

Comhairle Contae Chorcaí Cork County Council

Julie Butler,
Springfield,
Rearour,
Ballinhassig,
Co. Cork
T12 D59C

8th May, 2025

REF: D/254/25
LOCATION: Gurrans National School, Garranewaterig, Innishannon, Co. Cork T12 C799

**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 30th April, 2025 the Planning Authority, having considered whether the proposed change of use from primary school classroom to preschool classroom at **Gurrans National School, Garranewaterig, Innishannon, Co. Cork T12 C799** 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:

- the details submitted to the Planning Authority on the 30th April, 2025
- Sections 2, 3 and 4 of the Planning and Development Act, 2000, as amended
- Articles 5, 6 and 9 of the Planning and Development Regulations 2001, as amended.

And Whereas the Planning Authority hereby concludes that the proposed change of use from primary school classroom to preschool classroom at Gurrans National School, Garranewaterig, Innishannon, Co. Cork T12 C799 does not constitute a material change of use **and 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.

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



Yours faithfully,



**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>

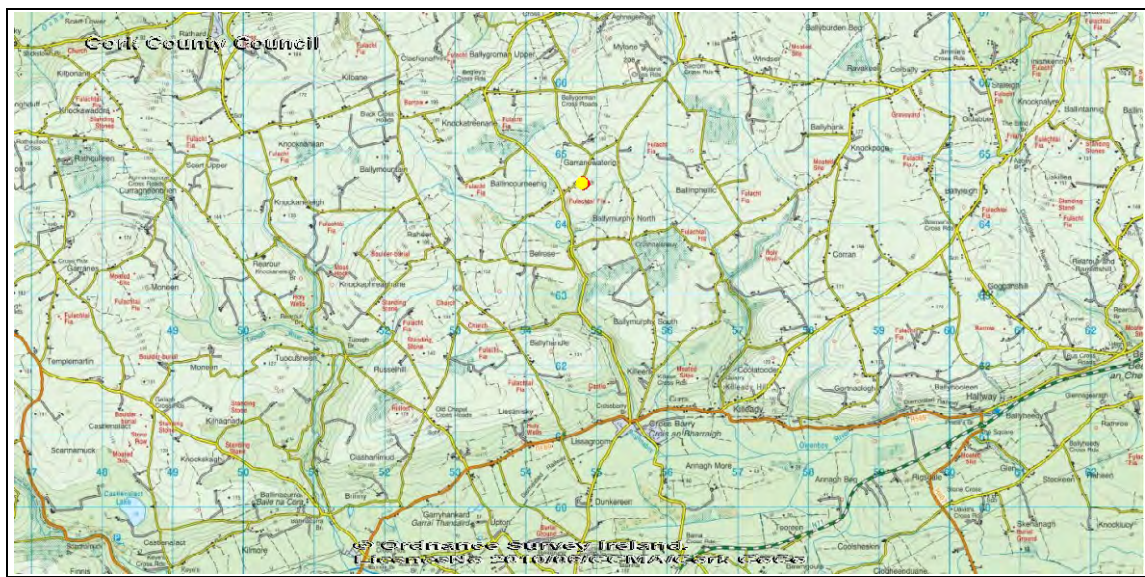
Exempted Development under Section 5 of the Planning and Development Act 2000

Ref. D/254/25

Re: Whether proposed change of use of primary school classroom to use as a pre-school classroom at Gurranes National School, Garranewaterig, Innishannon, Co. Cork is or is not exempted development

Location

The site is located c. 3.5km north of Crossbarry village in a Rural Area Under Strong Urban Influence as mapped in the Cork County Development Plan 2022.



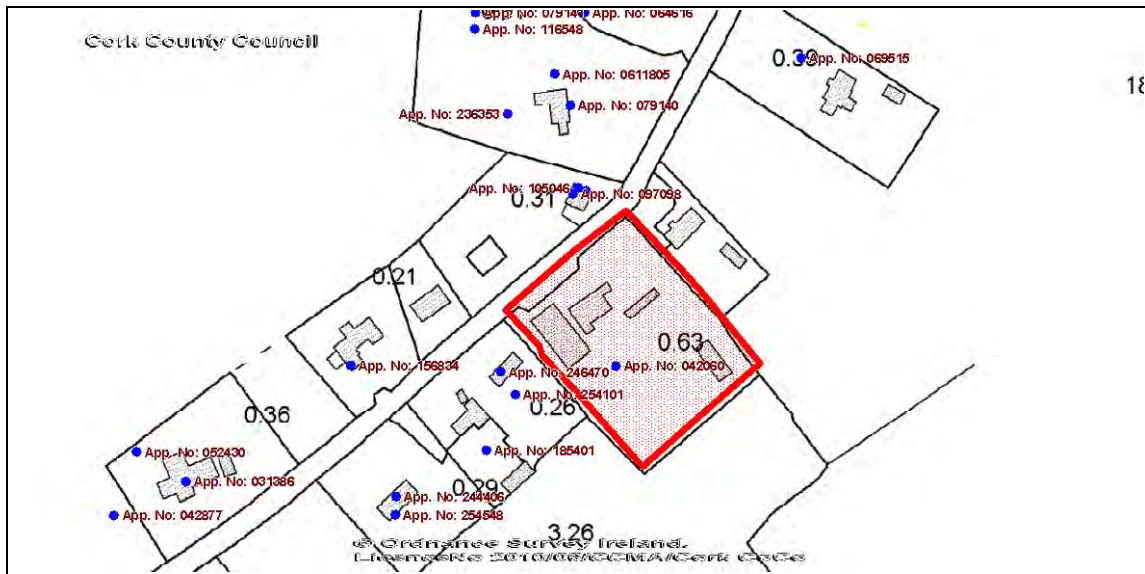
Site marked yellow

Proposal

This request for a Declaration of Exemption relates to a change of use of a mainstream classroom to use as a pre-school classroom within Gurranes National school.

Planning History

Permission was granted for a 3 classroom extension to Gurranes N.S. under 04/2060.



Policy Context

The site is located in a rural area identified as a Rural Area Under Strong Urban Influence as mapped in the Cork County Development Plan 2022.

The site is not located within an area identified as being at risk of flooding. The site is located within the indicative Screening Zone for Cork Harbour SPA (Site Code 004030) as mapped on the Planning Enquiry System. Having regard to the nature of the proposed development it is considered that any likely significant impacts on the SPA can be ruled out.

Statutory Provisions

Planning and Development Act 2000 (as amended)

Section 2(1) of the Planning and Development Act, 2000 provides that:

"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.

"structure" is defined to mean any building, structure, excavation, or other thing constructed or made on, in or under any land, or any part of a structure so defined.

Section 3(1) of the Planning and Development Act, 2000 provides that:

"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(1) of the Planning and Development Act 2000 sets out what shall be exempted developments for the purposes of the Act.

Planning and Development Regulations 2001 (as amended)

Article 5 of the Planning and Development Regulations 2001, as amended, states that 'school' has the same meaning assigned to it by the Education Act 1998.

The Education Act 1998 defines 'school' as an establishment which:

- a) Provides primary education to its students and which may also provide early education,
or
- b) Provides post primary education to its students and which may also provide courses in adult, continuing or vocational training.

Article 6 sets out development which shall be exempted development for the purposes of the Act.

Article 9 sets on restrictions on exemption for development to which article 6 relates.

Planning and Development Act, 2000

Assessment

The proposal involves the change of use of a classroom within Gurrane National school from use as a classroom (classroom no.1) for primary level students to use as a pre-school classroom for pre-school aged children.

On the basis of the information submitted to the Planning Authority and having regard to the definition of a school as set out under Article 5 of the Planning and Development Regulations 2001, as amended, it is considered that the use of an existing classroom within a school for the purposes of early childhood education falls within the definition of a 'school', does not constitute a change of use and is, therefore, is exempt.

Conclusion and Recommendation

Please advise as follows:

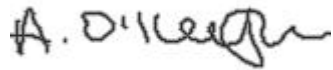
On the basis of the documentation submitted and having regard to the definition of a school as set out under Article 5 of the Planning and Development Regulations 2001, as amended, it is determined that the use of an existing classroom within a school for the purposes of early childhood education does not constitute a change of use and is, therefore, exempt.

In considering this referral, the Planning Authority had regard particularly to –

- (a) Sections 2, 3, and 4 of the Planning and Development Act, 2000, as amended,
- (b) Articles 5, 6, and 9 and of the Planning and Development Regulations, 2001, as amended,

I recommend that the use of a classroom with Gurrans National School for early education does not constitute a change of use and is exempted development on the grounds that:

(a) the proposed use comes within the definition of a 'school' as set down in Article 5 of the Planning and Development Regulations, 2001, as amended.



Annie O'Keeffe
06/05/2025



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.	
Cash/Cheque/ Credit Card	CHEQUE
Date	
Declaration Ref. No.	D/254/25

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 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.

30 APR 2025

CORK COUNTY COUNCIL
County Hall, Cork

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)

Julie Butler

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

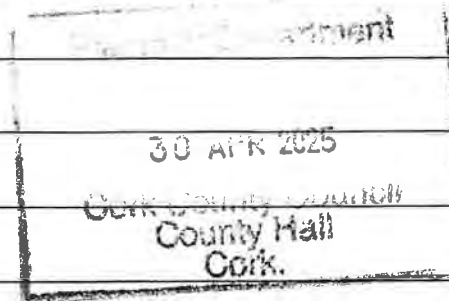
Gurrane National School,
Garranewaterig,
Innishannon,
Co. Cork. T12C799

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

Change of use from Primary School
Classroom to preschool classroom



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):	56m ²
(b) If a domestic extension is proposed, have any previous extensions/structures been erected at this location after 1 st October, 1964 (including those for which planning permission has been obtained):	Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, please provide floor areas (m ²) and previous planning reference(s) where applicable:
(c) If a change of use of land and/or building(s) is proposed, please state the following: Existing/previous use	Proposed use
Primary school classroom	Preschool classroom
(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):

Planning Department
30 APR 2025
Cork County Council
County Hall
Cork

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:	Renting from Gurrane N.S.	
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):	Board of Management of Gurrane National School	

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

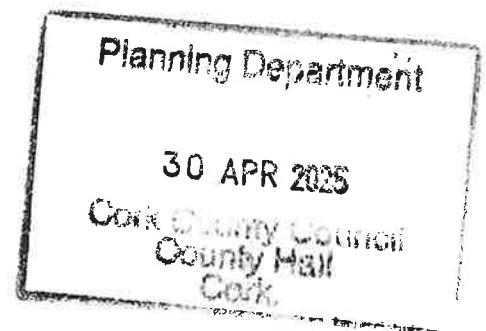
Signed (By Applicant Only)	Julie Butler
Date	30/4/2025

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	Julie Butler
Date	30/4/2025

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 or by contacting the Planning Department, Norton House, Cork Road, Skibbereen, Co. Cork. Tel: (028) 40340 Email: westcorkplanninginfo@corkcoco.ie However if consent to the use of personal data is withdrawn during the declaration of exemption decision-making process this information cannot be considered as part of the decision making process. Once a decision has been made, an applicant is not entitled to withdraw consent, as the right of erasure does not apply to a situation where processing is required for compliance with a legal obligation or for the performance of a task carried out in the public interest.

Please note that all information / supporting documentation submitted will be available publicly to view at the Planning Authority offices.

ADVISORY NOTES:

The application must be accompanied by the required fee of €80
 The application must be accompanied by a site location map which is based on the Ordnance Survey map for the area, is a scale not less than 1:1000 and it shall clearly identify the site in question.
 Sufficient information should be submitted to enable the Planning Authority to make a decision. If applicable, any plans submitted should be to scale and based on an accurate survey of the lands/structure in question.
 The application should be sent to the following address:
 The Planning Department, Cork County Council, Floor 2, Co. Hall, Carrigrohane Road, Cork, T12 R2NC; or for applications related to the Western Division, The Planning Department, Cork County Council, Norton House, Cork Road, Skibbereen, Co. Cork, P81 AT28.

- The Planning Authority may require further information to be submitted to enable the authority to issue a decision on the Declaration of Exemption application.
- The Planning Authority may request other person(s), other than the applicant; to submit information on the question which has arisen and on which the Declaration of Exemption is sought.
- Any person issued with a Declaration of Exemption may on payment to An Bord Pleanála refer a Declaration of Exemption for review by the Board within 4 weeks of the date of the issuing of the Declaration of Exemption decision.
- In the event that no Declaration of Exemption is issued by the Planning Authority, any person who made a request may on payment to the Board of such a fee as may be prescribed, refer the question for decision to the Board within 4 weeks of the date that a Declaration of Exemption was due to be issued by the Planning Authority.

The application form and advisory notes are non-statutory documents prepared by Cork County Council for the purpose of advising the type of information which is normally required to enable the Planning Authority to issue a Declaration of Exemption under Section 5. This document does not purport to be a legal interpretation of the statutory legislation nor does it state to be a legal requirement under the Planning and Development Act 2000 as amended, or Planning and Development Regulations, 2001, as amended.

9. I hereby declare that, to the best of my knowledge and belief, the information given in this form is correct, accurate and fully compliant with the Planning and Development Acts 2000, as amended and the Regulations made thereunder:

<i>Signed (Applicant or Agent as appropriate)</i>	Julie Butler	Planning Department 30 APR 2025 Cork County Council County Hall Cork
Date	30/4/2025	

Site Location Map



Tailte Éireann

CENTRE COORDINATES:
ITM 554656,564570

MAP SERIES:
6 Inch Raster
6 Inch Raster

MAP SHEETS:
CK084
CK085

SITE LOCATION MAP

for
Ms. JULIE BUTLER
at
GURRANE NATIONAL SCHOOL
INNISHANNON

COMPILED AND PUBLISHED BY:
National Mapping Division of
Tailte Éireann
Phoenix Park
Dublin 8,
Ireland
D08F6E4

Planning Department

30 APR 2025

Cork County Council
County Hall
Cork.

Any unauthorised reproduction
infringes Tailte Éireann copyright.

No part of this publication may
be copied, reproduced or transmitted
in any form or by any means without
the prior written permission of the
copyright owner.

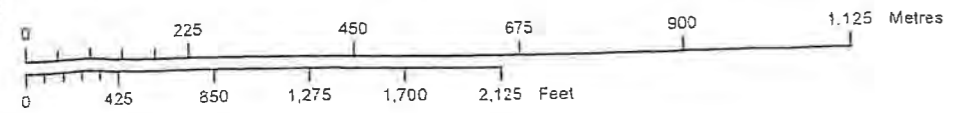
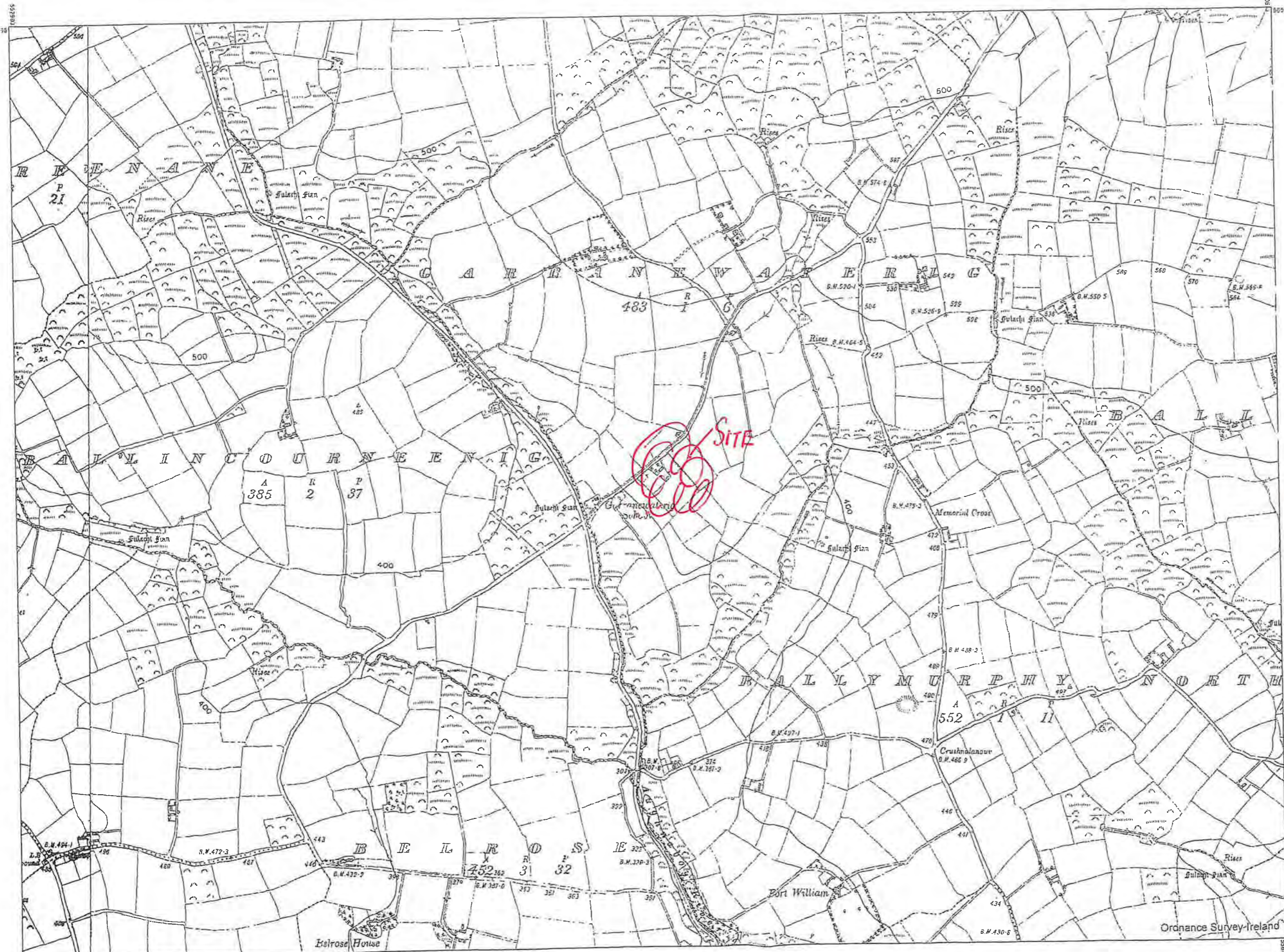
The representation on this map
of a road, track or footpath
is not evidence of the existence
of a right of way.

Topographic maps produced by the
National Mapping Division of Tailte
Éireann never show legal property
boundaries, nor do they show
ownership of physical features.

© National Mapping Division of Tailte
Éireann, 2023. All rights reserved.



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



OUTPUT SCALE: 1:10,560

CAPTURE RESOLUTION:
The map objects are only accurate to the
resolution at which they were captured.
Output scale is not indicative of data capture scale.
Further information is available at:
www.osi.ie search 'Capture Resolution'

LEGEND:
To view the legend visit
www.osi.ie and search for
'Large Scale Legend'





CENTRE COORDINATES:
ITM 554656.564570

MAP SERIES: 1:5,000
MAP SHEETS: 6466

SITE LOCATION MAP

for
Ms. JULIE BUTLER
at
GURRANE NATIONAL SCHOOL
INWISHANNON

COMPILED AND PUBLISHED BY
National Mapping Division
Tailte Éireann,
Phoenix Park,
Dublin 8,
Ireland.
D08F6E4

Planning Department

30 APR 2025

Cork County Council
County Hall
Cork.

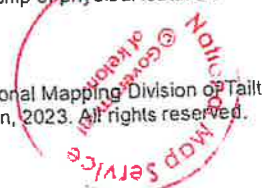
Any unauthorised reproduction infringes Tailte Éireann copyright.

No part of this publication may be copied, reproduced or transmitted in any form or by any means without the prior written permission of the copyright owner.

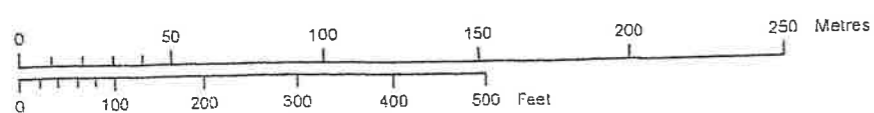
The representation on this map of a road, track or footpath is not evidence of the existence of a right of way.

Topographic maps produced by the National Mapping Division of Tailte Éireann never show legal property boundaries, nor do they show ownership of physical features.

© National Mapping Division of Tailte Éireann, 2023. All rights reserved.



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

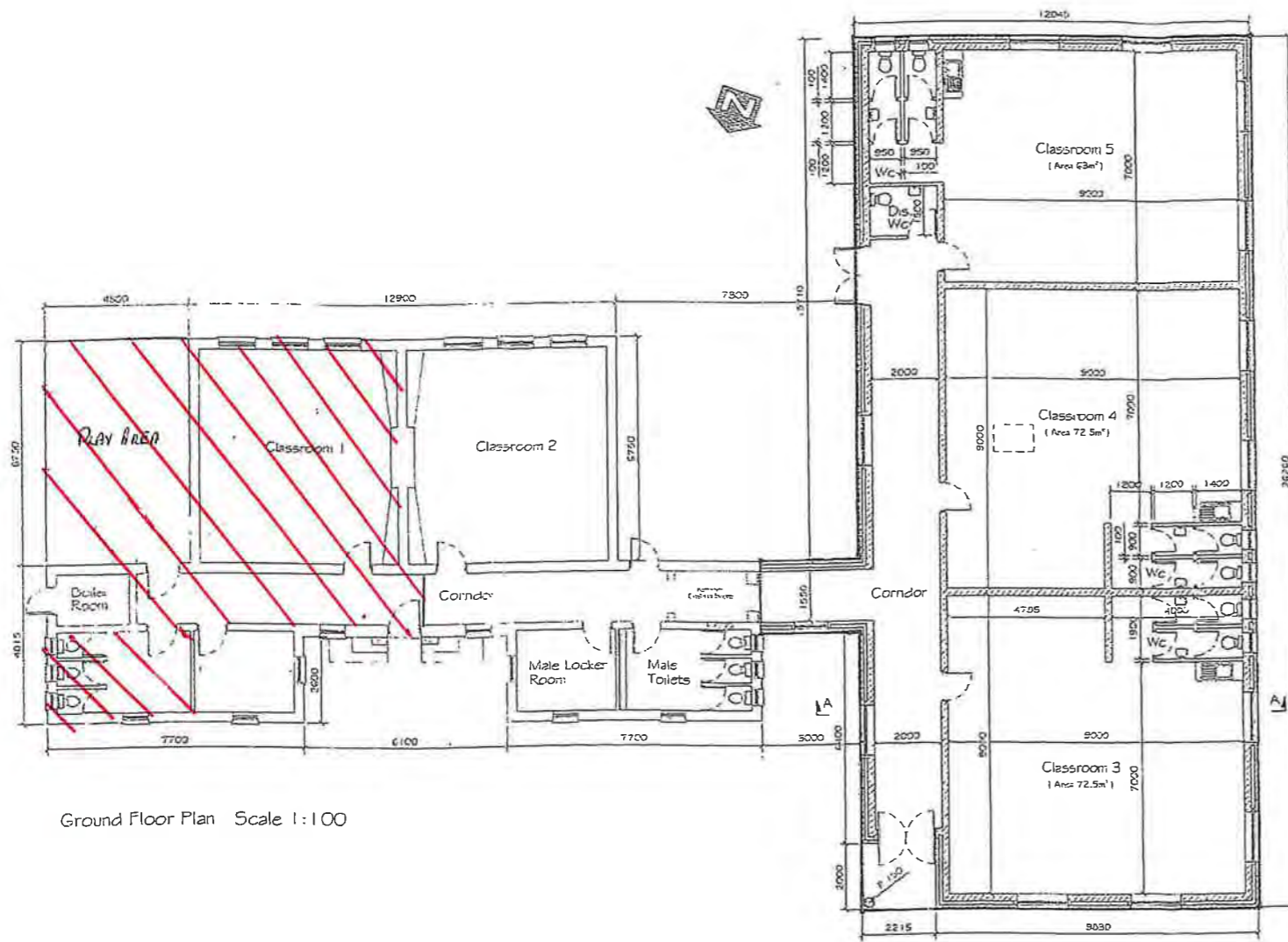


OUTPUT SCALE: 1:2,500

CAPTURE RESOLUTION:
The map objects are only accurate to the resolution at which they were captured. Output scale is not indicative of data capture scale. Further information is available at www.osi.ie, search 'Capture Resolution'

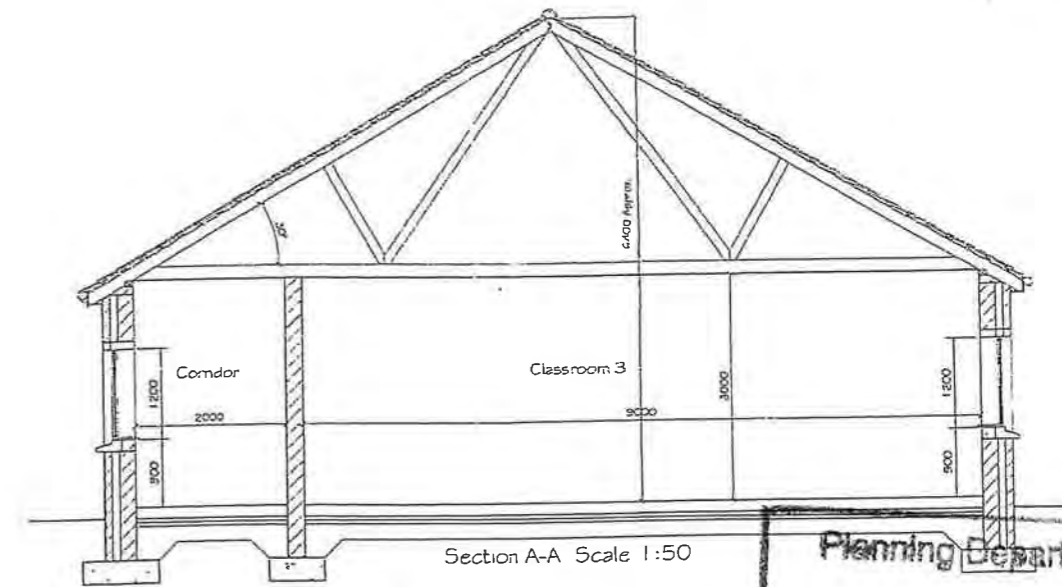
LEGEND:
To view the legend visit www.osi.ie and search for 'Large Scale Legend'





Ground Floor Plan Scale 1:100

AREA FOR PRE-SCHOOL



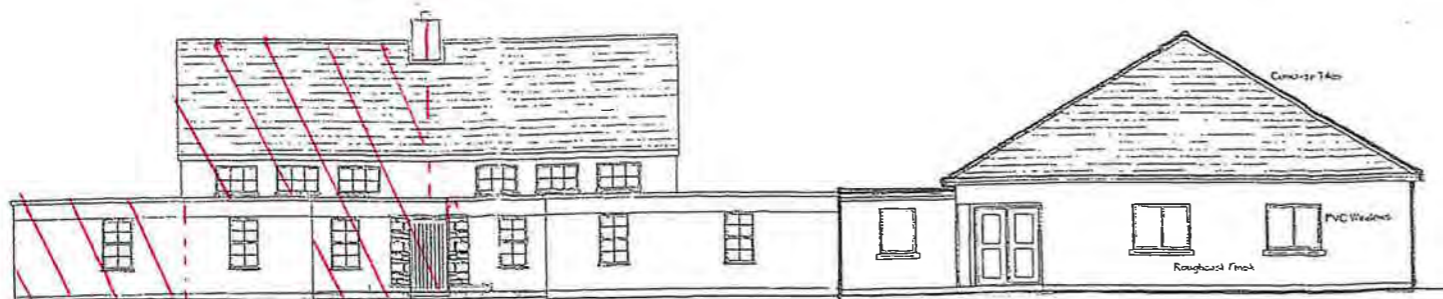
Section A-A Scale 1:50

Planning Department

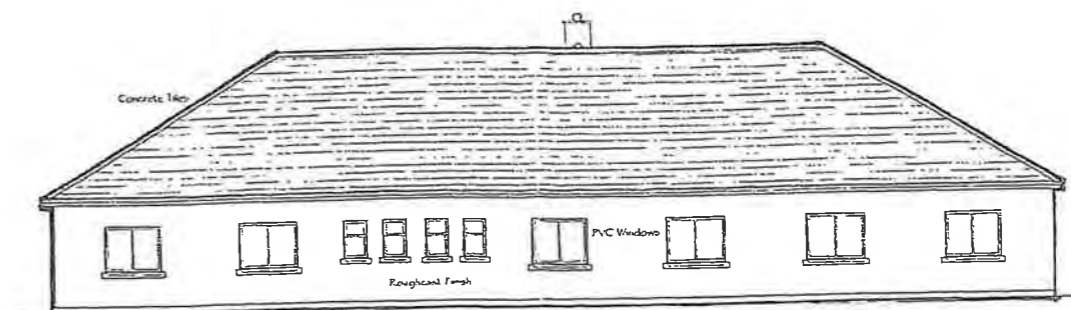
30 APR 2025
Cork County Council
County Hall
Cork.

PROPOSED PRE-SCHOOL
for
Ms. JULIE BUTER
at
BURRAVE NATIONAL SCHOOL
INNISHANNON

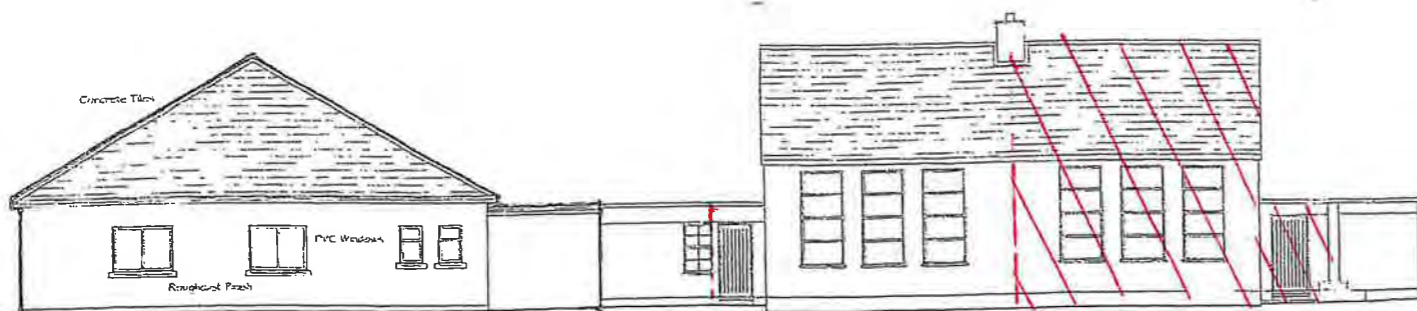
Drawn by: T.M. Connors B.A.
Scale 1: 0 & 1:200 | APRIL 2025



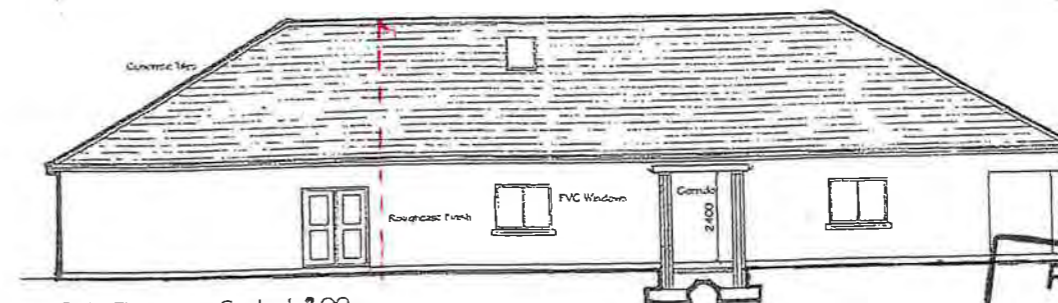
Front Elevation Scale 1:200



Side Elevation Scale 1:200



Rear Elevation Scale 1:200



Side Elevation Scale 1:200

Planning Department
 30 APR 2025
 Cork County Council
 County Hall
 Cork.

PROPOSED PRE-SCHOOL
 for
 Ms. JULIE BUTLER
 at
 GURRANE NATIONAL SCHOOL
 INNISHANNON

DRAWN BY - J. McCANN B.E.
 Scale 1:200 | APRIL 2025