

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
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15th
January 2025

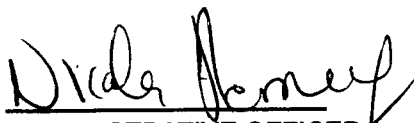
Ashley O'Toole
Newhaggard
Garristown
Co. Dublin

RE: Declaration in accordance with Section 5 of the Planning & Development Acts
2000 (As Amended) - EX106/2024 for Kathleen & Jerry Keane

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





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

Applicant: Kathleen & Jerry Keane

Location: Winetavern, Stratford on Slaney, Baltinglass, Co. Wicklow W91 N977

Reference Number: EX106/2024

CHIEF EXECUTIVE ORDER NO. CE/PERD/2025/23

Section 5 Declaration as to whether "(i). 30sqm living room extension (ii) 7sqm utility room extension, (iii) Single Storey Porch to Front of dwelling (iv) The modification to existing windows to front of dwelling, lowered cill height and skylight to rear and side of existing roof" constitutes exempted development within the meaning of the Planning and Development Act, 2000(as amended).

Having regard to:

- The details submitted with the Section 5 Declaration application
- Sections 2 , 3 and 4 of the Planning and Development Act 2000 (as amended)
- Article 6, 9 and Schedule 2, Part 1 : Class 1 and Class 7 of the Planning and Development Regulations 2001 (as amended)
- An Bord Pleanála Reference RL 2506, RL.3491, RL3523

Main Reasons with respect to Section 5 Declaration:

- The provision of a new extensions, porch and modification of external elevations would be operations of construction, extension, and alteration, and therefore such operations would come within the definition of works as set out in Section 2 of the Planning and Development Act 2000(as amended).
- The works are therefore development given the provisions of Section 3(1) (a) of the Planning and Development Act 2000 (as amended).
- The new roof velux, and revised window details and new door/ window insertions in the elevations would it is considered come within the provisions of Section 4(1)(h) of the Planning and Development Act 2000(as amended) as they would 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.
- The porch located to the front of the dwelling is identified as 2.4m in height and 2sqm in size and would therefore come within the description and limitations set out under Schedule 2 : Part 1 : Class 7 of the Planning and Development Regulations 2001(as amended)
- The 30sqm living Room Extension which is located to the rear and projects partially beyond the side wall of the dwelling, would not come within the description set out in Schedule 2 : Part 1 : Class 1 of the Planning and Development Regulations 2001(as amended), and is therefore not exempted development.
- The 7sqm utility extension to the rear of the dwelling would come within the description and limitations set out under Schedule 2 : Part 1 : Class 1 of the Planning and Development Regulations 2001(as amended).

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

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



W I C K L O W

G. Nothing within Article 9 of the Planning and Development Regulations 2001(as amended) would be applicable.

The Planning Authority considers that:-

- i. The 30sqm living room extension is development and is NOT Exempted Development
 - ii. The 7 sqm utility room extension is development and is Exempted development
 - iii. Single Storey porch to front of dwelling is development and is Exempted development
 - iv. The modification to existing windows to front of dwelling, lowered cill height and skylight to rear and side of existing roof is development and is Exempted Development
- all at Winetavern, Stratford on Slaney, Baltinglass, Co. Wicklow within the meaning of the Planning & Development Act 2000 (as amended).

Signed:



ADMINISTRATIVE OFFICER
PLANNING ECONOMIC & RURAL DEVELOPMENT

Dated 15th January 2025

WICKLOW COUNTY COUNCIL
PLANNING & DEVELOPMENT ACTS 2000 (As Amended)
SECTION 5

CHIEF EXECUTIVE ORDER NO. CE/PERD/2025/23

Reference Number: EX106/2024

Name of Applicant: Kathleen & Jerry Keane

Nature of Application: Section 5 Declaration request as to whether or not “(i). 30sqm living room extension (ii) 7sqm utility room extension, (iii) Single Storey Porch to Front of dwelling (iv) The modification to existing windows to front of dwelling, lowered cill height and skylight to rear and side of existing roof” constitutes exempted development within the meaning of the Planning and Development Act, 2000(as amended).

Location of Subject Site: Winetavern, Stratford on Slaney, Baltinglass, Co. Wicklow

Report from Edel Bermingham, SEP

Having regard to:

- a) The details submitted with the Section 5 Declaration application
- b) Sections 2 , 3 and 4 of the Planning and Development Act 2000 (as amended)
- c) Article 6, 9 and Schedule 2, Part 1 : Class 1 and Class 7 of the Planning and Development Regulations 2001 (as amended)
- d) An Bord Pleanala Reference RL 2506, RL.3491, RL3523

Main Reason with respect to Section 5 Declaration:

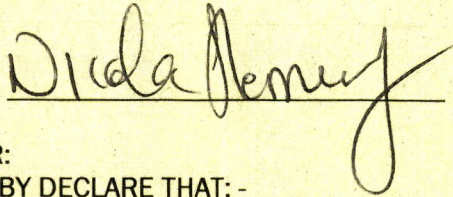
- A. The provision of a new extensions, porch and modification of external elevations would be operations of construction, extension, and alteration, and therefore such operations would come within the definition of works as set out in Section 2 of the Planning and Development Act 2000(as amended).
- B. The works are therefore development given the provisions of Section 3(1) (a) of the Planning and Development Act 2000 (as amended).
- C. The new roof velux, and revised window details and new door/ window insertions in the elevations would it is considered come within the provisions of Section 4(1)(h) of the Planning and Development Act 2000(as amended) as they would 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.
- D. The porch located to the front of the dwelling is identified as 2.4m in height and 2sqm in size and would therefore come within the description and limitations set out under Schedule 2 : Part 1 : Class 7 of the Planning and Development Regulations 2001(as amended)
- E. The 30sqm living Room Extension which is located to the rear and projects partially beyond the side wall of the dwelling, would not come within the description set out in Schedule 2 : Part 1 : Class 1 of the Planning and Development Regulations 2001(as amended), and is therefore not exempted development.
- F. The 7sqm utility extension to the rear of the dwelling would come within the description and limitations set out under Schedule 2 : Part 1 : Class 1 of the Planning and Development Regulations 2001(as amended).
- G. Nothing within Article 9 of the Planning and Development Regulations 2001(as amended) would be applicable.

Recommendation:

The Planning Authority considers that:-

- i. The 30sqm living room extension is development and is Not Exempted Development
 - ii. The 7 sqm utility room extension is development and is Exempted development
 - iii. Single Storey porch to front of dwelling is development and is Exempted development
 - iv. The modification to existing windows to front of dwelling, lowered cill height and skylight to rear and side of existing roof is development and is Exempted Development
- all at Winetavern, Stratford on Slaney, Baltinglass, Co. Wicklow as recommended in the report by the SEP.

Signed



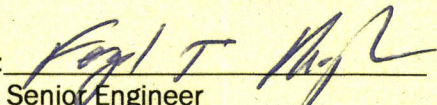
Dated 13th day of January 2025

ORDER:

I HEREBY DECLARE THAT: -

- i. The 30sqm living room extension is development and is Not Exempted Development
 - ii. The 7 sqm utility room extension is development and is Exempted development
 - iii. Single Storey porch to front of dwelling is development and is Exempted development
 - iv. The modification to existing windows to front of dwelling, lowered cill height and skylight to rear and side of existing roof is development and is Exempted Development
- all at Winetavern, Stratford on Slaney, Baltinglass, Co. Wicklow within the meaning of the Planning & Development Act 2000 (as amended).

Signed:



Senior Engineer
Planning, Economic & Rural Development

Dated 14th day of January 2025

Section 5 Application EX 106/2024

Date : 15 December 2024

Applicant : Kathleen & Jerry Keane

Address : Winetavern, Stratford on Slaney, Baltinglass, Co. Wicklow

Exemption Whether or not :

extension and modifications to an existing dwelling 2xsingle storey extensions to the rear, single storey porch to front, modification to existing windows to front of dwelling, lowered cill height and skylight to rear and side of existing roof.

constitutes exempted development within the meaning of the Planning and Development Acts, 2000(as amended).

Planning History :

PRR 99/7 Permission granted for a 2 storey dwelling on site .

Relevant legislation :

Planning and Development Act 2000 (as amended)

"habitable house" means a house which—

- (a) is used as a dwelling,
- (b) is not in use but when last used was used, disregarding any unauthorised use, as a dwelling and is not derelict, or
- (c) was provided for use as a dwelling but has not been occupied;

"structure" means any building, structure, excavation, or other thing constructed or made on, in or under any land, or any part of a structure so defined, and—

- (a) where the context so admits, includes the land on, in or under which the structure is situate, and
- (b) in relation to a protected structure or proposed protected structure, includes—
 - (i) the interior of the structure,
 - (ii) the land lying within the curtilage of the structure,
 - (iii) any other structures lying within that curtilage and their interiors, and
 - (iv) all fixtures and features which form part of the interior or exterior of any structure or structures referred to in *subparagraph (i) or (iii)*;

"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 :

3.—(1) In this Act, "development" means, except where the context otherwise requires,
(a) the carrying out of any works in, on, over or under land, or the making of any material change in the use of any land or structures situated on land, or

Section 4 :

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;

(3) A reference in this Act to exempted development shall be construed as a reference to development which is—

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

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

(4A) Notwithstanding subsection (4), the Minister may make regulations prescribing development or any class of development that is—

(a) authorised, or required to be authorised by or under any statute (other than this Act) whether by means of a licence, consent, approval or otherwise, and

(b) as respects which an environmental impact assessment or an appropriate assessment is required, to be exempted development.

Planning and Development Regulations 2001(as amended).

Article 5

"house" does not, as regards development of classes 1, 2, 3, 4, 6(b)(ii), 7 or 8 specified in column 1 of Part 1 of Schedule 2, or development to which articles 10(4) or 10(5) refer, include a building designed for use or used as 2 or more dwellings or a flat, an apartment or other dwelling within such a building;

Article 6

(1) 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.

Article 9(1) Note see Regulations for full Article

Development to which article 6 relates shall not be exempted development for the purposes of the Act—

(a) if the carrying out of such development would—

< See Regulations for List >

Schedule 2 : Part 1

CLASS 1

The extension of a house, by the construction or erection of an extension (including a conservatory) to the rear of the house or by the conversion for use as part of the house of any garage, store, shed or other similar structure attached to the rear or to the side of the house.

Conditions/ Limitations

1. (a) Where the house has not been extended previously, the floor area of any such extension shall not exceed 40 square metres.
(b) Subject to paragraph (a), where the house is terraced or semi-detached, the floor area of any extension above ground level shall not exceed 12 square metres.
(c) Subject to paragraph (a), where the house is detached, the floor area of any extension above ground level shall not exceed 20 square metres.

2. (a) Where the house has been extended previously, the floor area of any such extension, taken together with the floor area of any previous extension or extensions constructed or erected after 1 October 1964, including those for which planning permission has been obtained, shall not exceed 40 square metres.
(b) Subject to paragraph (a), where the house is terraced or semi-detached and has been extended previously, the floor area of any extension above ground level taken together with the floor area of any previous extension or extensions above ground level constructed or erected after 1 October 1964, including those for which planning permission has been obtained, shall not exceed 12 square metres.
(c) Subject to paragraph (a), where the house is detached and has been extended previously, the floor area of any extension above ground level, taken together with the floor area of any previous extension or extensions above ground level constructed or erected after 1 October 1964, including those for which planning permission has been obtained, shall not exceed 20 square metres.

3. Any above ground floor extension shall be a distance of not less than 2 metres from any party boundary.

4. (a) Where the rear wall of the house does not include a gable, the height of the walls of any such extension shall not exceed the height of the rear wall of the house.
(b) Where the rear wall of the house includes a gable, the height of the walls of any such extension shall not exceed the height of the side walls of the house.

(c) The height of the highest part of the roof of any such extension shall not exceed, in the case of a flat roofed extension, the height of the eaves or parapet, as may be appropriate, or, in any other case, shall not exceed the height of the highest part of the roof of the dwelling.

5. The construction or erection of any such extension to the rear of the house shall not reduce the area of private open space, reserved exclusively for the use of the occupants of the house, to the rear of the house to less than 25 square metres.

6. (a) Any window proposed at ground level in any such extension shall not be less than 1 metre from the boundary it faces.

(b) Any window proposed above ground level in any such extension shall not be less than 11 metres from the boundary it faces.

(c) Where the house is detached and the floor area of the extension above ground level exceeds 12 square metres, any window proposed at above ground level shall not be less than 11 metres from the boundary it faces.

7. The roof of any extension shall not be used as a balcony or roof garden.

CLASS 7

The construction or erection of a porch outside any external door of a house.

Limitation

1. Any such structure shall be situated not less than 2 metres from any road.

2. The floor area of any such structure shall not exceed 2 square metres.

3. The height of any such structure shall not exceed, in the case of a structure with a tiled or slated pitched roof, 4 metres or, in any other case, 3 metres.

An Bord Pleanála Referrals

RL3523

An Bord Pleanála, in exercise of the powers conferred on it by section 5 (3) (a) of the 2000 Act, hereby decides that the first floor extension built at the side and to the rear of 5 Church Avenue, Sandymount, Dublin is development and is not exempted development. Whether a first floor extension built at the side and to the rear of 5 Church Avenue, Sandymount, Dublin is or is not development or is or is not exempted development.

The first floor extension constitutes works, which come within the scope of Section 3(1) of the Planning and Development Act 2000, and, therefore, constitutes development, (b) the development does not come within the scope of section 4(1)(h) of the Planning and Development Act, 2000, and (c) the first floor extension does not come within the scope of the exemption provided in Class 1 of Part 1 of Schedule 2 of the Planning and Development Regulations, 2001 as it is positioned to the side rather than the rear of the existing house:

RL.3491

An Bord Pleanála, in exercise of the powers conferred on it by section 5(3)(a) of the 2000 Act, hereby decides that the said extension and alterations to an existing house at Annascannon, Thomastown, Killucan, County Westmeath, are development and are not exempted development.

(i) the extension and alterations to the house comprised works, which constitutes development, (ii) the extended area of the house fails to come within the scope of the exempted development provided for under Class 1 of Part 1 of Schedule 2 to the Planning and Development Regulations, 2001, as amended, arising from its location partly to the side of the house, (iii) neither the extension nor the alterations undertaken come under the exemption under section 4(1)(h) of the Planning and Development Act, 2000, as amended, arising from the nature and scale of the interventions made, which substantially exceed the scope of "maintenance, improvement or other alteration",

RL 2506

NOW THEREFORE An Bord Pleanála, in exercise of the powers conferred on it by section 5 (3) (a) of the 2000 Act, hereby decides that the said extension at 38 Ragoon Road, Shantalla, Galway is not exempted development.

AND WHEREAS An Bord Pleanála has concluded that - the extension would not come within the scope of the exemption provided in Class 1 of Part 1 of Schedule 2 to the Planning and Development Regulations, 2001, because it is positioned partly to the side, projecting beyond the side wall of the house by a distance of 1.95 metres.

Extract Inspectors Report

The view can be taken that the "rear of the house" is confined to the area beyond the rear wall of the main house, excluding any additions by way of extensions, or structures ancillary to the residential use of the house that project beyond the side/gable wall. As such, the extension would not fall within the definition of Class One in that an extension must extend from and beyond the rear of the house if it is to be in accordance with the description within Class One. On the basis of the foregoing, it can be concluded that there is no provision for exemptions for development to the side, even if the projection is at the rear of the house such as in the case of the development subject of the Question and therefore that the development is development and is not exempted development.

Assessment :

The application seeks a declaration as to whether the

Two single storey extensions to the rear with a combined floor area of 40sqm, a single storey porch to the front of the building with a floor area of 2sqm, modification to the existing windows to front of the dwelling, lowered in height, skylight to the rear and side of the existing roof.

The proposal identifies that acts of construction, extension, and alteration are to take place, and therefore such operations would come within the definition of works as set out in Section 2 of the Planning and Development Act 2000(as amended).

The works are therefore development given the provisions of Section 3(1) (a) i.e.

the carrying out of any works in, on, over or under land, or the making of any material change in the use of any land or structures situated on land, or

The new roof velux, and revised windows and new door/ window insertions in the elevations would it is considered come within the provisions of Section 4(1)(h) of the Planning and Development Act 2000(as amended) as they would affect the external appearance however the impact would 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.

The porch located to the front of the dwelling is identified as 2.4m in height and 2sqm in size. Class 7 of the Planning and Development Regulations 2001(as amended) would allow for the construction of a porch outside any external door of a house. Given the overall sizing of the porch it would accord with the Limitations set out thereunder.

Class 1: Part 1 : Schedule 2 is the relevant exemption with respect to the provision of extensions. This exemption is for :

The extension of a house, by the construction or erection of an extension (including a conservatory) to the rear of the house or by the conversion for use as part of the house of any garage, store, shed or other similar structure attached to the rear or to the side of the house.

The submitted documents indicate 2 extensions amounting to a total of 40sqm. The extension located adjoining the utility room is wholly to the rear, however this is not the case with the living room extension which extends beyond the side wall of the dwelling. Given the location of the living room extension, and previous An Bord Pleanála references in particular RL 2506, this extension would not accord with the description set out under Class 1 and therefore is not exempted development. In respect to the smaller extension of c. 7sqm the as this extensions comes within the description , compliance with the limitations thereunder would be applicable, i.e.

Limitations

Limitation 1 – The extensions would not exceed 40sqm

Limitation 2 – n/a

Limitation 3-n/a

Limitation 4 – The extension would not exceed the height of the rear wall of the hosue.

Limitation 5- Remaining rear garden in excess of 25sqm (c. 70sqm)

Limitation 6- The door is 2.4m from the boundary it faces.

Limitation 7 – No balcony being proposed

Accordingly, the smaller 7sqm extension would come within the provisions of Class 1.

Article 9 provisions of Article 9 of the Planning and Development Regulations would apply to the extensions, such that it would no longer be exempted development.

Recommendation :

With respect to the query under Section 5 of the Planning and Development Act 2000(as amended), as to whether

- i. 30sqm living room extension
- ii. 7sqm utility room extension
- iii. Single Storey Porch to Front of dwelling
- iv The modification to existing windows to front of dwelling, lowered cill height and skylight to rear and side of existing roof

at Winetavern, Stratford on Slaney , Baltinglass, Co. Wicklow W91 W5X4, constitutes exempted development within the meaning of the Planning and Development Acts, 2000(as amended).

The Planning Authority consider that

- i. The 30sqm living room extension **is development and is Not Exempted Development**
- ii. The 7 sqm utility room extension **is development and is Exempted development**
- iii. Single Storey porch to front of dwelling **is development and is Exempted development**
- iv. The modification to existing windows to front of dwelling, lowered cill height and skylight to rear and side of existing roof **is development and is Exempted Development**

Main Considerations with respect to Section 5 Declaration :

- a) The details submitted with the Section 5 Declaration application
- b) Sections 2 , 3 and 4 of the Planning and Development Act 2000 (as amended)
- c) Article 6, 9 and Schedule 2, Part 1 : Class 1 and Class 7 of the Planning and Development Regulations 2001 (as amended)
- d) An Bord Pleanala Reference RL 2506, RL.3491, RL3523

Main Reasons with respect to Section 5 Declaration :

- A. The provision of a new extensions, porch and modification of external elevations would be operations of construction, extension, and alteration, and therefore such operations would

come within the definition of works as set out in Section 2 of the Planning and Development Act 2000(as amended).

- B. The works are therefore development given the provisions of Section 3(1) (a) of the Planning and Development Act 2000 (as amended).
- C. The new roof velux, and revised window details and new door/ window insertions in the elevations would it is considered come within the provisions of Section 4(1)(h) of the Planning and Development Act 2000(as amended) as they would 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.
- D. The porch located to the front of the dwelling is identified as 2.4m in height and 2sqm in size and would therefore come within the description and limitations set out under Schedule 2 : Part 1 : Class 7 of the Planning and Development Regulations 2001(as amended)
- E. The 30sqm living Room Extension which is located to the rear and projects partially beyond the side wall of the dwelling, would not come within the description set out in Schedule 2 : Part 1 : Class 1 of the Planning and Development Regulations 2001(as amended), and is therefore not exempted development.
- F. The 7sqm utility extension to the rear of the dwelling would come within the description and limitations set out under Schedule 2 : Part 1 : Class 1 of the Planning and Development Regulations 2001(as amended).
- F. Nothing within Article 9 of the Planning and Development Regulations 2001(as amended) would be applicable.

Bill Cunningham SEP

23/12/2024

*Issue decision is recommended
Kogal T. Kogal SE
15/11/25*



COMHAIRLE CONTAE CHILL Mhantáin
Wicklow County Council

Pleanáil, Forbairt Eacnamaíochta agus Tuaithe
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5th December 2024

Ashely O'Toole
Newhaggard
Garristown
Co. Dublin
A42 XE35

Re: Application for a Declaration in accordance with Section 5 of the Planning & Development Act 2000 (as amended) : - EX106/2024 – for Kathleen & Jerry Keane

A Chara

I wish to acknowledge receipt of your application for a declaration in respect of Section 5 for the above proposal on 3rd December 2024.

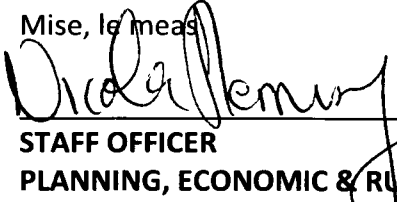
We received your Section 5 application form however this is incomplete as per our additional notes section and is return herewith: -

- A site location map (an eircode map will suffice) is required. Please be advised that the eircode given in the location address brings me to a site in Blessington therefore I am presuming that the eircode is incorrect.

We need these documents to be able to access the application.

Application is currently classed as incomplete and decision date cannot be noted until the above documentation is received.

Mise, le meas


STAFF OFFICER
PLANNING, ECONOMIC & RURAL DEVELOPMENT





**Comhairle Contae Chill Mhantáin
Wicklow County Council**

**Pleanáil, Forbairt Eacnamaíochta agus Tuaithe
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MEMORANDUM

WICKLOW COUNTY COUNCIL

**TO: Edel Bermingham
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).
EX106/2024**

I enclose herewith application for Section 5 Declaration received completed on 10/12/2025.

The due date on this declaration is 16th January 2025.

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



*Ta an doicimead 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 Stúirthóir Seirbhísi, 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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12th December 2024

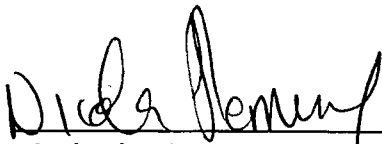
Ashley O'Toole
Newhaggard
Garristown
Co. Dublin
A42 XE35

RE: Application for Certificate of Exemption under Section 5 of the Planning and Development Acts 2000 (as amended). – EX106/2024

A Chara

I wish to acknowledge receipt on 10/12/2024 details supplied by you in respect of the above Section 5 application. A decision is due in respect of this application by 16/01/2025.

Mise, le meas



Nicola Fleming
Staff Officer
Planning, Economic & Rural Development

Tá an doiciméad seo ar fáil i bhformáidí 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



Wicklow County Council,
County Buildings,
Wicklow Town,
Co. Wicklow.

WICKLOW COUNTY COUNCIL
CUSTOMER SERVICE

1 0 DEC 2024

Ashley O'Toole
Newhaggard,
Garristown,
Co. Dublin.

09th December 2024

Ref EX106/2024 - Application for a Section 5 Declaration for Kathleen and Jerry Keane, Winetavern, Stratford on Slaney, Baltinglass, Co. Wicklow. The development will consist of the following –

- a. **2 x single storey extensions to the rear of the dwelling with a combined floor area of 40sqm**
- b. **a single storey porch to the front of the building with a floor are of 2sqm**
- c. **modification to the existing windows to front of the dwelling, lowered cill height.**
- d. **skylight to the rear and side of the existing roof.**

To whom it concerns,

Please find the following documents and drawings in relation to declaration 5 application above-

Application form
€80 postal order
01 OS Map 10560
02 OS Map 2500
03 Site Plan
101 Existing Floor Plans
102 Existing Elevations
103 Proposed Floor Plans
104 Proposed Elevations 1
105 Proposed Elevations 2
106 Proposed Sections

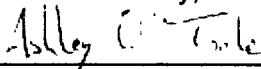
WICKLOW COUNTY COUNCIL

1 0 DEC 2024

PLANNING DEPT.

Should you require any further information please do not hesitate to contact me at the number below.

Yours sincerely,



Ashley O'Toole.

B.Sc. Arch Tech, B.Sc. Building Surveying

Mobile: 0871422161

Email: otoole.ashley@gmail.com

Wicklow County Council
County Buildings
Wicklow
0404-20100

03/12/2024 11:36:09

Receipt No L1/0/338043

ASHLEY O'TOOLE
NEWHAGGARD
GARRISTOWN
CO DUBLIN

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

Total 80 00 EUR

Tendered
Postal Order 80 00
KATHILLEN & JERRY KEANE

Change 0 00

Issued By Cashier5MW
From Customer Service Hub
Vat reg No 0015233H

N
n



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

Office Use Only

Date Received _____

Fee Received _____

**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: **Kathleen & Jerry Keane**
Address of applicant: **Winetavern, Stratford on Slaney, Baltinglass, Co.
Wicklow, W91W5X4**

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

2. Agents Details (Where Applicable)

- (b) Name of Agent (where applicable) **Ashley O'Toole**
Address of Agent : **Newhaggard, Garristown, Co Dublin, A42XE35**

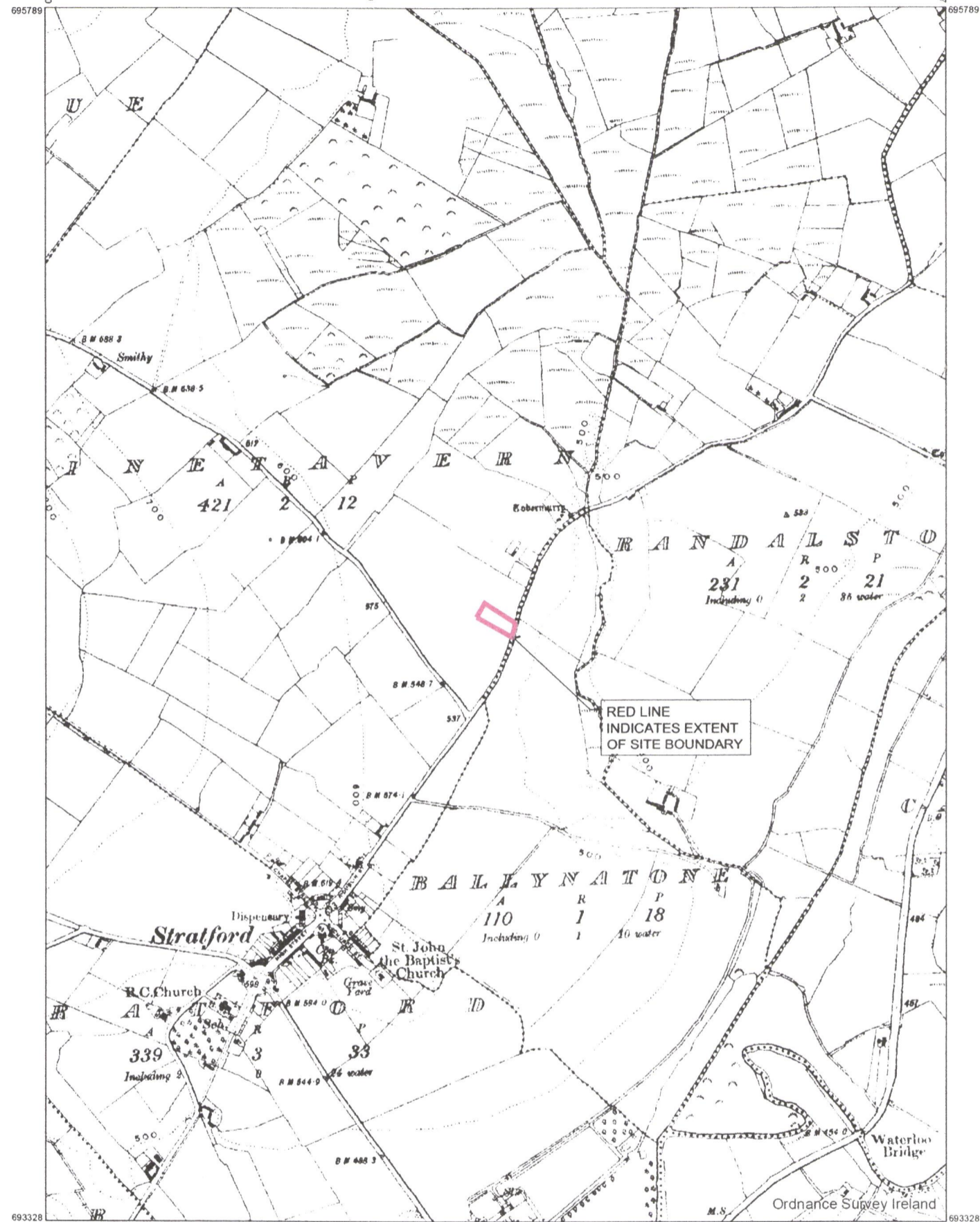
Note Phone number and email to be filled in on separate page.

3. Declaration Details

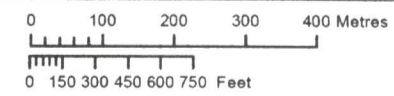
- i. Location of Development subject of Declaration- **Winetavern, Stratford on Slaney, Baltinglass, Co. Wicklow, W91N977**
- ii. Are you the owner and/or occupier of these lands at the location under i. above ? **Yes**
- iii. If 'No' to ii above, please supply the Name and Address of the Owner, and or occupier **N/A**
- 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 **The proposed**

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Site Location Map



RED LINE INDICATES EXTENT OF SITE BOUNDARY



OUTPUT SCALE: 1:10,560



CENTRE COORDINATES:
ITM 689429,694559
PUBLISHED: 18/11/2024
MAP SERIES: 6 Inch Raster

ORDER NO.: 50434795_1
MAP SHEETS: WW021
CAPTURE RESOLUTION: The map objects are only accurate to the resolution at which they were captured. Output scale is not indicative of data capture scale. Further information is available at: www.tailte.ie; search 'Capture Resolution'
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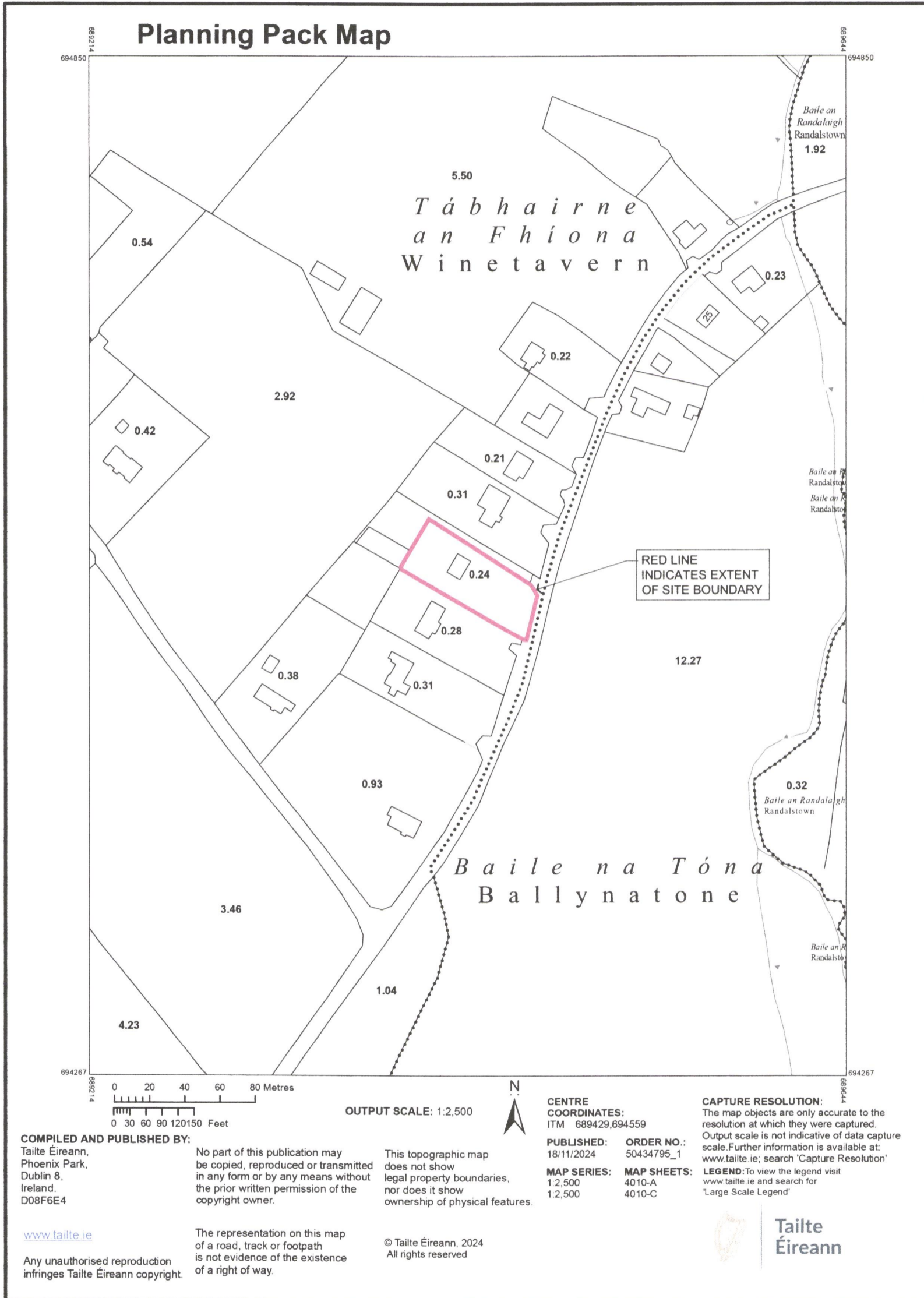


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SECTION 5 APPLICATION
(EXEMPT DEVELOPMENT)

OS MAP 1:10560

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SECTION 5 APPLICATION
(EXEMPT DEVELOPMENT)

OS MAP 1:2500



SITE AREA	0.2391ha
GREEN DASH LINE OUTLINES PROPOSED WORKS	
RED LINE OUT LINES SITE BOUNDARY	

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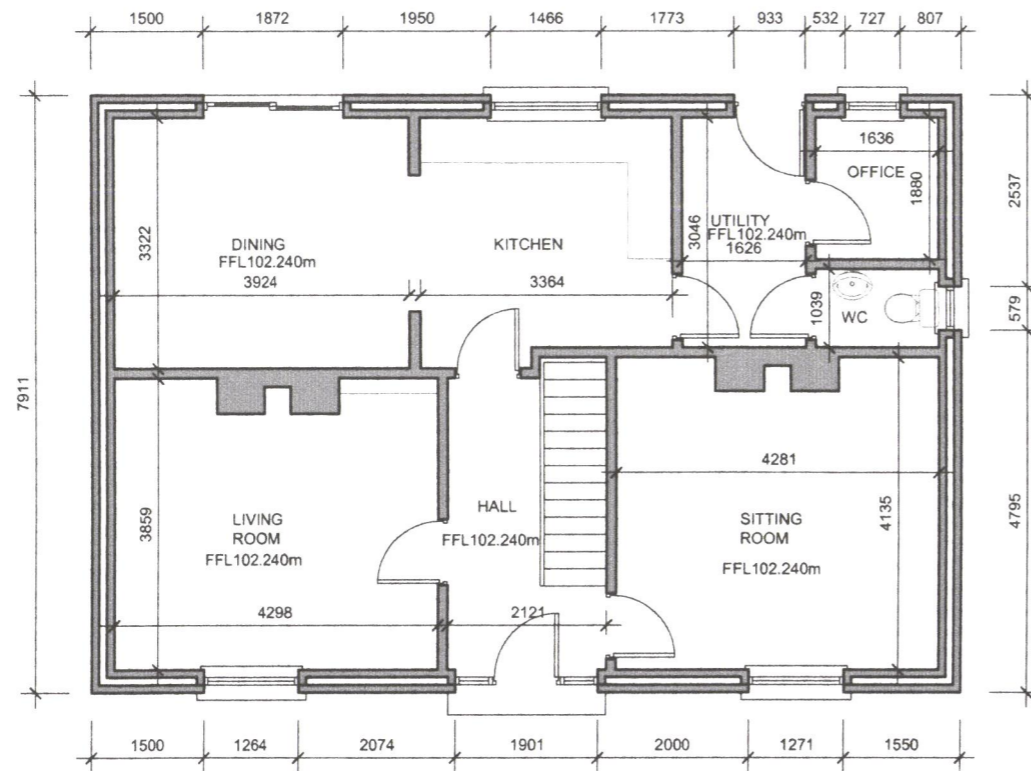


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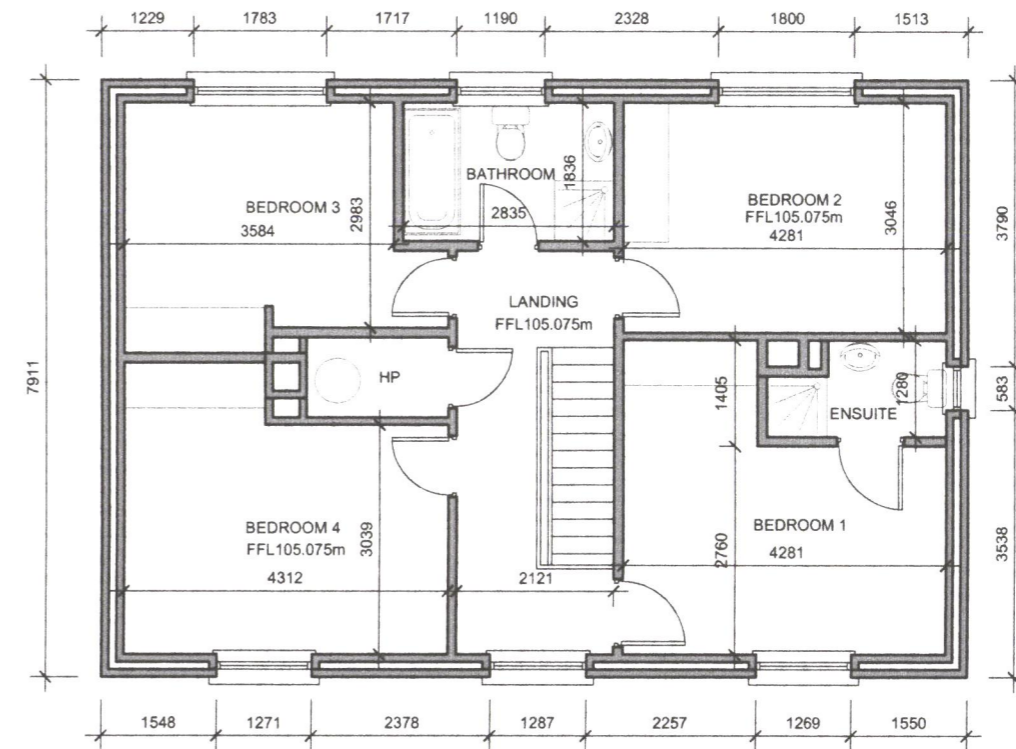
SECTION 5 APPLICATION
(EXEMPT DEVELOPMENT)

Site Plan

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1 EXISTING GROUND FLOOR PLAN
SCALE 1:100 @ A3



2 EXISTING FIRST FLOOR PLAN
SCALE 1:100 @ A3

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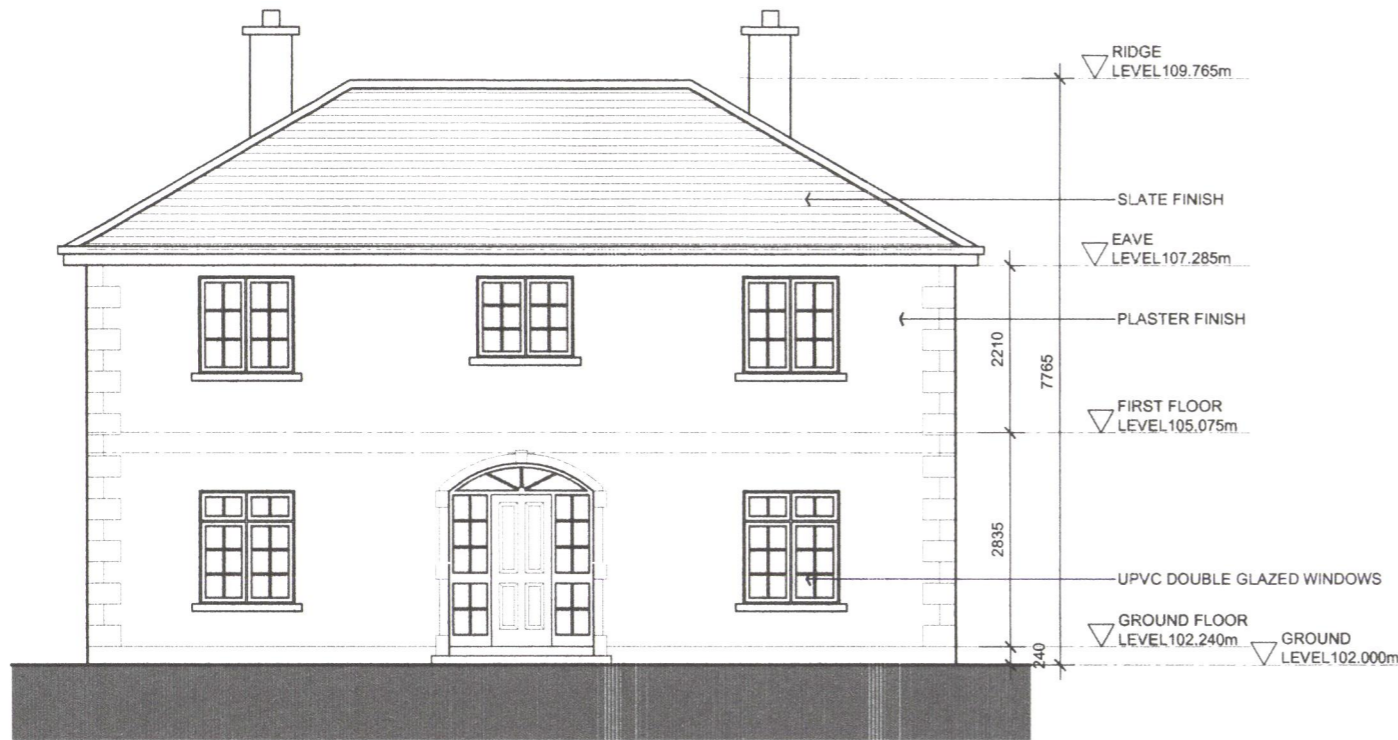
FLOOR AREA	
EXISTING GROUND FLOOR AREA	80 SQM
EXISTING FIRST FLOOR AREA	80 SQM
TOTAL FLOOR AREA	160 SQM

SECTION 5 APPLICATION
(EXEMPTED DEVELOPMENT)

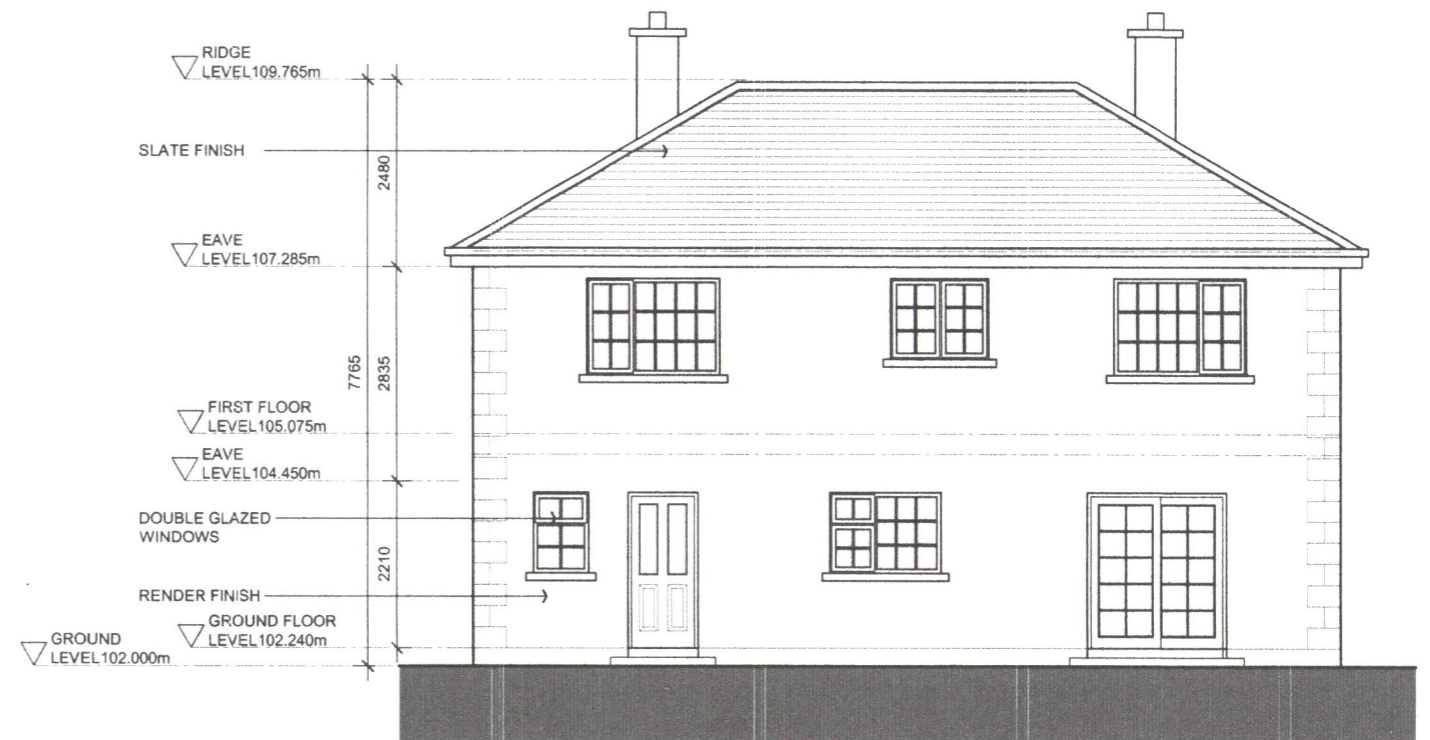
EXISTING FLOOR PLANS



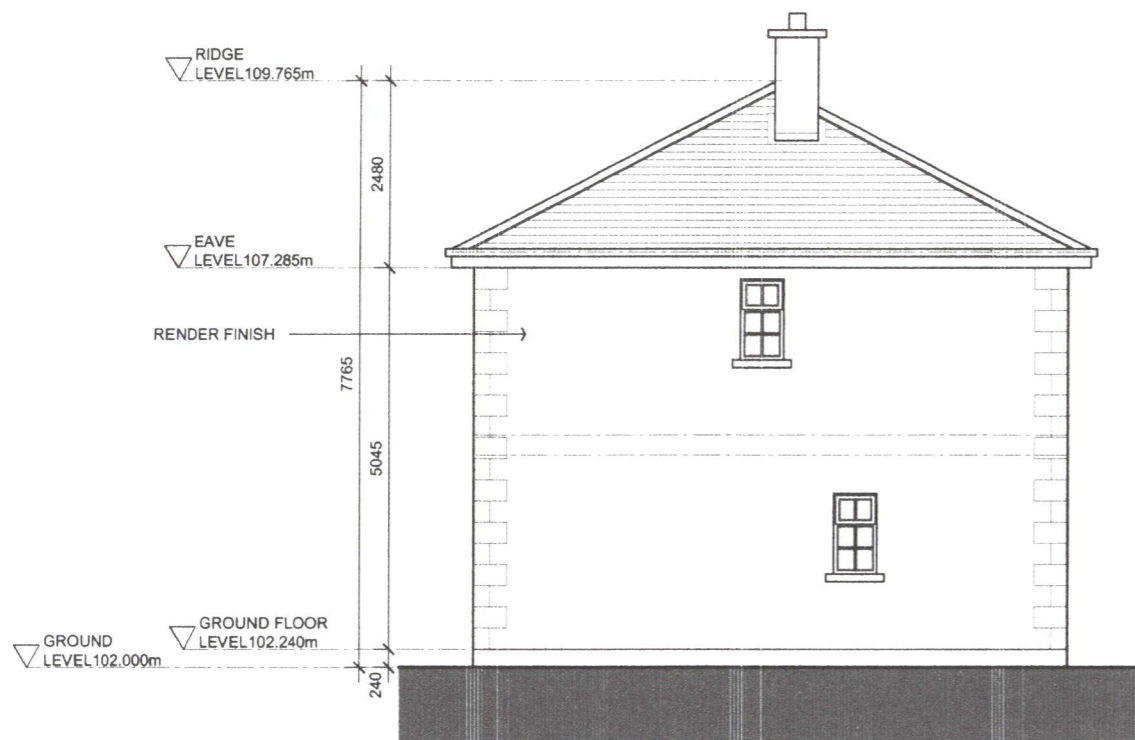
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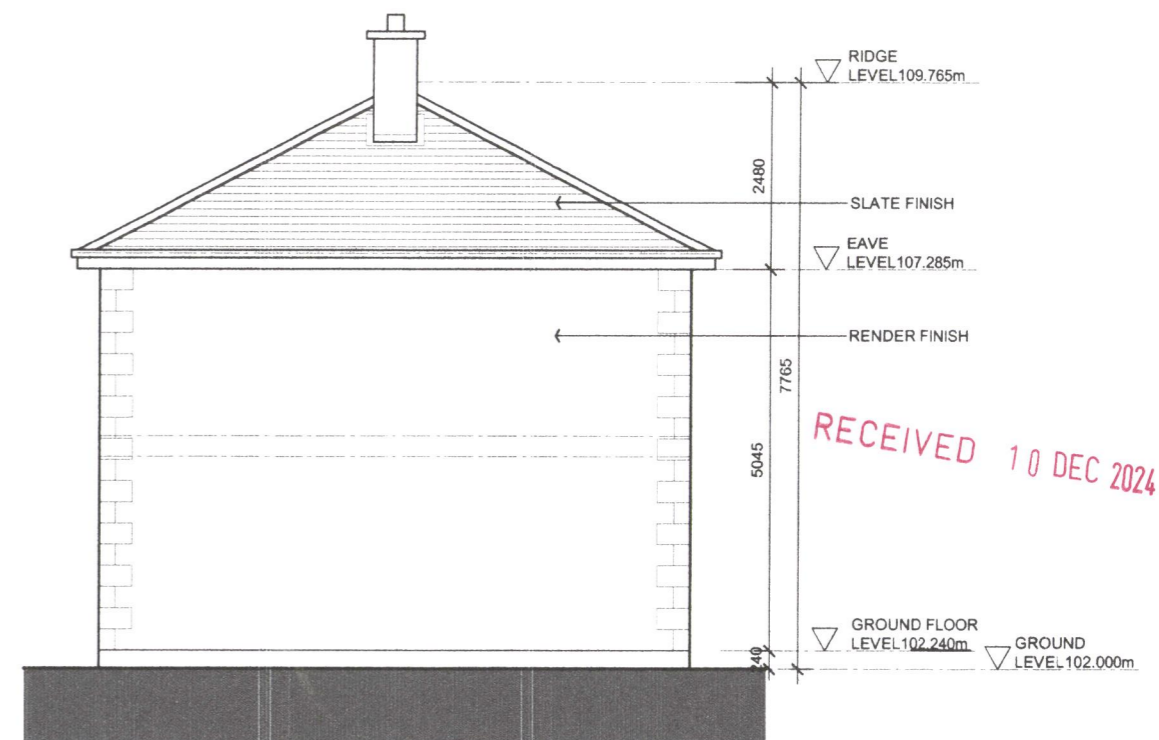
1 EXISTING FRONT ELEVATION
SCALE 1:100 @ A3



2 EXISTING REAR ELEVATION
SCALE 1:100 @ A3



3 EXISTING SIDE ELEVATION
SCALE 1:100 @ A3



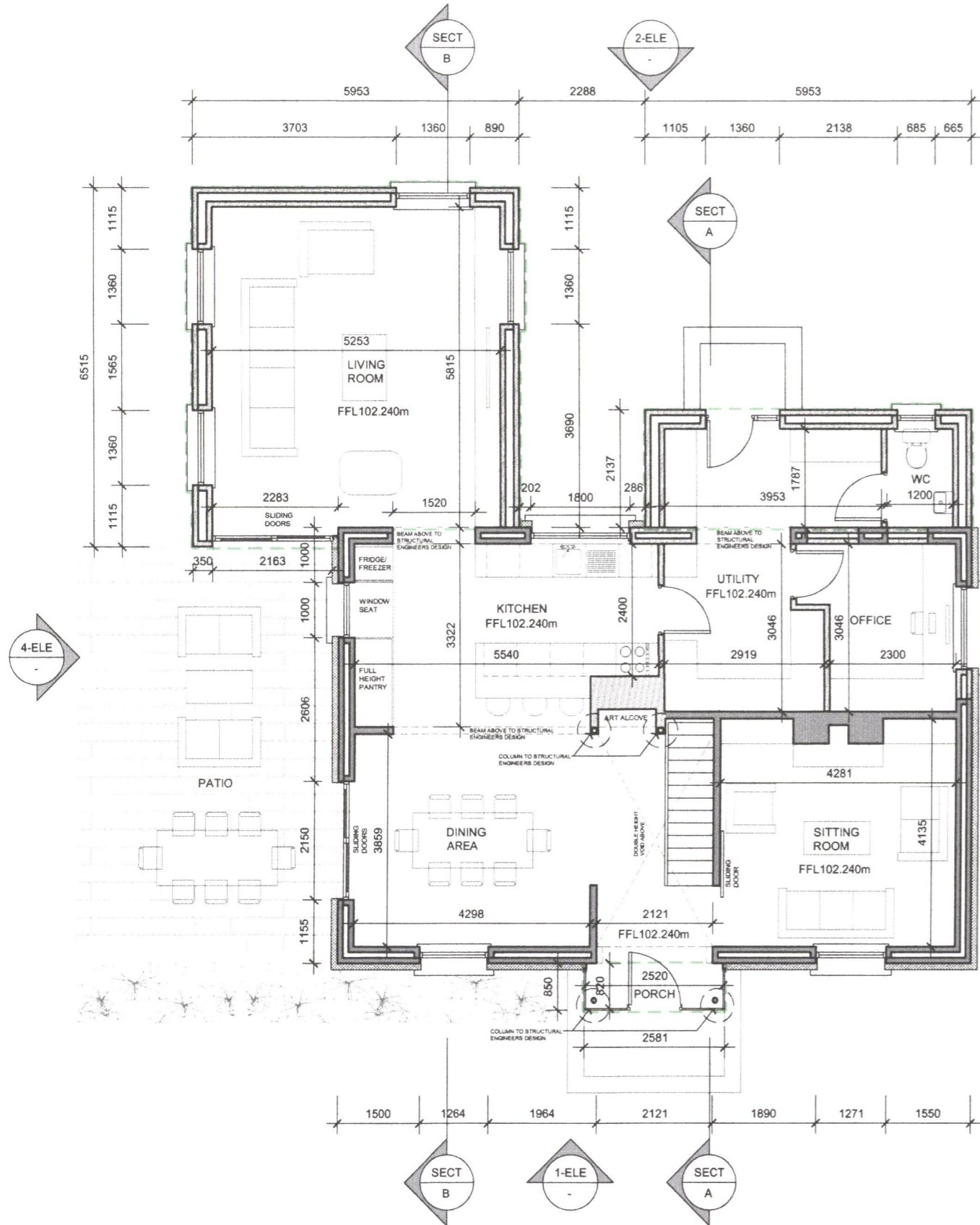
4 EXISTING SIDE ELEVATION
SCALE 1:100 @ A3

SECTION 5 APPLICATION
(EXEMPTED DEVELOPMENT)

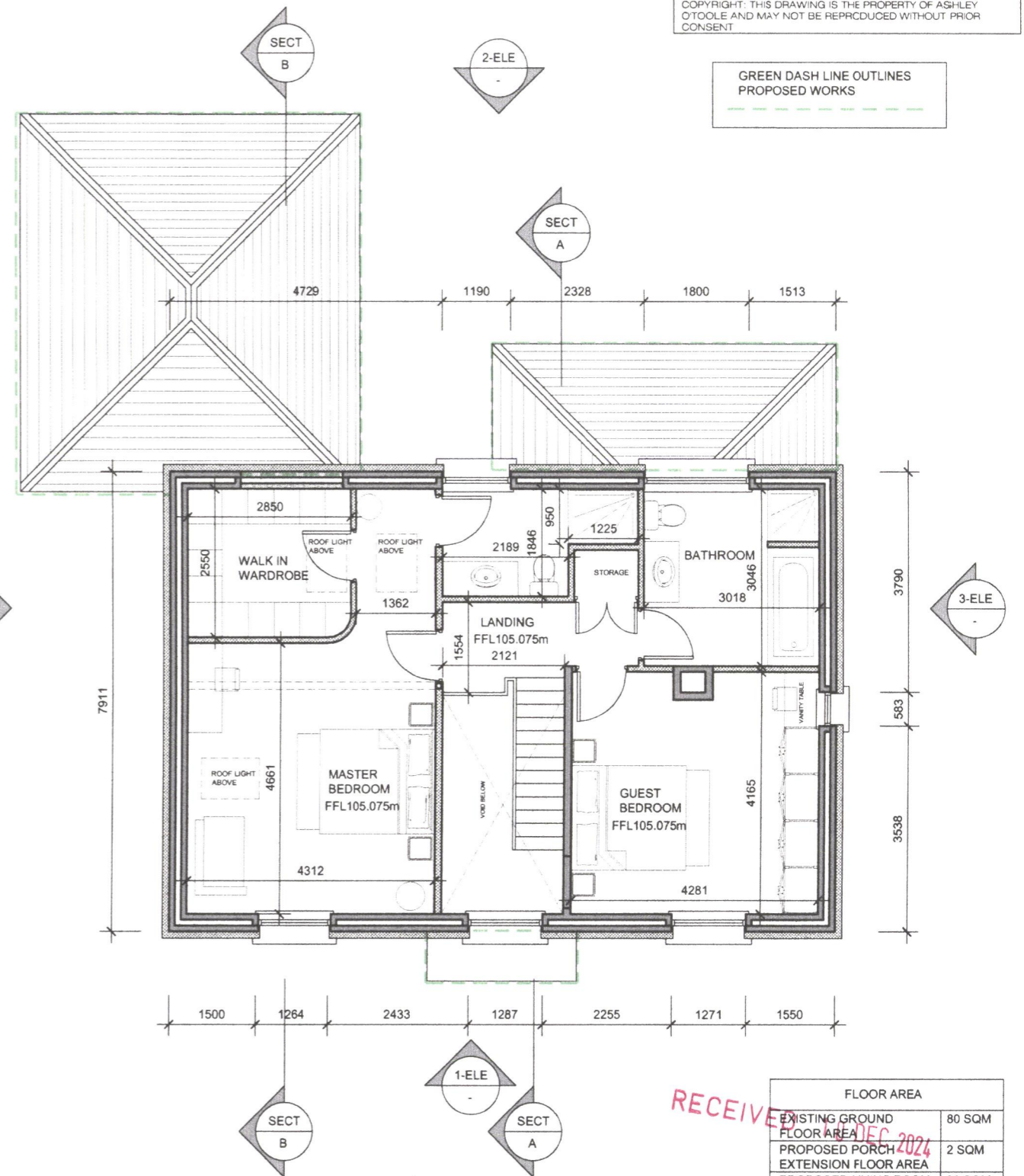
EXISTING ELEVATIONS

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GREEN DASH LINE OUTLINES PROPOSED WORKS



1 PROPOSED GROUND FLOOR PLAN
SCALE 1:100 @ A3



2 PROPOSED FIRST FLOOR PLAN
SCALE 1:100 @ A3

FLOOR AREA	
EXISTING GROUND FLOOR AREA	80 SQM
PROPOSED PORCH EXTENSION FLOOR AREA	2 SQM
PROPOSED LIVING ROOM EXTENSION FLOOR AREA	30 SQM
PROPOSED UTILITY/WC EXTENSION FLOOR AREA	10 SQM
EXISTING FIRST FLOOR AREA	80 SQM
TOTAL FLOOR AREA	202 SQM

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SECTION 5 APPLICATION
(EXEMPTED DEVELOPMENT)

PROPOSED FLOOR PLANS OPT 2



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GREEN DASH LINE OUTLINES PROPOSED WORKS



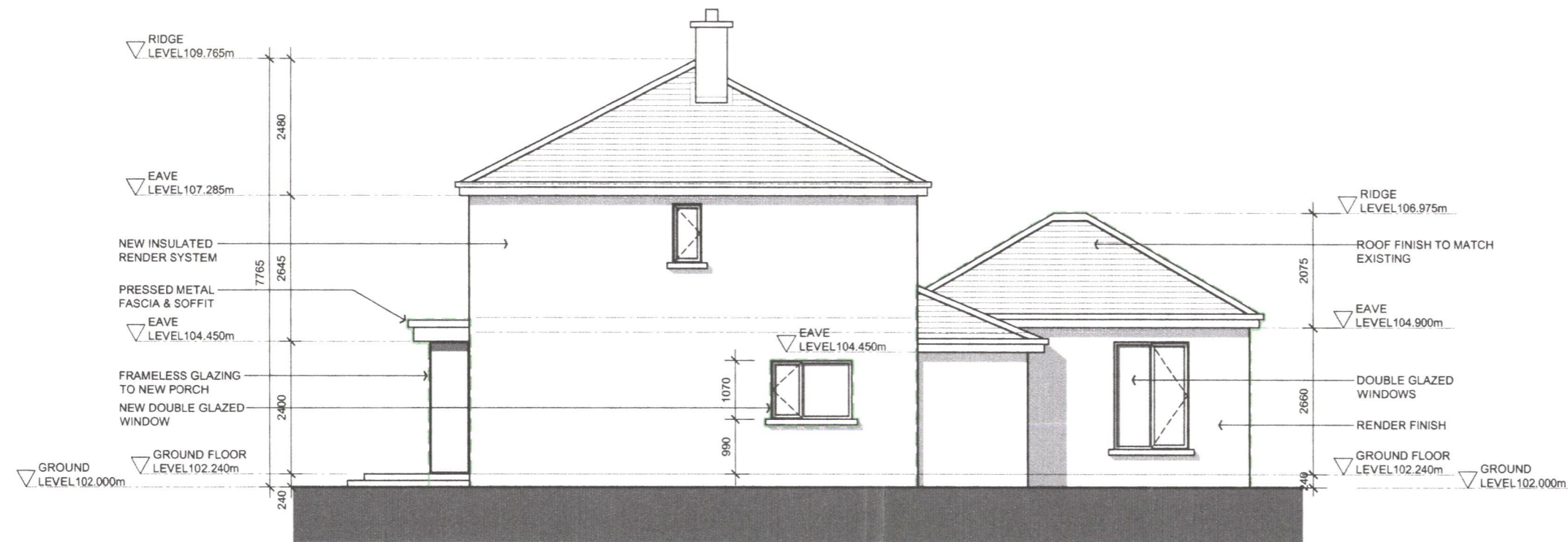
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SECTION 5 APPLICATION
(EXEMPTED DEVELOPMENT)

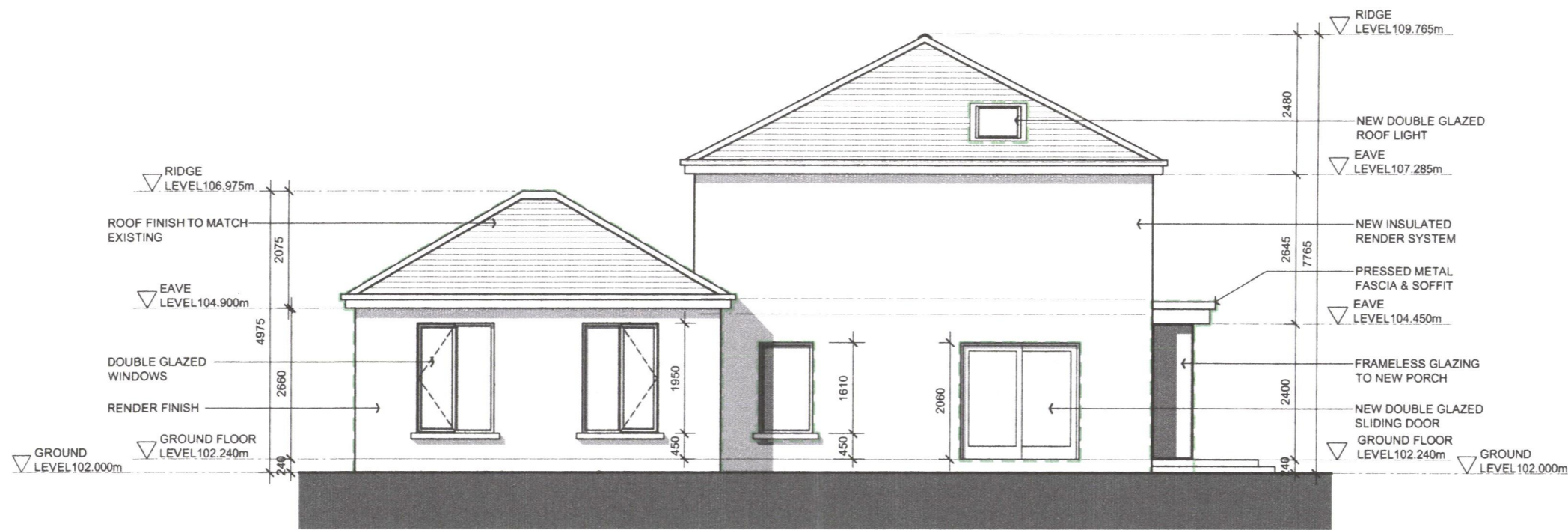
PROPOSED ELEVATIONS SHEET 1

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GREEN DASH LINE OUTLINES PROPOSED WORKS



3 PROPOSED SIDE ELEVATION
SCALE 1:100 @ A3



4 PROPOSED SIDE ELEVATION
SCALE 1:100 @ A3

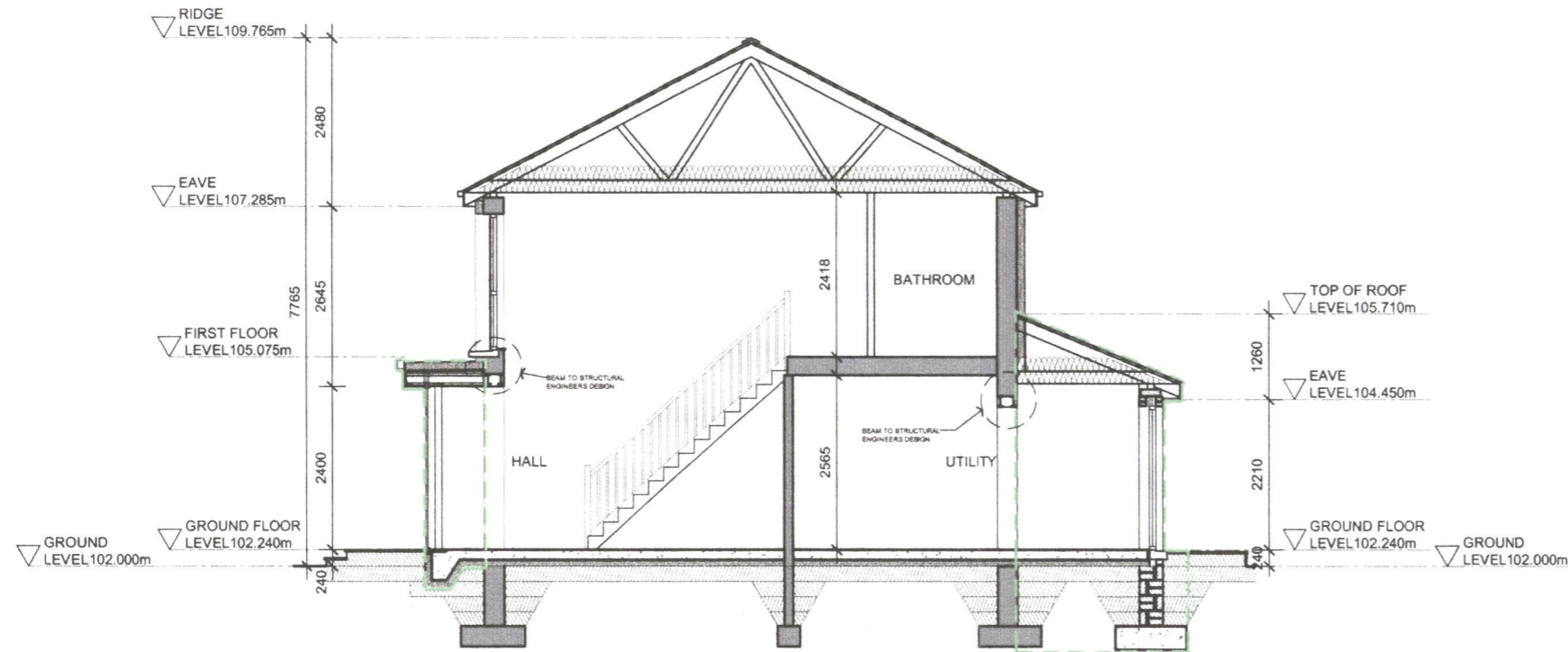
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SECTION 5 APPLICATION
(EXEMPTED DEVELOPMENT)

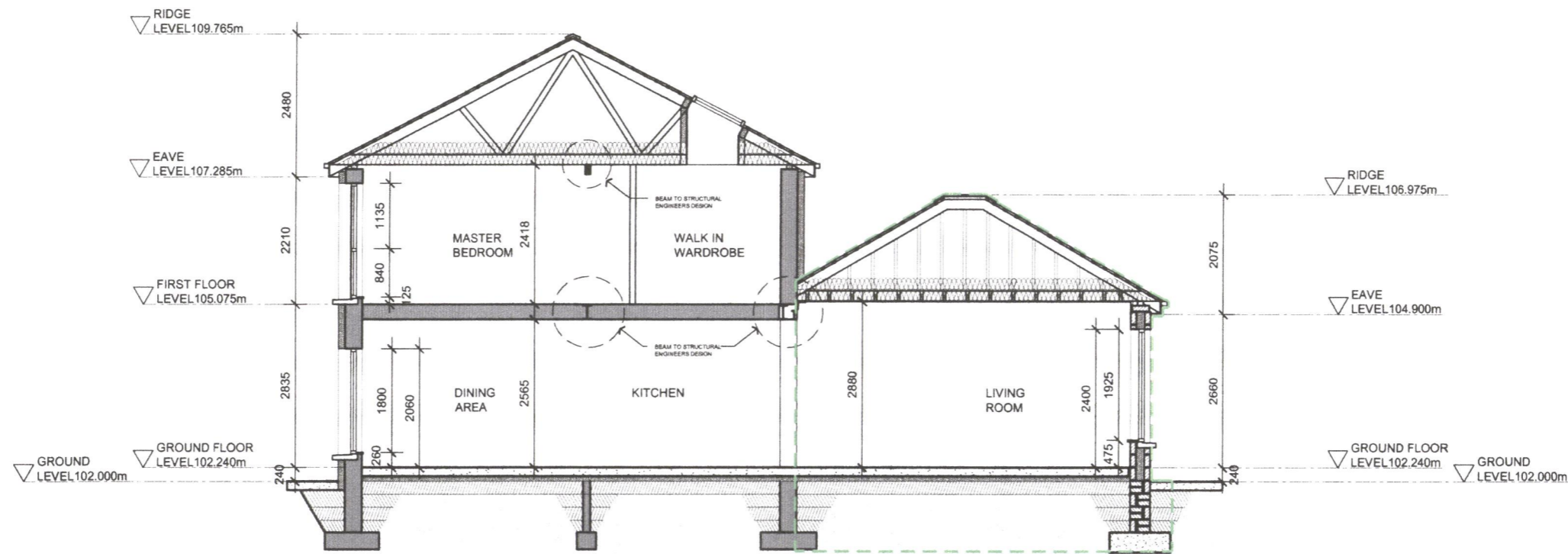
PROPOSED ELEVATIONS SHEET 2

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GREEN DASH LINE OUTLINES PROPOSED WORKS



A PROPOSED SECTION
SCALE 1:100 @ A3



B PROPOSED SECTION
SCALE 1:100 @ A3

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SECTION 5 APPLICATION
(EXEMPTED DEVELOPMENT)

PROPOSED SECTIONS