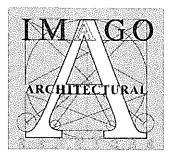
IMAGO ARCHITECTURAL SERVICES

DESIGN AND PROJECT MANAGEMENT

25, TRAMORE COMMERCIAL PARK, TRAMORE ROAD, CORK, IRELAND

E-MAIL: eva@imago.ie

TEL/FAX: +353 21 4323217,....(Cork) +353 21 4668929.....(Midleton) 086 8038616(E.Murphyová)



Planning Department **Cork City Council** City Hall Cork

7/03/2019

Re: Demolition of existing extension and construction on a new extension on its footprint at Seefin, Ardnaree, Buckston Hill, Cork Applicant: Lucy Dawe-Lane

Dear Sir/ Madam,

I hereby enclose Section 5 Declaration Application Form for the project at Seefin, Ardnaree, Buckston Hill, Cork. A fee of € 80 is attached.

The property is a semi-detached three storey House built c.1890 and is on the main record of NIAH ref no 20862111. We are proposing to demolish the existing extension at rear of the property, which was not part of the original development and is of low built quality. We are proposing to construct a modern one storey extension instead.

I trust that you will find this application in order. Should you have any queries do not hesitate to contact me.

Yours sincerely

Eva Murphyová, dipl.eng. Architect, MRIAI

Imago Architectural Studió

Comhairle Cathrach Chorcaí Cork City Council

1 3 MAR 2019

Strategic Planning & Economic **Development Directorate**

COMHAIRLE CATHRACH CHORCAÍ CORK CITY COUNCIL

Strategic Planning & Economic Development Directorate, Cork City Council, City Hall, Anglesea Street, Cork.

R-Phost/E-Mail <u>planning@corkcity.ie</u> Fón/Tel: 021-4924564/4321 Líonra/Web: <u>www.corkcity.ie</u>

SECTION 5 DECLARATION APPLICATION FORM

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

1.	POSTAL ADDRESS OF L	AND OR STRUCTURE	FOR WHICH DECL	ARATION IS SOUGHT

Seefin, Ardnaree, Buckston Hill, Cork, Cork City

2. **QUESTION/ DECLARATION DETAILS**

PLEASE STATE THE SPEC	CIFIC QUESTION FOR WHICH A DECLARATION IS SOUGHT:
	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.
Cork, Cork City an (National Inventory existing extension)	of one storey extension at Seefin, Ardnaree, Buckston Hill, exempt development? The main structure is on the NIAH of Architectural Heritage reg,No: 20862111), but the at rear is not part of the original development (built in 1890) ecial interest of the main house is "Architectural Artistic")
ADDITIONAL DETAILS DE	GARDING QUESTION/ WORKS/ DEVELOPMENT:
(Use additional sheets if req	uired).
extension at rear of high standard and i	nsion is being designed on the footprint of the existing the property. The existing extension is not built to a very t is proposed to be demolished and replace by an energy
-Existing extension	se 174.2 m2 (not inclusive the existing extension)28.5m2 (-to-be-demolished) nsion36.6m2
44 14 14 14 14 14 14 14 14 14 14 14 14 1	

3. 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)

(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) 4. APPLICANT/ CONTACT DETAILS Name of applicant (principal, not agent): Lucy Dawe-Lane Applicants Address Seefin, Ardnaree, Buckston Hill, Cork, Cork City Person/Agent acting on behalf of the Applicant (If any): Imago Architectural Studio 25 Tramore Commercial Park, Tramore Road, Cork Telephone: Fax: E-mail address: E-mail address: No Insee note that if the answer is 'No', all correspondence will be sent to the Applicant's A. Owner Base tick appropriate box to show applicant's A. Owner Base tick appropriate box to show applicant's A. Owner Base tick appropriate box to show applicant's A. Owner Base tick appropriate box to show applicant's A. Owner Base tick appropriate box to show applicant's A. Owner	for which planni obtained)? (c) If concerning a c	Ctures been erected October, 1964, (incl ng permission has be hange of use of land	at this life life life life life life life life	m2 (28.5 to be demolished/ 36.6 m2 No yes, please provide floor areas. (sq m) 8.5m2 - is prosed to be demolished
Applicants Address Seefin, Ardnaree, Buckston Hill, Cork, Cork City Person/Agent acting on behalf of the Applicant (lif any): Imago Architectural Studio 25Tramore Commercial Park, Tramore Road, Cork Telephone: Fax: E-mail address: E-mail address: Telephone: Fax: E-mail address: A. Owner Reacting on Name: Eva Murphyova Imago Architectural Studio 25Tramore Commercial Park, Tramore Road, Cork Telephone: Fax: E-mail address: A. Owner Reacting: A. Owner Reacting: A. Owner	(p)		Proposed/exis	iting use (please circle)
Seefin, Ardnaree, Buckston Hill, Cork, Cork City Person/Agent acting on Dehalf of the Applicant If any): Name: Eva Murphyova Address: Imago Architectural Studio 25Tramore Commercial Park, Tramore Road, Cork Telephone: Fax: E-mail address: Fax: E-mail address: Pease note that if the answer is 'No', all correspondence will be sent to the Applicant's lease tick appropriate box to show applicant's all interest in the land or structure Person/Agent acting on Name: Eva Murphyova Imago Architectural Studio 25Tramore Commercial Park, Tramore Road, Cork Telephone: Fax: E-mail address: A. Owner Bease tick appropriate box to show applicant's all interest in the land or structure Person/Agent acting on Name: Address: A. Owner Bease tick appropriate box to show applicant's places states A. Owner	4. APPLICANT/ CON Name of applicant (prin	TACT DETAILS cipal, not agent):	Lucy Dave	lone
Address: Eva Murphyova Imago Architectural Studio 25Tramore Commercial Park, Tramore Road, Cork	Applicants Address	Seefin, Ardna		
Imago Architectural Studio 25Tramore Commercial Park, Tramore Road, Cork Telephone: Fax: E-mail address: E-mail address: Passe note that if the answer is 'No', all correspondence will be sent to the Applicant's diress Passe tick appropriate box to show applicant's gal interest in the land or structure There legal interest is 'Other', places at the Applicant's places at the	Person/Agent acting on	Name:	Fva Muss	
Fax: E-mail address: hould all correspondence be sent to the above address? ease note that if the answer is 'No'; all correspondence will be sent to the Applicant's dress) EGAL INTEREST ease tick appropriate box to show applicant's A. Owner Ball interest in the land or structure here legal interest is 'Other', places at the	if any):	Address:	Imago Arch	itectural Studio
E-mail address: nould all correspondence be sent to the above address? ease note that if the answer is 'No', all correspondence will be sent to the Applicant's dress) EGAL INTEREST ease tick appropriate box to show applicant's A. Owner gal interest in the land or structure here legal interest is 'Other', places state		Telephone:		
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EGAL INTEREST ease tick appropriate box to show applicant's A. Owner gal interest in the land or structure here legal interest is 'Other', places where		·		
ease tick appropriate box to show applicant's A. Owner B. Other here legal interest is 'Other' places state	hould all correspondence lease note that if the answer is 'No', dress)	e be sent to the abo all correspondence will be s	OVE address? Sent to the Applicant's	Yes No No
ease tick appropriate box to show applicant's A. Owner gal interest in the land or structure here legal interest is 'Other', places state	EGAL INTEREST			
nere legal interest is 'Other' places at a	ease tick appropriate box gal interest in the land or	Stricture	s (A. Owner	R-Ottos:
ur interest in the land/structure in question /ou are not the legal owner, please state the	nere legal interest is 'Oth	er places state		

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

Signature: <u>Evg Murphon</u>

Date: <u>6-03.2019</u>

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, Strategic Planning & Economic Development Directorate, Cork City Council, City Hall, Anglesea Street, Cork.

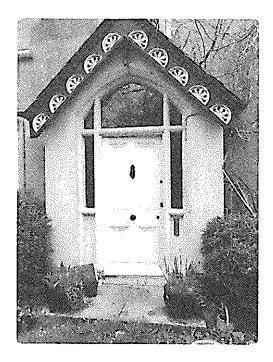
- The Planning Authority may require further information to be submitted to enable the authority to issue the declaration.
- The Planning Authority may request other person(s) other than the applicant to submit information on the question which has arisen and on which the declaration is sought.
- Any person issued with a declaration may on payment to An Bord Pleanala 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.

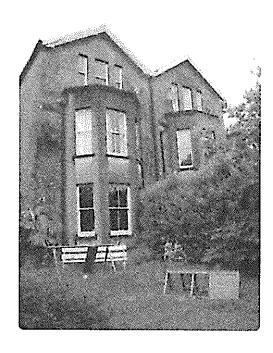
DATA PROTECTION

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

SEEFIN, BUCKSTON HILL, CORK



Main Entrance - West Facade

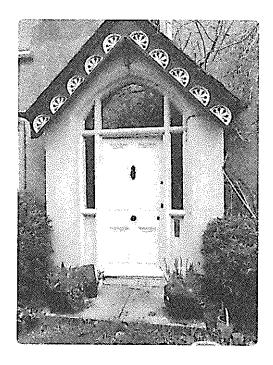


South facade

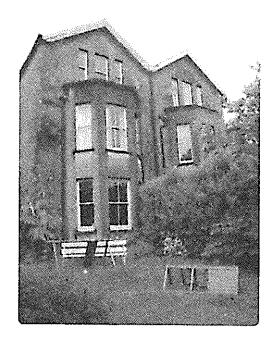




SEEFIN , BUCKSTON HILL, CORK



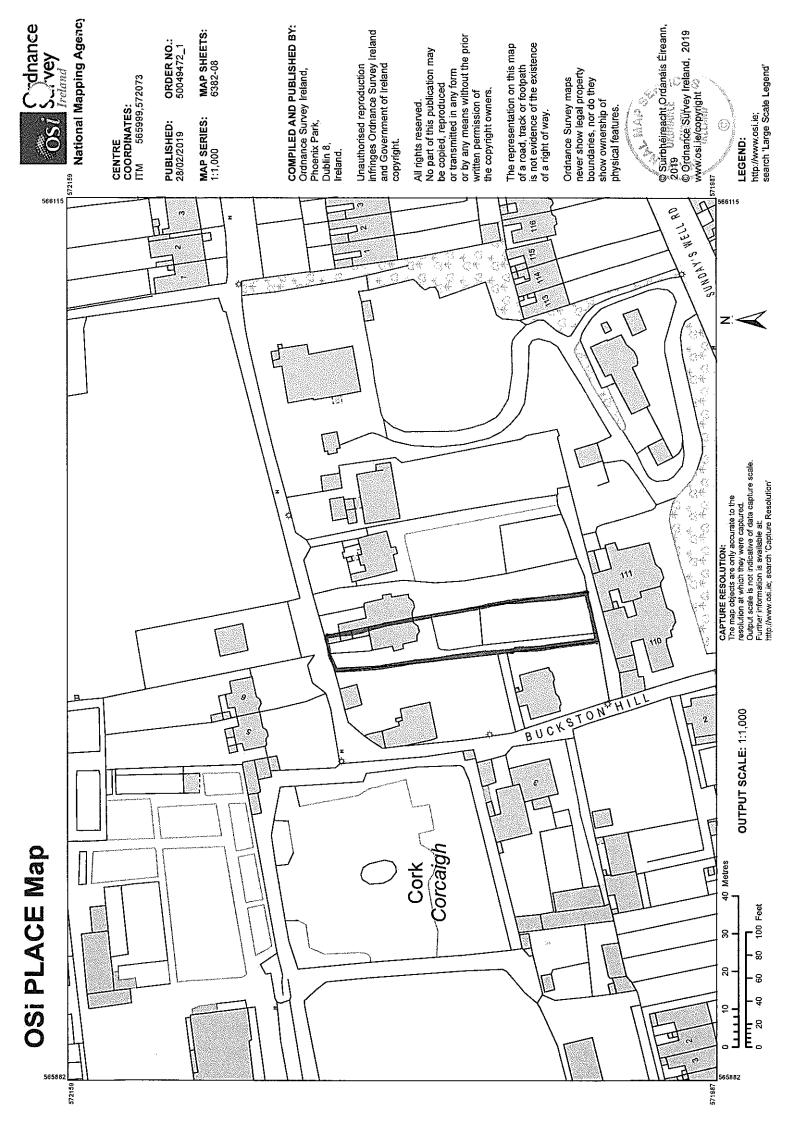
Main Entrance - West Facade

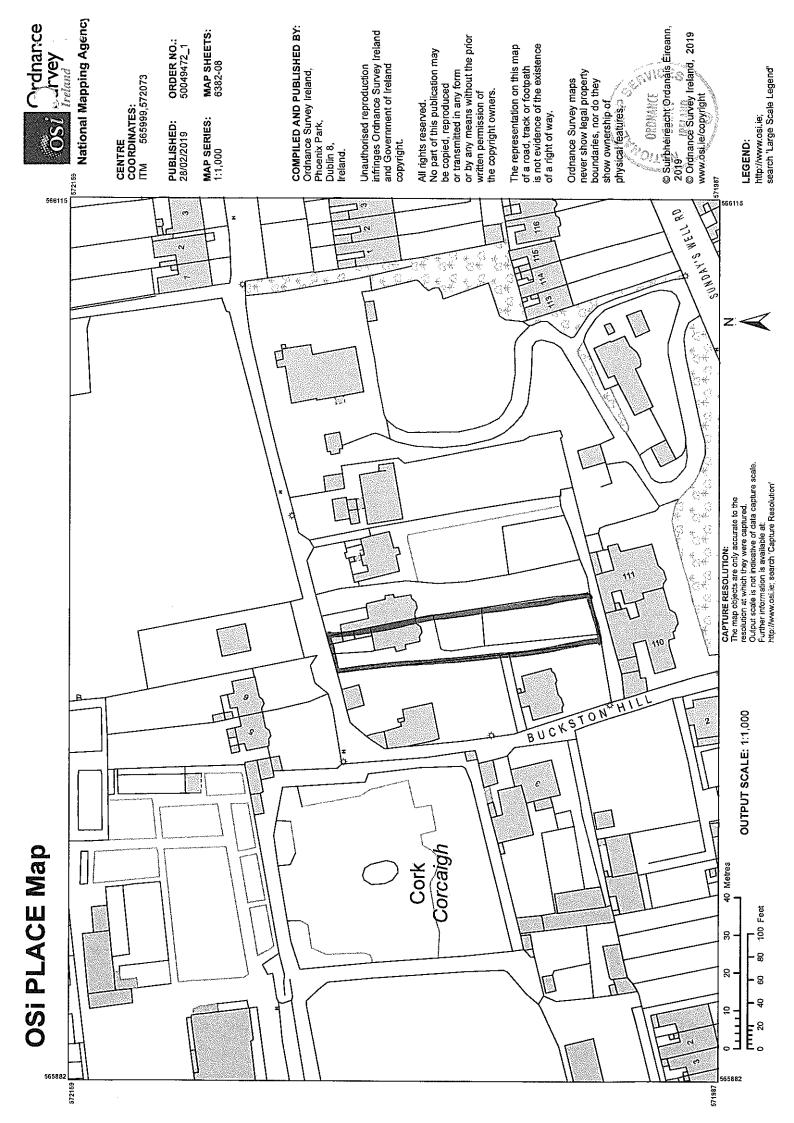


South facade











Comhairle Cathrach Chorcaí Cork City Council

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

Imago Architectural Services, 25 Tramore Commercial Park, Tramore Road, Cork

17th April, 2019

RE: R504/19 - Section 5 Declaration

Property: Seefin, Ardnaree, Buckston Hill, Cork

Dear Sir,

I am asked by Mr. Fearghal Reidy, Director of Services, Strategic Planning & Economic Development to refer to your request received on the 13th March, 2019 for a Section 5 Declaration regarding whether the construction of a one storey extension at Seefin, Ardnaree, Buckston Hill, Cork is development or exempted development.

Having regard to:

- The particulars received by the Planning Authority on 13/03/19
- Sections 2, 3, 4 and 82 (1) of the Planning and Development Act 2000 (as amended)
- Class 1 and Class 50 (b) of Schedule 2, Part 1 Exempted Development General of the Planning and Development Regulations 2001 (as amended).

the Planning Authority considers that -

the proposal IS DEVELOPMENT and that the development IS NOT EXEMPTED DEVELOPMENT.

Yours faithfully,

Serior Staff Officer,

Strategic Planning & Economic

Development Directorate



File Reference:	ECLARATION PLANNER'S REPORT
Description:	Is the construction of a one storey extension at Seefin, Ardnaree, Buckston Hill, Cork City an exempted development? The main structure is on the NIAH (National Inventory of Architectural Heritage reg. No. 20862111) but the existing extension at rear is not part of the original development (built in 1890). The category of special interest of the main house is 'Architectural Artistic').
Applicant:	Lucy Dawe-Lane
Location:	Seefin, Ardnaree, Buckston Hill, Cork City
	SUMMARY OF RECOMMENDATION
CON	STITUTES DEVELOPMENT AND IS NOT EXEMPTED DEVELOP

Purpose of Report

Under Section 5 (1) of the Planning and Development Act, 2000 (as amended), if any question arises as to what, in any particular case, is or is not development and is or is not exempted development within the meaning of the 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. 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.

Subject Development, and question before the Local Authority is:

Is the demolishment of an existing rear extension and the construction of a rear one storey extension at Seefin, Ardnaree, Buckston Hill, Cork City an exempted development?

RELEVANT PLANNING HISTORY

None

Planning and Development Act, 2000 as amended

Section 2(1)

"exempted development" has the meaning specified in section 4.

"structure" means any building, structure, excavation, or other thing constructed or made on, in or under any land, or any part of a structure so defined, and—

- where the context so admits, includes the land on, in or under which the structure is situate, and
- in relation to a protected structure or proposed protected structure, includes—
 - · the interior of the structure,
 - the land lying within the curtilage of the structure,
 - any other structures lying within that curtilage and their interiors, and

• all fixtures and features which form part of the interior or exterior of any structure or structures referred to in subparagraph (i) or (iii).

"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(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, as amended.

Section 4(3)

A reference in this Act to exempted development shall be construed as a reference to development which is—

- any of the developments specified in subsection (1), or
- development which, having regard to any regulations under subsection (2), is exempted development for the purposes of this Act.

Section 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.

Section 82(1),

82.—(1) [Notwithstanding paragraph (a), (h), (i), (ia), (j), (k) or (l) of section 4(1), or any regulations made under section 4(2),] the carrying out of works to the exterior of a structure located in an architectural conservation area shall be exempted development only if those works would not materially affect the character of the area.

ENVIRONMENTAL ASSESSMENT

I note the provisions of sections 4(4), 4(4A) and 177U(9) of the Act which state,

Section 4(4),

Notwithstanding paragraphs (a), (i), (ia) and (l) of subsection (1) and any regulations under subsection (2), development shall not be exempted development if an environmental impact assessment or an appropriate assessment of the development is required.

Section 4(4A)

Notwithstanding subsection (4), the Minister may make regulations prescribing development or any class of development that is—

- authorised, or required to be authorised by or under any statute (other than this Act) whether by means of a licence, consent, approval or otherwise, and
- as respects which an environmental impact assessment or an appropriate assessment is required,

to be exempted development.

Section 177U(9)

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.

Section 82(1),

82.—(1) [Notwithstanding paragraph (a), (h), (i), (ia), (j), (k) or (l) of section 4(1), or any regulations made under section 4(2),] the carrying out of works to the exterior of a structure located in an architectural conservation area shall be exempted development only if those works would not materially affect the character of the area.

Screening for Environmental Impact Assessment

Pursuant to article 103(1) of the Planning and Development Regulations 2001 as amended, having regard to the nature and scale of the proposed development and following a preliminary examination of, at the least, the nature, size or location of the proposed development, it is considered that there is no real likelihood of significant effects on the environment and it is consequently concluded that EIA is not required.

Screening for Appropriate Assessment

The applicant has not submitted an appropriate assessment screening report. 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 these European sites. Accordingly it is considered that appropriate assessment is not required.

Assessment

Zoning and Development Objectives

The subject site is on an elevated site at Buckston Hill off the Sundays Well Road and is on the NIAH record and listed as being of regional significance (Ref: 20862111), and is within the Sundays Well Architectural Conservation Area (ACA), and has ZO4 Residential, Local Services and Institutional Uses zoning. The objective of this zoning is 'To protect and provide for residential uses, local services, institutional uses, and civic uses, having regard to employment policies outlined in Chapter 3.'

Development

The first issue for consideration is whether or not the matter at hand is 'development', which is defined in the Act as comprising two chief components: 'works' and / or 'any material change in the use of any structures or other land'. It is clear that the proposal constitutes 'works', which is defined

in section 3(1) of the Act as including 'any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal'. As the proposal comprises 'works', it is clearly therefore 'development' within the meaning of the Act.

CONCLUSION

Is development

• Exempted development

The next issue for consideration is whether or not the matter at hand is exempted development. Section 2(1) of the Act defines 'exempted development' as having 'the meaning specified in Section 4' of the Act (which relates to exempted development).

Section 4(3) of the Act states that exempted development either means development specified in section 4(1) or development which is exempted development having regard to any regulations under section 4(2).

Essentially the proposal involves the demolition of the existing single storey, pitched roof extension of 28.5 sq. m, at the Northern end of the site. The Agent has stated that this was not part of the original development and is of a low quality, and refers to this as a rear extension. It is proposed to build a one storey flat roof extension in this location of 36.6. sq. m.

I have met with the Conservation Officer regarding this on **9/4/2019**, given that the subject site is within an ACA, and he confirms that the demolition of the rear extension would not materially affect the character of the area in the ACA, however, he has a number of concerns regarding the design of the proposed extension, and the flat roof nature of it and in particular how the new would marry with the old given that there would be no delineation or setback in the line of the Western wall of the building meeting the extension. Therefore, he is of the opinion that *there would be a material affect on the Architectural Character of the Area*. Therefore, Section 82 (1) of the Act, would not exempt this proposal, and the demolition does *not* come within the scope of Schedule 2, Article 6, Exempted Development:

Class 50

(b)

The demolition of part of a habitable house in connection with the provision of an extension or porch in accordance with Class 1 or 7, respectively, of this Part of this Schedule or in accordance with a permission for an extension or porch under the Act.

 The inspection, maintenance, repair, renewal or removal of pipes, cables, water mains, sewers, including associated accessories, service connections, boundary boxes, kiosks, intakes, overhead wires, meters and other apparatus, including the excavation of any street or other land for that purpose;

In addition to this, I further consider that the existing dwelling has double frontages onto two separate roadways, with 2 existing vehicular entrances - a Southern one off a private cul-de-sac laneway off Buckston Hill, and and a Northern entrance off Buckston Hill itself. I do not accept that the proposed extension (36.6 sq. m) can be considered a *rear extension* as it would be directly fronting onto the public roadway of Buckston Hill which has been taken-in-charge by Cork City Council, and the building line of the extension would be approximately 2m. from the existing Northern entrance at the public road.

I, therefore, consider that this extension does *not* come within the scope of Schedule 2, Article 6, Exempted Development:

Class 1

The extension of a house, by the construction or erection of an extension (including a conservatory) to the rear of the house or by the conversion for use as part of the house of any garage, store, shed or other similar structure attached to the rear or to the side of the house.

(a)

Where the house has not been extended previously, the floor area of any such extension shall not exceed 40 sq. m..

Recommendation

Having regard to -

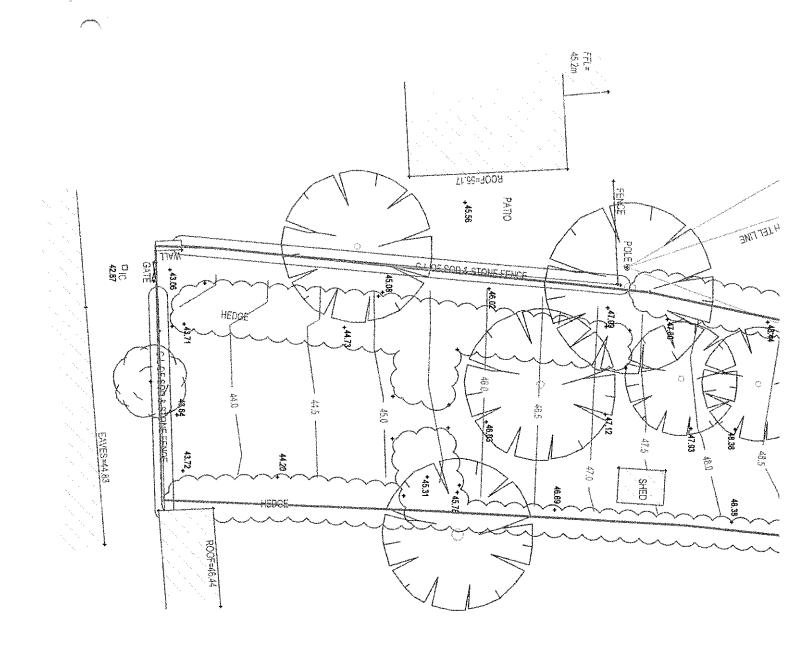
- The particulars received by the Planning Authority on 13/03/19
- Sections 2, 3, 4 and 82 (1) of the Planning and Development Act 2000 (as amended)
 - Class 1 and Class 50 (b) of Schedule 2, Part 1 Exempted Development- General of the Planning and Development Regulations 2001(as amended)

the Planning Authority considers that -

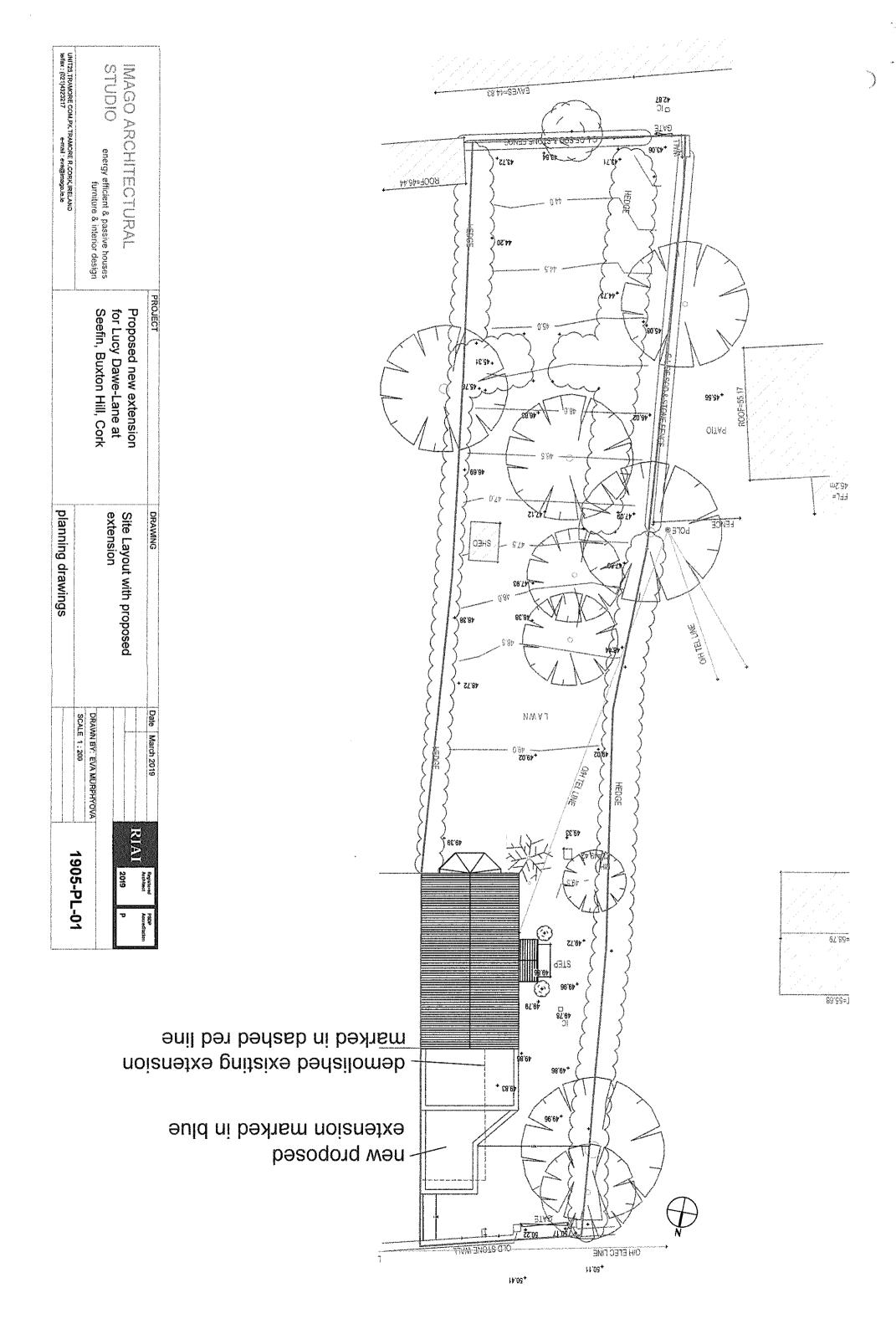
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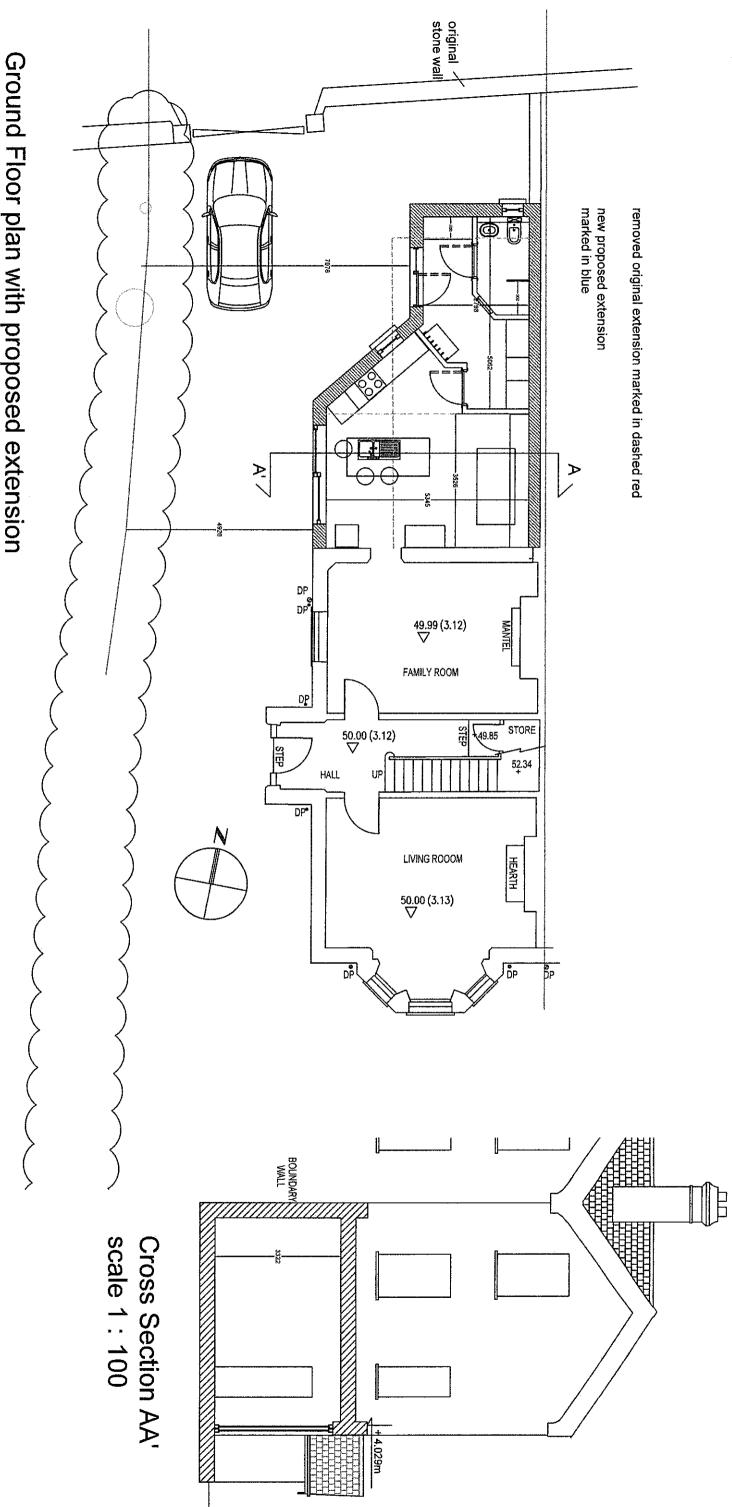
Helen O' Sullivan A.Planner 9/4/2019.





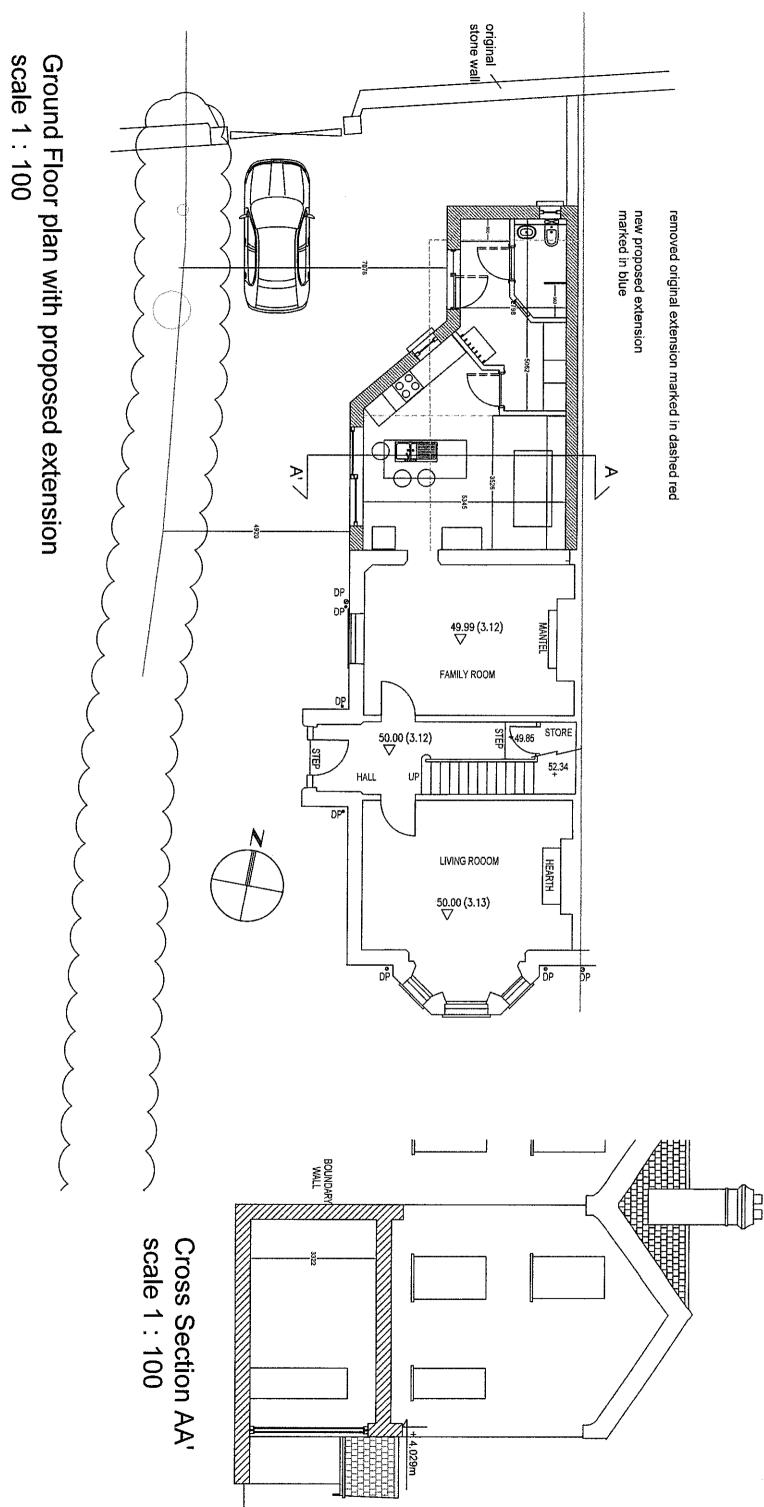
	PROJECT	DRAWING
IMAGO ARCHITECTURAL STUDIO energy efficient & passive houses furniture & interior design	Proposed new extension for Lucy Dawe-Lane at Seefin, Buxton Hill, Cork	Site Layout with proposed extension
UNIT26,TRAMORE COM.PK.TRAMORE R.CORK,IRELAND te/fax: (021)4323217 e-mail: eva@imago.ie.le		planning drawings



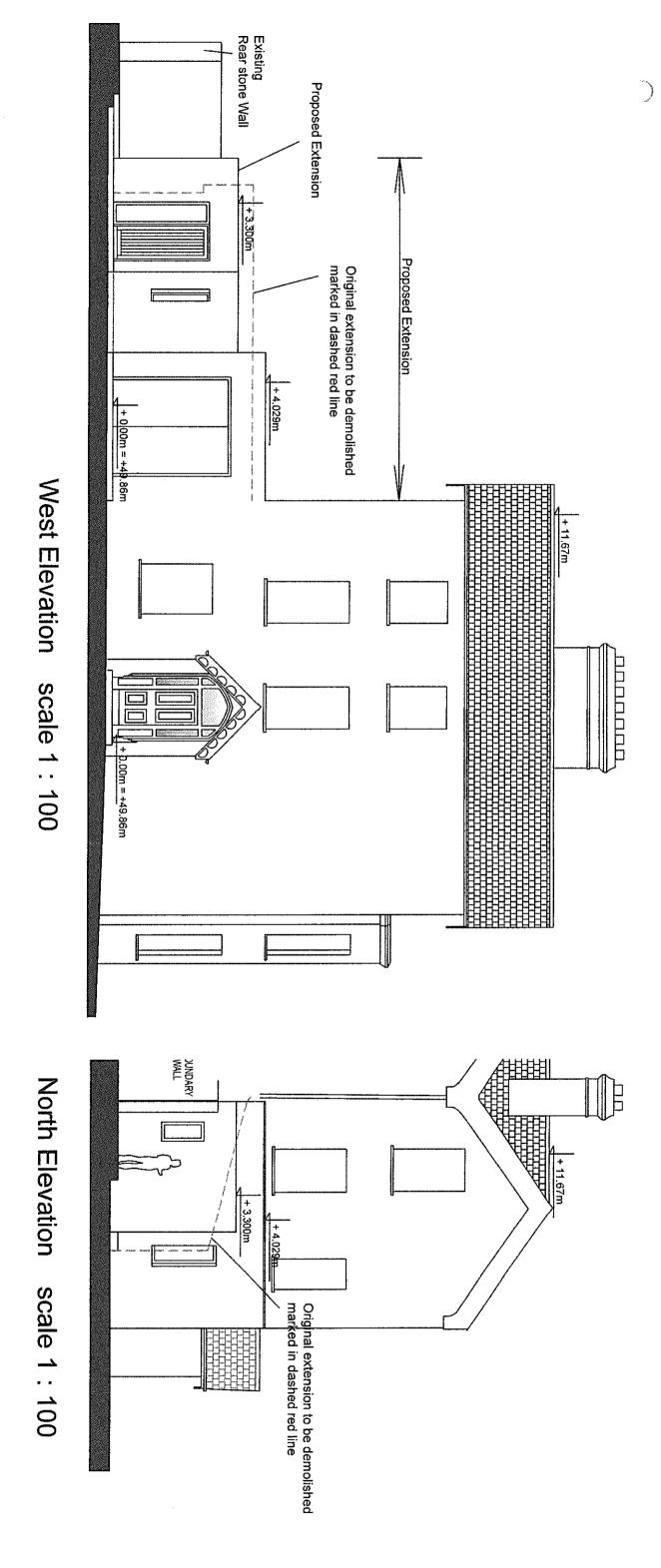


Ground Floor plan with proposed extension scale 1 : 100

UNIT25,TRAMORE COM.PKTRAMORE R.CORK,IRELAND telfex: (021)4323217 e-mail: eva@imago.le.le 900 MAGO ARCHITECTURAL energy efficient & passive houses furniture & interior design PROJECT Proposed new extension for Lucy Dawe-Lane at Seefin, Buxton Hill, Cork planning drawings Ground Floor Plan & Cross Section AA' DRAWING Date March 2019 DRAWN BY: EVA MURPHYOVA SCALE 1:100 RIAI 1905-PL-02 PSDP Accreditation



	The state of the s	planning drawings		telfax : (021)4020217 e-mail : eva@inago.ie.le
1905-PI _02	SCALE 1:100	The state of the s		
NURPHYOVA	DRAWN BY: EVA MURPHYOVA	And Andrews and The Control of the C	Secial, Daxton rati, Cork	furniture & interior design
		Cross Section AA'	Sportin British Hill Cork	STUDIO energy efficient & passive houses
2019 P	11.00	Ground Floor Plan &	Proposed new extension	IMAGO ARCHITECTURAL
Repaired PSDP Arthrect Accreditation	Date March 2019	DRAWING	PROJECT	1



South Elevation scale 1:200

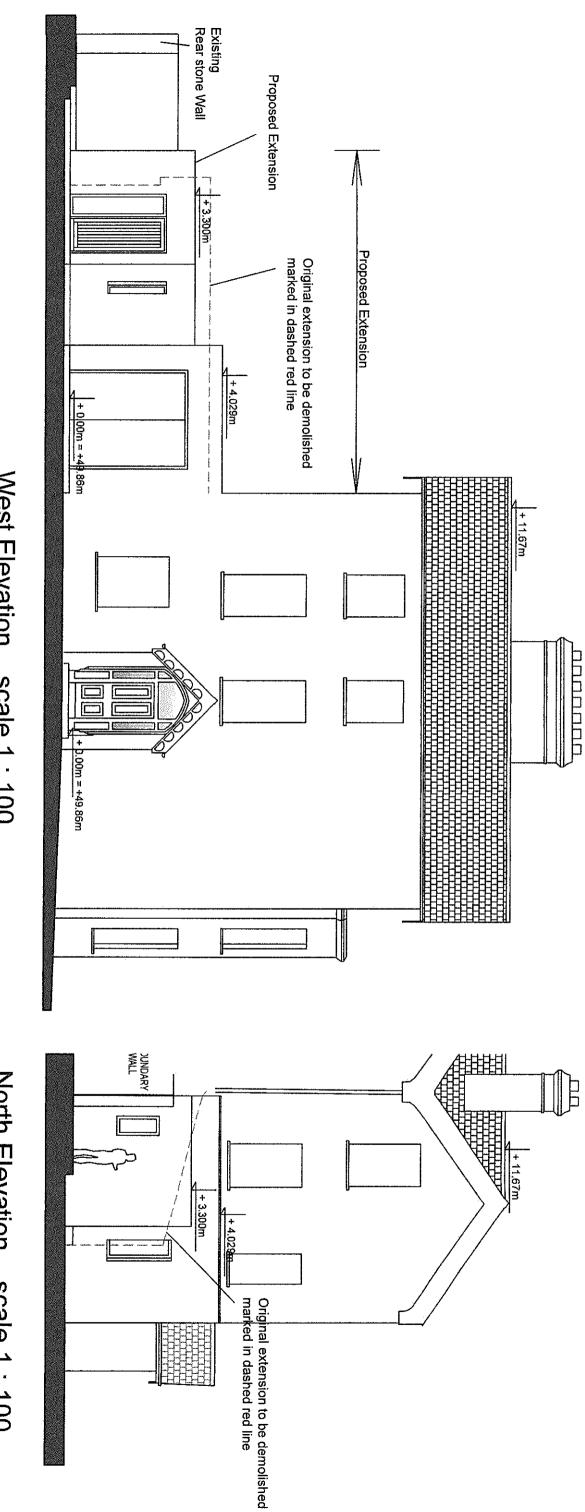


Date March 2019

IMMI

DRAWN BY: EVA MURPHYOVA SCALE 1:100

1905-PL-03



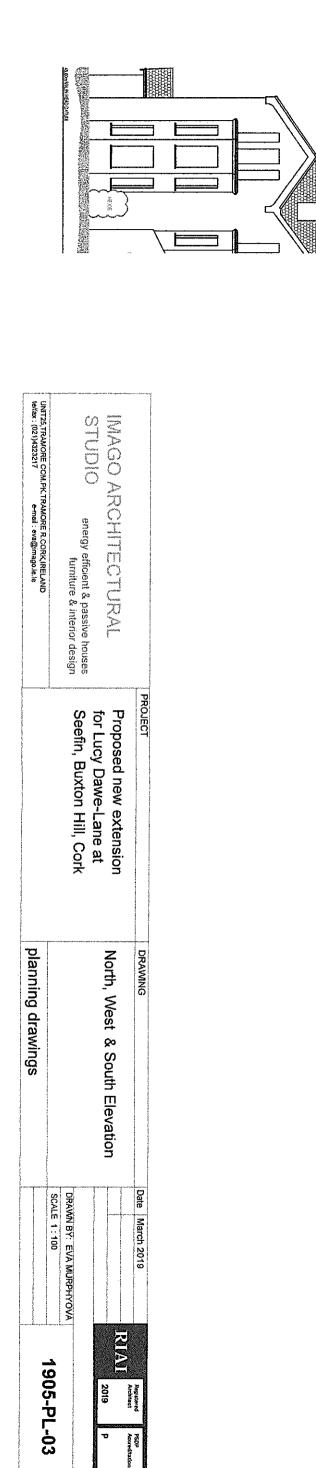
West Elevation scale 1:100

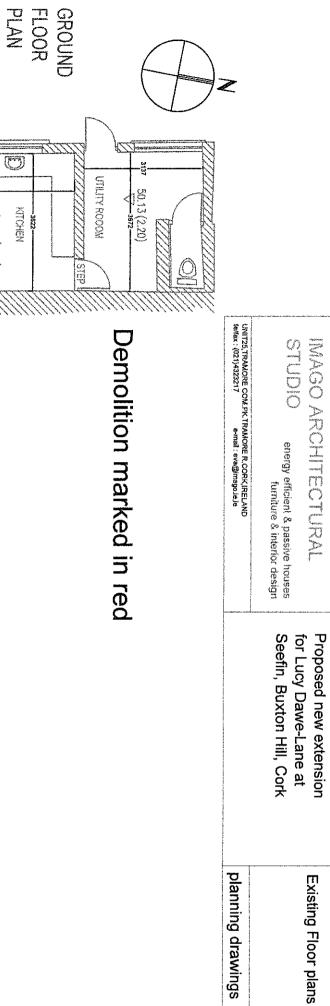
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South Elevation

scale 1:200

North Elevation scale 1: 100





PROJECT

DRAWING

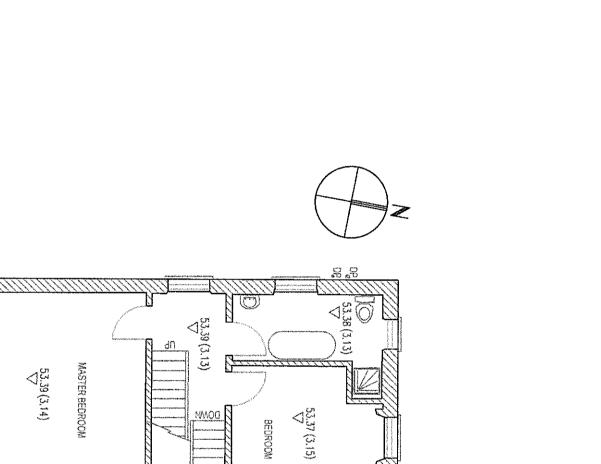
Date March 2019

RIAI

PSDP Accreditation

DRAWN BY: EVA MURPHYOVA SCALE 1:100

1905-PL-04



BEDROOM

BEDROOM

BEDROOM

56.78 (3.10)

56.79 (3.11) ∇

+52,34

56.80 (3.07)

33.4 13.4

SE SE

56.80 (3.09)

STORE ROOM

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50.00 (3.12)

dats 49.85

STORE

£23+

FAMILY ROOM

49.99 (3.12)

JETNAM

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MICHEN

50,06 (2.29)

First Floor Plan scale 1:100

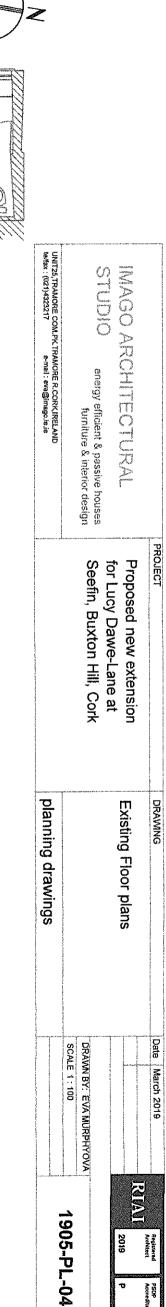
Ground Floor Plan scale 1:100

50.00 (3.13)

LIVING ROOOM

HTAABH

Second Floor Plan scale 1:100



PSDP Accreditation



MINDOOM ALITHIN

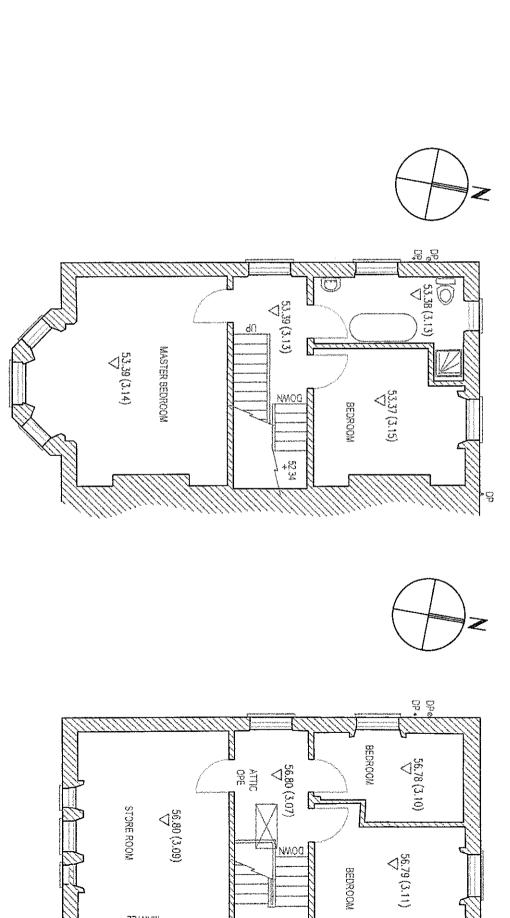
STEP

50.13 (2.20)

GROUND FLOOR PLAN

50.06 (2.29) (82.2)

ATCHS.



BEDROOM

50,00 (3.12)

STEP *49.85

STORE

52.34

FAMILY ROOM

49.99 (3.12) ∇

STEP

등

50.00 (3.13)

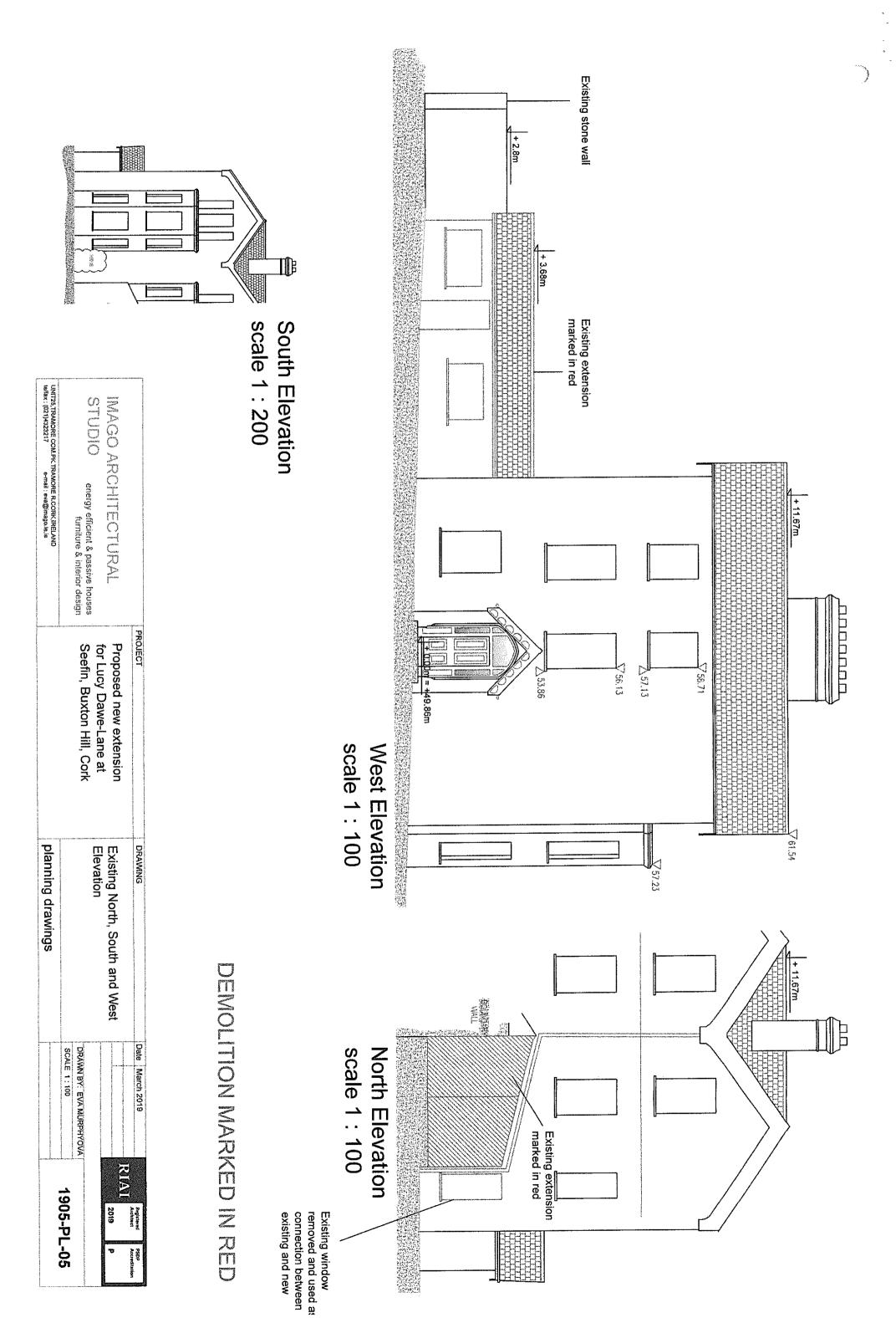
LIVING ROOOM

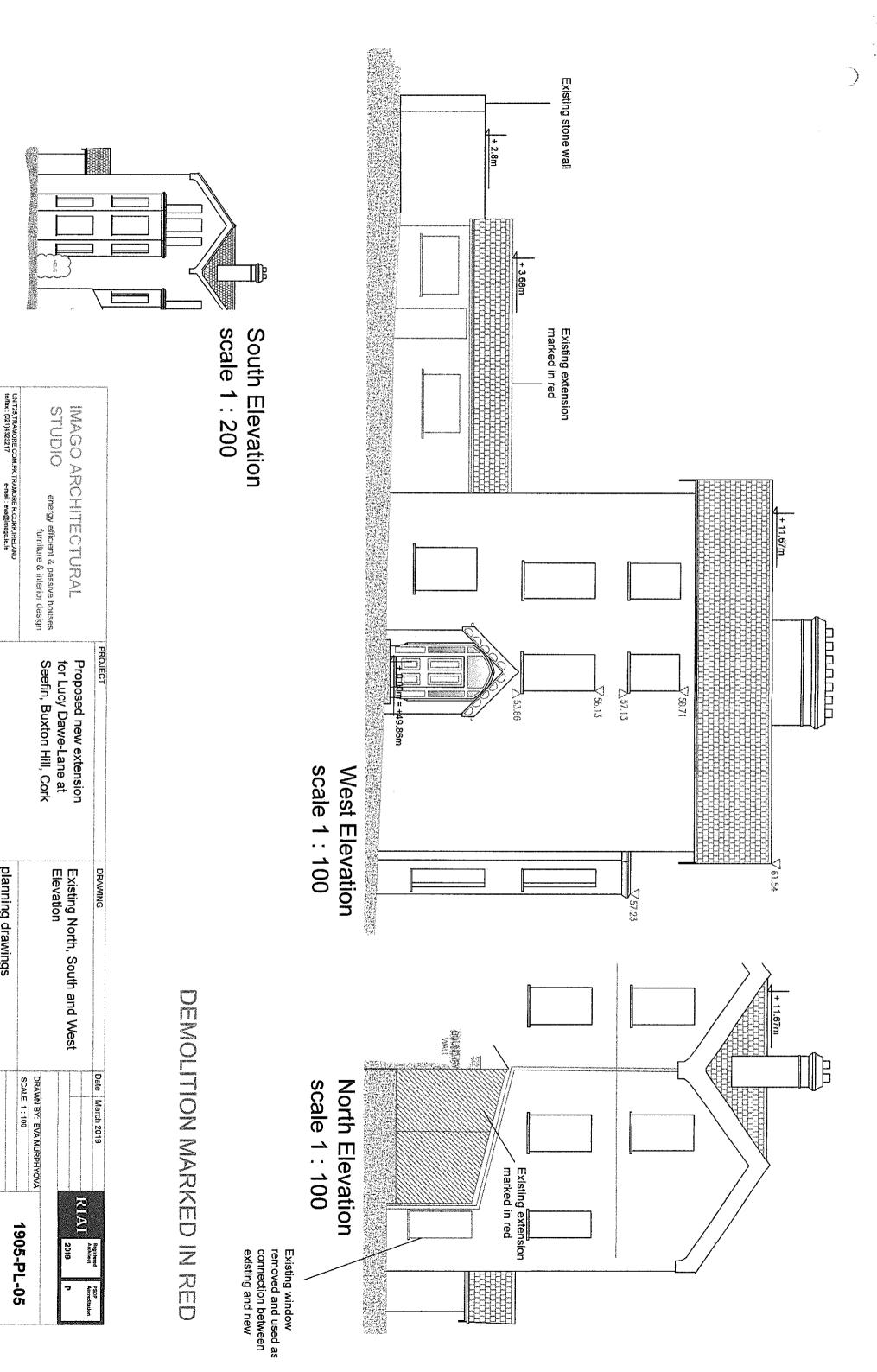
НЕАВТН

Ground Floor Plan scale 1: 100 First Floor Plan scale 1:100

Second Floor Plan scale 1:100

MANTEL





planning drawings