



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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Jerome Anglin
Anglin Cashman Architects Ltd
Lonsdale
Meath Road
Bray
Co. Wicklow
A98 E271

15th September 2025

RE: Declaration in accordance with Section 5 of the Planning & Development Acts 2000
(As Amended) – EX99/2025

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



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

Applicant: Cain Steele

Location: Ivanhoe, Putland Road, Bray, Co. Wicklow

Reference Number: EX 99/2025

CHIEF EXECUTIVE ORDER NO. CE/PERD/2025/991

A question has arisen as to whether “the removal of the existing roller door on the southern elevation of the dwelling and the infilling to allow for the installation of a new window” at Ivanhoe, Putland Road, Bray, Co. Wicklow is or is not exempted development.

Having regard to:

- i. The details submitted with this application 21st August 2025
- ii. Sections 2 and 3 of the Planning and Development Act 2000(as amended).
- iii. Section 4(1)(h) of the Planning and Development Act 2000(as amended).

Main Reasons with respect to Section 5 Declaration:

- A. The removal of shutter door, infilling and replacement with window are works and is therefore development having regard to Section 2 and 3 of the Planning & Development Act 2000 (as amended)
- B. The removal of the existing roller door on the southern elevation of the dwelling and the infilling to allow for the installation of a new window 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 proposed development would therefore come within the scope of Section 4(1)(h) of the Planning and Development Act 2000(as amended).

The Planning Authority considers that “the removal of the existing roller door on the southern elevation of the dwelling and the infilling to allow for the installation of a new window” at Ivanhoe, Putland Road, Bray, Co. Wicklow **is development and is exempted development**

Signed:


ADMINISTRATIVE OFFICER
PLANNING, ECONOMIC & RURAL DEVELOPMENT

Dated 15th September 2025

WICKLOW COUNTY COUNCIL
PLANNING & DEVELOPMENT ACTS 2000 (As Amended)
SECTION 5
CHIEF EXECUTIVE ORDER NO. CE/PERD/2025/991

Reference Number: EX 99/2025

Name of Applicant: Cain Steele

Nature of Application: Section 5 Referral as to whether or not "the removal of the existing roller door on the southern elevation of the dwelling and the infilling to allow for the installation of a new window" is or is not development and is or is not exempted development.

Location of Subject Site: Ivanhoe, Putland Road, Bray, Co. Wicklow

Report from Keara Kennedy, EP & Edel Bermingham, A/SP

With respect to the query under section 5 of the Planning & Development Act 2000 as to whether "the removal of the existing roller door on the southern elevation of the dwelling and the infilling to allow for the installation of a new window" at Ivanhoe, Putland Road, Bray, Co. Wicklow is or is not exempted development within the meaning of the Planning & Development Acts 2000 (as amended).

Having regard to:

- i. The details submitted with this application 21st August 2025
- ii. Sections 2 and 3 of the Planning and Development Act 2000(as amended).
- iii. Section 4(1)(h) of the Planning and Development Act 2000(as amended).

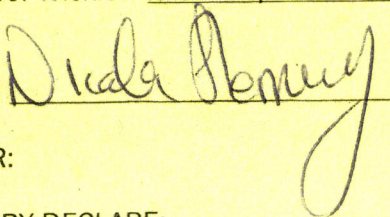
Main Reason with respect to Section 5 Declaration:

- A. The removal of shutter door, infilling and replacement with window are works and is therefore development having regard to Section 2 and 3 of the Planning & Development Act 2000 (as amended)
- B. The removal of the existing roller door on the southern elevation of the dwelling and the infilling to allow for the installation of a new window 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 proposed development would therefore come within the scope of Section 4(1)(h) of the Planning and Development Act 2000(as amended).

Recommendation:

The Planning Authority considers that "the removal of the existing roller door on the southern elevation of the dwelling and the infilling to allow for the installation of a new window" at Ivanhoe, Putland Road, Bray, Co. Wicklow is development and is exempted development as recommended in the report by the A/SP.

Signed



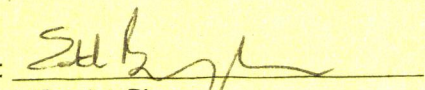
Dated 15th day of September 2025

ORDER:

I HEREBY DECLARE:

That "the removal of the existing roller door on the southern elevation of the dwelling and the infilling to allow for the installation of a new window" at Ivanhoe, Putland Road, Bray, Co. Wicklow is development and is exempted development within the meaning of the Planning & Development Act 2000 (as amended).

Signed:


A/Senior Planner
Planning, Economic & Rural Development

Dated 15th day of September 2025

Section 5 Application: EX 99/2025

Date: 10th September 2025

Applicant: **Cain Steele**

Address: Ivanhoe, Putland Road, Bray, Co. Wicklow A98 T1W7

Whether or not:

The removal of the existing roller door on the southern elevation of the dwelling and the infilling to allow for the installation of a new window is development and is exempted development.

Planning History:

None available

Wicklow County Development Plan 2022-2028

Zoning Objective: RE: Existing Residential under Bray MD LAP 2018-2024

To protect, provide for and improve residential amenities of adjoining properties and areas while allowing for infill residential development that reflects the established character of the area in which it is located.

Relevant Legislation:

Planning and Development Act, 2000 (as amended):

Section 3 (1)(a) defines development as: "The carrying out of works on, in, over or under land or the making of any material change in the use of any land or structures on land";

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 4 (1)(a) to (l) specifies various categories of development, which shall be exempted 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) provides for certain classes of development to be designated as exempted development by way of legislation.

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) 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;

Details of Current Proposal:

In accordance with the details submitted with Section 5 application:

It is proposed to remove the existing roller door on the southern elevation of the dwelling and to infill this to allow for the installation of a new window.

The application seeks a declaration as to whether the:

Removal of the existing roller door on the southern elevation of the dwelling and to infill this to allow for the installation of a new window at Ivanhoe, Putland Road, Bray, is development and is exempted development.

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

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

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

A site plan and existing and proposed elevations drawings of the dwelling have been submitted. The works are located on the southern elevation of the dwelling, which is the side of the dwelling, which looks onto Putland Road. The dwelling would originally have been positioned so that the front of the dwelling had sea views.

Section 4(1)(h) of the Planning and development Act, 2000 states:

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;

It is noted that Putland Road comprises a mix of dwelling styles. The dwelling design differs from the dwellings on the adjoining sites to the east and west. Also, the dwelling is set back from the public road and the southern side dwelling is not overly visible from the road.

Having regard to the minor nature of the works proposed and that the works will not result in the dwelling appearing inconsistent with the character of the structure or of neighbouring structures, the works are considered to come under Section 4(1)(h) of the Planning and Development Act, 2000

Recommendation

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

The removal of the existing roller door on the southern elevation of the dwelling and the infilling to allow for the installation of a new window at Ivanhoe, Putland Road, Bray is development and is exempted development.

The Planning Authority consider that:

The removal of the existing roller door on the southern elevation of the dwelling and the infilling to allow for the installation of a new window at Ivanhoe, Putland Road, Bray is development but is exempted development.

Main Considerations with respect to Section 5 Declaration:

- i) The details submitted with this application 21st August 2025
- ii) Sections 2 and 3 of the Planning and Development Act 2000(as amended).
- iii) Section 4(1)(h) of the Planning and Development Act 2000(as amended).

Main Reasons with respect to Section 5 Declaration:

A. The removal of shutter door, infilling and replacement with window is consistent with the character of the structure and therefore development is exempt under Section 2 and 3 of the Planning and Development Act 2000 (as amended).

B. The removal of the existing roller door on the southern elevation of the dwelling and the infilling to allow for the installation of a new window 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 proposed development would therefore come within the scope of Section 4(1)(h) of the Planning and Development Act 2000(as amended).

Keara Kennedy

Keara Kennedy
Executive Planner
10/09/2025

Paul S. Kelly

11/9/2025

MEMORANDUM

WICKLOW COUNTY COUNCIL

**TO: Keara Kennedy
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).
EX99/2025**

I enclose herewith application for Section 5 Declaration received completed on 21st August 2025.

The due date on this declaration is 17th September 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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22nd August 2025

Jerome Anglin
Anglin Cashman Architects Ltd
Lonsdale
Meath Road
Bray
Co. Wicklow
A98 E~271

RE: Application for Certificate of Exemption under Section 5 of the Planning and Development Act 2000 (as amended). – EX99/2025 –

A Chara

I wish to acknowledge receipt on 21/08/2025 details supplied by you in respect of the above Section 5 application. A decision is due in respect of this application by 17/09/2025.

Mise, le meas

Nicola Fleming
Staff Officer
Planning, Economic & Rural Development



Wicklow County Council
County Buildings
Wicklow
0404 20100

21/08/2025 13 48 45

Receipt No L1/0/350267

CAIN STEEL
IVANHOE
PUTLAND ROAD
BRAY

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

Total 80 00 EUR

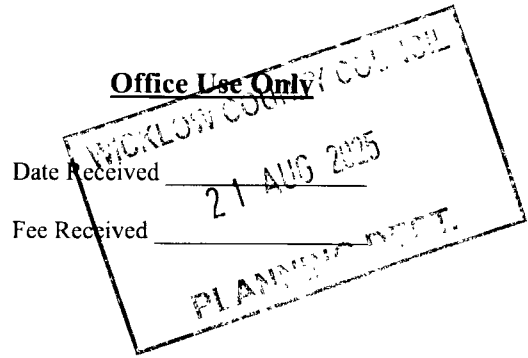
Tendered
Credit Card 80 00
IVANHOE, PUTLAND ROAD

Change 0 00

Issued By Ruth Graham
From Customer Service Hub
Vat reg No 0015233H



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



**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: Cain Steele
Address of applicant: Ivanhoe, Putland Road,
Bray, Co. Wicklow, A98 T1W7

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

2. Agents Details (Where Applicable)

(b) Name of Agent (where applicable) Jerome Anglin
of Anglin Cashman Architects Ltd
Address of Agent : Lonsdale, Meath Road, Bray,
Co. Wicklow, A98 E271

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

3. Declaration Details

i. Location of Development subject of Declaration _____
_____ Ivanhoe, Putland Road, Bray, Co. Wicklow, A98 T1W7

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 _____

We are seeking a declaration under Section 5 in relation to the modification of the
south façade of our property. The existing roller door opening is located on this
elevation. The proposed works consist of removing the existing roller door and
infilling the opening to allow for the installation of a new window. We are
requesting confirmation as to whether this alteration is considered exempted
development or if planning permission is required.

v. Indication of the Sections of the Planning and Development Act or Planning
Regulations you consider relevant to the Declaration _____

The proposed works involve removing the existing roller door on the south façade
and replacing it with a window. No increase in floor area is proposed. _____
Under Section 5 of the Planning and Development Act 2000, clarification is sought
as to whether this is exempted development. Reference is made to Schedule 2,
Part 1, Class 1 of the Planning and Development Regulations 2001 (as amended),
which provides for alterations to windows and doors, subject to Articles 6 and 9.

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 _____

-100-01 Site Location Map _____

-100-02 Existing Drawings _____

-100-03 Proposed Drawings _____

viii. Fee of € 80 Attached ? Yes

Signed : _____ Dated : 20.08.2025



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.
-

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Planning Pack Map



Tailte Éireann

CENTRE COORDINATES:
ITM 727246.718028

PUBLISHED: 12/02/2024 **ORDER NO.:** 50382659_1

MAP SERIES: 1:1,000 **MAP SHEETS:** 3568-20

COMPILED AND PUBLISHED BY:
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Rev Date Init Notes Chkd

Red line indicates extent of proposed Site.

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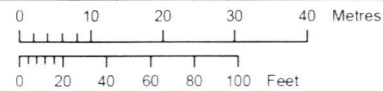
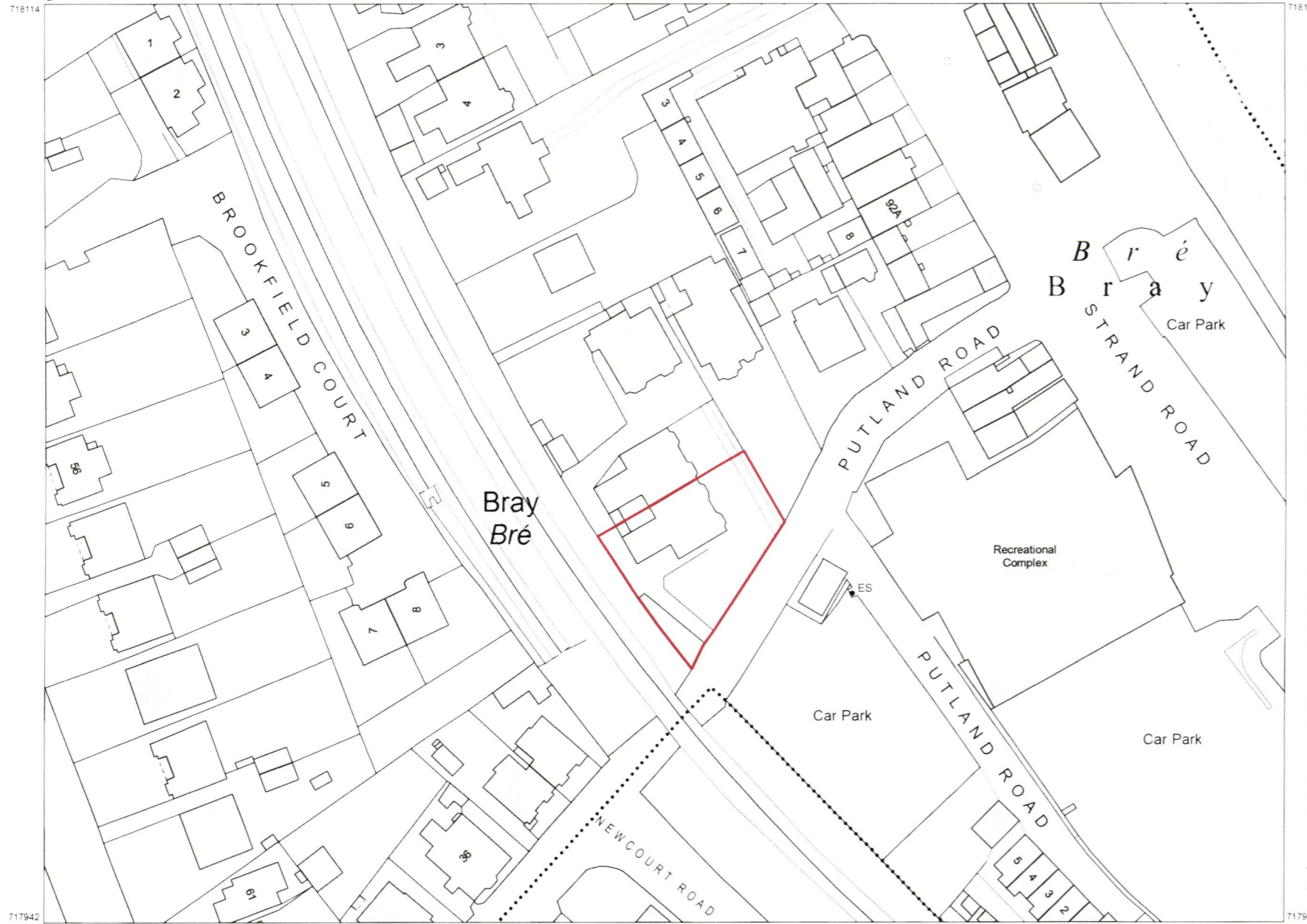
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www.anca-architects.com

Project Title
Ivanhoe, Putland Road, Bray, A98 T1W7
Cain Steel
Drawing Title
Site Location Map

Scale	Sheet Size	Drawn
1:1000 @	A3	JA/BC
Date	Checked	
20-08-2025	JA	

Status		
Section 5		
Project No.	Drawing No.	Revision
0401	100-01	-



OUTPUT SCALE: 1:1,000

CAPTURE RESOLUTION:
The map objects are only accurate to the resolution at which they were captured. Output scale is not indicative of data capture scale. Further information is available at www.tailte.ie, search 'Capture Resolution'

LEGEND:
To view the legend visit www.tailte.ie and search for 'Large Scale Legend'



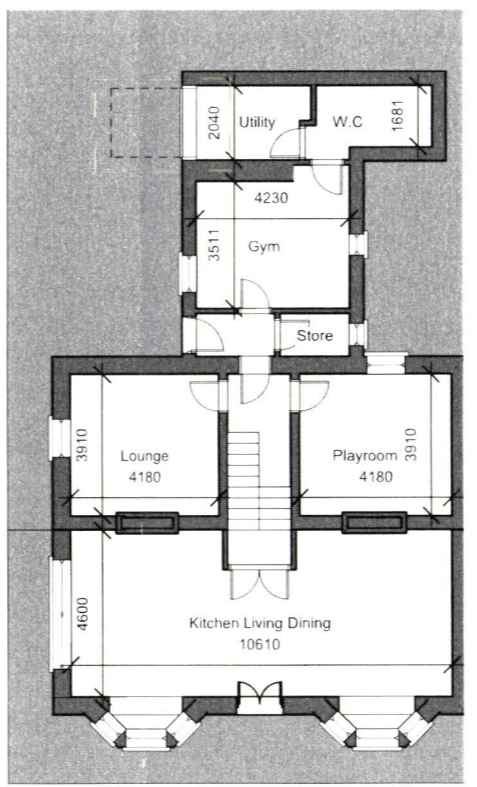
1 Site Location Map
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Note: All Building works to be carried out in accordance with the latest Building Regulations applicable at the time of construction - Appointed Main Contractor shall Indemnify all building work as compliant with the relevant Technical Guidance Documents.

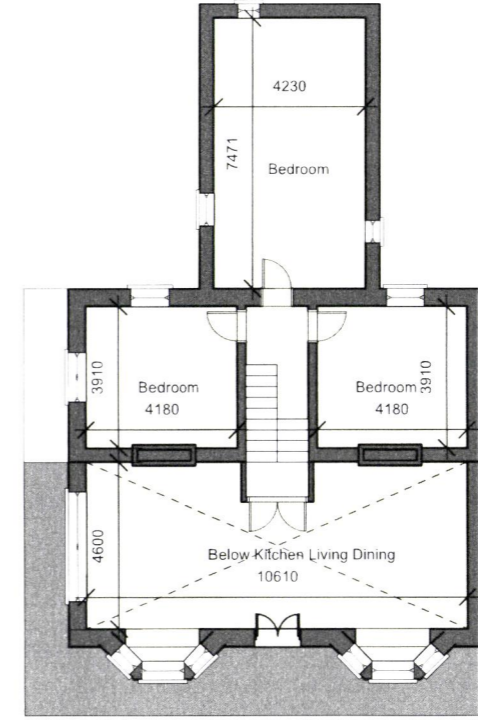
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10 Site Layout Plan
Scale: 1:500



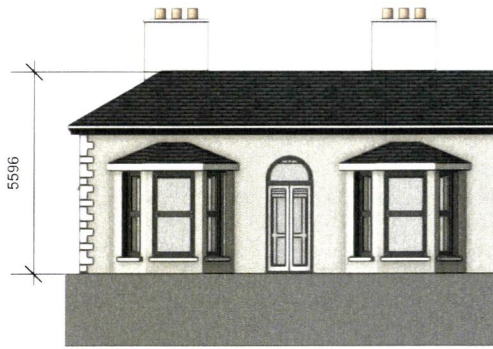
2 Existing Ground Floor Plan
Scale: 1:200



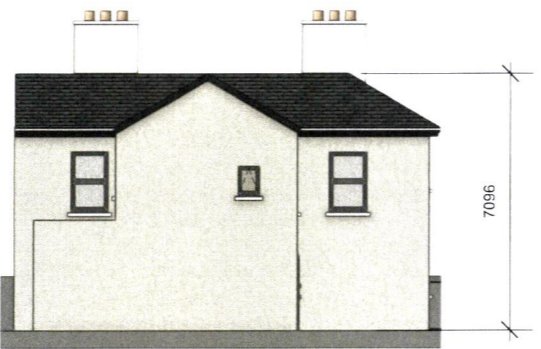
4 Existing First Floor Plan
Scale: 1:200



3 Existing Side Elevation (South)
Scale: 1:200



13 Existing Front Elevation (East)
Scale: 1:200



11 Existing Rear Elevation (West)
Scale: 1:200



7 Existing Cross Section
Scale: 1:200



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Rev	Date	Init	Notes	Chkd

Red line indicates extent of proposed Site.

Dotted green line indicates area subject to Section 5 clarification.

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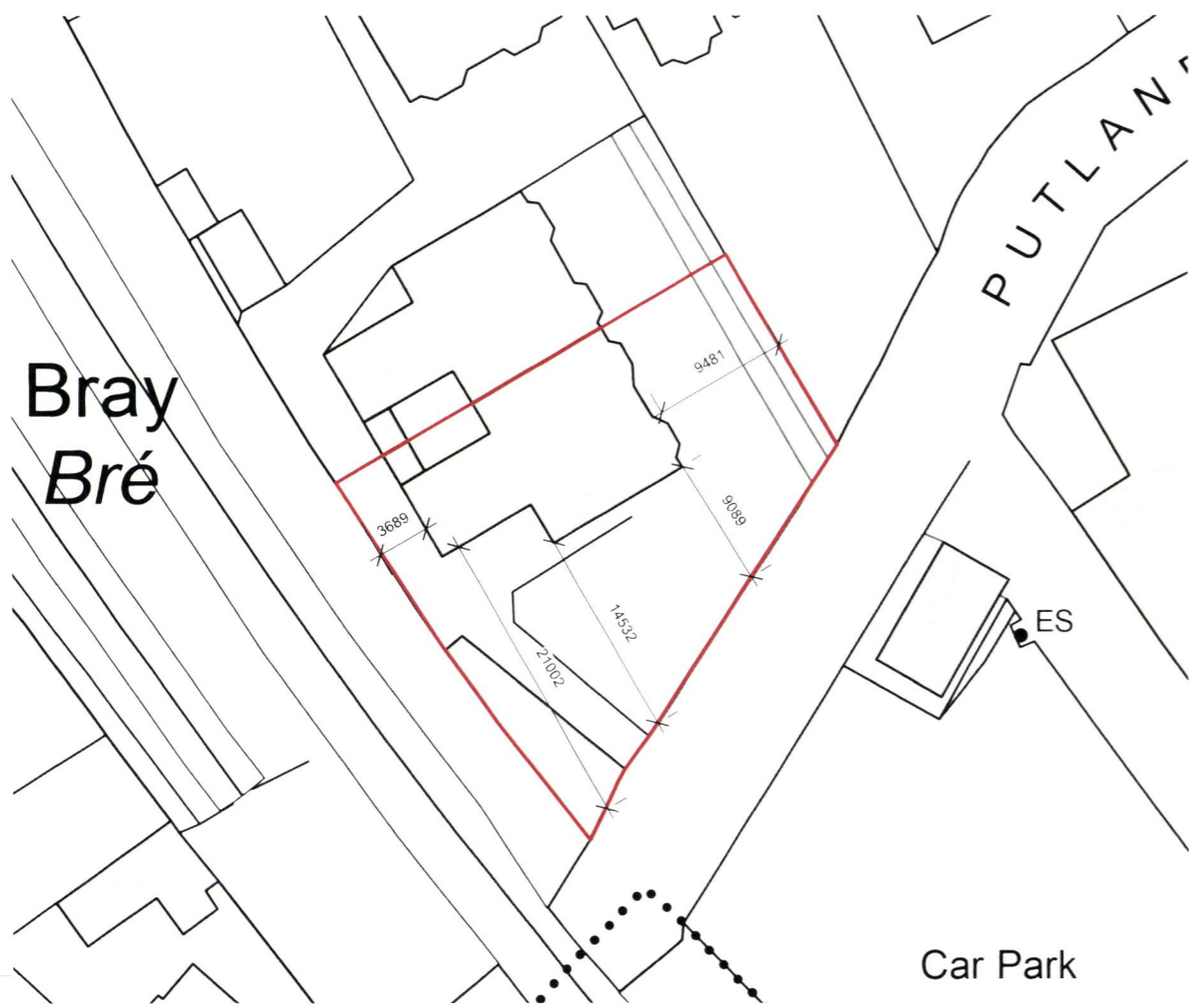
Project Title
Ivanhoe, Putland Road, Bray, A98 T1W7
Cain Steel
Drawing Title
Existing Drawings

Scale	Sheet Size	Drawn
As Shown	A3	JA/BC
Date	Checked	
20-08-2025	JA	

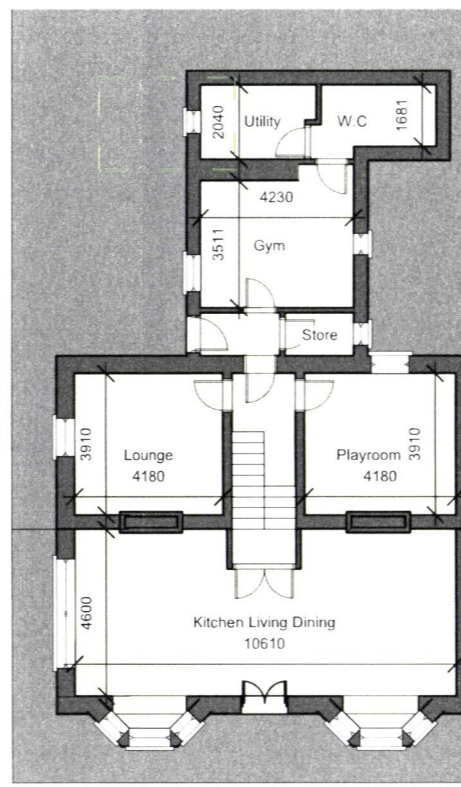
Status		
Section 5		
Project No.	Drawing No.	Revision
0401	100-02	-

Note: All Building works to be carried out in accordance with the latest Building Regulations applicable at the time of construction - Appointed Main Contractor shall Indemnify all building work as compliant with the relevant Technical Guidance Documents.

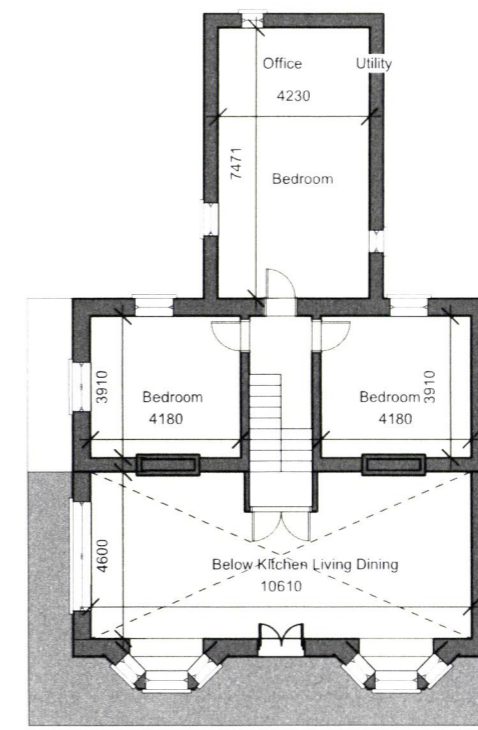
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10 Site Layout Plan
Scale: 1:500



8 Proposed Ground Floor Plan
Scale: 1:200



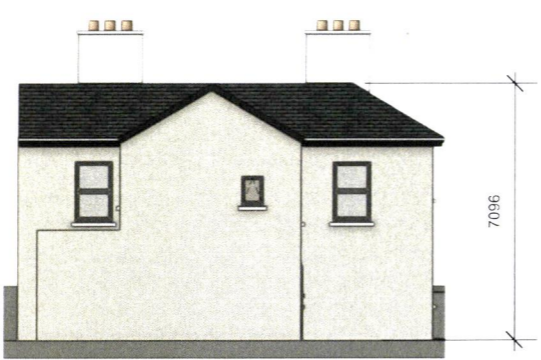
9 Proposed First Floor Plan
Scale: 1:200



12 Proposed Side Elevation (South)
Scale: 1:200



13 Proposed Front Elevation (East)
Scale: 1:200



11 Proposed Rear Elevation (West)
Scale: 1:200



14 Proposed Cross Section
Scale: 1:200



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Ivanhoe, Putland Road, Bray, A98 T1W7

Cain Steel

Drawing Title
Proposed Drawings

Scale	Sheet Size	Drawn
As Shown	A3	JA/BC
Date	Checked	
20-08-2025	JA	

Project No.	Drawing No.	Revision
0401	100-03	-

Note: All Building works to be carried out in accordance with the latest Building Regulations applicable at the time of construction - Appointed Main Contractor shall Indemnify all building work as compliant with the relevant Technical Guidance Documents.