



# Comhairle Cathrach Chorcaí Cork City Council

Halla na Cathrach, Corcaigh - City Hall, Cork - T12 T997

Mizen Clothing Retail Ltd.,  
c/o Ciarán Cronin,  
CroCon Engineers,  
4 Main Street,  
Bantry,  
Co. Cork.

16/09/2022

**RE: Section 5 Declaration R736/22 39 St. Patrick's Street, Cork**

A Chara,

With reference to your request for a Section 5 Declaration at the above-named property, received on 31<sup>st</sup> August 2022, I wish to advise as follows:

The Planning Authority in view of the above and having regard to:

- Sections 2, 3 and 4 of the Planning and Development Act 2000 (as amended), and
- Article 9 of the Planning and Development Regulations 2001 (as amended),

It is considered that *the construction of a sign and a shutter on the front elevation of 39 Patrick Street, Cork*, (as replacement signage under the subsequent TP 04/28440) and having consideration of no exemption in the regulations for roller shutters, it is considered that the proposal **IS DEVELOPMENT** and is **NOT EXEMPTED DEVELOPMENT**.

Under Section 5(3)(a) of the Planning and Development Act, 2000, you may, on payment of the appropriate fee, refer this declaration for review by An Bord Pleanála within 4 weeks of the date it is issued, 16<sup>th</sup> September 2022.

Is mise le meas,

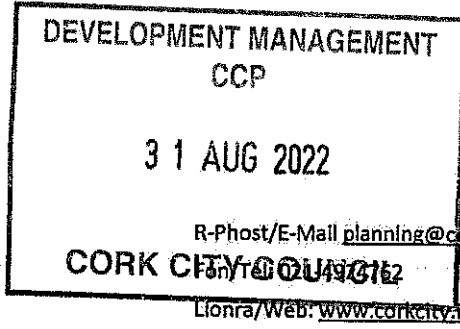
**Kate Magner**  
Development Management Section  
Community, Culture and Placemaking Directorate  
Cork City Council



We are Cork.

**COMHAIRLE CATHRACH CHORCAÍ  
CORK CITY COUNCIL**

Community, Culture & Placemaking Directorate,  
Cork City Council, City Hall, Anglesea Street, Cork.



**SECTION 5 DECLARATION APPLICATION FORM**  
under Section 5 of the Planning & Development Acts 2000 (as amended)

**1. POSTAL ADDRESS OF LAND OR STRUCTURE FOR WHICH DECLARATION IS SOUGHT**

39 Patrick's Street, Cork, T12 XN99

**2. QUESTION/ DECLARATION DETAILS**

**PLEASE STATE THE SPECIFIC QUESTION FOR WHICH A DECLARATION IS SOUGHT:**  
*Sample Question: Is the construction of a shed at No 1 Wall St, Cork development and if so, is it exempted development?*

*Note: only works listed and described under this section will be assessed under the section 5 declaration.*

Is the construction of a sign and a shutter on the front elevation at 39 Patrick's Street, Cork, development and if so, is it exempted development?

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**ADDITIONAL DETAILS REGARDING QUESTION/ WORKS/ DEVELOPMENT:**  
*(Use additional sheets if required).*

Please refer to drawing 22086-CRO-X-L00-SK-SE-00001.

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3. Are you aware of any enforcement proceedings connected to this site?

If so please supply details:

Previous enforcement E7675 (Site occupied by Lifestyle Sports)

4. Is this a Protected Structure or within the curtilage of a Protected Structure?

No

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?

5. Was there previous relevant planning application/s on this site?

No

If so please supply details:

6. **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 meters (sq. M)

(a) Floor area of existing/proposed structure/s	n/a
(b) If a domestic extension, 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 type="checkbox"/> If yes, please provide floor areas. (sq m) n/a _____
(c) If concerning a change of use of land and / or building(s), please state the following:	
Existing/ previous use (please circle)	Proposed/existing use (please circle)
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n/a	n/a

8. **LEGAL INTEREST**

Pleasetickappropriateboxtoshowapplicant's legal interest in the land or structure	A. Owner	B. Other ✓
Where legal interest is 'Other', please state your interest in the land/structure in question	Tenant	
If you are not the legal owner, please state the name and address of the owner if available	Irish Life Assurance plc Irish Life Centre, Lower Abbey Street, Dublin 1	

9. I / We confirm that the information contained in the application is true and accurate:

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

31/08/2022

## CONTACT DETAILS

### 10. Applicant:

<b>Name(s)</b>	Mizen Clothing Retail Limited
<b>Address</b>	Seafield, Bantry, Co.Cork

### 11. Person/Agent acting on behalf of the Applicant (if any):

<b>Name(s):</b>	Ciarán Cronin		
<b>Address:</b>	CroCon Engineers, 4 Main Street, Bantry, Co. Cork		
<b>Telephone:</b>	02750123		
<b>E-mail address:</b>	info@crocon.ie		
<b>Should all correspondence be sent to the above address?</b> <small>(Please note that if the answer is 'No', all correspondence will be sent to the Applicant's address)</small>	Yes	<input checked="" type="checkbox"/>	No <input type="checkbox"/>

### 12. ADDITIONAL CONTACT DETAILS

The provision of additional contact information such as email addresses or phone numbers is voluntary and will only be used by the Planning Authority to contact you should it be deemed necessary for the purposes of administering the application.

#### ADVISORY NOTES:

<p>The application must be accompanied by the required fee of €80</p> <p>The application should 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.</p> <p>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.</p> <p><i>The application should be sent to the following address:</i></p> <p style="text-align: center;"><b>The Development Management Section, Community, Culture &amp; Placemaking Directorate, Cork City Council, City Hall, Anglesea Street, Cork.</b></p>
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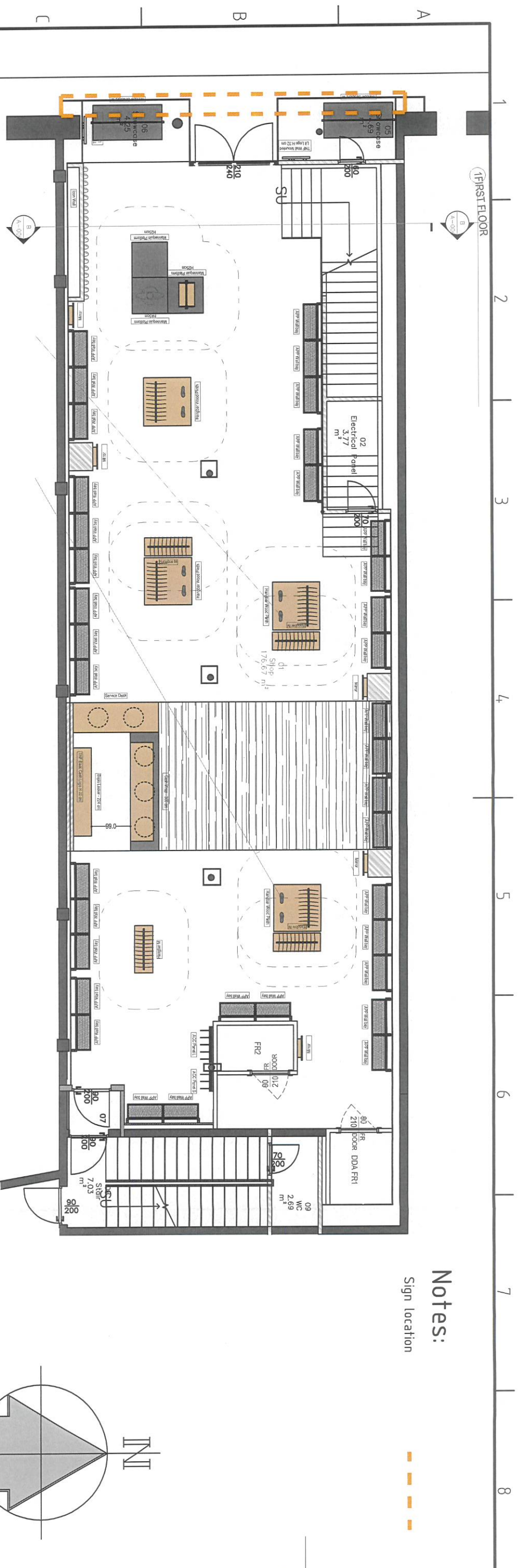


- The Planning Authority may require further information to be submitted to enable the authority to issue the declaration.
- The Planning Authority may request other person(s) other than the applicant to submit information on the question which has arisen and on which the declaration is sought.
- Any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

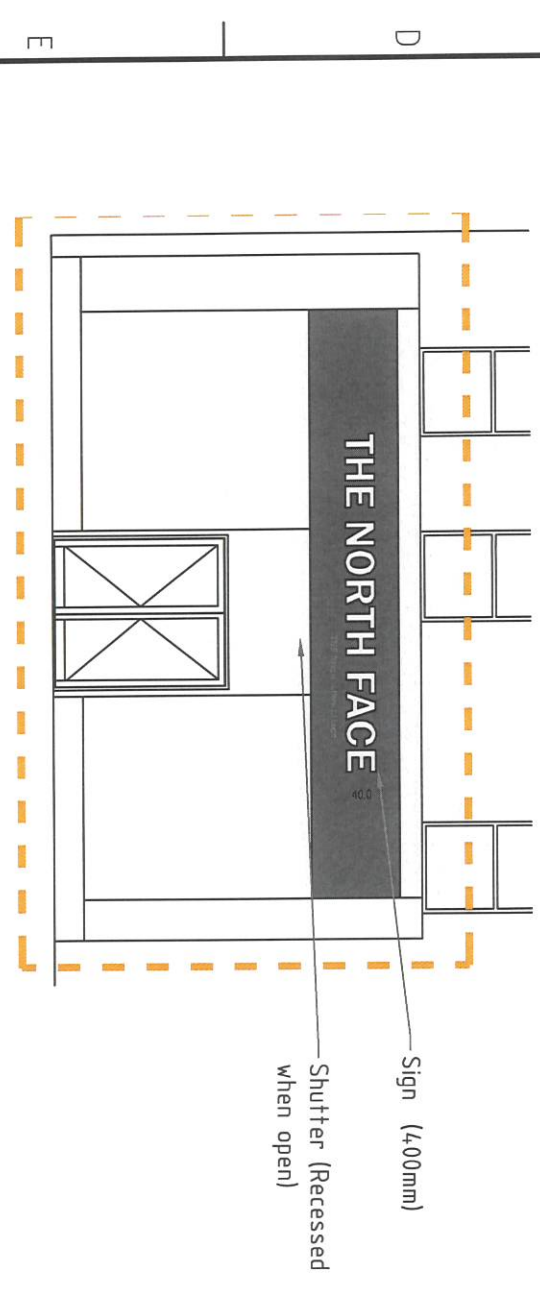
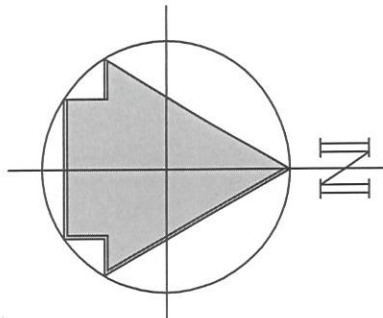
*The application form and advisory notes are non-statutory documents prepared by Cork City Council for the purpose of advising as to the type information is normally required to enable the Planning Authority to issue a declaration under Section 5. This document does not purport to be a legal interpretation 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.*

**DATA PROTECTION:** The use of the personal details of planning applicants, including for marketing purposes, may be unlawful under the Data Protection Act 1988-2003 and may result in action by the Data Protection Commissioner against the sender, including prosecution.





Notes:  
Sign location



REVISION	DATE	BY	DETAILS
0	08/22	CC	Issue 0

<p><b>THIS DRAWING IS COPYRIGHTED</b>          Dimensions are given in millimetres unless otherwise indicated. Figured dimensions take precedence over scaled measurements. All dimensions to be checked on site prior to fabrication or construction. All works to be in accordance with current Building Regulations and Codes. Issued/Contractors are responsible for ensuring compliance with Building Regulations. All dimensions are subject to a statutory requirement, or is on a statutory register, copying is subject to the requirements of Section 74 of the Copyright and Related Rights Act, 2000.</p>			
Drawn By	CC	Chd By	CC
Approved By	--	DWG Date	25/08/22
Scale	1/100 @A3	Purpose Code	P00
Project	22086 - CR0 - X - L00 - SK - SE - 00001	Originator	S
Client	Mizen	Spatial Zone	0
Project	North Face Retail Unit 39 Patrick Street	Level	Comment
Title	Signs and shutter	Info Type	
		Role	Number