



Comhairle Cathrach Chorcaí Cork City Council

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

Board of Management of St. Joseph's School,
c/o KOBW Architect,
2 Empress Place,
Summerhill,
Cork.

17/01/2023

**RE: Section 5 Declaration R755/22 St. Joseph's National School,
Mardyke Walk, Cork**

A Chara,

With reference to your request for a Section 5 Declaration at the above-named property, received on 13th December 2022, I wish to advise as follows:

The Planning Authority, 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);
- Schedule 2 of the Planning and Development Regulations 2001 (as amended), specifically Class 20D as inserted by SI114 of 2021;

It is considered that *installation of a temporary building at St. Joseph's National School, for education use* **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, 17th January 2023.

Is mise le meas,

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



We are Cork.

9th December 2022

Our Ref: 2789/ 3.1

**The Development Management Section,
Strategic Planning & Economic Development Directorate,
Cork City Council,
City Hall,
Anglesea Street,
Cork.**

Section 5 Declaration Application for Temporary Accommodation at St. Joseph's National School, Mardyke Walk, Cork.

Dear Sir/ Madam,

On behalf of our clients, The Board of Management of St. Joseph's National School, we enclose a Section 5 Declaration Application with the following documents:

- 2 no. copies of the application form.
- 2 no. copies of drawings prepared by KOBW Architects.

Payment of the €80 fee was made over the phone to Eoghan Fahy at your offices.

We trust that the application addresses all relevant issues and look forward to your decision in due course. Please address all correspondence to this office.

Yours faithfully,



**Joseph O'Brien, B. Arch (UCD), FRIAI, RIBA.
KOBW Architects**



**COMHAIRLE CATHRACH CHORCAÍ
CORK CITY COUNCIL**

Strategic Planning & Economic Development 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

St. Joseph's National School, Mardyke Walk, 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.

Is the installation of a temporary building at St. Joseph's National School, for education use, exempted development?

ADDITIONAL DETAILS REGARDING QUESTION/ WORKS/ DEVELOPMENT:

(Use additional sheets if required).

A temporary building is required to meet the schools immediate needs for additional accommodation for a Special Education Needs Base, in advance of a permanent extension which is at design stage. S.I. No. 114 of 2021 allows for a planning exemption for Temporary Buildings Class 20D Development consisting of the erection on land on which a school is situated of a structure to facilitate the continued delivery of education. The proposed single storey temporary accommodation (100sqm) does not exceed 30% of the gross floor area of existing buildings, does not exceed 2 storeys and is located at a distance greater than 2m from any party boundary. The temporary building would be in place for a period not exceeding 5 years and would comply with the Department of Education Primary and Post Primary Technical Guidance Documents.

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)

(a) Floor area of existing/proposed structure/s	Floor area of existing school buildings = 913sqm Floor area of proposed temporary building = 100sqm
(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) _____
(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):		Board of Management of St. Joseph's National School	
Applicants Address	St. Joseph's National School, Mardyke Walk, Cork		
Person/Agent acting on behalf of the Applicant (if any):	Name:	KOBW Architect	
	Address:	2 Empress Place, Summerhill, Cork	
	Telephone:	0214502319	
	Fax:	N/A	
	E-mail address:	arch@kobw.ie	
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"/>

5. LEGAL INTEREST

Please tick appropriate box to show applicant's legal interest in the land or structure	A. Owner	B. Other <input checked="" type="checkbox"/>
Where legal interest is 'Other', please state your interest in the land/structure in question	The land is in the ownership of the Presentation Brothers School Trust and is used by the Board of Management for the operation of the School.	
If you are not the legal owner, please state the name and address of the owner if available	Presentation Brothers Schools Trust, 10 Deerpark Court, Friars Walk, Cork	

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

Signature:  _____

Date: 09/12/2022

.....
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 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



Temporary Accommodation at St. Joseph's National School, Mardyke Walk, Cork.

Section 5 - Application Drawings

Reference	Title	Scale
PL-01	Record Place Map	1:10560
PL-02	Rural Place Map	1:1000
PL-03	Existing Site Plan	1:500
PL-04	Proposed Site Plan Temporary Accommodation	1:500



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KOBW ARCHITECTS

+353 (0) 21 4502319 arch@kobw.ie www.kobw.ie

KELLY BARRY O'BRIEN WHELAN

2 Empress Place, Summer Hill, Cork, T23 KH68, Ireland

DRAWING PROJECT:
RECORD PLACE MAP
 St. Joseph's NS
 Mardyke, Cork.

LEGEND

SITE BOUNDARY OUTLINED IN RED

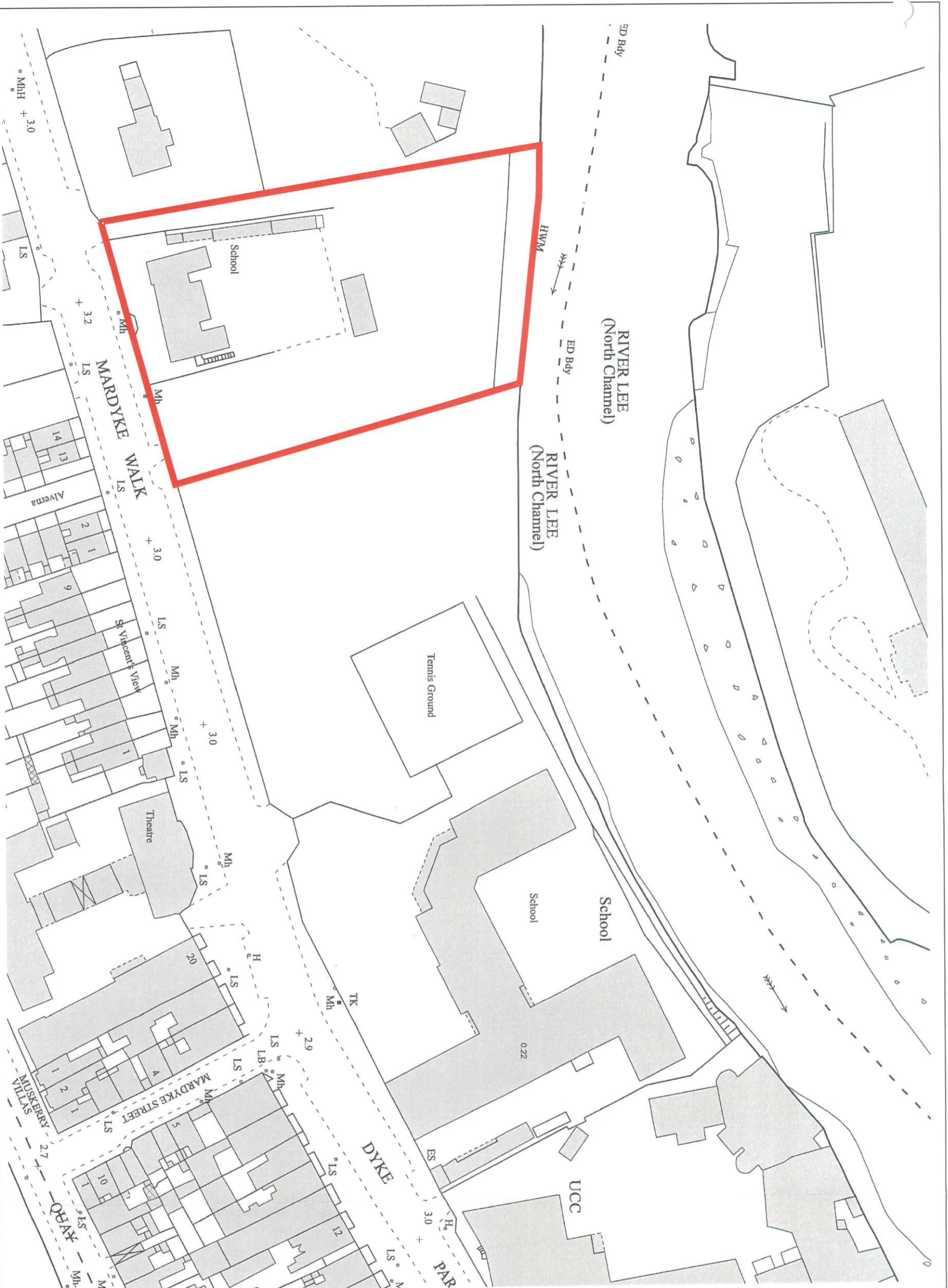
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Rev	Date	Int	Revision

JOB REF.:	2789	DWG NO.:	PL-01	DATE:	08/12/2022
DRAWN:	RS	CHECKED:	ED	ISSUE FOR:	SECTION 5
SHEET:	A3	SCALE:	1:10560		



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OS No. 6382-09 6382-14

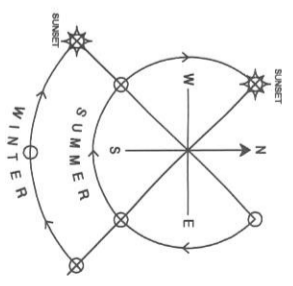
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 KELLY BARRY O'BRIEN WHELAN
 2 Empress Place, Summer Hill, Cork, T23 KH68, Ireland

DRAWING/PROJECT:
URBAN PLACE MAP
 St. Joseph's NS
 Mardyke, Cork.

Rev	Date	Int	Revision

JOB REF.:	DWG NO.:	DATE:
2789	PL-02	08/12/2022
DRAWN:	ISSUE FOR:	SHEET:
RS	SECTION 5	A3
CHECKED:	SCALE:	
ED	1:1000	

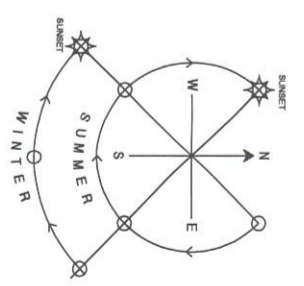


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DRAWING/PROJECT:		EXISTING SITE PLAN		JOB REF.:		2789		DWG NO.:		PL-03		DATE:		08/12/2022	
ST. JOSEPH'S NS		MARDYKE, CORK.		REV.		Date		[]		Revision		SHEET:		A3	
SECTION 5		SCALE:		1:500		ISSUE FOR:		SECTION 5		SHEET:		SCALE:		1:500	



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 PROPOSED TEMPORARY ACCOMMODATION

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 2 Empress Place, Summer Hill, Cork, T23 KH68, Ireland

DRAWING PROJECT:
PROPOSED SITE PLAN
 St. Joseph's NS
 Mardyke, Cork.

JOB REF.:	DWG NO.:	DATE:
2789	PL-04	08/12/2022
DRN.:	ISSUE FOR:	SHEET:
RS	SECTION 5	A3
CHKD.:	SCALE:	
ED	1:500	