




COMHAIRLE CONTAE CHILL MhANTÁIN
Wicklow County Council

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

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


January 2025


AL Architects
Office 8b
The Courtyard
Lower Main Street
Letterkenny
Co. Donegal

RE: Declaration in accordance with Section 5 of the Planning & Development Acts
2000 (As Amended) - EX115/2024 - Scoil Chonglais Post Primary School

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 bhformáidí eile ar iarratas
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All correspondence should be addressed to the Director of Services, Planning, Economic and Rural Development





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

Applicant: Patrick Maguire, Principal, Scoil Chonglais Post Primary School

Location: Scoil Chonglais Post Primary School, Baltinglass East, Baltinglass, Co. Wicklow

Reference Number: EX115/2024

CHIEF EXECUTIVE ORDER NO. CE/PERD/2025/24

Section 5 Declaration as to whether “the wrapping of existing school walls with external insulation, and provision of final finish of smooth render appointed white” at Scoil Chonglais Post Primary School, Baltinglass East, Baltinglass, Co. Wicklow W91 H5XC constitutes exempted development within the meaning of the Planning and Development Act, 2000(as amended).

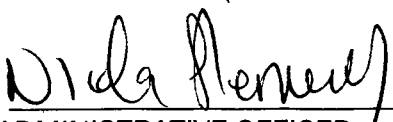
Having regard to:

- The details submitted with the Section 5 Declaration application.
- Sections 2 , 3 and 4 of the Planning and Development Act 2000 (as amended)

Main Reasons with respect to Section 5 Declaration:

- The provision of external insulation, and smooth render finish to the existing school would come within the meaning of works as set out in Section 2 of the Planning and Development Act 2000(as amended)
- The works are development having regard to the provisions of Section 3 of the Planning and Development Act 2000(as amended)
- The works are for the maintenance/ improvement of the school structure , they would affect the external appearance, however given the existing school on site, and finishes it is considered that the works would not render this structure inconsistent with the character of the structure or of neighbouring structures, and therefore the works come within the provisions of Section 4(1)(h) of the Planning and Development Act 2000(as amended)

The Planning Authority considers that “the wrapping of existing school walls with external insulation, and provision of final finish of smooth render appointed white” at Scoil Chonglais Post Primary School, Baltinglass East, Baltinglass, Co. Wicklow W91 H5XC 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 15th January 2025



WICKLOW COUNTY COUNCIL

PLANNING & DEVELOPMENT ACTS 2000 (As Amended)

SECTION 5

CHIEF EXECUTIVE ORDER NO. CE/PERD/2025/24

Reference Number: EX115/2024

Name of Applicant: Patrick Maguire, Principal, Scoil Chonglais Post Primary School

Nature of Application: Section 5 Declaration request as to whether or not: - "the wrapping of existing school walls with external insulation and provision of final finish of smooth render appointed white" is or is not development and is or is not exempted development.

Location of Subject Site: Scoil Chonglais Post Primary School, Baltinglass East, Baltinglass, Co. Wicklow W91 H5XC

Report from Edel Bermingham, SEP

With respect to the query under section 5 of the Planning & Development Act 2000 as to whether "the wrapping of existing school walls with external insulation and provision of final finish of smooth render appointed white" at Scoil Chonglais Post Primary School, Baltinglass East, Baltinglass, Co. Wicklow W91 H5XC is or is not exempted development within the meaning of the Planning & Development Act 2000 (as amended).

Having regard to:

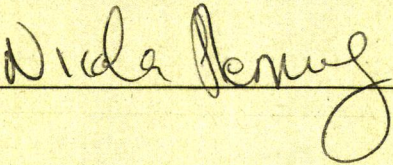
- a) The details submitted with the Section 5 Declaration application.
- b) Sections 2, 3 and 4 of the Planning and Development Act 2000 (as amended)

Main Reason with respect to Section 5 Declaration:

- (i) The provision of external insulation, and smooth render finish to the existing school would come within the meaning of works as set out in Section 2 of the Planning and Development Act 2000(as amended)
- (ii) The works are development having regard to the provisions of Section 3 of the Planning and Development Act 2000(as amended)
- (iii) The works are for the maintenance/ improvement of the school structure, they would affect the external appearance, however given the existing school on site, and finishes it is considered that the works would not render this structure inconsistent with the character of the structure or of neighbouring structures, and therefore the works come within the provisions of Section 4(1)(h) of the Planning and Development Act 2000(as amended)

Recommendation:

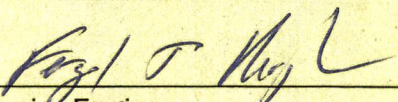
The Planning Authority considers that "the wrapping of existing school walls with external insulation and provision of final finish of smooth render appointed white" at Scoil Chonglais Post Primary School, Baltinglass East, Baltinglass, Co. Wicklow W91 H5XC is development and is exempted development as recommended in the report by the SEP.

Signed 

Dated 13th day of January 2025

ORDER:

I HEREBY DECLARE THAT "the wrapping of existing school walls with external insulation, and provision of final finish of smooth render appointed white" at Scoil Chonglais Post Primary School, Baltinglass East, Baltinglass, Co. Wicklow W91 H5XC is development and is exempted development within the meaning of the Planning & Development Act 2000 (as amended).

Signed: 
Senior Engineer
Planning, Economic & Rural Development

Dated 15th day of January 2025

Section 5 Application EX 115 /2024

Date : 7/1/2025

Applicant : Patrick Maguire, Principal Scoil Chonglais Post Primary School

Address : Scoil Chonglais Post Primary School, Baltinglass East, Baltinglass, Co. Wicklow.

Exemption Whether or not :

Wrapping of existing school walls with external insulation, and provision of a final finish of smooth render, painted white.

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

Relevant legislation :

Planning and Development Act 2000 (as amended)

"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 (ii)*;

"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, 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 :

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;

Assessment

The Section 5 application seeks a declaration as to whether the wrapping of existing school walls with external insulation, and provision of a final finish of smooth render, painted white at Scoil Chonglais Post Primary School, Baltinglass East, Baltinglass, W91 H5XC is or is not development or is or is not exempted development.

The proposal consists of operations of alteration, repair and renewal and therefore are works having regard to Section 2 of the Planning and Development Act 2000(as amended). These works would come within the definition of development having regard to Section 3 of the Planning and Development Act 2000(as amended).

Section 4 of the Planning and Development Act 2000 (as amended) provides that

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;

The works are for maintenance/ improvement of the school structure, they would affect the external appearance, however given the existing school on site, and finishes it is considered that the works would not render this structure inconsistent with the character of the structure or of neighbouring structures, and therefore works come within the provisions of Section 4(1)(h) and is therefore exempted development.

Recommendation :

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

the wrapping of existing school walls with external insulation, and provision of a final finish of smooth render, painted white at Scoil Chonglais Post Primary School, Baltinglass East, Baltinglass, W91 H5XC

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

The Planning Authority consider that the wrapping of existing school walls with external insulation, and provision of a final finish of smooth render, painted white at Scoil Chonglais **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)

Main Reasons with respect to Section 5 Declaration :

- (i) The provision of external insulation, and smooth render finish to the existing school would come within the meaning of works as set out in Section 2 of the Planning and Development Act 2000(as amended)
- (ii) The works are development having regard to the provisions of Section 3 of the Planning and Development Act 2000(as amended)
- (iii) The works are for the maintenance/ improvement of the school structure, they would affect the external appearance, however given the existing school on site, and finishes it is considered that the works would not render this structure inconsistent with the character of the structure or of neighbouring structures, and therefore the works come within the provisions of Section 4(1)(h) of the Planning and Development Act 2000(as amended)

Seán Cunningham SP

7/1/2025

*Issue declaration as recommended
Mogil T. Mag L SP
15/01/25*

MEMORANDUM

WICKLOW COUNTY COUNCIL

TO: Edel Bermingham
Senior Executive Planner

FROM: Nicola Fleming
Staff Officer

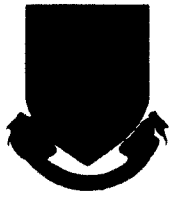
**RE:- Application for Certificate of Exemption under Section 5 of the
Planning and Development Acts 2000 (as amended).
EX115/2024**

I enclose herewith application for Section 5 Declaration received completed on 23/12/2024.

The due date on this declaration is 28th January 2025.



Staff Officer
Planning, Economic & Rural Development



COMHAIRLE CONTAE CHILL Mhantáin
Wicklow County Council

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

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Suíomh / Website: www.wicklow.ie

23rd December 2024

Patrick Maguire
Principal
Scoil Chonglais Post Primary School
Baltinglass East
Baltinglass
Co. Wicklow

RE: Application for Certificate of Exemption under Section 5 of the Planning and Development Acts 2000 (as amended). – EX115/2024

A Chara

I wish to acknowledge receipt on 23/12/2024 details supplied by you in respect of the above Section 5 application. A decision is due in respect of this application by 28/01/2025.

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 Stúirthóir 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
0404-20100

23/12/2024 09:47:16

Receipt No L1/0/338971

PATRICK MAGUIRE
SCOIL CHONLAIS

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

Total 80 00 EUR

Tendered
Cheque 80 00
SCOIL CHONGLAIS

Change 0 00

Issued By Cindy Driver
From Customer Service Hub
Vat reg No 0015233H



Wicklow County Council
County Buildings
Wicklow
Co Wicklow
Telephone 0404 20148
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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: Patrick Maguire, Principal of Scoil Chonglais Post Primary School
- (b) Address of applicant: Scoil Chonglais Post Primary School, Baltinglass East, Baltinglass, Co.Wicklow

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

2. Agents Details (Where Applicable)

- (b) Name of Agent (where applicable) AL Architects
- Address of Agent : Office 8b, The Courtyard, Lower Main Street,
Letterkenny, Co.Donegal

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



3. Declaration Details

i. Location of Development subject of Declaration Scoil Chonglais, Baltinglass East, Baltinglass, Co.Wicklow

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

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

This school is part of the REPowerEU Schools Energy Pathfinder Programme 2024/25. As part of the proposed energy upgrade works, External Insulation is required on the white painted block external walls. Is planning permission required where these walls will be wrapped in external insulation, and the new finish will be smooth render, painted white to match the existing. See attached photo of existing external finish.

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 _____

_____ N/A _____

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

- D071-21-00 - OS Map showing site location
- D07121-ALA-XX-ZZ-D-A-40001 - Proposed Fabric Upgrades - Proposed Ground Floor Plan & Lower Ground Floor Plan
- D07121-ALA-XX-ZZ-D-A-40003 - Proposed Fabric Upgrades - 3D Views
- Images of Existing Building

viii. Fee of € 80 Attached ? _____ Yes. _____

Signed : Lauren McLaughlin Dated : 19.12.2024

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.



Colli Chonglais

WEST WYREDALE SCHOOL

WYREDALE
WEST WYREDALE SCHOOL
ACTION

ACTION

WYREDALE
WEST WYREDALE SCHOOL
ACTION

IN CASE OF
EMERGENCY
CALL 112 / 999
WYREDALE

WYREDALE



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property or any other property in the school
premises which may be caused by the use of
vehicles on the school premises.
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property or any other property in the school
premises which may be caused by the use of
vehicles on the school premises.

**NO VEHICLES
BEYOND THIS
POINT**



Small illegible sign on the wall.

**NO VEHICLES
BEYOND THIS
POINT**

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 3. The contractor is responsible for checking all levels and dimensions on site, and shall refer all discrepancies to the architect
 4. Where appropriate, for details of structure, mechanical or electrical details, see consultant engineers' drawings
 5. Proprietary items shall be fixed in strict accordance with manufacturers' instructions unless otherwise instructed
 6. Sizes of proprietary items shall be checked with manufacturer
 7. The contractor shall be responsible for the co-ordination of structure, finishes and services

Surveyed 1989-2003
 Revised 2015
 Levelled 1989

Urban/Rural PLACE Map



ITM CENTRE PT. COORDS
 687345,688286

DESCRIPTION

MAP SHEETS

1:1000
 4127-14 4127-20
1:2500
 4127-D



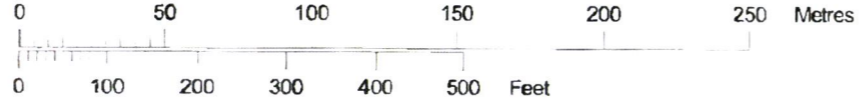
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 On behalf of Ordnance Survey Ireland,
 Phoenix Park, Dublin 8

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Scale:- 1:2,500
 Scála:- 1:2,500



Plot Ref. No. 25262935_1_1
 Plot Date 10-MAY-2016



Site Location Map
 1 : 2500



Chartered Architects Surveyors Project Managers

Office 8B,
 The Courtyard,
 Lower Main Street,
 Letterkenny,
 Co. Donegal.

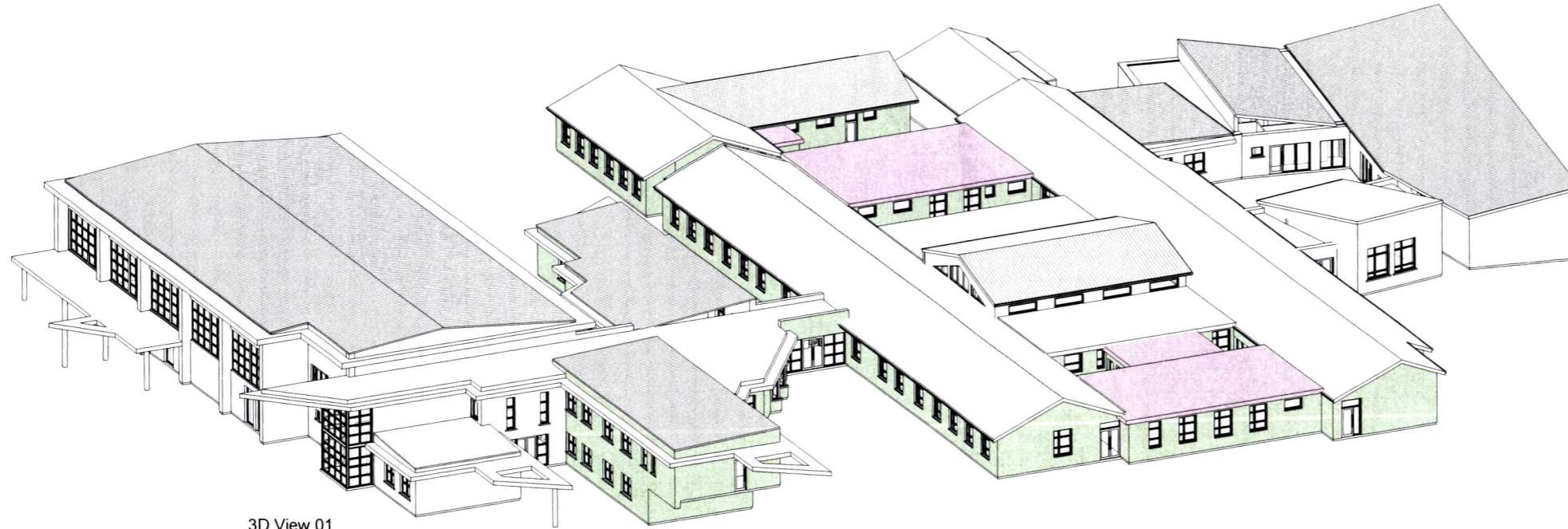
Tel: +353 (0)749128222
 Fax: +353 (0)749129903
 Email: info@alarchitects.com

Project: Climate Action REPowerEU Schools Energy Retrofit
 Pathfinder Programme 2024/2025 at Scoil Chonglais,
 Lathaleer, Baltinglass, Co. Wicklow, W91 H5XC

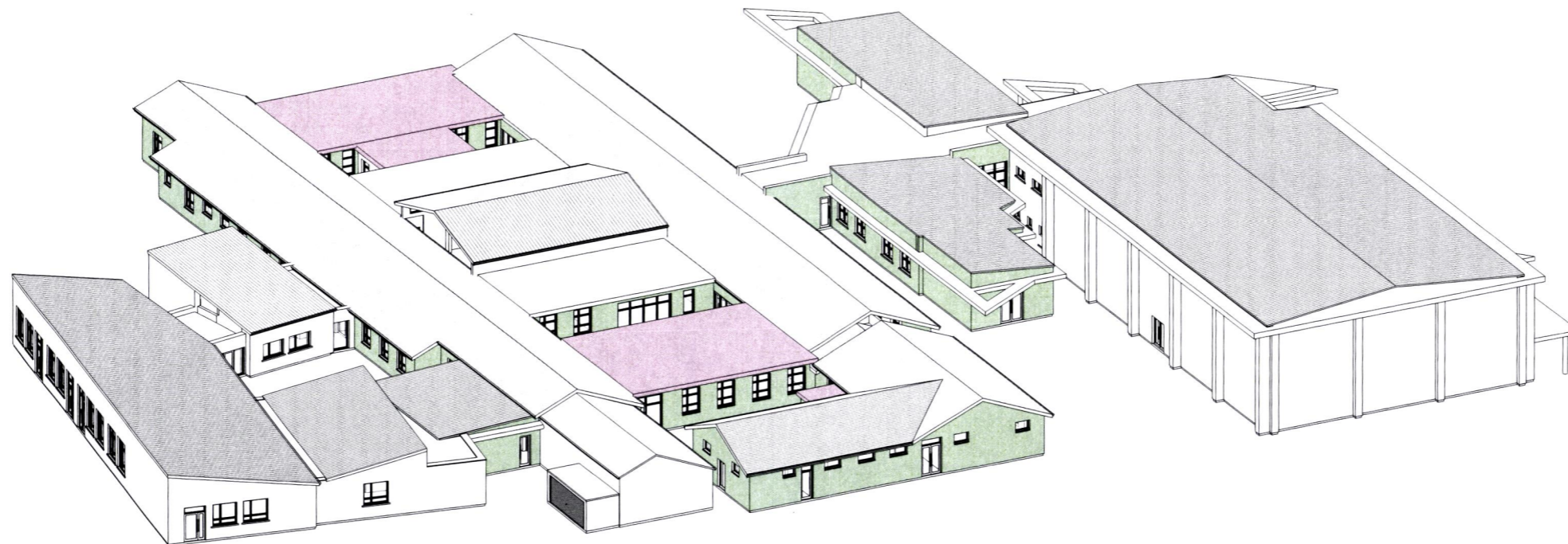
Drawing Title: Site Location Map	
Purpose of Issue: Section 5 Application	
Date: 19.12.2024	Drawn: LM
Scale: 1 : 2500	Print as: A3
Project No: D071-21	Rev:
Drawing No: D071-21-00	

Rev	Date	Comments

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 5. Proprietary items shall be fixed in strict accordance with manufacturers instructions unless otherwise instructed.
 6. Sizes of proprietary items shall be checked with manufacturer.
 7. The contractor shall be responsible for the co-ordination of structure, finishes and services.



3D View 01



3D View 02



Chartered Architects | Surveyors | Project Managers.

Office 8B,
The Courtyard,
Lower Main Street,
Letterkenny,
Co. Donegal.

Tel: +353 (0)749128222
Fax: +353 (0)749129903
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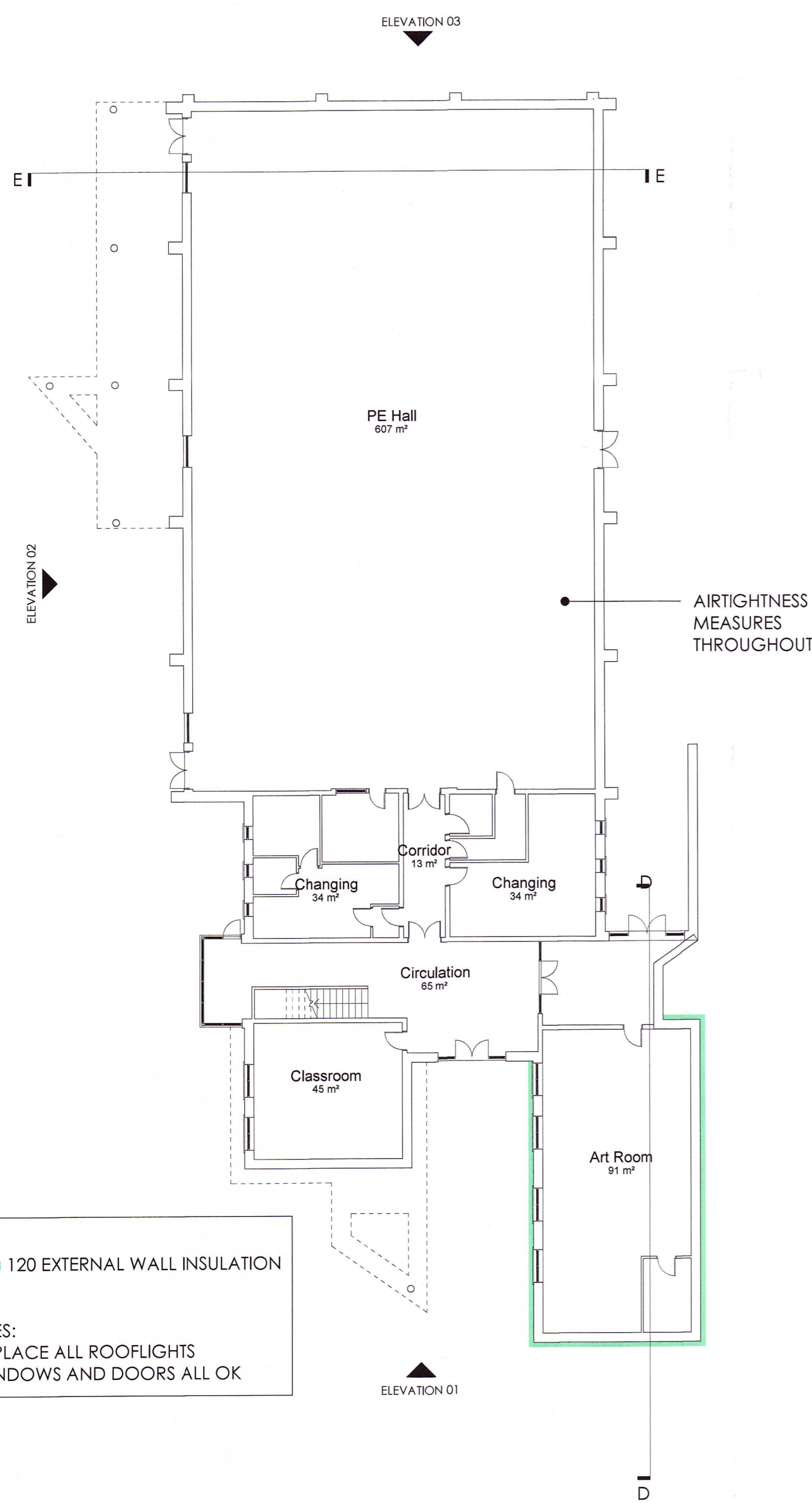
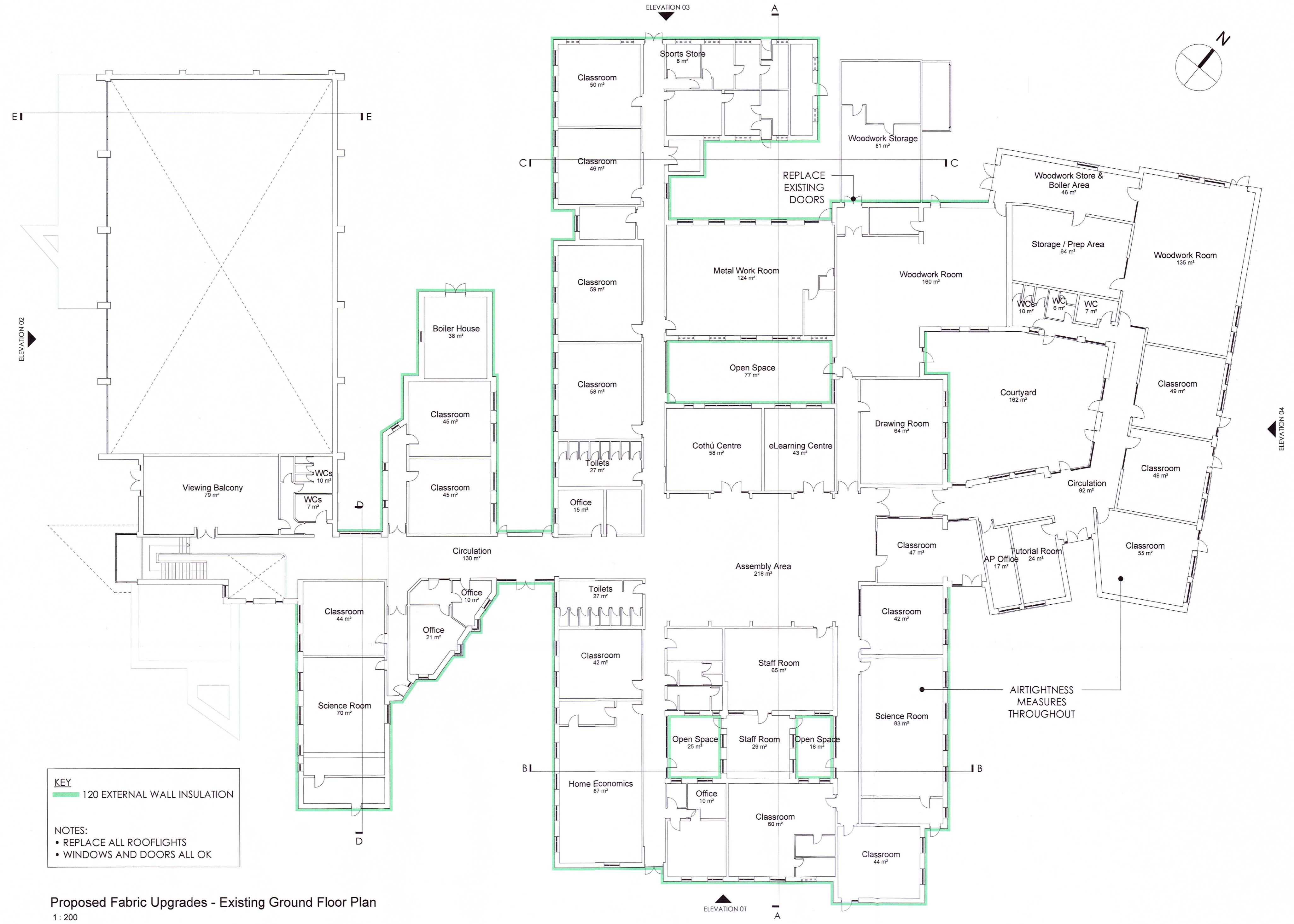
Project: Climate Action REPowerEU Schools Energy
Retrofit Pathfinder Programme 2024/2025 at
Scoil Chonglais, Lathaleer, Baltinglass,
Co. Wicklow, W91 H5XC

Drawing Title: Proposed Fabric Upgrades - 3D Views

Rev.	Date	Comments

Purpose of Issue: Proposed Fabric Upgrades	
Date: 20.11.2024	Drawn By: LM
Scale:	Print As: A1
Project No: D071-21	Rev:
Drawing Number: D07121-ALA-XX-ZZ-D-A-40003	

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Rev.	Date	Comments

AL Architects
Chartered Architects | Surveyors | Project Managers.

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Fax: +353 (0)749129903.
Email: info@alarchitects.com

Project: Climate Action REPowerEU Schools Energy Retrofit Pathfinder Programme 2024/2025 at Scoil Chonglais, Lathaleer, Baltinglass, Co. Wicklow, W91 H5XC

Drawing Title: Proposed Fabric Upgrades - Proposed Ground Floor Plan & Lower Ground Floor Plan

Purpose of Issue: Proposed Fabric Upgrades

Date: 20.11.2024 | Drawn By: LM

Scale: 1 : 200 | Print As: A1

Project No: D071-21 | Rev:

Drawing Number: D07121-ALA-XX-ZZ-D-A-40001