



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

**St. Patricks GAA Club Kilcoole
Woodstock Demesne
Newcastle Road
Kilcoole
Co. Wicklow**

Handwritten signature
July 2025

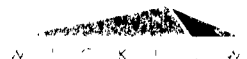
RE: Declaration in accordance with Section 5 of the Planning & Development Acts 2000 (As Amended) – EX73/2025

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

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

Is mise, le meas,

Handwritten signature
**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: St. Patricks GAA Club Kilcoole

Location: Woodstock Demesne, Newcastle Road, Kilcoole, Co. Wicklow

Reference Number: EX 73/2025

CHIEF EXECUTIVE ORDER NO. CE/PERD/2025/762

A question has arisen as to whether "the installation of 831.25 square metre of astro turf surface" at Woodstock Demesne, Newcastle Road, Kilcoole, Co. Wicklow is or is not exempted development.

Having regard to:

- The details received with the Section 5 Declaration on the 27/06/2025.
- 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 33(c) of the Planning and Development Regulations 2001 (as amended)

Main Reasons with respect to Section 5 Declaration:

- The installation of an astro turf surface is works and is therefore development having regard to Section 3 of the Planning and Development Act 2000 (as amended).
- The proposal would come within the description and limitations as set out under Schedule 2, Part 1, Class 33(c) of the Planning and Development Regulations 2001 (as amended) and is therefore exempted development

The Planning Authority considers that "the installation of a 831.25 square metre of astro turf surface" at Woodstock Demesne, Newcastle Road, Kilcoole, Co. Wicklow is development and is exempted development

Signed:

ADMINISTRATIVE OFFICER

PLANNING, ECONOMIC & RURAL DEVELOPMENT

Dated 2nd July 2025

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

SECTION 5

CHIEF EXECUTIVE ORDER NO. CE/PERD/2025/762

Reference Number: EX 73/2025

Name of Applicant: St. Patricks GAA Club Kilcoole

Nature of Application: Section 5 Referral as to whether or not "the installation of 831.25 square metre of astro turf surface" is or is not development and is or is not exempted development.

Location of Subject Site: Woodstock Demesne, Newcastle Road, Kilcoole, Co. Wicklow

Report from Billy Slater, AP & Edel Bermingham, SEP

With respect to the query under section 5 of the Planning & Development Act 2000 as to whether "the installation of 831.25 square metre of astro turf surface" at Woodstock Demesne, Newcastle Road, Kilcoole, 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 received with the Section 5 Declaration on the 27/06/2025.
- 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 33(c) of the Planning and Development Regulations 2001 (as amended)

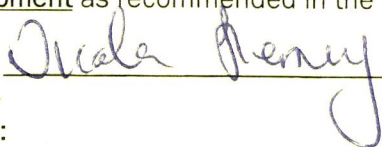
Main Reason with respect to Section 5 Declaration:

1. The installation of an astro turf surface is works and is therefore development having regard to Section 3 of the Planning and Development Act 2000 (as amended).
2. The proposal would come within the description and limitations as set out under Schedule 2, Part 1, Class 33(c) of the Planning and Development Regulations 2001 (as amended) and is therefore exempted development

Recommendation

The Planning Authority considers that "the installation of 831.25 square metre of astro turf surface" at Woodstock Demesne, Newcastle Road, Kilcoole, Co. Wicklow is development and is exempted development as recommended in the report by the SEP.

Signed



Dated 21st day of July 2025

ORDER:

I HEREBY DECLARE:

That "the installation of 831.25 square metre of astro turf surface" at Woodstock Demesne, Newcastle Road, Kilcoole, 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 20th day of July 2025



**WICKLOW COUNTY COUNCIL
PLANNING DEPARTMENT**

To: Fergal Keogh S.E / Edel Bermingham S.E.P.
From: Billy Slater A.P.
Type: Section 5 Application
REF: EX 73/2025
Applicant: St Patricks GAA Club Kilcoole
Date of Application: 27/06/2025
Decision Due Date: 24/07/2025
Address: Woodstock Demesne, Newcastle Rd, Co. Wicklow
Exemption Query: Installation of 831.25 square metre of astro turf surface to front of the existing hurling wall to use as training area, with funding from the department of ports under their sports capital and Equipment Programme. There is currently approx. 300 square meters of astro turf in front of the hurling wall which is in poor condition and we want to replace / resurface and enlarge the area. Note: the resurfaced area will not include any pitch space and will be used only as a warm up / training area.

Application Site: The application site is located within St Patricks GAA Club Kilcoole, situated some 250m south of the level 4 Urban Settlement of Kilcoole. The subject site is accessed off of the R-761-130 Regional Road (Coast Road). The site is by two playing pitches a well as a club house and associated car parking facilities.

Aerial / Site Image (at entrance onto public road)



Section 5 Referral

From examining the submitted particulars, it is noted that the section 5 query should be re-worded as follows.

- The Installation of a 831.25 square metre astro turf surface,

at St Patricks GAA Club, Woodstock Demesne, Newcastle Rd, Co. Wicklow

Relevant Planning History:

Ref	21/44
Applicant	St Patricks GAA Club Kilcoole
Development	extension to existing clubhouse and for all ancillary site works to facilitate the development
Decision	Grant
Ref	15/645
Applicant	St Patricks GAA Club Kilcoole
Development	floodlighting of the main pitch including the erection of 6 x 20 m high lighting columns and provision of a generator adjacent to the existing clubhouse
Decision	Grant
Ref	12/6401
Applicant	St Patricks GAA Club Kilcoole
Development	building of a concrete hurling wall (28.625m long x 5.00m high x 2.0m wide)
Decision	Grant
Ref	06/5763
Applicant	St Patricks GAA Club
Development	Dormer extension incorporating changing facilities kitchen office & meeting rooms to side of existing changing rooms & ancillary wks to include decommissioning existing septic tank & connect to existing foul sewer
Decision	Grant
Ref	04/1849
Applicant	St Patricks GAA Club Kilcoole
Development	Floodlights on pitch no.1
Decision	Grant
Ref	95/2952
Applicant	St Patricks GAA Club (Kilcoole)
Development	Floodlights on pitch no.1
Decision	Grant

Question:

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

- The Installation of a 831.25 square metre astro turf surface,

at St Patricks GAA Club, Woodstock Demesne, Newcastle Rd, Co. Wicklow

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) 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.”

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

Planning and Development Regulations, 2001 (as amended)

Article 6(1) states that certain classes of development which are specified in Schedule 2 shall be exempted development for the purposes of the Act, subject to compliance with any associated conditions and limitations;

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

Schedule 2, Part 1 outlines classes of exempt development as well as associated conditions and limitations. The following are of relevance.

CLASS 33

Development consisting of the laying out and use of land –

- c) for athletics or sports (other than golf or pitch and putt or sports involving the use of motor vehicles, aircraft or firearms), where no charge is made for admission of the public to the land.

Conditions and Limitations – None

Details submitted in support of the application:

- Site location map
- Site layout plan

Assessment:

The first assessment must be whether or not the proposal outlined above constitutes development within the remit of Section 3 of the Planning and Development Act 2001. In this regard, Section 3 of the Planning and Development Act provides that:

"development" means, except where the context otherwise requires, the carrying out of any works on, in, over or under land or the making of any material change in the use of any structures or other land.

It should be noted that Section 2 of the Act defines works as:

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

I am satisfied that the above query would involve works of excavation and construction and would therefore constitute development as per the provisions of Section 3 of the Planning and Development Act 2000 (as amended).

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

It is considered that the proposed works as stated above inclusive of a the installation of an astro turf surface for sports use would fall under the scope of Schedule 2: Part 1 Class 33 (c) i.e:

Development consisting of the laying out and use of land –

c) for athletics or sports (other than golf or pitch and putt or sports involving the use of motor vehicles, aircraft or firearms), where no charge is made for admission of the public to the land.

No conditions or limitations apply to this class.

The proposed works to which article 6 relates shall not be exempted development for the purposes of the Act if the carrying out of such works would contravene with the limitations as set out per Article 9 (1). Upon site review it is noted that the subject site is flat in nature. No changes are indicated to the ground level at the location of the proposed surfaced areas (to the north-west of playing pitch no.1).

It is therefore considered that the proposed astro turf would be considered to be exempted development under the provisions as set out in Class 33(c).

Recommendation :

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

- The Installation of a 831.25 square metre astro turf surface,

at St Patricks GAA Club, Woodstock Demesne, Newcastle Rd, Co. Wicklow constitutes exempted development within the meaning of the Planning and Development Acts, 2000(as amended).

The Planning Authority considers that the installation of a 831.25 square metre of astro turf surface at St Patricks GAA Club, Woodstock Demesne, Newcastle Rd, 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 27/06/2025.
- 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 33(c) of the Planning and Development Regulations 2001 (as amended)

Main Reasons with respect to Section 5 Declaration :

- The installation of an astro turf surface is works and is therefore development having regard to Section 3 of the Planning and Development Act 2000 (as amended).
- The proposal would come within the description and limitations as set out under Schedule 2, Part 1, Class 33(c) of the Planning and Development Regulations 2001 (as amended) and is therefore exempted development.


Billy Slater A.P.
17/07/2025


17/7/2025

Issue declaration as recommended
17/7/25
22/07/25



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Suíomh / Website: www.wicklow.ie

MEMORANDUM

WICKLOW COUNTY COUNCIL

TO: Billy Slater
Assistant Planner

FROM: Nicola Fleming
Staff Officer

**RE:- Application for Certificate of Exemption under Section 5 of the
Planning and Development Acts 2000 (as amended).
EX73/2025**

I enclose herewith application for Section 5 Declaration received completed
on 27/06/2025

The due date on this declaration is 24th July 2025.

Staff Officer
Planning, Economic & Rural Development





Comhairle Contae Chill Mhantáin Wicklow County Council

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**St. Patrick GAA Club Kilcoole
Woodstock Demesne
Newcastle Road
Kilcoole
Co. Wicklow**

27th June 2025

RE: Application for Certificate of Exemption under Section 5 of the Planning and Development Acts 2000 (as amended). – EX73/2025

A Chara

I wish to acknowledge receipt on 27/06/2025 full details supplied by you in respect of the above Section 5 application. A decision is due in respect of this application by 24/07/2025.

Mise, le meas

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



Nicola Fleming

From: Nicola Fleming
Sent: Wednesday 25 June 2025 11:12
To: 'piercebutler07@gmail.com'

Hi Pierce,

I refer to your application for an exemption cert under Section for Kilcoole GAA Club.

Can you please forward a site location map (eircode map will suffice)

We also require a full site layout of the entire site with the boundaries marked in red so we can see where the astro is going to be on the site.

Regards,

Nicola Fleming

Staff Officer

Planning, Economic & Rural Development

WICKLOW COUNTY COUNCIL, COUNTY BUILDINGS, WICKLOW TOWN, A67 FW96

Ph ☎: +353 (0404) 20148 | ✉: nfleming@wicklowcoco.ie

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



Comhairle Chontae Chill Mhantáin
Wicklow County Council

Wicklow County Council
County Buildings
Wicklow
01-276-20100

24/06/2025 15:04:01

Receipt No: L1/0/347299

KILCOOLE GAA CLUB
C/O PIERCE BUTLER
7 ROCKMANOR DRIVE
KILCOOLE
CO WICKLOW

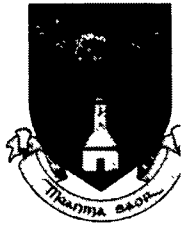
EXEMPTION CERTIFICATES	80.00
GOODS	80.00
VAT Exempt/Non-vatable	

Total	80.00 EUR
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Tendered	
Cheque	80.00

Change	0.00
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Issued By: Ruth Graham
From: Customer Service Hub
Vat reg No 0015233H



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

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: St Patricks GAA Club Kilcoole
Address of applicant: Woodstock Demesne, Newcastle Road, Kilcoole, 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) N/A
Address of Agent : N/A

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

3. Declaration Details

- i. Location of Development subject of Declaration: St Patricks GAA Club Kilcoole
- ii. Are you the owner and/or occupier of these lands at the location under i. above ?

Yes

- 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:

Kilcoole GAA Club are looking to install 831.35 square meters of astro turf surface in front of the existing hurling wall to use as a training area, with funding from the Department of Sports under their Sports Capital and Equipment Programme. There is currently approx. 300 square meters of astro surface in front of the hurling wall which is in poor condition and we want to replace / resurface and enlarge the area. Note: the resurfaced area will not include any pitch space and will be used only as a warm up / training area.

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

The club is seeking confirmation as to whether it needs to apply for planning permission for this. Confirmation that planning permission is held or that it is not required is needed as part of the Dept of Sports requirements for providing grant funding.

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 – see attached

viii. Fee of € 80 Attached ? Enclosed

Signed : Paula Butler Dated : 23/6/2025

Additional Notes :

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

A. Extension to dwelling - Class 1 Part 1 of Schedule 2

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

B. Land Reclamation -

The provisions of Article 8 of the Planning and Development Regulations 2001 (as amended) now applies to land reclamation, other than works to wetlands which are still governed by Schedule 2, Part 3, Class 11. Note in addition to confirmation of exemption status under the Planning and Development Act 2000(as amended) there is a certification process with respect to land reclamation works as set out under the European Communities (Environmental Impact Assessment) (Agriculture) Regulations 2011 S.I. 456 of 2011. You should therefore seek advice from the Department of Agriculture, Fisheries and Food.

Any Section 5 Declaration should include a location map delineating the location of and exact area of lands to be reclaimed, and an indication of the character of the land.

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

- Site layout plan showing location of structure and any adjoining farm structures and any dwellings within 100m of the farm structure.
- Gross floor area of the farm structure

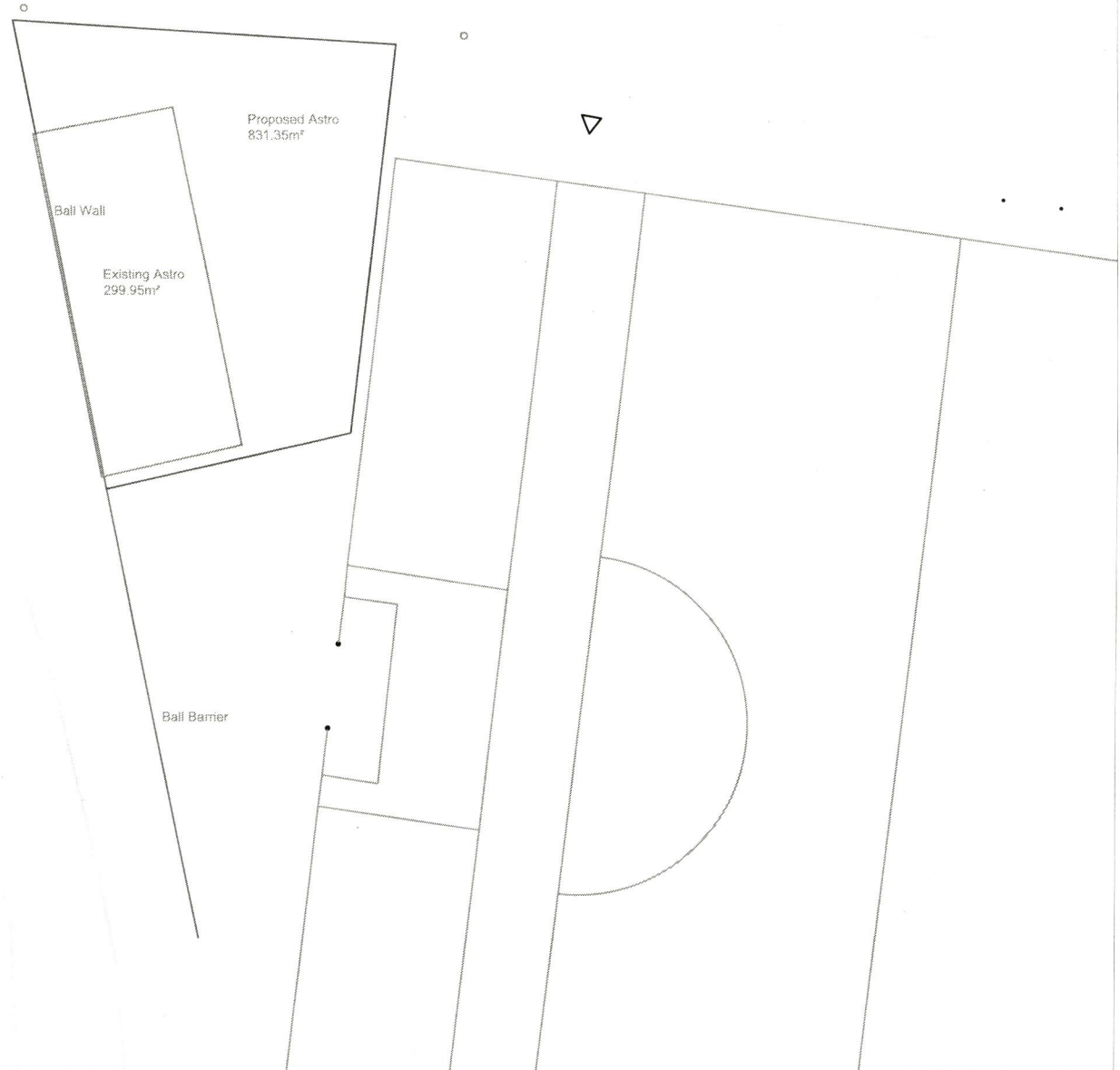
- Floor plan and elevational details of Farm Structure and Full details of the gross floor area of the proposed structure.
- Details of gross floor area of structures of similar type within the same farmyard complex or within 100metres of that complex.

ADDITIONAL CONTACT INFORMATION
NOT TO BE MADE AVAILABLE WITH APPLICATION

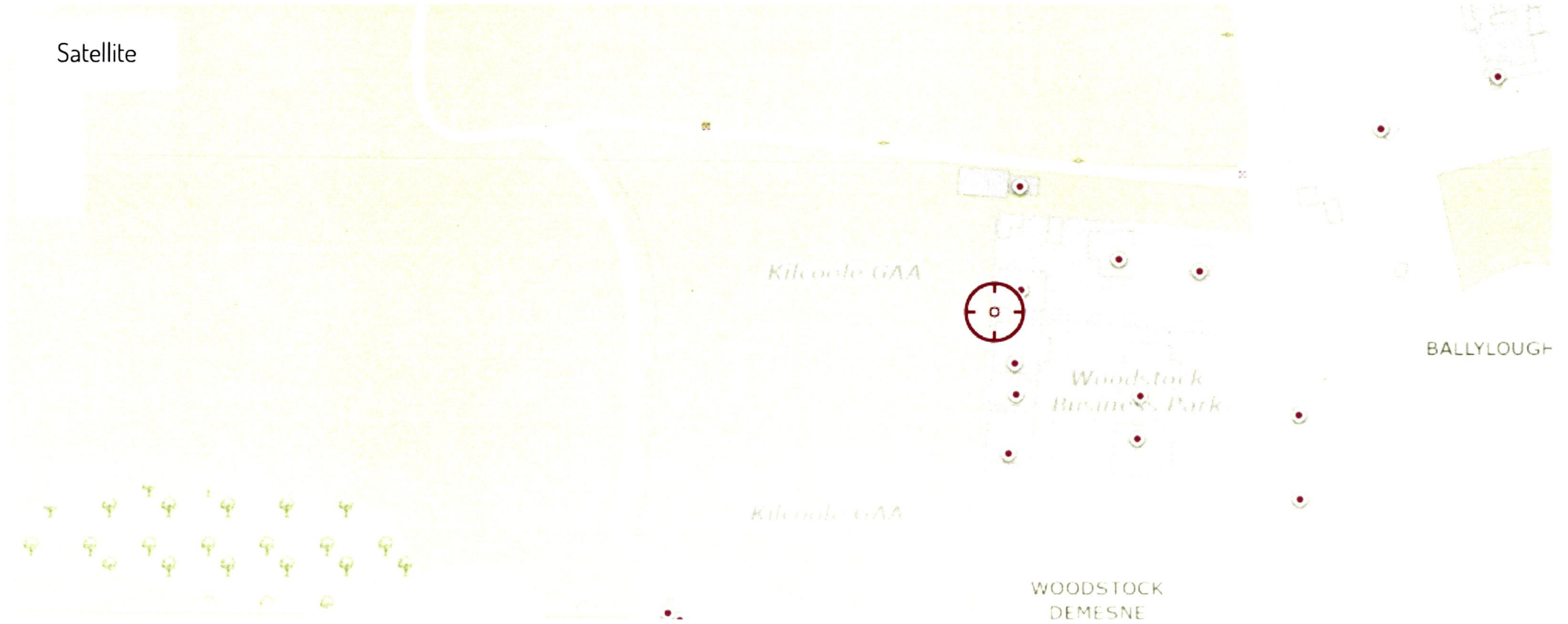
Please note:

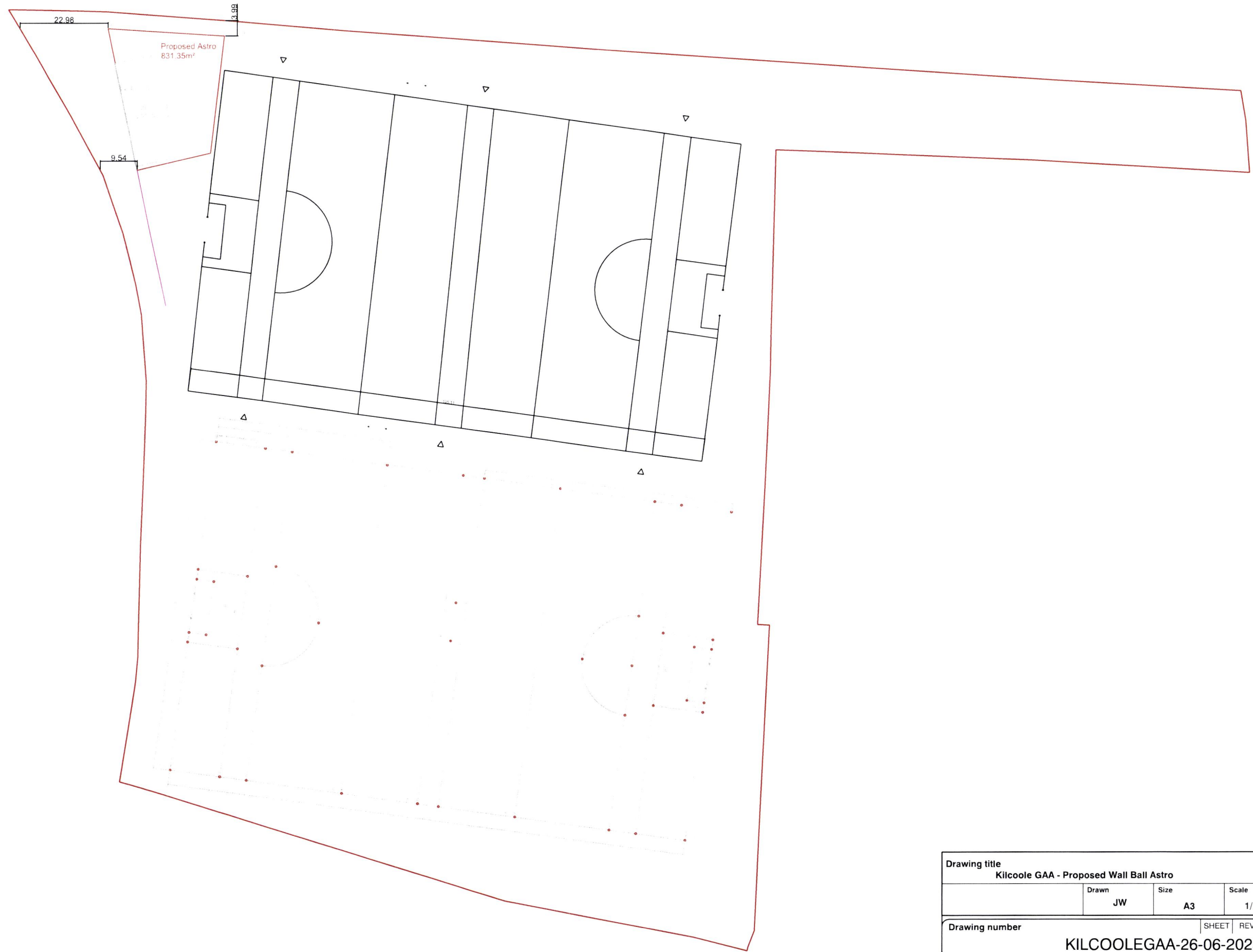
- This page will not be published as part of the planning file.

New Astro 2025



Satellite





Drawing title Kilcoole GAA - Proposed Wall Ball Astro			
	Drawn JW	Size A3	Scale 1/1000
Drawing number KILCOOLEGAA-26-06-2025		SHEET	REV