



Comhairle Cathrach Chorcaí Cork City Council

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

Noel Nash,
26 Lotamore Park,
Mayfield,
Cork

2nd November 2021

RE: R669/21 – Section 5 Declaration
Property: 26 Lotamore Park, Mayfield, Cork

Dear Sir/Madam,

With reference to your request for a section 5 Declaration at the above named property, I wish to advise and having regard to:

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

And therefore, the Planning Authority considers that –

- The construction to the rear of the house at 26 Lotamore Park, Mayfield, Cork **Is Development and Is Exempted Development**

Yours faithfully,

Aine O'Leary
Assistant Staff Officer
Community, Culture and Placemaking
Cork City Council



We are Cork:

PLANNER'S REPORT		Cork City Council Development Management Strategic Planning and Economic Development
Ref. R669/21		
Application type	Section 5 Declaration	
Description	<i>Is the construction to the rear of the rear of the house at 26 Lotamore Park, Mayfield, Cork, development and if so is it exempted development?</i>	
Location	26 Lotamore Park, Mayfield, Cork City, T23 K1H5	
Applicant	Noel Nash	
Date	28/10/2021	
Recommendation	<i>Is development and is exempted development</i>	

This report should be read in conjunction with the previous report on the file. The applicant was asked to submit measurements of the remaining garden area. In response the applicant has provided a site layout plan with the dimensions of the rear garden shown.

ASSESSMENT

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

Is the construction to the rear of the rear of the house at 26 Lotamore Park, Mayfield, Cork, development and if so is it exempted development?

As set out in the previous report the proposed extension constitutes development. The only matter outstanding in order to assess whether the extension accorded with the conditions / limitations associated with the relevant exemption, provided under in Class 1 in Schedule 2 of the *Planning and Development Regulations 2001* (as amended), was to ensure that the balance of the rear garden would be over 25m².

The dimensions written on the site plan provided show that the garden is 5.042m x 5.6m or 28.24m². measuring the same space however, using the scale as set out of 1:50, indicates that the balance of the site is actually 5.1m x 4.9m or 24.99m². This however excludes the 0.6m wide gap along the eastern side of the extension. When this is included the area exceeds the 25m² requirement.

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)

It is considered that *the construction to the rear of the rear of the house at 26 Lotamore Park, Mayfield, Cork* **Is Development and Is Exempted Development.**

Martina Foley
A/ Senior Executive Planner
28/10/2021



Comhairle Cathrach Chorcaí Cork City Council

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

Noel Nash
26 Lotamore Park
Mayfield
Cork

02nd September 2021

RE: R669/21 – Section 5 Declaration
Property: 26 Lotamore Park, Mayfield, Cork

Dear Sir/Madam,

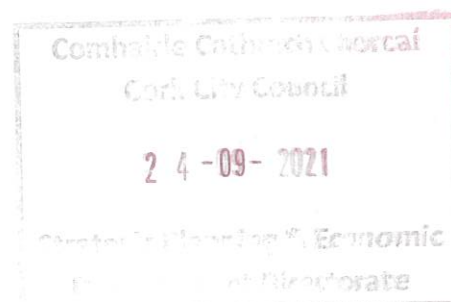
With reference to your request for a section 5 Declaration at the above named property, and having regard to —

- 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)

The applicant is asked to submit measurements of the remaining rear garden area.

Yours faithfully,

Kerry Bergin
Assistant Staff Officer
Community, Culture and Placemaking
Cork City Council



We are Cork.

**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: 021-4924564/4321
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

26 LOTAMORE PARK, MAYFIELD, CORK CITY, IRELAND
T2314H5

2. QUESTION/ DECLARATION DETAILS

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

Note: only works listed and described under this section will be assessed under the section 5 declaration.
Is the construction of the rear of the House at 26 Lotamore Park Mayfield Cork. It is an extension at the back of the house. Is this extension exempted development.

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

Comhairle Cathrach Chorcaí
Cork City Council
08-06-2021
Strategic Planning & Economic
Development Directorate

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

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?
 If so please supply details: No.

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	22m ²
(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)
_____	_____
_____	_____
_____	_____

7. APPLICANT/ CONTACT DETAILS

Name of applicant (principal, not agent):		NOEL NASH	
Applicants Address		26 KOTAMORE PARK, MAYFIELD, CORIC CITY IRELAND	
Person/Agent acting on behalf of the Applicant (if any):	Name:		
	Address:		
	Telephone:		
	Fax:		
	E-mail address:		
Should all correspondence be sent to the above address? <small>(Please note that if the answer is 'No', all correspondence will be sent to the Applicant's address)</small>		Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

5. 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		

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

Signature: _____

Date: _____

31/MAY/2021

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

"Cork City Council is committed to fulfilling its obligations imposed by the Data Protection Acts 1988 to 2018 and the GDPR. Our privacy statement and data protections policy is available at <https://www.corkcity.ie/en/council-services/public-info/gdpr/>.

We request that you read these as they contain important information about how we process personal data.

D. L. GROUP

CONSULTING ENGINEERS

1 Hodders Villas,
Ballincollig
Co. Cork
Tel: 021 4876650 / 4877149
Fax: 021 4876651
Email: dlgroup@eircom.net

Our Ref: 10307/P/PRON/JK

Your Ref:

Date: Thursday, 22 February 2007

Mr. Noel Nash,
26 Lotemore Park,
Mayfield,
Cork.

Re/ Property at 26, Loteman Park, Mayfield, Cork.

Dear Noel,

We thank you for engaging the services of D. L. Group Consulting Engineers to carry out the periodic inspections including a final snag list at your property 26, Loteman Park, Mayfield, Cork.

Ryan O' Neill from our office attended site and inspected the foundations on the 08th February 2007 and correspondence regarding same was forwarded directly to your Solicitor Kevin Hegarty.

We now require a deposit of **€350.00** at this stage prior to the next stage payment being released.

If you require any further information please do not hesitate to contact me.

Yours faithfully,

D.L. Group.
D.L. GROUP.

Statutory Declaration

There is no planning permission required for extensions to residential dwellings which comply with the attached conditions which are laid down in Statutory Instrument No. 600 of 2001 of the Planning and Development Act 2001.

The proposed extension to Mr Noel Nash's residence complies with all of these conditions.

Noel Nash; *Noel Nash*

Date *19/8/06* *26 Lathmore Park, Mayfield*

Witness; John Gilroy; Peace Commissioner *John Gilroy*

Date *19-8-06*

9 Hazelwood Court
Glanmire
Cork

087 2799608



26 Lotamore Park, Mayfield, Cork

Marker Information

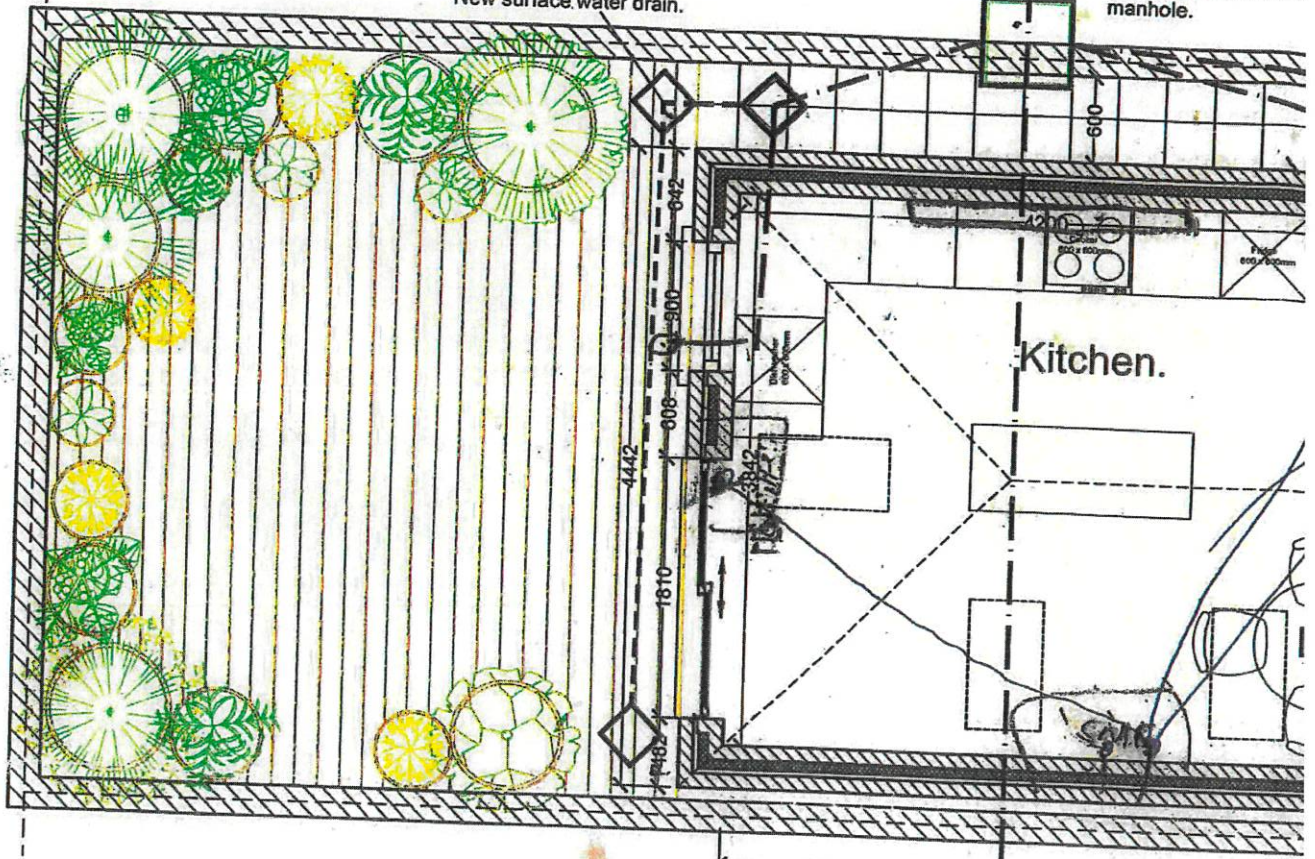
Coordinates: 571115, 573718
Address: 26 Lotamore Park,
Mayfield, Cork
T23K1H5



Timber decking on concrete base.
Low Maintenance Potted garden on
decking.

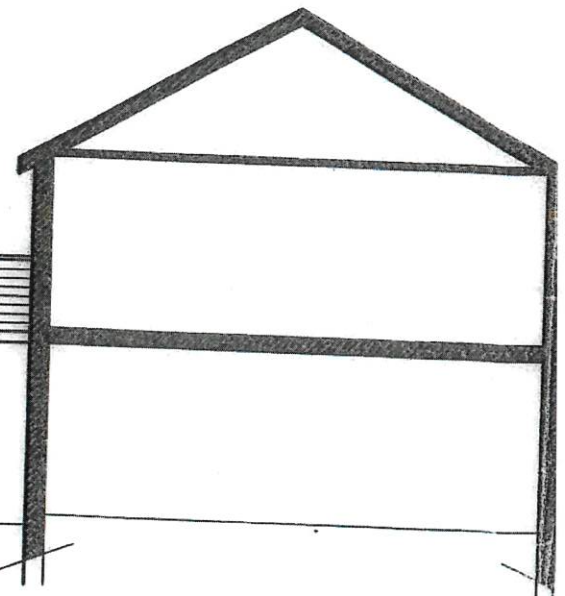
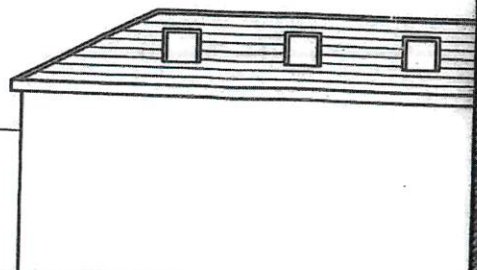
New surface water drain.

2 No new AJ's to pick
drainage. same to be
manhole.



GROUND FLOOR PLAN.

Existing common drain to
in concrete where it pass
under/through proposed



WEST ELEVATION







