



Sean Desmond Consulting Engineers Limited

Chartered Civil & Structural Engineers,

The Granary, The Glen, Kinsale, Co Cork

Tel 021 4773288 Mob 086 8987102

19th August 2021

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

Section 5 Declaration of Exemption – The Elms, Underwood, Rochestown Road, Cork

Dear Sir/ Madam,

Please find attached the Section 5 application including copies of the following:

1. Application form x 4 no
2. Copy of Section 1 - confidential contact info x 1 no
3. 1:10,560 map x 4 no
4. 1:2500 map x 4 no
5. Cheque for €80 – application fee

Please contact the undersigned if you have any queries.

Yours Faithfully,

Sean Desmond

.....
Sean Desmond BE CEng MIEI DipEng
Chartered Engineer
Mobile 086-8987102

Comhairle Cathracha Chorcaí
Cork City Council

27 AUG 2021

Strategic Planning & Economic
Development Directorate

**COMHAIRLE CATHRACH CHORCAÍ
CORK CITY COUNCIL**

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

Community Culture & Placemaking

27 AUG 2021
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

THE ELMS,
UNDERWOOD,
ROCHESTOWN ROAD, CORK

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.

ARE THE FOLLOWING WORKS CONSIDERED EXEMPT
DEVELOPMENT UNDER THE CURRENT PLANNING &
DEVELOPMENT REGULATIONS:
1. BULK EXCAVATION AND FILLING (APPROX 700 M³)
WITHIN THE SITE OWNED BY BRIAN RODGERS AS
PART OF THE LANDSCAPING DESIGN FOR THE
RECENTLY COMPLETED NEW RESIDENCE.

ADDITIONAL DETAILS REGARDING QUESTION/ WORKS/ DEVELOPMENT:

(Use additional sheets if required).

a) NO IMPORT OF SOIL
b) ALL SOIL EXCAVATED AND FILLED IS ORIGINAL
(NO FILL)

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? YES
 If so please supply details:

174784 & 2039434

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	<u>N/A</u>
(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 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)	Proposed/existing use (please circle)
<u>N/A</u>	

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: [Signature]

Date: 19.8.21

CONTACT DETAILS

10. Applicant:

Name(s)	BRIAN RODGERS
Address	THE ELMS ----- ROCHESTOWN ROAD, ----- CO. CORK -----

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

Name(s):	SEAN DESMOND
Address:	THE GRADY ----- THE GLEN ----- KINGSAVE, CO. CORK -----
Telephone:	086-898710?
E-mail address:	desmondconsulting1@gmail.com
Should all correspondence be sent to the above address? (Please note that if the answer is 'No', all correspondence will be sent to the Applicant's address)	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

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:

<p>The application must be accompanied by the required fee of €80</p> <p>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.</p> <p>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.</p> <p><i>The application should be sent to the following address:</i></p> <p style="text-align: center;">The Development Management Section, Community, Culture & Placemaking Directorate, Cork City Council, City Hall, Anglesea Street, Cork.</p>
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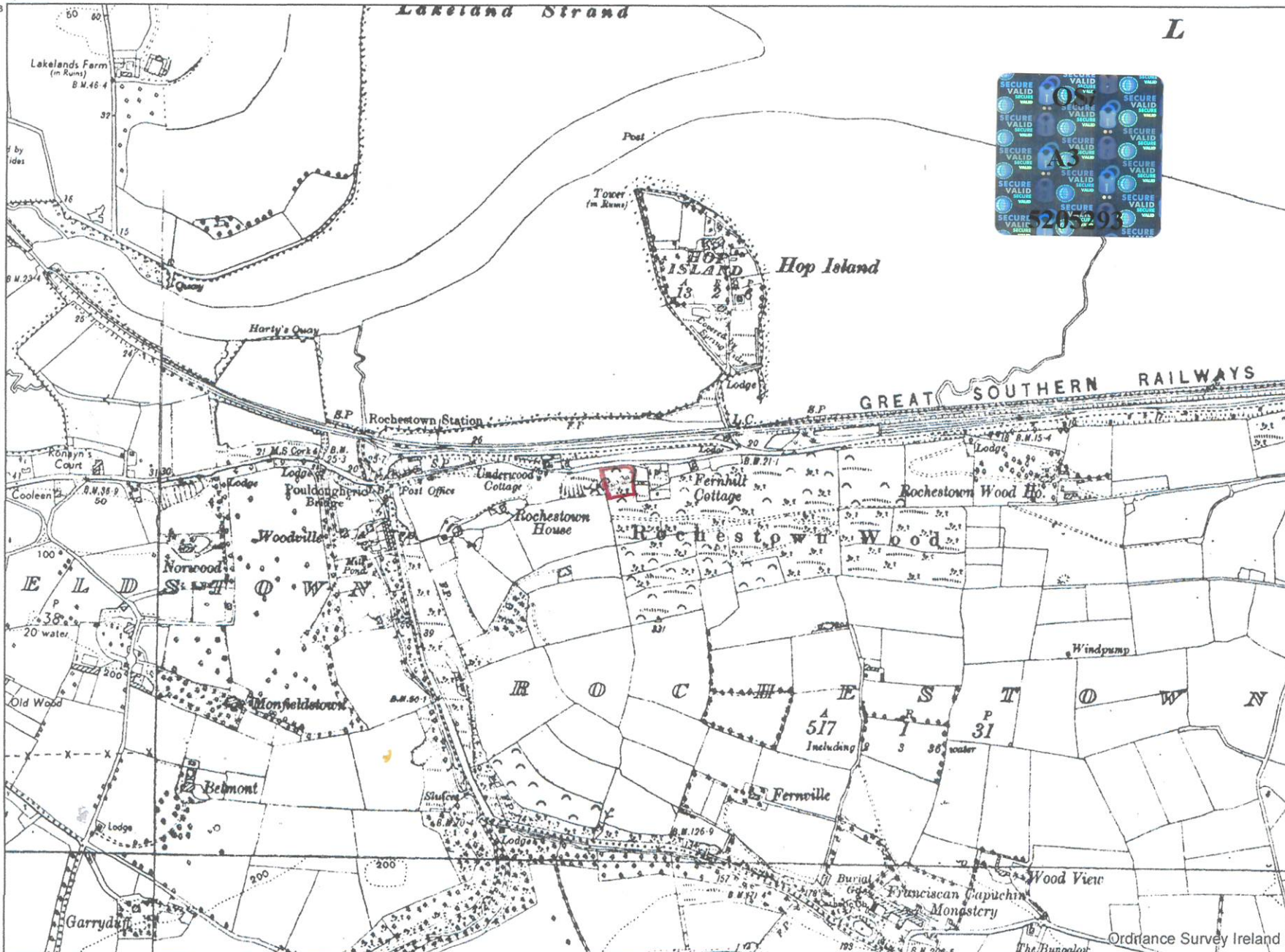
- The Planning Authority may require further information to be submitted to enable the authority to issue the declaration.
- The Planning Authority may request other person(s) other than the applicant to submit information on the question which has arisen and on which the declaration is sought.
- Any 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.

Site Location Map

570368
574838
568551
572377



CENTRE COORDINATES:
ITM 573608,569460

PUBLISHED: 16/08/2021
ORDER NO.: 50213540_1

MAP SERIES: 6 Inch Raster, 6 Inch Raster, 6 Inch Raster, 6 Inch Raster
MAP SHEETS: CK074, CK075, CK086, CK087

COMPILED AND PUBLISHED BY:
Ordnance Survey Ireland,
Phoenix Park,
Dublin 8,
Ireland.

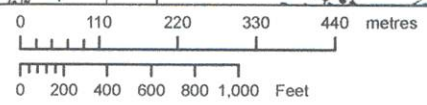
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OUTPUT SCALE: 1:10,560

CAPTURE RESOLUTION:
The map objects are only accurate to the resolution at which they were captured. Output scale is not indicative of data capture scale. Further information is available at: <http://www.osi.ie>; search 'Capture Resolution'



LEGEND:
<http://www.osi.ie>;
search 'Large Scale Legend'

Planning Pack Map

CENTRE COORDINATES:
ITM 573608,569460

PUBLISHED: 16/08/2021
ORDER NO.: 50213540_1

MAP SERIES: 1:1,000
1:2,500
MAP SHEETS: 6429-02
6429-A

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Dublin 8,
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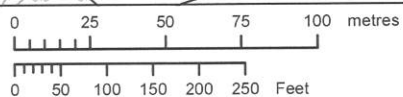
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LEGEND:
<http://www.osi.ie>;
search 'Large Scale Legend'



OUTPUT SCALE: 1:2,500

CAPTURE RESOLUTION:
The map objects are only accurate to the resolution at which they were captured.
Output scale is not indicative of data capture scale.
Further information is available at:
<http://www.osi.ie>; search 'Capture Resolution'



573899
569675
569245
57316
57316



Comhairle Cathrach Chorcaí Cork City Council

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

Sean Desmond
The Granary
The Glen
Kinsale
Cork

02/03/2022

**RE: Section 5 Declaration R683/21 The Elms, Underwood,
Rochestown Road, Cork**

A Chara,

With reference to your request for a Section 5 Declaration at the above named property, I wish to advise as follows and having regard to —

- Sections 2, 3, and 4 of the Planning and Development Act 2000 as amended, and
- Articles 6, 9 and 10 and Part 1 of Schedule 2 of the Planning and Development Regulations 2001 to 2018

the planning authority considers that —

the excavation and filling of soil, along with altering ground levels, within the subject site at 'The Elms', Underwood, Rochestown Road, Cork **IS DEVELOPMENT** and **IS NOT EXEMPTED DEVELOPMENT**.

Is misa le meas,

Kerry Bergin
Development Management Section
Community, Culture and Placemaking Directorate
Cork City Council



We are Cork.



Sean Desmond Consulting Engineers Limited

Chartered Civil & Structural Engineers,

The Granary, The Glen, Kinsale, Co Cork

Tel 021 4773288 Mob 086 8987102

1st February 2022

Your ref : 683/21

Aine O'Leary,
Assistant Staff Officer,
Community, Culture & Placemaking,
Cork City Council,
Planning Department,
City Hall,
Anglesea Street,
Cork

Section 5 Declaration of Exemption – The Elms, Underwood, Rochestown Road, Cork

Dear Aine,

Further to your letter dated 2nd December 2021, we enclose the following drawings in respect of the following :

1. Existing and proposed plans showing the landscaping scheme
2. Sections through the proposed landscaping scheme

Please advise if any clarifications are required.

Yours Faithfully,

Sean Desmond BE CEng MIEI DipEng
Chartered Engineer
Mobile 086-8987102





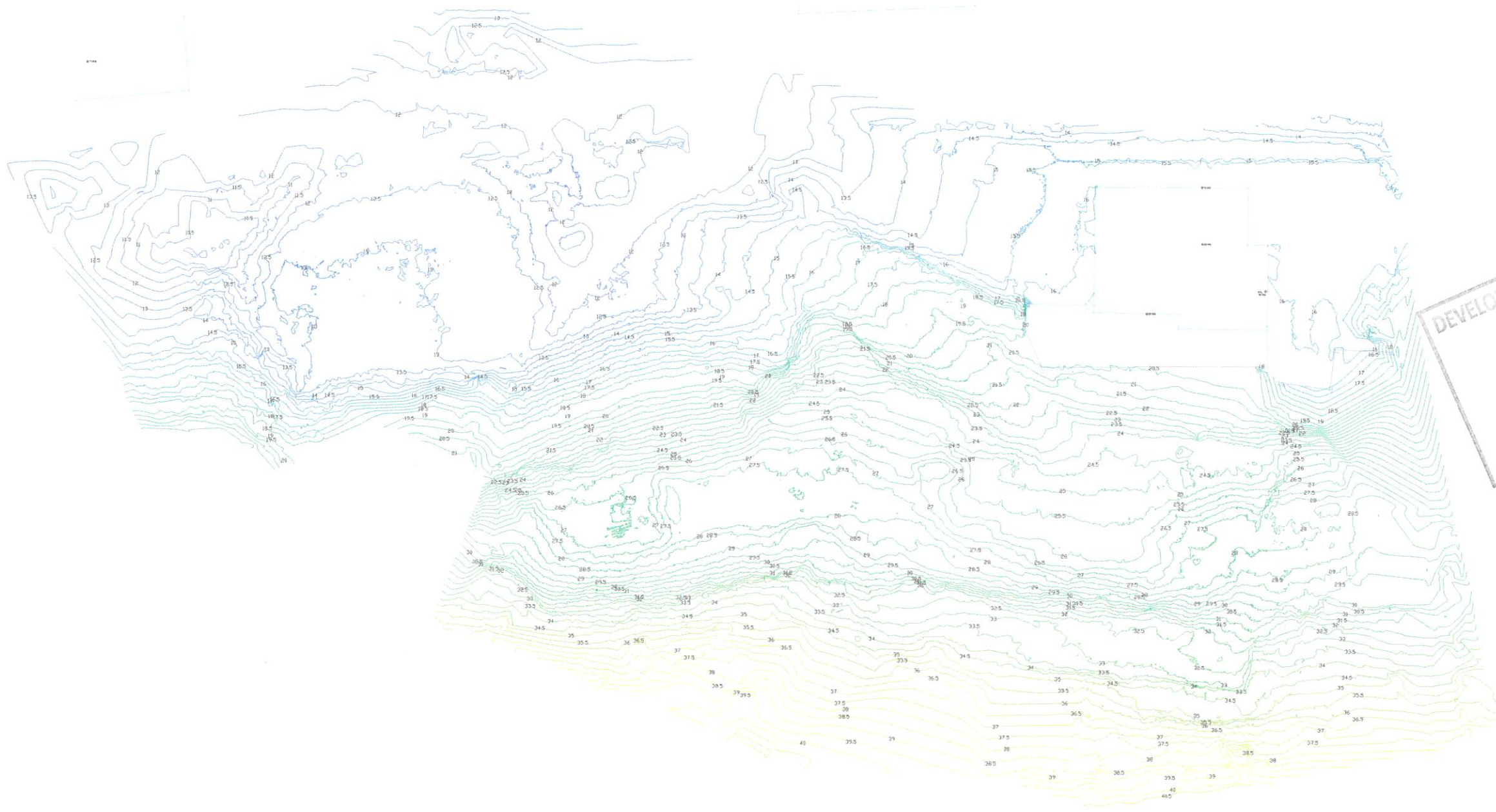
NOTES
 1. ALL DIMENSIONS ARE IN METERS UNLESS NOTED OTHERWISE.
 2. ALL LEVELS ARE IN METERS AND RELATE TO THE ORDNANCE SURVEY DATUM MALIN HEAD.
 3. DO NOT SCALE FROM PLOT.
 4. NORTH REFERS TO GRID NORTH.
 5.

OS (C) ORDNANCE SURVEY IRELAND. ALL RIGHTS RESERVED.
 LICENSE NUMBER: 010055007

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LINE TYPE LEGEND			
	Building Line		Ridge Line
	Fence		Road
	Boundary		Edge of Concrete
	Wall		Bank Bottom
	Tank		Bank Top
	ESB Wires		Kerb
	Edge of Vegetation		Drain
	Verge		Track
	-22 - Contour		TE Wires
	-25 - 5m Contour		Sod & Stone
	Drip Line		Pipe

SYMBOL LEGEND			
	Gate		Gully
	Station		Telecom
	Spot Height		Stop Cock
	Finished Floor Level		Sluice Valve
	Air Valve		Inspection Chamber
	Bollard		Water Meter
	Tree		GAS
	Road Sign		Electrical Pole
	Spot Height		Lamp Standard
	Manhole Square		Telecom Pole
	Manhole Round		Hydrant



DEVELOPMENT MANAGEMENT
 04 FEB 2022
 CORK CITY COUNCIL

REV	DATE	DESCRIPTION

- LAND SURVEYS
- GPS SURVEYS
- ENGINEERING SURVEYS
- SETTING OUT
- VOLUMETRIC SURVEYS
- AS BUILT SURVEY
- ELEVATIONS
- FLOOR PLANS

BASELINE SURVEYS
 FAST RELIABLE SERVICE
 MOUNT DESERT LODGE, LEE ROAD, CORK, T21H56R
 MOBILE: 086 2535285
 EMAIL: paudie@baseline.ie WEB: www.baselinesurveys.ie

CLIENT: **Sublime Landscaping**

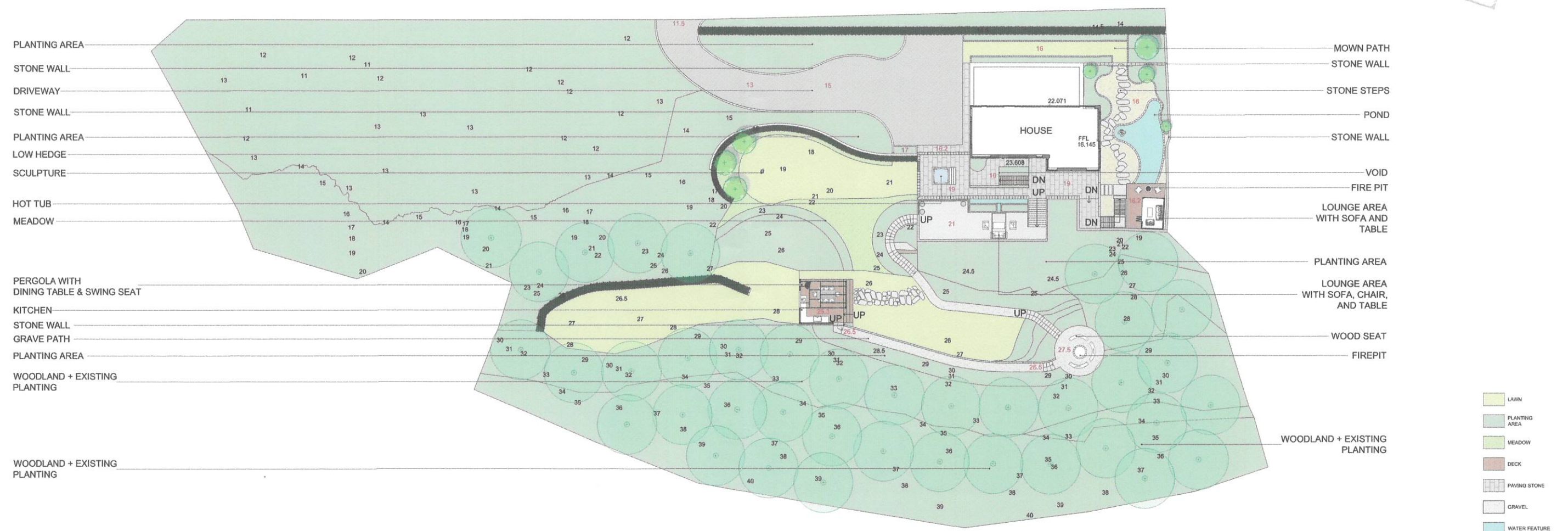
PROJECT: **Earthworks Topo @ Rochestown**

SCALES	DRAWN/CHECKED/APPROVED
1:500	PB
	DATE
	10/12/2021

DRAWING NO.	REV
Contour Survey	0



DEVELOPMENT MANAGEMENT
CIP
04 FEB 2022
LURK CITY COUNCIL



PLANTING AREA
STONE WALL
DRIVEWAY
STONE WALL
PLANTING AREA
LOW HEDGE
SCULPTURE
HOT TUB
MEADOW

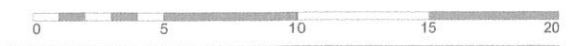
PERGOLA WITH DINING TABLE & SWING SEAT
KITCHEN
STONE WALL
GRAVE PATH
PLANTING AREA
WOODLAND + EXISTING PLANTING

WOODLAND + EXISTING PLANTING

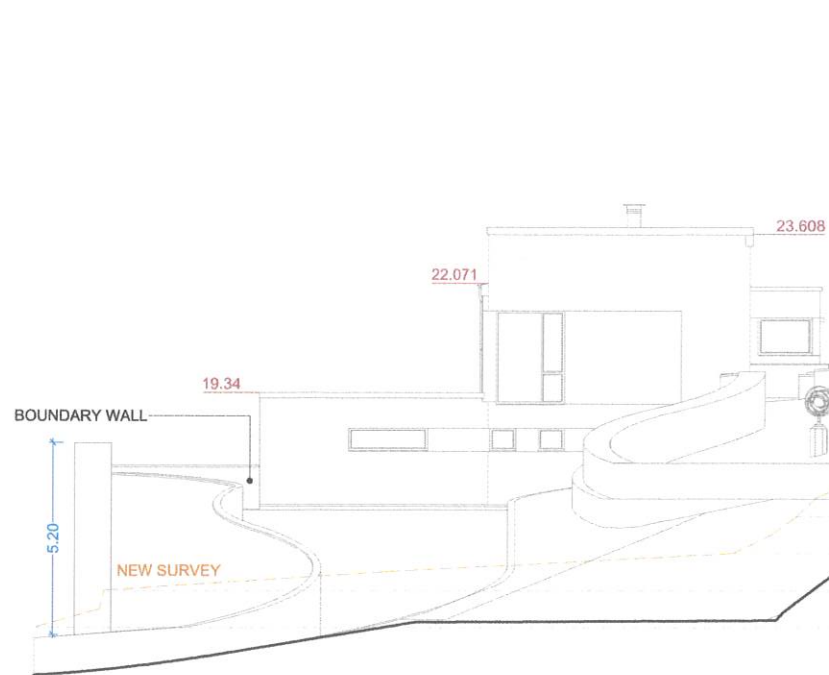
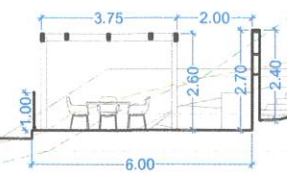
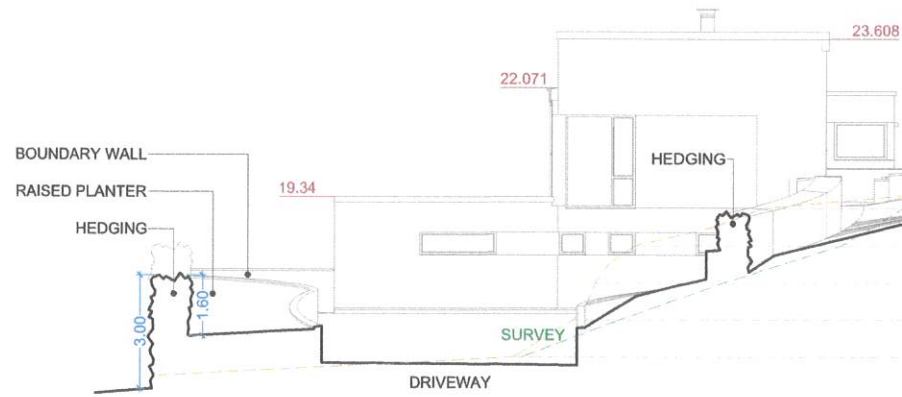
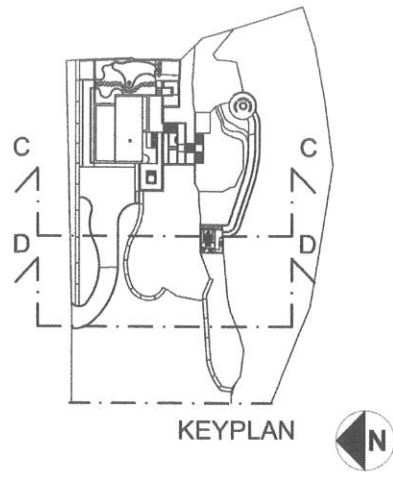
MOWN PATH
STONE WALL
STONE STEPS
POND
STONE WALL
VOID
FIRE PIT
LOUNGE AREA WITH SOFA AND TABLE
PLANTING AREA
LOUNGE AREA WITH SOFA, CHAIR, AND TABLE
WOOD SEAT
FIREPIT

WOODLAND + EXISTING PLANTING

- LAWN
- PLANTING AREA
- MEADOW
- DECK
- PAVING STONE
- GRAVEL
- WATER FEATURE
- HOT TUB
- ASPHALT
- PROPOSED HEDGE
- EXISTING TREE
- PROPOSED TREE
- 26.3 PROPOSED LEVEL
- 28 EXISTING LEVEL



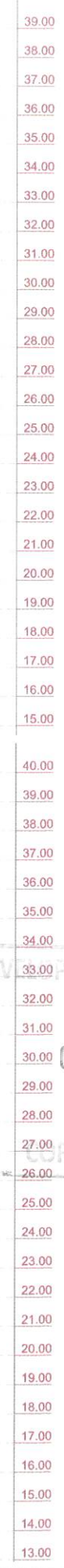
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CLIENT:	DATE: 26/01/2022		
DRAWING:	NO.	REV	
LANDSCAPE LAYOUT-SITE			

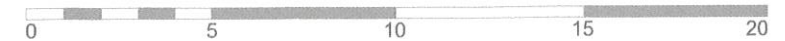
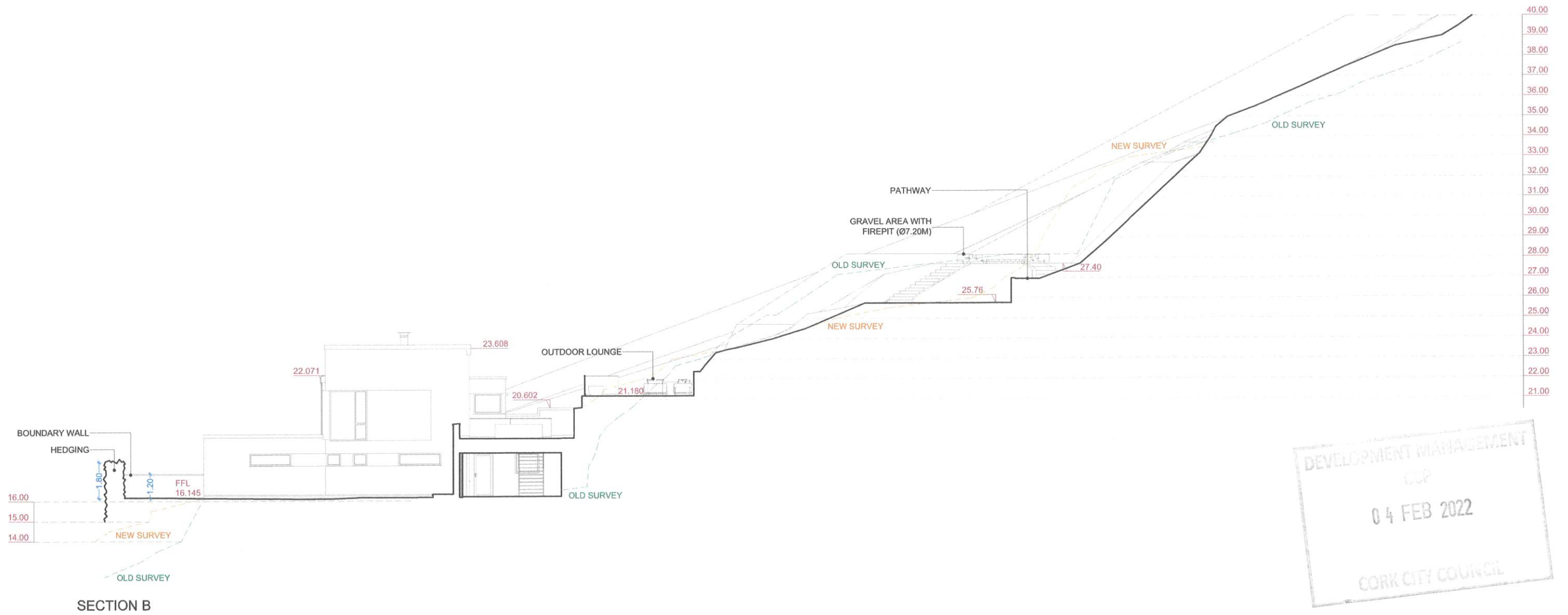
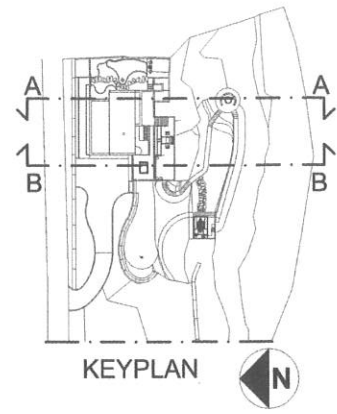


DEVELOPMENT MANAGEMENT
COP
04 FEB 2022
CORK CITY COUNCIL

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DRAWING NO.	REV		
SECTION			

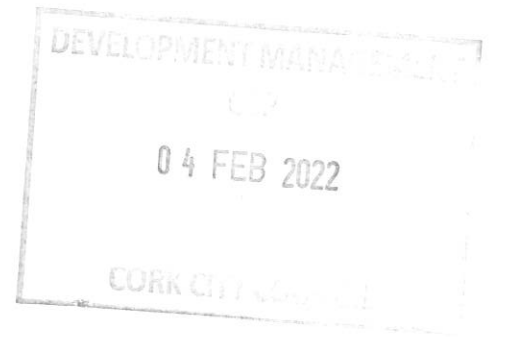
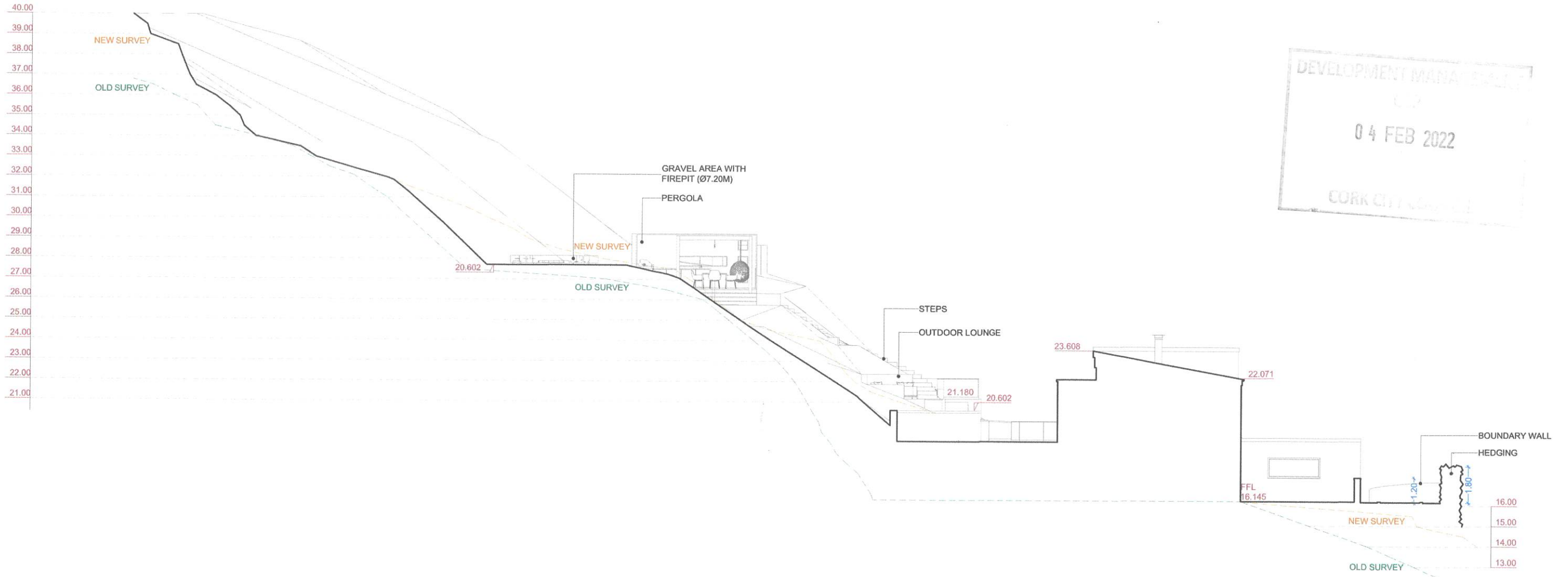
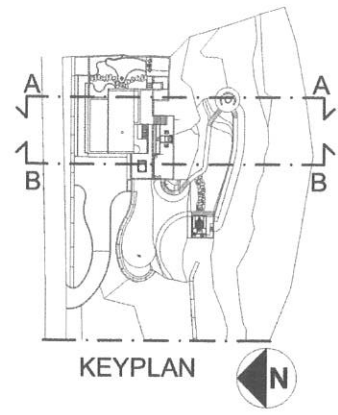
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PROJECT ADDRESS:	SCALE: 1:100 / A1		
CLIENT:	DATE: 18/01/2022		
DRAWING:	NO.	REV	
SECTION B-B			





SECTION A



PROJECT ADDRESS:	SCALE: 1:100 / A1		
CLIENT:	DATE: 18/01/2022		
DRAWING:	NO.	REV	
SECTION A-A			