



# Comhairle Cathrach Chorcaí Cork City Council

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

Andrew & Frances McCabe,  
c/o Tony O'Sullivan,  
Tony O'Sullivan Architects Ltd.,  
64 The Glenties,  
Macroom,  
Co. Cork T56 HW02.

22/06/2023

**RE: Section 5 Declaration R783/23 Ground Floor, 40 Blarney St,  
Cork.**

A Chara,

With reference to your request for a Section 5 Declaration at the above-named property, received on 29<sup>th</sup> May 2023, I wish to advise as follows:

In view of the above and having regard to:

- Sections 2, 3 and 4 of the Planning and Development Act 2000 (as amended),
- Article 10 (6) of the Planning and Development Regulations (as amended),

The Planning Authority considers that –

*the provision of 2 x 1-bedroom apartments within the confines of a former public house on the ground floor of 40 Blarney Street, Cork* **IS DEVELOPMENT and IS 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, 22<sup>nd</sup> June 2023.



**We are Cork.**

Is mise le meas,

A handwritten signature in black ink, appearing to read "Kate Magner". The signature is written in a cursive style with a horizontal line underneath it.

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

<b>PLANNER'S REPORT</b> <b>Ref. R783/23</b>		Cork City Council Culture, Community and Placemaking
<b>Application type</b>	Section 5 Declaration	
<b>Description</b>	<p><i>Is the provision of 2 x 1-bedroom apartments within the confines of a former public house on the ground floor of 40 Blarney Street development, and if so, is it exempted development?</i></p> <p>(Change of use from vacant commercial to residential)</p>	
<b>Location</b>	40 Blarney Street, Cork	
<b>Applicant</b>	Andrew and Frances McCabe	
<b>Date</b>	22/06/2023	
<b>Recommendation</b>	<i>Is development and is exempted development.</i>	

In this report 'the Act' means the Planning and Development Act 2000 (as amended) and 'the Regulations' means the Planning and Development Regulations 2001 (as amended), unless otherwise indicated.

### 1. REQUIREMENTS FOR A SECTION 5 DECLARATION

Section 5(1) of the Planning and Development Act 2000 as amended states,

*5.—(1) If any question arises as to what, in any particular case, is or is not development or is or is not exempted development within the meaning of this Act, any person may, on payment of the prescribed fee, request in writing from the relevant planning authority a declaration on that question, and that person shall provide to the planning authority any information necessary to enable the authority to make its decision on the matter.*

The requirements for making a section 5 declaration are set out in the Act.

### 2. THE QUESTION BEFORE THE PLANNING AUTHORITY

In framing the question to the planning authority, the applicant states in Q2 of the application form:

*Is the provision of 2 x 1-bedroom apartments within the confines of a former public house on the ground floor of 40 Blarney Street development, and if so, is it exempted development?*

#### Additional Details Re Question/ Works/ Development

The applicant states:

*The works are all internal, with the exception of the lowering of an existing window to the rear of the unit and the provision of some rooflights. All other works are internal. Existing sewerage and utility connections will be retained.*

### 3. SITE DESCRIPTION

The subject site comprises a three-storey building and is located on the southern side of Blarney Street. The building addresses the street and there are two points of access – one into the former public house (vacant) at ground floor level and another which provides access to the upper floors.

## 4. PLANNING HISTORY

### Subject Site

07/32444 – Permission granted to retain extension and refurbishment of existing second floor apartment.

05/30003 – Permission granted for a change of use from an existing bar to a supermarket, to refurbish 1 no. existing first floor 3 bed apartment, to create 1 no. new 3 bed apartment at existing second floor level, including an extension to the front elevation. To construct 1 no. 2 bed apartment at first floor level to the rear of the property, make changes to the access stairs and the creation of a private roof garden, the demolition of existing outbuildings and ancillary site works at the property.

04/29048 – Permission refused to refurbish 1 no. existing 3 bed apartment to develop 1 no. 3 bed apartment at existing second floor level including extension to front elevation. To construct 2 no. 2 bed apartments to rear of property, make changes to access stairs. The creation of private roof garden and ancillary sit works.

## 5. LEGISLATIVE PROVISIONS

### 5.1 The Act

#### Section 2(1),

*“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),

*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(1)(h),

*The following shall be exempted developments for the purposes of this Act-development consisting of the carrying out of works for the maintenance, improvement, or other alteration of any structure, being works which affect only the interior of the structure or which do not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure or of neighbouring structures.*

#### Section 4(2),

*Section 4(2) provides that the Minister may, by regulations, provide for any class of development to be exempted development. The principal regulations made under this provision are the Planning and Development Regulations 2001-2013.*

#### Section 5(1),

*(See section 1 of this report)*

#### Section 177U (9) (screening for appropriate assessment)

*In deciding upon a declaration or a referral under section 5 of this Act a planning authority or the Board, as the case may be, shall where appropriate, conduct a screening for appropriate assessment in accordance with the provisions of this section.*

## 5.2 The Regulations

### Article 9 (1)(a)

Development to which article 6 relates shall not be exempted development for the purposes of the Act –

- (i) if the carrying out of such development would... contravene a condition attached to a permission under the Act or be inconsistent with any use specified in a permission under the Act,
- (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,
- (xii) further to the provisions of section 82 of the Act, consist of or comprise the carrying out of works to the exterior of a structure, where the structure concerned is located within an architectural conservation area or an area specified as an architectural conservation area in a development plan for the area or, pending the variation of a development plan or the making of a new development plan, in the draft variation of the development plan or the draft development plan and the development would materially affect the character of the area,

### Article 10 (1)

Development which consists of a change of use within any one of the classes of use as specified in Part 4 of Schedule 2, shall be exempted development for the purposes of the Act, provided that the development, if carried out would not –

- (a) involve the carrying out of any works other than works which are exempted development,
- (b) contravene a condition attached to a permission under the Act,
- (c) be inconsistent with any use specified or included in such a permission, or
- (d) be development where the existing use is an unauthorised, save where the change of use consists of resumption of a use which is not unauthorised and which has not been abandoned.

### Article 10(6)

(a) In this sub-article—

‘habitable room’ means a room used for living or sleeping purposes but does not include a kitchen that has a floor area of less than 6.5 square metres;

‘relevant period’ means the period from 8 February until 31 December 2025.

- (b) This sub-article relates to a proposed development, during the relevant period, that consists of a change of use to residential use from Class 1, 2, 3, 6 or 12 of Part 4 to Schedule 2.
- (c) Notwithstanding sub-article (1), where in respect of a proposed development referred to in paragraph (b)—
  - (i) the structure concerned was completed prior to the making of the Planning and Development (Amendment) (No. 2) Regulations 2018,
  - (ii) the structure concerned has at some time been used for the purpose of its current use class, being Class 1, 2, 3, 6 or 12 and
  - (iii) the structure concerned, or so much of it that is the subject of the proposed development, has been vacant for a period of 2 years or more immediately prior to the commencement of the proposed development,
 then the proposed development for residential use, and any related works, shall be exempted development for the purposes of the Act, subject to the conditions and limitations set out in paragraph (d).
- (d) (i) The development is commenced and completed during the relevant period.
- (ii) Subject to sub-paragraph (iii), any related works, including works as may be required to comply with sub-paragraph (vii), shall
  - (I) primarily affect the interior of the structure
  - (II) retain 50 per cent or more of the existing external fabric of the building, and
  - (III) not materially affect the external appearance of the structure so as to render its appearance inconsistent with the character of the structure or of neighbouring structures.

- (iii) Any related works for the alteration of existing ground floor shop fronts shall be consistent with the fenestration details and architectural and streetscape character of the remainder of the structure or of neighbouring structures.
- (iv) No development shall consist of or comprise the carrying out of works to the ground floor area of any structure which conflicts with any objective of the relevant local authority development plan or local area plan, pursuant to the Part 1 of the First Schedule to the Act, for such to remain in retail use, with the exception of any works the purpose of which is to solely provide on street access to the upper floors of the structure concerned.
- (v) No development shall consist of or comprise the carrying out of works which exceeds the provision of more than 9 residential units in any structure.
- (vi) Dwelling floor areas and storage spaces shall comply with the minimum floor area requirements and minimum storage space requirements of the “Sustainable Urban Housing: Design Standards for New Apartments — Guidelines for Planning Authorities” issued under section 28 of the Act or any subsequent updated or replacement guidelines.
- (vii) Rooms for use, or intended for use, as habitable rooms shall have adequate natural lighting.
- (viii) No development shall consist of or comprise the carrying out of works to a protected structure, as defined in section 2 of the Act, save where the relevant planning authority has issued a declaration under section 57 of the Act to the effect that the proposed works would not materially affect the character of the structure or any element, referred to in section 57(1)(b) of the Act, of the structure.
- (ix) No development shall contravene a condition attached to a permission under the Act or be inconsistent with any use specified or included in such a permission.
- (x) No development shall relate to any structure in any of the following areas:
  - (I) an area to which a special amenity area order relates;
  - (II) an area of special planning control;
  - (III) within the relevant perimeter distance area, as set out in Table 2 of Schedule 8, of any type of establishment to which the Major Accident Regulations apply.
- (xi) No development shall relate to matters in respect of which any of the restrictions set out in subparagraph (iv), (vii), (viiA), (viiB), (viiC), (viii) or (ix) of article 9(1)(a), or paragraph (c) or (d) of article (9)(1), would apply.
- (xii) No development shall consist of or comprise the carrying out of works for the provision of an onsite wastewater treatment and disposal system to which the code of practice made by the Environmental Protection Agency pursuant to section 76 of the Environmental Protection Agency Act 1992 relates and entitled Code of Practice — Wastewater Treatment and Disposal Systems Serving Single Houses together with any amendment to that Code or any replacement for it.
- (e)(i) Where a person proposes to undertake development to which paragraph (b) relates, then he or she shall in the case of development relating to Class 1, 2, 3, 6 or 12 of Part 4 to Schedule 2, notify in writing the planning authority in whose functional area that the change of use will occur not less than 14 days prior to the commencement of the works related to the proposed change of use and any related works;
- (ii) Details of each notification under subparagraph (i), which shall include information on—
  - (I) the location of the structure,
  - (II) the number of residential units involved, including the unit sizes and number of bedrooms in each unit, and
  - (III) the Eircode for the relevant property,
 Shall be entered in a record by the planning authority maintained for this purpose and the record shall be available for inspection at the offices of the planning authority during office hours and on the planning authority’s website.
- (iii) During the years 2019, 2020, 2021, 2022, 2023, 2024, 2025 and 2026 each planning authority shall provide information to the Minister on the number of notifications received by it under this paragraph during the preceding calendar year, including details of the information so received for the purposes of subparagraph (ii).

## 6. ASSESSMENT

The purpose of this report is to assess whether or not the matter in question constitutes development and whether it falls within the scope of exempted development. Matters pertaining to the acceptability of the proposal in respect of the proper planning and sustainable development of the area is not a consideration under section 5.

### 6.1 Development

The first issue for consideration is whether or not the matter at hand is ‘development’.

‘Development’ as defined in the Act (3)(1) comprises two possible chief components: *‘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’.*

In order to ascertain whether or not the subject use is considered to be development as so defined, consideration must first be given to whether any works on, in, over or under land have or will be carried out, and secondly to whether any material change in the use of any structures or other land have or will take place.

‘Works’ is defined in section 2(1) of the Act as *‘the carrying out of any works on, in, over, or under land’* including *‘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.’*

The proposed change of use requires the carrying out of internal works (amendments to the internal layout of the building).

The proposed residential use is not within the same class use as the (previously) established use and would therefore constitute a material change of use.

The proposal constitutes a material change of use and involves the carrying out of works. The proposed change of use therefore constitutes development.

### CONCLUSION:

- **Change of use and associated works constitutes development.**

### 6.2 Exempted development

The next issue for consideration is whether or not the matter at hand is exempted development.

Sufficient information (drawings, schedule of accommodation etc.) has been submitted to allow an assessment of the proposal to be undertaken against the criteria listed in Article 10(6) and this is assessed in detail below.

ARTICLE	REQUIREMENT	ASSESSMENT
10(6)(b)	This sub-article relates to a proposed development, during the relevant period, that consists of a change of use to residential use from Class 1, 2, 3, 6 or 12 of Part 4 to Schedule 1	It is stated on the application form that the ground floor was is use as a public house and the existing floor plans submitted indicate that the ground floor was is use as a pub previously.  I am satisfied that the proposal comprises a change of use to residential from Class 12 (public house).

		Based on the information provided the proposed change of use accords with this sub-article.
<b>10(6)(c)(i)</b>	The structure concerned was completed prior to the making of the Planning and Development (Amendment) (No. 2) Regulations 2018	The structure was constructed prior to the making of the regulations.
<b>10(6)(c)(ii)</b>	The structure concerned has at some time been used for the purpose of its current use class, being Class 1, 2, 3 or 6	It is stated that the commercial unit was previously in use as a public house.  Google street view imagery indicates that the unit was in use as a pub.  I am satisfied that the proposed change of use accords with this sub-article.
<b>10(6)(c)(iii)</b>	The structure concerned, or so much of it that is the subject of the proposed development, has been vacant for a period of 2 years or more immediately prior to the commencement of the proposed development	It is stated in the application form that the unit has been vacant for approx. 10 years. No information has been submitted to demonstrate same. Google street view indicates that the unit has been vacant for in excess of 2 years.  I am satisfied that the proposed change of use accords with this sub-article.
<b>10(6)(d)(i)</b>	The development is commenced and completed during the relevant period.	The applicant is required to comply with this requirement.
<b>10(6)(d)(ii)</b>	Subject to sub-paragraph (iii), any related works, including works as may be required to comply with sub-paragraph (vii), shall – (I) primarily affect only the interior of the structure, (II) retain 50 per cent or more of the existing external fabric of the building, (III) not materially affect the external appearance of the structure so as to render its appearance inconsistent with the character of the structure or of neighbouring structures.	A review of the existing and proposed floor plans indicates that minimal works are required.  At ground floor level the works consist primarily of the provision of partitions internally.  The changes to the external fabric include the lowering of a window to the rear of the unit and the provision of some rooflights.  The commercial façade appears to have been removed c. 2019.  I am satisfied that the proposed external works do not materially affect the external appearance of the structure so as to render its appearance inconsistent with the character of the structure or of neighbouring structures.
<b>10(6)(d)(iii)</b>	Any related works for the alteration of existing ground floor shop fronts shall be consistent with the fenestration details and architectural and streetscape character of the remainder of the structure or of neighbouring structures	As outlined in 10(6)(d)(ii) above, the commercial façade has already been removed. There have been no changes to the number of openings and no changes to fenestration pattern on the front elevation. No additional changes to openings or fenestration pattern etc. are proposed as part of the change of use.



		<p>It is considered that the alterations carried out to the commercial façade are consistent with the fenestration details and architectural and streetscape character of the remainder of the structure and of neighbouring structures.</p> <p>I am satisfied that the proposed change of use accords with this sub-article.</p>
<b>10(6)(d)(iv)</b>	No development shall consist of or comprise the carrying out of works to the ground floor area of any structure which conflicts with any objective of the relevant local authority development plan or local area plan, pursuant to the Part 1 of the First Schedule to the Act, for such to remain in retail use, with the exception of any works the purpose of which is to solely provide on street access to the upper floors of the structure concerned.	<p>The subject site is zoned ZO 1 – Sustainable Residential Neighbourhoods.</p> <p>Residential development is acceptable within this zoning. The proposed change of use accords with this sub-article.</p>
<b>10(6)(d)(v)</b>	No development shall consist of or comprise the carrying out of works which exceeds the provision of more than 9 residential units in any structure.	The proposed change of use accords with this sub-article.
<b>10(6)(d)(vi)</b>	Dwelling floor areas and storage spaces shall comply with the minimum floor area requirements and minimum storage space requirements of the “Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities” issued under section 28 of the Act or any subsequent updated or replacement guidelines.	Please see separate assessment below.
<b>10(6)(d)(vii)</b>	Rooms for use, or intended for use, as habitable rooms shall have adequate natural lighting.	The proposed change of use accords with this sub-article.
<b>10(6)(d)(viii)</b>	No development shall consist of or comprise the carrying out of works to a protected structure, as defined in section 2 of the Act, save where the relevant planning authority has issued a declaration under section 57 of the Act to the effect that the proposed works would not materially affect the character of the structure or any element, referred to in section 57(1)(b) of the Act, of the structure.	<p>The site is not a protected structure.</p> <p>The proposed change of use accords with this sub-article.</p>
<b>10(6)(d)(ix)</b>	No development shall contravene a condition attached to a permission	Permission was granted under planning reg. 05/30003 for the change of use of existing bar to

	<p>under the Act or be inconsistent with any use specified or included in such a permission.</p>	<p>a supermarket, to refurbish 1 no. existing first floor 3 bed apartment, to create 1 no. new 3 bed apartment at existing second floor level, including an extension to the front elevation. To construct 1 no. 2 bed apartment at first floor level to the rear of the property, make changes to the access stairs and the creation of a private roof garden, the demolition of existing outbuildings and ancillary site works at the property.</p> <p>This permission was not implemented.</p> <p>It is noted that 04/29048 was refused and 07/32444 related to an apartment at second floor level.</p> <p>The proposed change of use accords with this sub-article.</p>
<b>10(6)(d)(x)</b>	<p>No development shall relate to any structure in any of the following areas:  (I) an area to which a special amenity area order relates;  (II) an area of special planning control;  (III) within the relevant perimeter distance area, as set out in Table 2 of Schedule 8, of any type of establishment to which the Major Accident Regulations apply.</p>	<p>The proposed change of use accords with this sub-article.</p>
<b>10(6)(d)(xi)</b>	<p>No development shall relate to matters in respect of which any of the restrictions set out in subparagraph (iv), (vii), (viiA), (viiB), (viiC), (viii) or (ix) of article 9(1)(a), or paragraph (c) or (d) of article (9)(1), would apply.</p>	<p>The proposed change of use accords with this sub-article.</p>
<b>10(6)(d)(xii)</b>	<p>No development shall consist of or comprise the carrying out of works for the provision of an onsite wastewater treatment and disposal system to which the code of practice made by the Environmental Protection Agency pursuant to section 76 of the Environmental Protection Agency Act 1992 relates and entitled Code of Practice – Wastewater Treatment and Disposal Systems Serving Single Houses together with any amendment to that Code or any replacement for it.</p>	<p>N/A</p>

Compliance with the minimum floor area requirements and minimum storage space requirements of the “Sustainable Urban Housing: Design Standards for New Apartments — Guidelines for Planning Authorities.”

The proposed apartments comply with the minimum floor area requirements (incl. living room and bedroom widths, aggregate living areas etc.) as set out in Appendix 1 of the Apartment Guidelines.

The storage requirement for a 1-bedroom apartment is 3m<sup>2</sup>. It is stated that internal allocated storage of 7m<sup>2</sup> is provided for unit 1 and 9m<sup>2</sup> is provided for unit 2. The proposed utility rooms account for the majority of the overall storage space proposed.

It is considered that a utility room can form part of the storage space allocation. Section 3.30 states that *‘minimum requirements for storage areas are set out in Appendix 1 and are intended to accommodate household utility functions such as clothes washing and the storage of bulky personal or household items.’*

Section 3.31 of the Apartment Guidelines states that the *‘as a rule, no individual storage room within an apartment should exceed 3.5m<sup>2</sup>.’* The proposed utility rooms exceed this requirement but there is some flexibility having regard to section 3.34 of the apartment guidelines which states that *‘for building refurbishment schemes on sites of any size or urban infill schemes on sites of up to 0.25ha, the storage requirement may be relaxed in part, on a case-by-case basis, subject to overall design quality’* and given that these rooms are utility rooms and not solely storage, I have no objection to same. In any event, there would appear to be ample space within the proposed unit to provide the required level of storage.

**CONCLUSION:**

- Is exempted development.

**7. ENVIRONMENTAL ASSESSMENT**

**7.1 Screening for Environmental Impact Assessment**

Having regard to the contents of Article 103 (as amended by Article 14 of the Planning and Development (Amendment) (No 3) Regulations 2011) and Schedule 7 of the Planning and Development Regulations 2001 (as amended) it is considered that the proposed development by reason of its nature, scale and location would not be likely to have significant effects on the environment. Accordingly, it is considered that an environmental impact statement is not required to be submitted.

**7.2 Screening for Appropriate Assessment**

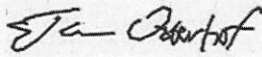
Section 177U (9) of the Act requires planning authorities to screen applications for a section 5 declaration for appropriate assessment. The provisions of the *Habitats Directive*, the *Appropriate Assessment Guidelines for Planning Authorities 2009* (revised 2010) and the Act are noted. The relevant European sites are the Cork Harbour SPA (site code 004030) and the Great Island Channel cSAC (site code 001058). Having regard to the location of the proposed development site relative to these European sites and related watercourses and to the nature and scale of the proposed development it is considered that the proposed development would not affect the integrity of the European sites referred to above. Accordingly, it is considered that appropriate assessment is not required.

**8. RECOMMENDATION**

In view of the above and having regard to –

- Sections 2, 3, and 4 of the Planning and Development Act 2000 (as amended), and
- Articles 10(6) of the Planning and Development Regulations (as amended),

It is considered that the *provision of 2 x 1-bedroom apartments within the confines of a former public house on the ground floor of 40 Blarney Street* **Is Development and Is Exempted Development.**



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Jan Oosterhof  
A/ Executive Planner  
14/06/2023



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Melissa Walsh  
Senior Executive Planner  
14/06/2023

Date: 2023-05-26  
Our Ref: 23023

The Development Management Section,  
Community, Culture & Placemaking Directorate,  
Cork City Council,  
City Hall,  
Anglesea Street,  
Cork.

**Re: Application for Section 5 Declaration of Exemption for 2 x 1 Bedroom Apartments at 40 Blarney Street, Cork for Andrew & Frances McCabe**

To Whom It May Concern,

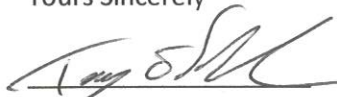
I hereby enclose an application for a Section 5 Declaration of Exemption for 2 x 1 bedroom apartments at a former licenced public house at 40 Blarney Street, Cork.

Please find enclosed the following information in support of this Section 5 submission:-

- 4 Copies Section 5 Application Form
- 4 Copies Ordnance Survey Maps
- 4 Copies Site Plan
- 4 Copies Plans, Section & Elevations of Building
- Application Fee – Cheque for €80.00

I trust that the submitted information is sufficient for you to view this application, but if I can be of any further assistance to you, or should you require any further information, please do not hesitate in contacting me.

Yours Sincerely

  
Tony O'Sullivan MRIAI  
Tony O'Sullivan Architects Ltd



**COMHAIRLE CATHRACH CHORCAÍ  
CORK CITY COUNCIL**

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



R-Phost/E-Mail [planning@corkcity.ie](mailto:planning@corkcity.ie)

Fón/Tel: 021-4924709

Líonra/Web: [www.corkcity.ie](http://www.corkcity.ie)

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

**1. NAME OF PERSON MAKING THE REQUEST**

Andrew & Frances McCabe

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

Ground Floor,  
40 Blarney St,  
Cork.

**3. QUESTION/ DECLARATION DETAILS**

**PLEASE STATE THE SPECIFIC QUESTION FOR WHICH A DECLARATION IS SOUGHT:**

Is the provision of 2 x 1 bedroom apartments within the confines of a former public house on the ground floor of 40 Blarney St development, and if so, is it exempted development?

**ADDITIONAL DETAILS REGARDING QUESTION/ WORKS/ DEVELOPMENT:**

The works are all internal, with the exception of the lowering of an existing window to the rear of the unit and the provision of some rooflights. All other works are internal. Existing sewerage and utility connections will be retained.

**4. Are you aware of any enforcement proceedings connected to this site? NO**

*If so please supply details:*

N/A

**5. 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?

N/A

**6. Was there previous relevant planning application/s on this site? NO**

*If so please supply details:*

N/A



**7. 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	Existing Plan = 146sqm Proposed Apartment 1 = 63sqm Proposed Apartment 2 = 76sqm
(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 checked="" type="checkbox"/> If yes, please provide floor areas. (sq m) <u>N/A</u>
(c) If concerning a change of use of land and / or building(s), please state the following:	
Existing/ previous use (please circle) Previous use was a licenced public house, dis-used for approx 10 years	Proposed/existing use (please circle) Proposed use is Residential – 2 x 1 bedroom apartments

**7. LEGAL INTEREST**

Please tick appropriate box to show applicant's legal interest in the land or structure	<input checked="" type="checkbox"/> A. Owner	<input type="checkbox"/> B. Other
Where legal interest is 'Other', please state your interest in the land/structure in question		
If you are not the legal owner, please state the name of the owner if available		

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

Signature: Tony O'Sullivan

Date: 26/5/23





Site Location Shown in Red

Description:  
 Historic 6' Latest Edition  
 Publisher / Source:  
 Ordnance Survey Ireland (OSI)  
 Data Source / Reference:  
 CK074  
 Revision Date = 31-Dec-1928  
 Survey Date = 31-Dec-1928  
 Levelled Date = 31-Dec-1956  
 File Format:  
 Tagged Image File Format (TIFF)

File Name:  
 R\_50308086\_1.tif  
 Clip Extent / Area of Interest (AOI):  
 LLX,LLY = 5632230,5697130  
 LRX,LRJ = 5702330,5697130  
 ULX,ULY = 5632230,5749070  
 URX,URJ = 5702330,5749070

Projection / Spatial Reference:  
 IRENET95\_Irish\_Transverse\_Mercator  
 Centre Point Coordinates:  
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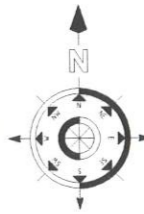
Date Extraction Date:  
 15-Dec-2022

Product Version:  
 1.3

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SECTION 5			
Revision	Date	Date	Rev By
3.0	Issued for Section 5	May '23	TOS

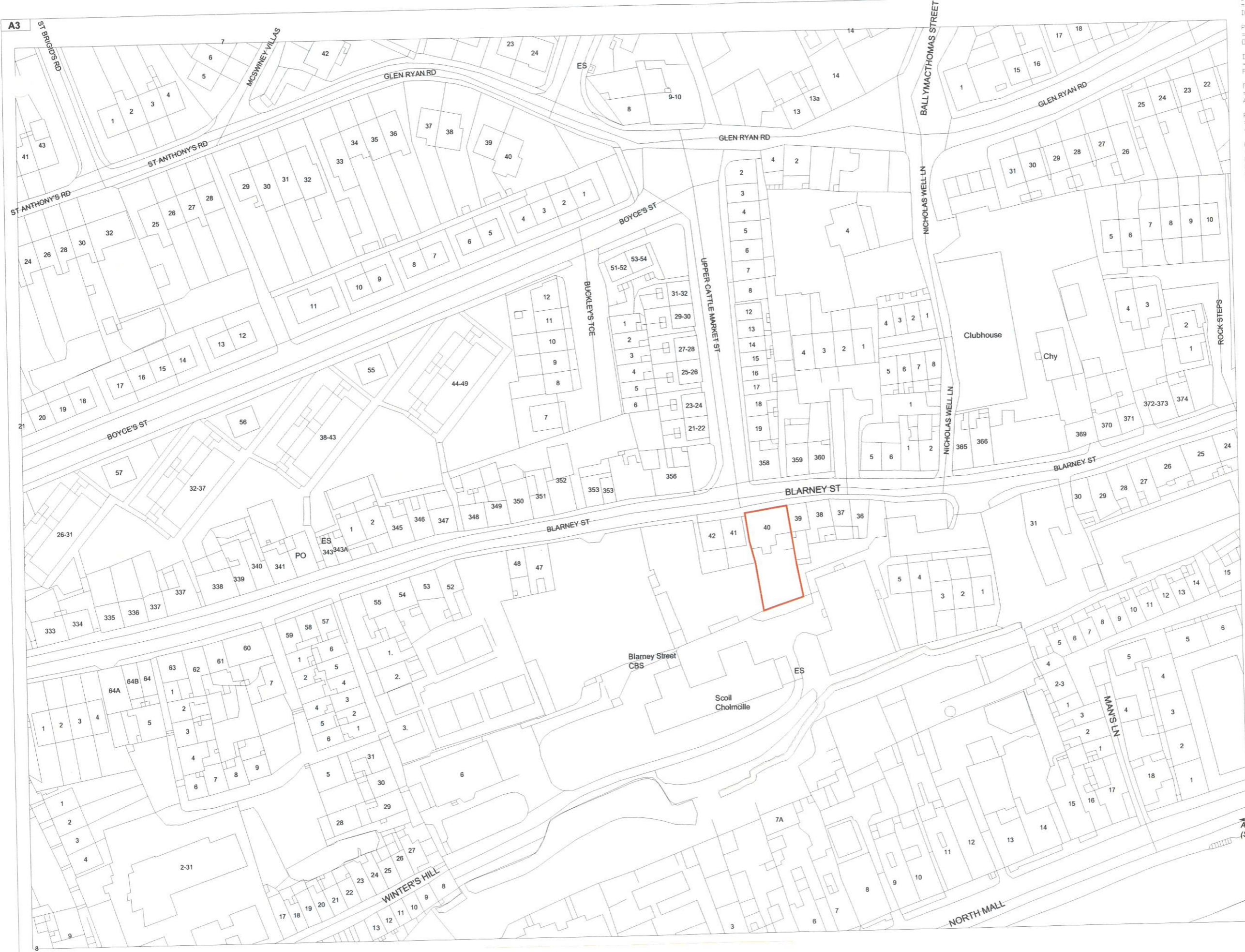
**Tony O'Sullivan**  
 architects  
 04 The Glenties, Macroom, Co. Cork.  
 t: +353 87 990 1651  
 e: info@tosarchitects.ie w: tosarchitects.ie

Job Title:  
**Residential Units for Andrew & Frances McCabe @ 40 Blarney St, Cork.**

Dwg. Title:  
**Record Place Map**

Date	Drawn	Dwg No	Rev
May 2023	T O'Sullivan	23023 - PL001	3.0
Scale	Checked		
6 Inch	T O'Sullivan		





Description:  
 Digital Landscape Model (DLM)

Publisher / Source:  
 Ordnance Survey Ireland (OS)

Data Source / Reference:  
 PRIME2

File Format:  
 Autodesk AutoCAD (DWG\_R2013)

File Name:  
 v\_50308086\_1.dwg

Clip Extent / Area of Interest (AOI):  
 LLX,LLY= 5665620,5721870  
 LRX,LRX= 5668940,5721870  
 ULX,ULY= 5665620,5724330  
 URX,URY= 5668940,5724330

Projection / Spatial Reference:  
 Projection= IRENET95\_Irish\_Transverse\_Mercator

Centre Point Coordinates:  
 X,Y= 5667280,5723100

Reference Index:  
 Map Series / Map Sheets  
 11,000 / 6382-09

Data Extraction Date:  
 Date= 15-Dec-2022

Source Data Release:  
 DCMLS Release V1.159.114

Product Version:  
 Version= 14

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SECTION 5			
Revision	Detail	Date	Rev By
3.0	Issued for Section 5	May '23	T OS

**Tony O'Sullivan**  
 architects

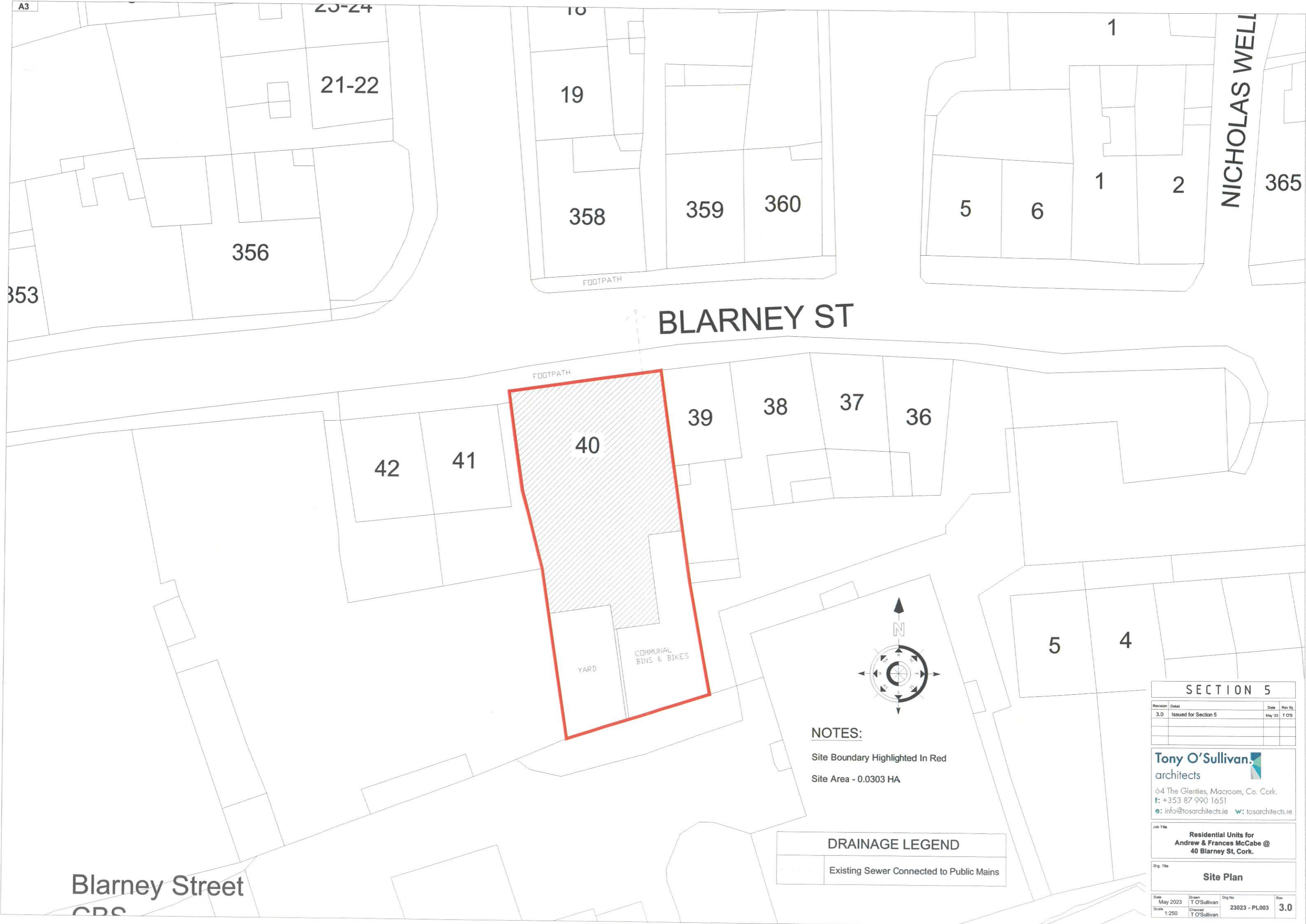
04 The Glenties, Macroom, Co. Cork.  
 t: +353 87 990 1651  
 e: info@tosarchitects.ie w: tosarchitects.ie

Job Title:  
**Residential Units for Andrew & Frances McCabe @ 40 Blarney St, Cork.**

Doc Title:  
**Urban Place Map**

Date	Drawn	Drawn No	Rev
May 2023	T O'Sullivan	23023 - PL002	3.0
Scale	Checked		
1:1000	T O'Sullivan		

Site Boundary Outlined in Red.



**NOTES:**  
 Site Boundary Highlighted In Red  
 Site Area - 0.0303 HA

DRAINAGE LEGEND	
	Existing Sewer Connected to Public Mains

**SECTION 5**

Revision	Detail	Date	Rev By
3.0	Issued for Section 5	May 23	TOS

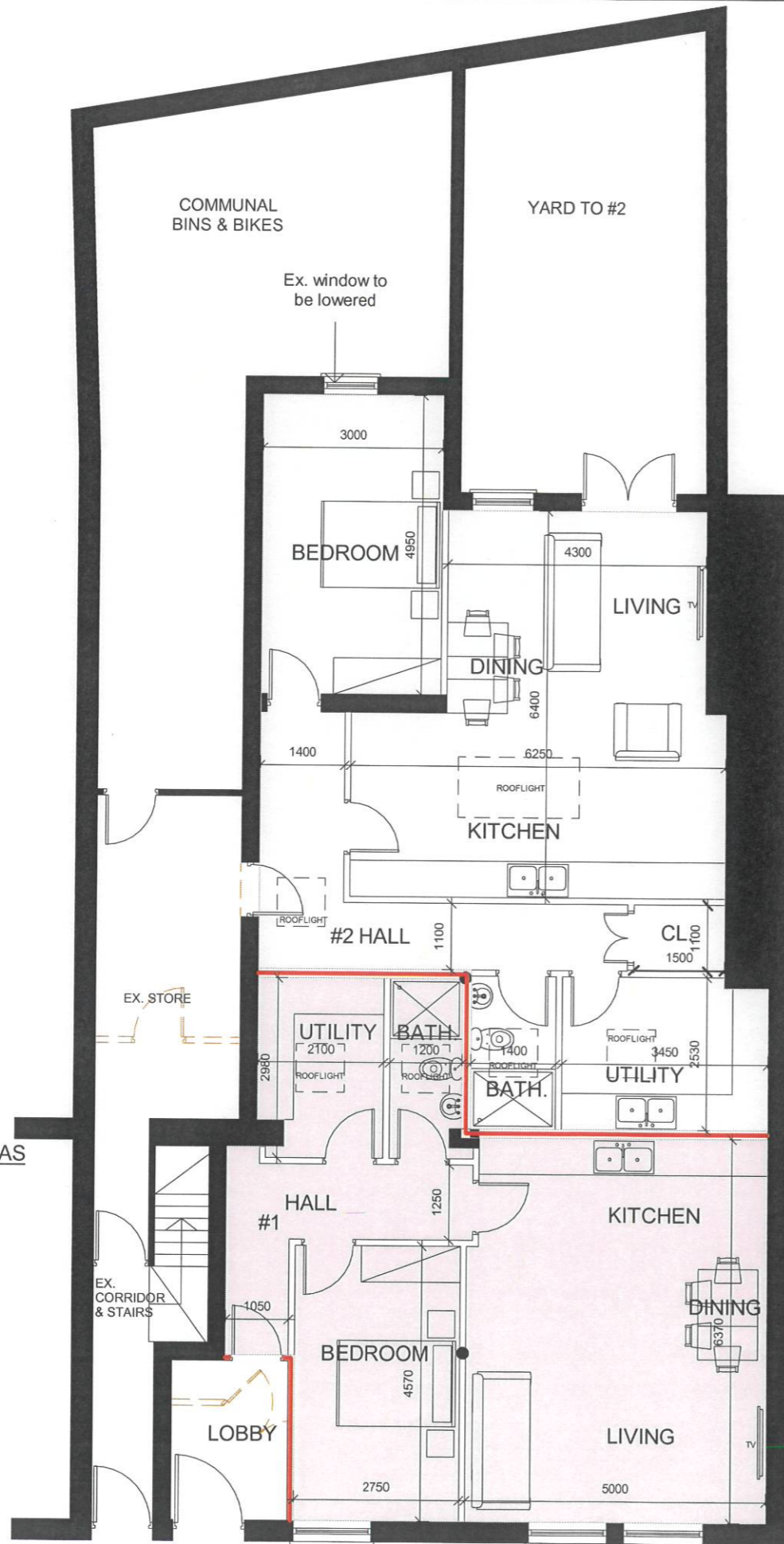
**Tony O'Sullivan**  
 architects  
 04 The Glenties, Macroom, Co. Cork.  
 t: +353 87 990 1651  
 e: info@tosarchitects.ie w: tosarchitects.ie

Job Title  
**Residential Units for Andrew & Frances McCabe @ 40 Blarney St, Cork.**

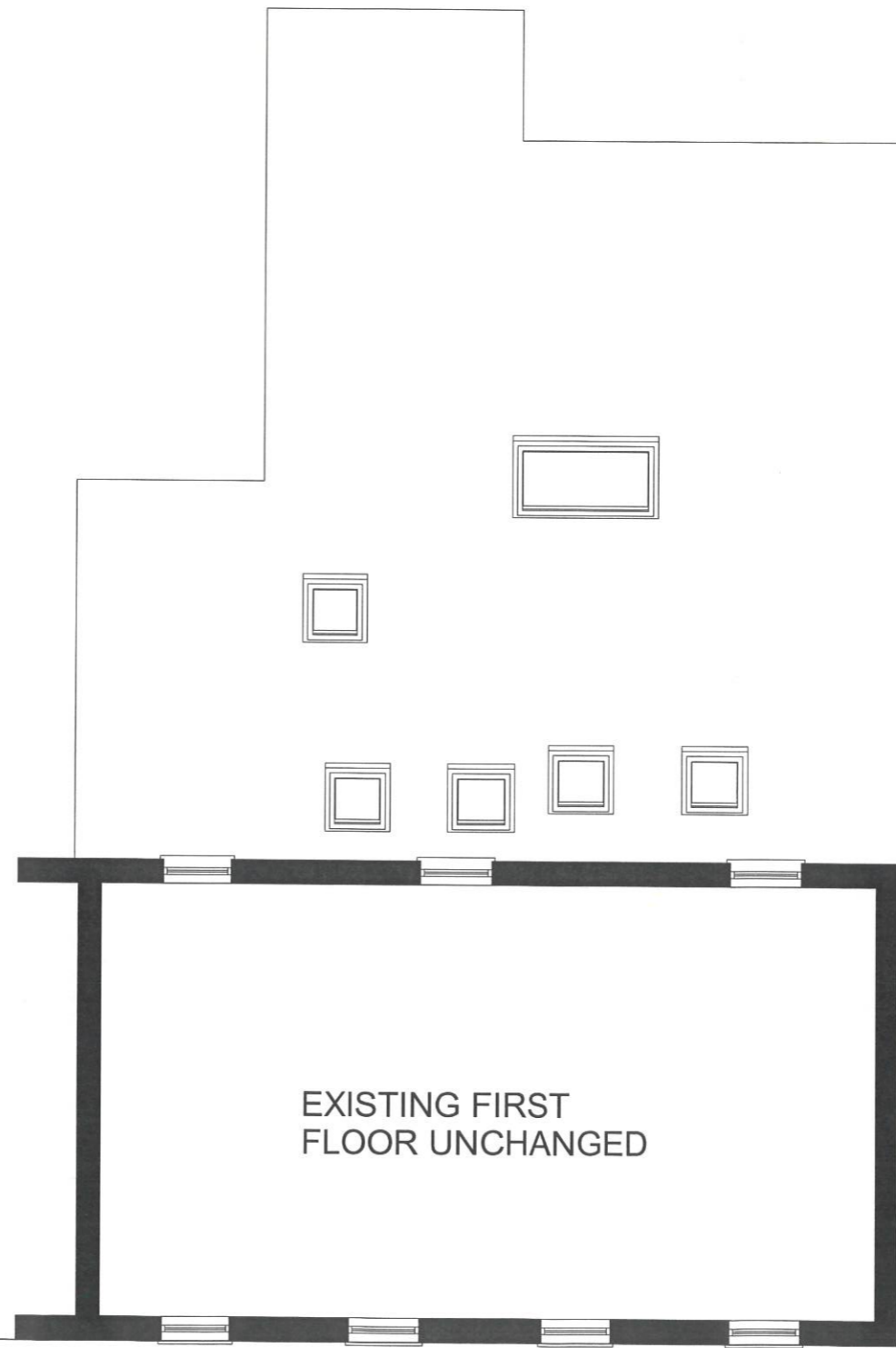
Dwg. Title  
**Site Plan**

Date	Drawn	Dwg No	Rev
May 2023	T O'Sullivan	23023 - PL003	3.0

Blarney Street  
 CBS



**Ground Floor**  
Area = 146sqm



**First Floor**

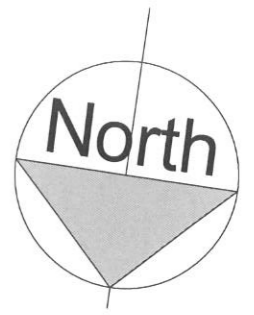
**LEGEND/GENERIC NOTES:**

	Proposed Walls
	Proposed 1hr fire rated walls
	Existing Walls
	Demolition

**APARTMENT FLOOR AREAS**

Unit #1 - 1 Bed Apartment  
Total Area = 63sqm  
Kit/Liv/Din Area = 31.5sqm  
Bedroom Area = 12.5sqm  
Storage Area = 7sqm

Unit #2 - 1 Bed Apartment  
Total Area = 76sqm  
Kit/Liv/Din Area = 33sqm  
Bedroom Area = 15sqm  
Storage Area = 9sqm  
Open Space = 30sqm



**SECTION 5**

Revision	Detail	Date	Rev By
3.0	Issued for Section 5	May '23	DB



**Tony O'Sullivan**  
architects  
64 The Glenties, Macroom, Co. Cork.  
t: +353 87 990 1651  
e: info@tosarchitects.ie | w: tosarchitects.ie

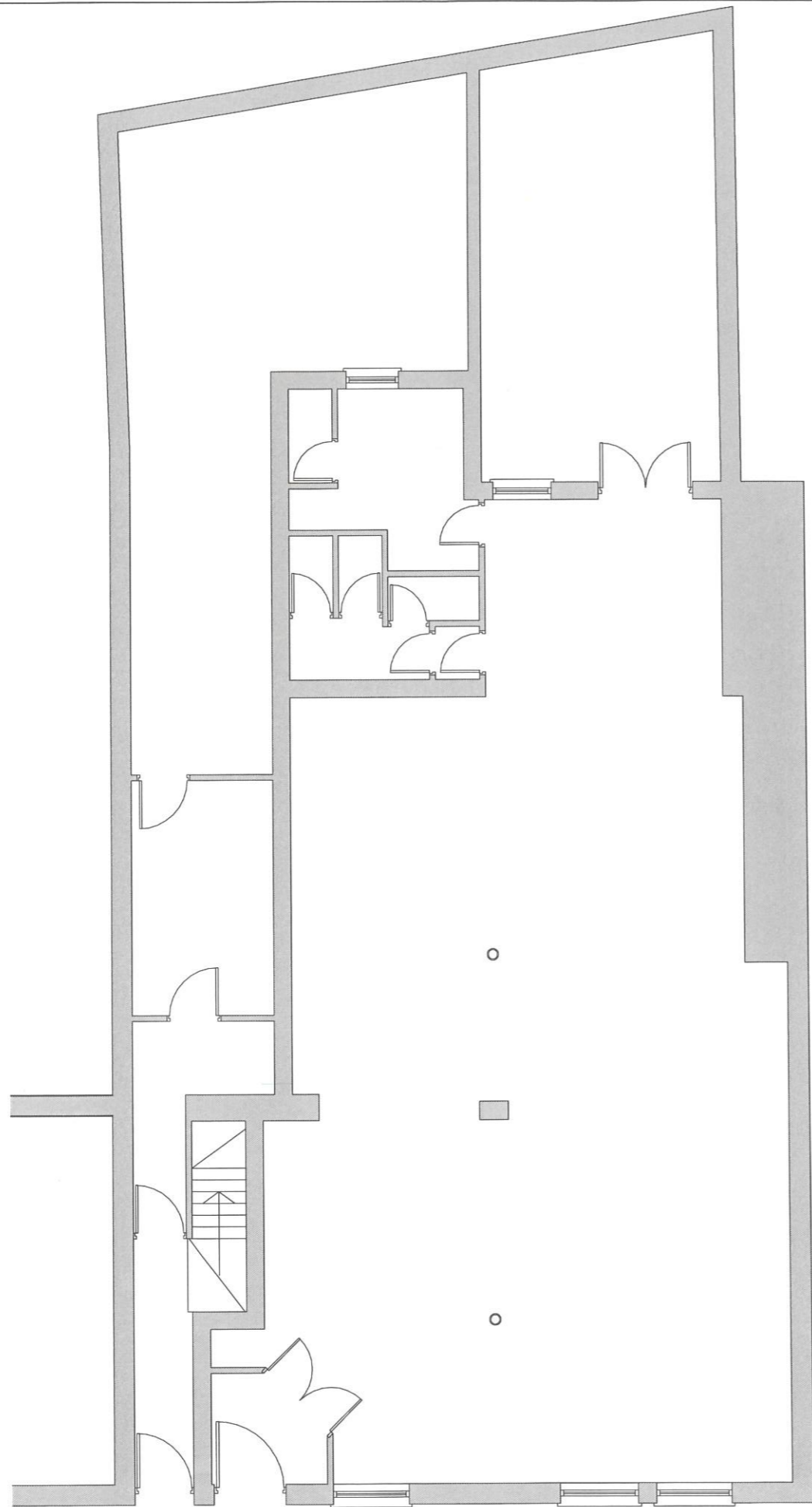
Job Title: Residential Units for Andrew & Frances McCabe @ 40 Blarney St. Cork.

Proj Title: Floor Plans

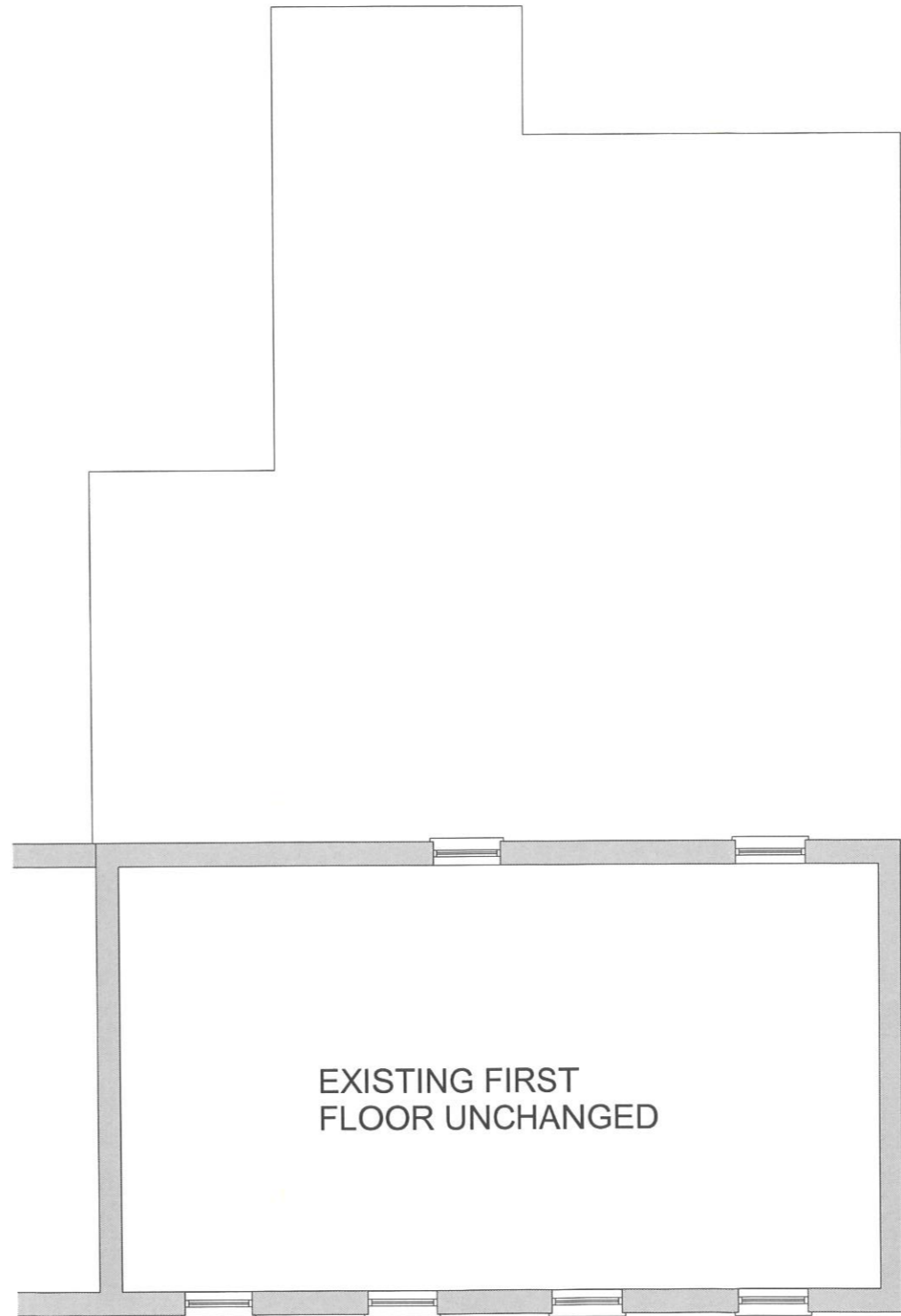
Date	Drawn	Drawn By	Drawn No	Rev
May '23	DB			

Scale: 1:100  
Checked: T O'Sullivan  
Proj No: 23023 - PL100  
Rev: 3.0

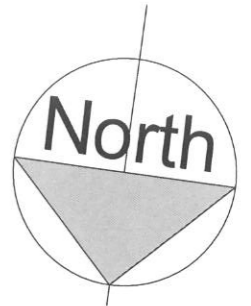
LEGEND/GENERIC NOTES:	
	Existing Walls
	Demolition



**1** Ex. Ground Floor  
Original Area = 146sqm



**2** Ex. First Floor



**SECTION 5**

Revision	Date	By	Rev. By
3.0	Issued for Section 5	May 23	DB

**Tony O'Sullivan,**  
architects  
64 The Glenties, Macroom, Co. Cork.  
t: +353 87 990 1651  
e: info@tosarchitects.ie | w: tosarchitects.ie

Job Title  
Residential Units for Andrew &  
Frances McCabe @  
40 Blarney St, Cork.

Orig. Title  
Existing Floor Plans

Date	Drawn	Drawn No	Rev
May 23	DB	23023 - PL200	3.0
Scale	Checked		
1 : 100	T O'Sullivan		







Existing doors retained  
**Front Elevation**



Existing doors retained  
 Existing windows retained  
**Rear Elevation**

**MATERIALS LEGEND/GENERIC NOTES:**

	<b>Roof:</b> Existing slate pitched roof to be retained.
	<b>Walls:</b> Existing smooth render finish retained.
	<b>Windows:</b> All existing windows retained
	Outlines works to which application relates

**SECTION 5**

Revision	Detail	Date	Rev By
3.0	Issued for Section 5	May '23	DB

**Tony O'Sullivan architects**  
 64 The Glenties, Macroom, Co. Cork.  
 t: +353 87 990 1651  
 e: info@tosarchitects.ie | w: tosarchitects.ie

Job Title: Residential Units for Andrew & Frances McCabe @ 40 Blarney St, Cork.

Draw Title: Elevations

Date	Drawn	Draw No	Rev
May '23	DB	23023 - PL300	3.0

Scale: 1:100  
 Checked: T O'Sullivan