

**Comhairle Contae Chill Mhantáin
Wicklow County Council**

**Pleanáil, Forbairt Eacnamaíochta agus Tuaithe
Planning, Economic and Rural Development**

Áras An Chontae / County Buildings
Cill Mhantáin / Wicklow
Guthán / Tel: (0404) 20148
Faics / Fax: (0404) 69462
Rphost / Email: plandev@wicklowcoco.ie
Suíomh / Website: www.wicklow.ie

13th March 2025

Wicklow County Council
Greystones Municipal District
Mill Road
Greystones
Co. Wicklow

**RE: Declaration in accordance with Section 5 of the Planning & Development Acts 2000
(As Amended) – EX20/2025**

I enclose herewith Declaration in accordance with Article 5 (2) (A) of the Planning & Development Act 2000.

Where a Declaration is used under this Section any person issued with a Declaration under subsection (2) (a) may, on payment to An Bord Pleanála of such fee as may be prescribed, refer a declaration for review by the Board within four weeks of the date of the issuing of the declaration by the Local Authority.

Is mise, le meas,

ADMINISTRATIVE OFFICER
PLANNING ECONOMIC & RURAL DEVELOPMENT



*Tá an doiciméad seo ar fáil i bhformáid eile ar iarratas
This document is available in alternative formats on request*

Ba chóir gach comhfhreagras a sheoladh chuig an Stiúrthóir Seirbhísí, Pleanáil, Forbairt Eacnamaíochta agus Tuaithe
All correspondence should be addressed to the Director of Services, Planning, Economic and Rural Development





Comhairle Contae Chill Mhantáin
Wicklow County Council

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13th March 2025

Liam Sweeney
Chairman Burnaby Residents Assoc
Netherby
Erskine Avenue
Greystones
Co. Wicklow
A63 W973

RE: Declaration in accordance with Section 5 of the Planning & Development Acts 2000
(As Amended) – EX20/2025

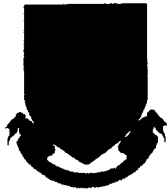
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Where a Declaration is used under this Section any person issued with a Declaration under subsection (2) (a) may, on payment to An Bord Pleanála of such fee as may be prescribed, refer a declaration for review by the Board within four weeks of the date of the issuing of the declaration by the Local Authority.

Is mise, le meas,


ADMINISTRATIVE OFFICER
PLANNING ECONOMIC & RURAL DEVELOPMENT





COMHAIRLE CONTAE CHILL Mhantáin Wicklow County Council

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DECLARATION IN ACCORDANCE WITH ARTICLE 5 (2) (A) OF THE PLANNING & DEVELOPMENT ACT 2000 AS AMENDED

Applicant: Burnaby Residents Association

Location: Burnaby Park, Greystones, Co. Wicklow

Reference Number: EX20/2025

CHIEF EXECUTIVE ORDER NO. CE/PERD/2025/250

Section 5 Declaration as to whether “a) The removal of a grass area of the park (c.243sqm) and the installation of a new playing area with hardcore surface, b) The installation of a series of concrete plinths in previously green areas throughout the park; c) The fixing of new furniture on these concrete plinths, including benches, and chess tables; and d) The installation of a new signage board directly adjacent to the new playing area” at Burnaby Park, Greystones, Co. Wicklow constitutes exempted development within the meaning of the Planning and Development Act, 2000 (as amended).

Having regard to:

1. The details submitted with this Section 5 Application,
2. Sections 2, 3 & 4 of the Planning & Development Act 2000 (as amended)

Main Reasons with respect to Section 5 Declaration:

- i. The works as described in the documents submitted, would be development having regard to the definition set out under Section 3 of the Planning and Development Act 2000 (as amended).
- ii. The works as described in the documents submitted would constitute exempted development under Section 4(1)(aa) of the Planning and Development Act 2000 (as amended) as the works comprise “*development by a local authority in its functional area (other than, in the case of a local authority that is a coastal planning authority, its nearshore area)*”.

The Planning Authority considers that “a) The removal of a grass area of the park (c.243sqm) and the installation of a new playing area with hardcore surface, b) The installation of a series of concrete plinths in previously green areas throughout the park; c) The fixing of new furniture on these concrete plinths, including benches, and chess tables; and d) The installation of a new signage board directly adjacent to the new playing area” at Burnaby Park, Greystones, Co. Wicklow is development and is exempted development within the meaning of the Planning & Development Act 2000 (as amended).

Signed:


ADMINISTRATIVE OFFICER

PLANNING ECONOMIC & RURAL DEVELOPMENT

Dated 13th March 2025



WICKLOW COUNTY COUNCIL

PLANNING & DEVELOPMENT ACTS 2000 (As Amended)

SECTION 5

CHIEF EXECUTIVE ORDER NO. CE/PERD/2025/250

Reference Number: EX20/2025

Name of Applicant: Burnaby Residents Association

Nature of Application: Section 5 Declaration request as to whether or not: -
"a) The removal of a grass area of the park (c.243sqm) and the installation of a new playing area with hardcore surface, b)The installation of a series of concrete plinths in previously green areas throughout the park; c) The fixing of new furniture on these concrete plinths, including benches, and chess tables; and d) The installation of a new signage board directly adjacent to the new playing area" is or is not development and is or is not exempted development.

Location of Subject Site: Burnaby Park, Greystones, Co. Wicklow

Report from Suzanne White, SEP

With respect to the query under section 5 of the Planning & Development Act 2000 as to whether "a) The removal of a grass area of the park (c.243sqm) and the installation of a new playing area with hardcore surface, b)The installation of a series of concrete plinths in previously green areas throughout the park; c) The fixing of new furniture on these concrete plinths, including benches, and chess tables; and d) The installation of a new signage board directly adjacent to the new playing area" at Burnaby Park, Greystones, Co. Wicklow is or is not exempted development within the meaning of the Planning & Development Act 2000 (as amended).

Having regard to:

1. The details submitted with this Section 5 Application,
2. Sections 2, 3 & 4 of the Planning & Development Act 2000 (as amended)

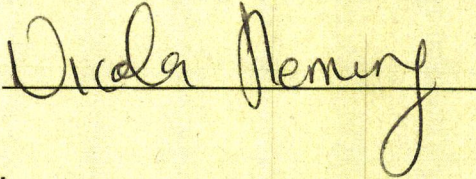
Main Reason with respect to Section 5 Declaration:

- i. The works as described in the documents submitted, would be development having regard to the definition set out under Section 3 of the Planning and Development Act 2000 (as amended).
- ii. The works as described in the documents submitted would constitute exempted development under Section 4(1)(aa) of the Planning and Development Act 2000 (as amended) as the works comprise "*development by a local authority in its functional area (other than, in the case of a local authority that is a coastal planning authority, its nearshore area)*".

Recommendation:

The Planning Authority considers that "a) The removal of a grass area of the park (c.243sqm) and the installation of a new playing area with hardcore surface, b)The installation of a series of concrete plinths in previously green areas throughout the park; c) The fixing of new furniture on these concrete plinths, including benches, and chess tables; and d) The installation of a new signage board directly adjacent to the new playing area" at Burnaby Park, Greystones, Co. Wicklow is development and is exempted development as recommended in the report by the SEP.

Signed

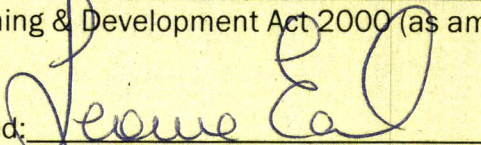


Dated ¹² day of March 2025

ORDER:

I HEREBY DECLARE THAT "a) The removal of a grass area of the park (c.243sqm) and the installation of a new playing area with hardcore surface, b)The installation of a series of concrete plinths in previously green areas throughout the park; c) The fixing of new furniture on these concrete plinths, including benches, and chess tables; and d) The installation of a new signage board directly adjacent to the new playing area" at Burnaby Park, Greystones, Co. Wicklow is development and is exempted development within the meaning of the Planning & Development Act 2000 (as amended).

Signed:



Director of Service
Planning, Economic & Rural Development

Dated ¹² day of March 2025



**WICKLOW COUNTY COUNCIL
PLANNING DEPARTMENT**

Section 5 – Application for declaration of Exemption Certificate

TO: FERGAL KEOGH SE
FROM: SUZANNE WHITE, SENIOR EXECUTIVE PLANNER
REF: EX20/2025
NAME: BURNABY RESIDENTS ASSOCIATION
DEVELOPMENT: WORKS BY WCC IN BURNABY PARK, GREYSTONES
LOCATION: BURNABY PARK, GREYSTONES
DATE DUE: 16/03/2025
SITE VISIT: 07/03/2025

The site

The subject site is located within the development boundary of Greystones /Delgany. The site relates to Burnaby Park and is located with the Burnaby ACA.

Planning History

EX 06/2025 – retention of gate.

Applicant: Greystones Bowling Club

Decision: is development and is not exempted development

EX24/12 – Renovation works to Burnaby Park

Applicant: Greystones Tidy Towns

Decision: not exempted development as it would come within the restrictions on exemption set out in Article 9 (a)(vii) (ACA).

EX26/12 – Renovation works to Burnaby Park

Applicant: Burnaby Residents Association

Decision: not exempted development as it would come within the restrictions on exemption set out in Article 9 (a)(vii) (ACA).

22/704 Greystones Lawn Bowling Club – permission granted for (a) relocation of existing western boundary to extend the bowling green area (b) provision of 1 no. multistore garden shed to North East corner of bowling green (c)all together with ancillary site development works, landscaping and service connections

18/52 Greystones Lawn Bowling Club - permission granted for 1. removal of 2 no. existing timber structures used as changing areas. 2 Provision of 1 no. steel structure to be used as changing area. 3. All necessary ancillary works to serve this development

15/388 Greystones Lawn Bowling Club – permission granted for 1. removal of 2 no. existing timber structures used as changing areas. 2 Provision of 1 no. steel structure to be used as changing area. 3. All necessary ancillary works to serve this development

12/6871 Greystones Tidy Towns – permission granted for widening of existing openings in boundary wall on Mill Road and at killincarrig Road junction, the upgrade of park internal footpaths, together with street

furniture and lighting, revisions to public footpath and car parking spaces, together with associated siteworks and landscaping

08/36 Aidan Kelly – Permission granted for the demolition of existing 62 sqm split level timber clubhouse and the construction of a 180 sqm single storey clubhouse incorporating indoor bowling hall, kitchen, storage and sanitary facilities together with revisions to site boundaries, connection to existing services and all associated landscaping and ancillary site works

89/4511 Martin Horan – Permission granted for the Construction of bowling green with surrounding fence and timber chalet Burnaby Park, Greystones

Question

The applicant has applied to see whether or not the following works being carried out by Wicklow County Council at the Burnaby Park is or is not exempted development:

- a) The removal of a significant grass area of the park (c.243sqm) and the installation of a new playing area with hardcore surface
- b) The installation of a series of concrete plinths in previously green areas throughout the park
- c) The fixing of new furniture on these concrete plinths, including benches, and chess tables
- d) The installation of a new signage board directly adjacent to the new playing area
- e) Ancillary works connected with the above

Legislative Context

Planning and Development Act 2000 (as amended)

Section 2 (1) of the Planning and Development Act 2000 defines “works” as including 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 2 (1) of the Planning and Development Act 2000 defines “use” “in relation to land, does not include the use of the land by the carrying out of any works thereon”

Section 3 (1) of the Planning and Development Act 2000 “In this Act “development” means, except where the concept 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 other structures or other land.”

Section 4(1) – the following shall be Exempted Development for the purposes of this Act:

(aa) development by a local authority in its functional area (other than, in the case of a local authority that is a coastal planning authority, its nearshore area);

(f) development carried out on behalf of, or jointly or in partnership with, a local authority, pursuant to a contract entered into by the local authority concerned, whether in its capacity as a planning authority or in any other capacity;

(1B) Development referred to in paragraph (a), (d), (e) or (g) of subsection (1A) shall not be exempted development if an environmental impact assessment of the development is required.

(1C) Development referred to in paragraph (a), (d), (e) or (g) of subsection (1A) shall not be exempted development if an appropriate assessment of the development is required.]

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.

Assessment

The applicants, Burnaby Residents Association, have sought a declaration in accordance with section 5 of the Planning and Development Act 2000 (as amended) to determine whether or not:

‘Works being carried out by Wicklow County Council in Burnaby Park, Greystones, consisting of

- a) The removal of a significant grass area of the park (c.243sqm) and the installation of a new playing area with hardcore surface
- b) The installation of a series of concrete plinths in previously green areas throughout the park
- c) The fixing of new furniture on these concrete plinths, including benches, and chess tables
- d) The installation of a new signage board directly adjacent to the new playing area
- e) Ancillary works connected with the above.

Is or is not development and is or is not exempted development.’

A site location plan has been submitted, showing the subject lands outlined in blue. No other details, drawings or images have been submitted to describe the elements of the proposal. A site visit was undertaken on 7th March, which provided clarity on items a-d above. The nature and extent of works under item (e) above is unclear. Consequently, it is considered appropriate to re-word the query as follows:

‘Whether or not works being carried out by Wicklow County Council in Burnaby Park, Greystones consisting of

- a) The removal of a grass area of the park (c.243sqm) and the installation of a new playing area with hardcore surface;*
- b) The installation of a series of concrete plinths in previously green areas throughout the park;*
- c) The fixing of new furniture on these concrete plinths, including benches, and chess tables; and*
- d) The installation of a new signage board directly adjacent to the new playing area.*

Is or is not development and is or is not exempted development.’

The first assessment must be whether or not such works are development within the remit of Section 3 of the Planning and Development Act 2001. In this regard, Section 3 of the Planning and Development Act provides that:

“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.

It should be noted that Section 2 of the Act defines works as:

“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.

I am satisfied that the proposals as described would involve works and therefore the proposals would constitute development.

It is considered that the works detailed in the section 5 declaration would fall under the description of exempted works at Section 4(1) (aa) of the Planning and Development Act 2000 (as amended), being *'development by a local authority in its functional area (other than, in the case of a local authority that is a coastal planning authority, its nearshore area)'*.

It is noted that previous regeneration works within the Park (EX 24/12 & EX26/12) were deemed not to be exempt as they would come within the restrictions on exemption set out in Article 9 (a)(vii) (ACA). In that case, the works were not being carried out by the local authority and were considered under the classes of exempted development (Class 11 & Class 33 of Part 1, Schedule 2) provide for under Article 6 of the Planning and Development Regulations 2001 (as amended). However, Article 9 of the Regulations lists a number of circumstances whereby development which falls within the scope of the classes under Article 6 will not be exempt. Article 9 (a)(vii) 'de-exempts' development which would alter places or sites of historical interest (such as ACAs), the preservation, conservation and protection of which is an objective of a development plan or local area plan.

Development which is exempt under Section 4(1)(aa) of the Planning and Development Act 2000 (as amended) is not subject to the 'de-exemptions' set out under Article 9 of the Planning and Development Regulations 2001 (as amended).

EIA and Appropriate Assessment

The EIA and AA requirements set out under Section 4(1A) do not apply to Section 4(1) of the Act. In any case, having regard to the nature and scale of the works as described and observed on site, the urban location of the site and its distance from designated Natura 2000 Sites, it is not considered that the development as described would give rise to any adverse impacts on the qualifying interests and conservation objectives of any Natura Site and therefore the proposed development would not necessitate the carrying out of an Appropriate Assessment in accordance with the requirements of Article 6(3) of the EU Habitats Directive. Similarly, having regard to the modest scale and nature of the development, and the developed urban location of the site, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination.

Recommendation

With respect to the query under Section 5 of the Planning and Development Act 2000, as to:

'whether or not works being carried out by Wicklow County Council in Burnaby Park, Greystones consisting of

- a) The removal of a grass area of the park (c.243sqm) and the installation of a new playing area with hardcore surface;*
- b) The installation of a series of concrete plinths in previously green areas throughout the park;*
- c) The fixing of new furniture on these concrete plinths, including benches, and chess tables; and*
- d) The installation of a new signage board directly adjacent to the new playing area.*

Is or is not development and is or is not exempted development.'

The Planning Authority considers that:

'works being carried out by Wicklow County Council in Burnaby Park, Greystones consisting of

- a) The removal of a grass area of the park (c.243sqm) and the installation of a new playing area with hardcore surface;
- b) The installation of a series of concrete plinths in previously green areas throughout the park;
- c) The fixing of new furniture on these concrete plinths, including benches, and chess tables; and
- d) The installation of a new signage board directly adjacent to the new playing area.'

is development and is exempted development.

Main Considerations with respect to Section 5 Declaration:

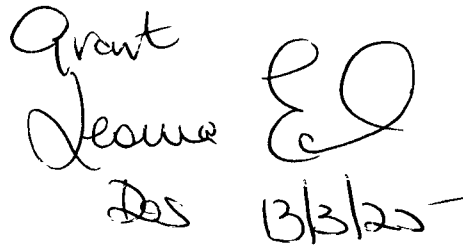
- The details submitted with this Section 5 Application,
- Sections 2, 3 & 4 of the Planning & Development Act 2000 (as amended)

Main Reasons with respect to Section 5 Declaration:

- i) The works as described in the documents submitted, would be development having regard to the definition set out under Section 3 of the Planning and Development Act 2000 (as amended).
- ii) The works as described in the documents submitted would constitute exempted development under Section 4(1)(aa) of the Planning and Development Act 2000 (as amended) as the works comprise "development by a local authority in its functional area (other than, in the case of a local authority that is a coastal planning authority, its nearshore area)".



Suzanne White
Senior Executive Planner
13/03/2025



Grant
Jeanne
Dos
EO
13/3/25



**Comhairle Contae Chill Mhantáin
Wicklow County Council**

**Pleanáil, Forbairt Eacnamaíochta agus Tuaithe
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MEMORANDUM

WICKLOW COUNTY COUNCIL

**TO: Suzanne White
Senior Executive Planner**

**FROM: Nicola Fleming
Staff Officer**

**RE:- Application for Certificate of Exemption under Section 5 of the
Planning and Development Acts 2000 (as amended).
EX20/2025**

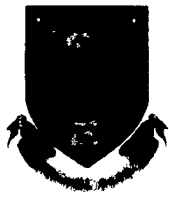
I enclose herewith application for Section 5 Declaration received completed on 17/02/2025

The due date on this declaration is 16th March 2025



**Staff Officer
Planning, Economic & Rural Development**





COMHAIRLE CONTAE CHILL Mhantáin
Wicklow County Council

Pleanáil, Forbairt Eacnamaíochta agus Tuaithe
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Liam Sweeney
Chairman Burnaby Residents Assoc
Netherby
Erskine Avenue
Greystones
Co. Wicklow
A63 W973

18th February 2025

RE: Application for Certificate of Exemption under Section 5 of the Planning and Development Acts 2000 (as amended). – EX20/2025

A Chara

I wish to acknowledge receipt on 17/02/2025 details supplied by you in respect of the above Section 5 application. A decision is due in respect of this application by 16/03/2025.

Mise, le meas

Nicola Fleming
Staff Officer
Planning, Economic & Rural Development



Burnaby Residents Association

Netherby

Erskine Avenue

Greystones Co Wicklow

Planning Department

Wicklow County Council

County Building

Wicklow Town

Co Wicklow

17 February 2025

Section 5 Declaration concerning works being undertaken in Burnaby Park, Greystones County Wicklow.

Dear Sirs,

- 1. The Burnaby Residents Association seeks a declaration from the planning authority as to whether the works being carried out by Wicklow County Council in Burnaby Park, Greystones, Co.Wicklow, constitute development within the meaning of the Planning Acts and as such should have been subject to the relevant planning consent processes in the Acts.**
- 2. Burnaby Park is a much-used public park in Greystones Town, which is within the boundaries of the Burnaby Architectural Conservation Area.**
- 3. The works have been ongoing since last Autumn and are not yet concluded but include;**
 - a. The removal of a significant grass area of the park (c243 sq metres) and the installation of a new playing area with a hardcore surface.**
 - b. The installation of a series of concrete plinths in previously green areas throughout the park**
 - c. The fixing of new furniture on these concrete plinths, including benches, and chess tables.**
 - d. The installation of a new signage board directly adjacent to the new playing area.**

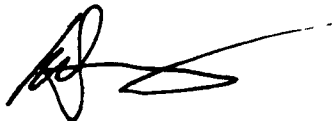
- e. Ancillary works connected with the above.
4. Given the nature of the works and the location where they are being carried out, the Burnaby Residents Association believes that these works constitute development and are not exempted development.
 5. In particular it is clear that in the context of these works, the installation of the new pétanque playing area within the Park represents "development" and does not constitute "exempted development."
 6. It is our contention that the works fall to be determined in accordance with S 32 of the Planning Acts and that the works, being within an ACA also fall to be assessed within the scope of S 82 of the Act involving works to a structure, which includes "any building, structure, excavation, or other thing constructed or made on, in or under any land". As such the works do come within S82 and would not automatically benefit from exempted development provisions.
 7. The question as to whether the works materially affect the character of the area will need to be determined by reference to expert conservation architect input. It is arguable that ripping up a greenspace of 243 sq metres in a Park within an ACA which has been there for over a century to replace it with hard standing, does affect the character of the area, either by itself or incrementally with other interventions.

If works of this nature are to be proposed within an ACA, the local authority should comply with the Planning Acts and ensure that any development proposals take account of the character of the area and are the subject of proper consultation with the local community before being foisted as engineered solutions, without any proper consultative input.

We would be grateful for a Section 5 declaration as to whether the works identified above in Burnaby Park constitute "development" or are "exempted development. We look forward to receiving this response within the statutory period.

We enclose the statutory fee.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Liam Sweeney', with a long horizontal flourish extending to the right.

Liam Sweeney

Wicklow County Council
County Buildings
Wicklow
0404-20100

Tel: +353
Fax
F:

17/02/2025 11:38:23

Receipt No L1/0/341059

LIAM SWEENEY
NEGERBY
ERSKINE AVENUE
GREYSTONES
WICKLOW

EXEMPTION CERTIFICATES	80 00
GOODS	80 00
VAT Exempt/Non-vatable	

Total 80 00 EUR

Tendered
Credit Card 80 00

Change 0 00

Issued By VANESSA PORTER
From Customer Service
Vat reg No 001500



Wicklow County Council
County Buildings
Wicklow
Co Wicklow
Telephone 0404 20148
Fax 0404 69462

Office Use Only

Date Received _____

Fee Received _____

RECEIVED 17 FEB 2025

**APPLICATION FORM FOR A
DECLARATION IN ACCORDANCE WITH SECTION 5 OF THE PLANNING &
DEVELOPMENT ACTS 2000 (AS AMENDED) AS TO WHAT IS OR IS NOT
DEVELOPMENT OR IS OR IS NOT EXEMPTED DEVELOPMENT**

1. Applicant Details

(a) Name of applicant: Burnaby Residents Association

Address of applicant: Netherby, Erskine Avenue, Greystones Co. Wicklow, A63
W973

Note Phone number and email to be filled in on separate page.

2. Agents Details (Where Applicable)

(b) Name of Agent (where applicable) Liam Sweeney as Chairperson of the Burnaby
Residents Association

Address of Agent : Netherby, Erskine Avenue, Greystones Co. Wicklow, A63
W973

Note Phone number and email to be filled in on separate page.

3. Declaration Details

- i. Location of Development subject of Declaration : Burnaby Park, adjacent to Mill Road, Killincarrick Road and Burnaby Road, Greystones. Co Wicklow

- ii. Are you the owner and/or occupier of these lands at the location under i. above ?
No.

- iii. If 'No' to ii above, please supply the Name and Address of the Owner, and or occupier: Wicklow County Council

- iv. Section 5 of the Planning and Development Act provides that : 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 this act, any person may, an payment of the prescribed fee, request in writing from the relevant planning authority a declaration on that question. You should therefore set out the query for which you seek the Section 5 Declaration **See attached submission** _____

Additional details may be submitted by way of separate submission.

- v. Indication of the Sections of the Planning and Development Act or Planning Regulations you consider relevant to the Declaration: **See Attached submission** _____


Additional details may be submitted by way of separate submission.

- vi. Does the Declaration relate to a Protected Structure or is it within the curtilage of a Protected Structure (or proposed protected structure) ? No, but the area

concerned is within An Architectural Conservation Area

vii. List of Plans, Drawings submitted with this Declaration Application

viii. Fee of € 80 Attached ? Yes

Signed :  Dated : 17/2/25

Additional Notes :

As a guide the minimum information requirements for the most common types of referrals under Section 5 are listed below :

A. Extension to dwelling - Class 1 Part 1 of Schedule 2

- Site Location Map
- Floor area of structure in question - whether proposed or existing.
- Floor area of all relevant structures e.g. previous extensions.
- Floor plans and elevations of relevant structures.
- Site Layout Plan showing distance to boundaries, rear garden area, adjoining dwellings/structures etc.

B. Land Reclamation -

The provisions of Article 8 of the Planning and Development Regulations 2001 (as amended) now applies to land reclamation, other than works to wetlands which are still governed by Schedule 2, Part 3, Class 11. Note in addition to confirmation of exemption status under the Planning and Development Act 2000(as amended) there is a certification process with respect to land reclamation works as set out under the European Communities (Environmental Impact Assessment) (Agriculture) Regulations 2011 S.I. 456 of 2011. You should therefore seek advice from the Department of Agriculture, Fisheries and Food.

Any Section 5 Declaration should include a location map delineating the location of and exact area of lands to be reclaimed, and an indication of the character of the land.

C. Farm Structures - Class 6 -Class 10 Part 3 of Schedule 2.

- **Site layout plan showing location of structure and any adjoining farm structures and any dwellings within 100m of the farm structure.**
- **Gross floor area of the farm structure**
- **Floor plan and elevational details of Farm Structure and Full details of the gross floor area of the proposed structure.**
- **Details of gross floor area of structures of similar type within the same farmyard complex or within 100metres of that complex.**

ADDITIONAL CONTACT INFORMATION

