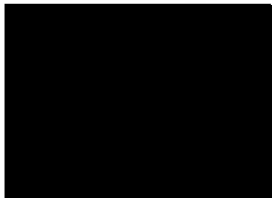


Comhairle Cathrach Chorcaí Cork City Council

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

Mark Molloy



17/06/2025

RE: Section 5 Request:
R940/25. 48 Westcourt, Ballincollig.

A Chara,

With reference to your request for a Section 5 Declaration at the above-named property, received on the 10th of April 2025, I wish to advise as follows:

The Question before the Planning Authority

1. Is the demolition of an extension to the rear of the property development and if so exempted development?
2. Is the addition of external insulation (150mm EPS) to the walls of the property development, and if so, exempted development?

It is recommended that the applicant is advised as follows:

In view of the documentation submitted by the applicant and having regard to Sections 2, 3, and 4 of the Planning and Development Act 2000 as amended, the planning authority considers that the demolition of the rear single storey extension which has no thermal insulation and the foundation and substructure are substandard construction, the installation of a patio door and window on the ground rear elevation and the addition of external insulation at the house at 48 Westcourt, Ballincollig Cork **IS DEVELOPMENT** and **IS EXEMPTED DEVELOPMENT**.

Is mise le meas,

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



We are Cork.

SECTION 5 DECLARATION – PLANNER’S REPORT – RESPONSE TO REQUEST FOR FURTHER INFORMATION

File Reference: R940.25

Description:

1. Is the demolition of an extension to the rear of the property development and if so exempted development?
2. Is the addition of external insulation (150mm EPS) to the walls of the property development, and if so, exempted development?

Applicant: Mark Molloy

Location: 48 Westcourt, Ballincollig

1. REQUEST FOR FURTHER INFORMATION

This report should be read in conjunction with my previous report which recommended that Further Information be sought. A request for Further Information was made in respect of this application on 8th May 2025.

The response was received on numerous dates, and the final response was received on the 26th May 2025.

2. FURTHER ENVIRONMENTAL ASSESSMENT

Pursuant to article 103(1) of the Planning and Development Regulations 2001 as amended, having regard to the nature and scale of the proposed development and following a preliminary examination of, at the least, the nature, size or location of the proposed development, it is considered that there is no real likelihood of significant effects on the environment and it is consequently concluded that EIA is not required.

It is not considered that the response to the FI gives rise to a significant change or modification to the proposed development so that it would now have a significant impact on a European Site, or that it would require environmental impact assessment. Consequently, it is considered that appropriate assessment and environment impact assessment are not required.

3. FURTHER PLANNING ASSESSMENT

Item 1: Demolition of extension:

It is noted that the extension to the rear has recently been demolished. The applicant is requested to clarify whether this question remains?

If it is to remain, the applicant is requested to address the following: -

- a) With regard to the unsuitability of the extension to the rear for human habitation, submit supporting documentation to support this.*
- b) The applicant is requested to clarify whether a new extension is to be constructed in its place, and if so to submit plans for same. The applicant is advised of the conditions and limitations set out in Class 1 of the Planning and Development Regulations 2001.*

If there is no new extension, please

- a) identify where in the house the kitchen will be situated within the house, as a kitchen is a key component of a house, and*

b) submit a rear elevation of the house with the extension removed and set out what will be installed on the rear elevation wall in the opening to secure the house.

Item 1 Response and Assessment

Based on the response, the question re the demolition of the rear extension remains.

Regarding the unsuitability of existing extension, a report from an engineer has been submitted. It has photographs of the foundations of the extension and highlights the issues with it. It is concluded that the extension is substandard construction, the external walls are constructed on a poor grade, low concrete slab (which is also the external footpath). There are issues with the concrete slab and internal floor slab. It was observed that there are significant structural cracks on the external wall. It was also reported that there was no thermal insulation. The recommendation in the engineering report was for demolition and reconstruction.

There will be no new extension in place of the single storey rear extension which has been demolished.

Floor plans show the kitchen in the western part of the house, in the previous lounge room.

There is no plan of the rear elevation. The floor plans shows there will be a patio door from the kitchen and a window on the middle rear elevation.

As there is no replacement extension, the demolition of the extension does not come within Class 50 of the Planning and Development Regulations 2001, as amended.

I refer to Section 4(1)(h) of the Planning Act 2000 as amended:

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;

This section does not provide for 'demolition'. Having regard to the specific circumstances, I put forward that the demolition of the rear extension is for the maintenance and/or improvement of the house in that it removed an extension (including foundations) which was deemed by a suitably qualified person to be of substandard construction, and it was not structurally feasible to retain it. The house is being maintained and improved by the demolition of substandard and poorly constructed extension.

The demolition of the rear extension and the installation of a patio door and rear window would do not materially affect the external appearance of the house, so as to render it inconsistent with the character of the house or neighbouring houses.

Accordingly, it is considered that this could come within the scope of Section 4(1)(h) of the Planning Act as amended.

Conclusion: Is development and is exempted development

Item 2: External insulation: There is insufficient detail on the finish of the house post installation of the external insulation. Please submit information on the proposed external finish of the house and clarify

whether a part stone cladding finish and the quoin stone feature on the corners of the front elevation will be incorporated into the new finish.

Item 2 – Response and Assessment

The response states the following:

- 150mm external insulation
- Part stone cladding has been removed by many of the houses nearby, its removal will not alter the character. The grant is dependent on applying this to all external walls.
- The quoin stone feature was a latter addition to this house and its removal will not alter the character.
- Photographs of some houses have been submitted which show some houses where the stone cladding has been removed.

External insulation will improve the energy efficiency of the house. The addition of external insulation to this dwelling will alter the external appearance of the house. The test is whether it would materially affect the external appearance of the structure so as to render the appearance consistent with the character of the structure or of neighbouring structures.

The external finish will be a smooth plaster finish. The quoin stone features and stone cladding will be covered up. The house and estate do not have any heritage designations.

Planning permission was granted under 07/11947 for retention of alterations and this included the quoin stone features to the front and sides of the house.

In terms of whether the works would render the appearance inconsistent with the character of the structure, I would refer to case law (Cairnduff v. O'Connell, 1986), in which the matter of the character of the structure was discussed. The key elements of character to which the Supreme Court had regard included shape, colour, design, ornamental features and layout.

In terms of the character of the house and the neighbouring houses, the house is within an established residential estate in Ballincollig, and it is a detached unit at the end of a row of semi-detached houses. There is a green area to the western side of the house. It is noted that there is some variation in the external finishes to the houses in the estate (see also photographs submitted by the applicant). Some houses have painted over the stone cladding. It is surmised that some other houses in this location have external insulation added. While it is considered that all the houses in the estate would have had the same finishes and a sense of uniformity and consistency upon completion of construction, this uniformity and consistency has reduced over time with different finishes and extensions.

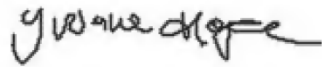
Having regard to the character of the house and the character of the neighbouring houses in the estate, it is considered that the external insulation would come within the scope of Section 4(1)(h) of the Planning Act as amended as it is for the maintenance and/or improvement of the house and the external insulation would not materially affect the external appearance of the house so as to render the appearance inconsistent with the character of the house or of neighbouring houses.

Conclusion: Is development and is exempted development

4. CONCLUSION

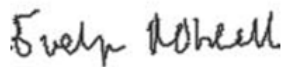
It is recommended that the applicant is advised as follows:

In view of the documentation submitted by the applicant and having regard to Sections 2, 3, and 4 of the Planning and Development Act 2000 as amended, the planning authority considers that the demolition of the rear single storey extension which has no thermal insulation and the foundation and substructure are substandard construction, the installation of a patio door and window on the ground rear elevation and the addition of external insulation at the house at 48 Westcourt, Ballincollig Cork **IS DEVELOPMENT** and **IS EXEMPTED DEVELOPMENT**.



Yvonne Hogan, EP
Development Management
Planning and Integrated Development
16.06.2025

I concur with the above recommendation.



Evelyn Mitchell,
Senior Executive Planner.
16.06.2025

COMHAIRLE CATHRACH CHORCAÍ
CORK CITY COUNCIL

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

CORK CITY COUNCIL
PLANNING & DEVELOPMENT

11 APR 2025

DEVELOPMENT MANAGEMENT

R-Post/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

MARIE MOLLOY

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

48 WESTCOURT, BALLINCOLLIG, CORK. P31 PK27

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.

- ① Is the demolition of an extension to the rear of the property development and if so, is it exempted development?
- ② Is the addition of external insulation (150 mm EPS) to the walls of the property development, and if so, is it exempted development?

ADDITIONAL DETAILS REGARDING QUESTION/ WORKS/ DEVELOPMENT:

(Use additional sheets if required).

- ① The extension has been deemed unsafe for habitation and is unfit for habitation. It is under 40m². Photos and floor plans are attached to my application. Photos of garden also attached.
- ② This is a non-protected, detached property. Photos of external walls of this property and floor plans attached to this application.

4. Are you aware of any enforcement proceedings connected to this site?
If so please supply details:
-

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:
-

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	Proposed: 90 m 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 checked="" type="checkbox"/> No <input type="checkbox"/> If yes, please provide floor areas. (sq m) 3.83 x 5.01 m ²
(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: 10/04/2025

QUOTE



13 March 25

Mark Molloy,
Project Address:
48 Westcourt,
Ballincollig, Co. Cork

Measure: External Wall Insulation Upgrade to SEAI Standard

Dear Mark,

Having inspected the plans for your home, please find our quote as follows:

In relation to the External wall of your home we propose:

1. Supply and install 150mm of high density Platinum expanded polystyrene insulation panel, mechanically fixed to the walls with proprietary fixings.
2. Supply and install high density plinth boards.
3. Supply and install Alsecco External system (Alsecco Cert. No. 20/0421) to include re-enforcing mesh cloth for durability. Apply a 6mm base coat for additional resistance, to achieve minimum U-Value of 0.19.
4. Install 20mm insulation to reveals, where possible.
5. Supply of aluminium window sill profiles, which are powder coated white.
6. All insulation to stop at soffit height, and install 100mm EPS below DPC.
7. I have allowed for a silicone finish, the colour to be chosen later.
8. Protect works area, and footpaths for duration of works. Clean work area on completion and remove all waste material from site.

23 Rowan Hill, Mount Oval Village, Rochestown, Cork.
Phone: 087 6367339 email: h2contractors@gmail.com

9. Provide a contractors guarantee on completion of works and a manufacturers warranty (Manufacturers Warranty - 10 years)(Contractors Warranty – 2 Years).

Carrying out an external insulation installation will greatly upgrade the energy efficiency, carbon footprint, comfort and visual aesthetics of your home.

Quotation:

You will have to give ventilation some consideration as this will have to be addressed during the job. There are three options here:

1. Trickle vents in every window at a cost of €45 per vent.
2. Vents cored in the walls of each room. All rooms with a combustible source i.e gas stove, gas cooker, fireplace etc. must have a 4 inch core installed. This is an extra charge. It is advisable that all bath, and shower rooms have an extractor vent fitted.
3. PIV Venting unit installed into the attic. This costs €1000.

One of these options must be chosen as SEAI requires adequate ventilation is installed when a retrofit such as this is carried out. This measure is to be addressed by the architect, and the builder.

Also, Please note:

1. Following a recent law being passed, the boiler in your house needs to be 87% efficient, and the attic must be insulated up to SEAI standards. This is a requirement to avail of an SEAI grant.
2. All plumbing and electrical works to be carried out by the builder.

External Insulation Cost: €30828.19 plus VAT @ 13.5%

Total Cost: €34990

Scaffold Estimate: €3700 – 4400 VAT Included

Less SEAI grant of €8000 for External insulation.

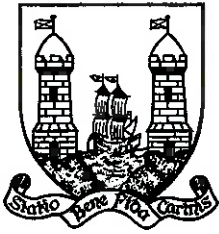
Quotation valid until 31/5/25

If you have any more questions or require further information please contact me any time.

Regards,

Ralph Heffernan.

**23 Rowan Hill, Mount Oval Village, Rochestown, Cork.
Phone: 087 6367339 email: h2contractors@gmail.com**



Comhairle Cathrach Chorcaí Cork City Council

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

Mark Molloy



08/05/2025

RE: Section 5 Request:
R940/25. 48 Westcourt, Ballincollig.

A Chara,

With reference to your request for a Section 5 Declaration at the above-named property, received on the 10th of April 2025, I wish to advise as follows:

The Question before the Planning Authority

1. Is the demolition of an extension to the rear of the property development and if so exempted development?
2. Is the addition of external insulation (150mm EPS) to the walls of the property development, and if so, exempted development?

It is recommended that a request for further information issues.

1. Demolition of extension:

It is noted that the extension to the rear has recently been demolished. The applicant is requested to clarify whether this question remains?

If it is to remain, the applicant is requested to address the following: -

- a) With regard to the unsuitability of the extension to the rear for human habitation, submit supporting documentation to support this.
- b) The applicant is requested to clarify whether a new extension is to be constructed in its place, and if so to submit plans for same. The applicant is advised of the conditions and limitations set out in Class 1 of the Planning and Development Regulations 2001.



We are Cork.



Comhairle Cathrach Chorcaí

Cork City Council

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

If there is no new extension, please

- a) identify where the in the house the kitchen will be situated within the house, as a kitchen is a key component of a house, and
 - b) submit a rear elevation of the house with the extension removed and set out what will be installed on the rear elevation wall in the opening to secure the house.
2. **External insulation:** There is insufficient detail on the finish of the house post installation of the external insulation. Please submit information on the proposed external finish of the house and clarify whether a part stone cladding finish and the quoin stone feature on the corners of the front elevation will be incorporated into the new finish.

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

Is mise le meas,

Anthony Angelini

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



We are Cork.

Section 5 Declaration – Planner’s Report

File Reference:	R940.25
Description:	1. Demolition of extension to the rear 2. Addition of external insulation (150mm EPS)
Applicant:	Mark Molloy
Location:	48 Westcourt, Ballincollig P31 PK27
Site inspection:	29.04.2025

Purpose of Report

Under Section 5 of the Planning and Development Act, 2000 (as amended), if any question arises as to what, in any particular case, is or is not development and is or is not exempted development within the meaning of the 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.

Site Location

The site is located within the Westcourt residential estate, north west of Ballincollig. On the site there is a detached two storey detached house. The front of the house faces south onto an estate road. Extending eastwards there is a row of semi-detached houses. To the west of the site there is a pathway to the public road to the north and beyond the pathway there is a green area.

The Question before the Planning Authority

1. Is the demolition of an extension to the rear of the property development and if so exempted development?
2. Is the addition of external insulation (150mm EPS) to the walls of the property development, and if so, exempted development?

It is stated in the application that the extension has been deemed unsafe for habitation and is unfit for habitation. The floor area is less than 40m². The application includes floor plans, elevations and photographs.

Regarding the external insulation, it is stated that this is a non-protected detached property.

Planning History

0711947

Retention of alterations and conversion of garage to living accommodation and alterations to elevations of dwellinghouse and retention of hard standing driveway

Grant conditional

Planning file not available at the time at the time of reporting (file is held with Cork County and has been requested from storage)

Planning Legislation

Planning and Development Act, 2000 as amended

Section 2(1),

“exempted development” has the meaning specified in section 4.

“alteration” includes—

(a) plastering or painting or the removal of plaster or stucco, or

(b) the replacement of a door, window or roof,

that materially alters the external appearance of a structure so as to render the appearance inconsistent with the character of the structure or neighbouring structures;

“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)

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—

any of the developments specified in subsection (1), or

development which, having regard to any regulations under subsection (2), is exempted development for the purposes of this Act.

Planning and Development Regulations, 2001 as amended

Article 6(1) of the Planning and Development Regulations 2001(as amended) (hereinafter ‘the 2001 Regulations’) provide that ‘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’

As provided for in Article 9(1)(a), the following development to which article 6 relates, shall not be exempted development, if the carrying out of such development would, inter alia:

- (i) contravene a condition attached to a permission under the Act or be inconsistent with any use specified in a permission under the Act;
- (viii) consist of or comprise the extension, alteration, repair or renewal of an unauthorised structure or a structure the use of which is an unauthorised use.

CLASS 50

<p>(a) The demolition of a building, or buildings, within the curtilage of—</p> <ul style="list-style-type: none"> (i) a house, (ii) an industrial building, (iii) a business premises, or (iv) a farmyard complex. <p>(b) The demolition of part of a habitable house in connection with 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.</p>	<ol style="list-style-type: none"> 1. No such building or buildings shall abut on another building in separate ownership. 2. The cumulative floor area of any such building, or buildings, shall not exceed: <ul style="list-style-type: none"> (a) in the case of a building, or buildings within the curtilage of a house, 40 square metres, and (b) in all other cases, 100 square metres. 3. No such demolition shall be carried out to facilitate development of any class prescribed for the purposes of section 176 of the Act.
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Other

Cairnduff v. O’Connell [1986] 1 I.R. 73: This case concerned the addition of a new window to a house coupled with the return of a balcony and staircase leading to the balcony in a terraced house. The Supreme Court considered that the works did materially affect the external appearance of the structure but did not render such appearance inconsistent with the character of the structure nor of neighbouring structures. Therefore, the development was exempted under Section 4(1)(g) of the 1963 Act. The findings of this judgement are relevant as it considered that the character of a terraced house would be more dominantly affected by its street appearance rather than its rear appearance. Also of importance is that character must relate in general to the shape, colour, design, layout and ornamental features of the structure concerned.

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’.

As noted above Section 3(1) of the Planning and Development Act states that: ‘development’ means, except where the context otherwise requires, the carrying out of works on, in, over or under land or the making of any material change in the use of any structures or other land.

CONCLUSION — is development

Exempted Development

The next issue for consideration is whether the change of use is or is not exempted development.

1. Demolition of extension to the rear

The rear extension as per the drawings contained a kitchen and shed. On site inspection, it was noted that the extension has been demolished. The applicant will need to clarify whether this part of the referral is to remain.

It is stated that the extension is unsafe for habitation and unfit for habitation. The applicant should be requested to submit supporting documentation.

There is provision in the planning regulations, Class 50(b), for the demolition of part of a habitable house where it is required for the construction of an extension. There is no mention of a new extension and there is insufficient information if the proposal would come within the scope of Class 50(b). The applicant will need to clarify this. Class 50(a) does not apply.

The question arises as to where the kitchen is to be located within the house. A kitchen is a key component of a residential unit. The applicant shall be requested to clarify this. There is no detail as to what be put in place on the rear elevation in the opening. This would need to be addressed.

CONCLUSION — there is insufficient information

2. Addition of external insulation

It is proposed to apply external insulation to the house, the detail submitted in the application is 150mm EPS.

The house is a detached unit in a residential estate. There is a row of semi-detached houses to the east, and a green area to the west. There are houses further to the west and south of the site.

The house is mostly finished in smooth plaster, with quoin stone detail on the corners of the front. Part of the front, around the front door and the single storey annex to the east side has a stone cladding finish. The neighbouring structures have a dash finish with stone cladding on the lower part of the front elevations. It is noted that some houses have a smooth plaster finish, some may have applied external insulation and some have painted the stone finish.

External insulation is one way of improving the energy efficiency of a house. Such works could reasonably be construed as amounting to the ‘maintenance’ or ‘improvement’, of the existing dwelling house.

Having established that the works in question satisfy the initial qualifying criterion of Section 4(1)(h) of the Act in that they involve the ‘maintenance’ or ‘improvement’ of the existing dwelling, The question remains whether they would ‘materially affect the external appearance of the

structure so as to render it inconsistent with the character of the structure or of neighbouring structures’.

In the context of Section 4(1)(h) and by reference to the meaning of character in the case of *Cairnduff v O’Connell*, the salient issue is whether or not the structure would be materially altered such that it is inconsistent with the original and neighbouring structures in the streetscape.

The applicant will need to detail the finish of the house, to assist in determining whether the external appearance would be materially affected so as to render it inconsistent with the character of the structure or of neighbouring structures.

CONCLUSION — there is insufficient information

Environmental Assessment & Restrictions on Exemption

A number of restrictions on exemption are set out in Section 4(4) of the Act and Article 10 of the Regulations.

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.

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 recommended that a request for further information issues.

FI Request:

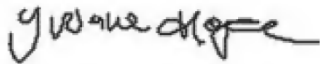
1. Demolition of extension:

It is noted that the extension to the rear has recently been demolished. The applicant is requested to clarify whether this question remains?

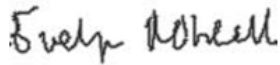
If it is to remain, the applicant is requested to address the following: -

- A. With regard to the unsuitability of the extension to the rear for human habitation, submit supporting documentation to support this.
- B. The applicant is requested to clarify whether a new extension is to be constructed in its place, and if so to submit plans for same. The applicant is advised of the conditions and limitations set out in Class 1 of the Planning and Development Regulations 2001.
- C. If there is no new extension, please
 - i. identify where the in the house the kitchen will be situated within the house, as a kitchen is a key component of a house, and

- ii. submit a rear elevation of the house with the extension removed, and set out what will be installed on the rear elevation wall in the opening to secure the house.
2. External insulation:
- A. There is insufficient detail on the finish of the house post installation of the external insulation. Please submit information on the proposed external finish of the house, and clarify whether a part stone cladding finish and the quoin stone feature on the corners of the front elevation will be incorporated into the new finish.



Yvonne Hogan, EP
7th May 2025



Evelyn Mitchell, SEP
07.05.2025



Photograph of rear elevation of house – 29th April 2025



Extract from photograph submitted with the application showing front elevation



Screenshot from Google Streetview, with neighbouring structures to the east of the site (image capture June 2017)

Hi Anthony,

Thank you for your email.

To answer your queries:

1. Demolition of extension:

There will be no new extension put in its place. The ope will be blocked up and a window placed there. The kitchen will be in the NW corner at the rear of the property. Please see the floor plan attached for the proposed new ground floor layout. with highlighted areas of interest. I can provide plans and photos by post if needed.

2. External Insulation:

(a) With regards to the finish - I have attached the old quote we received for it. There is a slight change (we are now going with 150mm instead of 200mm) but everything else is the same. I am in the process of getting the updated quote now and can send it to you if required. The details of the finish etc are in the quote and are the same.

(b) With regards to the part-stone cladding - many of the houses nearby have long removed this cladding so removing it would not alter the character of the area. Also in order to get the grant I will need to do a complete wrap of the house including the stone cladding. I may not get the necessary U-value without doing this.

(c) With regards to the quoin stone feature - this was a later addition to this house and was not included in the original build. Most of the other houses (if not all) do not have this feature so to remove it would not alter the character of the area either. I can provide photos of the nearby houses in the next few days if required.

On a personal level this matter is extremely important to me and my young family and I would really appreciate your understanding here. Can you please give me a call on 0879376605 once you have read this email and I can discuss any details with you and provide any info you need.

Thanks in advance Anthony

Kind regards,
Mark Molloy.

Hi Anthony,

With regards to points 2 (b) and 2 (c) below please find photos attached of the houses opposite us and down along our row. You will see that none of them have a quoin stone feature and many do not have the part-stone cladding. The houses nearby are also of a wide variety of colours, finishes (some with the external wrapping also added). With this in mind the external insulation works we are proposing would not alter the existing character of the area in our opinion. Can you please also forward these photos to the planner if you don't mind?

I look forward to hearing from you soon, thanks again Anthony.

Kind regards,
Mark Molloy.

STRUCTURAL APPRAISAL OF REAR KITCHEN EXTENSION

AT

48 Westcourt, Ballincollig, Co. Cork

FOR

Mark Molloy

Jan 2025



A - SITUATION AND DESCRIPTION

LOCATION AND DESCRIPTION

This property is located close to Ballincollig town centre.

The single storey extension is constructed to the rear of the original main dwelling.

Proposed works to the extension include an increased opening size to the side elevation (existing window opening photographed below to be increased for a sliding door, left hand side of photo), removal and replacement of existing ground floor slab, removal and replacement of roof construction (existing constructions do not include any thermal insulation). This inspection was carried out to assess the existing construction in order to carry out the above works

The extension appears to be constructed in hollow blockwork external wall construction, with a ground bearing concrete floor slab.

Please see below photographs of areas of particular concern noted during structural inspection.



Side elevation of extension, large horizontal crack underneath existing window opening



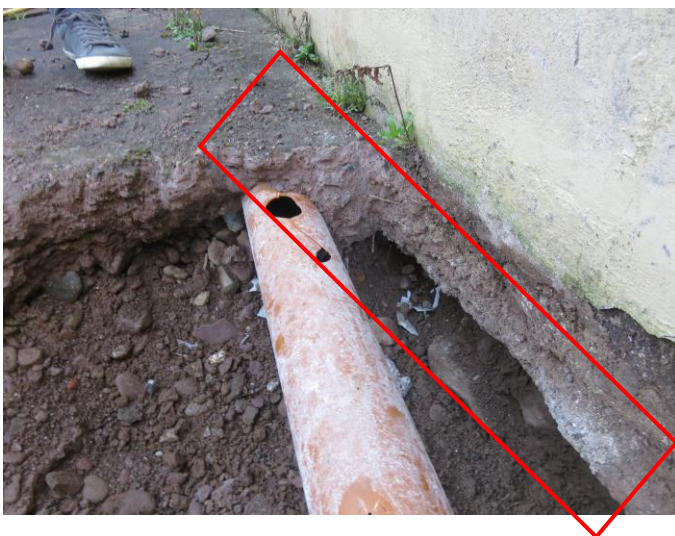
Side elevation of extension, large horizontal crack underneath existing window opening (approx. 20mm)



Side elevation of extension, vertical/diagonal cracking visible to left hand side of existing opening.



Foundation to main dwelling (circled) at depth (approx. 1.6m below finished floor level), extension side wall to the left hand side of photo.



Excavation was carried out adjacent to the side wall of the extension to inspect foundations. The side wall of the extension is constructed on a slab visible externally (also the footpath). See photos above.



Construction of the foundation to the extension/external footpath is substandard construction, large stones visible in same. Most likely this is low strength grade, site mixed concrete.



Fill was inspected under foundation to extension/footpath. The fill is substandard, poorly graded fill. Large rounded stones (possibly river gravel) are visible under footpath (similar was noted under internal floor slab).

CIRCUMSTANCES OF THE INSPECTION

Inspection date – 23rd January 2025. Weather – Dry / dull / cloudy.

Property unoccupied. Roof space accessed from entry hatch. Survey subject to Conditions of Engagement enclosed with this report. Left and right are taken facing the front of the property.

SUMMARY

The rear single storey extension is substandard construction. The external walls are constructed on a poor grade, low strength concrete slab (which is also the external footpath slab). The slab is constructed on poor grade fill (most likely river gravel), it is not constructed on original ground or compacted, appropriate granular fill.

The internal floor slab is constructed on similar substandard, poor graded fill material (non-compactable). Significant structural cracks are visible to the external wall.

Due to the substandard construction of the foundation and substructure to this extension, it is not economically viable or structurally feasible to retain this structure for the proposed structural alterations and energy upgrade works.

Demolition and reconstruction of this rear extension, in accordance with current Building Regulations, is required in order to carry out the proposed works.

Signature:

Lucy H Walsh

Engineer's Name

Lucy H Walsh BEng., MIEI.

Date

25th January 2025



**FOUNDATION &
DESIGN**

CONDITIONS OF ENGAGEMENT STRUCTURAL SURVEY

It is my intention to provide independent, professional advice to enable you to make the correct decision in respect of your proposed property purchase. I will endeavour to submit an easy to read report, identifying any major defect or essential repair.

Extent of Survey:

Whilst the examination will be as extensive as access and circumstances permit, occupation and the presence of furnishings, fittings, contents and carpets, impose some restrictions. My inspection and report, therefore, is subject to certain limitations.

1. I will advise the client as to my opinion of the state of repair and condition of the property in relation to the quality of its structure and not as an inventory of every single defect. Save hereinafter provided, I will carry out such work as is reasonable in my professional judgement, bearing in mind the practical limitations imposed by the individual circumstances of the property at the time of my inspection,
2. I will inspect as much of the surface area, both internally and externally, as is practicable and will lift loose floorboards and trapdoors where accessible and where reasonable to do so. I will not lift floor coverings, fitted carpets, move heavy furnishings or remove fixtures to facilitate inspection.
3. The exterior of the roof and upper areas will be inspected from ground level or from a nearby available vantage point within the area of the property or adjoining public areas, together with flat roofs which can be accessed, with due regard to safety, from my 3 metre (10 ft) ladder. Close proximity of nearby buildings or tall trees may preclude inspection of parts of the roof surfaces, chimneystacks etc. The roof space (attic) will be inspected provided a suitable access point is available, but household effects, or other items stored therein will not be moved. No comment can be made upon the practicality of using the chimneys.
4. Except where the contrary is stated, parts of the structure and woodwork, which are covered unexposed or inaccessible, will not be inspected and it is, of course, impossible to examine every part of every timber. The report will not purport to express an opinion or to advise upon the condition of un-inspected parts and should not be taken as making any implied representation or statement about such parts.
5. Wherever possible the fabric will be examined for evidence of structural movement or foundation problems but no excavations will be made to expose the foundations or establish or examine their nature.
6. No enquiries will be made of the planning, local or other statutory authorities. Thus investigation of title and other work normally involving the services of a Solicitor will not be carried out. However, enquiries of the local Planning Authority in respect of planning permission relating to the property will be undertaken where your solicitor requests them. Documents provided by your solicitor will be examined on site, during the visit, and any apparent substantial differences reported.

Services:

7. All service installations (gas, water, electricity, central heating, drainage, lifts, burglar alarms or security systems) will be inspected visually, where reasonably accessible, but no tests will be undertaken. An informed opinion on the basis of the accessible evidence will be given. Manhole covers will be lifted where accessible and practicable. I will report if tests are considered advisable, as a result of my inspection.

Where specialists' tests or reports on the building services are required, this work is independent of my survey. The specialists are responsible for the tests and examinations and any fees for this work must be settled direct with them, I will be pleased to assist with the arrangements for such tests subject to the vendor's consent.

Outbuildings & Boundaries:

9. General comments only will be made on the above.

General:

10. The report will rely upon the following assumptions:

- a) No potentially deleterious material was used in the construction of the property or has since been incorporated.
- b) The property is not subject to any unusual or especially onerous restrictions, encumbrances or outgoing and that good title can be shown.
- c) The property and its value are unaffected by any matters which would be revealed by a local search and replies to the usual enquiries, or by any Statutory Notice and that neither the property, nor its use, nor its intended use, is or will be unlawful.
- d) The report is provided for the sole use of the named clients and is confidential to them and their professional advisers. No responsibility is accepted to others.
- e) Prior to the client's receipt of the written report any verbal information given by me should not be construed as a representation or warranty and should not be acted upon.

Where building or repair costs are given, they are for guidance purposes. They should not be construed as a quotation or estimate and should be substantiated prior to exchange of contracts by proper competitive quotations or estimates.

- g) The property is connected to, and there is the right to use, the reported main services and roads giving access to the property are 'adopted'.

Condition of Engagement:

Confirmation of Instructions, please sign and return one copy to:

Foundation & Design Ltd, 45 New Cork Road, Midleton, Co. Cork.

Re: **The dwelling house 48 Westcourt, Ballincollig, Co. Cork**

1. I have read the conditions of engagement in full and appreciate and accept the extent and basis of the structural survey report.
2. I confirm my instruction to undertake a structural survey on the above property on the basis indicated.

SIGNED		DATE	25/01/25
CLIENT	Mark Molloy	ADDRESS	via email







Ope will be blocked up and window inserted

Kitchen location

air to water
heat pump

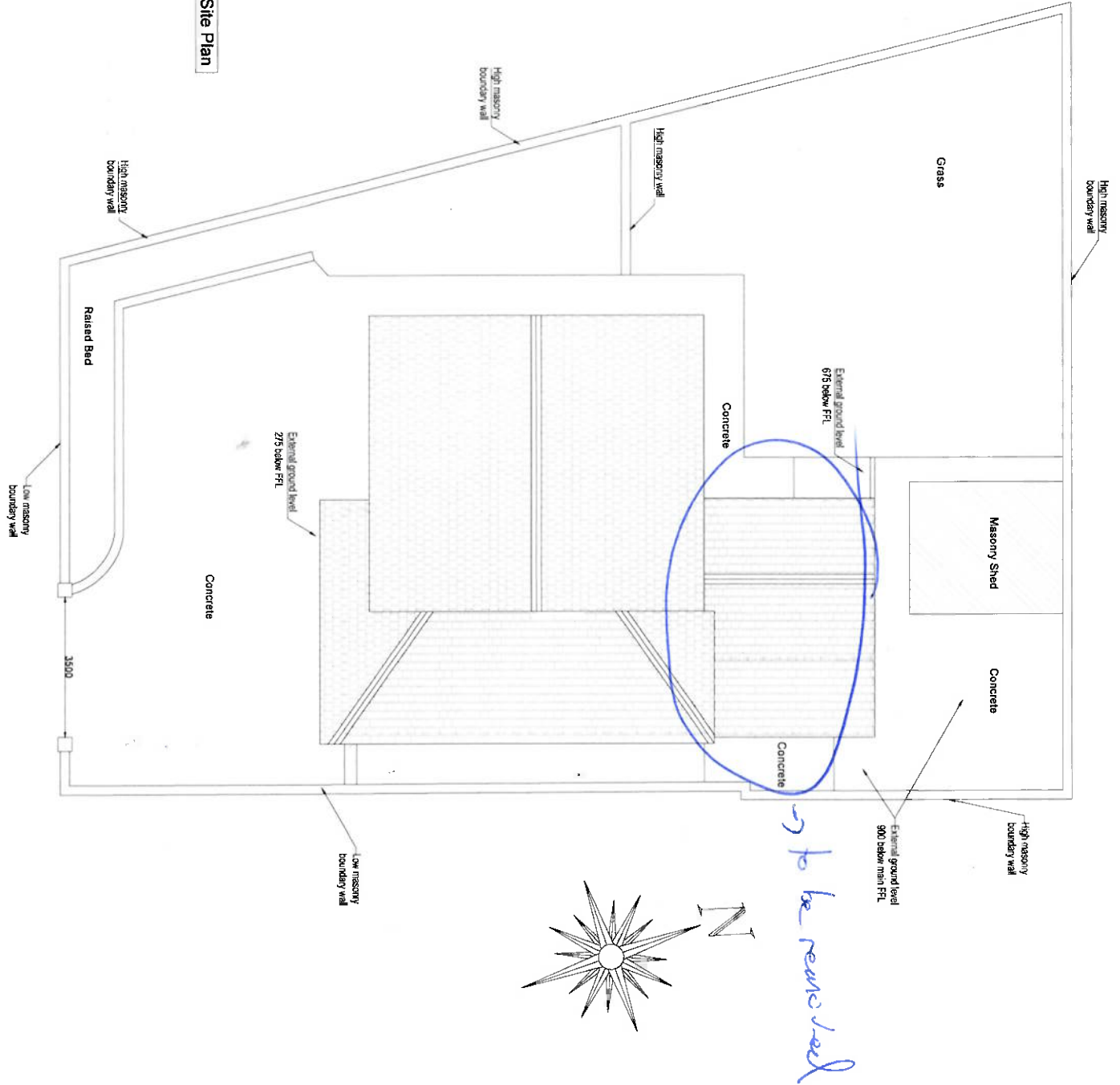
Existing
layout



New stud

IMAGO ARCHITECTURAL STUDIO	DATE	January 2025
	REV	March 2025
	PROJECT	Proposed redevelopment for Mark & Jane Miley at 40 Westmont, Ballincragh, Co. Cork
DRAWING	Ground Floor Plan	
construction drawings		SCALE 1 : 50
drawn by : E.M.		
RIAi		Registered Architect
		2024
		p
		2404-C-04

Approximate Site Plan



IMAGO ARCHITECTURAL
STUDIO

UNIT 25, TRAMORE COM.PK, TRAMORE R.CORK, IRELAND
TE/FAX 0021 4323217
e-mail ava@imago.ie

PROJECT

Survey of an existing dwelling at
48 Westcourt, Ballincollig, Cork,
P31 PK27

DRAWING

Site Plan

SURVEY DRAWINGS

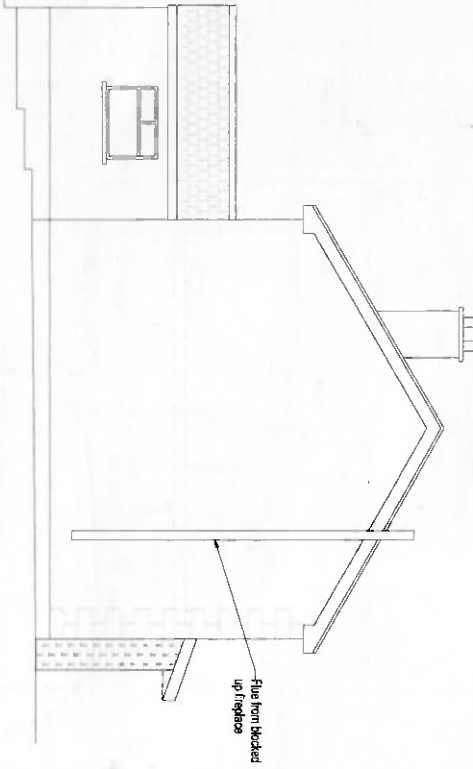
No DATE August 2024

DRAWN BY B RONAYNE

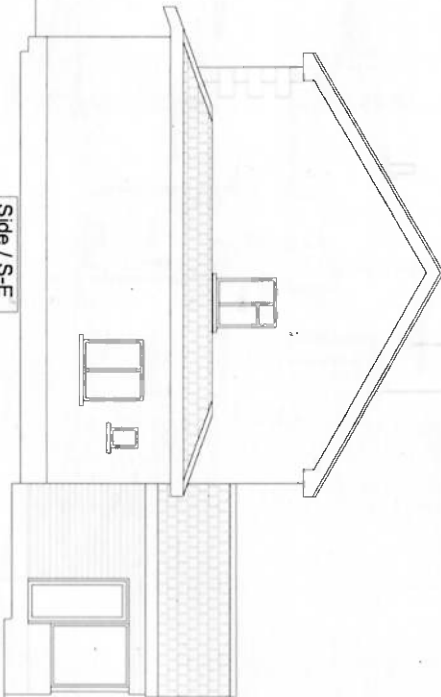
CHECKED

SCALE 1" 100' @ A3

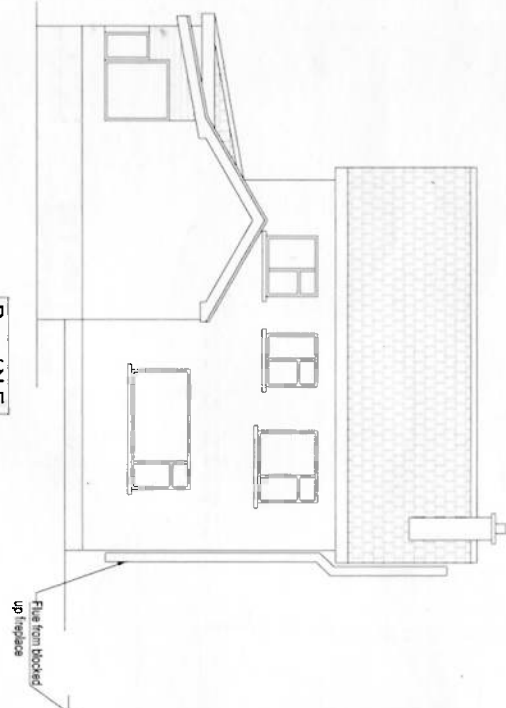
Side / N-W



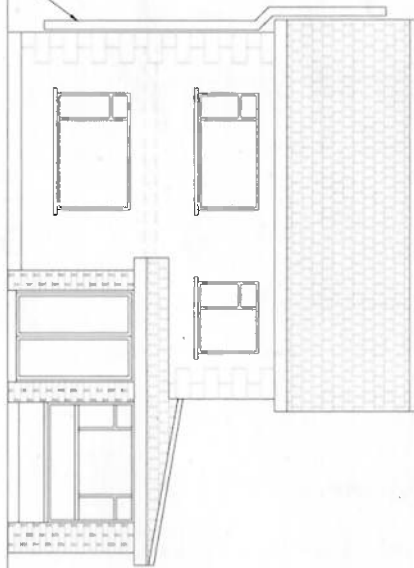
Side / S-E



Rear / N-E



Front / S-W



**IMAGO ARCHITECTURAL
STUDIO**

UNIT 25, TRAMORE COM/PK, TRAMORE R, CORK, IRELAND
TE/FAX: (021) 4323217
e-mail: eva@imago.ie

PROJECT

Survey of an existing dwelling at
48 Westcourt, Ballincollig, Cork,
P31 PK27

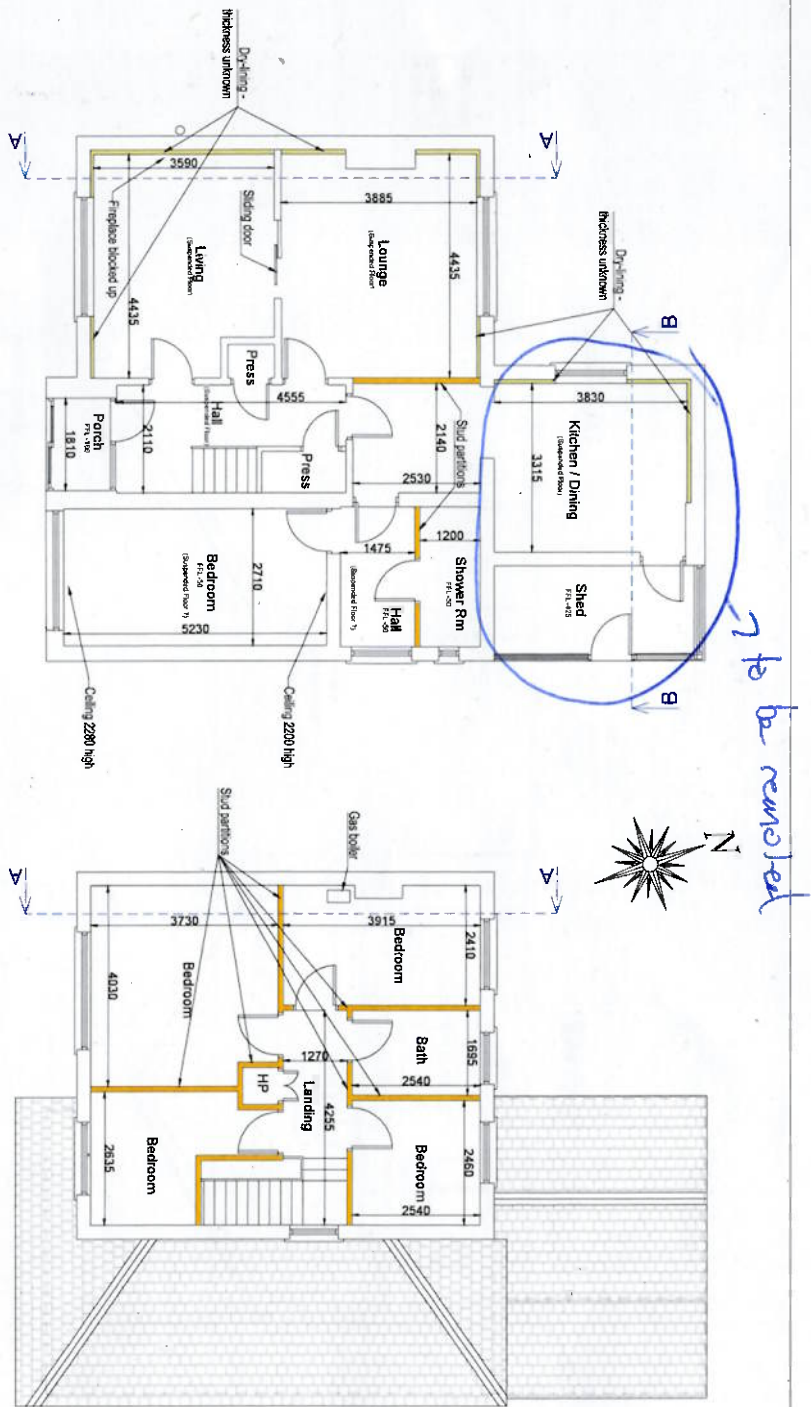
DRAWING

Elevations

SURVEY DRAWINGS

No DATE August 2024

DRAWN BY: B RONAYNE
CHECKED:
SCALE 1:100 @ A3



IMAGO ARCHITECTURAL
STUDIO

UNIT25, TRAMORE COM.PK, TRAMORE R, CORK, IRELAND
TE/FAX : (021) 4323217
e-mail: eva@imago.ie

PROJECT

Survey of an existing dwelling at
48 Westcourt, Ballincollig, Cork,
P31 PK27

DRAWING

Floor Plans & Sections

SURVEY DRAWINGS

No DATE August 2024

DRAWN BY B RONAYNE
CHECKED:
SCALE 1:100 @ A3