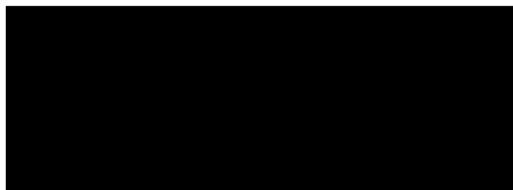




Comhairle Cathrach Chorcaí

Cork City Council

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



31/10/2025

RE: Section 5 Declaration R976-25, 61 Ashleigh Drive, Skehard Road, Cork

A Chairde,

With reference to your request for a Section 5 Declaration at the above-named property, received on 11th of August 2025.

The Question before the Planning Authority is whether “the construction of a single storey extension to the rear of existing dwelling Exempt Development?”

Having regard to —

- Sections 2, 3, and 4 of the Planning and Development Act 2000 as amended, and
- Articles 6, 9, 10 and Class 1 (Exempted Development) as set out in Part 1 of Schedule 2 of the Planning and Development Regulations (as amended)

The Planning Authority considers that the proposed works to the existing dwelling house, consisting of the following: The construction of a single storey extension (32.1m²) to rear of dwelling house at 61 Ashleigh Drive, Skehard Rd., Cork **IS DEVELOPMENT** and **IS EXEMPTED DEVELOPMENT**.

Is mise le meas,

Anthony Angelini

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



We are Cork.

PLANNER'S REPORT Ref. R976/25		Cork City Council Development Management Strategic Planning and Economic Development
Application type	Section 5 Declaration	
Description	<p><i>Whether the following is development and, if so, is it exempted development:</i></p> <p><i>The construction of a single storey extension to rear of dwelling house</i></p>	
Location	61 Ashleigh Drive, Skehard Rd., Cork	
Applicant	Shane Coughlan & Cliodhna Murphy	
Date	07/01/2026	
Recommendation	The construction of a single storey extension to rear of dwelling house at 61 Ashleigh Drive, Skehard Rd., Cork – IS DEVELOPMENT and IS EXEMPTED DEVELOPMENT .	

Further Information Response

This report should be read in conjunction with the previous report dated 05/09/2025. The applicant/owner of the site as part of the FI request was requested to submit the following further information:

Point No. 1

The applicant has submitted no specific documents and details in relation to the full size and layout of the proposal and how it relates to the wider subject site. As a result, it is not possible to carry out a comprehensive assessment of the proposal. Therefore, the applicant is requested to submit an accurately scaled site layout plan to show the proposed domestic extension layout on the site that demonstrates it is in full compliance with all of the conditions attached to Schedule 2, Part 1, Class 1 Exempted Development — General (specifically Condition/Limitations 5 and 6) as set out in the Planning and Development Regulations 2001 (as amended).

Assessment

The applicant has submitted further information in response to the point raised above. The documents submitted by the applicant include a site layout, proposed floor and roof plans and proposed side and rear elevations. Conditions 5 and 6 state the following:

5. *The construction or erection of any such extension to the rear of the house shall not reduce the area of private open space, reserved exclusively for the use of the occupants of the house, to the rear of the house to less than 25 square metres.*

6.

(a) *Any window proposed at ground level in any such extension shall not be less than 1 metre from the boundary it faces.*

(b) *Any window proposed above ground level in any such extension shall not be less than 11 metres from the boundary it faces.*

(c) *Where the house is detached and the floor area of the extension above ground level exceeds 12 square metres, any window proposed at above ground level shall not be less than 11 metres from the boundary it faces.*

Having examined the revised details submitted by the applicant I would consider that the proposed domestic extension clearly satisfies both Conditions 5 and 6 that are attached to Schedule 2, Part 1, Class 1 Exempted Development — General as set out in the Planning and Development Regulations 2001 (as amended).

Conclusion

The question has been asked whether the *construction of a single storey extension to rear of dwelling house*, is exempted development. Having considered the particulars submitted with the application, the further information submitted and the relevant legislation as set out above, it is considered that the proposed domestic extension is development. From the details submitted the proposed structure would comply with all of the conditions attached to Class 1 as set out in the Planning and Development Regulations 2001 (as amended).

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, 9, 10 and Class 1 (Exempted Development) as set out in Part 1 of Schedule 2 of the Planning and Development Regulations (as amended)

the planning authority considers that —

the proposed works to the existing dwelling house, consisting of the following:

The construction of a single storey extension (32.1m²) to rear of dwelling house

at 61 Ashleigh Drive, Skehard Rd., Cork **IS DEVELOPMENT** and **IS EXEMPTED DEVELOPMENT**.



Tadhg Hartnett
Executive Planner
28/10/2025

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

Fón/Tel: 021-4924029

Lionra/Web: 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

SHANE COUGHLAN, CLIODHNA MURPHY

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

**61 ASHLEIGH DRIVE, SKEHARD RD,
CORK, T12D2PW**

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.

*Is the construction of a rear extension
at 61 Ash Leigh Drive, Skehard Rd, Cork
T12D2PW development and if so, is it
exempted development?*

ADDITIONAL DETAILS REGARDING QUESTION/ WORKS/ DEVELOPMENT:

(Use additional sheets if required).

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

5. 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? **□**

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

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)

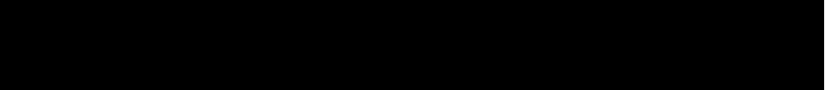
(a) Floor area of existing/proposed structure/s	Existing: 101m ² Extension: 32.1m ²	
(b) If a domestic extension, have any previous extensions/structures been erected at this location after 1 st October, 1964, (including those for which planning permission has been obtained)?	Yes <input type="checkbox"/>	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. 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:

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

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

<i>Name(s):</i>	
<i>Address:</i>	
<i>Telephone:</i>	
<i>E-mail address:</i>	
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 type="checkbox"/> No <input type="checkbox"/>

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

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

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. _____

ADVISORY NOTES:

The application must be accompanied by the required fee of €80. Payment may be made at the Cork City Council cash desk, by cheque, by telephone with a credit/debit card, or by electronic fund transfer.

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.

Please email planning@corkcity.ie with any queries.

- 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 protection 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.

1. Plan, drawings and maps accompanying an application for a Section 5 Declaration on exempted development shall all be in metric scale and comply with the following requirements:-
 - * NOTE 2 COPIES OF PLANS AND PARTICULARS ARE REQUIRED
 - (a) site or layout plans shall be drawn to a scale of not less than 1:500 (which shall be indicated thereon), the site boundary shall be clearly delineated in red, and buildings, roads, boundaries, septic tanks and percolation areas, bored wells, significant tree stands and other features on, adjoining or in the vicinity of the land or structure to which the application relates shall be shown, land which adjoins, abuts or is adjacent to the land to be developed and which is under the control of the applicant or the person who owns the land, which is subject of the application, shall be outlined in blue and wayleaves shall be shown in yellow,
 - (b) other plans, elevations and sections shall be drawn to a scale of not less than 1:200 (which shall be indicated thereon), or such scale as may be agreed with the Planning Authority prior to the submission of the application in any particular case,
 - (c) the site layout plan and other plans shall show the level or contours, where applicable, of any land and the proposed structures relative to Ordnance survey datum or a temporary local benchmark,
 - (d) drawings of elevations of any proposed structure shall show the main features of any buildings which would be contiguous to the proposed structure if it were erected, whether on the application site or in the vicinity at a scale of not less than 1:200, as may be appropriate,
 - (e) plans relating to works comprising reconstruction, alteration or extension of a structure shall be so marked or coloured as to distinguish between the existing structure and the works proposed,
 - (f) plans and drawings of floor plans, elevations and sections shall indicate in figures the principal dimensions (including overall height) of any proposed structure and the site, and site layout plans shall indicate the distances of any such structure from the boundaries of the site,
 - (g) any map or plan which is based on an Ordnance Survey map shall indicate the relevant Ordnance survey sheet number,
 - (h) the north point shall be indicated on all maps and plans other than drawings of elevations and sections,
 - (i) plans and drawings shall indicate the name and address of the person by whom they were prepared.
2. An application for development consisting of or comprising the carrying out of works to a protected structure, or proposed protected structure or to the exterior of a structure which is located within an architectural conservation area in a draft of a proposed development plan or a proposed variation of a development plan, shall, in addition to meeting the requirements above, be accompanied by such photographs, plans and other particulars as are necessary to show how the development would affect the character of the structure.
3. A planning authority may, by notice in writing, require an applicant to provide additional copies of any plan, drawing, map, photograph or other particular, which accompanies the application.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

05/09/2025

RE: Section 5 Request:
R976/25. 61 Ashleigh Drive, Skehard Road, Cork.

A Chara,

With reference to your request for a Section 5 Declaration at the above-named property, received on the 11th of August, 2025.

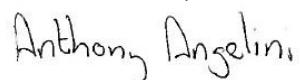
The question put before the Planning Authority is “the construction of a single storey extension to the rear of existing dwelling Exempt Development?”

It is considered that a full and comprehensive assessment cannot be carried out to date given the fact that an insufficient amount of detail has been provided. Therefore, the Planning Authority will require the following details to be submitted:

1. The applicant has submitted no specific documents and details in relation to the full size and layout of the proposal and how it relates to the wider subject site. As a result, it is not possible to carry out a comprehensive assessment of the proposal. Therefore, the applicant is requested to submit an accurately scaled site layout plan to show the proposed domestic extension layout on the site that demonstrates it is in full compliance with all of the conditions attached to *Schedule 2, Part 1, Class 1 Exempted Development — General* (specifically Condition/Limitations 5 and 6) as set out in the *Planning and Development Regulations 2001 (as amended)*.

It is thus considered that **FURTHER INFORMATION** is required.

Is mise le meas,

A handwritten signature in black ink, appearing to read "Anthony Angelini".

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

PLANNER'S REPORT
Ref. R 976/25

Cork City Council
Development Management
Strategic Planning and
Economic Development

Application type	SECTION 5 DECLARATION
Question	<i>Whether the following is development and, if so, is it exempted development:</i>
	<i>The construction of a single storey extension to rear of dwelling house.</i>
Location	61 Ashleigh Drive, Skehard Rd., Cork
Applicant	Shane Coughlan & Cliodhna Murphy
Date	07/01/2026
Recommendation	FI requested

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,

"is the construction of a single storey extension to the rear of existing dwelling Exempt Development?"

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, are they exempted development:

- 1. The construction of a single storey extension to rear of dwelling house.*

SITE DESCRIPTION

The subject property is a two-storey semi-detached dwelling and is located in an area that is zoned as ZO 01, Sustainable Residential Neighbourhoods as set out in the Cork City Development Plan 2022-2028. The wider area surrounding the site is predominantly residential in nature. The

site is not located within an Architectural Conservation Area (ACA) as set out in the Cork City Development Plan 2022-2028 it is noted.

DESCRIPTION OF THE DEVELOPMENT

The proposed development proposes the construction of new single storey flat roof extension to the rear of the existing dwelling.

RELEVANT PLANNING HISTORY

None.

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 to 2018 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.

Planning and Development Regulations, 2001 as amended

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 sets out restrictions on exemptions specified under article 6.

Article 9(1) of the Regulations sets out circumstances in which development to which Article 6 relates shall not be exempted development, including (a) if the carrying out of such development would:-

9. (1) Development to which article 6 relates shall not be exempted development for the purposes of the Act— (a) if the carrying out of such development would—

(xii) further to the provisions of section 82 of the Act, consist of or comprise the carrying out of works to the exterior of a structure, where the structure concerned is located within an architectural conservation area or an area specified as an architectural conservation area in a development plan for the area or, pending the variation of a development plan or the making of a new development plan, in the draft variation of the development plan or the draft development plan and the development would materially affect the character of the area,

Article 9

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

(Article 6) Schedule 2, Part 1, Class 1

Classes 1-8 relate to development within the curtilage of a house and Class 1 relates to "the extension of a house, by the construction or erection of an extension (including a conservatory) to the rear of the house or by the conversion for use as part of the house of any garage, store, shed or other similar structure attached to the rear or to the side of the house".

Schedule 2, Part 1, Class 1

Exempted Development — General

Column 1 Description of Development	Column 2 Conditions and Limitations
<p><i>Development within the curtilage of a house</i></p> <p>CLASS 1</p> <p><i>The extension of a house, by the construction or erection of an extension (including a conservatory) to the rear of the house or by the conversion for use as part of the house of any garage, store, shed or other similar structure attached to the rear or to the side of the house.</i></p>	<p>1. (a) Where the house has not been extended previously, the floor area of any such extension shall not exceed 40 square metres.</p> <p>(b) Subject to paragraph (a), where the house is terraced or semi-detached, the floor area of any extension above ground level shall not exceed 12 square metres.</p> <p>(c) Subject to paragraph (a), where the house is detached, the floor area of any extension above ground level shall not exceed 20 square metres.</p> <p>2. (a) Where the house has been extended previously, the floor area of any such extension, taken together with the floor area of any previous extension or extensions constructed or erected after 1 October 1964, including those for which planning permission has been obtained, shall not exceed 40 square metres.</p> <p>(b) Subject to paragraph (a), where the house is terraced or semi-detached and has been extended previously, the floor area of any extension above ground level taken together with the floor area of any previous extension or extensions above ground level constructed or erected after 1 October 1964, including those for which planning permission has been obtained, shall not exceed 12 square metres.</p> <p>(c) Subject to paragraph (a), where the house is detached and has been extended previously, the floor area of any extension above ground level, taken together with the floor area of any previous extension or extensions above ground level constructed or erected after 1 October 1964, including those for which planning permission has been obtained, shall not exceed 20 square metres.</p> <p>3. Any above ground floor extension shall be a distance of not less than 2 metres from any party boundary.</p>

Column 1 Description of Development	Column 2 Conditions and Limitations
	<p>4. (a) Where the rear wall of the house does not include a gable, the height of the walls of any such extension shall not exceed the height of the rear wall of the house.</p> <p>(b) Where the rear wall of the house includes a gable, the height of the walls of any such extension shall not exceed the height of the side walls of the house.</p> <p>(c) The height of the highest part of the roof of any such extension shall not exceed, in the case of a flat roofed extension, the height of the eaves or parapet, as may be appropriate, or, in any other case, shall not exceed the height of the highest part of the roof of the dwelling.</p> <p>5. The construction or erection of any such extension to the rear of the house shall not reduce the area of private open space, reserved exclusively for the use of the occupants of the house, to the rear of the house to less than 25 square metres.</p> <p>6. (a) Any window proposed at ground level in any such extension shall not be less than 1 metre from the boundary it faces.</p> <p>(b) Any window proposed above ground level in any such extension shall not be less than 11 metres from the boundary it faces.</p> <p>(c) Where the house is detached and the floor area of the extension above ground level exceeds 12 square metres, any window proposed at above ground level shall not be less than 11 metres from the boundary it faces.</p> <p>7. The roof of any extension shall not be used as a balcony or roof garden.</p>

(Article 6) Schedule 2, Part 1, Class 50

Class 50 relates to “the demolition of a building, or buildings”.

Schedule 2, Part 1, Class 50

Exempted Development — General

Column 1 Description of Development	Column 2 Conditions and Limitations
<p>CLASS 50</p> <p>(a) The demolition of a building, or buildings, within the curtilage of—</p> <p>(i) a house,</p> <p>(ii) an industrial building,</p> <p>(iii) a business premises, or</p> <p>(iv) a farmyard complex.</p> <p>(b) The demolition of part of a habitable house in connection with</p>	<p>1. No such building or buildings shall abut on another building in separate ownership.</p> <p>2. The cumulative floor area of any such building, or buildings, shall not exceed:</p> <p>(a) in the case of a building, or buildings within the curtilage of a house, 40 square metres, and</p>

<i>Column 1 Description of Development</i>	<i>Column 2 Conditions and Limitations</i>
<i>the provision of an extension or porch in accordance with Class 1 or 7, respectively, of this Part of this Schedule or in accordance with a permission for an extension or porch under the Act.</i>	<p data-bbox="747 271 1287 305">(b) in all other cases, 100 square metres.</p> <p data-bbox="779 339 1418 451">3. No such demolition shall be carried out to facilitate development of any class prescribed for the purposes of section 176 of the Act.</p>

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:

The construction of a single storey extension to rear of dwelling house.

- I consider that the construction or the rear extensions constitutes '*works*' as it comprises 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:

- *The construction of a single storey extension to rear of dwelling house.*

I consider that article 6 and **Class 1** applies, as the proposed development is for an extension of a house by the construction of an extension to the rear of the house. Having assessed the proposed extension against Class 1 and its conditions and limitations I find as follows:

Condition / Limitation 1

The house, from reviewing planning history, has not been previously extended. The proposed extension is approximately 32.1m² in area and is a single storey extension. Therefore part (a) of this condition and limitation are satisfied (parts (b) and (c) do not apply).

Condition / Limitation 2

The house does not appear to have been previously extended therefore this condition/limitation does not apply.

Condition / Limitation 3

The proposed works are ground floor only therefore this condition/limitation does not apply.

Condition / Limitation 4

The height of the walls of the proposed extension do not exceed the height of the rear wall of the house. The highest part of the roof of the proposed extension does not exceed the height of the highest part of the roof of the dwelling. Therefore parts (a) and (c) of this condition and limitation are satisfied (part (b) does not apply).

Condition / Limitation 5

The applicant has not submitted a proposed site layout and so it is not possible to assess whether or not the minimum required 25m² of open space will remain in place to the rear of the dwelling.

Condition / Limitation 6

Again, the applicant has not submitted a proposed site layout and so it is not possible to assess whether or not the proposed ground floor windows are to be more than 1 metre from the boundaries they face. It is noted that 2 No. proposed ground floor windows to directly face the rear garden will be more than 1 metre from the boundary they face. However, 2 No. proposed windows facing towards the northern boundary of the site may well also be over the required 1m distance if the width of the existing domestic garage is used as a measurement but it is not possible to confirm this until a site layout plan has been submitted.

Condition / Limitation 7

From the submitted plans it does not appear that the roof is proposed to be used as a balcony or roof terrace.

Restrictions on exemption

The proposed development as stated above is not located in an Architectural Conservation Area as set out in the Cork City Development Plan 2022-2028 and so there are no restrictions on the exemption it is considered.

CONCLUSION

FI required

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**.

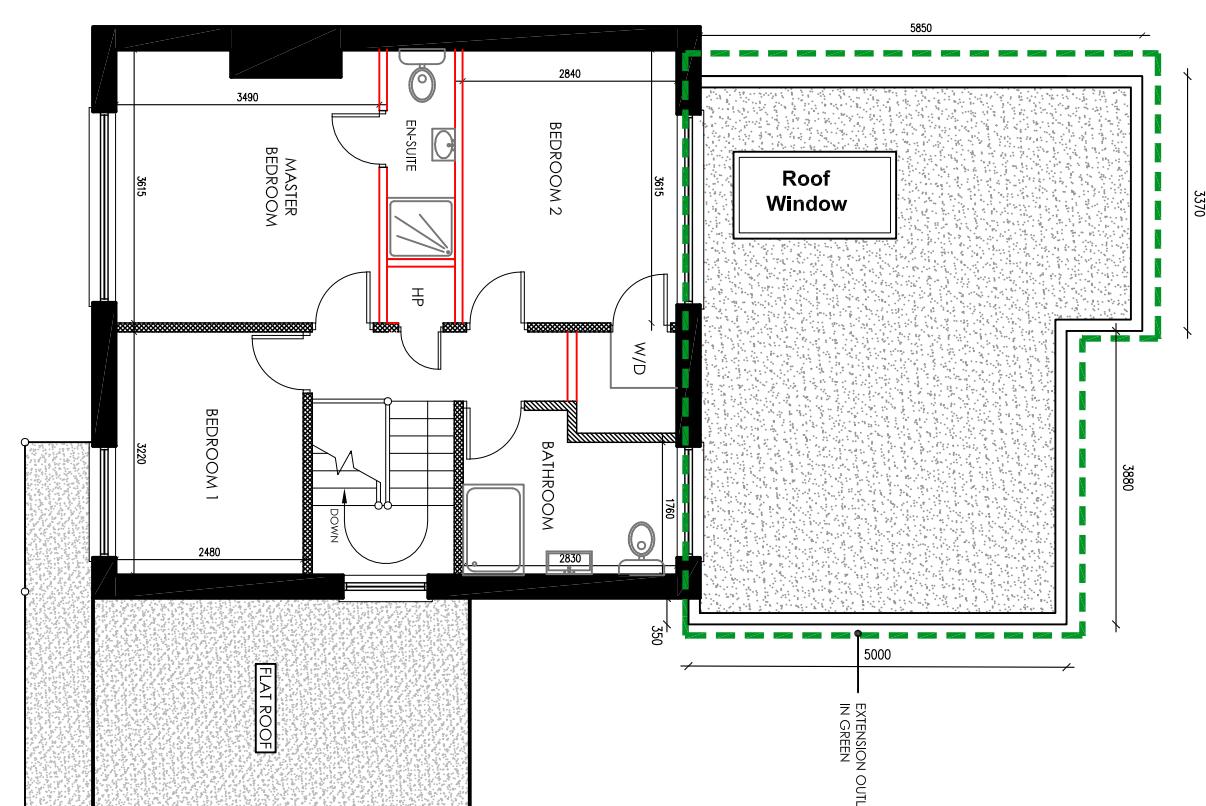
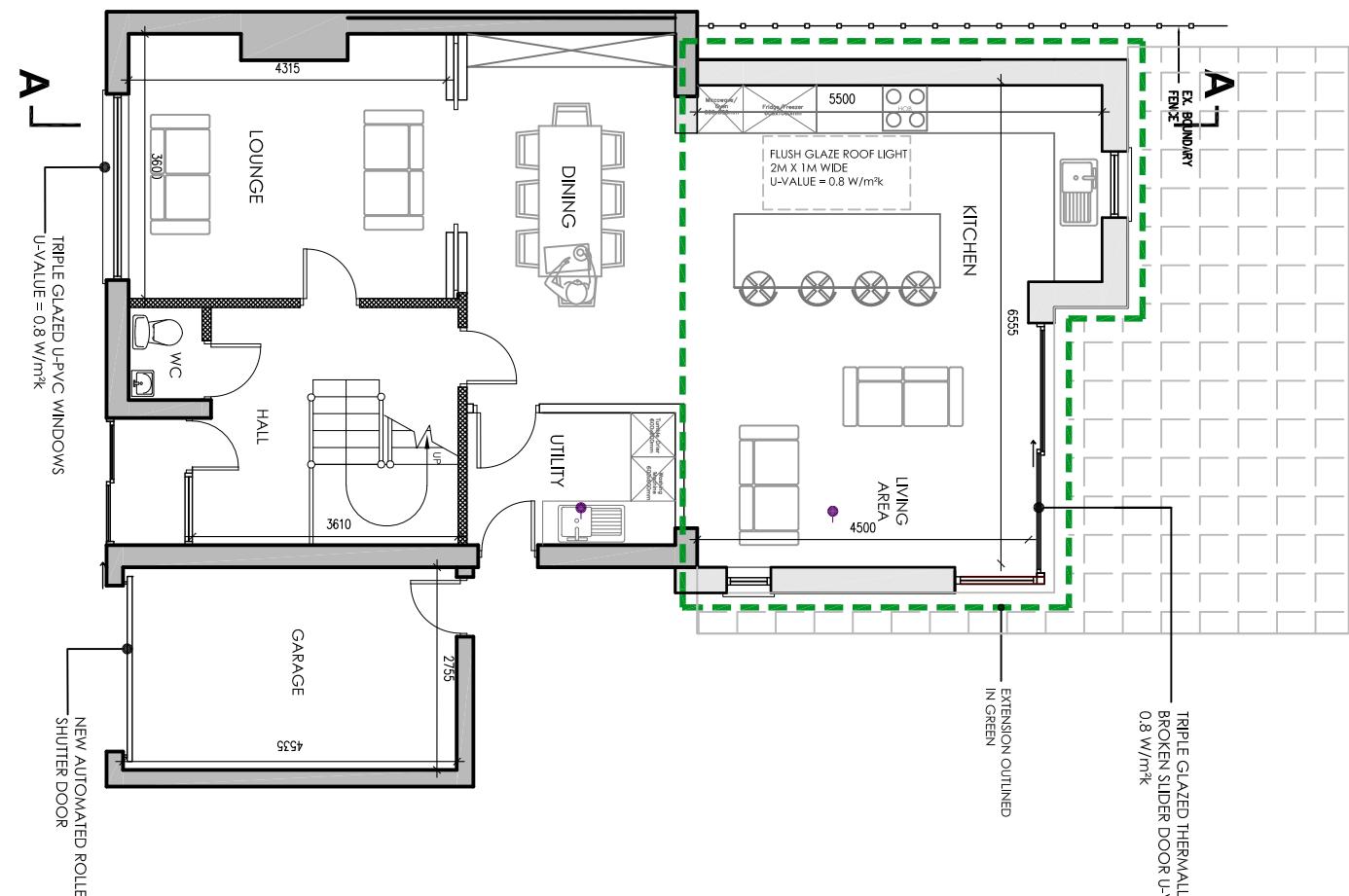
RECOMMENDATION

It is considered that a full and comprehensive assessment cannot be carried out to date given the fact that an insufficient amount of detail has been provided. Therefore, the Planning Authority will require the following details to be submitted:

1. The applicant has submitted no specific documents and details in relation to the full size and layout of the proposal and how it relates to the wider subject site. As a result, it is not possible to carry out a comprehensive assessment of the proposal. Therefore, the applicant is requested to submit an accurately scaled site layout plan to show the proposed domestic extension layout on the site that demonstrates it is in full compliance with all of the conditions attached to *Schedule 2, Part 1, Class 1 Exempted Development — General* (specifically Condition/Limitations 5 and 6) as set out in the *Planning and Development Regulations 2001 (as amended)*.



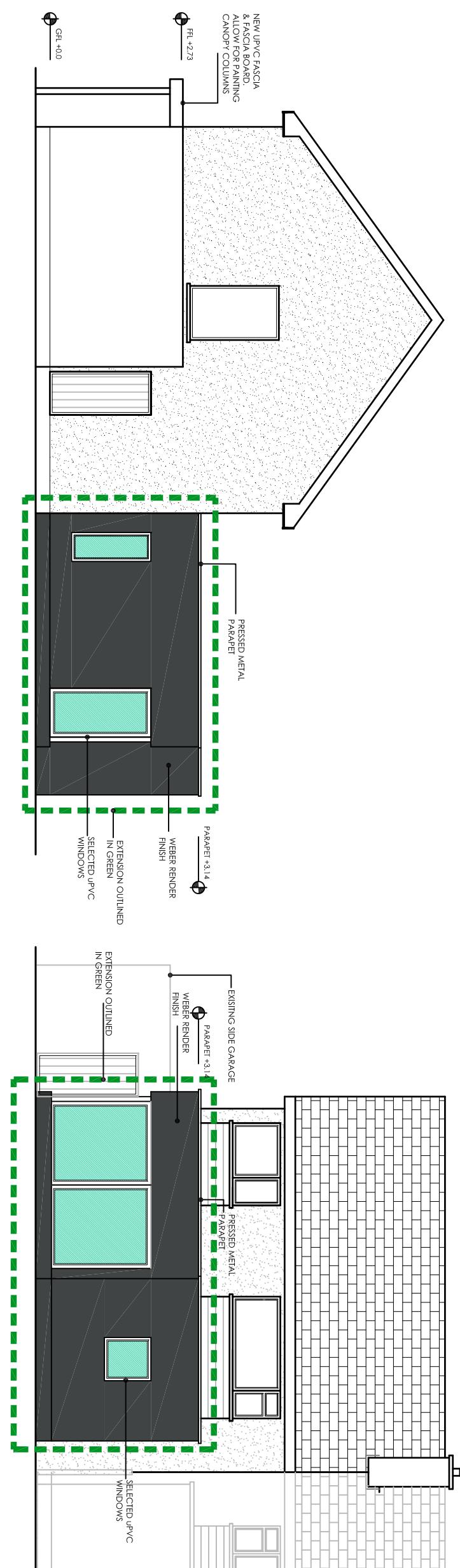
Tadhg Hartnett
Executive Planner
05//09/2025



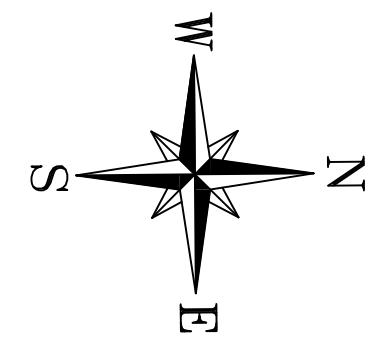
<p>NOTES:</p> <p>DO NOT SCALE. USE FIGURED DIMENSIONS ONLY. SUBJECT TO SITE SURVEY AND CONTRACTOR TO CHECK ALL DIMENSIONS AND SITE CONDITIONS ON SITE BEFORE COMMENCING WORK. ANY DISCREPANCIES, ERRORS TO BE REPORTED TO THE DFOD CONSULTANTS BEFORE ANY WORK COMMENCES. DRAWING TO BE READ IN CONJUNCTION WITH ALL OTHER MATERIAL AND 1997 BUILDING REGULATIONS. ALL MATERIALS AND DETAILS USED IN CONJUNCTION TO COMPLY WITH 1997 BUILDING REGULATIONS SCALE DRAWING TO TAKE PREFERENCE OVER SMALLER SCALE DRAWINGS. THIS DRAWING IS COPYRIGHT © DFOD CONSULTANTS AND FOR IDENTIFICATION PURPOSES ONLY.</p>	
Drawn by: ROD	Drawn on: 28-05-2024
Checked by:	Date:
Approved by:	Date:
Scale: 1/100	Drawing Size: A3
Drawing No.: JHK613-CN-03	Revised by: A
<p>JHK CONSULTANTS LIMITED</p> <p>JHK CONSULTANTS LTD. Project Management Consulting Engineers Clyde House, Briar Bou St, Cork.</p> <p>Phone No.: (021) 4556007 Fax No.: (021) 4554040 E-mail: info@jhk.ie</p>	

NOTES:

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**PROP SIDE ELEVATION****PROP REAR ELEVATION**

Project:				Client:
EXTENSION & REFURBISHMENT AT 61 ASHLEIGH DRIVE, CORK				SHANE COUGHLAN & CIODHNA MURPHY
JHK CONSULTANTS LTD				
Drawn by: ROD	Date: 28-05-2024	Checked by:	Date:	JHK CONSULTANTS LTD Project Management Consulting Engineers Clyde House, Bryan Bou St, Cork.
Approved by:	Date:	Drawing Title:		Phone No: (021) 45560040 Fax No: (021) 45560040 E-mail: info@jhk.ie
Scale: 1/100	Drawing Size: A3	PROPOSED ELEVATIONS		
Drawing No: JHK613-CN-04	Revised: A			



NO. 61 SITE
OUTLINED IN RED

EXTENSION OUTLINED
IN GREEN

63



NOTES:

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Rev.	Description	Drawn	Checkd	Date	Offic:
A	ISSUED FOR TENDER	802	802	07/05/2023	

Project: SHANE COUGHLAN & CIODHNA MURPHY

EXTENSION & REFURBISHMENT AT 61 ASHLEIGH DRIVE, CORK

Drawn by: ROD Date: 28-05-2024

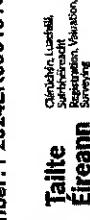
Checked by: Approved by: Drawing Title:

Scale: 1/125 Drawing Size: A3

Drawing No.: JHK613-CN-10 Revision: A

JHK CONSULTANTS LIMITED
Project Management
Consulting Engineers
Cyclate House,
Briar Bou St,
Cork.

JHK CONSULTANTS Ltd
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E-mail: info@jhk.ie



Folio: CK2184L

This map should be read in conjunction with the folio.

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(centre line of parcel(s) hedged)

Freehold

Leasehold

SubLeasehold

Burdens (may not all be represented on map)

Right of Way / Wayleave

Turbary

Pipeline

Wall

Pump

Septic Tank

Sept Pit



A full list of burdens and their symbology can be found at: www.landdirect.ie

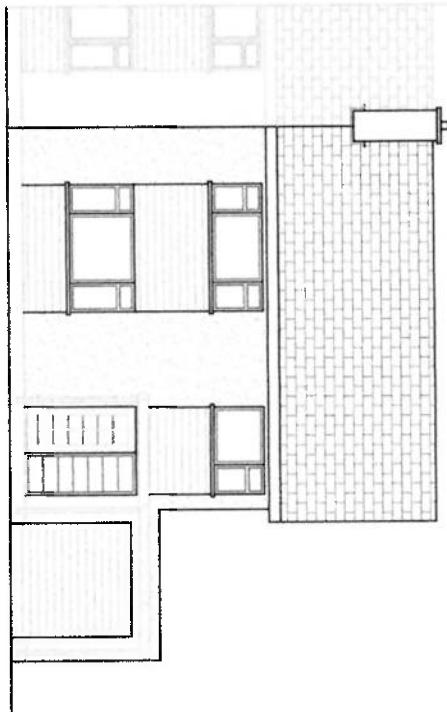
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NOTES:

Dr. H. E. BAKER, 1111 N. 10th Street, Suite 100, Oklahoma City, Oklahoma, and
C. W. COOPER, 1000 N. 10th Street, Suite 100, Oklahoma City, Oklahoma, are
co-authors of the following paper, which is to be read at the
Annual Meeting of the American Society of Metals, April 26-29, 1948, in
New York City. The paper is entitled, "The Effect of Heat Treatment on the
Mechanical Properties of Some Materials and Their Effect on Strength and
Durability of Reinforced Concrete." The paper is to be presented by
H. E. BAKER.

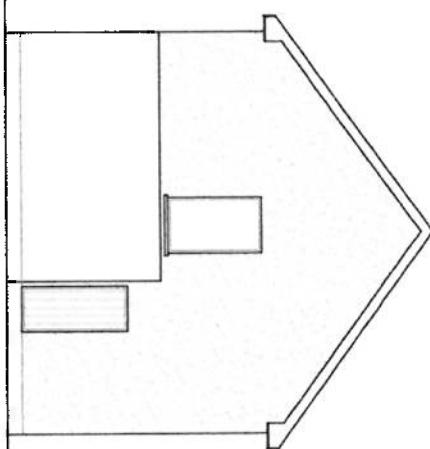
EX FRONT ELEVATION



EX GROUND FLOOR
Ex Floor Area # 50m²



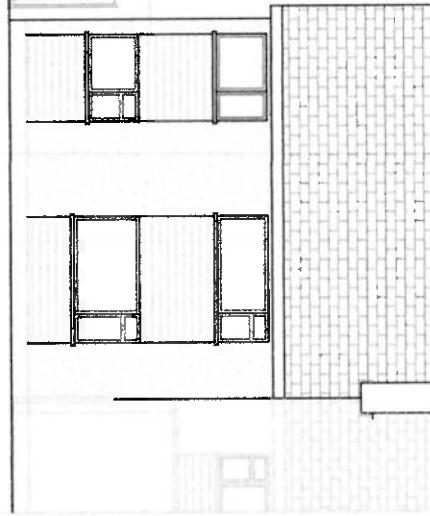
EX SIDE ELEVATION



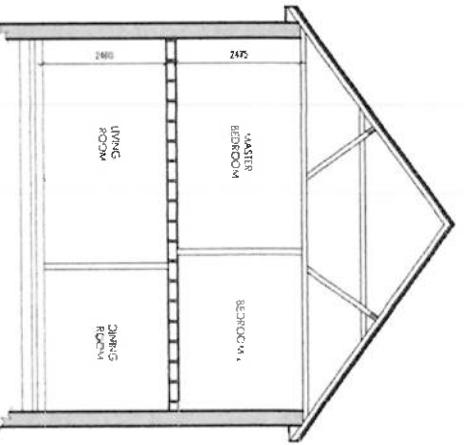
EX FIRST FLOOR PLAN
Area = 51.6m²



EX REAR ELEVATION



SECTION A-A

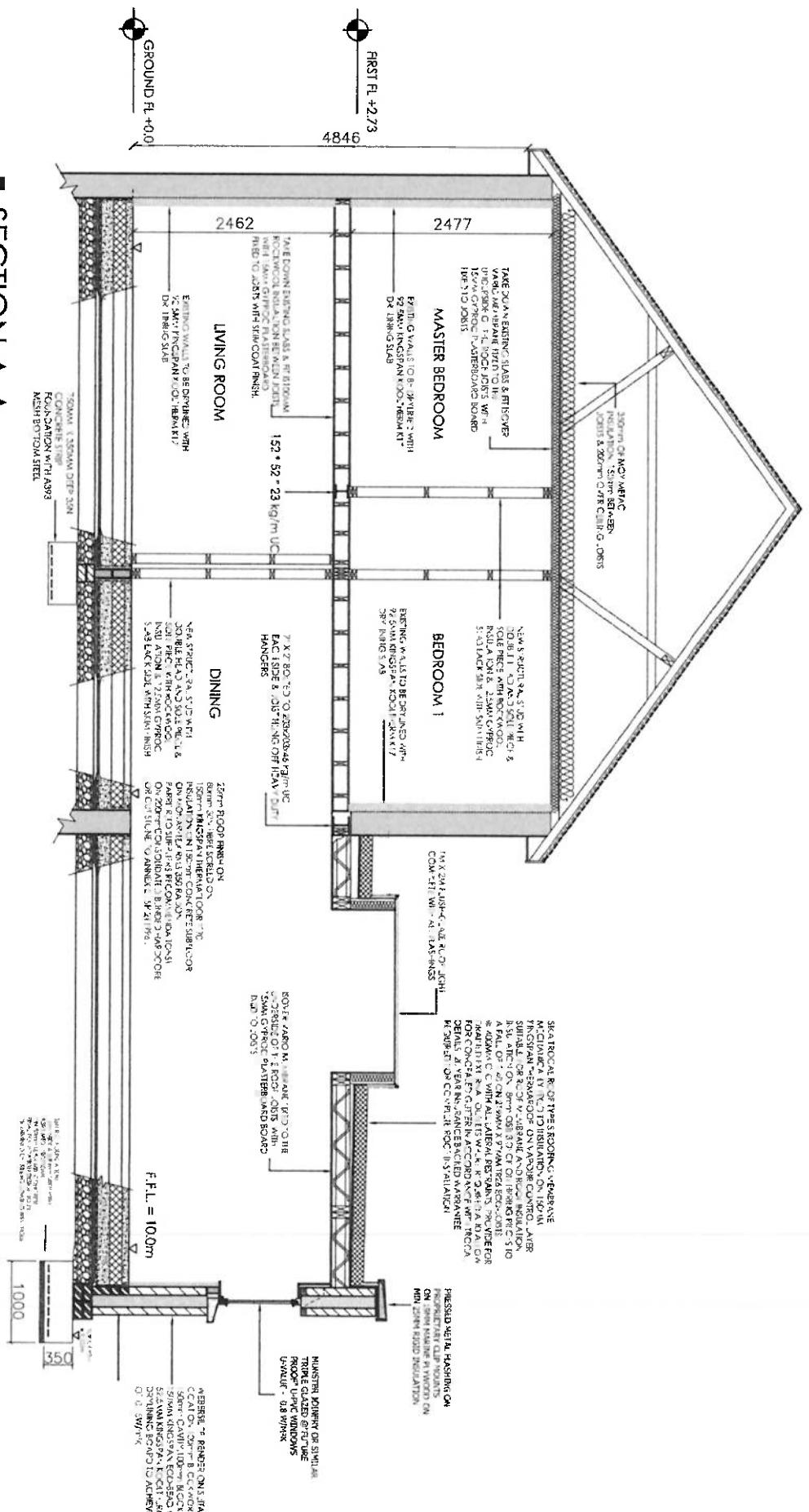


NOTES:

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SECTION A-A
SCALE 1:50

SCALE 1:30



Project Name		1150 A3	
Client		SHANE COUGHLAN & CIARANNA MURPHY	
Proposed Section		PROPOSED SECTION	
Drawing Title		ASH-LEIGH DRIVE, CORK	
Scale		1:2500	
Drawing No.		1150	
Date		2006-01	
Architect		JHK CONSULTANTS LTD.	
Surveyor		JHK CONSULTANTS LTD.	
Client		SHANE COUGHLAN & CIARNA MURPHY	
Drawing No.		1150	
Date		2006-01	
Architect		JHK CONSULTANTS LTD.	
Surveyor		JHK CONSULTANTS LTD.	
Client		SHANE COUGHLAN & CIARNA MURPHY	