



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
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Suíomh / Website www.wicklow.ie

Patrick Linnane
Mulberry Road
Stratford on Slaney
Baltinglass
Co. Wicklow
W91 R1W4

19th Of March 2026

RE: Declaration in accordance with Section 5 of the Planning & Development Acts
2000 (As Amended) -EX17/2026

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.





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

Applicant: Patrick Linnane

Location: Stratford on Slaney, Baltinglass, Co. Wicklow

Reference Number: EX17/2026

CHIEF EXECUTIVE ORDER NO. CE/PERD/2026/304

A question has arisen as to whether “*the addition of two bedrooms and ensuites by conversion of the attic space for habitation*” at Stratford on Slaney, Baltinglass, Co. Wicklow is or is not exempted development.

Having regard to:

- a) The details submitted with the Section 5 Declaration Application
- b) PRR 06/5720
- c) An Bord Pleanála Declarations RL3544 and ABP-303783-19
- d) Sections 2, 3 and 4 of the Planning and Development Act 2000 (as amended)
- e) Article 6, 9 and Class 1: Part 1: Schedule 2 of the Planning and Development Regulations 2001 (as amended).

Main Reasons with respect to Section 5 Declaration:

- (i) The conversion of the attic would involve operations of construction and would therefore come within the meaning of works as set out in Section 2 of the Planning and Development Act 2000(as amended)
- (ii) These works are development having regard to the provisions of Section 3 of the Planning and Development Act 2000(as amended)
- (iii) The conversion of the attic space does not come within the scope of section 4(1)(h) of the Planning and Development Act 2000(as amended) as it is not works of improvement or other alteration of an existing structure, but rather for the provision of additional floor space.
- (iv) The conversion of the attic space would come within the description set out in Class 1: Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended), notwithstanding, as this conversion is the change of the first floor space, the scale of the extended area i.e. 39sqm would not meet limitation set out under 1(c) which requires that *1. (c) Subject to paragraph (a), where the house is detached, the floor area of any extension above ground level shall not exceed 20 square metres.*

The Planning Authority considers that “the addition of two bedrooms and ensuites by conversion of the attic space for habitation” at Stratford on Slaney, Baltinglass, Co. Wicklow is development and IS NOT exempted development.

Signed: 
ADMINISTRATIVE OFFICER
PLANNING DEVELOPMENT & ENVIRONMENT

Date: 19/03/2026



WICKLOW COUNTY COUNCIL

PLANNING & DEVELOPMENT ACTS 2000 (As Amended)
SECTION 5

CHIEF EXECUTIVE ORDER NO. CE/PERD/2026/304

Reference Number: EX 17/2026

Name of Applicant: Patrick Linnane

Nature of Application: Section 5 Referral as to whether "*the addition of two bedrooms and ensuites by conversion of the attic space for habitation*" is or is not development and is or is not exempted development.

Location of Subject Site: Stratford on Slaney, Baltinglass, Co. Wicklow

Report from: Edel Bermingham, T/SP

With respect to the query under Section 5 of the Planning & Development Act 2000 as to whether "*the addition of two bedrooms and ensuites by conversion of the attic space for habitation*" at Stratford on Slaney, Baltinglass, 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 submitted with the Section 5 Declaration Application
- b) PRR 06/5720
- c) An Bord Pleanála Declarations RL3544 and ABP-303783-19
- d) Sections 2, 3 and 4 of the Planning and Development Act 2000 (as amended)
- e) Article 6, 9 and Class 1: Part 1: Schedule 2 of the Planning and Development Regulations 2001 (as amended).

Main Reasons with respect to Section 5 Declaration:

- (i) The conversion of the attic would involve operations of construction and would therefore come within the meaning of works as set out in Section 2 of the Planning and Development Act 2000(as amended)
- (ii) These works are development having regard to the provisions of Section 3 of the Planning and Development Act 2000(as amended)
- (iii) The conversion of the attic space does not come within the scope of section 4(1)(h) of the Planning and Development Act 2000(as amended) as it is not works of improvement or other alteration of an existing structure, but rather for the provision of additional floor space.
- (iv) The conversion of the attic space would come within the description set out in Class 1: Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended), notwithstanding, as this conversion is the change of the first floor space, the scale of the extended area i.e. 39sqm would not meet limitation set out under 1(c) which requires that
1. (c) Subject to paragraph (a), where the house is detached, the floor area of any extension above ground level shall not exceed 20 square metres.

Recommendation

The Planning Authority considers that "the addition of two bedrooms and ensuite by conversion of the attic space for habitation" at Stratford on Slaney, Baltinglass, Co. Wicklow is development and is not exempted development as recommended in the planning reports.

Signed: Dicola Deming

Date: 16/03/2026

ORDER:

I HEREBY DECLARE:

THAT "the addition of two bedrooms and ensuite by conversion of the attic space for habitation" at Stratford on Slaney, Baltinglass, Co. Wicklow is **development and is not exempted** development within the meaning of the Planning & Development Acts 2000 (as amended).

Signed: Sid Bourke

T/Senior Planner

Planning, Economic & Rural Development

Date: 19/3/2026

Section 5 Application EX 17/2026

Date : 12/3/2026

Applicant : Patrick Linnane

Address : Stratford on Slaney, Baltinglass, Co. Wicklow. .

Exemption Whether or not :

The addition of 2 bedrooms and ensuites

constitutes exempted development within the meaning of the Planning and Development Acts, 2000(as amended).

Planning History :

PRR 06/5720 Permission granted for bungalow, domestic garage and effluent treatment system.

An Bord Pleanála Referrals

ABP-303783-19

AND WHEREAS An Bord Pleanála has concluded that -

(a) the refurbishment of the existing dwelling, the construction of an extension and the conversion of the attic to provide accommodation would all involve the carrying out of works and would, therefore, constitute development,

(b) the internal refurbishment of the dwelling, and the provision of the Velux type rooflights would come within the scope of Section 4 (1)(h) of the Planning and Development Act, 2000, as amended and would, therefore, be exempted development, the conversion of the attic to provide accommodation would not come within the scope of Section 4 (1)(h) of the Planning and Development Act, 2000, as amended, as it would not consist of the carrying out of works for the maintenance, improvement or other alteration of the structure, but would rather involve the extension of the residential floorspace of the existing dwelling,

(d) the construction of the proposed extension would generally come within the scope of the exemption provided for under Class 1 of Part 1 of Schedule 2 of the Planning and Development Regulations, 2001, as amended, but would not be exempted development because it would not comply with Condition and Limitation number 2 (a) to which this Class is subject, in that the combined areas of the attic conversion and of the proposed extension would exceed the limit of 40 square metres, and

(e) accordingly, as all of the works are inter-related, the development that is the subject of the question would not be exempted development:

In not accepting the recommendation of the Inspector that the development would be exempted development, the Board had regard to case law as to the correct meaning of Section 4 (1)(h) of the Planning and Development Act, 2000, as amended, and did not accept that the attic conversion came within the scope of the exemption afforded by this legislative provision. Furthermore, the Board had regard to previous referral decisions made by it, which determined

that the limit of 40 square metres in Condition and Limitation 2 (a) of Class 1 applied to any floorspace that was not part of the original floor area of the house, including the floor area of an attic that had been converted after the construction of the original house (for example, referral register reference number 06D.RL.2477).

06D.RL.3544

An Bord Pleanála, hereby decides that the construction of an extension to the rear of the existing house, and the conversion of part of the attic of the existing house and of the attic area of the extension for residential accommodation, is development and is not exempted development.

An Bord Pleanála has concluded that:

(a) the extension to the existing house and the attic conversion both involve the carrying out of 'works' which come within the meaning of section 2(1) of the Planning and Development Act, 2000, as amended, and therefore constitute development,

(b) the extension is to the rear of the dwelling and therefore comes within the scope of the exemption provided for under Class 1 of Part 1 of Schedule 2 to the Planning and Development Regulations 2001, but by reason of its scale and extent, comprising a ground floor area of 50 square metres and a first floor area of circa 28 square metres, exceeds the relevant thresholds set out in conditions and limitations 1(a) and 1(c) respectively of Class 1, and is therefore not exempted development,

(c) the existing extensions to the rear of the house, whether or not they were constructed or erected prior to 1st October 1964, cannot be taken into account in respect of the floor area of the extension that is the subject matter of this referral, as these extensions were demolished and removed prior to the construction of the subject extension, and

(d) the attic conversion does not come within the scope of section 4(1)(h) of the Planning and Development Act 2000, not being the carrying out of works for the maintenance, improvement or other alteration of an existing structure, but rather for the provision of additional floor space and a first floor extension to the existing house, and is therefore not exempted development:

Relevant legislation :

Planning and Development Act 2000 (as amended)

"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

(b) in relation to a protected structure or proposed protected structure, includes—

(i) the interior of the structure,

(ii) the land lying within the curtilage of the structure,

(iii) any other structures lying within that curtilage and their interiors, and

(iv) all fixtures and features which form part of the interior or exterior of any structure or structures referred to in *subparagraph (i) or (ii)*;

"works" includes any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal and, in relation to a protected structure or proposed protected structure, includes any act or operation involving the application or removal of plaster, paint, wallpaper, tiles or other material to or from the surfaces of the interior or exterior of a structure.

Section 3 :

3.—

(1) In this Act, except where the context otherwise requires, "development" means—

- (a) 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, or
- (b) development within the meaning of Part XXI (inserted by section 171 of the Maritime Area Planning Act 2021).

Section 4 :

4.—

(1) The following shall be exempted developments for the purposes of this Act—

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

3) A reference in this Act to exempted development shall be construed as a reference to development which is—

- (a) any of the developments specified in subsection (1), or
- (b) development which, having regard to any regulations under subsection (2), is exempted development for the purposes of this Act.

(4A) Notwithstanding subsection (4), the Minister may make regulations prescribing development or any class of development that is—

- (a) authorised, or required to be authorised by or under any statute (other than this Act) whether by means of a licence, consent, approval or otherwise, and
 - (b) as respects which an environmental impact assessment or an appropriate assessment is required,
- to be exempted development.

Planning and Development Regulations 2001(as amended).

Article 6

(1) Subject to article 9, development of a class specified in column 1 of Part 1 of Schedule 2 shall be exempted development for the purposes of the Act, provided that such development complies

with the conditions and limitations specified in column 2 of the said Part 1 opposite the mention of that class in the said column 1.

Article 9(1) Note see Regulations for full Article
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—
< See Regulations for List >

Schedule 2 : Part 1

CLASS 1

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.

Conditions/ Limitations

1. (a) Where the house has not been extended previously, the floor area of any such extension shall not exceed 40 square metres.
(b) Subject to paragraph (a), where the house is terraced or semi-detached, the floor area of any extension above ground level shall not exceed 12 square metres.
(c) Subject to paragraph (a), where the house is detached, the floor area of any extension above ground level shall not exceed 20 square metres.

2. (a) Where the house has been extended previously, the floor area of any such extension, taken together with the floor area of any previous extension or extensions constructed or erected after 1 October 1964, including those for which planning permission has been obtained, shall not exceed 40 square metres.
(b) Subject to paragraph (a), where the house is terraced or semi-detached and has been extended previously, the floor area of any extension above ground level taken together with the floor area of any previous extension or extensions above ground level constructed or erected after 1 October 1964, including those for which planning permission has been obtained, shall not exceed 12 square metres.
(c) Subject to paragraph (a), where the house is detached and has been extended previously, the floor area of any extension above ground level, taken together with the floor area of any previous extension or extensions above ground level constructed or erected after 1 October 1964, including those for which planning permission has been obtained, shall not exceed 20 square metres.

3. Any above ground floor extension shall be a distance of not less than 2 metres from any party boundary.

4. (a) Where the rear wall of the house does not include a gable, the height of the walls of any such extension shall not exceed the height of the rear wall of the house.
(b) Where the rear wall of the house includes a gable, the height of the walls of any such extension shall not exceed the height of the side walls of the house.

(c) The height of the highest part of the roof of any such extension shall not exceed, in the case of a flat roofed extension, the height of the eaves or parapet, as may be appropriate, or, in any other case, shall not exceed the height of the highest part of the roof of the dwelling.

5. The construction or erection of any such extension to the rear of the house shall not reduce the area of private open space, reserved exclusively for the use of the occupants of the house, to the rear of the house to less than 25 square metres.

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

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

(c) Where the house is detached and the floor area of the extension above ground level exceeds 12 square metres, any window proposed at above ground level shall not be less than 11 metres from the boundary it faces.

7. The roof of any extension shall not be used as a balcony or roof garden.

Assessment

The Section 5 application seeks a declaration as to whether the addition of 2 bedrooms and ensuite by conversion of the attic space for habitation is or is not development or is or is not exempted development.

The details submitted indicate that the proposal will convert the house to a dormer bungalow, windows are rear facing (velux) and flat to the roof. No visual alteration from the road, and no alteration to roof or roof levels. Indicated that there has been no extension/modifications from original permission.

In the first instance it is considered that the conversion of the attic space would involve operations of construction and is therefore works having regard to Section 2 of the Planning and Development Act 2000 (as amended). The works are therefore development given the definition set out in Section 3 of the Act.

Section 4 of the Planning and Development Act 2000 (as amended) provides that

- 4.— (1) The following shall be exempted developments for the purposes of this Act—
- (h) development consisting of the carrying out of works for the maintenance, improvement or other alteration of any structure, being works which affect only the interior of the structure or which do not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure or of neighbouring structures;

The conversion of the attic space does not come within the scope of section 4(1)(h) as it is not works of improvement or other alteration of an existing structure, but rather for the provision of additional floor space.

The relevant exemption Class 1 : Part 1 of Schedule 2 of the Planning and Development Regulations 2001(as amended) i.e.

CLASS 1

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, however given that the attic conversion is an extension at first floor level of 39sqm and therefore it would not meet the provisions of Limitation 1 (c) restricting the exemption i.e.

1. (c) Subject to paragraph (a), where the house is detached, the floor area of any extension above ground level shall not exceed 20 square metres.

The works are therefore development ,and are not exempted development.

Recommendation :

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

the addition of 2 bedrooms and ensuites by conversion of the attic space for habitation at Stratford on Slaney, Baltinglass, Co. Wicklow constitutes exempted development within the meaning of the Planning and Development Acts, 2000(as amended).

The Planning Authority consider that the addition of 2 bedrooms and ensuites by conversion of the attic space for habitation at Stratford on Slaney, Baltinglass, Co. Wicklow **is Development and is Not Exempted development.**

Main Considerations with respect to Section 5 Declaration :

- a) The details submitted with the Section 5 Declaration Application
- b) PRR 06/5720
- c) An Bord Pleanala Declarations RL3544 and ABP-303783-19
- d) Sections 2 , 3 and 4 of the Planning and Development Act 2000 (as amended)
- e) Article 6, 9 and Class 1 : Part 1: Schedule 2 of the Planning and Development Regulations 2001 (as amended).

Main Reasons with respect to Section 5 Declaration :

- (i) The conversion of the attic would involve operations of construction and would therefore come within the meaning of works as set out in Section 2 of the Planning and Development Act 2000(as amended)
- (ii) These works are development having regard to the provisions of Section 3 of the Planning and Development Act 2000(as amended)
- (iii) The conversion of the attic space does not come within the scope of section 4(1)(h) of the Planning and Development Act 2000(as amended) as it is not works of improvement or other alteration of an existing structure, but rather for the provision of additional floor space.
- (iv) The conversion of the attic space would come within the description set out in Class 1: Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended), notwithstanding, as this conversion is the change of the first floor space, the scale of the extended area i.e. 39sqm would not meet limitation set out under 1(c) which requires that
 - 1. (c) *Subject to paragraph (a), where the house is detached, the floor area of any extension above ground level shall not exceed 20 square metres.*

Sei Birmingham

12/3/2026

MEMORANDUM

WICKLOW COUNTY COUNCIL

TO: Maria Harte
Graduate Planner

FROM: Aoife Kinsella
Clerical Officer

**RE: - EX17/2026 - 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 24/02/2026.

The due date on this declaration is the 23/03/2026.



Clerical Officer
Planning Development & Environment



Comhairle Contae Chill Mhantáin
Wicklow County Council

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

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Patrick Linnane
Mulberry Road
Stratford on Slaney
Baltinglass
Co. Wicklow
W91 R1W4

26th February 2026

RE: Application for Certificate of Exemption under Section 5 of the Planning and Development Acts 2000 (as amended). - EX17/2026

A Chara

I wish to acknowledge receipt on 24/02/2026 full details supplied by you in respect of the above Section 5 application. A decision is due in respect of this application by 23/03/2026.

Mise, le meas



Aoife Kinsella
Clerical Officer
Planning, Economic & Rural Development



Wicklow County Council
County Buildings
Wicklow
0404-20100

26/02/2026 11 16 45

Receipt No L1/0/359543

PATRICK LINNANE
INNISHROE HOUSE
STRAFFORD ON SLANEY
BALTINGLASS
CO WICKLOW

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

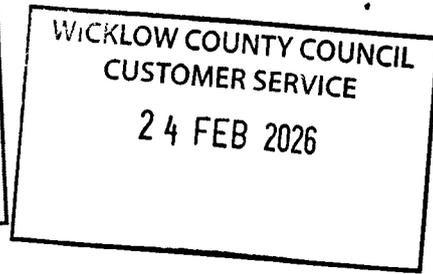
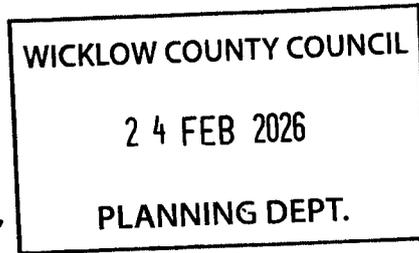
Total 80 00 EUR

Tendered
Credit Card 80 00
CX17/2026

Change 0 00

Issued By Annmarie Ryan
From Customer Service Hub
Vat reg No 0015233H

Dear Ms. Fleming,



Re: Application for a Declaration under Section 5 of the Planning & Development Act 2000 (as amended)

Reference: EX17/2026

Thank you for your correspondence acknowledging receipt of my Section 5 application dated 6th February 2026.

Please find enclosed the follow-up pack containing all requested documentation, including:

- Site location map (Eircode map)
- Floor plans and elevations of the relevant structure
- Site layout plan showing distances to boundaries, rear garden area, and adjoining dwellings/structures

I confirm that all required documents are now submitted to allow the application to be processed.

I will contact the customer care team to arrange payment of the €80 application fee.

Please do not hesitate to contact me should any further information be required.

Yours sincerely,

Patrick Linnane

From: Patrick Linnane
Subject: FW: Application for a Declaration in accordance with Section 5 of the
Planning & Development Act 2000 (as amended) : -EX17/2026
Date: 21 Feb 2026 at 13:11:29
To:

----- Original message -----

From: Nicola Fleming <NFleming@wicklowcoco.ie>
Date: 11/02/2026 09:29 (GMT+00:00)
To:
Subject: FW: Application for a Declaration in accordance with
Section 5 of the Planning & Development Act 2000 (as
amended) : -EX17/2026

I wish to acknowledge receipt of your application for a declaration in
respect of Section 5 for the above proposal on 6th February 2026.

We received your Section 5 application form however this is
incomplete as per our additional notes section and is return
herewith: -

- site location map (an eircode map will suffice)
- Floors plans and elevations of relevant structure
- Site layout plan showing distance to boundaries, rear garden
area, adjoining dwellings/structures

We need these documents to be able to access the application.

Please also call our customer care team on 0404-20100 to make payment
of the €80 fee.

**Application is currently classed as incomplete and decision
date cannot be noted until the above documentation is
received.**

Regards,

Nicola Fleming

Staff Officer

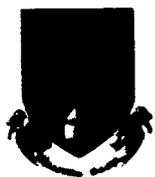
Planning, Economic & Rural Development

WICKLOW COUNTY COUNCIL, COUNTY BUILDINGS, WICKLOW TOWN, A67

FW96

Ph: +353 (0404) 201481 *: nfleming@wicklowcoco.ie

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



Comhairle Chontae Chill Mhantáin Wicklow County Council

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*****"

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Arial View-Includes Velux in existence



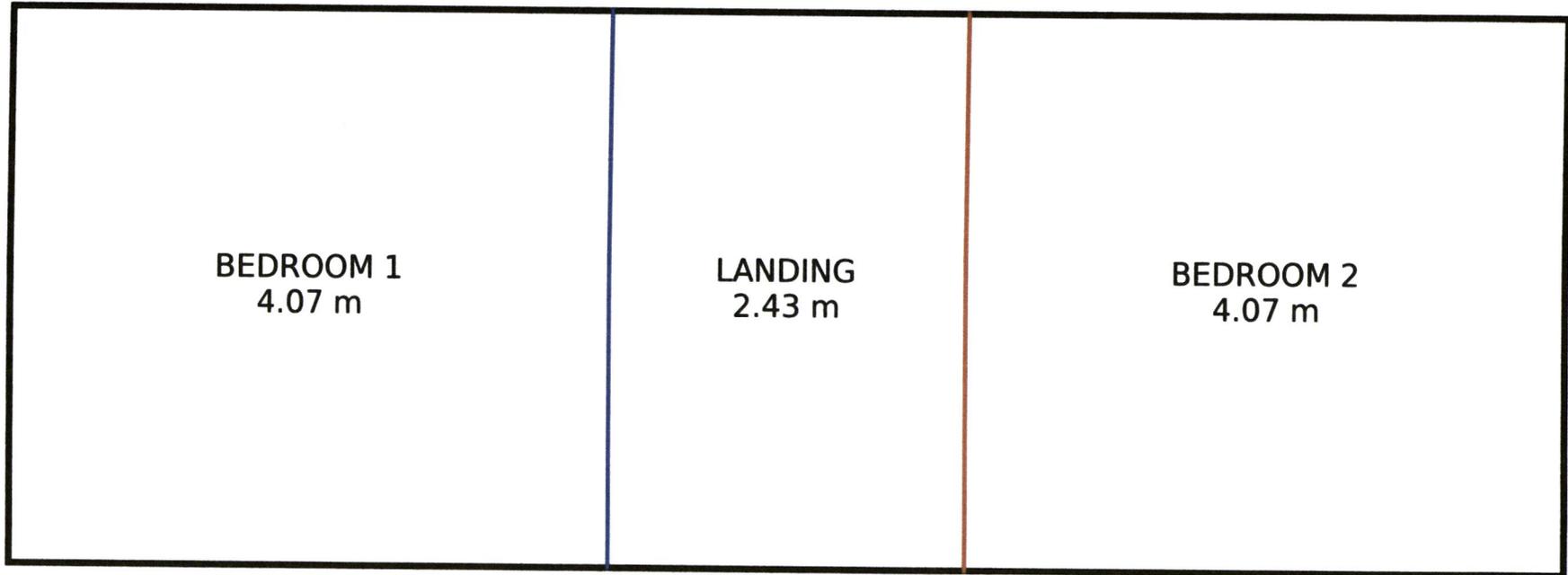
View from Road



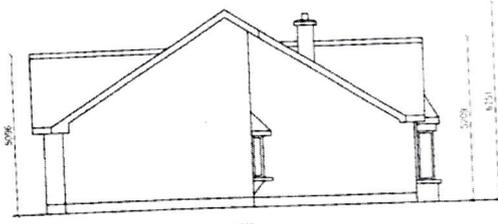
SCALE: 1:100 @ A4

TOTAL AREA: 39.65 sq m

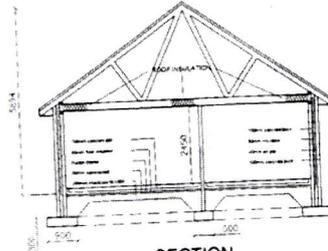
DEPTH: 3.75 m



TOTAL WIDTH: 10.57 m



SIDE ELEVATION



SECTION

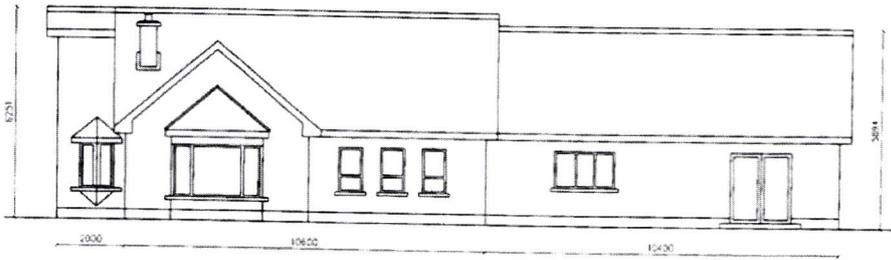
06-03 065710



REAR ELEVATION

Drawings Supplied by
Mark Byrne
Engineering Consultancy
Ballyhook, Grange Con
Co. Wicklow.

Client Ms G Pheian
Drawing No 2
Scale 1/100
Title Proposed Dwelling

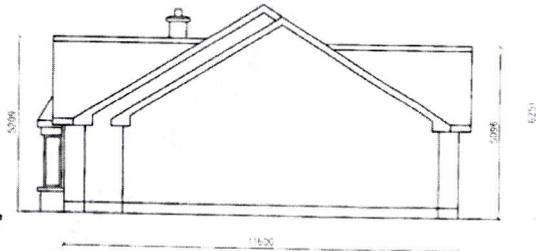


FRONT ELEVATION

WICKLOW COUNTY COUNCIL
 PLANNING DEPT.
 -6-07-06 065720
 RECEIVED
 PLANNING DEPT.

Drawings Supplied by

Mark Byrne
 Engineering Consultancy
 Ballyhook, Grange Con
 Co. Wicklow.



SIDE ELEVATION

Wicklow County Council
 PLANNING DEPT.
 -6-07-06 065720
 RECEIVED
 PLANNING DEPT.

Client Ms G Phelan

Drawing No 1

Scale 1/100

Title Proposed Dwelling

Surveyed 1838
Revised 1908
Levelled

Record PLACE Map



11th CENTRE PT. COORDS
698560.693859

DN 195

DESCRIPTION
Newkirk County Council
SITE PRR No.

-6-07-06 045220

MAP SHEETS 1-10



Printed and Compiled by
Snap Print,
Tallaght Retail Park, Belgard Road,
Tallaght, Dublin 24

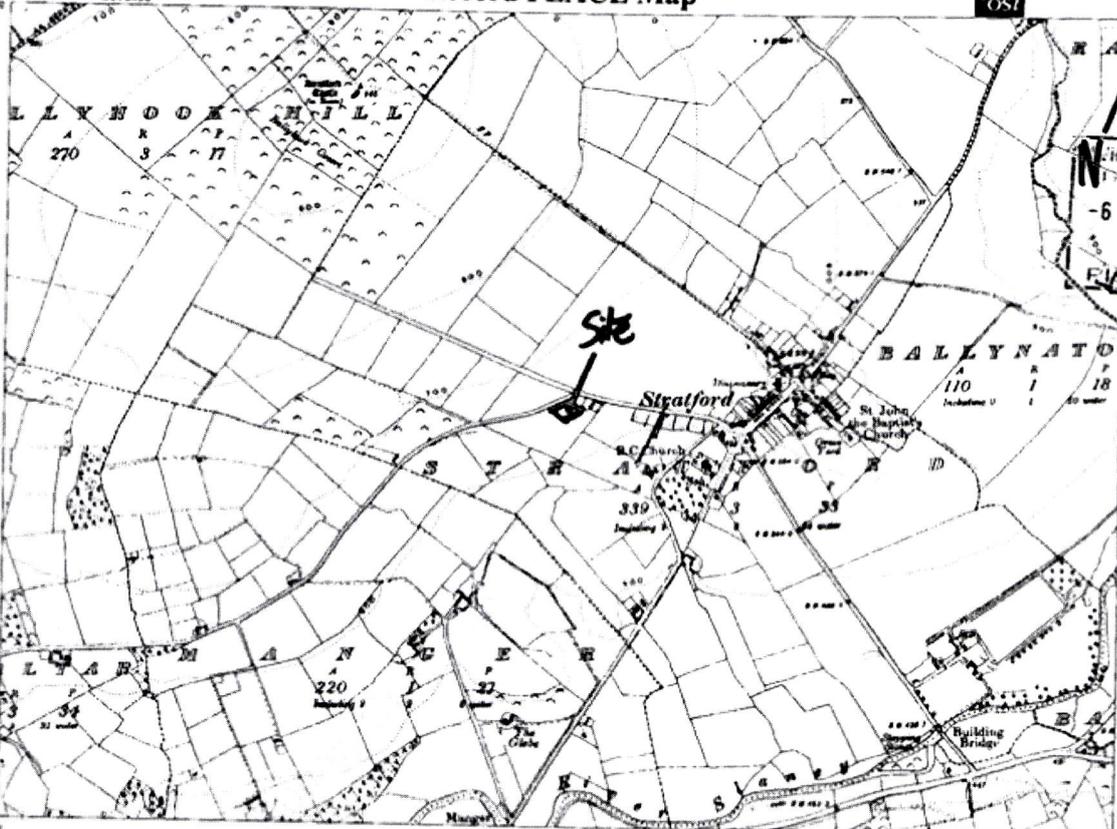
Successors although inaccuracies do not
constitute a warranty or guarantee
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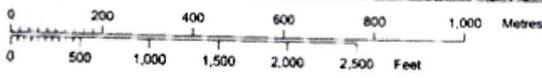
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Scale: 1:10,560
Scala: 1:10,560



Plot Ref No. 1124510_3
Plot Date 04-JUL-2006

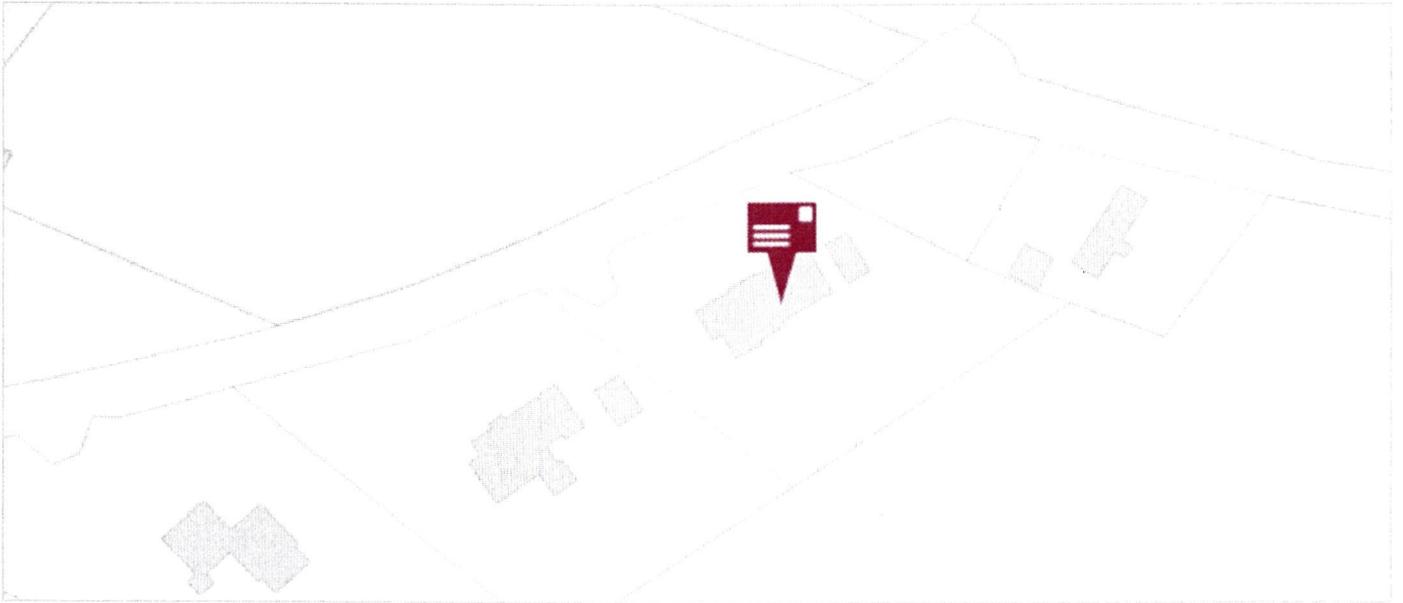
English | Gaeilge

MANGER

STRATFORD-ON-SLANEY

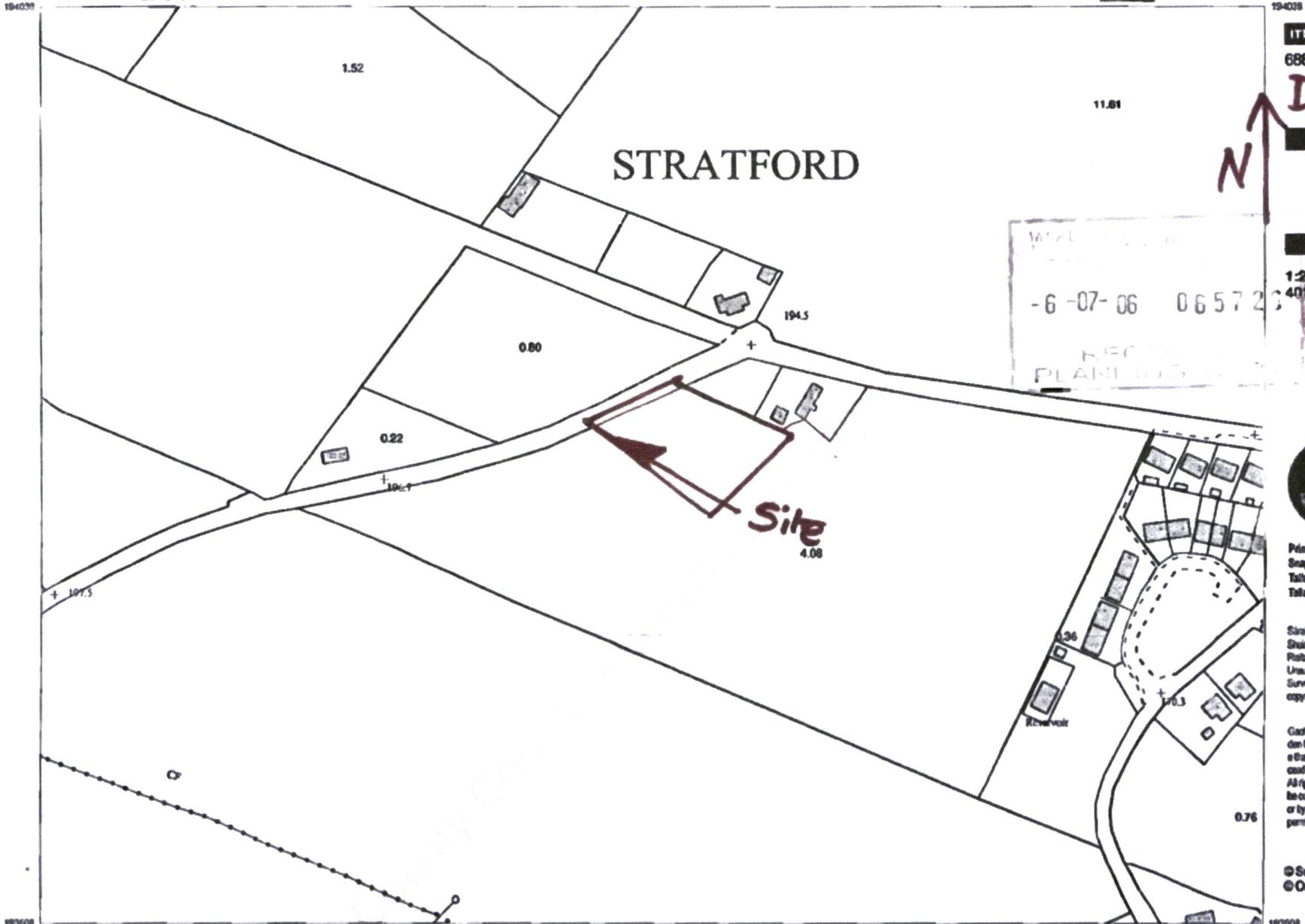
CO. WICKLOW

W91 R1W4



Surveyed 2004
Revised 2004
Levelled

Rural PLACE Map



ITM CENTRE PT. COORDS

688560,693858

DB 176

DESCRIPTION

MAP SHEETS

1:2500
4010-C

Water ...
-6 -07- 06 06572
PLANTING ...



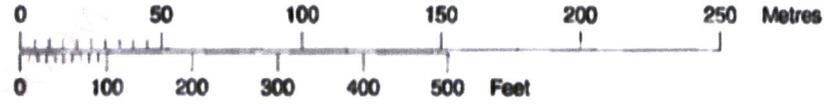
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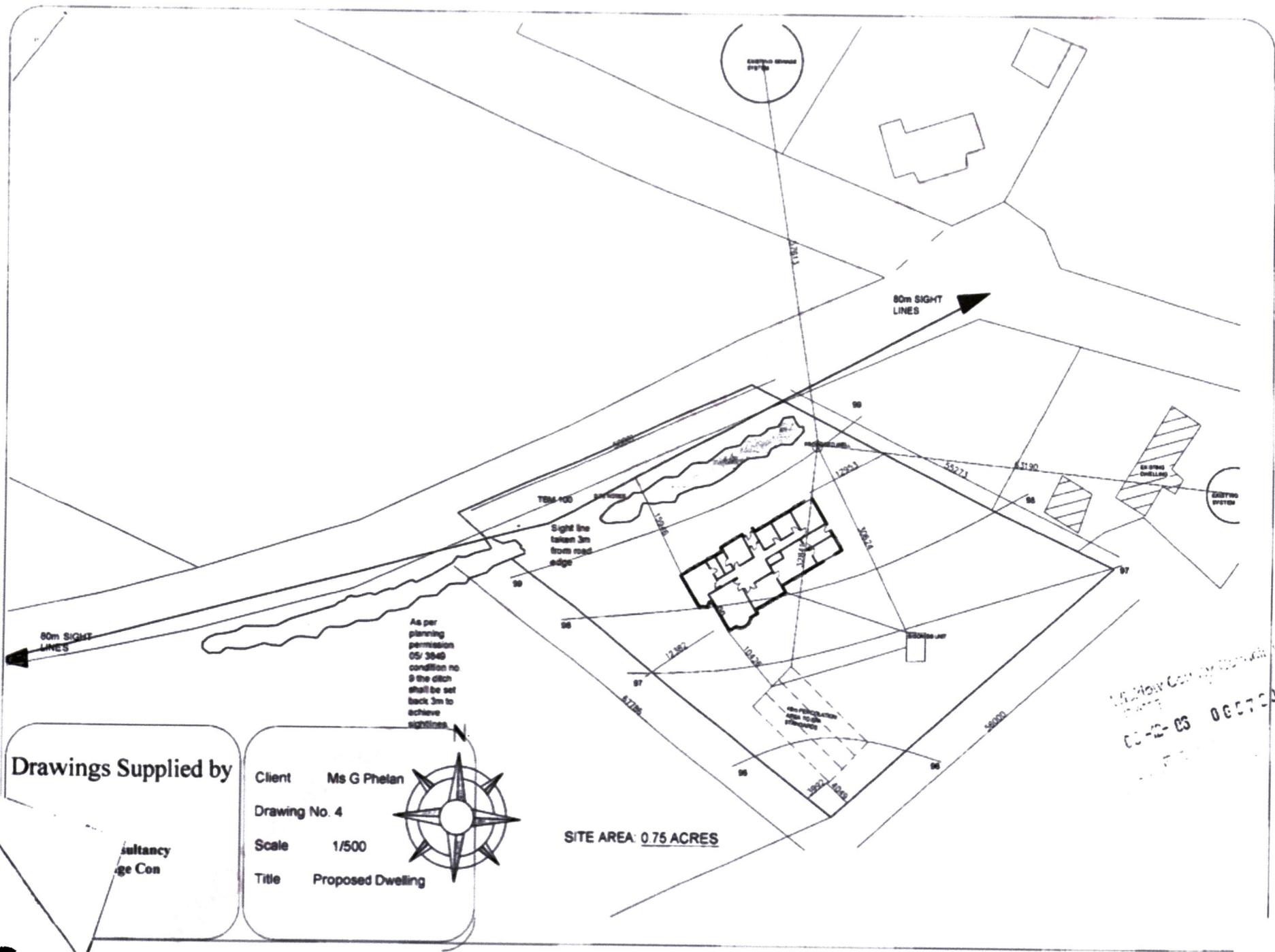
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Scale:- 1:2,500
Scála:- 1:2,500



Plot Ref. No. 1124510_3_2
Plot Date 04-JUL-2006





Drawings Supplied by

ultancy
ge Con

Client Ms G Phelan
 Drawing No. 4
 Scale 1/500
 Title Proposed Dwelling



SITE AREA 0.75 ACRES

Planning Control Department
 03-12-03 08:07:00

Nicola Fleming

From: Nicola Fleming
Sent: Wednesday 11 February 2026 09:17
To:
Subject: FW: Application for a Declaration in accordance with Section 5 of the Planning & Development Act 2000 (as amended) : -EX17/2026

I wish to acknowledge receipt of your application for a declaration in respect of Section 5 for the above proposal on 6th February 2026.

We received your Section 5 application form however this is incomplete as per our additional notes section and is return herewith: -

- site location map (an eircode map will suffice)
- Floors plans and elevations of relevant structure
- Site layout plan showing distance to boundaries, rear garden area, adjoining dwellings/structures

We need these documents to be able to access the application.

Please also call our customer care team on 0404-20100 to make payment of the €80 fee.

Application is currently classed as incomplete and decision date cannot be noted until the above documentation is received.

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
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

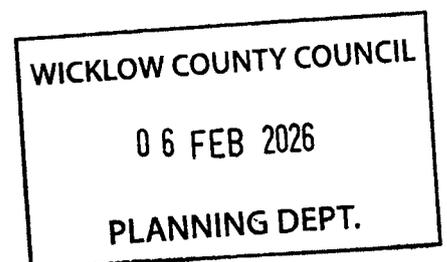
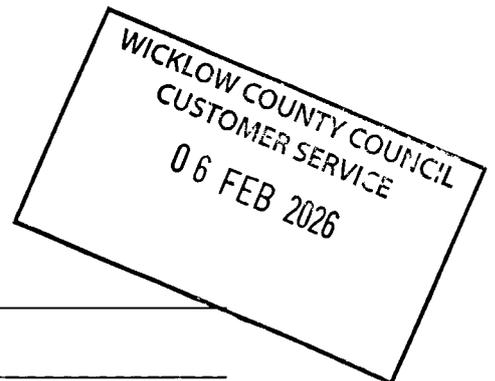
(a) Name of applicant: Patrick Linnane
Address of applicant: Mulberry Road, Stratford on
Staney, Baltinglass (W91 R1W4)

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
Stratford on Slaney, Baltinglass Co Wicklow
W91 R1W4

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, an payment of the prescribed fee, request in writing from the relevant planning authority a declaration on that question. You should therefore set out the query for which you seek the Section 5 Declaration
Is the addition of two bedrooms with en suites in the attic space exempt. This will convert the house to a dormer bungalow windows are rear facing (velux) and flat to the roof. There is no visual alterations viewable from road. ~~Only~~ There is no alteration to roof or roof levels. There has been no extensions/modifications from
Additional details may be submitted by way of separate submission. Planning Pricer

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 _____

viii. Fee of € 80 Attached ? Can pay over phone. Contact details attached.

Signed Patrick Linnone Dated : 02/02/2026

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.