



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

**Murphy Design & Build Solutions Ltd
The Square
Kilcullen
Co. Kildare
R56 KA62**


9th June 2025

RE: Declaration in accordance with Section 5 of the Planning & Development Acts 2000 (As Amended) – EX57/2025 – Padraig Maloney

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: Padraig Maloney

Location: 5 The Arcade, Bridge Street, Wicklow Town, Co. Wicklow

CHIEF EXECUTIVE ORDER NO. CE/PERD/2025/594

A question has arisen as to whether “change of use from office to a two bedroom apartment at first floor level” at 5 The Arcade, Bridge Street, Wicklow Town, Co. Wicklow is or is not exempted development.

Having regard to:


- The details received on 13/05/2025;
- Sections 2, 3, and 4 of the Planning and Development Act 2000 (as amended);
- Articles 6, 9, 10 (6), and Schedule 2 of the Planning and Development Regulations 2001 (as amended);
- Sustainable Urban Housing: Design Standards for New Apartments — Guidelines for Planning Authorities: July 2023

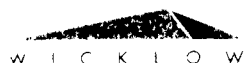
Main Reasons with respect to Section 5 Declaration:

- The change of use from office to use as a dwelling unit is development, having regard to section 3(1)(a) of the Planning & Development Act 2000 (as amended), as it would result in a material change of use given that the use as a permanent home would be different in character and the nature of the use would have materially different planning considerations to use as an office.
- The Change of use from Office to two bedroom apartment at first floor level at 5 The Arcade, Bridge Street, Wicklow Town, Co. Wicklow would be compliant with the provisions of Article 10 (6) of the Planning and Development Regulations 2001 (as amended).

The Planning Authority considers that “change of use from office to a two bedroom apartment at first floor level” at 5 The Arcade, Bridge Street, Wicklow Town, Co. Wicklow is development and is exempted development

Signed: 
**ADMINISTRATIVE OFFICER
PLANNING, ECONOMIC & RURAL DEVELOPMENT**

Dated  June 2025



WICKLOW COUNTY COUNCIL
PLANNING & DEVELOPMENT ACTS 2000 (As Amended)
SECTION 5
CHIEF EXECUTIVE ORDER NO. CE/PERD/2025/594

Reference Number: EX 57/2025

Name of Applicant: Padraig Maloney

Nature of Application: Section 5 Referral as to whether or not "change of use from office to a two bedroom apartment at first floor level" is or is not development and is or is not exempted development.

Location of Subject Site: 5 The Arcade, Bridge Street, Wicklow Town, Co. Wicklow

Report from Suzanne White, SEP

With respect to the query under section 5 of the Planning & Development Act 2000 as to whether "change of use from office to a two bedroom apartment at first floor level" at 5 The Arcade, Bridge Street, Wicklow Town, 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 received on 13/05/2025;
- ii. Sections 2, 3, and 4 of the Planning and Development Act 2000 (as amended);
- iii. Articles 6, 9, 10 (6), and Schedule 2 of the Planning and Development Regulations 2001 (as amended);
- iv. Sustainable Urban Housing: Design Standards for New Apartments — Guidelines for Planning Authorities: July 2023

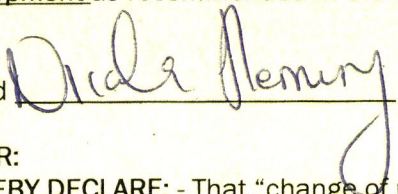
Main Reason with respect to Section 5 Declaration:

- a) The change of use from office to use as a dwelling unit is development, having regard to section 3(1)(a) of the Planning & Development Act 2000 (as amended), as it would result in a material change of use given that the use as a permanent home would be different in character and the nature of the use would have materially different planning considerations to use as an office.
- b) The Change of use from Office to two bedroom apartment at first floor level at 5 The Arcade, Bridge Street, Wicklow Town, Co. Wicklow would be compliant with the provisions of Article 10 (6) of the Planning and Development Regulations 2001 (as amended).

Recommendation:

The Planning Authority considers that change of use from office to a two bedroom apartment at first floor level" at 5 The Arcade, Bridge Street, Wicklow Town, Co. Wicklow is development and is exempted development as recommended in the report by the SEP.

Signed

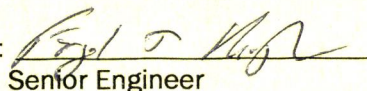


Dated 9th day of June 2025

ORDER:

I HEREBY DECLARE: - That "change of use from office to a two bedroom apartment at first floor level" at 5 The Arcade, Bridge Street, Wicklow Town, Co. Wicklow is development and is exempted development within the meaning of the Planning & Development Act 2000 (as amended).

Signed:



Senior Engineer
Planning, Economic & Rural Development

Dated 09th day of June 2025



**WICKLOW COUNTY COUNCIL
PLANNING DEPARTMENT**

To: Fergal Keogh S.E
From: Suzanne White S.E.P.
Type: Section 5 Application
REF: EX 57/2025
Applicant: Padraig Maloney
Date of Application: 13/05/2025
Decision Due Date: 09/06/2025
Address: 5 The Arcade, Bridge Street, Wicklow Town, Co. Wicklow
Exemption Query: Change of use from a Office to a dwelling unit.

Application Site: The application site is located on Bridge Street, in the centre of Wicklow Town and comprises of an existing office unit at first floor level within an existing terrace of commercial and residential use. The unit is located above 'Curtains and Blinds' and 'Kilmantin Arts and is accessed via an existing entrance to the west of 'Curtains and Blinds', on Bridge Street.

Relevant Planning History:

Ref 03/622729
Applicant Patrick O'Toole & James E. Esmonde
Development Permission granted for alterations to existing premises together with second floor extension at Bridge Street/ Church Street, Wicklow to include:
1) Rearrangement of ground floor level to provide 3no. retail units (231sqm)
2) Rearrangement of existing offices at first floor level (232sqm)
3) Construction of proposed second floor level to incorporate 2no. 2-bedroom apartments (204sqm). Development to include the construction of new roof at higher level and alterations to elevations.

Question:

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

- Change of use from Office to a two bedroom apartment at 1st floor level

at 5 The Arcade, Bridge Street, Wicklow Town, Co. Wicklow is or is not exempted development.

Legislative Context:

Planning and Development Act 2000 (as amended)

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

"structure" means any building, structure, excavation, or other thing constructed or made on, in or under any land, or any part of a structure so defined, and—

(a) where the context so admits, includes the land on, in or under which the structure is situate, and

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

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

“In this Act, ‘development’ means, except where the context otherwise requires, the carrying out of any works on, in, over or under land or the making of any material change in the use of any structures or other land.”

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

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

“development consisting of the carrying out of works for the maintenance, improvement or other alteration of any structure, being works which affect only the interior of the structure or which do not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure or of neighbouring structures.”

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

Planning and Development Regulations, 2001 (as amended)

Article 6(1) 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):

Development to which article 6 relates shall not be exempted development for the purposes of the Act—

(a) If the carrying out of such development would—

- (i) Contravene a condition attached to a permission under Act or be inconsistent with any use specified in a permission under the Act,*
- (ii) consist of or comprise the formation, laying out or material widening of a means of access to a public road the surfaced carriageway of which exceeds 4 metres in width,*
- (iii) Endanger public safety by reason of traffic hazard or obstruction of road users,*

And so on,

Article 10

(1) *Development which consists of a change of use within any one of the classes of use specified in Part 4 of Schedule 2, shall be exempted development for the purposes of the Act, provided that the development, if carried out would not—*

- a) involve the carrying out of any works other than works which are exempted development,*
- b) contravene a condition attached to a permission under the Act,*
- c) be inconsistent with any use specified or included in such a permission, or*
- d) be a development where the existing use is an unauthorised use, save where such change of use consists of the resumption of a use which is not unauthorised and which has not been abandoned.*

(6) *(a) In this sub-article—*

‘habitable room’ means a room used for living or sleeping purposes but does not include a kitchen that has a floor area of less than 6.5 square metres;

‘relevant period’ means the period from 8 February 2018 until 31 December 2025.

(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

(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,*
- 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*
- 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).

(d)

- i. The development is commenced and completed during the relevant period.*
- 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,*
 - II. retain 50 per cent or more of the existing external fabric of the building, and*
 - 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.*
- iii. Any 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.*
- 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.*
- 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.*
- 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.*
- vii. Rooms for use, or intended for use, as habitable rooms shall 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.*
- 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.*
- 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.*
 - 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.*
 - 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.*
- (e)
- i. *Where a person proposes to undertake development to which paragraph (b) relates, then he or she shall in the case of development relating to Class 1, 2, 3, 6 or 12 of Part 4 to Schedule 2, notify in writing the planning authority in whose functional area that the change of use will occur not less than 14 days prior to the commencement of the works related to the proposed change of use and any related works;*
 - ii. *Details of each notification under subparagraph (i), which shall include information on—*
 - I. *the location of the structure,*
 - II. *the number of residential units involved, including the unit sizes and number of bedrooms in each unit, and*
 - III. *the Eircode for the relevant property,**shall be entered in a record by the planning authority maintained for this purpose and the record shall be available for inspection at the offices of the planning authority during office hours and on the planning authority's website.*
 - iii. *During the years 2019, 2020, 2021, 2022, 2023, 2024, 2025 and 2026 each planning authority shall provide information to the Minister on the number of notifications received by it under this paragraph during the preceding calendar year, including details of the information so received for the purposes of subparagraph (ii).*

Part 4 (Classes 1-11) of Schedule 2 details classes of development of which a change of use within any one of the classes of use specified shall be exempted development for the purposes of the Act.

CLASS 3

Use as an office, other than a use to which class 2 of this Part of this Schedule applies.

Details submitted in support of the application:

- Building floorplans and elevations (proposed)
- Site layout plan and site location map.
- Letter from ESB Networks stating that electricity connection to 5 The Arcade, Bridge Street, Wicklow was disconnected on the 28.05.2012 and there has been no electricity consumption since that date.

Assessment:

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

Whether the change of use from a Office to a two bedroom apartment at first floor level at 5 The Arcade, Bridge Street, Wicklow Town Co. Wicklow is or is not exempted development.

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 2000 (as amended). 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.

As such the change of use from an office to use as a dwelling is development, having regard to section 3(1)(a) of the Planning & Development Act 2000 (as amended), as it would result in a material change of use given that the use as a permanent home would be different in character and the nature of the use would be materially different to use as an office.

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. Article 10 (6) of the Planning and Development Regulations 2001 (as amended) relates to the change of use from a number of specified classes of uses to that of a residential use. The below assessment sets out compliance with respect to each element of Article 10 (6):

Article 10 (6) (b)	
<i>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</i>	Yes- proposals is for the change of use from office (Class 3) to residential.

Article 10 (6) (c)	
<i>(i) the structure concerned was completed prior to the making of the Planning and Development (Amendment) (No. 2) Regulations 2018,</i>	Yes - structure was completed prior to the 8 th February 2018.
<i>(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</i>	Yes - Planning permission granted under PRR 03/622729 for rearrangement of existing office space at first floor level. Although Google streetview imagery indicates that the unit was occupied in 2009 by ‘AURA’ hair and beauty salon (Class 1) and that this was the last use of the unit, no permission for change of use from office exists. Therefore office use is the lawful use.
<i>(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,</i>	Yes, documentary evidence submitted.

Article 10 (6) (d)	
<i>(i) The development is commenced and completed during the relevant period.</i>	The relevant period is the 18th February 2018 until 31 December 2025. It is considered that the works required would be limited and could be carried out within the relevant period.
<i>(ii) Subject to sub-paragraph (iii), any related works, including works as may be required to comply with sub-paragraph (vii), shall –</i>	The works will primarily affect the interior of the structure. In excess of 50 per cent of the existing external fabric of the building is to be retained.

<i>(I) primarily affect the interior of the structure, (II) retain 50 per cent or more of the existing external fabric of the building, and (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.</i>	No change to front elevation indicated.
<i>(iii) Any 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.</i>	Proposed front elevation is consistent with the fenestration details and architectural and streetscape character of the remainder of the structure or of neighbouring structures.
<i>(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.</i>	Yes- compliant.
<i>(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.</i>	Single unit only.
<i>(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.</i>	Yes
<i>(vii) Rooms for use, or intended for use, as habitable rooms shall have adequate natural lighting.</i>	Yes
<i>(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.</i>	N/A

<i>(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</i>	The development will not contravene a condition.
<i>(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.</i>	N/A
<i>(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.</i>	N/A
<i>(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.</i>	N/A

Conclusion:

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

- Change of use from Office to a two bedroom apartment at first floor level

at 5 The Arcade, Bridge Street, Wicklow Town, Co. Wicklow is or is not exempted development:

The Planning Authority considers that:

The change of use from Office to two bedroom apartment at first floor level at 5 The Arcade, Bridge Street, Wicklow Town, Co. Wicklow **is Development and is Exempted Development.**

Main Considerations with respect to Section 5 Declaration:

- The details received on 13/05/2025;
- Sections 2 , 3 , and 4 of the Planning and Development Act 2000 (as amended);
- Articles 6, 9, 10 (6), and Schedule 2 of the Planning and Development Regulations 2001 (as amended);
- Sustainable Urban Housing: Design Standards for New Apartments — Guidelines for Planning Authorities: July 2023

Main Reasons with respect to Section 5 Declaration:

- (a) The change of use from office to use as a dwelling unit is development, having regard to section 3(1)(a) of the Planning & Development Act 2000 (as amended), as it would result in a material change of use given that the use as a permanent home would be different in character and the nature of the use would have materially different planning considerations to use as an office.
- (b) The Change of use from Office to two bedroom apartment at first floor level at 5 The Arcade, Bridge Street, Wicklow Town, Co. Wicklow would be compliant with the provisions of Article 10 (6) of the Planning and Development Regulations 2001 (as amended).



Suzanne White SEP
06/06/2025

*Issue declaration as recommended
Refer to Mifflin
06/06/25*



Comhairle Contae Chill Mhantáin Wicklow County Council

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

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Suíomh / Website: www.wicklow.ie

MEMORANDUM

WICKLOW COUNTY COUNCIL

**TO: Suzanne White
Senior Executive Planner**

**FROM: Nicola Fleming
Staff Officer**

**RE:- Application for Certificate of Exemption under Section 5 of the
Planning and Development Acts 2000 (as amended).
EX57/2025**

I enclose herewith application for Section 5 Declaration received completed on 13/05/2025.

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



Staff Officer

Planning, Economic & Rural Development





Comhairle Contae Chill Mhantáin Wicklow County Council

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

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Suíomh / Website: www.wicklow.ie

**Murphy Design & Build Solutions Ltd
The Square
Kilcullen
Co. Kildare
R56 KA62**

16th May 2025

**RE: Application for Certificate of Exemption under Section 5 of the Planning and
Development Acts 2000 (as amended). – EX57/2025 – Padraig Maloney**

A Chara

I wish to acknowledge receipt on 13/05/2025 full details supplied by you in respect of the
above Section 5 application. A decision is due in respect of this application by 09/06/2025.

Mise, le meas

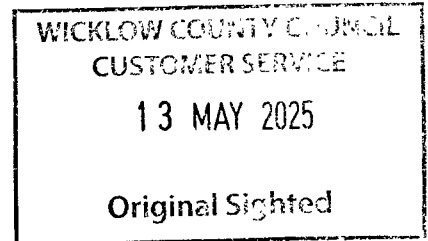
**Nicola Fleming
Staff Officer
Planning, Economic & Rural Development**



EXEMPTED DEVELOPMENT APPLICATION

9th May 2025

Planning Department
Wicklow County Council
County Buildings
Whitegates
Wicklow Town
Co. Wicklow



Applicant: Padraig Maloney

Application Address: 5 The Arcade, Bridge Street, Wicklow Town, Co. Wicklow

Dear Sir/Madam,

Please find enclosed documents for an Exempted Development Application. We believe that the proposal is covered by Article 10(6)(a) Change of Use Exemption.

It is proposed to convert the existing vacant office space, which has been vacant in excess of 12 years into a 1nr two bedroom apartment.

The proposed apartment development meets current development standards.

This application pack comprises the following:

Application Documents:

- Application Form
- Proof of vacancy since 2012 from ESB Networks
- Fee of €80
- Site Location Map
- Site Layout Plan
- General Arrangement Drawings

If you require any further information, please do not hesitate in contacting me.

Yours sincerely,

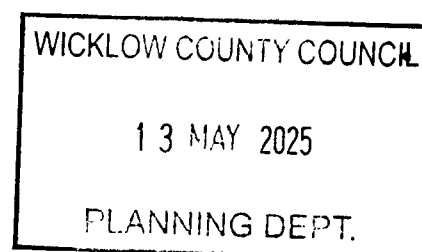
Martin Murphy

MARTIN MURPHY

PG. DIP. IN BUILDING SURVEYING, BSc(HONS) CONS MGMT, DIP BUILDING SER,

MANAGING DIRECTOR

FOR MURPHY DESIGN & BUILD SOLUTIONS LTD.



Wicklow County Council
County Buildings
Wicklow
0404-20100

13/05/2025 09:45:14

Receipt No L1/0/345272

MURPHY DESIGN & BUILD SOLUTIONS
THE SQUARE
MAIN STREET
KILCULLEN
KILDARE
R56 KA62

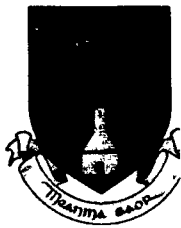
EXEMPTION CERTIFICATES	80.00
GOODS	80.00
VAT Exempt/Non-vatable	

Total	80.00 EUR
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Tendered
Cheque 80.00
5 THE ARCADE BRIDGE STREET

Change	0.00
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Issued By: Tom 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

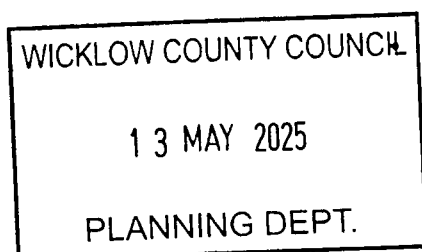
- (a) Name of applicant: PADRAIG MALONEY
Address of applicant: 7 GRANGEMORE MANOR,
BRANNOCKSTOWN, NAAS, CO. KILDARE, W91 FBKW

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

2. Agents Details (Where Applicable)

- (b) Name of Agent (where applicable) MURPHY DESIGN+BUILD SOLUTIONS LTD
Address of Agent : THE SQUARE, KILCULLEN,
CO. KILDARE, R56 KA62

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



3. Declaration Details

i. Location of Development subject of Declaration _____
5 THE ARCADE, BRIDGE STREET,
WICKLOW TOWN, CO. WICKLOW

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

iii. If 'No' to ii above, please supply the Name and Address of the Owner, and or occupier _____

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, on 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 CONVERSION OF EXISTING VACANT OFFICE SPACE TO A TWO BEDROOM APARTMENT. THE OFFICE SPACE HAS BEEN VACANT IN EXCESS OF 12 YEARS AND WE SEEK CONFIRMATION THAT THE PROPOSED DEVELOPMENT IS EXEMPTED DEVELOPMENT UNDER THE BELOW REGULATIONS.

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 _____
ARTICLE 10(6)(A) OF THE PLANNING + DEVELOPMENT
REGULATIONS 2001 AS INSERTED BY ARTICLE 2 OF
THE PLANNING + DEVELOPMENT (AMENDMENT) (NO. 2)
REGULATIONS 2018.

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 _____

DRAWING NO.'S 4158-01


4158-02

4158-03

4158-04

4158-05

viii. Fee of € 80 Attached ? YES

Signed :  Dated : 9/8/2025
(Agent)

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.

From: ESB Networks Customer Service (ESB Networks) <esbnetworks@esb.ie>
Sent: Monday, December 16, 2024 7:35:08 PM
To: padraigmaloney@outlook.com <padraigmaloney@outlook.com>
Subject: Re: Usage Statement [#1156333]



Good Evening Padraig,

Thank you for your enquiry related to the Vacant Property Grant.

Our records indicate that electricity connection at 5 The Arcade, Bridge Street Wicklow, Co Wicklow MPRN - 10013711575 was disconnected on the 28.05.2012. There has been no electricity consumption since that date.

Please contact me again if I can be of further assistance.

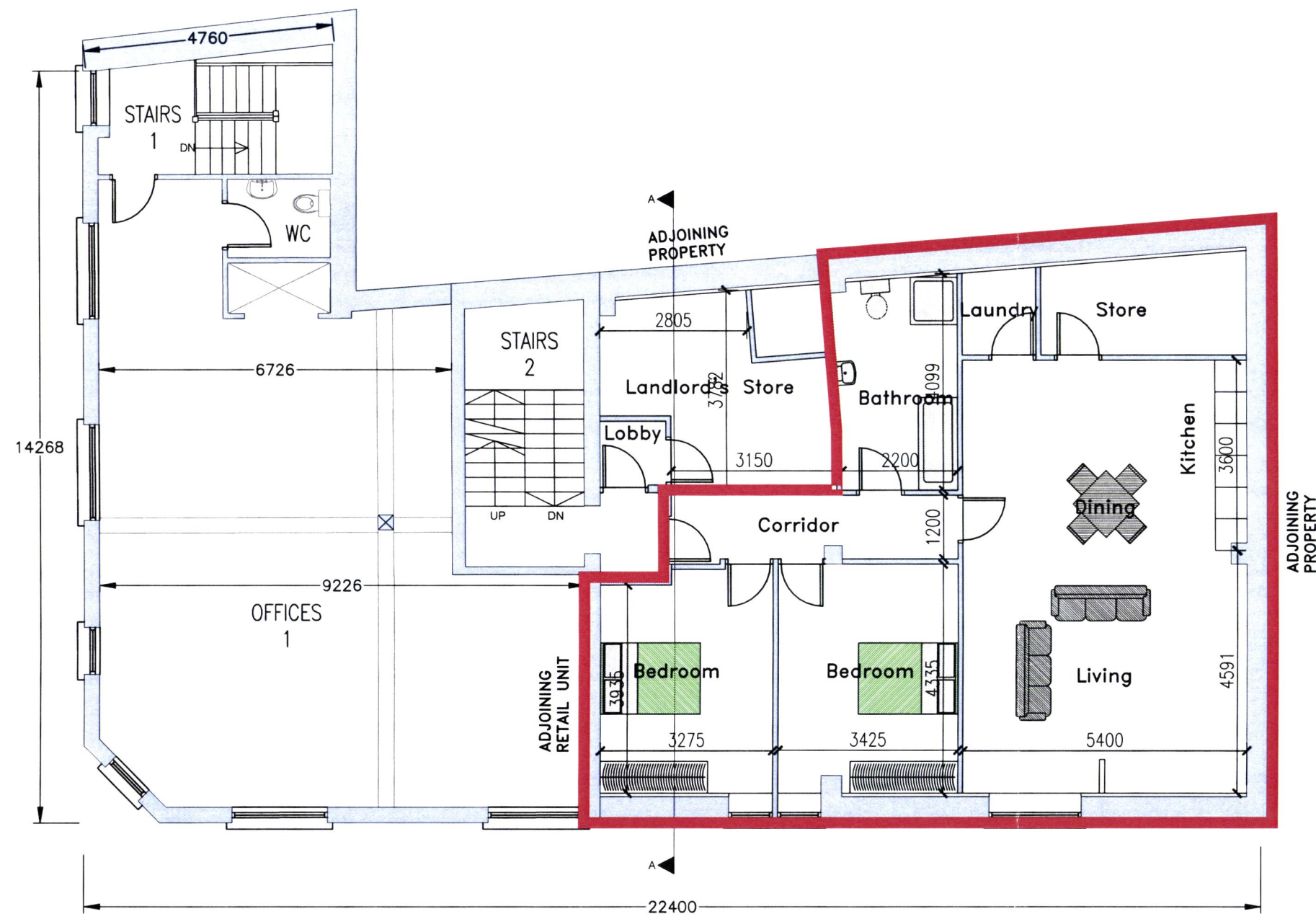
Kind regards,

Chloe

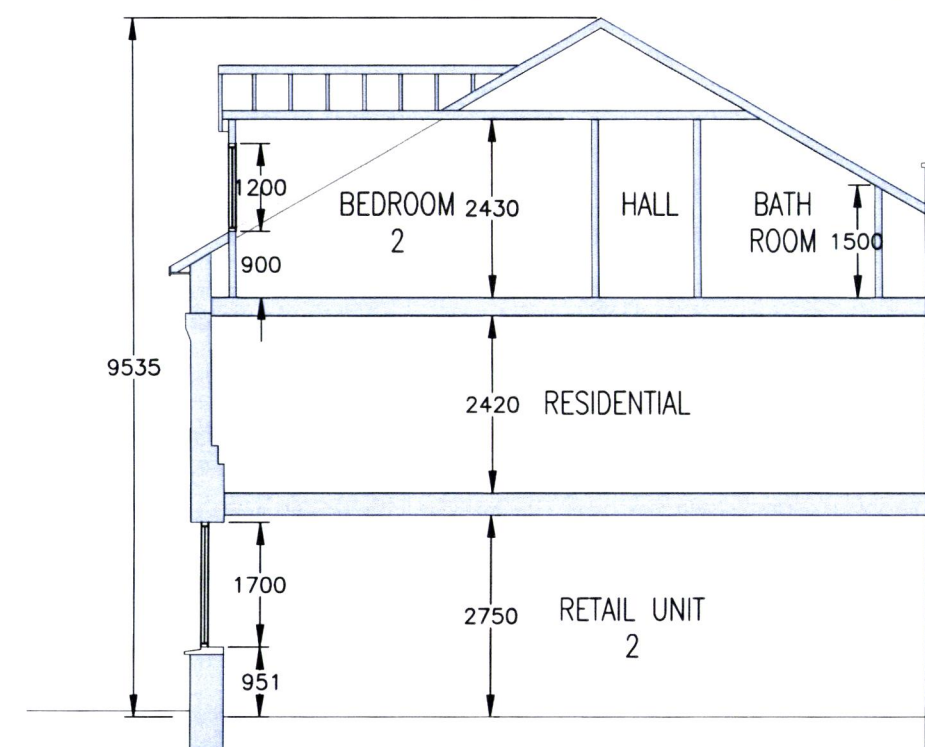
ESB Networks Customer Care | T: 1800372757 | +353 21 2386555
| www.esbnetworks.ie

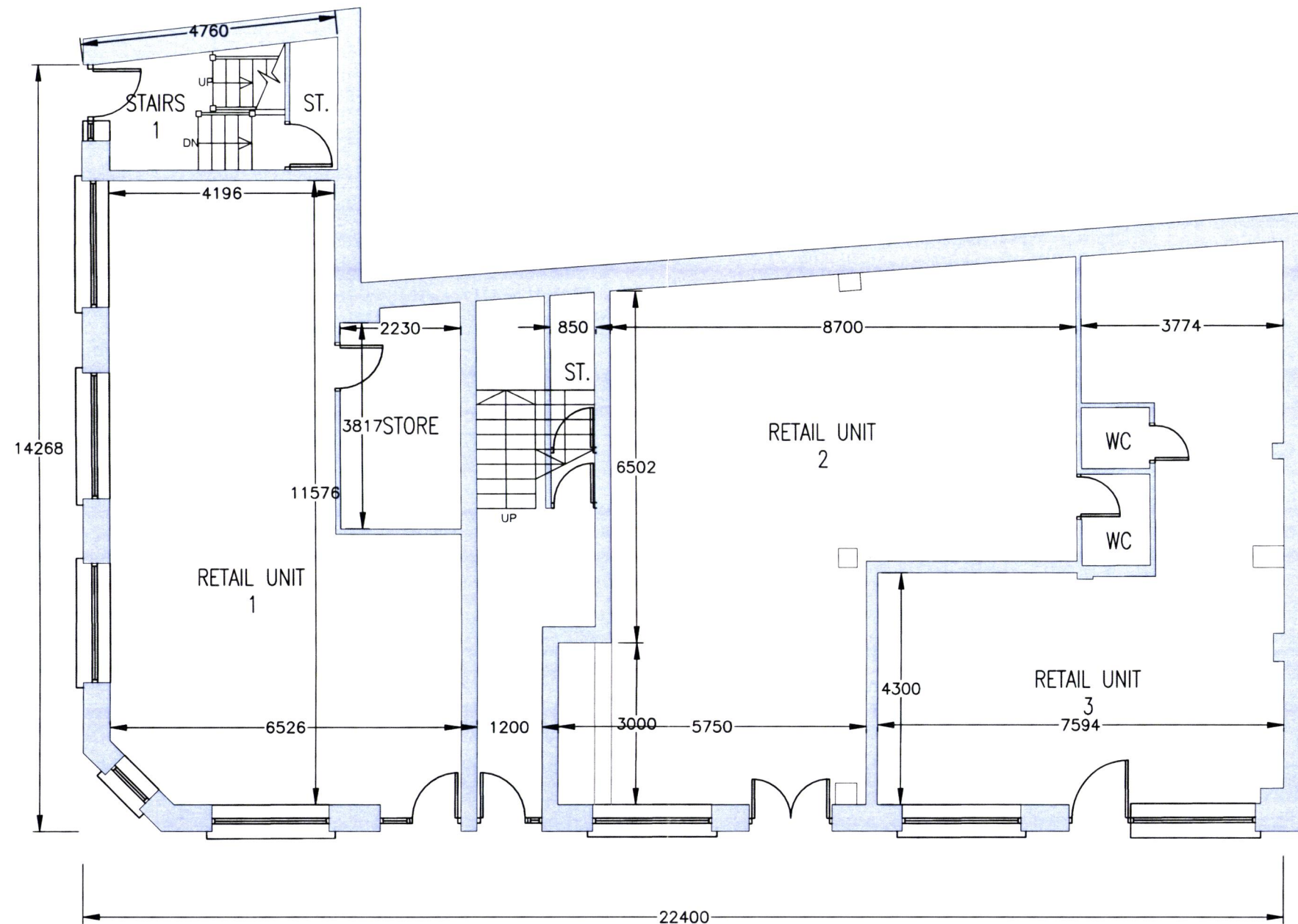
WARNING: ESB Networks will not be liable for acting on any instructions issued via your e-mail address where it transpires that such instructions were not sent by you.

--Original Message--




Church Street, Wicklow		
Area	Target	Provide
Two Bed Unit		
Gross Floor Area	73m ²	100.3m ²
Kitchen / Living / Dining	30m ²	44m ²
Main Bedroom	13m ²	14.7m ²
Double Bedroom	11.4m ²	13.4m ²
Storage	3m ²	9m ²



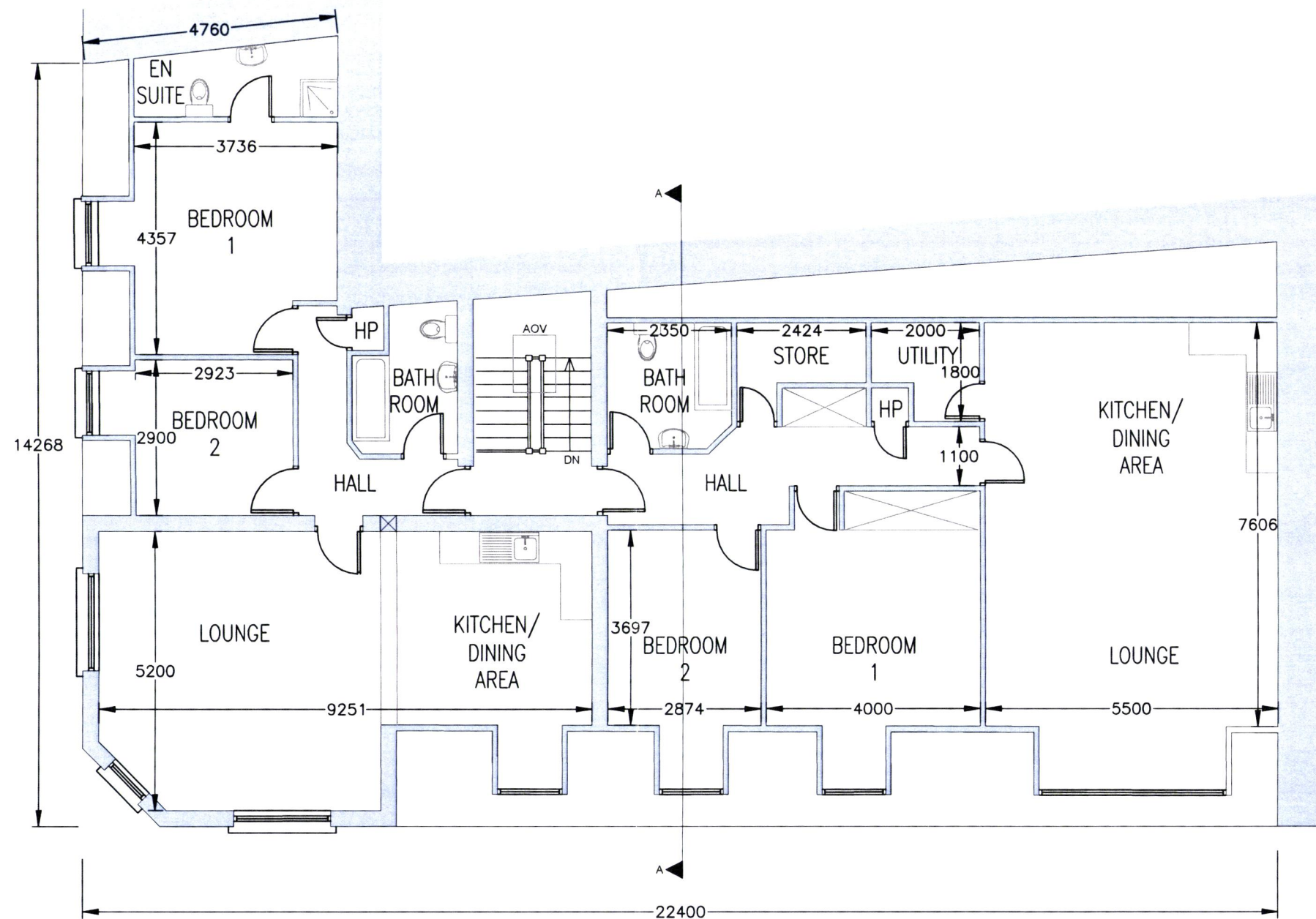


Ground Floor Plan




OS Ref: 4020-20	Issue: PLANNING	Proposed Upper Floor Alterations At, 5 The Arcade, Bridge Street, Wicklow Town, Co. Wicklow		GROUND FLOOR PLAN <small>DIMENSIONS EXCLUDE CONSTRUCTION TOLERANCES TYPICALLY +/- 5% ON DIMENSIONS LEVELS AND ANGLES</small>		 <p>www.murphydesign.ie tel: 087 6857909 email: martin@murphydesign.ie</p> <p>Consulting Engineers Project Managers Architectural Services Build Surveying Site Suitability Assessors</p>
MAPS COPIED BY PERMISSION OF ORDINANCE SURVEY IRELAND LICENCE NO. EN 0080120 © ORDINANCE SURVEY IRELAND GOVERNMENT OF IRELAND		Date: May 2025	Scale: As Shown	Drg. Ref.: 4158-02	Rev: 01	

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Second Floor Plan



OS Ref: 4020-20	Issue: PLANNING	Proposed Upper Floor Alterations At, 5 The Arcade, Bridge Street, Wicklow Town, Co. Wicklow		SECOND FLOOR PLAN		 <p>www.murphydesign.ie tel: 087 6857909 email: martin@murphydesign.ie</p> <p>Consulting Engineers Project Managers Architectural Services Build Surveying Site Suitability Assessors</p>
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CHURCH STREET ELEVATION



BRIDGE STREET ELEVATION

OS Ref: 4020-20

Issue: PLANNING

Proposed Upper Floor Alterations
At, 5 The Arcade, Bridge Street, Wicklow Town,
Co. Wicklow

STREET ELEVATIONS

DIMENSIONS EXCLUDE CONSTRUCTION TOLERANCES TYPICALLY +/- 5% ON DIMENSIONS LEVELS AND ANGLES



www.murphydesign.ie
tel: 087 6857909
email: martin@murphydesign.ie

Consulting Engineers Project Managers
Architectural Services Build Surveying
Site Suitability Assessors

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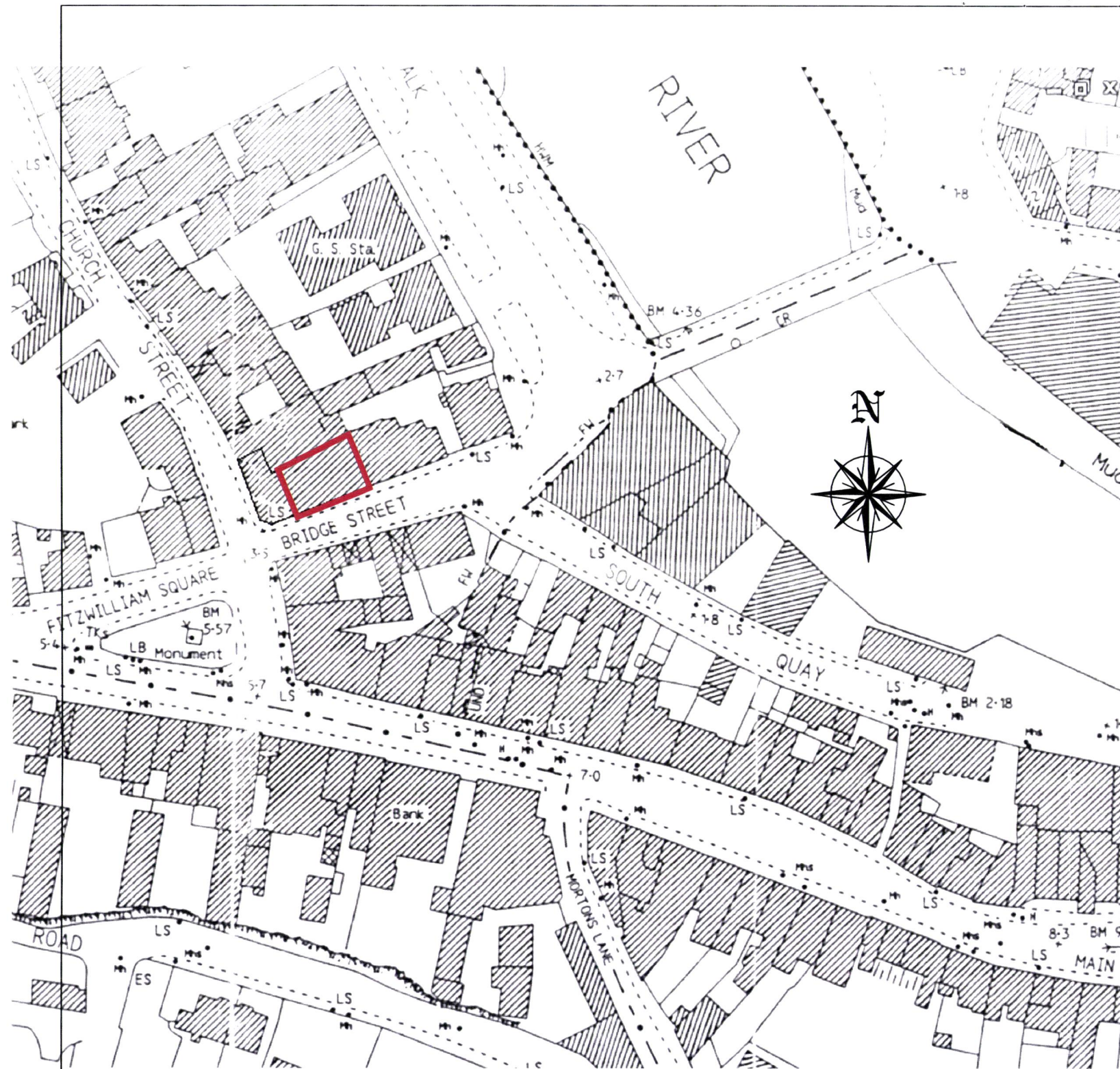
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© ORDINANCE SURVEY IRELAND GOVERNMENT
OF IRELAND

Date: May 2025

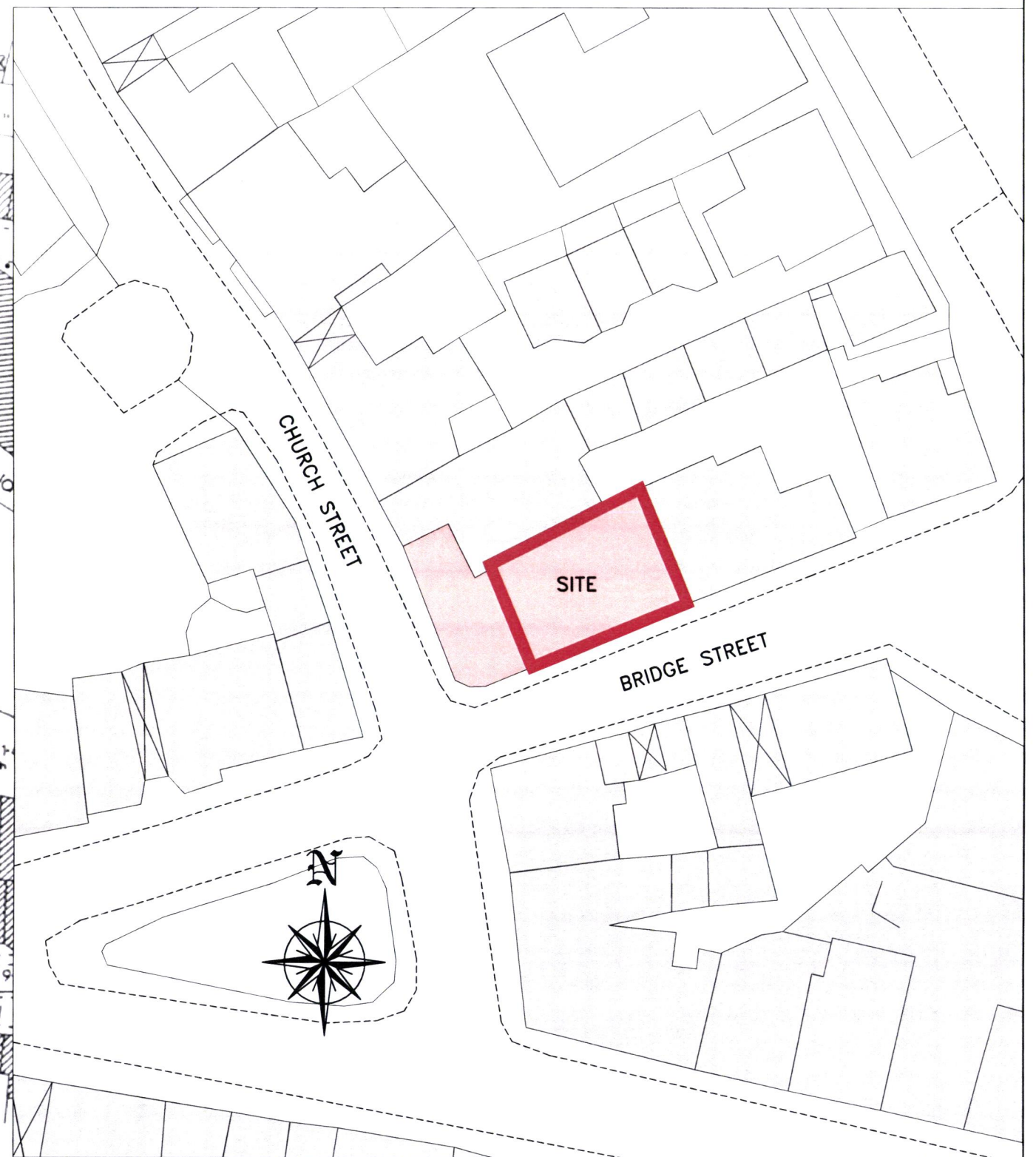
Scale: As Shown

Drg. Ref.: 4158-05


Rev: 01



SITE LOCATION MAP 1:1000



SITE LAYOUT PLAN 1:500

OS Ref: 4020-20	Issue: PLANNING	Proposed Upper Floor Alterations At, 5 The Arcade, Bridge Street, Wicklow Town, Co. Wicklow		SITE MAP & PLAN		 <p>www.murphydesign.ie tel: 087 6857909 email: martin@murphydesign.ie</p>
MAPS COPIED BY PERMISSION OF ORDINANCE SURVEY IRELAND LICENCE NO. EN 0080120 © ORDINANCE SURVEY IRELAND GOVERNMENT OF IRELAND				DIMENSIONS EXCLUDE CONSTRUCTION TOLERANCES TYPICALLY +/- 5% ON DIMENSIONS LEVELS AND ANGLES		
		Date: May 2025	Scale: As Shown	Drg. Ref.: 4158-01	Rev: 01	<p>Consulting Engineers Project Managers Architectural Services Build Surveying Site Suitability Assessors</p>