



Comhairle Cathrach Chorcaí Cork City Council

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

Shane O'Driscoll,
5 Deanrock Villas,
Togher,
Cork T12 H6Y7.

20/04/2023

**RE: Section 5 Declaration R763/23 5 Deanrock Villas, Togher, Cork
T12 H6Y7.**

A Chara,

With reference to your request for a Section 5 Declaration at the above-named property, received on 21st February 2023 and further information received 05th April 2023, I wish to advise as follows:

The Planning Authority, having regard to:

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

1. It is considered that the proposed works to the external walls are not exempted development as they don't come under Section 4 (1) (h) as they would render the property inconsistent with the character of immediate neighbouring properties. Therefore, the installation of insulation to the front **IS DEVELOPMENT** and **IS NOT EXEMPTED DEVELOPMENT**, while the installation of insulation to the rear **IS DEVELOPMENT** and **IS EXEMPTED DEVELOPMENT**.
2. It is considered that the proposed installation of insulation at the attic does come under Section 4 (1)(h). Therefore, this element **IS DEVELOPMENT** and **IS EXEMPTED DEVELOPMENT**.



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3. It is considered that the proposed internal filling of the house with pumped insulation does come under Section 4 (1) (h). Therefore, this element **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, 20th April 2023.

Is mise le meas,



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



PLANNER'S REPORT Ref. R763/23		Cork City Council Development Management Strategic Planning and Economic Development
Application type	Section 5 Declaration	
Description	<i>"Does the applicant require permission for getting the external walls and attic insulated with 100mm platinum Insulation and Pumping House."</i>	
Location	5 Deanrock Villas, Togher	
Applicant	Shane O'Driscoll	
Date	20/04/2023	
Recommendation	<i>Is Development and Is Not Exempted Development and Is Exempted Development</i>	

Previous Report dated 20/03/2023 issued part of the declaration and advised in relation to the question asked:

"Does the applicant require permission for getting the external walls and attic insulated with 100mm platinum Insulation and Pumping House."

Is Development and Is Not Exempted Development and requires Further Information

The Further Information requested was as follows:

Further information to be requested with regards to the "pumping house".

1. Please clarify whether it is a pumping house you are installing or a ground heat pump system/air source heat pump? (A pumping house by virtue of the structure and the pumping system it contains, is different to a heat pump).
2. Please submit details of the as to where the pumping house is to be located and also provide elevations of the size of same (height, length, width). Please clarify the finishes of the pumping house and detail any connections which are required to be made to same. Please supply an accompanying specification brochure from the supplier of same.
3. Based on your response to point 1, should a ground heat pump system/air source heat pump be proposed rather than a pumping house, please submit the following details:
 - a) The works (any excavations/construction) involved in the installation of same;
 - b) The total area of such a heat pump;
 - c) The exact location of the heat pump and its distance from any edge of the wall or roof which it is mounted.
 - d) A specification which details the noise levels during operation

RESPONSE TO FURTHER INFORMATION:

A response to the Further Information was received on 05/04/2023 and clarified that "pumping house" referred to internally filling the house with insulation by pumping and that no physical pumping house is proposed.

This element is considered exempt. Therefore the previous recommendation with regard to the query stands; and this additional further information is exempt. The full and final response to the initial question asked i.e.

"Does the applicant require permission for getting the external walls and attic insulated with 100mm platinum Insulation and Pumping House."

Is that the change of elevation to the front requires permission; while the remainder of the proposals are exempted development.

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 6, and 9 of the Planning and Development Regulations 2001 (as amended),
1. It is considered that the proposed works to the front external walls are not exempted development as they don't come under Section 4 (1) (h) as they would render the property inconsistent with the character of immediate neighbouring properties. Therefore, the installation of insulation to the front **Is Development and Is Not Exempted Development**, while the installation of insulation to the rear **Is Development and Is Exempted Development**.
 2. It is considered that the proposed installation of insulation at the attic does come under Section 4 (1) (h). Therefore, this element **Is Development and Is Exempted Development**
 3. It is considered that the proposed internal filling of the house with pumped insulation does come under Section 4 (1) (h). Therefore, this element **Is Development and Is Exempted Development**



Mary Doyle
Executive Planner

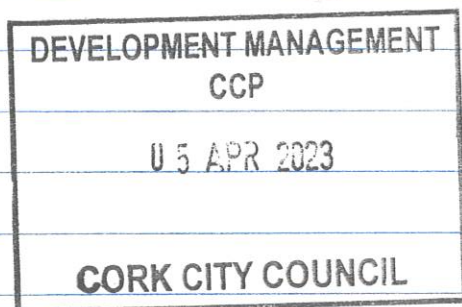
To/ Kate Magner

I, Shane O'Driscoll, am writing in relation to my Section 5 Declaration R763/23 Exemption Form. The letter I received asks for clarification on what "pumping house" means. When I stated "pumping house", I was referring to pumping the walls with insulation. I am "NOT" planning on getting a ground heat pump system/air source heat pump. I am only getting the walls pumped with insulation.

Best Regards

SHANE O'DRISCOLL

Shane O'Driscoll







Comhairle Cathrach Chorcaí Cork City Council

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

Shane O'Driscoll,
5 Deanrock Villas,
Togher,
Cork T12 H6Y7.

20/03/2023

RE: Section 5 Declaration R763/23 5 Deanrock Villas, Togher, Cork T12 H6Y7.

A Chara,

With reference to your request for a Section 5 Declaration at the above-named property, received on 21st February 2023, I wish to advise as follows:

The Planning Authority, having regard to:

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

1. It is considered that the proposed works to the external walls are not exempted development as they don't come under Section 4 (1) (h) as they would render the property inconsistent with the character of immediate neighbouring properties. Therefore, the installation of insulation to the front **Is Development and Is Not Exempted Development**, while the installation of insulation to the rear **Is Development and Is Exempted Development**.
2. It is considered that the proposed installation of insulation at the attic does come under Section 4 (1) (h). Therefore, this element **Is Development and Is Exempted Development**.



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3. It is noted that the question put to the Planning Authority is as follows:

“I am getting the External Walls and Attic insulated with 100mm platinum Insulation and Pumping House. Do I need permission to carry out this work/ development?”

No details of the pumping house referred to have been submitted in order for the Planning Authority to proceed with an assessment of same.

I wish to advise under the provisions of section 5(2)(b) of the Planning and Development Act 2000, as amended, that the further information is required in order to properly assess this application.

The question presented to the planning authority is worded as follows:

“I am getting the External Walls and Attic insulated with 100mm platinum Insulation and Pumping House. Do I need permission to carry out this work/ development?”

1. Please clarify whether it is a pumping house you are proposing to install or rather the intention is to install a ground heat pump system/air source heat pump? (A pumping house by virtue of the structure and the pumping system it contains, is different to a heat pump).
2. Please submit details as to where the pumping house is to be located and also provide elevations of the size of same (height, length, width). Please clarify the finishes of the pumping house and detail any connections which are required to be made to same. Please supply an accompanying specification brochure from the supplier of same.
3. Based on your response to point 1, should a ground heat pump system/air source heat pump be proposed rather than a pumping house, please submit the following details:



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- a. The works (any excavations/construction) involved in the installation of same;
- b. The total area of such a heat pump;
- c. The exact location of the heat pump and its distance from any edge of the wall or roof which it is mounted.
- d. A specification which details the noise levels during operation

Is mise le meas,

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



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**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

Líonra/Web: www.corkcity.ie

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

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

5 DEANROCK VILLAS,
TOGHER,
CORK,
T12 H6Y7

2. QUESTION/ DECLARATION DETAILS

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

Note: only works listed and described under this section will be assessed under the section 5 declaration.
I am getting the External Walls and Attic Insulated with 100mm Platinum Insulation and Pumping House. Do I require planning permission to carry out this work/development on my Mid-Terraced House located at 5 Deanrock Villas, TOGHER, CORK, T12 H6Y7? If not, is it Exempted Development.

ADDITIONAL DETAILS REGARDING QUESTION/ WORKS/ DEVELOPMENT:
(Use additional sheets if required).
The Contractor I am hiring to carry out this work is Wall 2 Wall. Their details are as follows;
Name: Trevor Heffernan
Number: 087 611 0969
Address: Mount Oval Village,
Rochestown,
Cork.
Email: trevor@Wall2Wall.ie

**DEVELOPMENT MANAGEMENT
CCP**
21 FEB 2023
CORK CITY COUNCIL

3. Are you aware of any enforcement proceedings connected to this site? *No.*
 If so please supply details:

4. Is this a Protected Structure or within the curtilage of a Protected Structure? *No.*

If yes, has a Declaration under Section 57 of the Planning & Development Act 2000 been requested or issued for the property by the Planning Authority?

5. Was there previous relevant planning application/s on this site? *No.*
 If so please supply details:

6. APPLICATION DETAILS

Answer the following if applicable. Note: Floor areas are measured from the inside of the external walls and should be indicated in square meters (sq. M)

(a) Floor area of existing/proposed structure/s	<i>83.20 Meters Squared</i>
(b) If a domestic extension, have any previous extensions/structures been erected at this location after 1 st October, 1964, (including those for which planning permission has been obtained)?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, please provide floor areas. (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) _____ _____ _____

8. LEGAL INTEREST

Please tick appropriate box to show applicant's legal interest in the land or structure	A. Owner <input checked="" type="checkbox"/>	B. Other <input type="checkbox"/>
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		

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

Signature: *Shane O'Driscoll*

Date: *21 February 2023*

- 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.

Deanrock Avenue

Map Preview A4 1:1,000 Landscape

Car Park

Saint Finbarr's G.A.A. Club

Saint Finbarr's G.A.A. Club

Green Lawn

13-17 Harley Wood Apartments

18-22

18-22

Harley Wood

Avondale

9-12

1-8 Harley Wood Apartments

Surgery

1-8

Deanrock Cottages

Pharmacy

Scouts Hall

