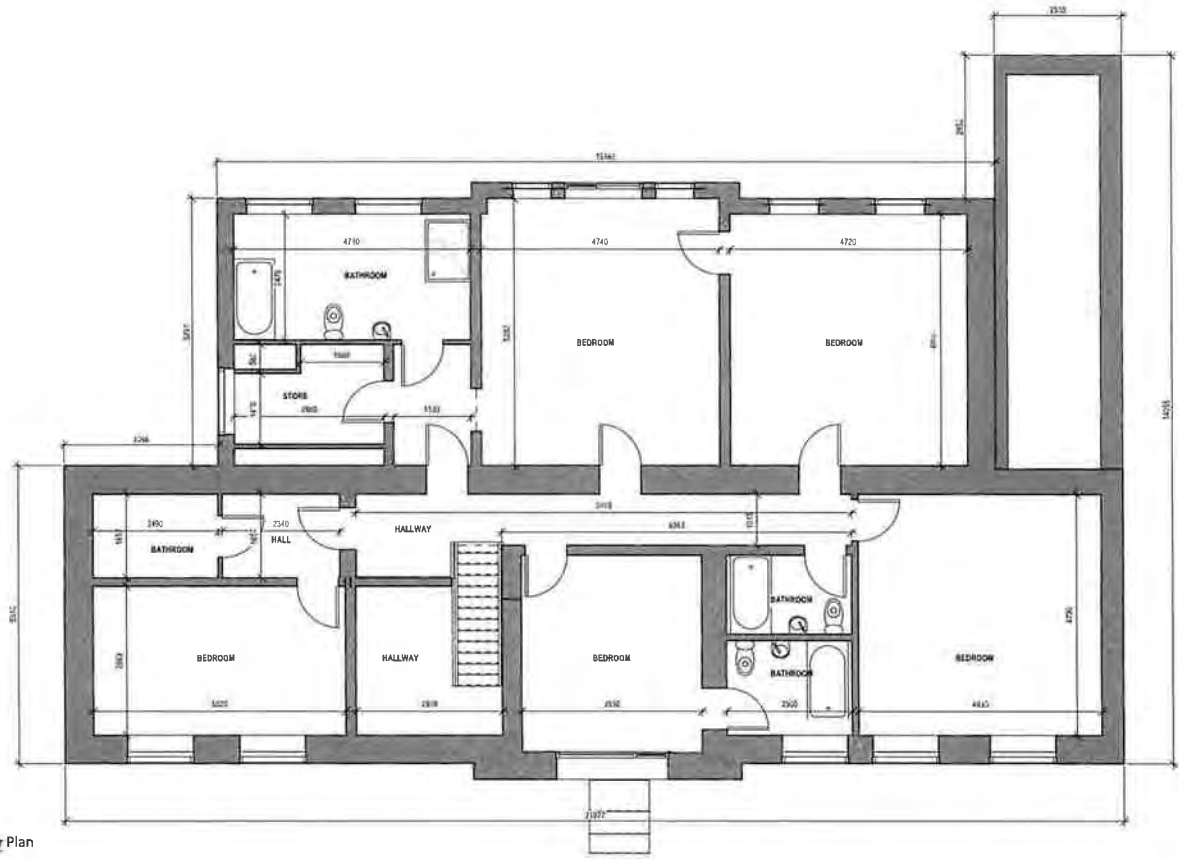
01 Existing First Floor Plan  
 V111 Scale 1:100 @ A1

For information only  
 Not for construction  
 21/11/2023

Longueville  
House

<b>23068-RDF-M3-A-5533</b> Drawing Title Drawing No. Drawing Date Drawing Scale Drawing Status	Existing First Floor Plan 01 2323 1:100 @ A1	<b>RDF Architects &amp; Planning Ltd.</b> 100-102, The Quadrant, Malton, North Yorkshire YO10 2AA Tel: 01430 250000 Email: info@rdf-architects.co.uk <b>RDF ARCHITECTS &amp; PLANNING LTD.</b> Longueville House Malton
	Author: [Name] Designer: [Name] Checker: [Name] Date: [Date]	



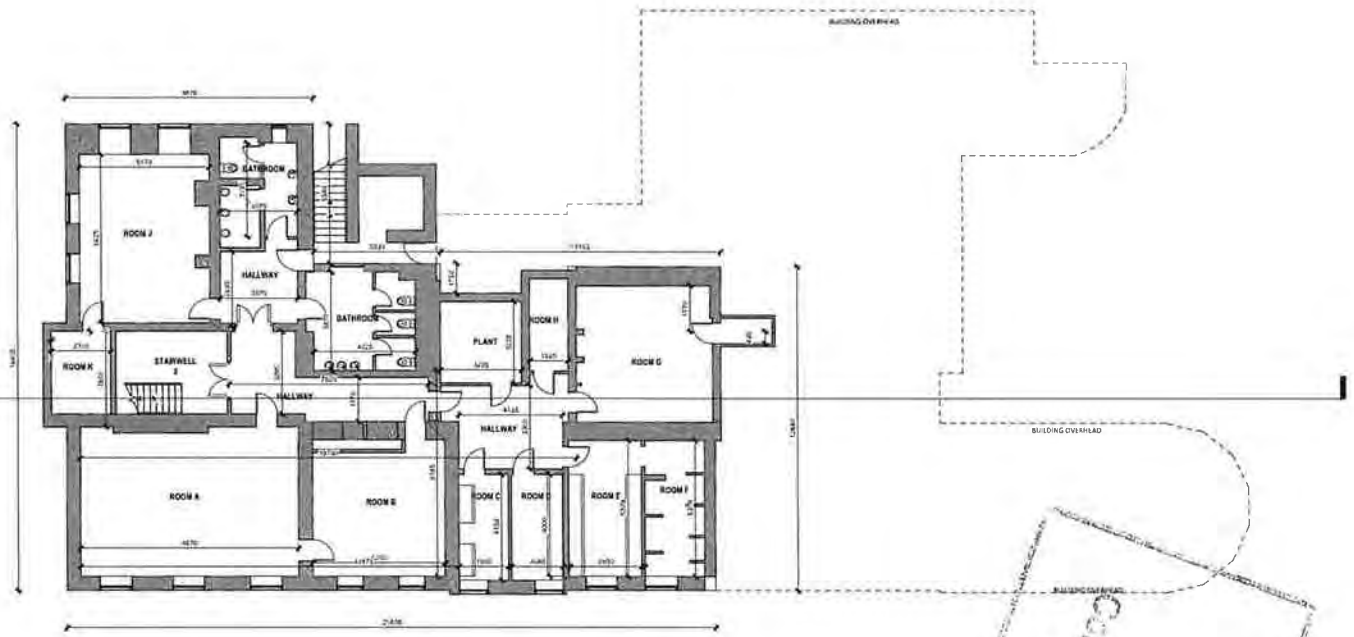


D1 Existing First Floor Plan  
 Scale 1:100 @ A1

*Handwritten notes:*  
 11/05/2010  
 23068-01-01  
 23068-01-01

Courtyard  
 Mews

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Valeport Limited		RDF ARCHITECTS & PLANNING LTD		RDF	
23068-01-01		Detailed Design		Langueville House, Malton	



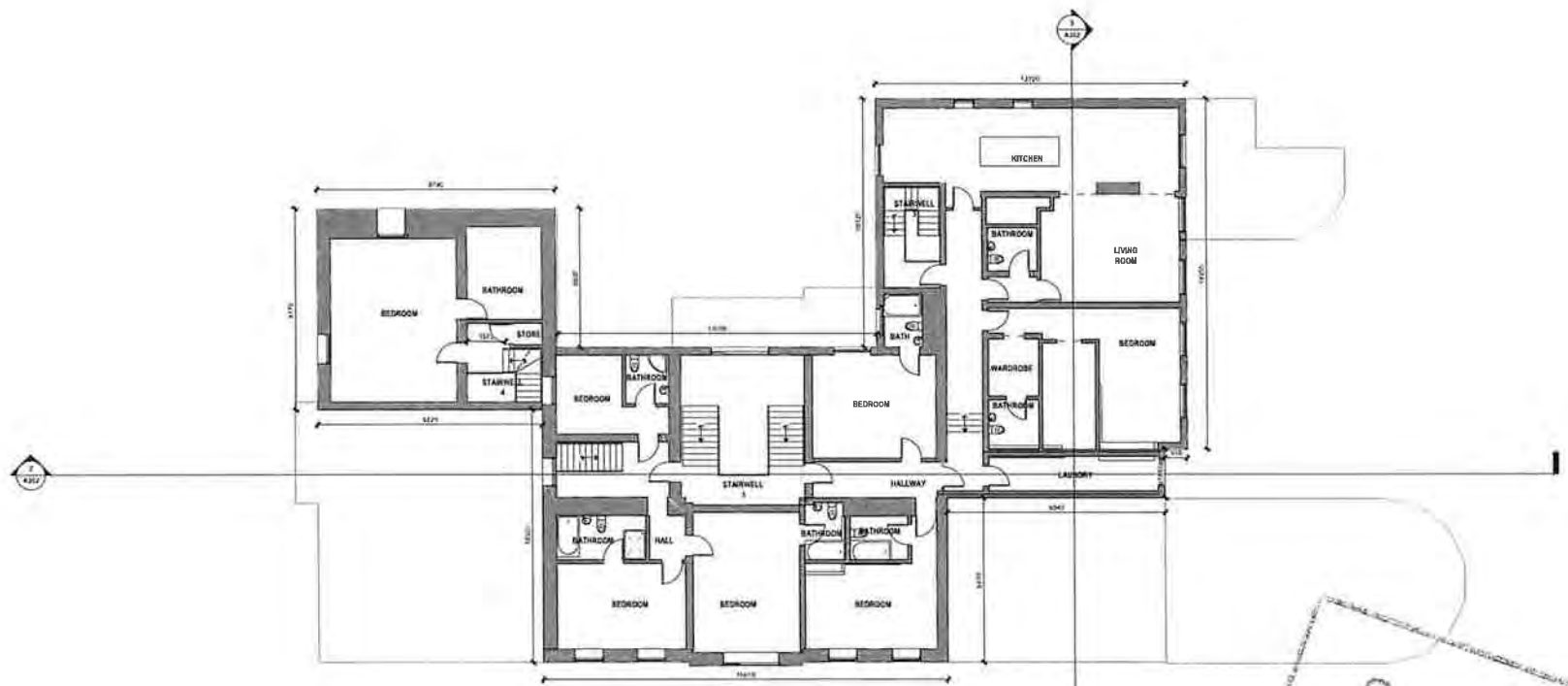
01 Existing Basement Floor Plan  
Scale 1:100 @ A1

Plan  
21/11/2023  
CONFIDENTIAL

Longueville  
House

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01 2025	1:100 @ A1	1000 St. Charles Street, Suite 100, St. John's, NL A1B 1X6
		<b>RDF</b> ARCHITECTS & PLANNING LTD.
		Longueville House, Halifax



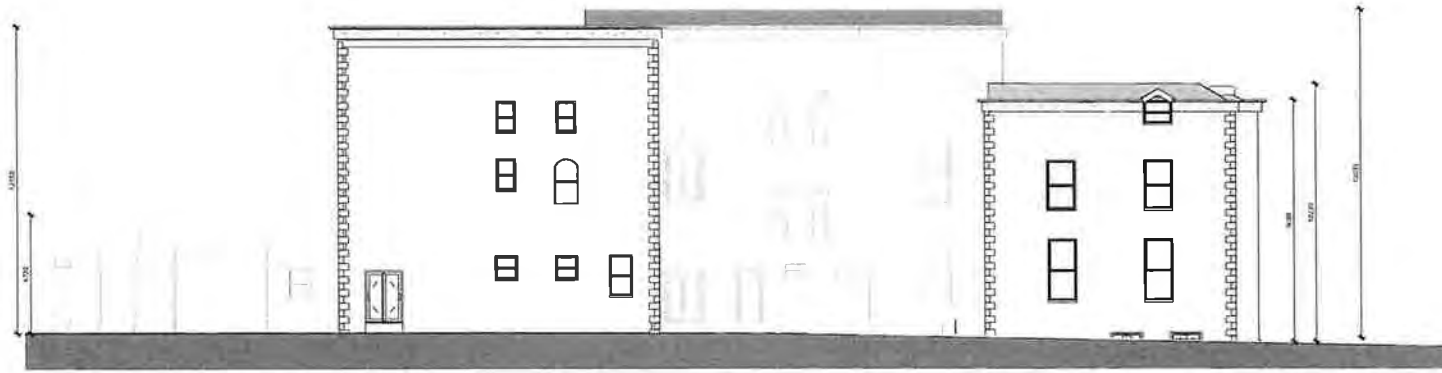


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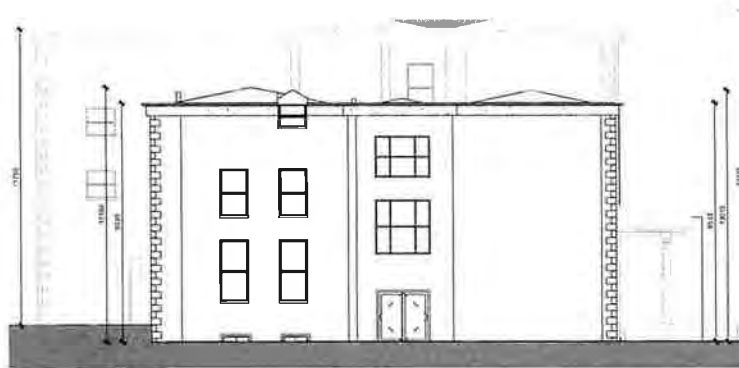
Planning Department  
 24 Nov 2015  
 C:\Users\Public\Documents\

Longueville  
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	Date Issued: 24/11/2015 Drawn: [Name] Checked: [Name] Approved: [Name]	Scale: 1:100 @ A1 Project: 23068-RDF-M3-A-5534 Drawing: 01 Existing Second Floor Plan



01 Existing Rear Elevation  
 1:100 / Scale 1:100 @ A1



02 Existing LHS Elevation  
 1:100 / Scale 1:100 @ A1

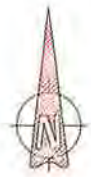
Planning Department  
 21 FEB 2025  
 COMMUNITY CONSULTATION  
 COMMUNITY CONSULTATION

Longueville  
 House

<b>23058-RDF-M3-A-5582</b> <small>Project Name</small> <small>Client</small> <small>Address</small> <small>City</small> <small>Country</small>	<small>Elevation Sheet 7</small> <b>01 2323</b> <small>1:100 @ A1</small>	<b>RDF Architects &amp; Planning Ltd.</b> <small>Plot 8, Riverside Court, 100, Riverside, London, SE15 2NF</small> <b>RDF</b> ARCHITECTS & PLANNING LTD. <small>Longueville House, Milton</small>
	<small>Author</small> <small>Check</small> <small>Drawn</small> <small>Date</small> <small>Scale</small> <small>Sheet</small>	



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 Tailte Éireann  
 Data Source / Reference:  
 PRIME2  
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 Autodesk AutoCAD (DWG\_R2013)  
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 Version= 1.4  
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**SITE AREA**  
 =2457m<sup>2</sup>  
 =0.2457Ha

Proposed Application Site  
 Longueville House,  
 Longueville, Ballycotton,  
 Co. Cork, P51  
 WD88Bounded in Red



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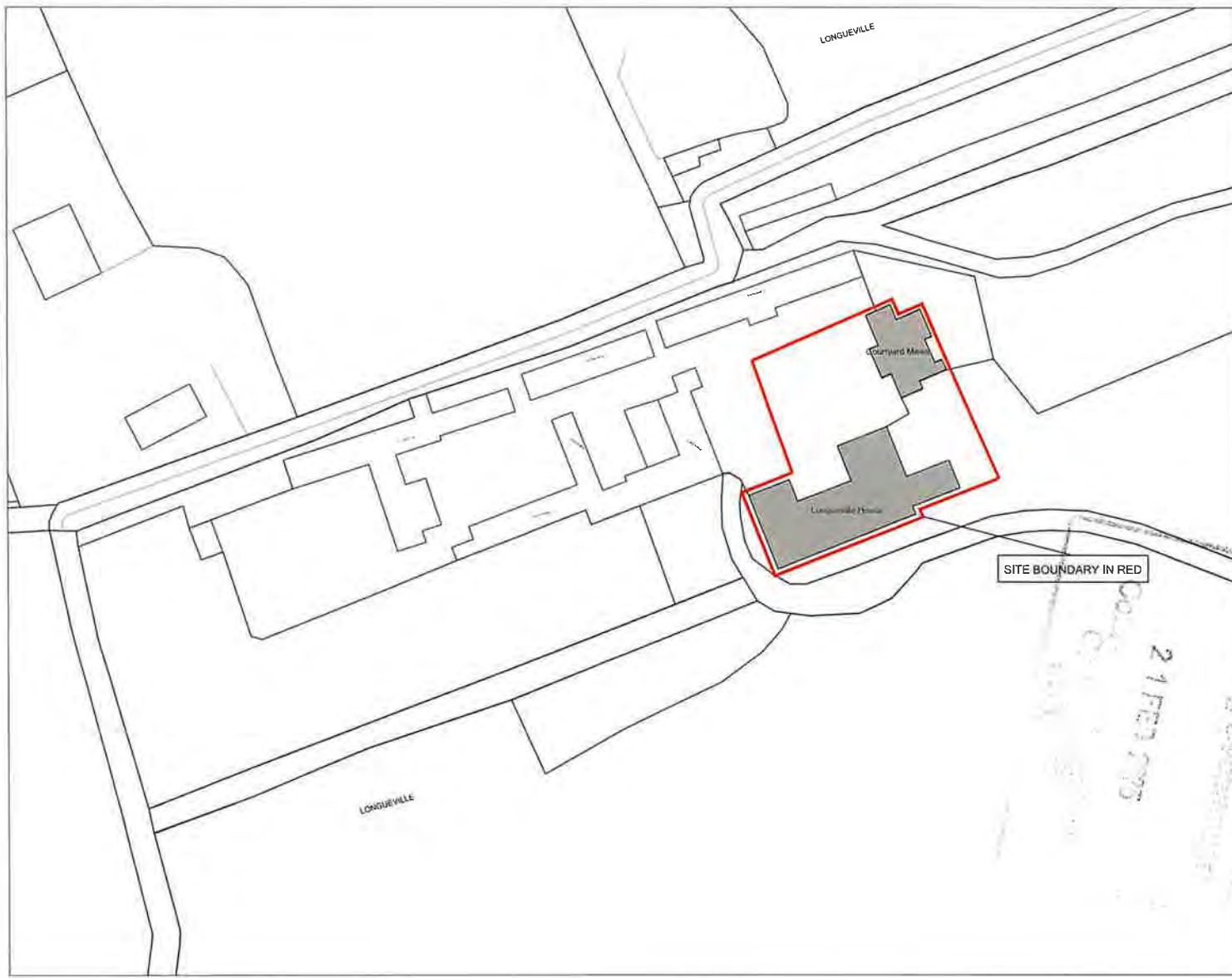
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		<b>Drawn By</b>	EM RDF Architects & Planning
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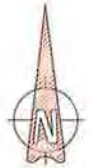
**RDF Architects & Planning Ltd.**  
 Unit 19, Charleville Town Centre  
 Charleville, Co. Cork

Tel 063 30917  
 E-mail: info@ocfpm.com  
 Web Site: www.ocfpm.com

Project:  
 Longueville, Co. Cork, P51 WD88



Description:  
 Digital Landscape Model (DLM)  
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 Tailte Éireann  
 Data Source / Reference:  
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**SITE AREA**  
 =2457m<sup>2</sup>  
 =0.2457Ha

Proposed Application Site  
 Longueville House &  
 Cortyard Mews,  
 Longueville, Ballyclogh,  
 Co. Cork,  
 Bounded in Red



OSI Ireland Details  
 A31. Digital Vector Planning Pack 1:1000  
 Order No: 50445810  
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**01** Site Location Map  
 scale 1:1000

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ISSUE	DATE	DRN	CHK
			NOTES

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 E-mail: info@ocfpm.com  
 Web Site: www.OCFPM.com

Project:  
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