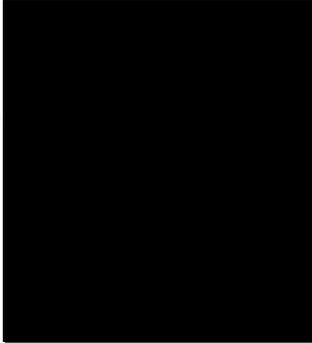




# Comhairle Cathrach Chorcaí Cork City Council

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



10/12/2025

**RE: Section 5 Declaration R1004/25 19 Glenside, Pinecroft, Grange,  
Douglas, Cork T12 YIK8**

A Chara,

With reference to your request for a Section 5 Declaration at the above-named property, received on 20<sup>th</sup> of November, 2025.

The Question before the Planning Authority is whether the following is development and, if so, exempted development:

Amendments to the front of the house which include proposed external insulation and covering of existing stone façade.



**We are Cork.**



# Comhairle Cathrach Chorcaí Cork City Council

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

Having regard to:

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

The planning authority considers that the works carried out to the existing dwelling house, consisting of the following:

*Amendments to the front of the house which include:*

- a) external insulation and the covering of stone façade*

at 19 Glenside, Pinecroft, Grange, Cork **IS DEVELOPMENT** and **IS EXEMPTED DEVELOPMENT**.

Is mise le meas,

*Anthony Angelini*

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**Anthony Angelini**  
**Assistant Staff Officer**  
**Planning & Integrated Development**  
**Cork City Council**



**We are Cork.**

**PLANNER'S REPORT**  
**Ref. R1004/25**

Cork City  
Council  
Development Management  
Strategic Planning and  
Economic Development

Application type	<b>SECTION 5 DECLARATION</b>
Question	<i>Whether the following is development and, if so, is it exempted development:</i>  <i>whether the proposed external insulation and covering of stone façade is exempt</i>
Location	19 Glenside, Pinecroft, Grange, Cork
Applicant	Kay Murray
Date	24/02/2026
<b>Recommendation</b>	<b>Is development and is exempted development</b>

#### INTERPRETATION

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.

#### REQUIREMENTS FOR A SECTION 5 DECLARATION APPLICATION

Section 5(1) of the Planning and Development Act 2000 as amended states,

*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.*

The requirements for making a section 5 declaration are set out in the Act.

#### THE QUESTION BEFORE THE PLANNING AUTHORITY

The question to the planning authority is framed using the phrasing of section 5. The applicant states in the request, "I am getting the semi warmer homes grant to externally insulate the house. I want to cover the stone façade and the left of the front door and under the sitting room window."

In my opinion the intention of the request is clear, and that it is entirely reasonable to consider the question before the planning authority as being:

*Whether the following is development and, if so, exempted development:*

- 1. Amendments to the front of the house which include proposed external insulation and covering of existing stone façade.*

#### SITE DESCRIPTION

The subject property is a two-storey semi-detached dwelling in the Sustainable Residential Neighbourhoods zoning area. The area is predominantly residential in nature.

## **DESCRIPTION OF THE DEVELOPMENT**

The works proposed have not been constructed to date on site it is noted.

## **RELEVANT PLANNING HISTORY**

Details submitted with the application state that a previous planning permission for the construction of a side extension to the dwelling however no records on the Planning Register exists for such a development. It is noted that the dwelling is located in the former County Council area and no records exist for a planning applications on this site also. No recent planning permissions are set out on both the City and County Planning Enquiry systems.

## **LEGISLATIVE PROVISIONS**

### **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—*

- (a) where the context so admits, includes the land on, in or under which the structure is situate, and*
- (b) in relation to a protected structure or proposed protected structure, includes—*
  - (i) the interior of the structure,*
  - (ii) the land lying within the curtilage of the structure,*
  - (iii) any other structures lying within that curtilage and their interiors, and*
  - (iv) 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(1)(h)**

*4.(1) The following shall be exempted developments for the purposes of this Act—*

*...*

*(h) development consisting of the carrying out of works for the maintenance, improvement or other alteration of any structure, being works which affect only the interior of the structure or which do not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure or of neighbouring structures;*

### **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—*

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

### **Section 5(1)**

See section 1 of this report.

## **Planning and Development Regulations 2001 as amended**

### **Article 5(2)**

*In Schedule 2, unless the context otherwise requires, any reference to the height of a structure, plant or machinery shall be construed as a reference to its height when measured from ground level, and for that purpose “ground level” means the level of the ground immediately adjacent to the structure, plant or machinery or, where the level of the ground where it is situated or is to be situated is not uniform, the level of the lowest part of the ground adjacent to it.*

### **Article 6(1)**

*Subject to article 9, development of a class specified in column 1 of Part 1 of Schedule 2 shall be exempted development for the purposes of the Act, provided that such development complies with the conditions and limitations specified in column 2 of the said Part 1 opposite the mention of that class in the said column 1.*

### **Article 9**

Article 9 sets out restrictions on exemptions specified under article 6.

### **(Article 6) Schedule 2, Part 1**

Classes 1-8 relate to development within the curtilage of a house. Having examined the Classes it is considered that no specific Class relates to the works that have been carried out on site to date.

## **ASSESSMENT**

### **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’.

‘Works’ is defined in section 3(1) of the Act as including ‘any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal’.

With regard to the proposed development, the main issues to consider is as follows:

*Amendments to the front of the house which include*

- a) external insulation to cover the stone façade*

- I consider that the specific details set out above constitutes 'works' as they comprise the alteration to a building on the site. As the proposal comprises 'works', it is clearly therefore 'development' within the meaning of the Act.

Therefore, 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).

With regard to the proposed development, the main issues to consider is as follows:

*Amendments to the front of the house which include:*

*a) external insulation to cover the stone façade*

- I consider that the works proposed can be considered exempt under Section 4(1)(h) of the Planning and Development Act 2000 (as amended) as they are works that affect the interior of the structure but also do not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure or of neighbouring structures.

#### ***Restrictions on exemption***

I do not consider that any apply in this instance.

## **CONCLUSION**

### **Is exempted development**

#### **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—*

- (a) 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
- (b) 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.*

**8.1 Screening for Environmental Impact Assessment**

Having regard to the contents of Article 103 and Schedule 7 of the Planning and Development Regulations 2001, as amended it is considered that the proposed development by reason of its nature, scale and location would not be likely to have significant effects on the environment. Accordingly it is considered that **environmental impact assessment is not required.**

**8.2 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.**

**RECOMMENDATION**

In view of the above and having regard to —

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

the planning authority considers that —

the works carried out to the existing dwelling house, consisting of the following:

*Amendments to the front of the house which include:*

- a) external insulation and the covering of stone façade*

at 19 Glenside, Pinecroft, Grange, Cork **IS DEVELOPMENT** and **IS EXEMPTED DEVELOPMENT.**



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Tadhg Hartnett  
Executive Planner  
09/12/2025



**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](mailto:planning@corkcity.ie)

Fón/Tel: 021-4924029

Líonra/Web: [www.corkcity.ie](http://www.corkcity.ie)

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

**1. NAME OF PERSON MAKING THE REQUEST**

KAY MURRAY

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

19, GLENSIDE, PINECROFT, GRANGE  
DOUGLAS, CORK T12 YK8

**3. 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 SEAI warmer homes grant to externally insulate the house. I want to cover the stone facade to the left of the front door + under the sitting room window

**ADDITIONAL DETAILS REGARDING QUESTION/ WORKS/ DEVELOPMENT:**

(Use additional sheets if required).

**CORK CITY COUNCIL  
PLANNING & DEVELOPMENT**

20 NOV 2025

**DEVELOPMENT MANAGEMENT**

4. Are you aware of any enforcement proceedings connected to this site?

If so please supply details: **NO**

5. Is this a Protected Structure or within the curtilage of a Protected Structure?

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?

6. Was there previous relevant planning application/s on this site?

If so please supply details:

**Yes - asidel and back extension in 2002**

### 7. 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	
(b) If a domestic extension, have any previous extensions/structures been erected at this location after 1 <sup>st</sup> 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)

### 7. 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 of the owner if available		

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

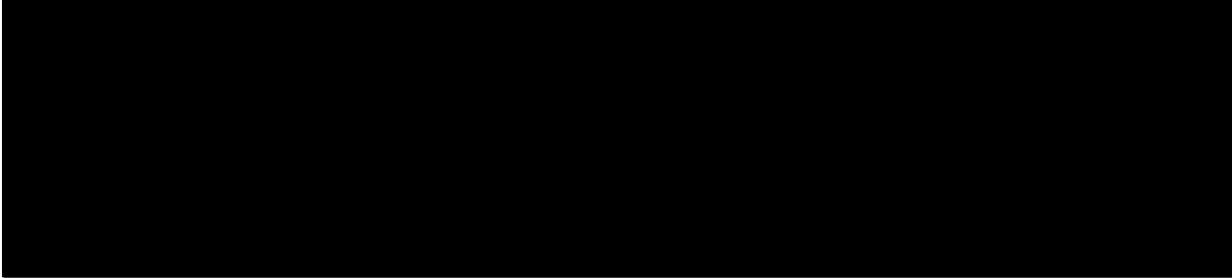
Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**CONFIDENTIAL CONTACT DETAILS**

These details will not be made available to the public.

**9. Applicant:**



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

<b>Name(s):</b>	
<b>Address:</b>	
<b>Telephone:</b>	
<b>E-mail address:</b>	
<b>Should all correspondence be sent to the above address?</b> (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"/>

**11. Owner Details (if the applicant above is not the legal owner):**

<b>Name(s)</b>	
<b>Address</b>	

**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.

Tel. No. \_\_\_\_\_

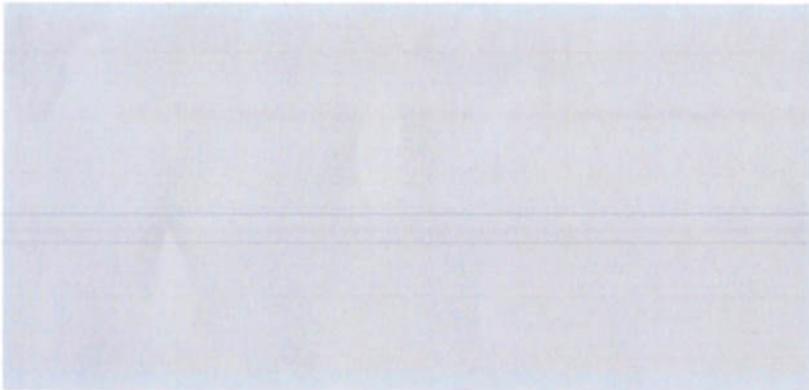
Mobile No. \_\_\_\_\_

Email Address: \_\_\_\_\_

For Office Use Only: File Ref. No. _____
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# Baumit Life color 0887

The most successful and long-lasting colour for a façade is one that respects the building's environment – blending in with the surroundings while promoting differences through its finer details, the façade should naturally contribute to the feel of a the space it occupies.



Colour code

**0887**

HEX: #BFBEBE

RGB: 191/190/188

TSR: 25 ⓘ

HBW: 52

# Baumit Life color 0399

The most successful and long-lasting colour for a façade is one that respects the building's environment – blending in with the surroundings while promoting differences through its finer details, the façade should naturally contribute to the feel of a the space it occupies.



Colour code

**0399**

HEX: #DLD5CL

RGB: 222/213/206

TSR: 25 ⓘ

HBW: 68

# Baumit Life color 0019

The most successful and long-lasting colour for a façade is one that respects the building's environment – blending in with the surroundings while promoting differences through its finer details, the façade should naturally contribute to the feel of a the space it occupies.



Colour code

**0019**

HEX: #f5f4f0

RGB: 245/244/240

TSR: >25 ⓘ

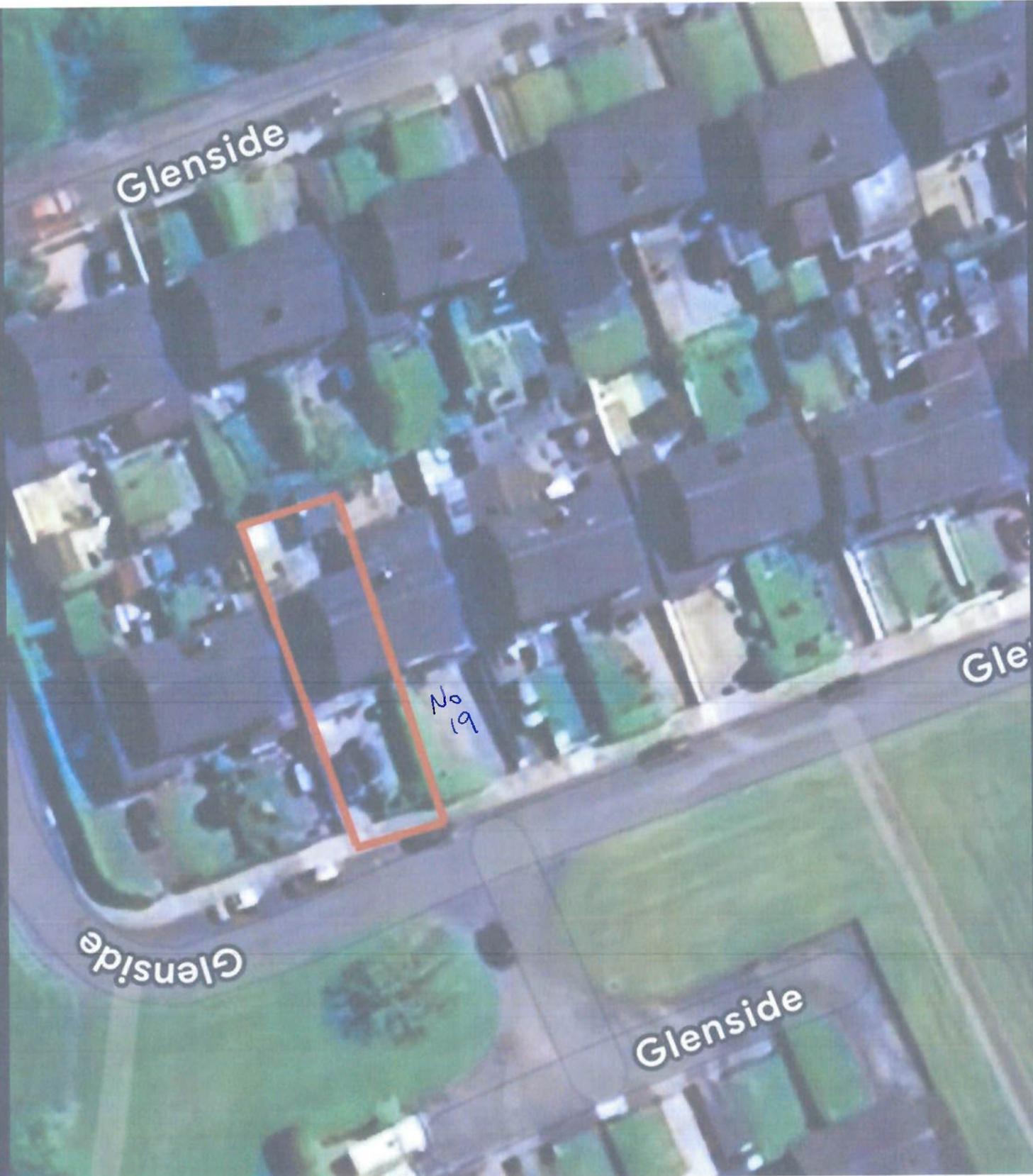
HBW: 89





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Glenside

No  
19

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