

Observation on a Planning Appeal:

Your details

1. Observer's details (person making the observation)

If you are making the observation, write your full name and address.

If you are an agent completing the observation for someone else, write the observer's details:

Your full details:

(a) Name

ANTHONY HENNESSY

(b) Address

WALTERSTOWN COTTAGE, WALTERSTOWN,
COBH, CO. CORK – P24 YN72

Agent's details

2. Agent's details

If you are an agent and are acting for someone else **on this observation**, please **also** write your details below.

If you are not using an agent, please write "Not applicable" below.

(a) Agent's name

NOT APPLICABLE

(b) Agent's address

NOTAPPLICABLE

Postal address for letters

3. During the appeal process we will post information and items to you or to your agent. For this observation, who should we write to? (Please tick ✓ one box only.)

You (the observer) at the address in Part 1

☒

The agent at the address in Part 2

☐

Details about the proposed development

4. Please provide details about the appeal you wish to make an observation on. If you want, you can include a copy of the planning authority's decision as the observation details.

(a) Planning authority

(for example: Ballytown City Council)

CORK COUNTY COUNCIL

(b) An Coimisún Pleanála appeal case number (if available)

(for example: RL04-300000-19)

RL04.324254

(c) Planning authority register reference number

(for example: 18/0123)

D/231/26

(d) Location of proposed development

(for example: 1 Main Street, Baile Fearainn, Co Abhaile)

Observation details

5. Please describe the grounds of your observation (planning reasons and arguments). You can type or write them in the space below or you can attach them separately.

THE SUBJECT OF THE SECTION 5 APPLICATION TO THE LOCAL AUTHORITY IS THE RELOCATION OF AN INDUSTRIAL SHIPPING CONTAINER FROM THE FRONT OF THE HOUSE AT P24 KF95 TO THE SIDE OF THE HOUSE, IT SHOULD BE NOTED THAT THE PRESENT POSITION OF THE INDUSTRIAL SHIPPING CONTAINER IS AT THE BOTTOM OF OUR GARDEN AT THE BOUNDARY BETWEEN OUR PROPERTY AND THAT AT P24 KF95. AS STATED BY THE LOCAL AUTHORITY IN THEIR DECISION THE PROPOSED DEVELOPMENT DOES NOT COMPLY WITH SCHEDULE 2, PART 1 OF THE PLANNING AND DEVELOPMENT REGULATIONS (2001-2013). CLASS 3.

I WOULD MAKE FURTHER OBSERVATIONS DESPITE THEM NOT REFERENCING THE PLANNING ACTS:

- THE SHIPPING CONTAINER IS NOT YOUR STANDARD GARDEN SHED/GARAGE.
- IT IS VERY NOISY WHEN IN USE DUE TO ITS CONSTRUCTION PARTICULARLY THE HEAVY DOORS.
- THE PROPOSED LOCATION IS SIMPLY A PIVOT OF THE SHIPPING CONTAINER FROM ITS PRESENT LOCATION TOWARD THE SIDE OF THE HOUSE TO BRING IT BEHIND THE FRONT WALL OF THE HOUSE.
- WE ARE LIVING IN THIS HOUSE INCE 1986, THE INTRODUCTION OF THE SHIPPING CONTAINER IN ITS

5. Please describe the grounds of your observation (planning reasons and arguments). You can type or write them in the space below or you can attach them separately.

PRESENT AND ITS PROPOSED LOCATION REPRESENTS A SEVERE DIMINUTION IN OUR RESIDENTIAL AMENITY. THE SHIPPING CONTAINER CAN BE SEEN AT PRESENT AND WOULD BE SEEN FROM THE PROPOSED LOCATION FROM EVERY PART OF OUR PROPERTY INCLUDING ALL SOUTH AND WEST FACING ROOMS BOTH DOWNSTAIRS AND UPSTAIRS. IT CAN ALSO BE SEEN CLEARLY AND WOULD BE SEEN IN THE PROPOSED RELOCATION FROM THE PUBLIC ROAD.

- I AM ATTACHING PHOTOGRAPHS LABELLED AS FOLLOWS:

#1 – THIS IS A VIEW FROM OUR BEDROOM WINDOW

#2 – THIS IS A VIEW FROM THE FAR WALL OF OUR BEDROOM

#3 – THIS IS A VIEW FROM OUR BEDROOM AFTER WE HAD ERECTED 6' PANELLED FENCING IN AN ATTEMPT TO SCREEN THE SHIPPING CONTAINER

#4 – IS A VIEW FROM OUR KITCHEN DOOR BEFORE ERECTION OF THE PANELLING

#5 – IS A VIEW AT THE BOTTOM OF OUR GARDEN

I AM ALSO ATTACHING THE DECISION OF CORK COUNTY COUNCIL ADDRESSED TO THE DEVELOPER

5. Please describe the grounds of your observation (planning reasons and arguments). You can type or write them in the space below or you can attach them separately.

- I WOULD CONTEND THAT AN INDUSTRIAL SHIPPING CONTAINER HAS NO PLACE IN A DOMESTIC GARDEN
- I NOTE THE DECISION DATE HERE IS DUE ON OR BEFORE THE 31ST AUGUST 2026 AND GIVEN THAT THE LOCAL AUTHORITY HAS DEFERRED ANY FURTHER ENFORCEMENT ACTION PENDING ASSESSMENT BY AN COIMISÚN PLEANÁLA OF THE MATTER AN EARLY DECISION WOULD BE GREATLY APPRECIATED. THE SHIPPING CONTAINER IS IN SITU SINCE THE 10TH JULY 2025. THE ENFORCEMENT SECTION OF CORK COUNTY COUNCIL ISSUED A WARNING LETTER TO THE DEVELOPER ON THE 14TH AUGUST 2025.

Supporting materials

6. If you wish, you can include supporting materials with your observation.

Supporting materials include:

- photographs,
- plans,
- surveys,
- drawings,
- digital videos or DVDs,
- technical guidance, or
- other supporting materials.

Fee

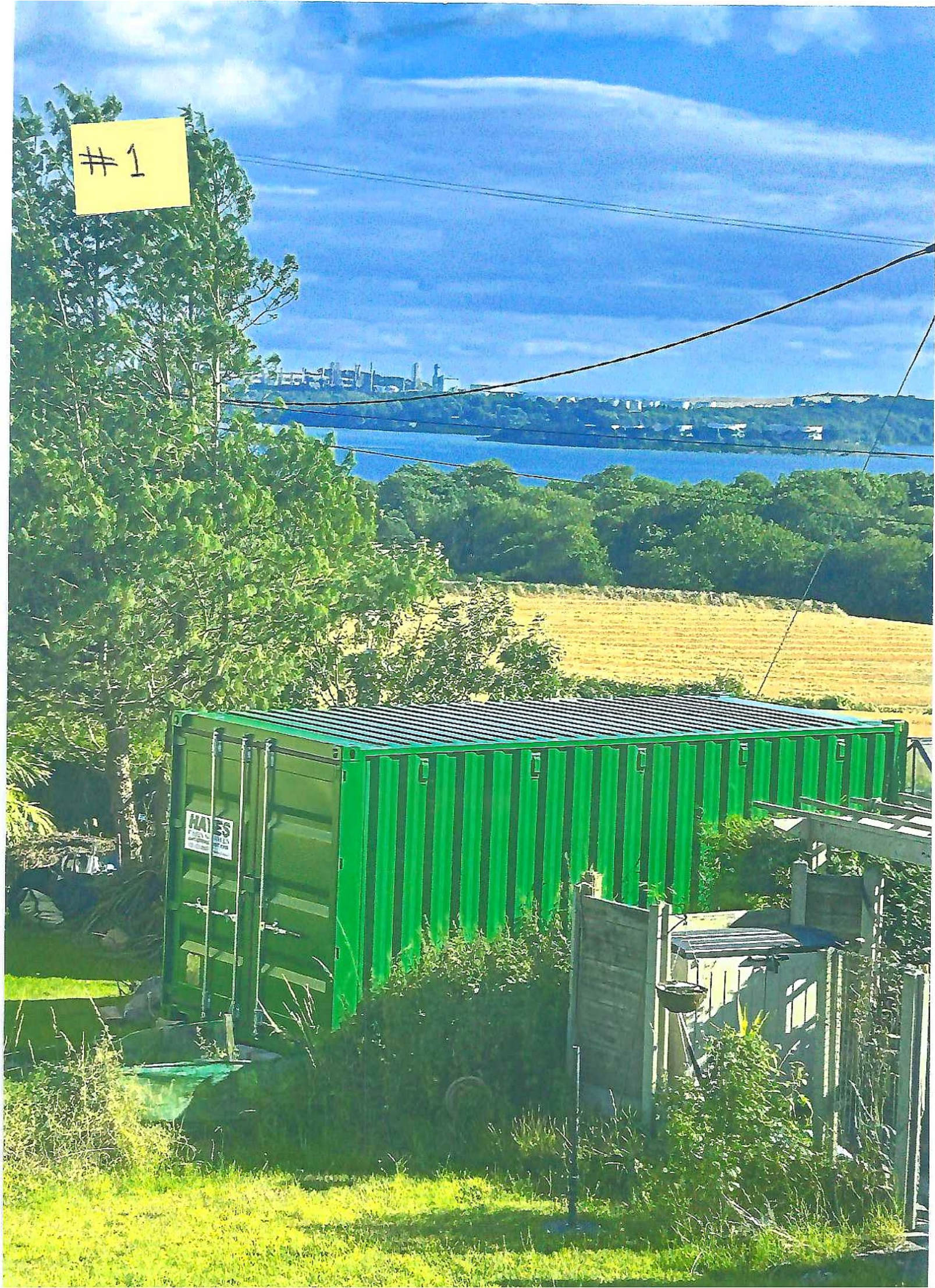
7. You **must** make sure that the correct [fee](#) is included with your observation. You can find out the correct fee to include in our [Fees and Charges Guide](#) on our website.

This document has been awarded a Plain English mark by NALA.

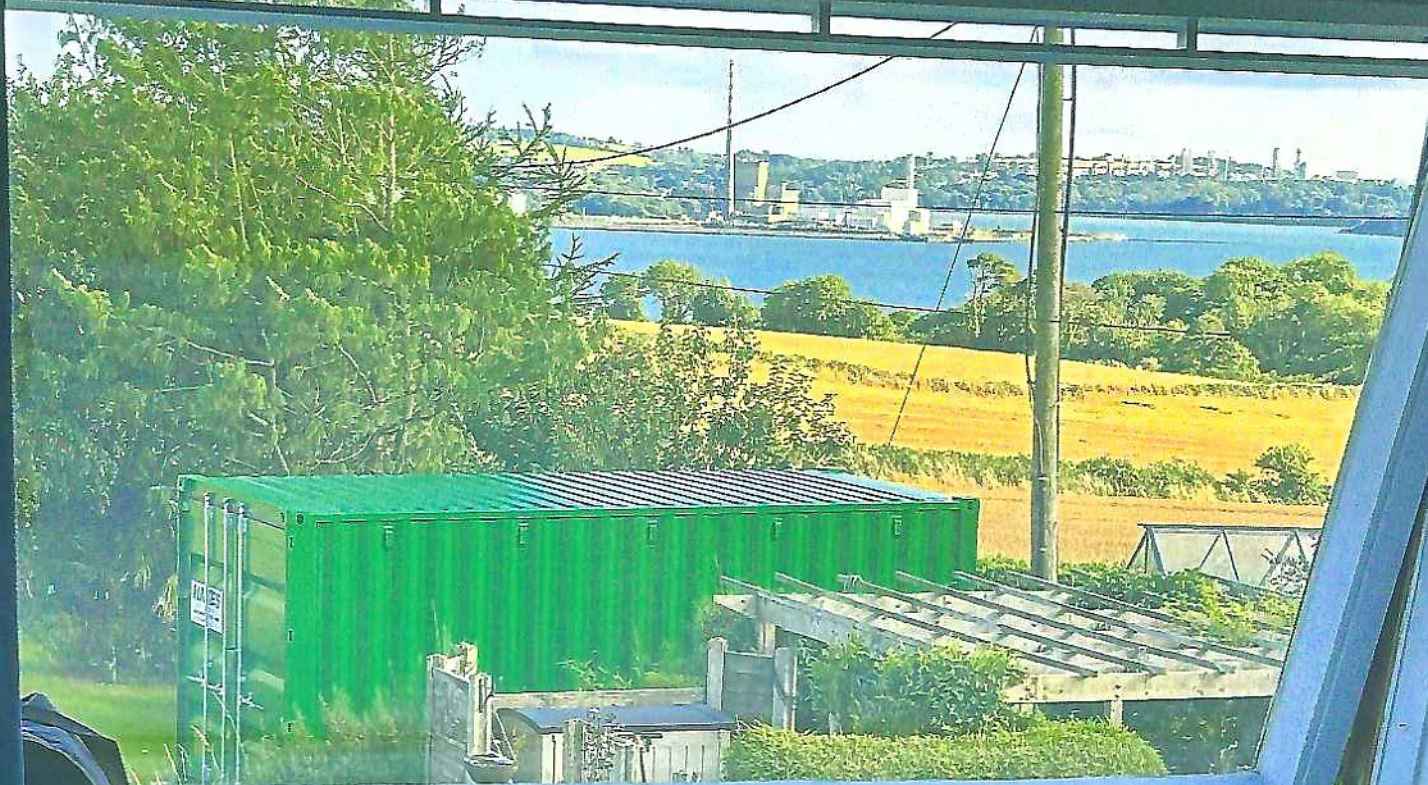
Last updated: April 2019.



#1



#2



#3





4



5

Patrick Iball,
Portaferry House,
Walterstown,
Cobh,
Great Island,
Co. Cork
P24 KF95

2nd April, 2026

REF: D/231/26
LOCATION: Portaferry House, Walterstown, Cobh, Great Island, Co. Cork P24 KF95

**RE: DECLARATION OF EXEMPTED DEVELOPMENT UNDER SECTION 5 OF THE
PLANNING & DEVELOPMENT ACT 2000 - 2010.**

Dear Sir,

On the basis of the information submitted by you on 3rd March, 2026 the Planning Authority, having considered whether the proposed relocation of an existing ancillary storage unit within the curtilage of dwelling at **Portaferry House, Walterstown, Cobh, Great Island, Co. Cork P24 KF95** is or is not development or is or is not exempted development, has declared that it is **not exempted development**.

Reason for Decision

The Planning Authority in considering this referral, had particular regard to:

- The particulars received by the Planning Authority on 3rd March, 2026,
- Section 3(1) of the Planning and Development Act, 2000,
- Section 4 of the Planning and Development Act, 2000,
- Article 6(1) and Article 9(1) of the Planning and Development Regulations, 2001, as amended,
- Class 3, Part 1 of Schedule 2 to the Planning and Development Regulations, 2001, as amended
- The Planning history of the site

And Whereas the Planning Authority hereby concludes that the siting of the shipping container is considered to constitute development, having regard to the parent permission for the site, the front of the dwelling is to the north and therefore the proposed relocation of an existing ancillary storage unit within the curtilage of dwelling at **Portaferry House, Walterstown, Cobh, Great Island, Co. Cork P24 KF95** is **NOT** considered to constitute **exempted development**.

Please note that under Section 5 Subsection 3(a) where a declaration is issued under this section, any person issued with a declaration under subsection 2(a) may, on payment to

the Board of such fee as may be prescribed, refer a declaration for review by the Board within 4 weeks of the date of the issuing of the declaration.

Yours faithfully,


**GRACE O'CALLAGHAN,
SENIOR EXECUTIVE OFFICER,
PLANNING DEPARTMENT.**