

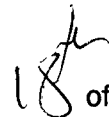


Comhairle Contae Chill Mhantáin
Wicklow County Council

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

Keith Johnstone
10 St. Mary's Road
Arklow
Co. Wicklow

 of May 2026

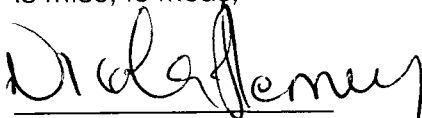
RE: Declaration in accordance with Section 5 of the Planning & Development Acts
2000 (As Amended) -EX52/2026

A Chara,

I enclose herewith Declaration in accordance with Article 5 (2) (A) of the Planning & Development Act 2000.

Where a Declaration is used under this Section any person issued with a Declaration under subsection (2) (a) may, on payment to An Coimisiún Pleanála of such fee as may be prescribed, refer a declaration for review by the Coimisiún within four weeks of the date of the issuing of the declaration by the Local Authority.

Is mise, le meas,



ADMINISTRATIVE OFFICER
PLANNING DEVELOPMENT & ENVIRONMENT.





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

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

Applicant: Keith Johnstone

Location: 10 St. Mary's Road, Arklow, Co. Wicklow

Reference Number: EX 52/2026

CHIEF EXECUTIVE ORDER NO. CE/PERD/2026/584

A question has arisen as to whether "putting a door and glazing and conversion of carport to the side of dwelling" at 10 St. Mary's Road, Arklow, Co. Wicklow is or is not exempted development.

Having regard to:

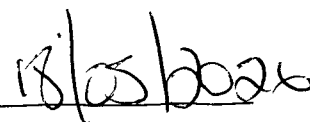
- The details received with the Section 5 Declaration on the 15/04/2026 as revised by the details received by way of Further Information 07/05/2026.
- Sections 2, 3 and 4 of the Planning & Development Act 2000 (as amended)
- Article 6 and 9 of the Planning and Development Regulations 2001 (as amended).
- Schedule 2, Part.1, Class 1 of the Planning and Development Regulations 2001 (as amended)

Main Reasons with respect to Section 5 Declaration:

- The enclosure of a carport by installation of a door and glazing constitutes operations of construction and is therefore works having regard to the meaning set out in Section 2 of the Planning and Development Act 2000 (as amended)
- These works would be development having regard to Section 3 of the Planning and Development Act 2000 (as amended).
- The conversion which provides for an overall area of c. 13sqm, with no windows to the side elevation would come within the description and limitations set out under Schedule 2, Part 1, Class 1 of the Planning and Development Regulations 2001 (as amended) and is therefore exempted development.

The Planning Authority considers that "putting a door and glazing and conversion of carport to the side of dwelling" at 10 St. Mary's Road, Arklow, Co. Wicklow is development and IS exempted development.

Signed: 
ADMINISTRATIVE OFFICER
PLANNING DEVELOPMENT & ENVIRONMENT

Date: 



WICKLOW COUNTY COUNCIL
PLANNING & DEVELOPMENT ACTS 2000 (As Amended)
SECTION 5

CHIEF EXECUTIVE ORDER NO. CE/PERD/2026/584

Reference Number: EX 52/2026
Name of Applicant: Keith Johnstone
Nature of Application: Section 5 Referral as to whether "*putting a door and glazing and conversion of carport to the side of dwelling*" is or is not development and is or is not exempted development.
Location of Subject Site: 10 St. Mary's Road, Arklow, Co. Wicklow

Report from Maria Harte, GP & Edel Bermingham, T/SP

With respect to the query under Section 5 of the Planning & Development Act 2000 as to whether "*putting a door and glazing and conversion of carport to the side of dwelling*" at 10 St. Mary's Road, Arklow, Co. Wicklow is or is not exempted development within the meaning of the Planning & Development Act 2000 (as amended)

Having regard to:

- (a) The details received with the Section 5 Declaration on the 15/04/2026 as revised by the details received by way of Further Information 07/05/2026.
- (b) Sections 2, 3 and 4 of the Planning & Development Act 2000 (as amended)
- (c) Article 6 and 9 of the Planning and Development Regulations 2001 (as amended).
- (d) Schedule 2, Part.1, Class 1 of the Planning and Development Regulations 2001 (as amended)

Main Reasons with respect to Section 5 Declaration:

- i. The enclosure of a carport by installation of a door and glazing constitutes operations of construction and is therefore works having regard to the meaning set out in Section 2 of the Planning and Development Act 2000 (as amended)
- ii. These works would be development having regard to Section 3 of the Planning and Development Act 2000 (as amended).
- iii. The conversion which provides for an overall area of c. 13sqm, with no windows to the side elevation would come within the description and limitations set out under Schedule 2, Part 1, Class 1 of the Planning and Development Regulations 2001 (as amended) and is therefore exempted development.

Recommendation

The Planning Authority considers that "*putting a door and glazing and conversion of carport to the side of dwelling*" at 10 St. Mary's Road, Arklow, Co. Wicklow is development and is exempted development as recommended in the planning reports.

Signed: Dickie Henry

Date: 18/05/2026

ORDER:
I HEREBY DECLARE:

THAT "*putting a door and glazing and conversion of carport to the side of dwelling*" at 10 St. Mary's Road, Arklow, Co. Wicklow is **development and is exempted development** within the meaning of the Planning & Development Acts 2000 (as amended).

Signed: Edel Bermingham
T/Senior Planner
Planning, Economic & Rural Development

Date: 18/05/2026



**WICKLOW COUNTY COUNCIL
PLANNING DEPARTMENT
Section 5 – Application for declaration of Exemption Certificate**

Ref: Ex 52/2026 FI
Name: **Keith Johnstone**
Development: Application for Certificate of Exemption under Section 5 of the Planning & Development Act 2000 (as amended). RE: Door & Glazing on existing opes.
Location: 10 St Mary's Road Arklow Co. Wicklow

Question: *Whether or not:*
 Putting a door and glazing to existing dwelling constitutes exempted development within the meaning of the Planning and Development Acts, 2000(as amended).

This Application is subject to a further information request please read in conjunction with previous report EX52/2026.

Further Information was requested as follows:

1. *Having regard to the provisions of Section 5(1)(b) of the Planning and Development Act 2000(as amended) the following further information is requested –*
 - (a) *The submitted details are noted; however, it is evident that the erection of door and glazing to the front and rear elevation is to enclose this area, which previous use was as a carport/ access, and therefore this enclosure will result in the floor area forming part of the dwelling. Please confirm that the area is to be converted for use as part of the dwelling.*
 - (b) *Any such conversion would need to comply with the exemption for conversion/ extensions set out under Class 1 : Part 1: Schedule 2 for conversions as set of the Planning and Development Regulations 2001(as amended). Limitation 6 of that exemption provides that*

(a) Any window proposed at ground level in any such extension shall not be less than 1 metre from the boundary it faces.

From review there is a side opening now to this carport structure which would appear from the drawings on both ATC PRR 07/89 and ATC PRR 13/33 not to have been in place at those dates. This is therefore considered to be a proposed window opening, and therefore this limitation would not be met. You should therefore clearly set out the final details to this north side elevation to allow the Planning Authority to fully assess this proposal.

Response: The Applicant has submitted some photos and an accompanying letter;

Assessment of Further Information

1 (a). While the Applicant has **not** stated that the area is to be used as part of the dwelling as requested; it is assumed that the act of enclosing this area will constitute as this area becoming residential space to serve the dwelling. In conclusion, from the information submitted, the proposed works **would** therefore meet with the provisions of Class 1 : Part 1 : Schedule 2 of the P&D Regulations 2001 (as amended) i.e.

The extension of a house, by the construction or erection of an extension (including a conservatory) to the rear of the house or by the conversion for use as part of the house of any garage, store, shed or other similar structure attached to the rear or to the side of the house.

1(b). The Applicant has confirmed that the area will not have a north facing window on the neighbouring boundary. In conclusion, from the information submitted, it is considered that the proposed works would meet with Limitation 6 of exemptions for conversion/ extensions set out under Class 1 : Part 1: Schedule 2 for conversions as set of the Planning and Development Regulations 2001(as amended).

Recommendation:

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

Putting a door and glazing and ~~conversion of carport to the side of to existing dwelling at-10 St Mary's Road Arklow Co. Wicklow~~ constitutes exempted development within the meaning of the Planning and Development Acts, 2000(as amended).

The Planning Authority considers that the ~~Putting a door and glazing and conversion of carport to the side of construction of a 13sqm extension to the side of a house~~ at 10 St Mary's Road Arklow. Co Wicklow **is development and is exempted development.**

Main Considerations with respect to Section 5 Declaration :

- a) The details received with the Section 5 Declaration on the 15/04/2026 as revised by the details received by way of Further Information 07/05/2026.
- b) Sections 2, 3 and 4 of the Planning & Development Act 2000 (as amended)
- c) Article 6 and 9 of the Planning and Development Regulations 2001 (as amended).
- d) Schedule 2, Part.1, Class 1 of the Planning and Development Regulations 2001 (as amended)

Main Reasons with respect to Section 5 Declaration :

- i. The enclosure of a carport by installation of a door and glazing constitutes operations of construction and is therefore works having regard to the meaning set out in Section 2 of the Planning and Development Act 2000 (as amended)
- ii. ~~The These Putting a door and glazing to existing dwelling constitutes the construction of a c.10sqm extension to the side of a house is works and is therefore~~ would be development having regard to Section 3 of the Planning and Development Act 2000 (as amended).
- iii. ~~The conversion~~ which provides for an overall area of c. 13sqm, with no windows to the side elevation ~~proposal~~ would come within the description and limitations set out under Schedule 2, Part 1, Class 1 of the Planning and Development Regulations 2001 (as amended) and is therefore exempted development.

Maria Harte G.P.

Sh. Cunningham TSP

Maria Harte, Graduate Planner.

Agreed as modified 15/5/206

15/05/2026

MEMORANDUM

WICKLOW COUNTY COUNCIL

**TO: Maria Harte
Graduate Planner**

**FROM: Aoife Kinsella
Clerical Officer**

**RE: - EX52/2026 - Declaration in accordance with Section 5 of the
Planning & Development Acts 2000 (as amended)**

I enclose herewith for your attention application for Section 5 Declaration received 15/04/2026 and FI received 11/05/2026.

The due date on this declaration is the 31/05/2026.



**Staff Officer
Planning Development & Environment**

Nicola Fleming

From: keith johnstone <ke...>
Sent: Monday 11 May 2026 12:56
To: Nicola Fleming
Subject: Fwd: FW: Attached Image
Attachments: image001.png; 1000017752.jpg; 1000017749.jpg; 1000017754.jpg; 1000017753.jpg; 1000017750.jpg; 1000017751.jpg

External Sender - From: (keith johnstone

[Learn More](#)

This message came from outside your organisation.

CAUTION This email originated from outside Wicklow County Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

----- Forwarded message -----

From: keith johnstone <...>
Date: Thu 7 May 2026, 15:49
Subject: Re: FW: Attached Image
To: Nicola Fleming <NFleming@wicklowcoco.ie>

Hi Nicola . To address some the points I have attached some photos .

- 1 , to the front . Small original gate , no car access
- 2 , to the rear . Small original gate , no car access .
- 3 and 4 , reveals at front and back showing that there once were frames in place .
- 5 , what remains of gypsum plasterwork . This would only be used internally .
- 6 . Side of structure . No window .

I would point out that I have seen an approved planning application by a previous owner for demolition and rebuilding of a larger side extension .

Thanks a million
Keith

On Thu 7 May 2026, 14:28 Nicola Fleming, <NFleming@wicklowcoco.ie> wrote:

Nicola Fleming

Oifigeach Foirne - Staff Officer

Pleanáil, Forbairt Eacnamaíochta & Tuaithe - Planning, Economic & Rural Development -

Comhairle Contae Chill Mhantáin, Halla an Chontae, Bóthar an Stáisiúin, Cill Mhantáin, A67 FW96

Wicklow County Council, County Building, Station Road, Wicklow Town, A67 FW96

Ph☎: +353 (0404) 20148 |

Website: <http://www.wicklow.ie>



Comhairle Chontae Chill Mhantáin
Wicklow County Council

The contents of this e-mail (including attachments) are private and confidential and may also be subject to legal privilege. It is intended only for the use of the addressee. If you are not the addressee, or the person responsible for delivering it to the addressee, you may not copy or deliver this e-mail or any attachments to anyone else or make any use of its contents; you should not read any part of this e-mail or any attachments. Unauthorised disclosure or communication or other use of the contents of this e-mail or any part thereof may be prohibited by law and may constitute a criminal offence.

This message is intended only for the use of the person(s) ("the intended recipient(s)") to whom it is addressed. It may contain information which is privileged and confidential within the meaning of applicable law. If you are not the intended recipient, please contact the sender as soon as possible. The views expressed in this communication may not necessarily be the views held by Wicklow Local Authorities. Any attachments have been checked by a virus scanner and appear to be clean. Please ensure that you also scan all messages, as Wicklow Local Authorities do not accept any liability for contamination or damage to your systems.

Is d'úsáid an duine/na ndaoine chuig a bhfuil sí seolta agus sin amháin atá an teachtaireacht seo. D'fhéadfadh go bhfuil faisnéis faoi phribhléid nó faoi rún de réir bhrí an dlí is infheidhme inti. Má fuair tú an ríomhphost seo de bharr earráide, téigh i dteagmháil leis an seoltóir chomh luath agus is féidir, le do thoil. Ní gá gurb ionann na dearcaí a léirítear sa ríomhphost seo agus dearcaí Comhairle Contae Chill Mhantáin. Tá aon iatáin seiceáilte ag scanóir víris agus dealraíonn sé go bhfuil siad glan. Bí cinnte go ndéanfaidh tusa scanáil ar gach teachtaireacht chomh maith, le do thoil, mar ní ghlacann an Chomhairle dlíteanas ar bith i leith éilliú ná dámáiste do do chuid córas.















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

Keith Johnstone
10 St. Marys Road
Arklow
Co. Wicklow

7th May 2026

RE: Application for Certificate of Exemption under Section 5 of the Planning & development Acts 2000 (as amended) – EX52/2026 – door & glazing on existing opes


A Chara

In respect of your query under Section 5 of the Planning and Development Act 2000 (as amended) received on 15th April 2026 having regard to the provisions of Section 5(1)(b) of the Planning and Development Act 2000(as amended) the following further information is requested –

- (a) The submitted details are noted, however it is evident that the erection of door and glazing to the front and rear elevation is to enclose this area, which previous use was as a carport/ access, and therefore this enclosure will result in the floor area forming part of the dwelling. Please confirm that the area is to be converted for use as part of the dwelling.
- (b) Any such conversion would need to comply with the exemption for conversion/ extensions set out under Class 1 : Part 2: Schedule 2 for conversions as set of the Planning and Development Regulations 2001,as amended). Limitation 6 of that exemption provides that
 - (a) *Any window proposed at ground level in any such extension shall not be less than 1 metre from the boundary it faces.*

From review there is a side opening now to this carport structure which would appear from the drawings on both ATC PRR 07/89 and ATC PRR 13/33 not to have been in place at those dates. This is therefore considered to be a proposed window opening, and therefore this limitation would not be met. You should therefore clearly set out the final details to this north side elevation to allow the Planning Authority to fully assess this proposal.

Mise, le meas


STAFF OFFICER
PLANNING DEVELOPMENT AND ENVIRONMENT.





WICKLOW COUNTY COUNCIL
PLANNING DEPARTMENT
Section 5 – Application for declaration of Exemption Certificate

Ref: Ex 52/2026
Name: **Keith Johnstone**
Development: Application for Certificate of Exemption under Section 5 of the Planning & Development Act 2000 (as amended). RE: Door & Glazing on existing opes.
Location: 10 St Mary's Road Arklow Co. Wicklow



The Site: The subject site lies along St. Mary's Road within Arklow Town Centre, Level 3 Self Sustaining Growth Town, in an established residential area.

The dwelling is c. Victorian period and attached to a preschool. There is a recessed open ground floor area (car port) attached to the side of the dwelling with a flat roof first floor element with 1 no. window to the front elevation. Access to the dwelling is through this side area. The dwelling is finished in pebbledash.

Question: *Whether or not:*
Putting a door and glazing to existing dwelling constitutes exempted development within the meaning of the Planning and Development Acts, 2000(as amended).

Planning History

REF: 13/610033
Description: alterations and 2 storey extension to side and rear of existing 2 storey house and its conversion into 3 no. 2 bedroom apartments together with demolition of existing extensions to side and rear and ancillary site developments works including 3 no. car parking spaces to the front and 2 to the rear.
Decision: Grant.

REF: 07/610089

Description: demolition of existing extensions, alterations and 2 storey extension to side and rear of existing 2 storey house and conversion into 3 no. 2 bedroom apartments and ancillary site works including 3 carparking spaces to front and 2 carparking spaces to rear.

Decision: Grant.

Wicklow County Development Plan 2022-2028

Zoning Objective: RE: Existing Residential

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 install a door and window panels on the front and rear ground floor recessed elevations of the dwelling (carport) and to enclose this area.

The application seeks a declaration as to whether the:

The installation of a door and glazed panelling to the front and rear of an existing structure at 10 St. Mary's Road Arklow, 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

The Applicant has submitted drawings and photographs of the existing and proposed elevations of the dwelling. The works are located on the front and rear recessed elevations of the dwelling, which is to the side of the dwelling, which looks onto St. Mary's Road.

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 St. Mary's Road comprises a mix of dwelling styles. The proposal is mostly of glass and will not differ substantially from what is already there. Also, the proposed area for development is set back from the public road 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 installation of door and glazing to the front and rear elevations of the dwelling at 10 St. Mary's Road, Arklow is development and is exempted development.~~

~~**The Planning Authority consider that:**~~

~~The installation of door and glazing to the front and rear elevations of the dwelling at 10 St. Mary's Road, Arklow is development but is exempted development.~~

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

- ~~— The details submitted with this application 15th April 2026~~
- ~~— Sections 2 and 3 of the Planning and Development Act 2000(as amended).~~
- ~~— Section 4(1)(h) of the Planning and Development Act 2000(as amended).~~

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

~~The installation of doors and glazing to the front and rear elevation of the dwelling 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.~~

- ~~(a) The installation of door and glazing would be operations of construction and alteration, and therefore such operations would come within the definition of works as set out in Section 2 of the Planning and Development Act 2000(as amended).~~
- ~~(b) The works are development given the provisions of Section 3(1) (a) of the Planning and Development Act 2000 (as amended).~~
- ~~(c) The proposed development would therefore come within the scope of Section 4(1)(h) of the Planning and Development Act 2000(as amended) as it 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~~

Hold recommendation and seek FIs set out below.

Maria Harte G.P.

Maria Harte (G.P.)

Dated: 05/05/2026

7/5/2026

The report of the Graduate Planner is noted. From review of the planning history it is evident that the bathroom at first floor extension with below access to rear was in place at date of ATC PRR 07/89. From review of Streetview 2009 and 2019, it is evident that the works permitted by reference to ATC PRR 07/89 had not been undertaken. It is therefore evident from the drawings on ATC PRR07/89 that this area did not form part of the floor area of the dwelling but acted as a carport (given location beside hall door) and an accessway to the rear. In addition the drawings identify that there was no built up wall to the north elevation. The enclosure of this area with glazed windows/ doors will therefore result in an extension of the floor area of the dwelling.

This extension must be assessed having regard to the provisions of Class 1 : Part 1 : Schedule 2 of the P&D Regulations 2001 (as amended) i.e.

The extension of a house, by the construction or erection of an extension (including a conservatory) to the rear of the house or by the conversion for use as part of the house of any garage, store, shed or other similar structure attached to the rear or to the side of the house.

The conversion would come within the description of Class 1. There are a number of limitations in respect to this exemption, and the proposal is assessed against these limitations.

Limitation 1 - Extension is c. 10sqm, and therefore this limitation is met.

Limitation 2 – Not applicable

Limitation 3 - Not applicable

Limitation 4 - Met

Limitation 5 – met

Limitation 6 provides that

(b) Any window proposed above ground level in any such extension shall not be less than 11 metres from the boundary it faces.

No details have been provided in respect to the finish of the side boundary and if the opening is to be provided with a window then this limitation would not be met, therefore further information should be sought

Further Information

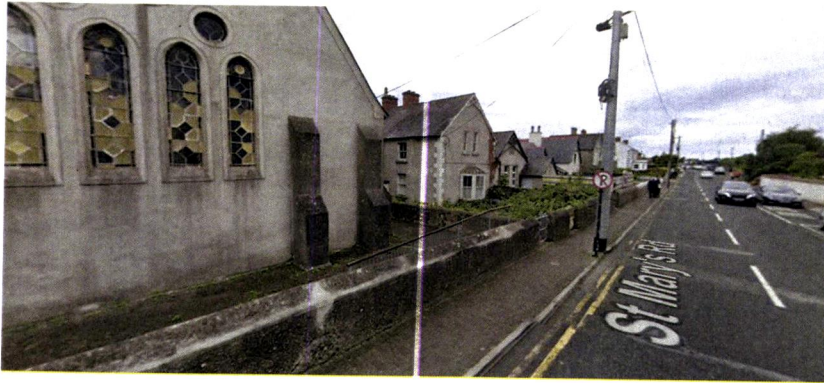
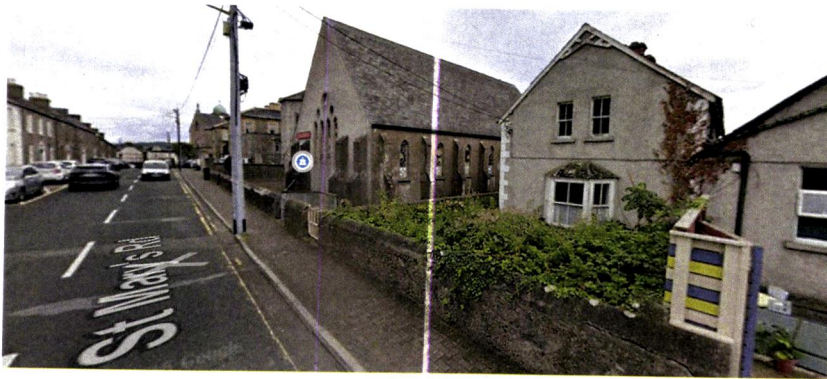
1. Having regard to the provisions of Section 5(1)(b) of the Planning and Development Act 2000(as amended) the following further information is requested –
 - (a) The submitted details are noted, however it is evident that the erection of door and glazing to the front and rear elevation is to enclose this area, which previous use was as a carport/ access, and therefore this enclosure will result in the floor area forming part of the dwelling. Please confirm that the area is to be converted for use as part of the dwelling.
 - (b) Any such conversion would need to comply with the exemption for conversion/ extensions set out under Class 1 : Part 1: Schedule 2 for conversions as set of the Planning and Development Regulations 2001(as amended). Limitation 6 of that exemption provides that

(a) Any window proposed at ground level in any such extension shall not be less than 1 metre from the boundary it faces.

From review there is a side opening now to this carport structure which would appear from the drawings on both ATC PRR 07/89 and ATC PRR 13/33 not to have been in place at those dates. This is therefore considered to be a proposed window opening, and therefore this limitation would not be met. You should therefore clearly set out the final details to this north side elevation to allow the Planning Authority to fully assess this proposal.

S.H. Birmingham T/SP

7/5/2026





**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

MEMORANDUM

WICKLOW COUNTY COUNCIL

**TO: Maria Harte
Graduate Planner**

**FROM: Nicola Fleming
Staff Officer**

**RE: - EX52/2026 - Declaration in accordance with Section 5 of the
Planning & Development Acts 2000 (as amended)**

I enclose herewith for your attention application for Section 5 Declaration received 15/04/2026.

The due date on this declaration is the 12/05/2026.

**Staff Officer
Planning Development & Environment**



*Ta an doiciméad seo ar fáil i gformáid eile ar iarratas.
This document is available in alternative formats on request.*

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





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

Keith Johnstone
10 St. Mary's Road
Arklow
Co. Wicklow

20th of April 2026

RE: Application for Certificate of Exemption under Section 5 of the Planning and Development Acts 2000 (as amended). – EX52/2026

A Chara

I wish to acknowledge receipt on 15/04/2026 full details supplied by you in respect of the above Section 5 application. A decision is due in respect of this application by 12/05/2026.

Mise, le meas

Nicola Fleming
Staff Officer
Planning, Economic & Rural Development



*Ta an doiciméad seo ar fáil i nformáidí eile ar líonraí.
This document is available in alternative formats on request.*

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



Wicklow County Council
County Buildings
Wicklow
0404 20100

15/04/2026 14 01 36

Receipt No L1/0/362079
***** REPRINT *****

KEITH JOHNSTONE
10 ST, MARY'S RD
ARKLOW
CO WICKLOW

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

Total 80 00 EUR

Tendered
Credit Card 80 00

Change 0 00

Issued By VANESSA PORTER
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 _____

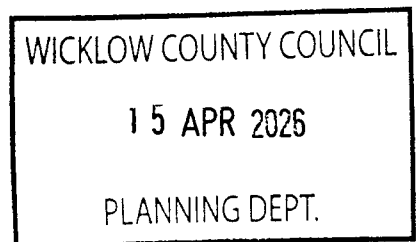
Fee Received _____

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: KEITH JOHNSONE
Address of applicant: 10 ST MARYS RD
ARKLOW, CO WICKLOW

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



2. Agents Details (Where Applicable)

(b) Name of Agent (where applicable) _____
Address of Agent : _____

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

3. Declaration Details

i. Location of Development subject of Declaration _____
10 ST MARYS RD. STRIKLOW
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 I WISH TO PUT
DOOR AND GRAZING TO EXISTING
OPENINGS. THERE IS EVIDENCE
OF DOORS BEING THERE AT
SOME STAGE IN THE PAST

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 _____

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 _____

DRAWINGS OF PROPOSED
PHOTOS
SITE MAP

viii. Fee of € 80 Attached ? YES

Signed : V. J. L. L. L. Dated : 10/4/26

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 -

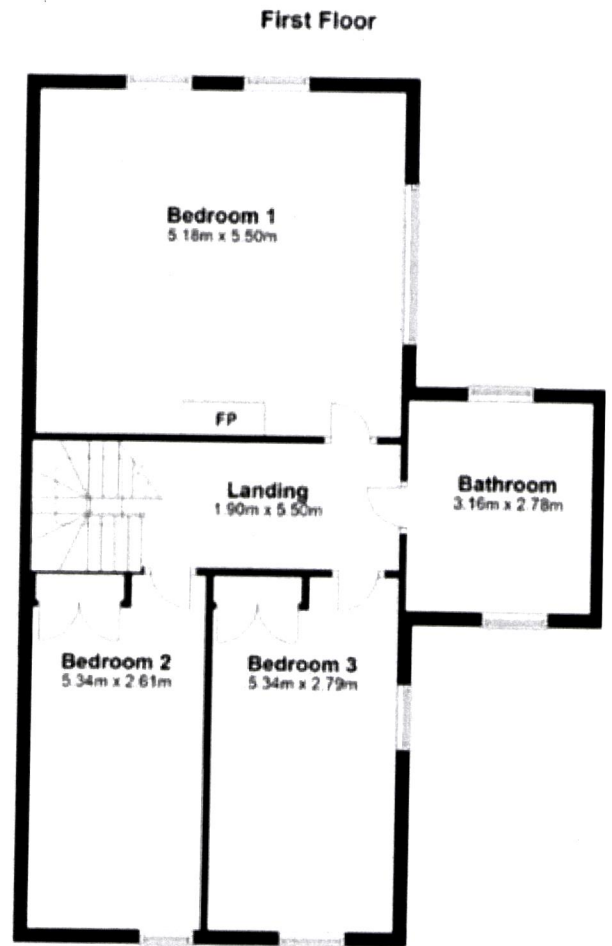
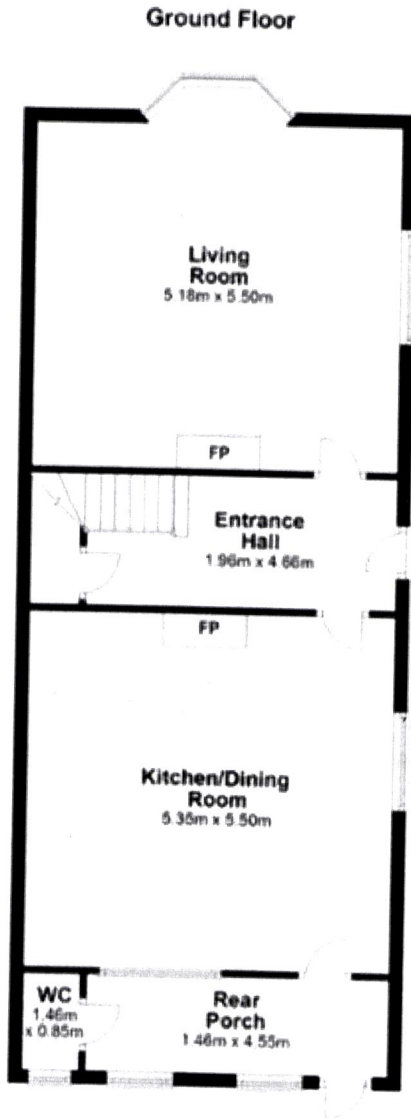
The provisions of Article 8 of the Planning and Development Regulations 2001 (as amended) now applies to land reclamation, other than works to wetlands which are still

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.

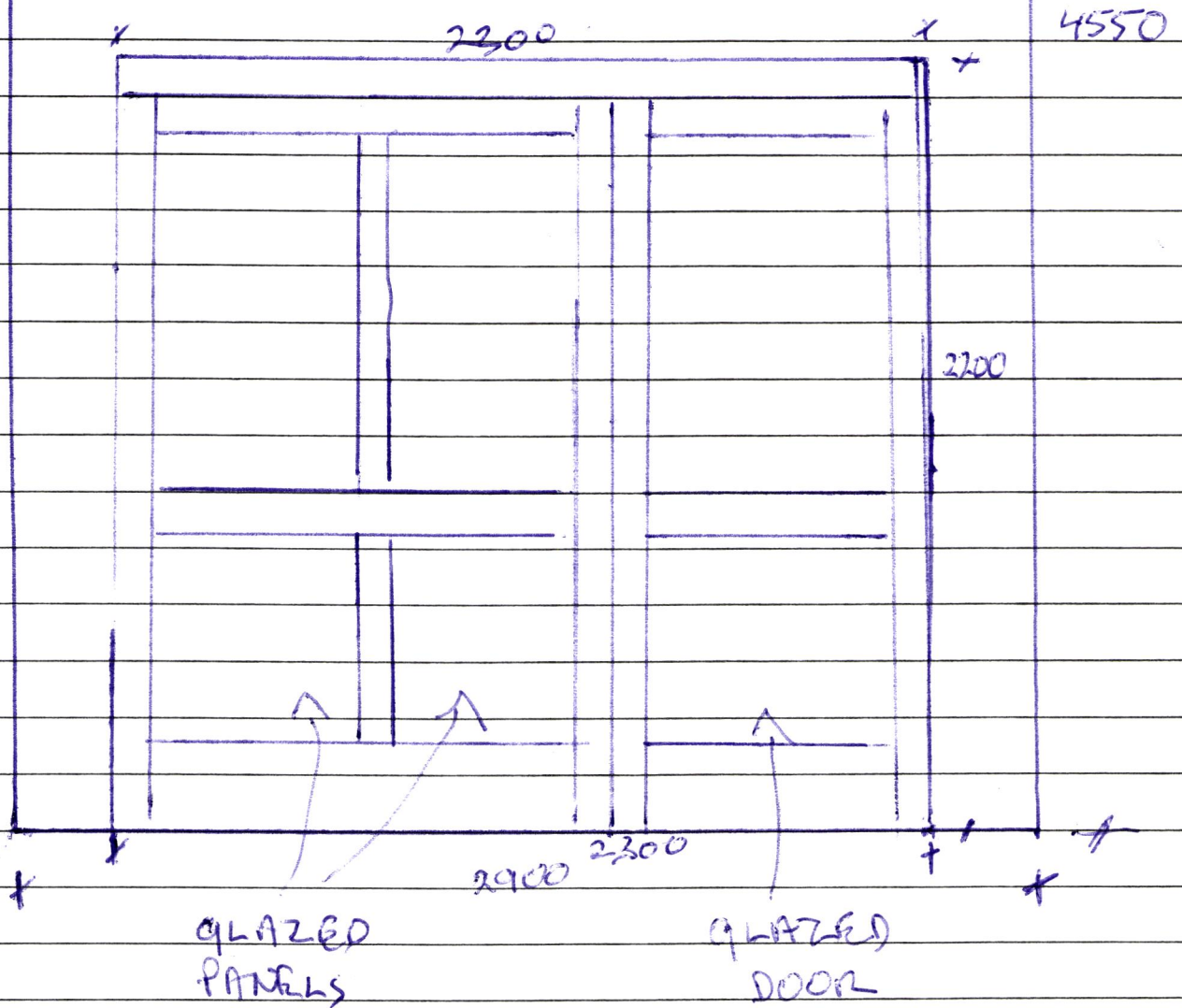
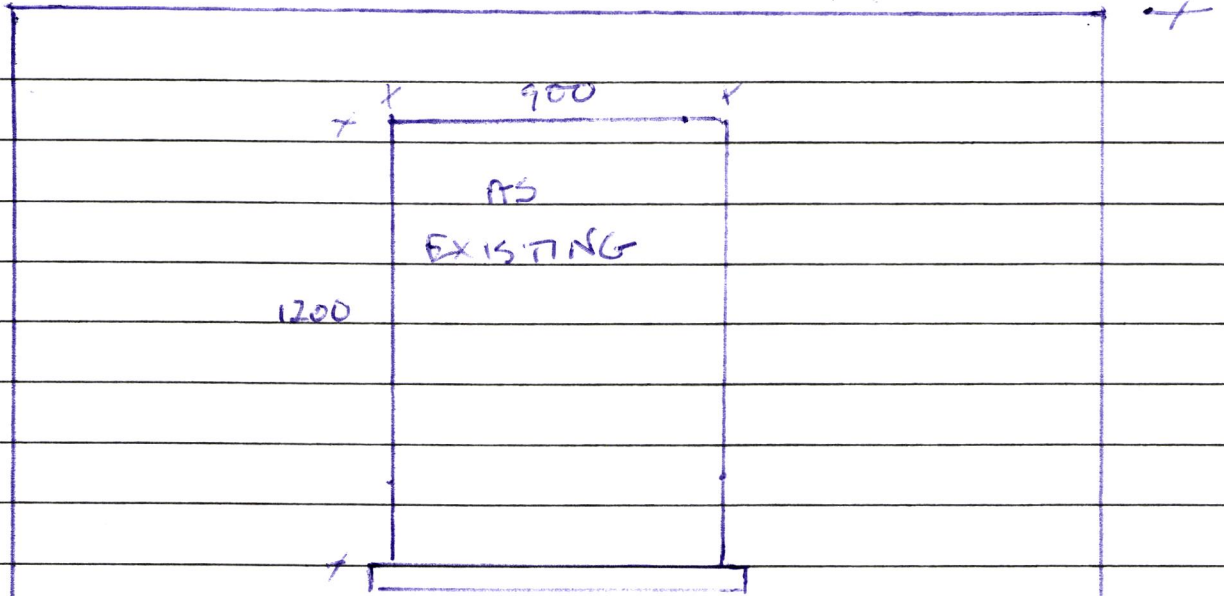
C. Farm Structures - Class 6 -Class 10 Part 3 of Schedule 2.

- 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.

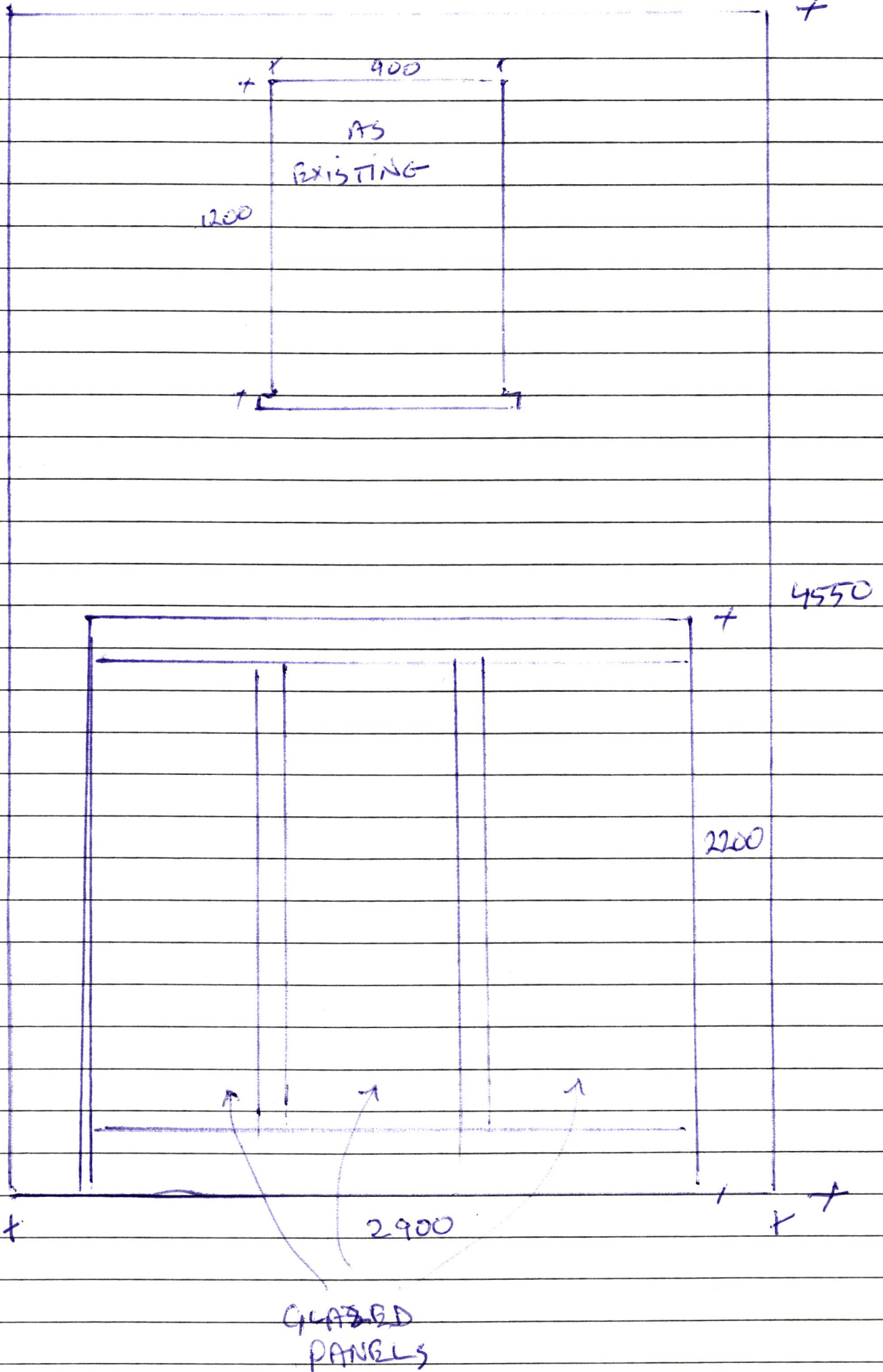


Total area: approx. 157.0 sq. metres

FRONT ELEVATION



REAR ELEVATION



FRONT

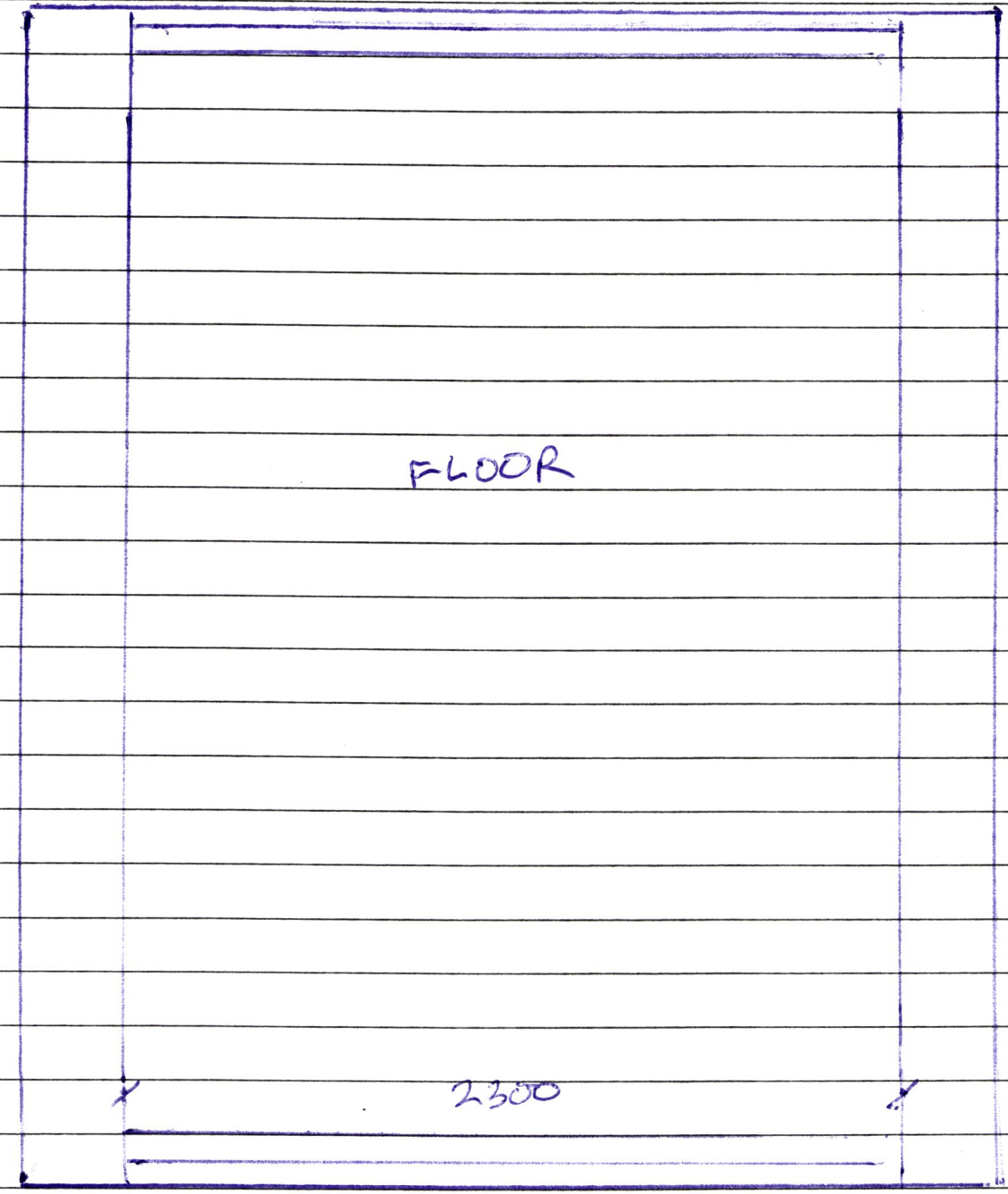
FLOOR

3500

2300

REAR

2900





FRONT



FRONT



REAR



EVIDENCE IN REVEALS
OF HISTORIC DOORS AND WINDOWS



EVIDENCE IN REVEALS
OF HISTORIC DOORS AND WINDOWS

