

GUIDANCE NOTES

RECORD OF PROTECTED STRUCTURES CORK COUNTY COUNCIL

This is a simple guide to understanding the protection of structures of special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest.

1. What is a protected structure?

A protected structure is a structure that the local authority considers to be of special interest from an architectural, historical, archaeological, artistic, cultural, scientific, social or technical point of view. Details of protected structures are entered by the authority in its Record of Protected Structures, which is part of the Development Plan. Each owner and occupier of a protected structure is legally obliged to ensure that the structure is preserved. Each local authority is required to compile and maintain a Record of Protected Structures for its functional area.

2. How does a structure become a protected structure?

A Planning Authority may add or delete a structure from its Record of Protected Structures a) in accordance with a review of its Development Plan or b) at any other time by following different prescribed procedures. The procedure in relation to the review of the Development Plan involves the following key steps (See Question 11 below for more detail).

- Notification of owners or occupiers.
- Minimum period during which the public can inspect the Plan and make written submissions or observations.
- Preparation of report on any comments or submissions by the County Manager.
- Consideration of the report by the Council and decision by the Council.
- If the Council decide to make a material alteration (significant change) to the Plan then the proposed amendment is made available to the public again for a four week period during which written submissions or observations can be made again, prior to preparation of revised County Managers Report and decision by the Council
- Formal notification of decision

3. What obligations fall on owners and occupiers to ensure the preservation of protected structures?

Each owner and occupier must ensure that a protected structure or any element of a protected structure is not endangered through harm, decay or damage, whether over a short or long period, through neglect or through direct or indirect means.

4. What parts of a protected structure must be preserved?

The obligation to preserve a protected structure (or proposed structure) applies to all parts of the structure or any element of it, which contributes to its special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest.

5. Why does the letter refer to recommendation of Minister Of Arts, Heritage and the Gaeltacht?

The Minister Arts, Heritage and the Gaeltacht may recommend to the Council the inclusion of any structure, part of structure or feature in the Record of Protected Structures and the Council is required to inform people if this has happened. The Ministers recommendation is based on a nation-wide survey of buildings of importance, the National Inventory of Architectural Heritage. The survey has been completed for County Cork.

6. Do special procedures apply to protected structures under the planning system?

Yes. Under the planning system, many minor works to structures do not normally require planning permission. These works are known as exempted development. However, for a protected structure, such works can be carried out without planning permission only if the works would not affect the character of the structure or any element of the structure that contributes to its special interest.

7. How does an owner or occupier know which works require planning permission?

An owner or occupier of a protected structure may request the local authority to issue a declaration indicating the types of works that could be carried out without affecting the character of the structure or any element of the structure, which contributes to its special interest. These works would not require planning permission. A local authority will, in general, issue such a declaration within 12 weeks of receiving a request.

8. How does an owner or an occupier apply for planning permission to carry out works to a protected building?

A planning application involving a protected structure is generally made in the same way as any other planning application. However, additional information must be submitted with the application. The local authority will consult other bodies, including the Minister for Arts, Heritage and the Gaeltacht, the Heritage Council, Failte Ireland, the Arts Council and An Taisce, before making a decision on the application.

9. Do local authorities have special powers in relation to protected structures?

Yes. A local authority may-

- Require an owner or occupier of a protected structure to carry out works if it considers that the structure is or may become endangered;
- Require an owner or occupier of a protected structure to carry out works if it considers that the character of the structure ought to be restored;
- Acquire, by agreement or compulsorily, a protected structure if it considers that this is desirable or necessary in relation to the protection of the structure.
- Where a local authority requires works to be carried out to prevent a protected structure from becoming or continuing to be endangered, the owner or occupier concerned may be eligible for a grant under the scheme of grants for the conservation of protected structures.

10. Are there any measures in place to assist owners and occupiers to preserve a protected structure?

Yes. A limited scheme of grants is operated by the Council to assist the owner or occupier of a protected structure to undertake necessary works to secure its conservation. Full details of the scheme are available from the Heritage Unit, Floor 3, County Hall, Cork, Tel 021 4276891.

11. Where can I see the proposed amendments to the draft County Development Plan and make observations?

The following sets out the contents of the proposed amendments to the Draft Cork County Development Plan and details in relation to how these can be viewed. It also includes details in relation to how observations can be made.

THE PROPOSED AMENDMENTS / MATERIAL ALTERATIONS ARE SET OUT AS FOLLOWS:

- Proposed Amendments to the Draft Cork County Development Plan 2013 (Includes list of Changes to Volume One: Main Policy Material, Volume 2 Heritage and Amenity and Volume 4 Detailed Maps)
- Addendum to SEA Environmental Report and Habitats Directive Assessment Report
- Detailed Maps Changes

Title	Availability		
	Print	CD	Online
Proposed Amendments to the Draft Cork County Development Plan 2013	√	√	√
Addendum to SEA Environmental Report and Habitats Directive Assessment Report	–	√	√
Detailed Maps Changes	–	–	√

a) All Documents are available online for inspection and download from the County Council's website www.corkcoco.ie.

b) Proposed Amendments Document and Addendum to SEA Environmental Report and Habitats Directive Assessment Report are available on CD at no charge.

c) Proposed Amendments Document including the CD is available to purchase for €15 at the Planning Departments Public Counter, Floor 1, County Hall, Cork.

HOW TO INSPECT THE PROPOSED AMENDMENTS / MATERIAL ALTERATIONS:

A copy of the proposed amendments / material alterations to the Draft County Development Plan, the Determination made in accordance with Section 12 (7)(aa), information on the likely significant effects on the environment of implementing the proposed amendment as set out in the Addendum to SEA Environmental Report and the Habitats Directive Assessment Report may be inspected documents may be inspected each working day, exclusive of public holidays, between the hours of **9.00 a.m. and 4.00 p.m. during the period from Thursday 21st August, 2014 to 4pm on Thursday 2nd October, 2014, at the following locations:**

1. Planning Department, Floor 1, County Hall, Cork.
2. Planning Department, Norton House, Skibbereen, Co. Cork.
3. Cork County Council Divisional Office, Annabella, Mallow.
4. County Library and Branch Libraries – Please check at your local library regarding opening times, internet access and availability of PCs for accessing electronic format.
5. Online at www.corkcoco.ie at all times.

If you have any queries with regard to the policy content of the documents arising from viewing them at the above locations, please contact the Cork County Council Planning Policy Unit at 021-4285900.

INVITATION TO MAKE SUBMISSIONS / OBSERVATIONS:

Any written submissions or observations made to the Planning Authority during the period from **Thursday 21st August 2014 until 4.00 p.m. on Thursday 2nd October 2014**, with respect to the Proposed Amendments / Material Alterations of the Draft Development Plan, or the SEA Environmental Report or the Habitats Directive Assessment Report will be taken into consideration prior to the making of the new County Development Plan.

Submissions may be made in either of the following two ways:

- On-line via www.corkcoco.ie following the instructions provided

OR

- In written form to the Senior Planner, Planning Policy Unit, Cork County Council, Floor 13, County Hall, Cork.

Submissions or observations should quote the relevant paragraph/change number referred to in the amendment document(s) and must state the name and address of the person or relevant body or agency making the submission or observation. Cork County Council regrets that it cannot accept email or fax submissions.

Please note that the closing date for submissions is 4.00 p.m. on Thursday 2nd October 2014.