

Comhairle Contae Chill Mhantáin Uickloui County Council

Forbairt Pleanála agus Comhshaol Planning Development and Environment Áras An Chontae / County Buildings Cill Mhantáin / Wicklow Guthán / Tel: (0404) 20148 Faics / Fax: (0404) 69462 Rphost / Email: plandev@wicklowcoco.ic Suíomh / Website: www.wicklow.ie

OTE Solutions Dublin Road Arklow Co. Wicklow

February 2024

RE: Declaration in accordance with Section 5 of the Planning & Development Acts 2000 (As Amended) – EX04/2024

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 Pleanala 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 DEVELOPMENT & ENVIRONMENT.





Comhairle Contae Chill Mhantáin Ulicklow County Council

Forbairt Pleanála agus Comhshaol Planning Development and Environment

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

Applicant: Wai Bun Law

Location: Dunnes Lane, Castlepark, Arklow, Co. Wicklow

CHIEF EXECUTIVE ORDER NO. CE/PDE/241/2024

A question has arisen as to whether "change of use of first floor residential to 3 bedroom apartment, the change of use of the flat roof of store to accessway and amenity space, internal alterations, provision of an external door in end elevation and provision of external stairs and rail to amenity space" at Dunnes Lane, Castlepark, Arklow, Co. Wicklow is or is not exempted development.

Having regard to:

- a) The details submitted with the Section 5 Declaration
- b) Planning Permission ATC PRR 20/78 and Appeal Reference PL 33/5/50993 (ATC PRR 49/80).
- c) Sections 2, 3 and 4 of the Planning and Development Act 2000 (as amended)
- d) Article 9 & 10 (6), and Schedule 2 of the Planning and Development Regulations 2001 (as amended).

Main Reasons with respect to Section 5 Declaration:

- The last permitted use of the upper floor of the structure was mainly residential, and therefore no permission exists for its use as offices
- The conversion of the upper floor would not come within the remit of Article 10(6) as it does
 not consist of a change of use to residential from Class 1, 2, 3, 6 or 12 of Part 4 to Schedule
 2.
- The permitted use of the upper floor was primarily residential, its change of use from residential to a 3 bedroomed apartment would not be a material change of use, and therefore is not development.
- The change of use of the store roof to an amenity space and accessway is a material change of use, as such a use is materially different to its use as a roof, and would provide for impacts over and above such a use, which would never be contemplated as part of such a use. There are no exemptions under the Planning and Development Regulations 2001(as amended) for such a change of use.



- The internal alterations and provision of an external door in end elevation, would be
 development and would not materially affect the external appearance of the structure so as
 to render the appearance inconsistent with the character of the structure, and would
 therefore come within the provisions of Section 4(1)(h) of the Planning and Development Act
 2000(as amended).
- The provision of external stairs and rail to amenity space, would be development and would materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure, and would therefore not be exempted development.

The Planning Authority considers that "(i) change of use of first floor residential to 3 bedroom apartment, is not development (ii) the change of use of the flat roof of store to accessway and amenity space is development and is not exempted development, (iii) internal alterations is development and is exempted development (iv) provision of an external door in end elevation, is development and is exempted development, (v) provision of external stairs and rail to amenity space" is development and is not exempted development" all at Dunnes Lane, Castlepark, Arklow, Co. Wicklow

ADMINISTRATIVE OFFICE

PLANNING DEVELOPMENT/& ENVIRONMENT.

Dated February 2024

WICKLOW COUNTY COUNCIL

PLANNING & DEVELOPMENT ACTS 2000 (As Amended) SECTION 5

CHIEF EXECUTIVE ORDER NO. CE/PDE/241/2024

Reference Number:

EXO4/2024

Name of Applicant:

Wai Bun Law

Nature of Application:

Section 5 Referral as to whether or not "change of use of first floor residential to 3 bedroom apartment, the change of use of the flat roof of store to accessway and amenity space, internal alterations, provision of an external door in end elevation and provision of external stairs and rail to amenity space" is or is not exempted development.

Location of Subject Site:

Dunnes Lane, Castlepark, Arklow, Co. Wicklow

Report from Edel Bermingham SEP

With respect to the query under section 5 of the Planning & Development Act 2000 as to whether "change of use of first floor residential to 3 bedroom apartment, the change of use of the flat roof of store to accessway and amenity space, internal alterations, provision of an external door in end elevation and provision of external stairs and rail to amenity space" at Dunnes Lane, Castlepark, Arklow, Co. Wicklow is or is not exempted development within the meaning of the Planning & Development Acts 2000 (as amended).

Having regard to:

- a) The details submitted with the Section 5 Declaration
- b) Planning Permission ATC PRR 20/78 and Appeal Reference PL 33/5/50993 (ATC PRR 49/80)
- c) Sections 2, 3 and 4 of the Planning and Development Act 2000 (as amended)
- d) Article 9 & 10 (6), and Schedule 2 of the Planning and Development Regulations 2001 (as amended).

Main Reason with respect to Section 5 Declaration:

- The last permitted use of the upper floor of the structure was mainly residential, and therefore no permission exists for its use as offices
- The conversion of the upper floor would not come within the remit of Article 10(6) as it does not consist of a change of use to residential from Class 1, 2, 3, 6 or 12 of Part 4 to Schedule 2.
- The permitted use of the upper floor was primarily residential, its change of use from residential to a 3 bedroomed apartment would not be a material change of use, and therefore is not development.
- The change of use of the store roof to an amenity space and accessway is a material change of use, as such a use is materially different to its use as a roof, and would

provide for impacts over and above such a use, which would never be contemplated as part of such a use. There are no exemptions under the Planning and Development Regulations 2001(as amended) for such a change of use.

- The internal alterations and provision of an external door in end elevation, would be development and would not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure, and would therefore come within the provisions of Section 4(1)(h) of the Planning and Development Act 2000(as amended).
- The provision of external stairs and rail to amenity space, would be development and would materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure, and would therefore not be exempted development.

Recommendation:

The Planning Authority considers that: -"(i) change of use of first floor residential to 3 bedroom apartment, is not development (ii) the change of use of the flat roof of store to accessway and amenity space is development and is not exempted development, (iii) internal alterations is development and is exempted development (iv) provision of an external door in end elevation, is development and is exempted development, (v) provision of external stairs and rail to amenity space" is development and is not exempted development" all at Dunnes Lane, Castlepark, Arklow, Co. Wicklow as recommended in the report by the SEP.

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ORDER:

I HEREBY DECLARE:

"(i) change of use of first floor residential to 3 bedroom apartment, is not development (ii) the change of use of the flat roof of store to accessway and amenity space is development and is not exempted development, (iii) internal alterations is development and is exempted development (iv) provision of an external door in end elevation, is development and is exempted development, (v) provision of external stairs and rail to amenity space" is development and is not exempted development" all at Dunnes Lane, Castlepark, Arklow, Co. Wicklow

Signed:

Senior Engineer

Planning Development & Environment

Dated day of February 2024

Dated Sday of February 2024

Section 5 Application: EX 04/2024

Date:

15th February 2024.

Applicant:

Wai Bun Law

Address:

Dunnes Lane, Castlepark, Arklow, Co. Wicklow.

Whether or not:

The conversion of first floor commercial to 1 bedroomed residential unit is development and is exempted development.

Planning History:

ATC PRR 20/78 Permission granted for erection of Shop and Store, the upper floor was identified for storage.

Appeal Reference PL 33/5/50993 (ATC PRR 49/80) Retention of Restaurant with Dwelling-over and Store

Arklow & Environs Local Area Plan 2018

Chapter 11 Zoning and Land Use Zoning Objective: TC: Town Centre

To provide for the development and improvement of appropriate town centre uses including retail, commercial, office and civic use, and to provide for 'Living Over the Shop' residential accommodation, or other ancillary residential accommodation.

Relevant Legislation:

Planning and Development Act 2000 (as amended)

Section 2: (1) In this Act, except where the context otherwise requires—

"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.

"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(2) provides that the Minister may by regulations provide any class of development to be exempted development. The Regulations which are applicable in this case are the Planning and Development Regulations 2001 (as amended).

Section 4

- (1): The following shall be exempted developments for the purposes of this Act—
- (h) development consisting of the carrying out of works for the maintenance, improvement or other alteration of any structure, being works which affect only the interior of the structure or which do not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure or of neighbouring structures;
- (3); A reference in this Act to exempted development shall be construed as a reference to development which is—
- (a) any of the developments specified in subsection (1), or
- (b) development which, having regard to any regulations under *subsection (2)*, is exempted development for the purposes of this Act.

Planning and Development Regulations 2001(as amended)

Article 10(6) – inserted *by the* Planning and Development (Amendment) (No. 2) Regulations 2018 (S.I. No. 30 of 2018) - Provision to provide an exemption for the change of use, and any related works, of certain vacant commercial premises to residential use.

Schedule 2: Part 4

Assessment:

The queriest seeks confirmation that the conversion office space to a 1 bed residential unit is development and is exempted development.



The agent indicates that the unit was last used as an office and has been empty for 10years. From review of the history of the site permission was granted for retention of the unit in 1980, that permission indicates that the upper floor was primarily residential, with upper floor toilets provided which would have serviced the ground floor restaurant and residential, and a small room in use as an office in connection with restaurant and living accommodation. Therefore, the last permitted use of the upper floor was mainly residential, and there was no permission for its use as offices. Therefore the conversion of the upper floor would not come within the remit of Article 10(6) as it does not consist of a change of use to residential from Class 1, 2, 3, 6 or 12 of Part 4 to Schedule 2.

It is therefore considered that the question is incorrect, and the query should be whether

- i. change of use of first floor residential to 3 bedroom apartment,
- ii. the change of use of the flat roof of store to accessway and amenity space
- iii. internal alterations
- iv. provision of an external door in end elevation,
- v. provision of external stairs and rail to amenity space.

Is development and is exempted development.

i. change of use of first floor residential to 3 bedroom apartment,

The primary use of the upper floor was residential, its change of use from residential to a 3 bedroomed apartment would not be a material change of use and therefore is not development.

Recommendation:

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

- i. change of use of first floor residential to 3 bedroom apartment,
- ii. the change of use of the flat roof of store to accessway and amenity space
- iii. internal alterations
- iv. provision of an external door in end elevation,
- v. provision of external stairs and rail to amenity space

at Dunnes Lane, Castlepark, Arklow, Co. Wicklow constitutes exempted development within the meaning of the Planning and Development Acts, 2000(as amended).

The Planning Authority consider that

- i. change of use of first floor residential to 3 bedroom apartment, is not development
- ii. the change of use of the flat roof of store to accessway and amenity space is development and is not exempted development
- iii. internal alterations is development and is exempted development
- iv. provision of an external door in end elevation, is development and is exempted development
- v. provision of external stairs and rail to amenity space is development and is not exempted development

Main Considerations with respect to Section 5 Declaration:

- a) The details submitted with the Section 5 Declaration
- b) Planning Permission ATC PRR 20/78 and Appeal Reference PL 33/5/50993 (ATC PRR 49/80)
- c) Sections 2, 3 and 4 of the Planning and Development Act 2000 (as amended)
- d) Article 9 & 10 (6), and Schedule 2 of the Planning and Development Regulations 2001 (as amended).

Main Reasons with respect to Section 5 Declaration:

- The last permitted use of the upper floor of the structure was mainly residential, and therefore no permission exists for its use as offices
- The conversion of the upper floor would not come within the remit of Article 10(6) as it does not consist of a change of use to residential from Class 1, 2, 3, 6 or 12 of Part 4 to Schedule 2.
- The permitted use of the upper floor was primarily residential, its change of use from residential to a 3 bedroomed apartment would not be a material change of use, and therefore is not development.
- The change of use of the store roof to an amenity space and accessway is a material change of
 use, as such a use is materially different to its use as a roof, and would provide for impacts over
 and above such a use, which would never be contemplated as part of such a use. There are no
 exemptions under the Planning and Development Regulations 2001(as amended) for such a
 change of use.
- The internal alterations and provision of an external door in end elevation, would be development and would not materially affect the external appearance of the structure so as to

- render the appearance inconsistent with the character of the structure, and would therefore come within the provisions of Section 4(1)(h) of the Planning and Development Act 2000(as amended).
- The provision of external stairs and rail to amenity space, would be development and would materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure, and would therefore not be exempted development.

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15/2/2024

Joseph Stranged Stran



Comhairle Contae Chill Mhantáin Ulicklow County Council

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MEMORANDUM

· WICKLOW COUNTY COUNCIL

TO: Edel Bermingham FROM: Nicola Fleming
Senior Executive Planner Staff Officer

RE:- Application for Certificate of Exemption under Section 5 of the Planning and Development Acts 2000 (as amended). EX04/2023

I enclose herewith application for Section 5 Declaration received 25th January 2024.

The due date on this declaration is 21st February 2024.

Staff Officer

Planning Development & Environment





Comhairle Contae Chill Mhantáin Ulicklow County Council

Forbairt Pleanála agus Comhshaol Planning Development and Environment

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

30th January 2024

OTE Solutions Dublin Road Arklow Co. Wicklow

RE: Application for Certificate of Exemption under Section 5 of the Planning and Development Acts 2000 (as amended). – EX04/2024 – Wai Bun Law

A Chara

I wish to acknowledge receipt on 25/01/2024 details supplied by you in respect of the above Section 5 application. A decision is due in respect of this application by 21/02/2024.

Mise, Je meas

NICOLA FLEMING STAFF OFFICER

PLANNING DEVELOPMENT AND ENVIRONMENT





| Dublin Road, | Arklow |
|--------------|--------|
| Co. Wicklow. | |

6 0402 22263

087 2666062

☑ info@otesolutions.ie

www.otesolutions.ie

Date: 19.01.24

Planning Department Wicklow County Council County Buildings Wicklow

Applicant: Wai Bun Law

RE: Section 5 Declaration on whether the conversion of the first-floor commercial offices to 1 No. apartment at Dunnes Lane, Castlepark, Arklow, Co. Wicklow is or is not development and is or is not exempted development.

A Chara,

Please find enclosed a completed section 5 application for the above client. We would like to add the following information in support of their application.

Planning History

The original building comprises of a ground floor restaurant with office space and storage to the first floor. The building has been vacant for approximately 10 years.

Proposal

The applicant seeks a declaration that the proposed works to the existing first floor commercial offices to a 1 No. 3-bed apartment is exempted development under Article 10 (Amendment) (No.2) under the Planning Development Regulations 2022.

Article 2 of these Regulations amends Article 10 of the Principal Regulations, by inserting a new sub-article, to provide that development consisting of the change of use, and any related works, from an existing specified use

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class to residential use, in certain circumstances and subject to conditions and limitations, is exempt from the requirement to obtain planning permission

Planning & Development Act (Exempted Development) Regulations 2022

The proposal meets the conditions as follows:

- 3(b) This sub-article relates to a proposed development, during the relevant period, that consists of a change of use to residential use from Class 1, 2, 3, 6 or 12 of Part 4 to Schedule 2.
 - > The first-floor office space fall under this class of development
- 3 (c) Notwithstanding sub-article (1), where in respect of a proposed development referred to in paragraph (b)— (i) the structure concerned was completed prior to the making of the Planning and Development (Amendment) (No. 2) Regulations 2018,
 - The subject building is over 40 years old
- (ii) the structure concerned has at some time been used for the purpose of its current use class, being Class 1, 2, 3, 6 or 12, and
 - > The first-floor office space falls under class 3, use as an office.
- (iii) the structure concerned, or so much of it that is the subject of the proposed development, has been vacant for a period of 2 years or more immediately prior to the commencement of the proposed development, then the proposed development for residential use, and any related works, shall be exempted development for the purposes of the Act, subject to the conditions and limitations set out in paragraph (d).
 - > The first-floor office space has been vacant for over 10 years
- 3 (d) (i) The development is commenced and completed during the relevant period.
 - ➤ The proposed development will be completed before the 31st December 2024

- (ii) Subject to sub-paragraph (iii), any related works, including works as may be required to comply with sub-paragraph (vii), shall
 - (I) primarily affect the interior of the structure,
 - The proposed works primarily affects the first-floor interior of the structure only.
 - (II) retain 50 per cent or more of the existing external fabric of the building, and
 - > 100% of the existing external fabric of the building is to be retained
- (III) not materially affect the external appearance of the structure so as to render its appearance inconsistent with the character of the structure or of neighbouring structures.
 - > The proposed works does not materially affect the external appearance of the structure so as to render its appearance inconsistent with the character of the structure or of neighbouring structures.

The addition of a first-floor side door and external staircase set back to the side of the building is consistent with the neighbouring building to the north.



first floor side door & external stairs to adjoining property.

Adjoining Property

(iii) In related works for the alteration of existing ground floor shop fronts shall be consistent with the fenestration details and architectural and streetscape character of the remainder of the structure or of neighbouring structures.

- > There is no alteration to the existing ground floor shopfront.
- (iv) No development shall consist of or comprise the carrying out of works to the ground floor area of any structure which conflicts with any objective of the relevant local authority development plan or local area plan, pursuant to the Part 1 of the First Schedule to the Act, for such to remain in retail use, with the exception of any works the purpose of which is to solely provide on street access to the upper floors of the structure concerned.
 - > There is no development proposed to the ground floor area.
- (v) No development shall consist of or comprise the carrying out of works which exceeds the provision of more than 9 residential units in any structure.
 - > Only 1 residential unit is proposed.
- (vi) Dwelling floor areas and storage spaces shall comply with the minimum floor area requirements and minimum storage space requirements of the "Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities" issued under section 28 of the Act or any subsequent updated or replacement guidelines.
 - ➤ The proposed apartment achieves the minimum standard requirements as set out in the Sustainable Urban Housing: Design Standards for New Apartments' DoECLG, March 2020.
- (vii) Rooms for use, or intended for use, as habitable rooms shall have adequate natural lighting.
 - > All habitable rooms have adequate natural lighting
- (viii) No development shall consist of or comprise the carrying out of works to a protected structure, as defined in section 2 of the Act, save where the relevant planning authority has issued a declaration under section 57 of

the Act to the effect that the proposed works would not materially affect the character of the structure or any element, referred to in section 57(1)(b) of the Act, of the structure.

- > The building is not a protected structure
- (ix) No development shall contravene a condition attached to a permission under the Act or be inconsistent with any use specified or included in such a permission.
 - > The development does not contravene any previous conditions of permission
- (x) No development shall relate to any structure in any of the following areas:
- (I) an area to which a special amenity area order relates;
- (II) an area of special planning control;
- (III) within the relevant perimeter distance area, as set out in Table 2 of Schedule 8, of any type of establishment to which the Major Accident Regulations apply.
 - None of the above apply to the proposed first-floor unit.
- (xi) No development shall relate to matters in respect of which any of the restrictions set out in sub-paragraph (iv), (vii), (viiA), (viiB), (viiC), (viii) or (ix) of article 9(1)(a), or paragraph (c) or (d) of article (9)(1), would apply.
 - > None of the above apply
- (xii) No development shall consist of or comprise the carrying out of works for the provision of an onsite wastewater treatment and disposal system to which the code of practice made by the Environmental Protection Agency pursuant to section 76 of the Environmental Protection Agency Act 1992 relates and entitled Code of Practice Wastewater Treatment and Disposal Systems Serving Single Houses together with any amendment to that Code or any replacement for it.
 - > The building is connected to mains services

Design Standards for New Apartments' DoECLG, March 2020.

In relation to room sizes, please find enclosed our apartment floor area standards table confirming that the proposed apartments all achieve the minimum standard requirements as set out in the *Sustainable Urban Housing: Design Standards for New Apartments' DoECLG, March 2020.*

Title:

Residential Floor Area Standards

| Minimum Overall Apartment Floor Area: | Requirement (m2) | Dunnes Lane 3 Bed Unit |
|---------------------------------------|------------------|---------------------------|
| Studio | 37 | |
| One Bedroom | 45 | |
| Two bedroom (3 person) | 63 | |
| Two bedroom (4 person) | 73 | |
| Three bedrooms | 90 | 101 |

| Minimum aggregate floor areas for living/dining/kitchen rooms | Width of living/ dining room (m) | Aggregate floor area of living / dining / kitchen area (m2) | 3 Bed Unit |
|---|-------------------------------------|---|------------|
| Studio | 5 | 30 | |
| One Bedroom | 3.3 | 23 | |
| Two bedroom (3 person) | 3.6 | 28 | |
| Two bedroom (4 person) | 3.6 | 30 | |
| Three bedrooms | 3.8 | 34 | 4.5/36.5 |

| Minimum bedroom floor areas/widths | Minimum width (m) | Minimum floor area (m2) | 3 Bed Unit Unit (m2) |
|------------------------------------|-------------------|-------------------------|-------------------------|
| Studio | 4 | 30 | |
| Single Bedroom | 2.1 | 7.1 | 2.2/7 |
| Double bedroom | 2.8 | 11.4 | |
| Twin bedroom | 2.8 | 13 | 3.25/14 |

| Minimum aggregate bedroom floor areas | Requirement (m2) | 3 Bed Unit |
|---------------------------------------|--------------------|------------|
| One Bedroom | 11.4 | |
| Two bedroom (3 person) | 13 + 7.1 = 20.1 | |
| Two bedroom (4 person) | 11.4 +13 = 24.4 | |
| Three bedrooms | 11.4+13+7.1 = 31.5 | 30.5 |

| Minimum storage space requirements | Requirement (m2) | 3 Bed Unit |
|------------------------------------|------------------|------------|
| Studio | 3 | |
| One Bedroom | 3 | |
| Two bedroom (3 person) | 5 | |
| Two bedroom (4 person) | 6 | |
| Three bedrooms | 9 | 12* |

^{* =} storage includes cloakroom, store rooms and built in bedroom wardrobes

| Minimum floor areas for private amenity space | Requirement (m2) | 3 Bed Unit |
|---|------------------|------------|
| Studio | 4 | |
| One Bedroom | 5 | |
| Two bedroom (3 person) | 6 | |
| Two bedroom (4 person) | 7 | |
| Three bedrooms | 9 | 9 |

Remiding Irelands "Bringing Back Homes" manual states that,

"The exemption applies to existing completed commercial buildings, such as shops and offices, which have been in use for commercial purposes but which have been vacant for a period of two years prior to the proposed works commencing and are available and suitable for housing. As envisaged in Rebuilding Ireland, therefore, the regulations focus on bringing existing vacant commercial units back into use for residential purposes thereby facilitating increased housing supply."

The proposal submitted is compliant with all limiting conditions of the exempted development regulation 2022.

The Government's "Housing for All" policy's main objectives focuses on addressing vacancy and efficient use of existing stock. It notes that,

"Vacancy not only affects housing supply but also the ability of people to live in and give greater vibrancy to our cities, towns and villages. Certain types of vacant properties could be converted to residential use. There is potential to use existing stock more efficiently. Making use of our existing stock also makes clear environmental sense"

This Government policy sets out to support living in cities, towns and villages and the proposed development meets all minimum housing standards.

The Government's "Town Centre First" policy states the following,

"Town Centre First is built on the firm foundation of our National Planning Framework which seeks to build strong towns that can provide services and opportunities to local residents and businesses alike. Some of the decline that has been experienced in our towns, most noticeable in physical dereliction and vacancy, must be arrested by promoting the consolidation of new development within the town where existing services and infrastructure can be utilised."

Again, the proposed development promotes town centre living and addresses many of the objectives set out in this policy promoting a sustainable use of existing building stock and the provision of residential use which can contributes positively to the vibrancy of the town centre.

| 25/01/2024 14 29 07 |
|---------------------------------------|
| Receipt No - L 1/0/324368 |
| JONATHAN O TOOLE T/A OTE SOLUTIONS |
| |

Wicklow County Council County Buildings

Wicklow 0404-20100

VAT Exempt/Non-vatable

Total 80 00 EUR

Tendered Cheque 80 00

PLANNING APPLICATION FEES

GOODS

80.00

80.00

Change 0 00

Issued By Marian Jameson
From Customer Service Hub
Vat reg No 0015233H



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

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| Date Received _ | |
|-----------------|--|
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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

| licant Details | | | 25 JAN 2.2 | |
|-------------------------|---|-----------------------|--|--|
| licant Details | | | | i |
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| Name of applicant: | War 13 | un Law | | |
| Address of applicant: _ | Dimes | Line, | Castlegant | Ax4ba |
| | | | | |
| nts Details (Where App | licable) | | | |
| Name of Agent (where a | applicable) | OTE. | Solutions | |
| Address of Agent: | D.5/14 | Road | Acklan 6 | Wickley |
| | Address of applicant: _ hone number and email | Address of applicant: | Address of applicant: | Name of applicant: Name of Agent (where applicable) Name of Agent: Name of Agent: |

WICKLOW COUNTY COUNCIL

2.5 JAN 2024

FLANKING DEPT.

3. Declaration Details

| | of Developn (astleginal | e Alla | . lo h | Mor | | | |
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| Are you Yes/ No | the owner ar | nd/or occupi | er of these | e lands a | at the loca | ation unde | eri.a |
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| arises as exempted payment authorit | 5 of the Plan to what, in a d developme of the pres | any particula ent, within t cribed fee, | r case, is the mean request in | or is no ing of t n writin You sho | t develop this act, g from the | oment and any person he relevations | l is or on ment on the plant of |
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| List | of Plans, Drawings sub | omitted with this I | Declaration A | pplication |
|------|------------------------|---------------------|---------------------------------------|----------------|
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| | | | | |
| Fee | of € 80 Attached ? _ | Yes | · · · · · · · · · · · · · · · · · · · | |
| ed : | 1 /// | April Dated: | 21/1 | a , |

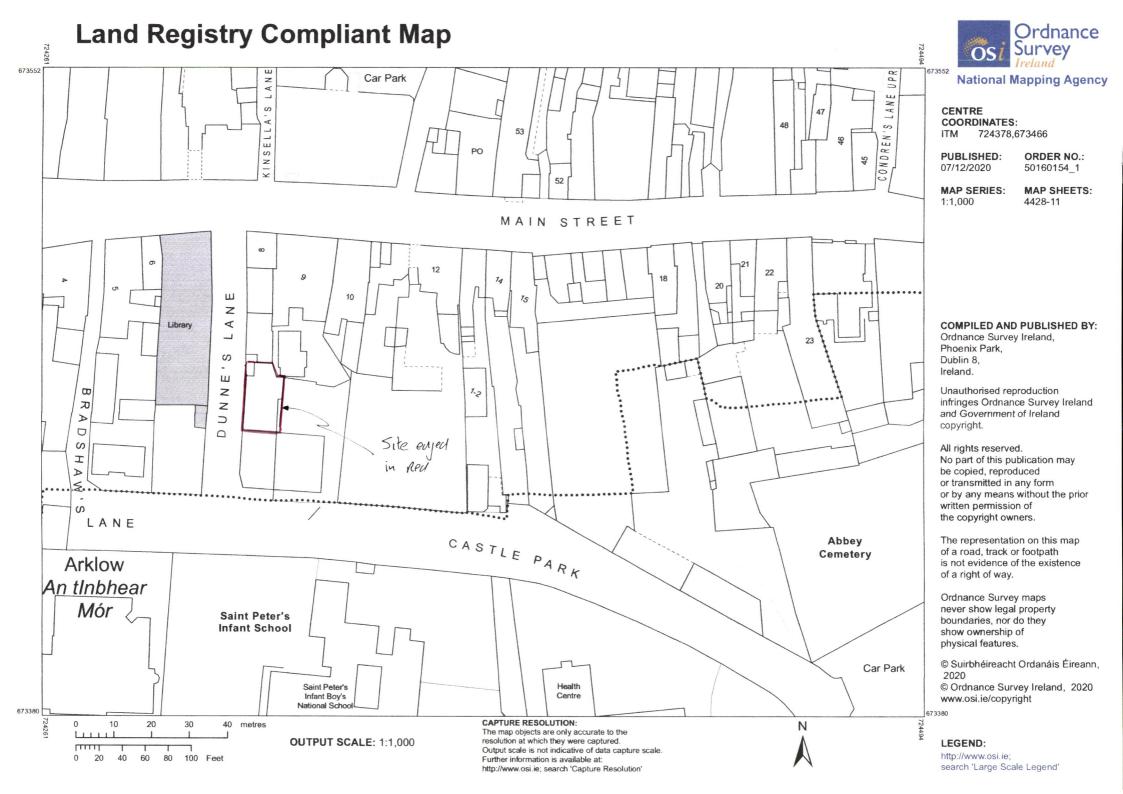
Additional Notes:

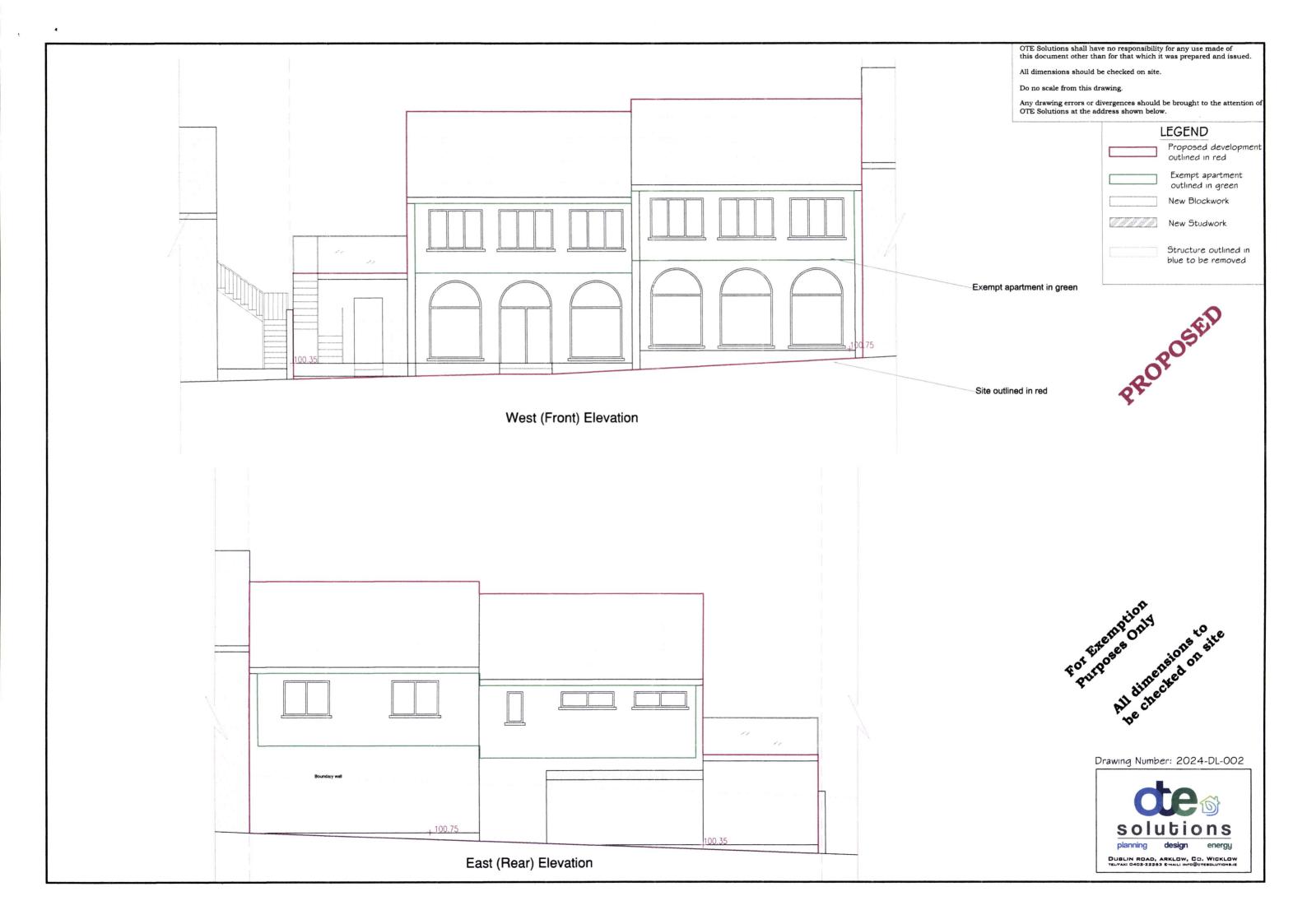
As a guide the minimum information requirements for the most common types of referrals under Section 5 are listed below:

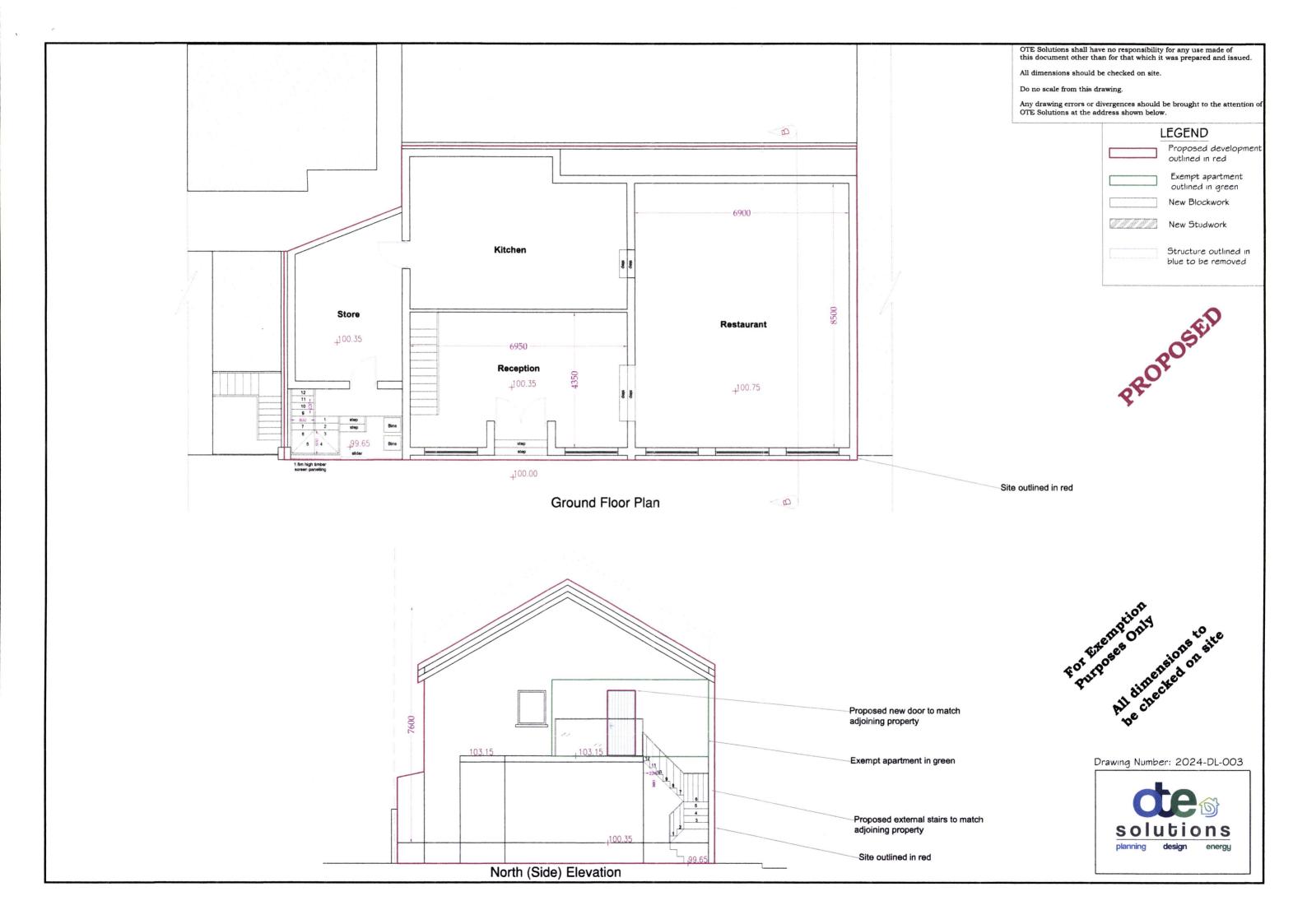
- A. Extension to dwelling Class 1 Part 1 of Schedule 2
 - Site Location Map
- Floor area of structure in question whether proposed or existing.
- Floor area of all relevant structures e.g. previous extensions.
- Floor plans and elevations of relevant structures.
- Site Layout Plan showing distance to boundaries, rear garden area, adjoining dwellings/structures etc.

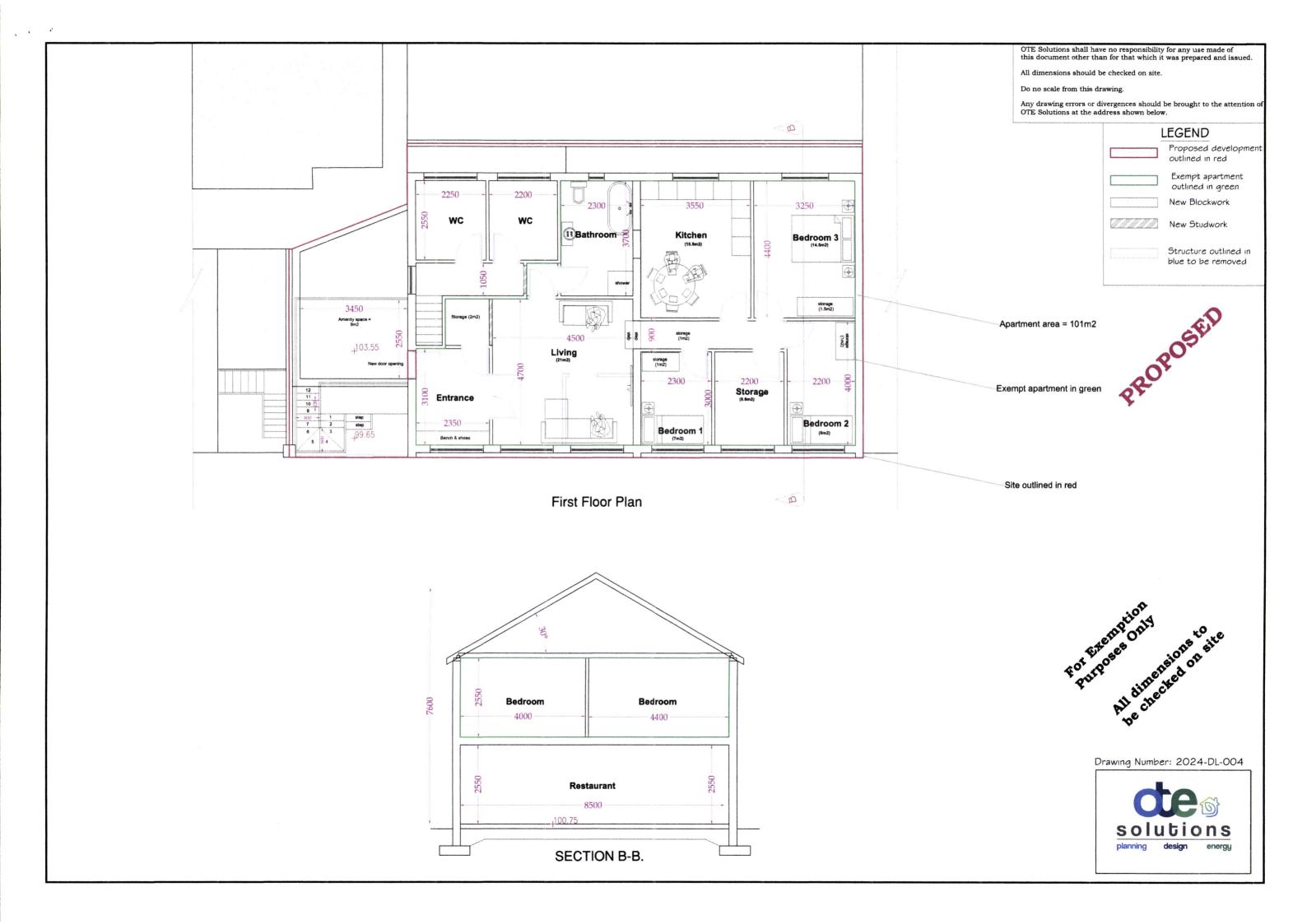
B. Land Reclamation -

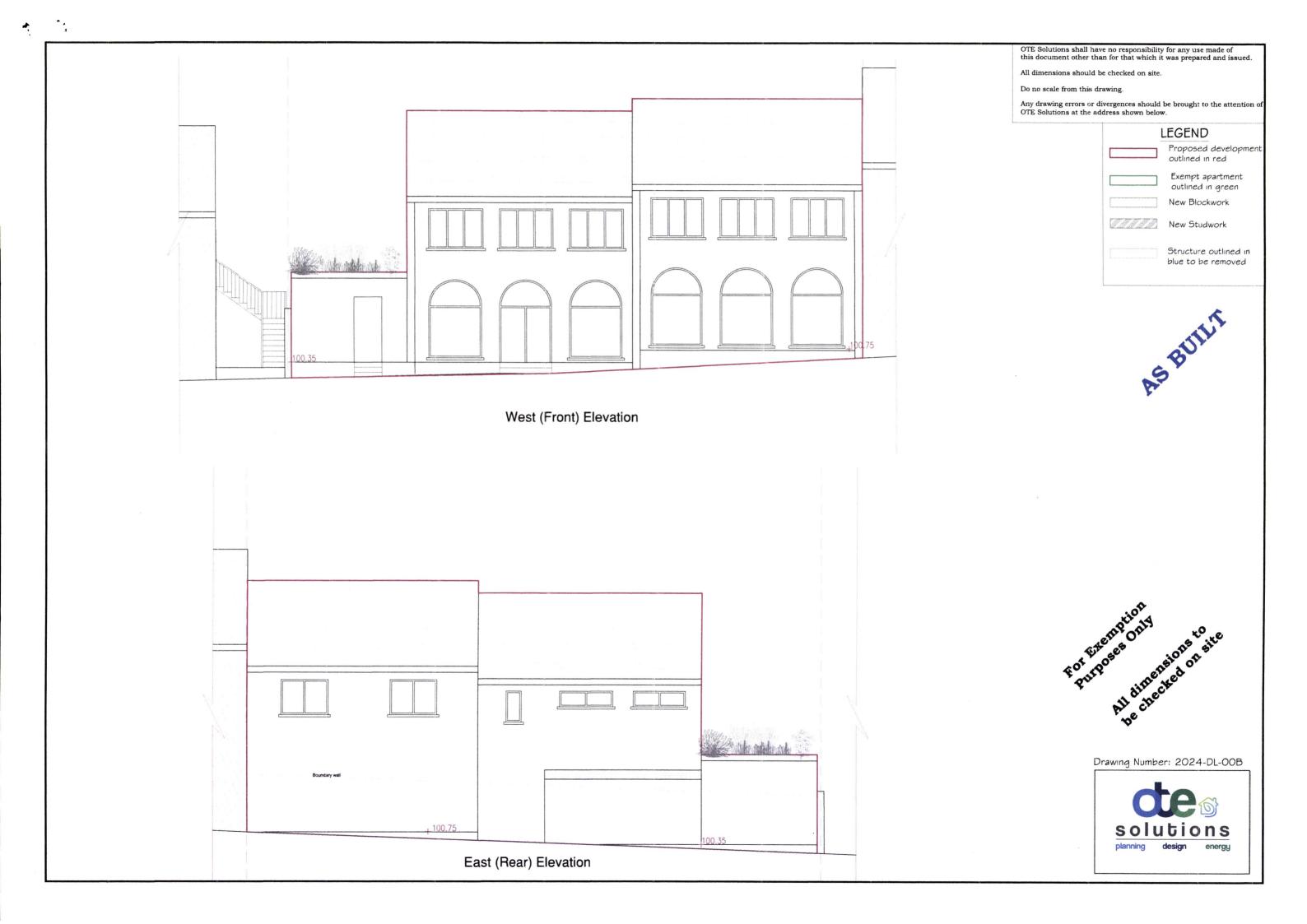
The provisions of Article 8 of the Planning and Development Regulations 2001 (as amended) now applies to land reclamation, other than works to wetlands which are still

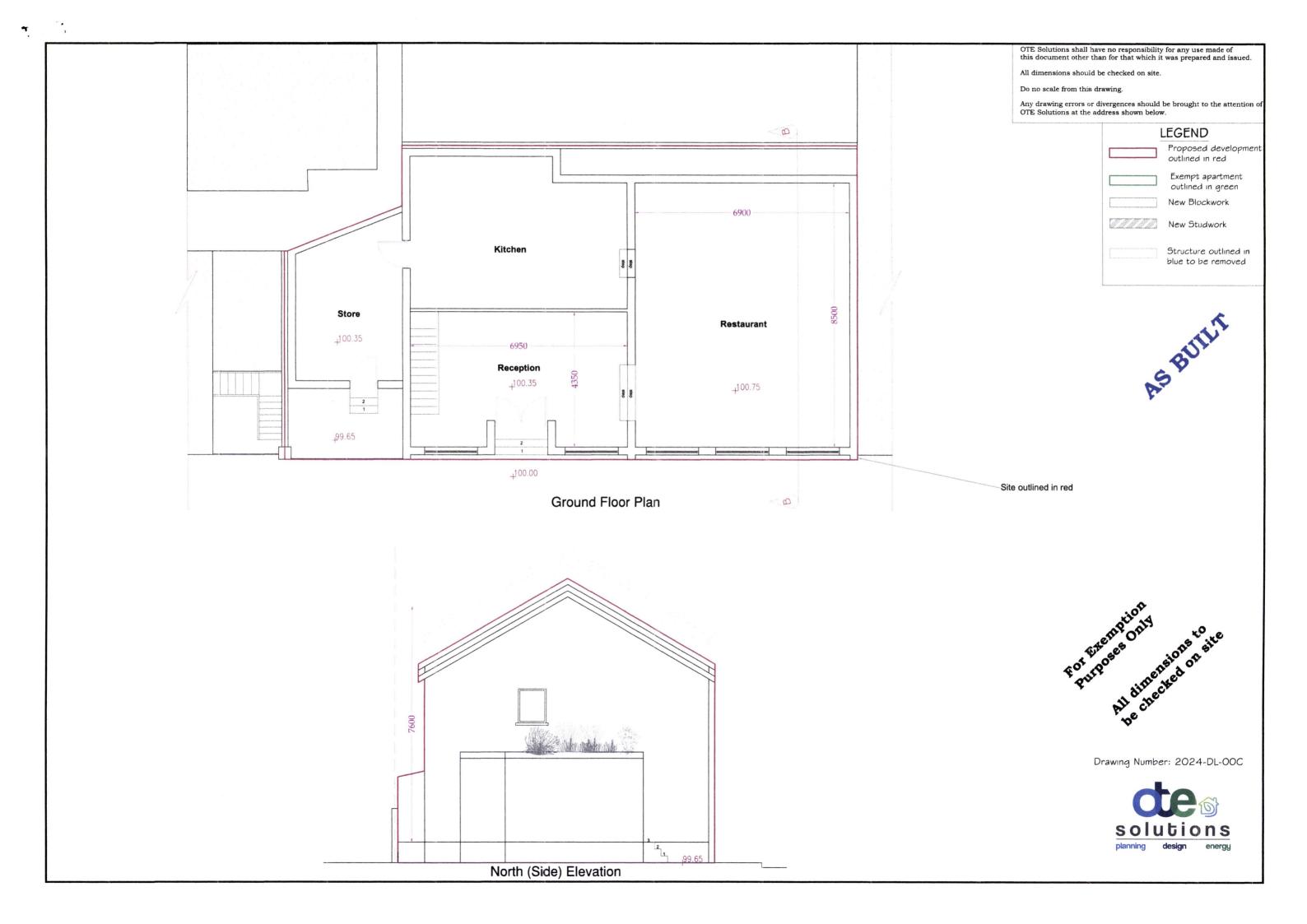














Office

Office

4400 -

Restaurant

SECTION B-B.

100.75

2600

OTE Solutions shall have no responsibility for any use made of this document other than for that which it was prepared and issued.

All dimensions should be checked on site.

Do no scale from this drawing.

Any drawing errors or divergences should be brought to the attention of OTE Solutions at the address shown below.

LEGEND

Proposed development outlined in red

Exempt apartment outlined in green

New Blockwork

New Studwork

Structure outlined in blue to be removed

Site outlined in red

FOI EXEMPTION ONLY

All differenced on site

Drawing Number: 2024-DL-00D

