



# Comhairle Cathrach Chorcaí Cork City Council

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

John Murphy  
c/o Gary Quigley  
QDM Architecture  
19 South Mall  
Cork

13/01/2025

**RE: Section 5 Declaration R898/24 23-25 South Terrace, Cork City**

A Chara,

With reference to your request for a Section 5 Declaration at the above-named property, received on 15<sup>th</sup> November 2024, I wish to advise as follows:

The Planning Authority, in view of the above and having regard to —

- Sections 2, 3, and 4 of the Planning and Development Act 2000 (as amended),
- Articles 6 and 9 and Class 20F as set out in Schedule 2, Part 1, of the *Planning and Development Regulations 2001* (as amended)

It is considered that the *the specific question for which a declaration is sought* **IS**

**DEVELOPMENT** and **IS EXEMPTED DEVELOPMENT** at 23-25 South Terrace, Cork City.

Under Section 5(3)(a) of the Planning and Development Act, 2000, you may, on payment of the appropriate fee, refer this declaration for review by An Bord Pleanála within 4 weeks of the date it is issued, 13<sup>th</sup> January, 2025.

Is mise le meas,

David Foley



**We are Cork.**

**David Foley**  
**Development Management Section**  
**Planning & Integrated Development**  
**Cork City Council**

<b>PLANNER'S REPORT</b> <b>Ref. R 898/24</b>		Cork City Council Culture, Community and Placemaking
<b>Application type</b>	Section 5 Declaration	
<b>Description</b>	<i>"The application seeks a Section 5 Declaration to confirm that the temporary use of the building as overnight accommodation for displaced persons or persons seeking international protection is exempted development. Section of Exempted Development Regulations under which exemption is claimed: Class 20F of Schedule 2 Part 1 of the Planning and Development Regulations 2001 to 2023."</i>	
<b>Location</b>	23- 25 South Terrace	
<b>Applicant</b>	Gary Quigley	
<b>Date of Report</b>	09/01/2025	
<b>Recommendation</b>	<b>Is Development, Is Exempted Development</b>	

This report should be read in conjunction with the previous planner's report on the file dated 05/12/2024.

#### 1. FURTHER INFORMATION REQUESTED

1. The question submitted for assessment refers to International Protection Applicants. Please clarify if the proposed occupation of the apartments is for Displaced persons from Ukraine or for Accommodation for International Protection Applicants. Please submit, in the form of written confirmation, of approval, or approval in principle, for the use of the property for accommodation for persons seeking international protection, from either the relevant Government Department, or the relevant section of Cork City Council.

#### 2. FURTHER INFORMATION PROVIDED AND ASSESSMENT

A response to the further information request was received on 17/12/2024.

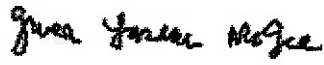
A letter from the Department of Children, Equality, Disability, Integration and Youth has been provided and confirms that the Department is currently seeking offers of accommodation which have a full grant of planning permission for use as International Protection accommodation or properties which may avail of the Class 14H or 20F exemptions as per the Planning and Development Regulations. The Department has confirmed that it is interested in utilising the property in question for the accommodation of International Protection applicants. The question before the planning authority has specified Class 20F as the mechanism under which the exemption is being sought.

The applicant has already submitted the necessary existing and proposed floor plans and elevational drawings. It should be stated that the purpose of this report is not to determine the acceptability or otherwise of the proposal at this location in respect to the proper planning and sustainable development of the area, but rather whether or not the matter in question constitutes development, and if so, falls within the scope of exempted development.

In view of the above and the previous report on file dated 05/12/2024 and having regard to –

- Sections 2, 3, and 4 of the Planning and Development Act 2000 (as amended),
- Articles 6 and 9 and Class 20F as set out in Schedule 2, Part 1, of the *Planning and Development Regulations 2001* (as amended),

It is considered that the question before the Planning Authority and additional details submitted thereafter, **Is Development and Is Exempted Development.**



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Gwen Jordan McGee  
Senior Executive Planner

**COMHAIRLE CATHRACH CHORCAÍ**  
**CORK CITY COUNCIL**

Strategic Planning & Economic Development Directorate,  
Cork City Council, City Hall, Anglesea Street, Cork.

R-Phost/E-Mail [planning@corkcity.ie](mailto:planning@corkcity.ie)

Fón/Tel: 021-4924564/4321

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

**23-25 South Terrace,**  
**Cork City,**  
**Co Cork.**



**2. QUESTION/ DECLARATION DETAILS**

**PLEASE STATE THE SPECIFIC QUESTION FOR WHICH A DECLARATION IS SOUGHT:**

Sample Question: *Is the construction of a shed at No 1 Wall St, Cork development and if so, is it exempted development?*

*Note: only works listed and described under this section will be assessed under the section 5 declaration.*

The application seeks a Section 5 Declaration to confirm that the temporary use of the building as overnight accommodation for displaced persons or persons seeking international protection, is exempted development.

Section of Exempted Development Regulations under which exemption is claimed:  
Class 20F of Schedule 2 Part 1 of the Planning and Development Regulations 2001 to 2023.

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

*(Use additional sheets if required).*

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### 3. APPLICATION DETAILS

Answer the following if applicable. Note: Floor areas are measured from the inside of the external walls and should be indicated in square meters (sq. M)

(a) Floor area of existing/proposed structure/s	794 sqM (GF = 378, FF = 415)
(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 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:	
_____/ previous use (please circle) <b>Offices (Vacant in excess of 3 years)</b>	Proposed/_____/ use (please circle) <b>Temporary Emergency Accomodation.</b>

### 4. APPLICANT/ CONTACT DETAILS

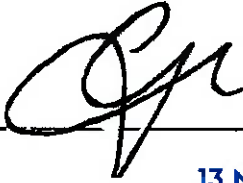
Name of applicant (principal, not agent):		John Murphy
Applicants Address	Main Street, Rosscarbery, Cork.	
Person/Agent acting on behalf of the Applicant (if any):	Name:	Gary Quigley
	Address:	QDM Architecture, 19 South Mall, Cork
	Telephone:	087 284 3889
	Fax:	
	E-mail address:	info@qdmarchitecture.com
Should all correspondence be sent to the above address? (Please note that if the answer is 'No', all correspondence will be sent to the Applicant's address)		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

### 5. 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
Where legal interest is 'Other', please state your interest in the land/structure in question		
If you are not the legal owner, please state the name and address of the owner if available		

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

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



Date: 13 November 2024

Gary Quigley

**ADVISORY NOTES:**

The application must be accompanied by the required fee of €80

The application should be accompanied by a site location map which is based on the Ordnance Survey map for the area, is a scale not less than 1:1000 and it shall clearly identify the site in question.

Sufficient information should be submitted to enable the Planning Authority to make a decision. If applicable, any plans submitted should be to scale and based on an accurate survey of the lands/structure in question.

The application should be sent to the following address:

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

- The Planning Authority may require further information to be submitted to enable the authority to issue the declaration.
- The Planning Authority may request other person(s) other than the applicant to submit information on the question which has arisen and on which the declaration is sought.
- Any person issued with a declaration may on payment to An Bord Pleanála refer a declaration for review by the Board within 4 weeks of the date of the issuing of the declaration.
- In the event that no declaration is issued by the Planning Authority, any person who made a request may on payment to the Board of such a fee as may be prescribed, refer the question for decision to the Board within 4 weeks of the date that a declaration was due to be issued by the Planning Authority.

*The application form and advisory notes are non-statutory documents prepared by Cork City Council for the purpose of advising as to the type information is normally required to enable the Planning Authority to issue a declaration under Section 5. This document does not purport to be a legal interpretation of the statutory legislation nor does it state to be a legal requirement under the Planning and Development Act 2000 as amended, or Planning and Development Regulations 2001 as amended.*

**DATA PROTECTION**

The use of the personal details of planning applicants, including for marketing purposes, may be unlawful under the Data Protection Act 1988-2003 and may result in action by the Data Protection Commissioner against the sender, including prosecution







**Total 50 Persons Accommodated;**  
11 Bed spaces on Ground Floor  
39 Bed spaces on First Floor

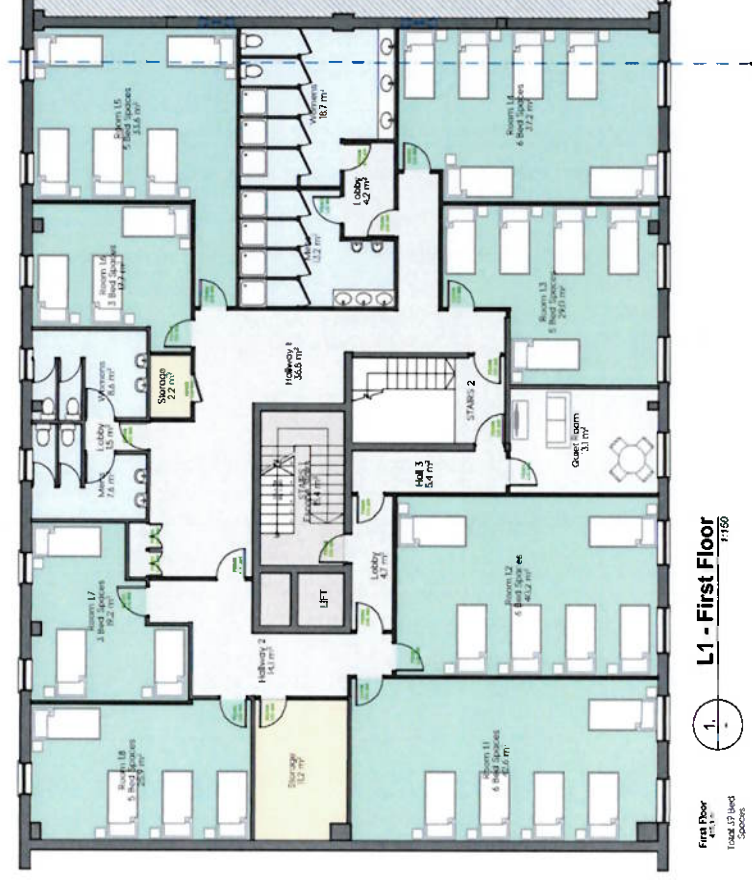
Recreation Room  
Cooking / Dining Area  
Laundry facilities  
Onsite storage

City Centre 5 minute walk



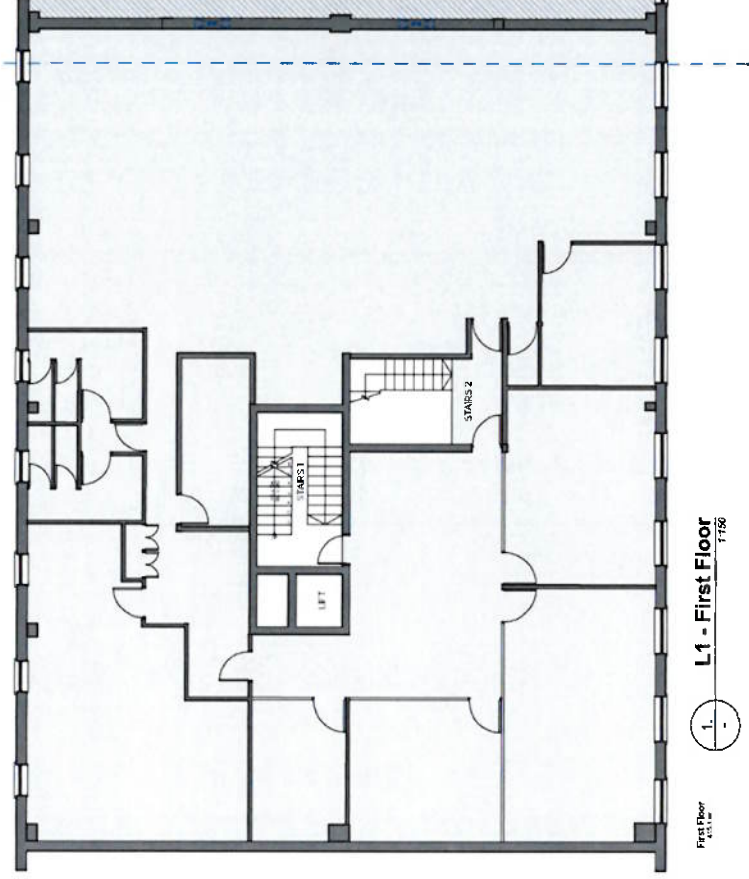
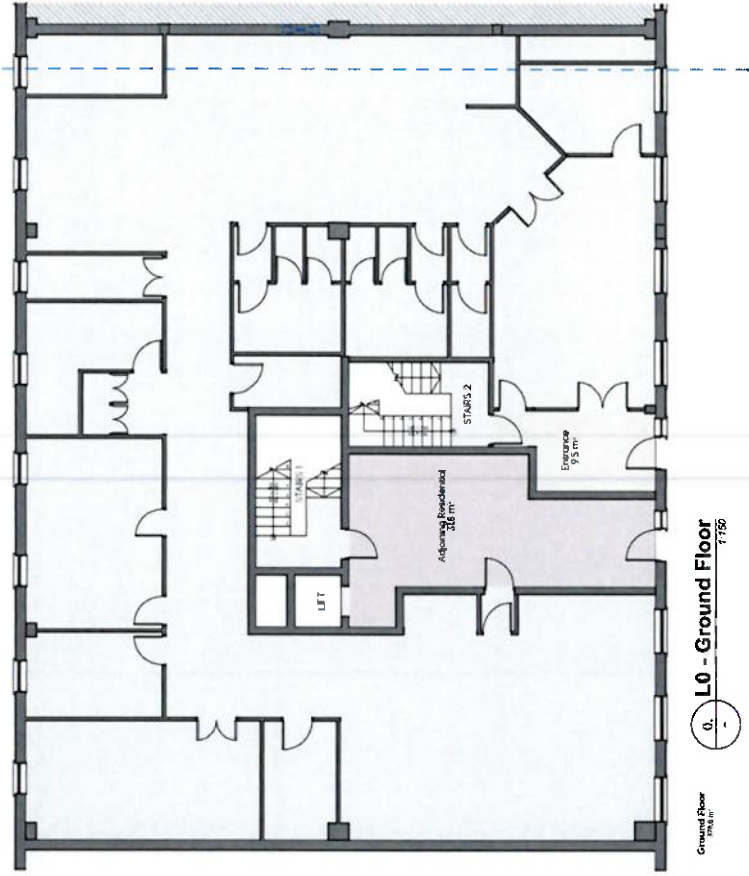
**L0 - Ground**

Ground Floor  
578.5 sq'



**L1 - First Floor**

First Floor  
475.1 sq. ft.





# Comhairle Cathrach Chorcaí Cork City Council

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

John Murphy  
c/o Gary Quigley  
QDM Architecture  
19 South Mall  
Cork

05/12/2024

**RE: Section 5 Declaration R898-24 23-25 South Terrace, Cork City**

A Chara,

With reference to your request for a Section 5 Declaration at the above-named property, I wish to advise under the provisions of section 5(2)(b) of the Planning and Development Act 2000, as amended, that the following further information is required in order to properly assess this application:

1. The question submitted for assessment refers to International Protection Applicants. Please clarify if the proposed occupation of the apartments is for Displaced persons from Ukraine or for Accommodation for International Protection Applicants. Please submit, in the form of written confirmation, of approval, or approval in principle, for the use of the property for Section 5 Declaration – Planner's Report continued Page 6 of 6 accommodation for persons seeking international protection, from either the relevant Government Department, or the relevant section of Cork City Council.

Is mise le meas,

**David Foley**  
Planning & Integrated Development  
Cork City Council



**We are Cork.**



**QDM Architecture,**  
19 South Mall,  
Cork.

T: (087) 284 3889  
E: [info@qdmarchitecture.com](mailto:info@qdmarchitecture.com)  
W: [www.qdmarchitecture.com](http://www.qdmarchitecture.com)

**Attention:** The Secretary  
**Company:** Cork City Council  
**Client Name:** Flintvale Ltd  
**Project Name:** South Terrace  
**Description / Reference:**  
Emergency Accommodation

**Issue Date:** 16 Dec 2024

**Project Number:** 22-55

Page 1 of 1.

## PLANNING - FIRE CERTS - CONSULTATION - PROJECT MANAGEMENT

**Change of use and material alterations for use as temporary accommodation for persons seeking international protection (under S. I. 605 of 2022). The internal fit out will comprise bedrooms, common circulation and social areas, recreational areas, domestic scale kitchens, canteen, laundry room, meeting room and ancillary WC and storage accommodation**

### Formal Submission - Response to RFI Section 5 Declaration R898/24

Dear Secretary,

We thank you for your letter dated the 5<sup>th</sup> December 2024, we now wish to respond to the queries raised.

Please post all correspondence to QDM Architecture, 19 South Mall, Cork City.

We enclose copies of the following drawings and documentation;

**Dept of Children, Equality, Disability, Integration & Youth:**  
- Formal Letter of Offer

We would like to respond numerically to the queries;

#### Query 1

*The question submitted for assessment refers to International Protection Applicants. Please clarify if the proposed occupation of the apartments is for Displaced persons from Ukraine or for Accommodation for International Protection Applicants. Please submit, in the form of written confirmation, of approval, or approval in principle, for the use of the property for Section 5 Declaration - Planner's Report continued Page 6 of 6 accommodation for persons seeking international protection, from either the relevant Government Department, or the relevant section of Cork City Council.....*

Please find enclosed Letter of Offer from the Dept of Children, Equality, Disability, Integration & Youth, demonstrating the intended use of the building.

We trust all is in order, however should any further information be necessary, we shall gladly submit the required information upon request.

Regards,

Gary Quigley.





Mr Richard Pratt,  
Knockpool Ltd,  
Askill Bunnacurry,  
Achill Island,  
Co. Mayo,  
F28 V8X8

16<sup>th</sup> December 2024

**RE: Application for Planning Exemption - Provision of Accommodation for  
International Protection Applicants at 23 – 25 South Terrace, South Channel Court,  
Co. Cork, T12 X3TW**

To whom it may concern,

The Department is currently seeking offers of accommodation for properties which have a full grant of planning permission for use as International Protection accommodation or properties which may avail of the Class 14H or 20F exemptions as per the Planning and Development Regulations. The above property has been offered to the Department as temporary emergency accommodation for International Protection applicants subject to grant of a planning exemption. We would therefore request that this correspondence be taken as evidence of engagement with the Department regarding the proposed change of use of the property named above.

I can confirm that the Department is interested utilising the above property for the accommodation of International Protection applicants subject to all planning, change of use, building control, Certificate of Compliance on Completion (CCC), fire and insurance certifications being in place and subject to contract/contract denied.

If you have any queries regarding the above, please contact me at [ipps@equality.gov.ie](mailto:ipps@equality.gov.ie).

Yours sincerely,

Seán Woods  
Higher Executive Officer  
International Protection Procurement Services