



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
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Suíomh / Website: www.wicklow.ie

19th March 2025

Dqsq Architects & Designers
Tower 3
Fumbally Court
Fumbally Lane
Dublin
D08 TXY8

RE: Declaration in accordance with Section 5 of the Planning & Development Acts 2000
(As Amended) - EX15/2025

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

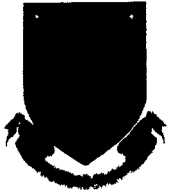
Where a Declaration is used under this Section any person issued with a Declaration under subsection (2) (a) may, on payment to An Bord Pleanála of such fee as may be prescribed, refer a declaration for review by the Board within four weeks of the date of the issuing of the declaration by the Local Authority.

Is mise, le meas,


ADMINISTRATIVE OFFICER

PLANNING ECONOMIC & RURAL DEVELOPMENT





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: Blainroe Estates Management Company

Location: Blainroe Estate, Blainroe, Co. Wicklow

Reference Number: EX15/2025

CHIEF EXECUTIVE ORDER NO. CE/PERD/2025/271

Section 5 Declaration as to whether "proposed padel tennis court" at Blainroe Estate, Blainroe, Co. Wicklow constitutes exempted development within the meaning of the Planning and Development Act, 2000(as amended).

Having regard to:

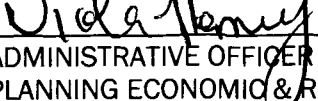
- The details submitted on 10/02/2025 and 06/03/2025.
- Sections 2, 3 and 4 of the Planning and Development Act 2000 (as amended).
- Class 33(c) of Part 1 Schedule 2 of the Planning and Development Regulations, 2001 (as amended).
- Class 11 of Article 6, Schedule 2, Part 1 of the Planning and Development Regulations 2001 (as amended)
- Articles 6 of the Planning and Development Regulations 2001, as amended.

Main Reasons with respect to Section 5 Declaration:

- The proposed change of use of the existing tennis court to a Padel Tennis Court including provision of a synthetic turf playing surface as described in the documents and details submitted as part of this Section 5 and Further Information request are considered to be works which comprises of "Development consisting of the laying out and use of land— for athletics or sports (other than golf or pitch and putt or sports involving the use of motor vehicles, aircraft or firearms), where no charge is made for admission of the public to the land" and would constitute development and is exempted development under of Class33(c) of Part 1 Schedule 2 of the Planning and Development Regulations, 2001 (as amended).
- The erection of a 4m high enclosure including 3m high glass panels around the proposed Padel tennis courts as described in the documents and details submitted as part of this Section 5 and Further Information request are considered to be works which comprises of "The construction, erection, lowering, repair or replacement, other than within or bounding the curtilage of a house, of – (a) any fence (not being a hoarding or sheet metal fence), and would constitute development and is not exempted development as it does not fulfil the conditions and limitations of Schedule 2, Article 6, Part 1, Class 11 noting that the proposed fence exceeds 1.2 metres, is not replacing an existing structure and in any event exceeds 2 metres.

The Planning Authority considers that: -

- "change of use of the existing tennis court to a Padel Tennis Court including provision of a synthetic turf playing surface" at Blainroe Estate, Blainroe, Co. Wicklow is development and is exempted development within the meaning of the Planning & Development Act 2000 (as amended).
- "The erection of a 4m high enclosure including 3m high glass panels around the proposed Padel tennis courts" at Blainroe Estate, Blainroe, Co. Wicklow is development and is NOT exempted development within the meaning of the Planning & Development Act 2000 (as amended).

Signed: 
ADMINISTRATIVE OFFICER
PLANNING ECONOMIC & RURAL DEVELOPMENT

Dated:  March 2025



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

CHIEF EXECUTIVE ORDER NO. CE/PERD/2025/271

Reference Number: EX15/2025

Name of Applicant: Blainroe Estates Management Company

Nature of Application: Section 5 Declaration request as to whether or not: -
"proposed padel tennis court" is or is not development
and is or is not exempted development.

Location of Subject Site: Blainroe Estate, Blainroe, Co. Wicklow

Report from Neal Murphy, EP & Fergal Keogh, SE

With respect to the query under section 5 of the Planning & Development Act 2000 as to whether "proposed padel tennis court" at Blainroe Estate, Blainroe, Co. Wicklow is or is not exempted development within the meaning of the Planning & Development Act 2000 (as amended).

Having regard to:

- a) The details submitted on 10/02/2025 and 06/03/2025.
- b) Sections 2, 3 and 4 of the Planning and Development Act 2000 (as amended).
- c) Class 33(c) of Part 1 Schedule 2 of the Planning and Development Regulations, 2001 (as amended).
- d) Class 11 of Article 6, Schedule 2, Part 1 of the Planning and Development Regulations 2001 (as amended)
- e) Articles 6 of the Planning and Development Regulations 2001, as amended.

Main Reason with respect to Section 5 Declaration:

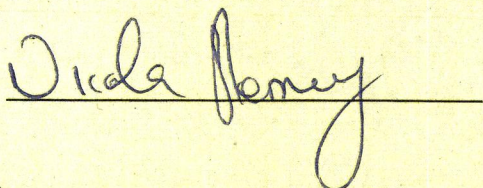
1. The proposed change of use of the existing tennis court to a Padel Tennis Court including provision of a synthetic turf playing surface as described in the documents and details submitted as part of this Section 5 and Further Information request are considered to be works which comprises of "Development consisting of the laying out and use of land— for athletics or sports (other than golf or pitch and putt or sports involving the use of motor vehicles, aircraft or firearms), where no charge is made for admission of the public to the land" and would constitute development and is exempted development under of Class33(c) of Part 1 Schedule 2 of the Planning and Development Regulations, 2001 (as amended).
2. The erection of a 4m high enclosure including 3m high glass panels around the proposed Padel tennis courts as described in the documents and details submitted as part of this Section 5 and Further Information request are considered to be works which comprises of "The construction, erection, lowering, repair or replacement, other than within or bounding the curtilage of a house, of – (a) any fence (not being a hoarding or sheet metal fence), and would constitute development and is not exempted development as it does not fulfil the conditions and limitations of Schedule 2, Article 6, Part 1, Class 11 noting that the proposed fence exceeds 1.2 metres, is not replacing an existing structure and in any event exceeds 2 metres.

Recommendation:

The Planning Authority considers that: -

1. "change of use of the existing tennis court to a Padel Tennis Court including provision of a synthetic turf playing surface" at Blainroe Estate, Blainroe, Co. Wicklow is development and is exempted development as recommended in the report by the SEP.
2. "The erection of a 4m high enclosure including 3m high glass panels around the proposed Padel tennis courts" at Blainroe Estate, Blainroe, Co. Wicklow is development and is NOT exempted development as recommended in the report by the SE.

Signed



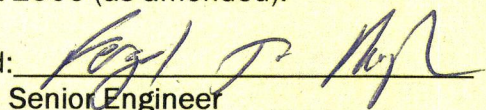
Dated 19th day of March 2025

ORDER:

I HEREBY DECLARE THAT:-

1. "change of use of the existing tennis court to a Padel Tennis Court including provision of a synthetic turf playing surface" at Blainroe Estate, Blainroe, Co. Wicklow is development and is exempted development within the meaning of the Planning & Development Act 2000 (as amended).
2. "The erection of a 4m high enclosure including 3m high glass panels around the proposed Padel tennis courts" at Blainroe Estate, Blainroe, Co. Wicklow is development and is NOT exempted development within the meaning of the Planning & Development Act 2000 (as amended).

Signed:



Senior Engineer

Planning, Economic & Rural Development

Dated 19th day of March 2025



WICKLOW COUNTY COUNCIL
PLANNING DEPARTMENT

Section 5 – Application for declaration of Exemption Certificate

TO: Fergal Keogh S.E / Suzanne White S.E.P. / Edel Bermingham S.E.P.
FROM: Neal Murphy E.P
REF: EX15/2025
DECISION DUE: 26/03/2025
NAME: BLAINROE ESTATES MANAGEMENT COMPANY
DEVELOPMENT: PROPOSED PADEL TENNIS COURT
LOCATION: BLAINROE ESTATE, BLAINROE, CO. WICKLOW

See previous report dated the 27th February 2025; a request for the submission of Further Information issued on the 28th February 2025, and a response was received on the 6th March 2025.

FURTHER INFORMATION was sought as follows:

Item 1

1. Confirmation of the works required for the provision of the proposed Padel Court together with revised drawings including site layout plans and elevations indicating the enclosure materials and height including gates and any additional lighting required if applicable.

Response:

The applicant's response is as follows:

The Padel Tennis Court is assembled using a painted metal post structure, with rigid / painted mesh infill and 12mm tempered glass panels; the court area being a synthetic turf playing surface. As per drawings/information submitted with the application, the height of the Padel Court enclosure will be 4m, with clear glass panels to a height of 3m. There are no gates within the court enclosure. There is currently no existing lighting of the tennis court area and none is proposed as part of this application. (An updated drawing is attached to include information, as noted).

The applicant has confirmed that the proposed Padel Tennis Court requires the installation of a 4m high enclosure with 3m high clear glass panels.

Legislative Context

Planning and Development Act 2000 (as amended)

Section 4 (1) (h) is relevant for the purposes of this declaration:

"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."

Having reviewed Section 4 of the Act, there is no provision for exempted development that relates to the development proposal.

Class 11 of Article 6, Schedule 2, Part 1 of the Planning and Development Regulations 2001 (as amended) which refers to:

CLASS 11

The construction, erection, lowering, repair or replacement, other than within or bounding the curtilage of a house, of—

- a) *any fence (not being a hoarding or sheet metal fence), or*

Conditions and Limitations –

1. *The height of any new structure shall not exceed 1.2 metres or the height of the structure being replaced, whichever is the greater, and in any event shall not exceed 2 metres.*

Therefore, **the erection of a 4m high enclosure with 3m high glass panels** around the Padel court would come within the description of Class 11 of Article 6, Schedule 2, Part 1 of the Planning and Development Regulations 2001 (as amended) which refers to:

The construction, erection, lowering, repair or replacement, other than within or bounding the curtilage of a house, of—

- a) *any fence (not being a hoarding or sheet metal fence), or*

Conditions and Limitations –

1. *The height of any new structure shall not exceed 1.2 metres or the height of the structure being replaced, whichever is the greater, and in any event shall not exceed 2 metres.*

As the proposed enclosure is 4m in height, it **cannot be considered to be exempt development** under Class 11 of Article 6, Schedule 2, Part 1 of the Planning and Development Regulations 2001 (as amended).

Item 2

2. *Confirmation as to whether a charge will be made for admission of the public to the lands.*

Response

The applicant's response is as follows:

The facilities are for use by Blainroe Estate residents and their visitors; with at least one Blainroe resident playing when the Padel court will be in use.

Legislative Context

Class 33 of the Planning and Development Regulations 2001 (as amended) states that the following constitutes exempted development:

CLASS 33 (c)

Development consisting of the laying out and use of land—

(c) for athletics or sports (other than golf or pitch and putt or sports involving the use of motor vehicles, aircraft or firearms), where no charge is made for admission of the public to the land.

The applicant has confirmed that there will be no charge to the public. It is therefore considered that the proposed use of the existing tennis court as a Padel tennis court and provision of a synthetic turf playing surface would be considered to be exempted development under the provisions as set out in Class 33(c). However, the erection of the enclosure (including glass panels) to facilitate the use of the courts as Padel tennis courts **would not be considered exempt development** under Class 11 of Article 6, Schedule 2, Part 1 of the Planning and Development Regulations 2001 (as amended).

RECOMMENDATION

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

The proposed Padel Tennis Court,

at Blainroe Estate, Blainroe, Co. Wicklow constitutes exempted development within the meaning of the Planning and Development Acts, 2000(as amended).

The Planning Authority considers that:

A. The change of use of the existing tennis court to a Padel Tennis Court including provision of a synthetic turf playing surface **is development and is exempted development.**

B. The erection of a 4m high enclosure including 3m high glass panels around the proposed Padel tennis courts **is development and is not exempted development.**

Main Considerations with respect to Section 5 Declaration:

- a) The details submitted on 10/02/2025 and 06/03/2025.
- b) Sections 2, 3 and 4 of the Planning and Development Act 2000 (as amended).
- c) Class 33(c) of Part 1 Schedule 2 of the Planning and Development Regulations, 2001 (as amended).
- d) Class 11 of Article 6, Schedule 2, Part 1 of the Planning and Development Regulations 2001 (as amended)
- e) Articles 6 of the Planning and Development Regulations 2001, as amended.

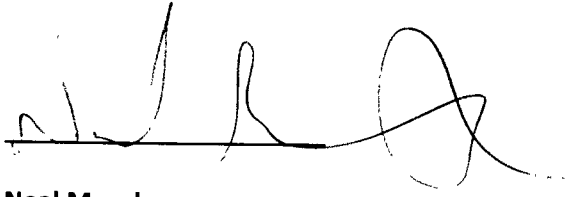
Main Reasons with respect to Section 5 Declaration:

1. The proposed change of use of the existing tennis court to a Padel Tennis Court including provision of a synthetic turf playing surface as described in the documents and details submitted as part of this Section 5 and Further Information request are considered to be works *which comprises of "Development consisting of the laying out and use of land— for athletics or sports (other than golf or pitch and putt or sports involving the use of motor vehicles, aircraft or firearms), where no charge is made for admission of the public to the land"* and **would constitute development and is exempted development under Class33(c) of Part 1 Schedule 2 of the Planning and Development Regulations, 2001 (as amended).**

And

2. The erection of a 4m high enclosure including 3m high glass panels around the proposed Padel tennis courts as described in the documents and details submitted as part of this Section 5 and Further Information request are considered to be works which comprises of *"The construction, erection, lowering, repair or replacement, other than within or bounding the curtilage of a house, of – (a) any fence (not being a hoarding or sheet metal fence), and **would constitute development and is not exempted development** as it does not fulfil the conditions and limitations of Schedule 2, Article 6, Part 1, Class 11 noting that the proposed*

fence exceeds 1.2 metres, is not replacing an existing structure and in any event exceeds 2 metres.



Neal Murphy
Executive Planner
11/03/2025

Agreed to May 2 17/03/25
Koyl T May 2



**Comhairle Contae Chill Mhantáin
Wicklow County Council**

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

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MEMORANDUM

WICKLOW COUNTY COUNCIL

**TO: Neal Murphy
Executive Planner**

**FROM: Nicola Fleming
Staff Officer**

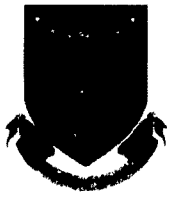
**RE:- Application for Certificate of Exemption under Section 5 of the
Planning and Development Acts 2000 (as amended).
EX15/2025**

I enclose herewith application for Section 5 Declaration received completed on 10/02/2025 along with further information received on 06/03/2025.

The due date on this declaration is 26th March 2025.

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





Comhairle Contae Chill Mhantáin
Wicklow County Council

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dpsq Architects & designers
Tower 3
Fumbally Court
Fumbally Lane
Dublin
D08 TXY8

7th March 2025

RE: Application for Certificate of Exemption under Section 5 of the Planning and Development Acts 2000 (as amended). – EX15/2025 – Blainroe Estate Management Company

A Chara

I wish to acknowledge receipt on 10/02/2025 details supplied by you in respect of the above Section 5 application along with further information received on 06/03/2025. A decision is due in respect of this application by 26/03/2025.

Mise, le meas

Nicola Fleming
Staff Officer
Planning, Economic & Rural Development



FAO – Nicola Fleming
Planning Development and Environment
Wicklow County Council
County Building
Whitegates
Wicklow Town
A67 FW96

By email: plandev@wicklowcoco.ie

Date: 6th March 2025

RE: Application for Certificate of Exemption under Section 5 of the Planning and Development Acts 2000 (As amended) – EX15/2025 - Blainroe Estate Management Company

Dear Sirs,

Having received your letter dated 28th February 2025 requesting further information, we write in response to the points listed and to confirm the following:

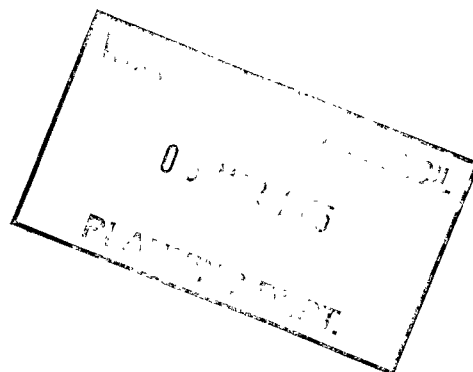
1. The Padel Tennis Court is assembled using a painted metal post structure, with rigid /painted mesh infill and 12mm tempered glass panels; the court area being a synthetic turf playing surface. As per drawings/information submitted with the application, the height of the Padel Court enclosure will be 4m, with clear glass panels to a height of 3m. There are no gates within the court enclosure. There is currently no existing lighting of the tennis court area and none is proposed as part of this application. (An updated drawing is attached to include the information, as noted).
2. The facilities are for use by Blainroe Estate residents and their visitors; with at least one Blainroe resident playing when the Padel court will be in use.

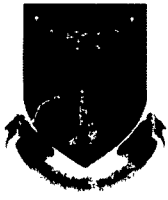
We trust this clarifies relevant information and would be grateful if you could respond accordingly.

Yours Faithfully

Derek Adams
Managing Director

For and on behalf of **dpsq** architects & designers





COMHAIRLE CONTAE CHILL Mhantáin
Wicklow County Council

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dpsq Architects & designers
Tower 3
Fumbally Court
Fumbally Lane
Dublin
D08 TXY8

28th February 2025

RE: Application for Certificate of Exemption under Section 5 of the Planning and Development Acts 2000 (as amended). – EX15/2025 – Blainroe Estate Management Company

A Chara

In respect of your query under Section 5 of the Planning and Development Act 2000 (as amended), received on 10/01/2025 having regard to Section 5 (2)(b) of the Planning and Development Act 2000 (as amended) you are requested to submit the following further information:

1. Confirmation of the works required for the provision of the proposed Padel Court together with revised drawings including site layout plans and elevations indicating the enclosure materials and height including gates and any additional lighting required if applicable.
2. Confirmation as to whether a charge will be made for admission of the public to the lands.

Mise, le meas



NICOLA FLEMING
STAFF OFFICER,
PLANNING DEVELOPMENT AND ENVIRONMENT.



Ta 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 Seirbhíse, Pleanáil, Forbairt Eacnamaíochta agus Tuaithe
All correspondence should be addressed to the Director of Services, Planning, Economic and Rural Development





**WICKLOW COUNTY COUNCIL
PLANNING DEPARTMENT**

Section 5 – Application for declaration of Exemption Certificate

TO: Fergal Keogh S.E / Suzanne White S.E.P. / Edel Bermingham S.E.P.
FROM: Neal Murphy E.P
REF: EX15/2025
DECISION DUE: 02/03/2025
NAME: BLAINROE ESTATES MANAGEMENT COMPANY
DEVELOPMENT: PROPOSED PADEL TENNIS COURT
LOCATION: BLAINROE ESTATE, BLAINROE, CO. WICKLOW



Site Location and Description

The subject site is located in the Blainroe Estate in Blainroe off the R750, close to the Blainroe Golf Club in the townland of Kilpoole Lower, Wicklow (rural area). The subject site contains four tennis courts and the Section 5 application refers to the court furthest to the east which appears to have an astro-turf surface with perimeter fencing surrounding the entire tennis courts area.

Question:

The applicants have applied to see whether or not the following is or is not development and is or is not exempted development:

- the installation of a Padel Tennis Court within the boundary of the existing tennis courts, fenced enclosure.

Planning History

91/7494 - **PERMISSION GRANTED** for the erection of a pavilion.

01/5383 - **PERMISSION REFUSED** for housing development (6 detached, single storey houses)

01/5384 - **PERMISSION REFUSED** for housing development (6 detached, single storey houses)

02/7420 – **PERMISSION REFUSED** for controlled entrance gate to housing estate.

24/60278 – **PERMISSION GRANTED** for the construction of 2 No. Padel Courts, as well as associated lighting and fencing in the area of existing Tennis Court facilities along with all associated siteworks.

Legislative Context

Planning and Development Act 2000 (as amended)

Section 2(1) of the Act states the following in respect of the following:

“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

“works” includes Any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal...”

Section 3(1) of the Act states the following in respect of ‘development’:

“In this Act, ‘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.”

Section 4 sets out the types of works that while considered ‘development’, can be considered ‘exempted development’ for the purposes of the Act.

Section 4 (1) (h) is relevant for the purposes of this declaration:

“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.”

Section 4(2) makes provision for ministerial regulations to set out further exemptions. The 2001 Planning Regulations as amended derive from this section and designate further works as being exempted development for the purposes of the act.

Planning and Development Regulations 2001(as amended)

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):

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 –

(i) Contravene a condition attached to a permission under Act or be inconsistent with any use specified in a permission under the Act,

(ii) consist of or comprise the formation, laying out or material widening of a means of access to a public road the surfaced carriageway of which exceeds 4 metres in width,

(iii) Endanger public safety by reason of traffic hazard or obstruction of road users,

Class 33 of the Planning and Development Regulations 2001 (as amended) states that the following constitutes exempted development:

CLASS 33 (c)

Development consisting of the laying out and use of land—

(c) for athletics or sports (other than golf or pitch and putt or sports involving the use of motor vehicles, aircraft or firearms), where no charge is made for admission of the public to the land.

Class 11 of Article 6, Schedule 2, Part 1 of the Planning and Development Regulations 2001 (as amended) which refers to:

CLASS 11

The construction, erection, lowering, repair or replacement, other than within or bounding the curtilage of a house, of –

a) any fence (not being a hoarding or sheet metal fence), or

Conditions and Limitations –

1. The height of any new structure shall not exceed 1.2 metres or the height of the structure being replaced, whichever is the greater, and in any event shall not exceed 2 metres.

Assessment

The applicants are applying for a Section 5 Declaration in relation to the following;

- The installation of a Padel Tennis Court within the boundary of the existing tennis courts, fenced enclosure.

The application was accompanied by the following:

- Location Map
- Existing Site Layout Plan
- Photographs
- Existing Elevations
- Proposed Site Layout Plan
- Proposed Elevations
- Example of a Padel Tennis Court

The first assessment must be whether or not the proposal outlined above constitutes 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.

The Planning Authority is satisfied that the proposal would involve works to the existing structure and therefore the proposal **does constitute development**.

The second stage of the assessment is to determine whether or not the proposed works would be exempted development under the Planning and Development Act 2000 (as amended) or it's associated Regulations. The applicant has submitted proposed elevations which indicate that there may be an enclosure included as part of the development. It is understood that Padel courts require an enclosure such as toughened glass as specified under the PRR 24/60278 (for which the applicant has planning permission on adjoining courts). Therefore, the applicant should confirm the proposed boundary treatment/enclosure and any gates to same by **FURTHER INFORMATION** noting in particular the limitations set out in Class 11 (a) of Article 6, Schedule 2, Part 1 of the Planning and Development Regulations 2001 (as amended).

The applicant should confirm whether there will be a charge to the public for admission by **FURTHER INFORMATION** noting Class 33 (c) of the Planning and Development Regulations 2001 (as amended).

Recommendation:

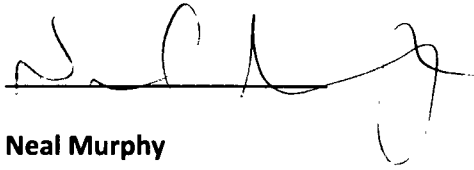
In relation to the application for a declaration of exemption under Section 5 of the Planning and Development Act 2000 (as amended) the Planning Authority requires the submission of **FURTHER INFORMATION** in order to fully assess your application.

The applicant is therefore requested to submit the following information:

1. Confirmation of the works required for the provision of the proposed Padel Court together with revised drawings including site layout plans and elevations indicating the enclosure materials and height including gates and any additional lighting required if applicable.

2. Confirmation as to whether the applicant is charging the public for admission.

a charge will be made for admission of the public to the courts.



Neal Murphy
Executive Planner
18/02/2025

Agreed as amended
G White SEP
27/2/25

MEMORANDUM

WICKLOW COUNTY COUNCIL

TO: Neal Murphy
Executive Planner

FROM: Nicola Fleming
Staff Officer

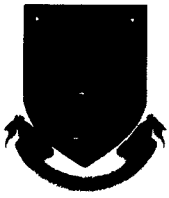
**RE:- Application for Certificate of Exemption under Section 5 of the
Planning and Development Acts 2000 (as amended).
EX15/2025**

I enclose herewith application for Section 5 Declaration received completed on 10/02/2025.

The due date on this declaration is 9th March 2025.



Staff Officer
Planning, Economic & Rural Development



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

dpsq Architects & designers
Tower 3
Fumbally Court
Fumbally Lane
Dublin
D08 TXY8


11th February 2025

RE: Application for Certificate of Exemption under Section 5 of the Planning and Development Acts 2000 (as amended). – EX15/2025 – Blainroe Estate Management Company

A Chara

I wish to acknowledge receipt on 10/02/2025 details supplied by you in respect of the above Section 5 application. A decision is due in respect of this application by 09/03/2025.

Mise, le meas



Nicola Fleming
Staff Officer
Planning, Economic & Rural Development



Wicklow County Council
County Building
Whitegates
Wicklow Town
A67 FW96

By email: plandev@wicklowcoco.ie

Date: 6th February 2025

Site/Property: **Blainroe Estate, Blainroe, Wicklow**

**RE: SECTION 5: Application | Exempted Development
(Proposed Padel Tennis Court)**

Dear Sirs,

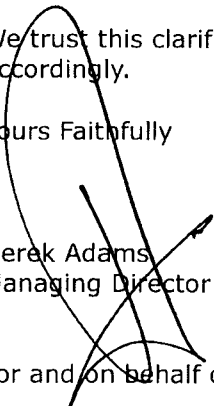
On behalf of our client Blainroe Estates Management Company, we write to submit a Section 5 Application for a Declaration that the intended provision of a Padel Tennis Court, within the boundary of the existing fenced tennis courts enclosure is considered exempted development.

Attached is a completed Section 5: Application form along with schematic drawings, which include a Site Location Map/Layout and existing photographs.

Please note that existing Tennis Courts (2 & 3) have recently been re-surfaced, with plans for Court 1 to be upgraded to the same standard. Whilst Planning Permission was granted previously (Ref. **24/60278**) for the expansion of existing facilities, our client has made the decision to adopt an alternative approach towards the introduction of Padel Tennis to Blainroe.

We trust this clarifies relevant information and would be grateful if you could respond accordingly.

Yours Faithfully



Derek Adams
Managing Director

For and on behalf of **dpsq** architects & designers

RECEIVED 10 FEB 2025

Wicklow County Council
County Buildings
Wicklow
0404 20100

10/02/2025 12 19 53

Receipt No L1/0/340742

DPSQ ARCHITECTS AND DESIGNERS
TOWER 3 FUMBALLY COURT
FUMBALLY LANE
DUBLIN 8
D08 TXY8

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

Total 80 00 EUR

Tendered
Credit Card 80 00
BLAINROE ESTATE

Change 0 00

Issued By Annmarie Ryan
From Customer Service Hub
Vat reg No 0015233H



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

Office Use Only

Date Received

Fee Received

RECEIVED
10 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: **Blainroe Estates Management Company**

Address of applicant: **Blainroe Estate, Blainroe, Co. Wicklow, A67 VK52**

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

2. Agents Details (Where Applicable)

(b) Name of Agent (where applicable) **dpsq architects + designers**

Address of Agent: **Tower 3, Fumbally Court, Fumbally Lane, Dublin, D08 TXY8**

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

3. Declaration Details

- i. Location of Development subject of Declaration
Blainroe Estate, Blainroe, Co. Wicklow, A67 VK52

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

- iii. If 'No' to ii above, please supply the Name and Address of the Owner, and or occupier
Blainroe Estates Management Company
Blainroe Estate, Blainroe, Co. Wicklow, A67 VK52

- 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 -

That the installation of a Padel Tennis Court within the boundary of the existing tennis courts, fenced enclosure is considered exempted development

*Additional details may be submitted by way of separate submission.
(Refer to separate document/drawings, as submitted)*

- v. Indication of the Sections of the Planning and Development Act or Planning Regulations you consider relevant to the Declaration
Exempted Development – Section 4 (1) (h)

Additional details may be submitted by way of separate submission.

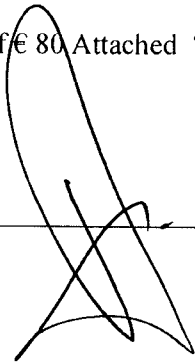
- vi. Does the Declaration relate to a Protected Structure or is it within the curtilage of a Protected Structure (or proposed protected structure) ? **No**

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

- 23044.S5.00.001 – Site Location Map
- 23044.S5.00.002 – Existing Site Layout Plan
- 23044.S5.00.003 – Existing Elevations
- 23044.S5.01.002 – Proposed Site Layout Plan
- 23044.S5.01.003 – Proposed Elevations

viii. Fee of € 80 Attached ? (Payment enclosed by cheque)

Signed : _____ Dated : 6th February 2025

A large, stylized handwritten signature in black ink, written over the signature line.

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.



BLAINROE ESTATE

SECTION 5: Application
Proposed Padel Tennis Court

February 2025

Contents

- Location Map
- Aerial View | Site Location
- Aerial View | Site Plan
- Existing Photographs
- Existing Site Layout Plan
- Existing Elevations
- Proposed Site Layout Plan
- Proposed Elevations
- Padel Tennis Court (Example)

Aerial View | Site Location



Extent of Ownership 



Aerial View | Site Plan



Proposed Site —————



Existing Photographs (Existing Tennis Courts)

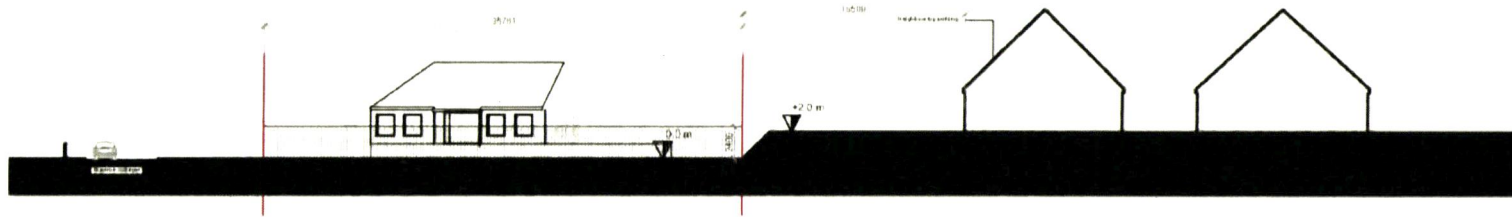


Existing Photographs (Existing Tennis Courts)

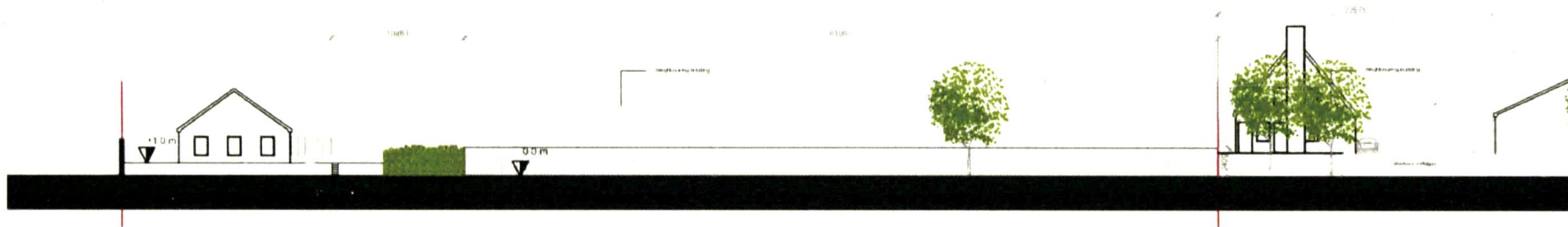


Existing Elevations

SECTION 5




EXISTING EAST ELEVATION
Scale 1:200



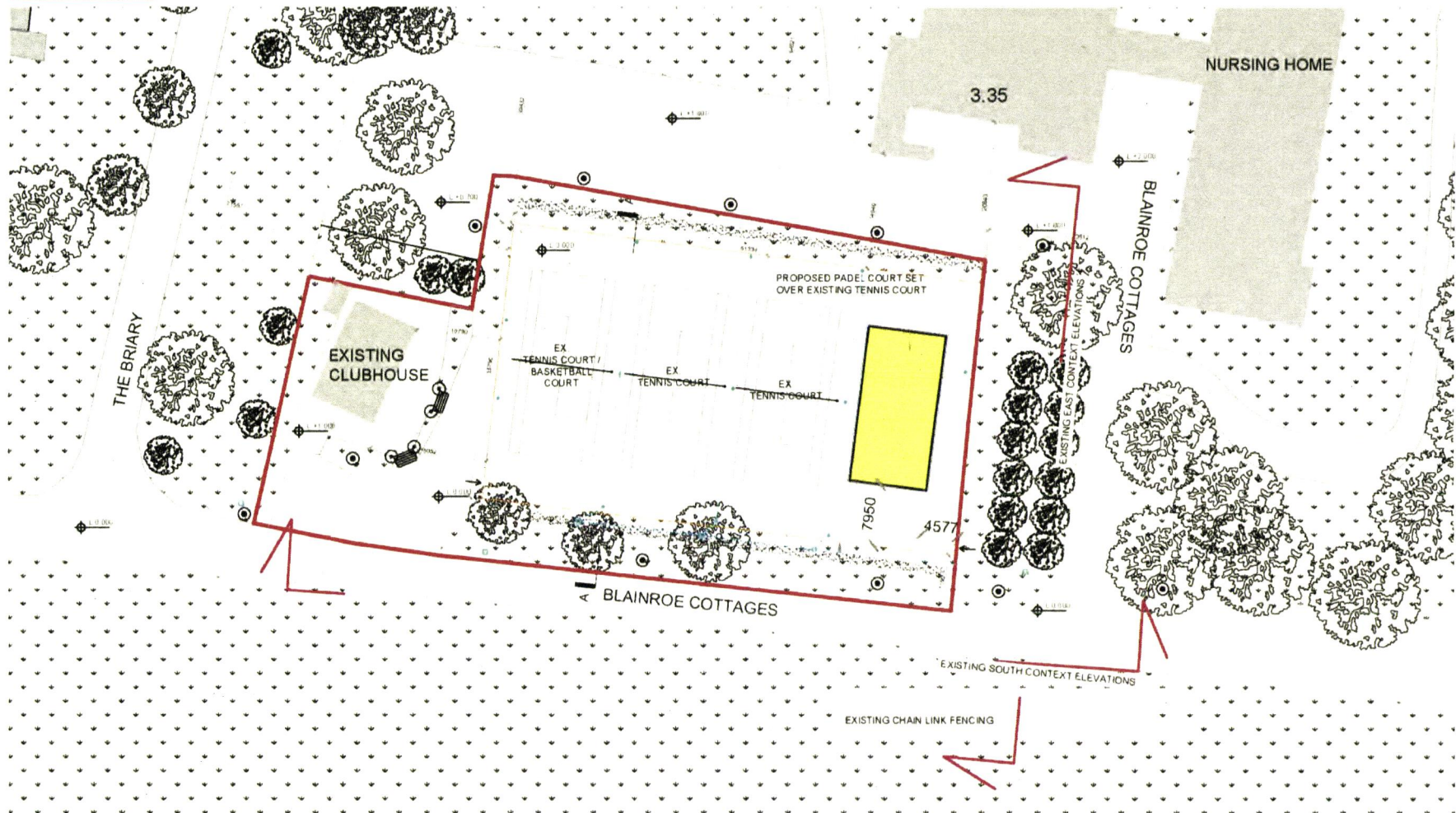
EXISTING SOUTH ELEVATION
Scale 1:200

Site Boundary: ———

NO.	DATE	DESCRIPTION	BY	<p>NOTE:</p> <ul style="list-style-type: none"> 1. This drawing is provided for copyright © 2. No part of it may be reproduced without the written permission of the copyright owner. 3. All dimensions are in millimetres unless otherwise stated. 	<ul style="list-style-type: none"> 1. Working of drawings is the provider's responsibility. 2. All dimensions to be checked on site. 3. Accuracy of drawings to be confirmed by the provider. 4. All dimensions to be checked on site.
<p>PROJECT: BRANIFFIE</p> <p>PROJECT NO: PALMS COURT</p> <p>SITE: EXISTING NORTH & EAST ELEVATIONS</p>				 <p>architects + designers</p> <p>100/101/102/103/104/105/106/107/108/109/110/111/112/113/114/115/116/117/118/119/120/121/122/123/124/125/126/127/128/129/130/131/132/133/134/135/136/137/138/139/140/141/142/143/144/145/146/147/148/149/150/151/152/153/154/155/156/157/158/159/160/161/162/163/164/165/166/167/168/169/170/171/172/173/174/175/176/177/178/179/180/181/182/183/184/185/186/187/188/189/190/191/192/193/194/195/196/197/198/199/200/201/202/203/204/205/206/207/208/209/210/211/212/213/214/215/216/217/218/219/220/221/222/223/224/225/226/227/228/229/230/231/232/233/234/235/236/237/238/239/240/241/242/243/244/245/246/247/248/249/250/251/252/253/254/255/256/257/258/259/260/261/262/263/264/265/266/267/268/269/270/271/272/273/274/275/276/277/278/279/280/281/282/283/284/285/286/287/288/289/290/291/292/293/294/295/296/297/298/299/300/301/302/303/304/305/306/307/308/309/310/311/312/313/314/315/316/317/318/319/320/321/322/323/324/325/326/327/328/329/330/331/332/333/334/335/336/337/338/339/340/341/342/343/344/345/346/347/348/349/350/351/352/353/354/355/356/357/358/359/360/361/362/363/364/365/366/367/368/369/370/371/372/373/374/375/376/377/378/379/380/381/382/383/384/385/386/387/388/389/390/391/392/393/394/395/396/397/398/399/400/401/402/403/404/405/406/407/408/409/410/411/412/413/414/415/416/417/418/419/420/421/422/423/424/425/426/427/428/429/430/431/432/433/434/435/436/437/438/439/440/441/442/443/444/445/446/447/448/449/450/451/452/453/454/455/456/457/458/459/460/461/462/463/464/465/466/467/468/469/470/471/472/473/474/475/476/477/478/479/480/481/482/483/484/485/486/487/488/489/490/491/492/493/494/495/496/497/498/499/500/501/502/503/504/505/506/507/508/509/510/511/512/513/514/515/516/517/518/519/520/521/522/523/524/525/526/527/528/529/530/531/532/533/534/535/536/537/538/539/540/541/542/543/544/545/546/547/548/549/550/551/552/553/554/555/556/557/558/559/560/561/562/563/564/565/566/567/568/569/570/571/572/573/574/575/576/577/578/579/580/581/582/583/584/585/586/587/588/589/590/591/592/593/594/595/596/597/598/599/600/601/602/603/604/605/606/607/608/609/610/611/612/613/614/615/616/617/618/619/620/621/622/623/624/625/626/627/628/629/630/631/632/633/634/635/636/637/638/639/640/641/642/643/644/645/646/647/648/649/650/651/652/653/654/655/656/657/658/659/660/661/662/663/664/665/666/667/668/669/670/671/672/673/674/675/676/677/678/679/680/681/682/683/684/685/686/687/688/689/690/691/692/693/694/695/696/697/698/699/700/701/702/703/704/705/706/707/708/709/710/711/712/713/714/715/716/717/718/719/720/721/722/723/724/725/726/727/728/729/730/731/732/733/734/735/736/737/738/739/740/741/742/743/744/745/746/747/748/749/750/751/752/753/754/755/756/757/758/759/760/761/762/763/764/765/766/767/768/769/770/771/772/773/774/775/776/777/778/779/780/781/782/783/784/785/786/787/788/789/790/791/792/793/794/795/796/797/798/799/800/801/802/803/804/805/806/807/808/809/810/811/812/813/814/815/816/817/818/819/820/821/822/823/824/825/826/827/828/829/830/831/832/833/834/835/836/837/838/839/840/841/842/843/844/845/846/847/848/849/850/851/852/853/854/855/856/857/858/859/860/861/862/863/864/865/866/867/868/869/870/871/872/873/874/875/876/877/878/879/880/881/882/883/884/885/886/887/888/889/890/891/892/893/894/895/896/897/898/899/900/901/902/903/904/905/906/907/908/909/910/911/912/913/914/915/916/917/918/919/920/921/922/923/924/925/926/927/928/929/930/931/932/933/934/935/936/937/938/939/940/941/942/943/944/945/946/947/948/949/950/951/952/953/954/955/956/957/958/959/960/961/962/963/964/965/966/967/968/969/970/971/972/973/974/975/976/977/978/979/980/981/982/983/984/985/986/987/988/989/990/991/992/993/994/995/996/997/998/999/1000</p>	
23-044	23044 \$5,00,003				
DATE	SCALE	PROJECT	DATE	SCALE	PROJECT

Proposed Site Plan

SECTION 5



PROPOSED SITE PLAN scale 1:500

PROPOSED DEVELOPMENT



EXTENT OF SITE



EXISTING FENCING



EXISTING LIGHTING POSTS



NO.	DATE	BY	REVISION

PREPARED BY BLAINROE ESTATE MANAGEMENT COMPANY	CHECKED BY BLAINROE ESTATE MANAGEMENT COMPANY	DRAWN BY BLAINROE ESTATE MANAGEMENT COMPANY	DATE 23/04/23
PROJECT BLAINROE PROPOSED PADEL COURT		TITLE SITE LOCATION MAP (PROPOSAL)	
DRAWING NO. Z3-044	SITE NO. Z3044.95.01.002	SHEET NO. 1	TOTAL SHEETS 1
DRAWING DATE 23/04/23	DRAWING BY DPSQ	CHECKED BY DPSQ	DATE 23/04/23

	COMPANY DPSQ ARCHITECTS + DESIGNERS
	ADDRESS 100-102 GERRARD STREET EAST, TORONTO, ONTARIO M5E 1B7

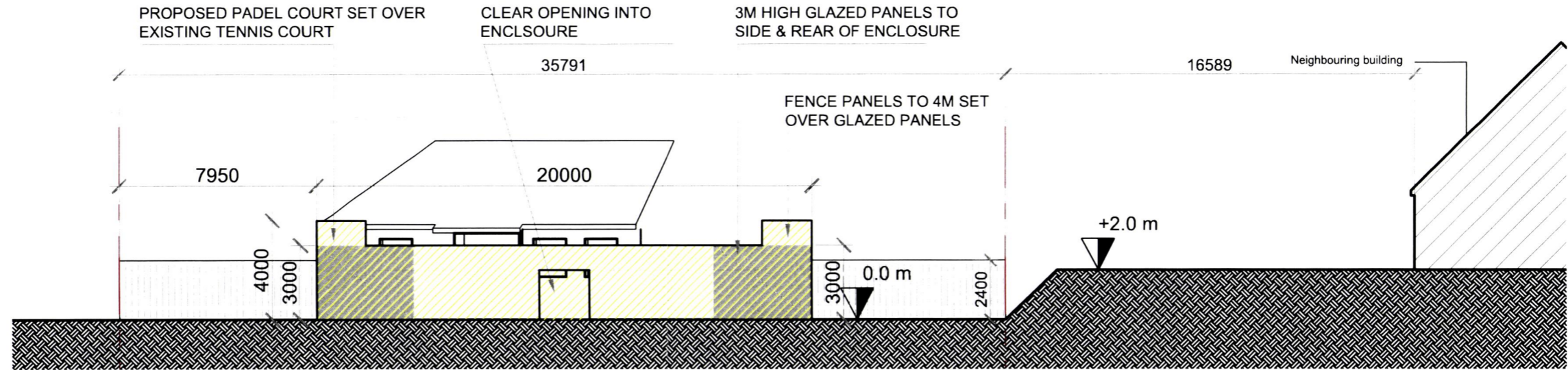
Padel Tennis Court (Example)



THANK YOU



SECTION 5



PROPOSED EAST ELEVATION
Scale 1:200

NOTES:

- PADEL TENNIS COURT - ASSEMBLED USING A PAINTED METAL POST STRUCTURE, WITH RIGID / PAINTED MESH INFILL AND 12MM TEMPERED GLASS PANELS
- THE COURT AREA IS MADE UP OF A SYNTHETIC TURF PLAYING SURFACE.
- THERE IS CURRENTLY NO EXISTING LIGHTING OF THE EXISTING TENNIS COURT AREA & NO LIGHTING IS PROPOSED.



PROPOSED SOUTH ELEVATION
Scale 1:200

Site Boundary: ———
Proposed development:

3M HIGH GLAZED PANELS TO SIDE & REAR OF ENCLOSURE

PROPOSED PADEL COURT SET OVER EXISTING TENNIS COURT

FENCE PANELS TO 4M SET OVER GLAZED PANELS

06 MAR 2025
PLANNING DEPT

REV.	DATE	BY	DESCRIPTION	CHKD.

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CLIENT: BLAINROE ESTATE MANAGEMENT COMPANY

PROJECT: BLAINROE PROPOSED PADEL COURT

TITLE: PROPOSED ELEVATIONS

PROJ. NO.: 23-044 **DRG. NO.:** 23044.S5.01.003 **REVISION:** A

DRAWN: PK **SCALE:** 1:500@A3 **CHECKED BY:** DA **DATE:** FEB 2025

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