

Comhairle Cathrach Chorcaí Cork City Council

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

Patricks Unity Ltd., c/o John Butt MRIAI, c/o Brian O'Kennedy & Associates Engineers & Architects, Shannon House, Church Road, Douglas, Cork.

28/07/2022

RE: <u>Section 5 Declaration R729/22 18/19 Douglas Street (An</u>
<u>Cruiscin Lan), Cork</u>

A Chara,

With reference to your request for a Section 5 Declaration at the above-named property, received on 20th July 2022, I wish to advise as follows:

Having regard to:

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

the Planning Authority considers that the proposed

"Significant internal alterations and minor external alterations to facilitate the change of use of the former public house, An-Cruiscin Lan, to residential use, namely 3 no. apartments. Associated works include the removal of an existing large lantern rooflight and other parts of a rear flat roof in order to form an internal open courtyard to improve natural light potential and provide communal amenity space"

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, 28th July 2022.





Comhairle Cathrach Chorcaí Cork City Council

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

Is mise le meas,

Kate Magner

Development Management Section

Community, Culture and Placemaking Directorate

Cork City Council

Sate lague





Shannon House, Church Road, Douglas, Cork, T12PW40

Tel: 021-4899854 Email: info@bok.ie Web: www.bok.ie

Our Ref:

5185

Your Ref:

Date:

14th July 2022

Planning Department, Cork City Council, City Hall, **Anglesea Street** Cork.

Dear Sir / Madam,

DEVELOPMENT MANAGEMENT CCP

2 n JUL 2022

CORK CITY COUNCIL

Re:

Section 5 Reference – 18/19 Douglas Street, Cork

Applicant:

Patricks Unity Ltd Merchants House 24 North Quay Douglas

Isle of Man IMI4LE

Agent: Brian O'Kennedy & Associates

Engineers + Architects

Shannon House Church Road Douglas

Correspondence to:

Agent

Location of development:

18/19 Douglas Street, Cork

Nature of development:

Change of us of former public house, An Cruscin Lan to

residential use, namely; 3no. apartments.

1.0 Introduction

We make the following submission to the Cork City Council under the provisions of Section 5 of the Planning and Development Act 2000 (as amended). This submission is made on behalf of Patricks Unity Ltd, of Merchants House, 24 North Quay, Douglas, Isle of Man, IMI4LE, owners of the building.

Please note on the curtilage of the site is a Protected Structure, namely; 'Stone Archway to Former St. John's Market'. This structure is not proposed to be amended as part of the proposed works.

The submission is accompanied by cheque made payable to Cork City Council in the amount of €80.

2.0 **Section 5 Reference**

The reference relates to a question as to whether the change of use of the former public house is an exempted development, considering the external rear elevation alterations proposed and specifically the forming of a new internal open air courtyard in lieu of current public house space.

3.0 Conclusion & Case Made

Directors: B. O'Kennedy, J. Butt

In the main, our office is satisfied the proposal constitutes an exempted development in accordance with the amendments to the Planning and Development Regulations surround exempted developments introduced in 2022, specifically in relation to closed public houses, for the following reasons:

VAT No.: IE 6370550H

- 1. The public house being closed for over 5 years and the licence being sold.
- 2. The Department of Housing Guidelines for Planning Authorities requirements have been substantially complied with in relation to floor areas. See enclosed Schedule of Floor Areas.
- The design with the inclusion of open areas available to each apartment allows for a greater quality of private and communal amenity space than would typically be possible with existing buildings in the inner city.
- 4. We believe that the external alterations outlined in the drawings are minor and do not contribute to a disturbance to the overall aesthetic of the existing building.
- 5. Being an inner-city development location we propose that car parking is not a requirement.
- 6. Ample bicycle parking is available in the entrance courtyards to Apartments 1&3, and within the large hallway to Apartment 2, or is available within the communal amenity space if required.
- 7. Secure gated Refuse Storage is located in a remote location through Blue Anchor Lane as is used by the existing residents in the building in the existing apartment over. See image in appendix of this cover letter.
- 8. There is an established residential use in the 2 upper floors over the existing bar which is currently managed by a management company and this is an arrangement that can continue for the new apartment additions.

We would like to make the case that the introduction of the open air internal courtyard even though is a significant alteration and alters the internal floor area of the existing building, that this alteration has a minor affect on the external appearance of the structure, particularly as the alterations would only be visible on the rear elevation from a private yard.

We are not proposing any works to the protected structure feature on the front elevation of the building. The steel gate within the protected structure is contemporary and is a robust secure galvanised steel double gate and will be changed to a more aesthetically pleasing and pedestrian manageable gate.

4.0 Enclosed Documents

•	Complete Section 5 Declaration of Exemption Form	(4no. Copies)
•	PL-01 Existing Ground Floor Demolition Plan	(4no. Copies)
•	PL-02 Proposed Ground Floor Plan & Site Layout Plan	(4no. Copies)
•	PL-03 Existing and Proposed Section A-A	(4no. Copies)
•	PL-04 Existing Front Elevation	(4no. Copies)
•	PL-05 Existing and Proposed Side Elevation	(4no. Copies)
•	PL-06 Existing and Proposed Rear Elevation	(4no. Copies)
•	Schedule of Floor Areas	(4no. Copies)
•	Site Location Map	(4no. Copies)
•	Existing Structure Photographic Record	(4no. Copies)
•	Fee of €80	(Cheque)
•	Site Location Map Existing Structure Photographic Record	(4no. Copies) (4no. Copies)

We trust everything is in order regarding this application, please don't hesitate to contact us with any queries.

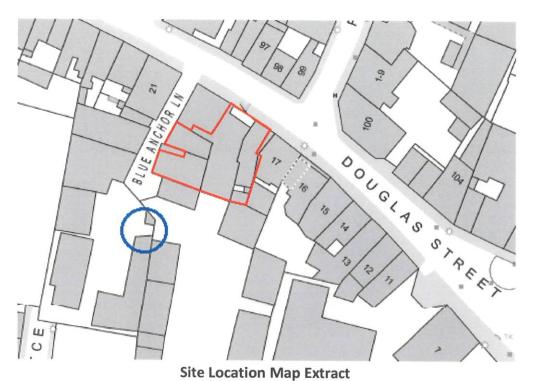
Yours sincerely,

John Butt MRIAI

Director

Brian O'Kennedy & Associates Ltd

Appendix – Support Images



Note: Refuse Area Circled in Blue which is in the ownership of the applicant

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

Fón/Tel: 021-4924762

Lionra/Web; www.corkcity.ie

SECTION 5 DECLARATION APPLICATION FORM

under Section 5 of the Planning & Development Acts 2000 (as amended)

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Is the construction of a shed at No 1 Wall St, Cork development and if so, is it

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

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

18/19 Douglas Street Cork (Formerly an Cruscin Lan - Public House)

exempted development?

2. QUESTION/ DECLARATION DETAILS

Sample Question:

Significant Internal alterations and minor external alterations to facilitate the change of use
of the former public house, An Cruscin Lan to residential use, namely; 3no. apartments.
Associated works include the removal of an existing large lantern rooflight and other parts of a
rear flat roof in order to form in internal open courtyard to improve natural light potential and
provide communal amenity space
ADDITIONAL DETAILS REGARDING QUESTION/ WORKS/ DEVELOPMENT:
(Use additional sheets if required).
The majority of the proposal complies with the amendments to the planning and development
regulations in relation to change of use of a public house to residential. The question arises
from the design intent to remove the existing lantern rooflight to the rear and part of a single
storey flat roof, to create an internal courtyard/communal amenity space and allow natural light
into a building, currently with limited access to natural light.
The amended planning and development regulations allow for minor elevational alterations
particularly if the amendments do not alter the overall aesthetic or qualities of the building.
We believe this to be the case however we seek clarity in relation to the alterations to the rear
of the building and confirmation from the planning authority that all the proposed works are
an exempted development.

If so please supply details: No	eedings coi	nnected to this	s site?	
4. Is this a Protected Structure or within th	e curtilage	of a Protected	Structure?	
If yes, has a Declaration under Section 5 requested or issued for the property by	7 of the Pla the Plannin	nning & Devel g Authority?	opment Act 2000 been Email correspondence v the Cork City Council	/ith
5. Was there previous relevant planning ap If so please supply details: PL Refs: 20/39245, 20/39246, 20/39247,				
6. <u>APPLICATION DETAILS</u>				
Answer the following if applicable. Note: Floor areas should be indicated in square meters (sq. M)		d from the insid	e of the external walls and	
(a) Floor area of existing/proposed structur	re/s	306sqm		
(b) If a domestic extension, have any previous extensions/structures been erected at the location after 1 st October, 1964, (includition for which planning permission has been obtained)?	his ng those	Yes If yes, please p	No 🗹 provide floor areas. (sq m)	
(c) If concerning a change of use of land and	d / or buildi	ng(s), please s	tate the following:	
Existing/ previous use (please circle)	Proposed/	existing use (p	lease circle)	
Public House	Residenti	al - 3no. Apart	ments	
8. LEGAL INTEREST				
Please tick appropriate box to show applicant' legal interest in the land or structure	s A. Owr	ner 🗸	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 and address of the owner if available	е			
9. I / We confirm that the information containe	ed in the a	oplication is t	rue and accurate:	
Date:28-06-2022				

CONTACT DETAILS

10. Applicant:

Address Mechants House, 24 North Quay, Douglas, Isle of Man. IMI4LE	Name(s)	Patricks Unity Ltd
	Address	

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

Name(s):	John Butt MRIAI				
Address:	c/o Brian O' Kennedy & Associates Engineers + Architects				
	Shannon House, Church Road, Douglas, Cork				

Telephone:					
E-mail address:					
	dence be sent to the above address? 'is 'No', all correspondence will be sent to the Applicant's No No No No No No No No				

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:

The application must be accompanied by the required fee of €80

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.

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

- 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.



SCHEDULE OF APARTMENT FLOOR AREAS

Re; Section 5 Declaration for works to the ground floor of an existing building (Formerly An Crussin Lan), to facilitate the Change of Use of the areas in question to residential, namely; 3no. Ground Floor Apartments.

18/19 Douglas Street, Cork City

	Total Apartment Area	Kitchen/ Dining/ Living Areas	Bedroom 1	Bedroom 2	Aggregate Bedroom Area	Storage	Private Amenity Space	Communal Amenity Space
SUH:DSNA Minumum Areas SQM		1 Bed - 23 2 Bed - 28/30	Single - 7.1 Double - 11.4	Single - 7.1 Double - 11.4	1 Bed - 11.4 2 Bed - 20.1	1 Bed - 3 2 Bed - 5 or 6	1 Bed - 5 2 Bed - 6 or 7	1 Bed - 5 2 Bed - 6 or 7
Apartment 1 1-Bedroom	67	44	12.2	N/A	N/A	3	10	32
Apartment 2 1-Bedroom	78	31.9	12.7	N/A	N/A	5.7	10.7	32
Apartment 3 2-Bedroom 3 persons	87	31.6	15.3	13.7	14.5	2.5	N/A	32

Planning Pack Map 571394 **National Mapping Agency** S Car Park CENTRE **COORDINATES:** ST 567709,571308 NN I 4 PUBLISHED: **ORDER NO.:** 0 17/10/2019 50089702 1 2 12.5 MAP SERIES: MAP SHEETS: MEWS S 6382-15 1:1,000 1:1,000 6382-20 9 රිල > Saint John's Central T College Site Outlined in RED Reeves Hall 2 COMPILED AND PUBLISHED BY: Ordnance Survey Ireland, Phoenix Park, Dublin 8. Ireland. 100 Langford Mill Unauthorised reproduction infringes Ordnance Survey Ireland DOUGLAS and Government of Ireland BLUE copyright. All rights reserved. No part of this publication may PARKOWEN be copied, reproduced STREE or transmitted in any form 705 or by any means without the prior written permission of 4 the copyright owners. Old Market The representation on this map Place of a road, track or footpath 16 is not evidence of the existence Ш 13 Car Park of a right of way. 15 O Burial Ordnance Survey maps Ground never show legal property Old > 13 Market boundaries, nor do they Ш show ownership of 12 _ physical features. 3 25 Cork © Suirbhéireacht Ordanáis Éireann. 10 S Corcaigh © Ordnance Survey Ireland, 2019 Y www.osi.ie/copyright 571222 CAPTURE RESOLUTION: 10 30 20 40 metres The map objects are only accurate to the **OUTPUT SCALE: 1:1,000** resolution at which they were captured. LEGEND: Output scale is not indicative of data capture scale. http://www.osi.ie; 20 40 60 80 100 Feet Further information is available at: search 'Large Scale Legend' http://www.osi.ie; search 'Capture Resolution'



Shannon House, Church Road, Douglas, Cork. Tel: 021-4899854 Fax: 021-4899864 Email: info@bok.ie Web: www.bok.ie

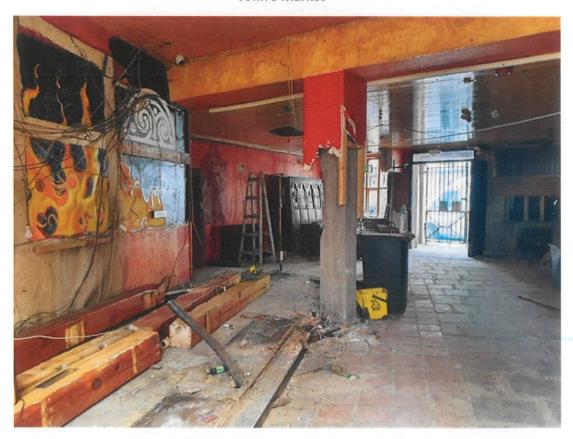
Proposed Change of use of former public house 'An Cruscin Lan' to residential use.

Existing Structure Photographic Record



Existing Front View of Bar Entrance including Protected Structure 'Stone Archway to Former St.

John's Market'



Existing internal image within former bar - view out to Douglas Street (gate visible)



Internal image – view to rear elevation – location of proposed open internal courtyard



Image within yard along side elevation to be proposed as entrance courtyard to Apartment 3



Roof image showing lantern rooflight to be removed to form open internal courtyard



Image from private yard to rear of Blue Anchor Lane of rear elevation of structure



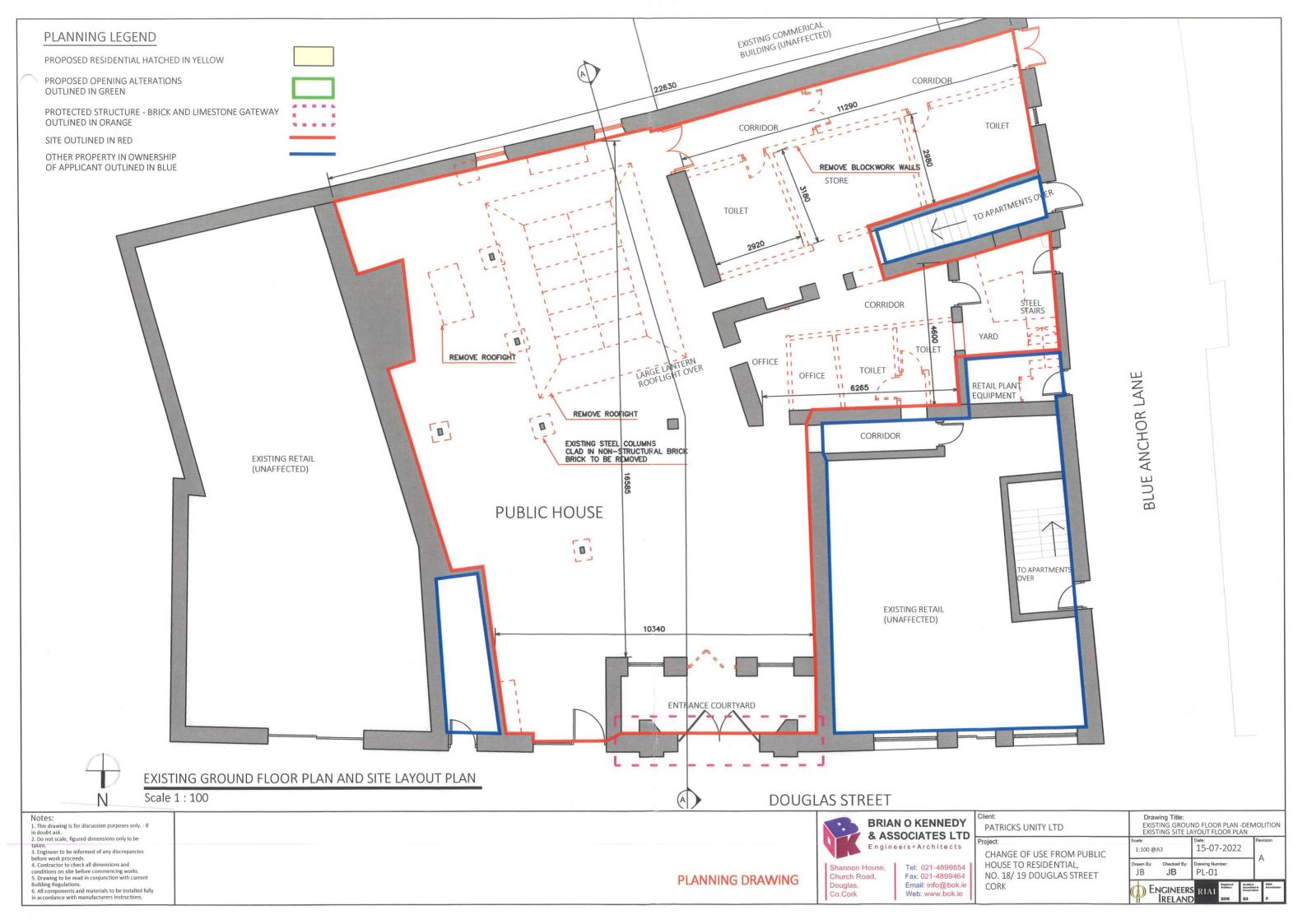
Image of existing bar door

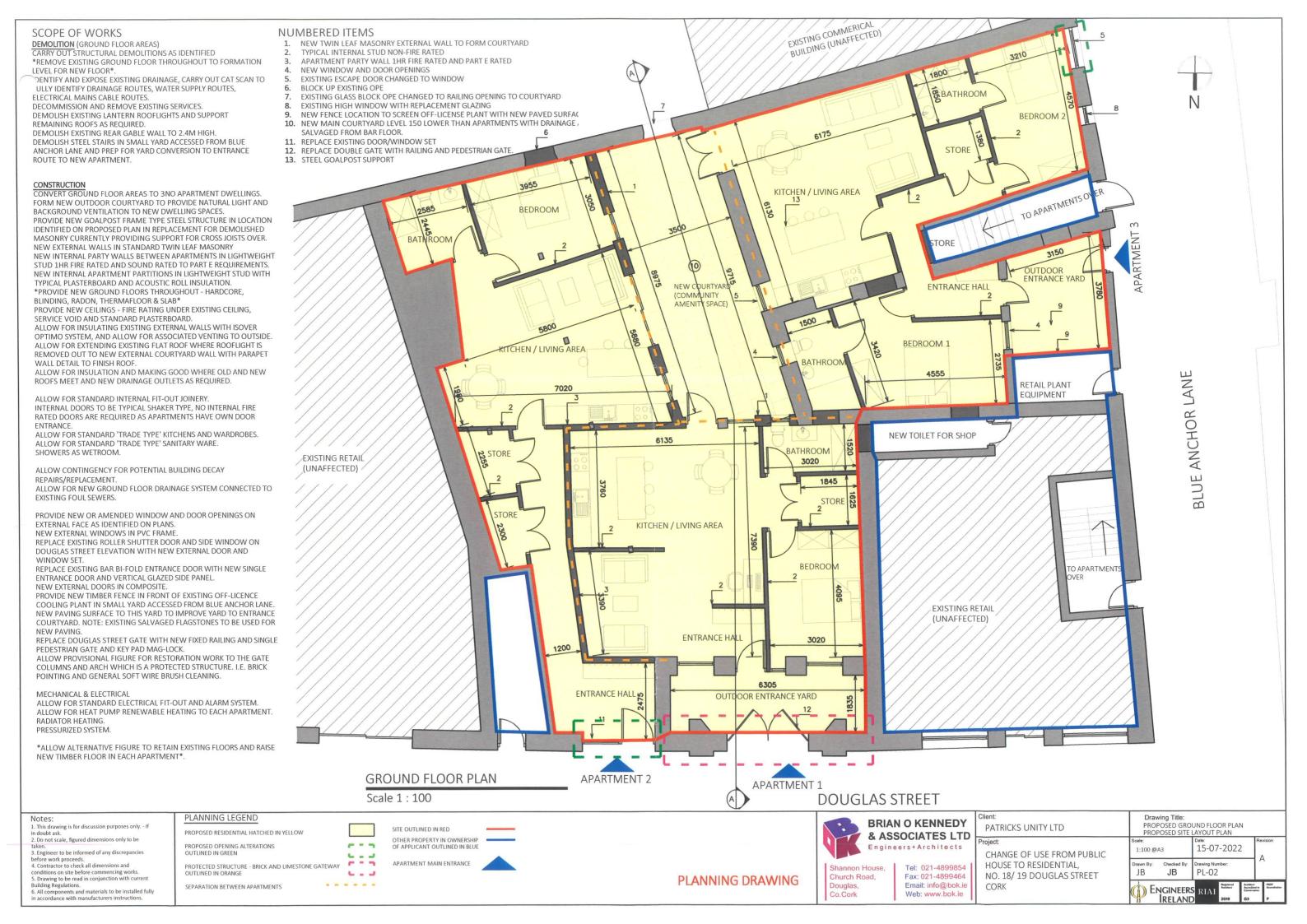


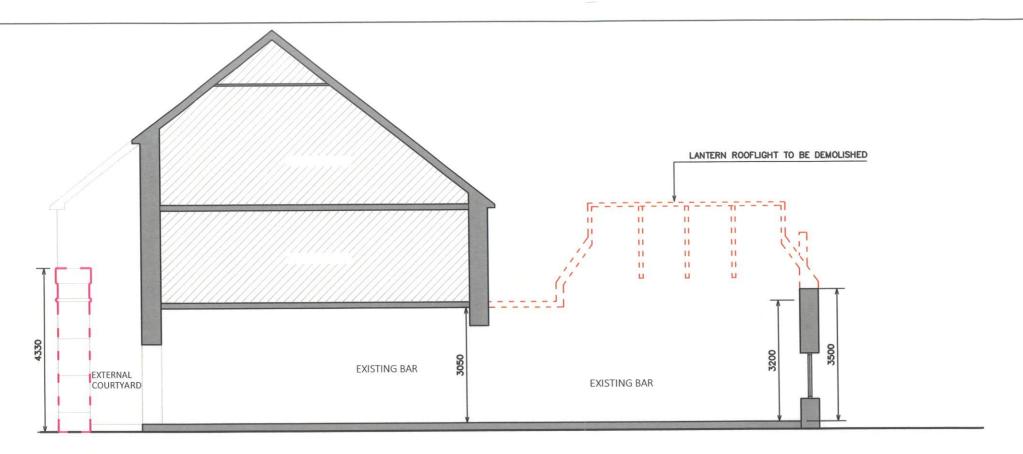
Image of existing window to side of bar door from inside Douglas Street gateway



Image of rear elevation from private yard – note glass block windows as shown on rear elevation drawings

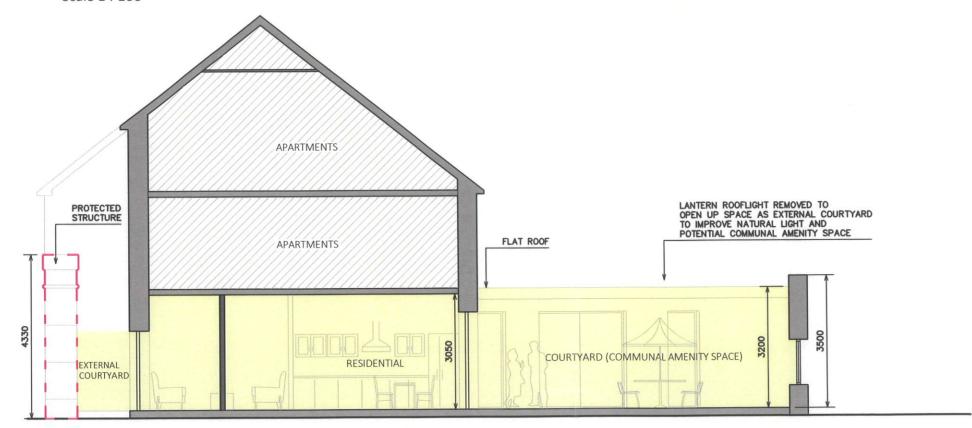






EXISTING SECTION A-A

Scale 1: 100



PROPOSED SECTION A-A

Scale 1:100

Notes:
1. This drawing is for discussion purposes only. - If in doubt ask.
2. Do not scale, figured dimensions only to be

2. Do not scale, figured dimensions only to be taken.
3. Engineer to be informed of any discrepancies before work proceeds.
4. Contractor to check all dimensions and conditions on site before commencing works.
5. Drawing to be read in conjunction with current Building Regulations.
6. All components and materials to be installed fully in accordance with manufacturers instructions.

PLANNING LEGEND

CHANGE OF USE AREA HIGHLIGHTED IN YELLOW



PROTECTED STRUCTURE OUTLINED IN MAGENTA



BRIAN O KENNEDY & ASSOCIATES LTD Engineers+Architects

Church Road, Douglas, Co.Cork

Tel: 021-4899854 Fax: 021-4899464 Email: info@bok.ie Web: www.bok.ie

GROUND FLOOR,

CORK

NO. 18/19 DOUGLAS STREET

Drawing Title: EXISTING AND PROPOSED SECTION A-A MICHAEL KENNEFICK 15-07-2022 1:100 @A3 PROPOSED CHANGE OF USE FROM Checked By: JB PL-03 PUBLIC HOUSE TO RETAIL TO

ENGINEERS RIAI RELAND 2019





NOTE: THERE ARE NO PROPOSED ALTERATIONS TO THE EXISTING FRONT ELEVATION

Notes:

1. This drawing is for discussion purposes only. - If in doubt ask.

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taken.

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PLANNING LEGEND

ELEVATIONAL CHANGES

CHANGE OF USE AREA HIGHLIGHTED IN YELLOW



Church Road, Douglas, Co.Cork

BRIAN O KENNEDY & ASSOCIATES LTD Engineers+Architects

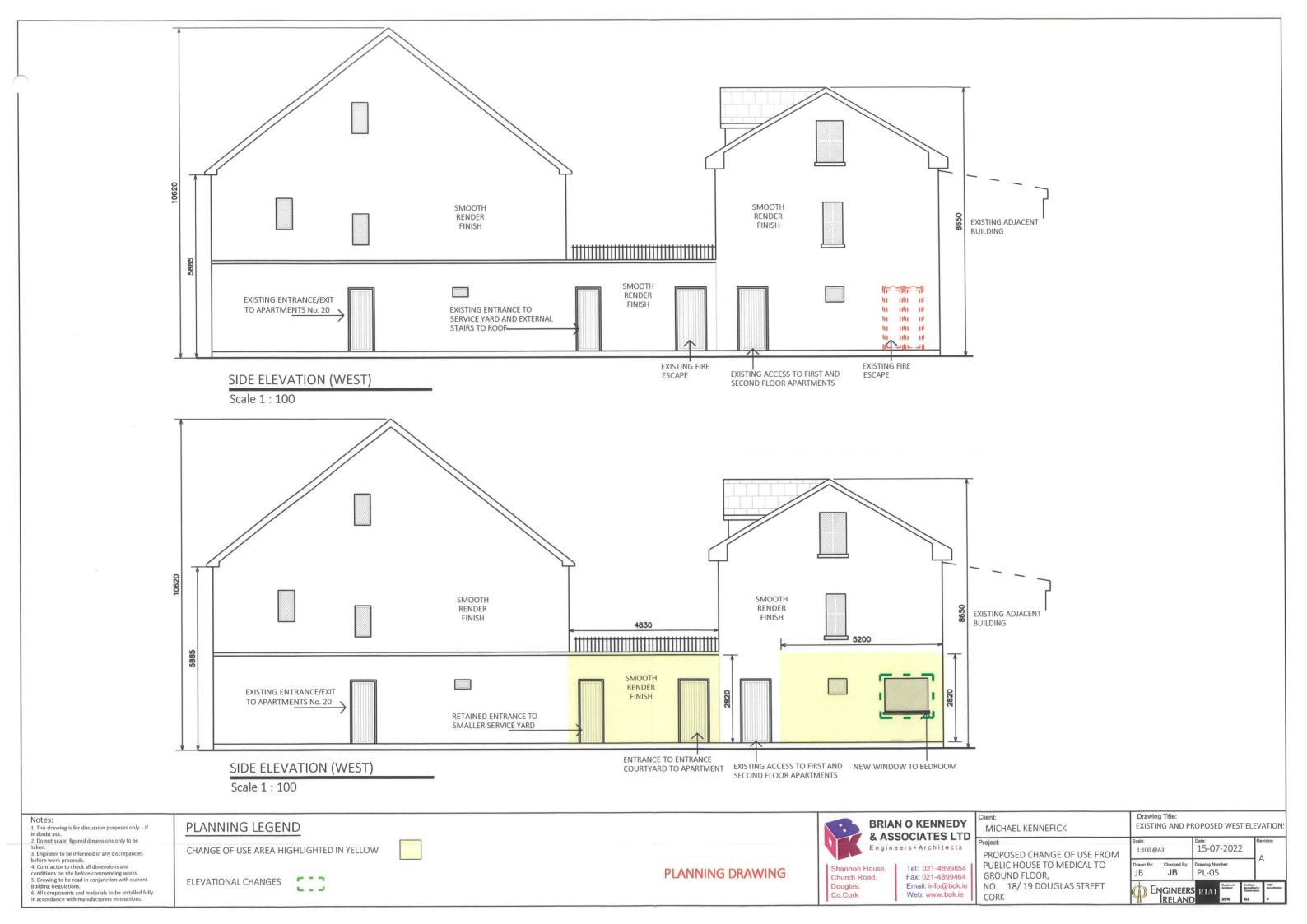
Tel: 021-4899854 Fax: 021-4899464 Email: info@bok.ie

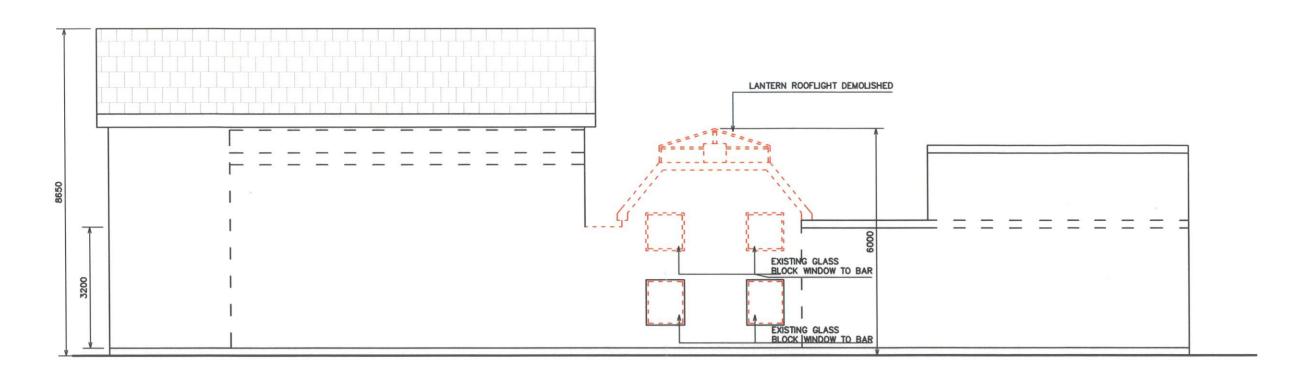
Web: www.bok.ie

PLANNING DRAWING Drawing Title: PATRICKS UNITY LTD 1:100 @A3 CHANGE OF USE FROM PUBLIC

HOUSE TO RESIDENTIAL, NO. 18/ 19 DOUGLAS STREET CORK

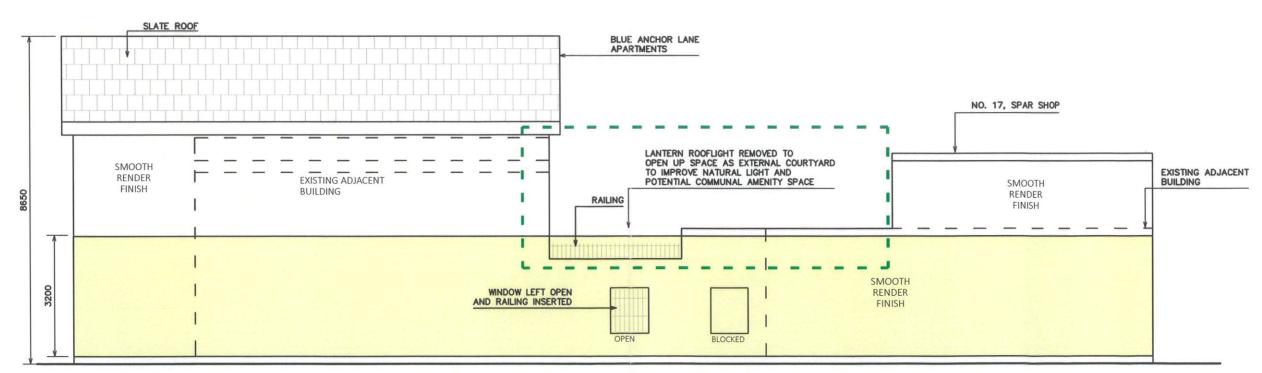






EXISTING REAR ELEVATION (SOUTH)

Scale 1:100



PROPOSED REAR ELEVATION (SOUTH)

Scale 1:100

PLANNING DRAWING

1. This drawing is for discussion purposes only. - If in doubt ask.
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PLANNING LEGEND

CHANGE OF USE AREA HIGHLIGHTED IN YELLOW

ELEVATIONAL CHANGES []

PROTECTED STRUCTURE OUTLINED IN MAGENTA



BRIAN O KENNEDY & ASSOCIATES LTD Engineers+Architects

Shannon House, Church Road, Douglas, Co.Cork

Tel: 021-4899854 Fax: 021-4899464 Email: info@bok.ie Web: www.bok.ie PATRICKS UNITY LTD

Drawing Title:
EXISTING AND PROPOSED REAR ELEVATION
Project:
Scale:
1:100 @A3

Drawing Title:
EXISTING AND PROPOSED REAR ELEVATION
1:100 @A3

Date:
1:100 @A3

15-07-2022

CHANGE OF USE FROM PUBLIC HOUSE TO RESIDENTIAL, NO. 18/ 19 DOUGLAS STREET CORK Scale:
1:100 @A3

Date:
15-07-2022

Drawn By: Checked By:
JB JB

PL-06

ENGINEERS RIAI

Page and Page