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

Anne Marie & Paul Kelly,
47 Glebemount,
Wicklow Town,
Co. Wicklow.

18th Of November 2026

RE: Declaration in accordance with Section 5 of the Planning & Development Acts 2000 (As Amended) -EX 131/2026

A Chara,

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 Coimisiún Pleanála of such fee as may be prescribed, refer a declaration for review by the Coimisiún within four weeks of the date of the issuing of the declaration by the Local Authority.

Is mise, le meas,

pp Deirdre Byrne
ADMINISTRATIVE OFFICER
PLANNING DEVELOPMENT & ENVIRONMENT

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

WICKLOW

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:** Anne Marie & Paul Kelly

**Location:** 47 Glebemount, Wicklow Town, Co. Wicklow.

**Reference Number:** EX131/2026

**CHIEF EXECUTIVE ORDER NO. CE/PERD/2026/1397**

A question has arisen as to whether *"the installation of external wall insulation (max. 150 millimetres) and acrylic render on whole of house – light colour, Smooth texture finish (change from current pebble-dash finish and including removal of decorative acrylic brick slips on front of house, removal of decorative banding details around windows and doors, removal of wooden decorative detail on front of house)" at* 47 Glebemount, Wicklow Town,Co. Wicklow is or is not exempted development.

**Having regard to:**

a) The details received with the Section 5 application (EX 131/2026) on 16th October 2026.
b) Sections 2, 3 and 4 of the Planning & Development Act 2000 (as amended)
c) Article 6 and 9 of the Planning and Development Regulations 2001 (as amended).
d) Schedule 2: Part 1: Class 63 of the Planning and Development Regulations 2001-2026.
e) An Bord Pleanála Declarations: ABP-301692-18 and ABP-309407-21

**Main Reasons with respect to Section 5 Declaration:**

1) The installation of external wall insulation (max. 150 millimetres) and smooth acrylic render on the existing house would be operations of construction 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).

2) The works are therefore development given the provisions of Section 3(1)(a) of the Planning and Development Act 2000 (as amended).

3) The works are considered to come within the provisions and limitations of Schedule 2, Part 1: Class 63 of the Planning and Development Regulations 2001-2026 and due to the detached nature of the dwelling and variance of house types and finishes in this residential area the external wall insulation and related works 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 Planning Authority considers that *"the installation of external wall insulation (max. 150 millimetres) and acrylic render on whole of house – light colour, Smooth texture finish (change from current pebble-dash finish and including removal of decorative acrylic brick slips on front of house, removal of decorative banding details around windows and doors, removal of wooden decorative detail on front of house)" at 47 Glebemont, Wicklow Town, Co. Wicklow* is development and is exempted development.

Signed: Joanne Byrne. Date: 10/11/2026

pp ADMINISTRATIVE OFFICER
PLANNING DEVELOPMENT & ENVIRONMENT

WICKLOW COUNTY COUNCIL

PLANNING & DEVELOPMENT ACTS 2000 (As Amended)
SECTION 5

CHIEF EXECUTIVE ORDER NO. CE/PERD/2026/1397

Reference Number: EX 131/2026

Name of Applicant: Anne Marie & Paul Kelly

Nature of Application: Section 5 Exemption

Location of Subject Site: 47 Glebemount, Wicklow Town, Co. Wicklow

Notification of the Section 5 Planning Exemption in respect of the above issued on 10th November 2026 to Anne Marie & Paul Kelly. There was a clerical error in the description of works. CE ORDER CE/PERD/2026/1360 Refers

A report dated 16th November 2026 from Emma Willis, Assistant Planner confirming the clerical error was subsequently agreed and noted by Edel Bermingham, T/Senior Planner. It is recommended that the description be amended as follows:

*the Installation of external wall insulation (max. 150 millimetres) and acrylic render on whole of house – light colour, Smooth texture finish (change from current pebble-dash finish and including removal of decorative acrylic brick slips on front of house, removal of decorative banding details around windows and doors, removal of wooden decorative detail on front of house)*

Signed: Joanne Byrne Date: 18/11/2026

Order:

I hereby order that Section 5 Declaration issued under EX131/2026 be reissued to Anne Marie & Paul Kelly with the description of works amended as recommended above.

Helen Dorothy

Director of Services,
Planning, Economic & Rural Development

Date: 18/11/26

## Joanne Byrne

**From:** Emma Willis
**Sent:** Monday 16 November 2026 12:50
**To:** Joanne Byrne
**Cc:** Patrice Ryan
**Subject:** RE: EX131/2026

Hi Joanne,

I can confirm that the description of works at 47 Glebemount, Wicklow Town, Co Wicklow were subject to a typographical error and should read as follows:

***The installation of external wall insulation (max. 150 millimetres) and acrylic render on whole of house – light colour, smooth texture finish (change from current pebble-dash finish and including removal of decorative acrylic brick slips on front of house, removal of decorative banding details around windows and doors, removal of wooden decorative detail on front of house).***

In my assessment and evaluation, I was aware that the dwelling was to be finished in a smooth texture (light colour), a departure from the current dashed finish. It was considered that the external wall insulation and related works shall not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure and that of neighbouring structures, considering it exempt in this instance.

Kind regards,
Emma

T/SP.
16/11/2026.

**Emma Willis**
*Assistant Planner | Pleanálaí Cúnta*
Planning, Economic & Rural Development | Pleanáil, Forbairt Eacnamaíochta & Tuaithe
Wicklow County Council, County Building, Station Road, Wicklow Town, [illegible] Comhairle Contae Chill Mhantáin, Halla an Chontae, Bóthar an Stáisiúin, Cill Mhantáin, [illegible]

Tel: + 353 (0404) 20100 Ext: 2137
E-Mail: ewillis@wicklowcoco.ie
Website: www.wicklow.ie

Comhairle Contae Chill Mhantáin
Wicklow County Council

**From:** Joanne Byrne <JoByrne@wicklowcoco.ie>
**Sent:** Wednesday 11 November 2026 14:46
**To:** Emma Willis <EWillis@wicklowcoco.ie>
**Subject:** EX131/2026

Hi Emma,

We had a call from Anne Marie Kelly who received her Section 5 Declaration today.
The question she asked in her application was

Comhairle Contae Chill Mhantáin
Wicklow County Council

**Pleanáil, Forbairt Eacnamaíochta agus Tuaithe**
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Anne Marie & Paul Kelly,

10th Of November 2026

RE: Declaration in accordance with Section 5 of the Planning & Development Acts 2000 (As Amended) -EX 131/2026

A Chara,

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 Coimisiún Pleanála of such fee as may be prescribed, refer a declaration for review by the Coimisiún within four weeks of the date of the issuing of the declaration by the Local Authority.

Is mise, le meas,

pp Joanne Byrne.
ADMINISTRATIVE OFFICER
PLANNING DEVELOPMENT & ENVIRONMENT

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:** Anne Marie & Paul Kelly

**Location:** Fontenoy Place, Strand Road, Bray, Co. Wicklow.

**Reference Number:** EX131/2026

**CHIEF EXECUTIVE ORDER NO. CE/PERD/2026/1360**

A question has arisen as to whether *"the installation of external wall insulation (max. 150 millimetres) and acrylic render on whole of house – light colour, Smooth texture finish (change from current to pebble-dash finish and including removal of decorative acrylic brick slips on front of house, removal of decorative banding details around windows and doors, removal of wooden decorative detail on front of house)" at* 47 Glebemount, Wicklow Town,Co. Wicklow is or is not exempted development.

**Having regard to:**

a) The details received with the Section 5 application (EX 131/2026) on 16th October 2026.
b) Sections 2, 3 and 4 of the Planning & Development Act 2000 (as amended)
c) Article 6 and 9 of the Planning and Development Regulations 2001 (as amended).
d) Schedule 2: Part 1: Class 63 of the Planning and Development Regulations 2001-2026.
e) An Bord Pleanála Declarations: ABP-301692-18 and ABP-309407-21

**Main Reasons with respect to Section 5 Declaration:**

1) The installation of external wall insulation (max. 150 millimetres) and smooth acrylic render on the existing house would be operations of construction 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).

2) The works are therefore development given the provisions of Section 3(1)(a) of the Planning and Development Act 2000 (as amended).

3) The works are considered to come within the provisions and limitations of Schedule 2, Part 1: Class 63 of the Planning and Development Regulations 2001-2026 and due to the detached nature of the dwelling and variance of house types and finishes in this residential area the external wall insulation and related works 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 Planning Authority considers that "*the installation of external wall insulation (max. 150 millimetres) and acrylic render on whole of house – light colour, Smooth texture finish (change from current to pebble-dash finish and including removal of decorative acrylic brick slips on front of house, removal of decorative banding details around windows and doors, removal of wooden decorative detail on front of house)*" at 47 *Glebemont, Wicklow Town*, Co. Wicklow is development and is exempted development.

Signed: Deanne Byrne Date: 10/11/2026

pp ADMINISTRATIVE OFFICER
PLANNING DEVELOPMENT & ENVIRONMENT

WICKLOW COUNTY COUNCIL

PLANNING & DEVELOPMENT ACTS 2000 (As Amended)
SECTION 5

**CHIEF EXECUTIVE ORDER NO. CE/PERD/2026/1360**

| | |
|---|---|
| Reference Number: | EX 131/2026 |
| Name of Applicant: | Anne Marie & Paul Kelly |
| Nature of Application: | Section 5 Referral as to whether *"the Installation of external wall insulation (max. 150 millimetres) and acrylic render on whole of house – light colour, Smooth texture finish (change from current to pebble-dash finish and including removal of decorative acrylic brick slips on front of house, removal of decorative banding details around windows and doors, removal of wooden decorative detail on front of house)"* is or is not development and is or is not exempted development. |
| Location of Subject Site: | 47 Glebemount, Wicklow Town, Co. Wicklow |
| Report from: | Emma Willis, A.P |

With respect to the query under Section 5 of the Planning & Development Act 2000 as to whether *"theInstallation of external wall insulation (max. 150 millimetres) and acrylic render on whole of house – light colour, Smooth texture finish (change from current to pebble-dash finish and including removal of decorative acrylic brick slips on front of house, removal of decorative banding details around windows and doors, removal of wooden decorative detail on front of house)" at* 47 Glebemount, Wicklow Town, 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 received with the Section 5 application (EX 131/2026) on 16th October 2026.
b) Sections 2, 3 and 4 of the Planning & Development Act 2000 (as amended)
c) Article 6 and 9 of the Planning and Development Regulations 2001 (as amended).
d) Schedule 2: Part 1: Class 63 of the Planning and Development Regulations 2001-2026.
e) An Bord Pleanála Declarations: ABP-301692-18 and ABP-309407-21

**Main Reasons with respect to Section 5 Declaration:**

1) The installation of external wall insulation (max. 150 millimetres) and smooth acrylic render on the existing house would be operations of construction 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).

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1 of 2.

2) The works are therefore development given the provisions of Section 3(1)(a) of the Planning and Development Act 2000 (as amended).

3) The works are considered to come within the provisions and limitations of Schedule 2, Part 1: Class 63 of the Planning and Development Regulations 2001-2026 and due to the detached nature of the dwelling and variance of house types and finishes in this residential area the external wall insulation and related works 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.

**Recommendation**

The Planning Authority, as recommended by the above named, considers that "*the Installation of external wall insulation (max. 150 millimetres) and acrylic render on whole of house – light colour, Smooth texture finish (change from current to pebble-dash finish and including removal of decorative acrylic brick slips on front of house, removal of decorative banding details around windows and doors, removal of wooden decorative detail on front of house)*" at *47 Glebemount, Wicklow Town,* Co. Wicklow **is development and is exempted development** in accordance with reports prepared by the Planning Department.

Signed: Deirdre Byrne. Date: 10/11/2026

**ORDER:**

**I HEREBY DECLARE:**

THAT "*the Installation of external wall insulation (max. 150 millimetres) and acrylic render on whole of house – light colour, Smooth texture finish (change from current to pebble-dash finish and including removal of decorative acrylic brick slips on front of house, removal of decorative banding details around windows and doors, removal of wooden decorative detail on front of house)*" at *47 Glebemount, Wicklow Town,* Co. Wicklow is **development and is exempted** development within the meaning of the Planning & Development Acts 2000 (as amended).

Signed: Hdara Donaldy Date: 10/11/26

Director of Services
Planning, Economic & Rural Development

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2 of 2

**WICKLOW COUNTY COUNCIL**
**PLANNING DEPARTMENT**

| | |
|---|---|
| **To:** | Edel Bermingham S.E / Patrice Ryan S.E.P. |
| **From:** | Emma Willis A.P. |
| **Type:** | Section 5 Application |
| **REF:** | EX131/2026 |
| **Applicant:** | Anne Marie and Paul Kelly |
| **Date of Application:** | 16/10/2026 |
| **Decision Due Date:** | 12/11/2026 |
| **Address:** | 47 Glebemount, Wicklow Town, Co Wicklow |

**Exemption Query:** Whether the installation of external wall insulation (max. 150 millimetres) and acrylic render on whole of house – light colour, smooth texture finish (change from current to pebble-dash finish and including removal of decorative acrylic brick slips on front of house, removal of decorative banding details around windows and doors, removal of wooden decorative detail on front of house), constitutes exempted development within the meaning of the Planning and Development Act 2000 (as amended).

**Application Site:** The application site is located in a residential area of Wicklow within the Glebemount estate, in an urban area. The dwelling on site is an existing single-storey detached dwelling with front and rear gardens, with parking to the front/side. It is not a protected structure or located within the curtilage of a protected structure. Site access is onto the public road and is oriented towards a green open space to the front. The surrounding dwellings are similar detached residential properties.

**Aerial / Site Images:**



Existing



Proposed

**Relevant Planning History:**

**PRR 99/622383:** Planning permission GRANTED for the retention of converted car port.

**Question:**

With respect to the query under Section 5 of the Planning and Development Act 2000 (as amended), as to whether the following is or is not exempted development, at 47 Glebemount, Wicklow Town, Co Wicklow:

> The installation of external wall insulation (max. 150 millimetres) and acrylic render on whole of house – light colour, Smooth texture finish (change from current to pebble-dash finish and including removal of decorative acrylic brick slips on front of house, removal of decorative banding details around windows and doors, removal of wooden decorative detail on front of house).

**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,
*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...*"

**Section 2 (1)** defines works as 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(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 (1)(a) to (l)** specifies various types of works that while considered 'development', can be considered 'exempted development' for the purposes of the Act;

In particular, section **4 (1)(h)** is:

*"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)** states that certain classes of development which are specified in Schedule 2 shall be exempted development for the purposes of the Act, subject to compliance with any associated conditions and limitations;

**Article 9(1)(a)** and **(b)** details a number of circumstances under which the development to which Article 6 relates shall not be exempted development for the purposes of the Act.

**Schedule 2, Part 1 (Classes 1-8)** describes classes of development situated within the curtilage of a house which are exempted development, provided that such development complies with the associated conditions and limitations.

**Planning and Development (Exempted Development (Act of 2000)) Regulations 2026**

**Schedule 2, Part 1**
**Class 63** – The addition of external wall insulation to a house and any necessary works to facilitate its installation.

1. The thickness of external wall insulation shall not exceed 150 millimetres on the front, rear or gable walls of the building.
2. The external wall insulation shall not encroach on any public road.
3. The external wall insulation and related works shall not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure and that of neighbouring structures.

**An Bord Pleanála Referrals**

ABP-301692-18
An Bord Pleanála, in exercise of the powers conferred on it by section 5 (3)(a) of the 2000 Act, hereby decides that the installation of external insulation to front, side and back of house at 134 Cabra Road, Dublin is development and is not exempted development.
An Bord Pleanála has concluded that - (a) The character of Cabra Road in the vicinity of the house site is derived principally from the extent of original orange hued redbrick and ornamental features depicted in stone, brick detailing and timber. (b) The works, which amount to – (i) the entire concealment and removal of key original materials, finishes and ornamental features in the façade as viewed from the street, and

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(ii) a red tile façade, are visually incongruous with regard to the original and adjoining houses and materially alter the character of house in the context of the streetscape.
The works, therefore, are development and are not exempt because the proposed works would materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the house and neighbouring properties as defined under section 4 (1)(h) of the Planning and Development Act 2000, as amended:

ABP-309407-21
An Bord Pleanala, in exercise of the powers conferred on it by section 5 (3) (a) of the 2000 Act, hereby decides that the installation of external insulation to the exterior of the dwelling house at number 16 Beech Park Avenue, Foxrock, Dublin is development and is not exempted development as –

(a) the installation of external insulation to the exterior of the dwellinghouse constitutes works which are development, as defined in section 3 of the Planning and Development Act, 2000, as amended,

(b) the installation of external insulation to the exterior of the dwelling
house constitutes "works for the maintenance, improvement or other alteration of any structure" as defined in section 4(1)(h) of the said Act,

(c) the installation of external insulation to the exterior of the dwellinghouse constitutes works which amount to the entire concealment of exterior details and finishes which are defining characteristics of the semi-detached housing along Beech Park Avenue and which, therefore, materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure and that of neighbouring structures, and
the installation of external insulation to the exterior of the dwellinghouse accordingly does not come within the scope of Section 4(1)(h) of the Planning and Development Act, 2000, as amended.

**Details submitted in support of the application:**

- Site Location Map
- Photographs of proposed external finish of the dwelling.

**Assessment:**
The Section 5 declaration application seeks an answer with respect to the following question:

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

> Installation of external wall insulation (max. 150 millimetres) and acrylic render on whole of house – light colour, Smooth texture finish (change from current to pebble-dash finish and including removal of decorative acrylic brick slips on front of house, removal of decorative banding details around windows and doors, removal of wooden decorative detail on front of house).

all at 47 Glebemount, Wicklow Town, Co Wicklow.

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.

Having regard to the definition of "development" and "works" above, the Planning Authority is satisfied that the proposal involves works of construction and therefore the proposal does constitute development.

The second stage of the assessment is to determine whether or not the proposal would be exempted development under the Planning and Development Act 2000 (as amended) or its associated Regulations.

Schedule 2, Part 1, Class 63 of the Planning and Development (Exempted Development (Act of 2000)) Regulations 2026 states that the following constitutes exempted development:

> *Class 63 – The addition of external wall insulation to a house and any necessary works to facilitate its installation.*

The works would come within this description.

Relevant Schedule 2, Pt. 1, Class 63 Checklist of limitations:

| | |
|---|---|
| The thickness of external wall insulation shall not exceed 150 millimetres on the front, rear or gable walls of the building. | The design does not exceed these thresholds. |
| The external wall insulation shall not encroach on any public road. | The design complies with this requirement. |

| | |
|---|---|
| The external wall insulation and related works shall not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure and that of neighbouring structures. | The applicant proposes the installation of external wall insulation and acrylic render on whole of house – light colour, smooth texture finish (change from current to pebble-dash finish and including removal of decorative acrylic brick slips on front of house, removal of decorative banding details around windows and doors, removal of wooden decorative detail on front of house).<br><br>In this regard it is noted that while the proposal is one of a group of 8 bungalow dwellings with similar type finishes. However, even then it is noted that there is a slight variation in the colour of the pebble dash finish possible due to either age and/or maintenance works. Furthermore, a neighbouring dwelling has removed the brick plinth at the lower window level. It is further noted that there are other dwellings in the immediate area with a red brick finish, while others have a render finish. Noting the variance existing house types and finishes, the Planning Authority considers that the proposed external insulation and smooth render finish in a similar colour palette to surrounding dwellings, will not appear out of place in this context and therefore would not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the subject house or neighbouring houses.<br><br>With regard to An Bord Pleánla ABP-301692-18 and ABP-309407-21 assessments under Section 4(1)(h), the dwellings in these instances contained largely red/orange brick finishes to the front elevations and/or decorative features for concealment under proposals for external insulation. It was concluded that the proposed finishes were not considered exempt because they would materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the house and neighbouring properties. |

**Recommendation:**

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

Installation of external wall insulation (max. 150 millimetres) and acrylic render on whole of house – light colour, Smooth texture finish (change from current to pebble-dash finish and

including removal of decorative acrylic brick slips on front of house, removal of decorative banding details around windows and doors, removal of wooden decorative detail on front of house).

at 47 Glebemount, Wicklow Town, Co Wicklow, constitutes exempted development within the meaning of the Planning and Development Acts, 2000 (as amended).

The Planning Authority considers that Installation of external wall insulation (max. 150 millimetres) and acrylic render on whole of house **is development** and **is exempted development.**

**Main Considerations with respect to Section 5 Declaration:**

a) The details received with the Section 5 application (EX 131/2026) on 16th October 2026.
b) Sections 2, 3 and 4 of the Planning & Development Act 2000 (as amended)
c) Article 6 and 9 of the Planning and Development Regulations 2001 (as amended).
d) Schedule 2: Part 1: Class 63 of the Planning and Development ~~(Exempted Development (Act of 2000))~~ Regulations 2001-2026.
e) An Bord Pleanála Declarations: ABP-301692-18 and ABP-309407-21

**Main Reasons with respect to Section 5 Declaration:**

1) The installation of external wall insulation (max. 150 millimetres) and smooth acrylic render on the existing house would be operations of construction 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).

2) The works are therefore development given the provisions of Section 3(1)(a) of the Planning and Development Act 2000 (as amended).

3) The works are considered to come within the provisions and limitations of Schedule 2, Part 1: Class 63 of the Planning and Development Regulations 2001-2026 and due to the detached nature of the dwelling and variance of house types and finishes in this residential area ~~Section 4(1)(h) of the Planning and Development Act 2000 (as amended) as they~~ the external wall insulation and related works 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.

**Emma Willis AP**
**Date: 05/11/2026**

Agreed as amended Patrice Ryan SEP 09/11/2026
Section 5 to issue in accordance with the recommendation above

S.5 Issue.
HDemely DOJ
10/11/26

# MEMORANDUM

# WICKLOW COUNTY COUNCIL

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**TO: Emma Willis**
**Assistant Planner**

**FROM: Joanne Byrne**
**A/ Staff Officer**

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**RE:- EX131/2026 - Declaration in accordance with Section 5 of the Planning & Development Acts 2000 (as amended)**

I enclose herewith for your attention application for Section 5 Declaration received 16/10/2026.

The due date on this declaration is the **12/11/2026.**

Joanne Byrne.

A/Staff Officer
Planning, Development & Environment

Comhairle Contae Chill Mhantáin
Wicklow County Council
**Pleanáil, Forbairt Eacnamaíochta agus Tuaithe**
**Planning, Economic and Rural Development**

Anne Marie & Paul Kelly,

19th October 2026

RE: Application for Certificate of Exemption under Section 5 of the Planning and Development Acts 2000 (as amended) – EX131/2026

A Chara

I wish to acknowledge receipt on 16/10/2026 full details supplied by you in respect of the above Section 5 application. A decision is due in respect of this application by 12/11/2026.

Mise, le meas

Joanne Byrne

Joanne Byrne
A/ Staff Officer
Planning, Economic & Rural Development

Wicklow County Council
County Buildings
Wicklow
0404-20100

16/10/2026 11 08 05

Receipt No : L1/0/370964
***** REPRINT *****

ANNE MARIE AND PAULKELLY
47 GLEBEMOUNT
WICKLOW

| | | |
|---|---|---|
| PLANNING APPLICATION FEES | | 80 00 |
| GOODS | 80 00 | |
| VAT Exempt/Non-vatable | | |

Total 80 00 EUR

Tendered
Credit Card 80 00

Change : 0 00

Issued By Nicola Byrne
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 _____

# 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: **Anne Marie & Paul Kelly**
Address of applicant:

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

## 2. Agents Details (Where Applicable)

WICKLOW COUNTY COUNCIL
16 OCT 2026
PLANNING DEPT.

(b) Name of Agent (where applicable) **Not applicable**

Address of Agent: **Not applicable**

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

## 3. Declaration Details

i. Location of Development subject of Declaration: **47 Glebemount, Wicklow Town, Co. Wicklow A67 CD72**

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: **Not Applicable**

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:

**Installation of external wall insulation (max. 150 millimetres) and acrylic render on whole of house - light colour, smooth texture finish (change from current pebble-dash finish and including removal of decorative acrylic brick slips on front of house, removal of decorative banding details around windows and doors, removal of wooden decorative detail on front of house)**
***(see enclosed pictures for proposed changes to external appearance of house).***

*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:

**Planning and Development (Exempted Development (Act of 2000)) (No. 4) Regulations 2026 (S.I. 341 of 2026) – Class 63**

*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:
**Please see enclosed pictures of a) current view of house and b) image of house following proposed finished works**

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

Signed : Amkelly Dated : 10th october 2026.

10/10/2026

**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.

**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**

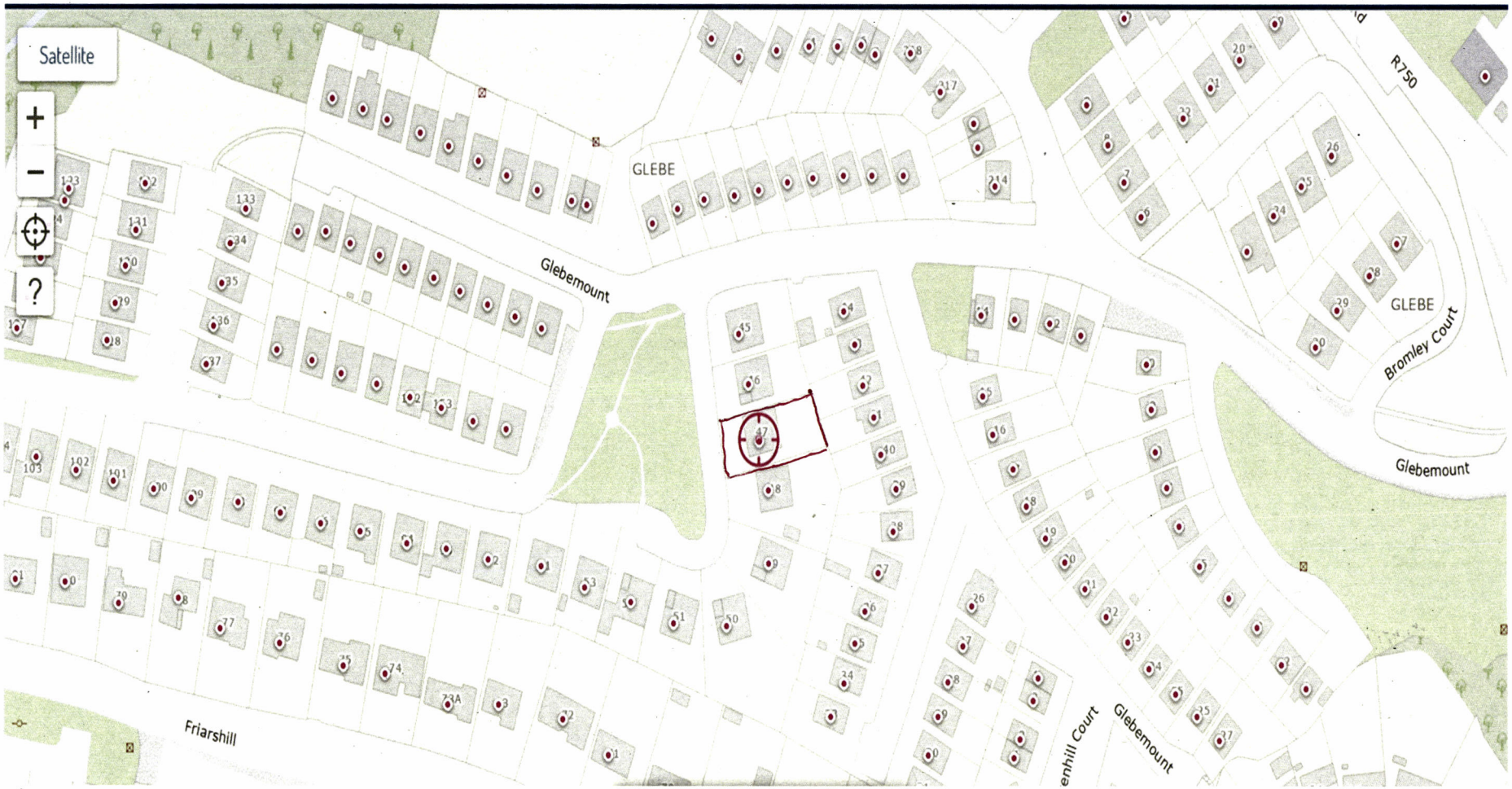
Anne Marie & Paul Kelly additional document

a) Current image of 47 Glebemount Wicklow Town, Co Wicklow A67 CD72 – pre-proposed works



b) Proposed image of 47 Glebemount, Wicklow Town, Co Wicklow A67 CD72 – post-proposed works.




Satellite
GLEBE
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