



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

Wicklow Rugby Club
Ashtown Lane
Wicklow
A67 EY02

11th Of February 2026

RE: Declaration in accordance with Section 5 of the Planning & Development Acts
2000 (As Amended) -EX06/2026

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: Wicklow Rugby Football Club

Location: Wicklow Rugby Football Club, Ashtown Lane, Wicklow

Reference Number: EX 06/2026

CHIEF EXECUTIVE ORDER NO. CE/PERD/2026/171

A question has arisen as to whether *“the change of playing surface of the bottom pitch from grass to astro turf. The extent of the change of surface will be the existing playing enclosure, which is approximately 8,000sq.m”* at Wicklow Rugby Football Club, Ashtown Lane, Wicklow is or is not exempted development.

Having regard to:

- The details submitted with this Section 5 Application on the 16/01/2026.
- Sections 2, 3 and 4 of the Planning and Development Act 2000 (as amended).
- Articles 6 and 9 of the Planning and Development Regulations 2001, as amended.
- Class 33(c) of Part 1 Schedule 2 of the Planning and Development Regulations, 2001 (as amended).

Main Reasons with respect to Section 5 Declaration:

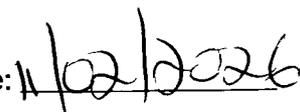
- The replacement of the existing grass surface of the bottom pitch with an astro turf surface is works and is therefore development having regard to Section 3 of the Planning and Development Act 2000 (as amended).
- The proposal would come within the description and limitations as set out under Schedule 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 change of playing surface of the bottom pitch from grass to astro turf. The extent of the change of surface will be the existing playing enclosure, which is approximately 8,000sq.m”* at Wicklow Rugby Football Club, Ashtown Lane, 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/2026/171

Reference Number: EX 06/2026

Name of Applicant: Wicklow Rugby Football Club

Nature of Application: Section 5 Referral as to whether *"the change of playing surface of the bottom pitch from grass to astro turf. The extent of the change of surface will be the existing playing enclosure, which is approximately 8,000sq.m"* is or is not development and is or is not exempted development.

Location of Subject Site: Wicklow Rugby Football Club, Ashtown Lane, Wicklow

Report from: Patrice Ryan, SEP

With respect to the query under Section 5 of the Planning & Development Act 2000 as to whether *"the change of playing surface of the bottom pitch from grass to astro turf. The extent of the change of surface will be the existing playing enclosure, which is approximately 8,000sq.m"* at Wicklow Rugby Football Club, Ashtown Lane, 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 this Section 5 Application on the 16/01/2026.
- b) Sections 2, 3 and 4 of the Planning and Development Act 2000 (as amended).
- c) Articles 6 and 9 of the Planning and Development Regulations 2001, as amended.
- d) Class 33(c) of Part 1 Schedule 2 of the Planning and Development Regulations, 2001 (as amended).

Main Reasons with respect to Section 5 Declaration:

1. The replacement of the existing grass surface of the bottom pitch with 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 change of playing surface of the bottom pitch from grass to astro turf. The extent of the change of surface will be the existing playing enclosure, which is approximately 8,000sq.m"* at Wicklow Rugby Football Club, Ashtown Lane, Wicklow is development and is exempted development as recommended in the planning reports.

Signed:

P. O'Leary

Date:

11/02/2026

ORDER:

I HEREBY DECLARE:

That "the change of playing surface of the bottom pitch from grass to astro turf. The extent of the change of surface will be the existing playing enclosure, which is approximately 8,000sq.m" at Wicklow Rugby Football Club, Ashtown Lane, Wicklow is development and is exempted development within the meaning of the Planning & Development Acts 2000 (as amended).

Signed:

S. E. Donoghue TSP

Date:

11/2/2026

T/Senior Planner

Planning, Economic & Rural Development



WICKLOW COUNTY COUNCIL
Planning Department

Section 5 – Application for declaration of Exemption Certificate

Ref:	EX06/2026
Name:	Wicklow Rugby Club
Development:	Change playing surface of the bottom pitch (outlined in red in the attached “Plan 2: Bottom Pitch outlined in red”) from grass to astro turf. The extent of the change of surface will be the existing playing enclosure, which is approximately 8,000sq.m.
Location:	Wicklow Rugby Club, Ashtown Lane, Wicklow, A67 EY02

Application Site

The application site is located within the grounds of Wicklow Rugby Club and comprises of the eastern most pitch.

Planning History

23/547: Planning permission **GRANTED** for flood lighting to training pitch including 2 No. 18.3m high static columns with total 8 No. LED sports light fittings.

18/929: Planning permission granted for a viewing stand to be located on west side of main playing pitch and flood lighting to training area including 2 no 15m high LSG static columns and 6 no 1500W Musco LSG light fittings.

17/134: Planning permission **GRANTED** for extension (170 sqm) to side (south) of existing clubhouse comprising of a gym / indoor training area and ancillary circulation area together with minor amendments to internal layout of existing clubhouse and rear (west and north) elevations.

17/138: Planning permission **GRANTED** for upgrades to the existing sewage treatment system comprising of the provision of a proposed package sewage treatment unit and soil polishing filter in accordance with EPA 2009 standards to serve existing clubhouse facilities.

15/408: Planning permission **GRANTED** to erect 10 no. 20m high galvanised poles to carry new ball stop net system, 6 of which will be erected on the eastern boundary of the lower pitch, 2 of which will be erected on the north end of the lower pitch and 2 of which will be erected on the south end of the lower pitch along with all associated ancillary works.

13/8398: Planning permission **GRANTED** for an extension to existing pitches and training area which will include drainage, filling to required level and all associated ancillary works.

10/2549: Planning permission **GRANTED** for a single storey extension to provide new gym facility to existing clubhouse.

08/1915: Planning permission GRANTED for four lamp standards of c 21m tall, with 50 floodlights to provide c350 lux to main pitch and c 100 lux to training pitch together with electrical power generator.

00/2460: Planning permission GRANTED for extension and alterations to provide for a new gym, showers and lounge areas to clubhouse.

Enforcement: None found in relation to the application site.

Details Submitted

Application form and aerial photograph with the site outlined in red and a second aerial photograph with the lands within the ownership of the applicant outlined in blue.

Section 5 Referral

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

Change of playing surface of the bottom pitch from grass to astro turf. The extent of the change of surface will be the existing playing enclosure, which is approximately 8,000sq.m.

At Wicklow Rugby Club, Ashtown Lane, Wicklow, A67 EY02.

Legislative Context:

Planning and Development Act 2000 (as amended)

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

'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 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): *"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."*

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.

Assessment:

The Section 5 declaration application seeks an answer with respect to the following question i.e. whether or not the following is or is not exempted development:

Change of playing surface of the bottom pitch from grass to astro turf. The extent of the change of surface will be the existing playing enclosure, which is approximately 8,000sq.m,

At Wicklow Rugby Club, Ashtown Lane, Wicklow, A67 EY02.

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 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.

I am satisfied that the proposal involves works to the existing land and therefore constitutes development.

The works would come within the description of Class 33 (c) of Article 6, Schedule 2, Part 1 of the Planning and Development Regulations 2001 (as amended) which refers to:

Class33(c)

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

These exemptions however are subject to the restriction set out under Article 9 of the Planning and Development Regulations 2001 (as amended) which provides that development to which article 6 relates shall not be exempted development for the purposes of the Act;

“(b) in an area to which a special amenity area order relates, if such development would be development:— (i) of class 1, 3, 11, 16, 21, 22, 27, 28, 29, 31, (other than paragraph (a) thereof), 33 (c)

(including the laying out and use of land for golf or pitch and putt or sports involving the use of motor vehicles, aircraft or firearms), 39, 44 or 50(a) specified in column 1 of Part 1 of Schedule 2”,

The application site is located within the Wicklow Town -Rathnew LAP 2025 and is Zoned AOS –Active Open Space. The proposal is for the replacement of the existing grassed surface pitch with an astro tuft surface. None of the conditions attached to any of the grants of planning permission as outlined in the Planning History above, would de-exempt the works proposed as part of this Section 5 Declaration. No changes are proposed to the ground level of the pitch area and no changes are proposed to the size of the pitch. No other structures are proposed to be erected as part of this Section 5 Declaration.

It is therefore considered that the proposed works fall within the exempted development 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:

Change of playing surface of the bottom pitch from grass to astro turf. The extent of the change of surface will be the existing playing enclosure, which is approximately 8,000sq.m,

At Wicklow Rugby Club, Ashtown Lane, Wicklow, A67 EY02, constitutes exempted development within the meaning of the Planning and Development Acts, 2000(as amended).

The Planning Authority therefore considers that the proposal as described in the documents and details submitted as part of this Section 5 **would constitute development and is exempted development under Class33(c) of Part 1 Schedule 2 of the Planning and Development Regulations, 2001 (as amended).**

Main Considerations with respect to Section 5 Declaration:

- a) The details submitted with this Section 5 Application on the 16/01/2026.
- b) Sections 2, 3 and 4 of the Planning and Development Act 2000 (as amended).
- c) Articles 6 and 9 of the Planning and Development Regulations 2001, as amended.
- d) Class 33(c) of Part 1 Schedule 2 of the Planning and Development Regulations, 2001 (as amended).

Main Reasons with respect to Section 5 Declaration :

- The replacement of the existing grass surface of the bottom pitch with 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.



Patrice Ryan
Senior Executive Planner

11/02/2026

MEMORANDUM

WICKLOW COUNTY COUNCIL

**TO: Emma Willis
Assistant Planner**

**FROM: Nicola Fleming
Staff Officer**

**RE:- EX06/2026 - 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 16/01/2026

The due date on this declaration is the 12/02/2026.



**Staff 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

Wicklow Rugby Club
Ashtown Lane
Wicklow
A67 EY02

20th January 2026

RE: Application for Certificate of Exemption under Section 5 of the Planning and Development Acts 2000 (as amended). – EX06/2026

A Chara

I wish to acknowledge receipt on 16/01/2026 full details supplied by you in respect of the above Section 5 application. A decision is due in respect of this application by 12/02/2026.

Mise, le meas

Nicola Fleming
Staff Officer
Planning, Economic & Rural Development



Wicklow County Council
County Buildings
Wicklow
0404-20100

16/01/2026 13 21 38

Receipt No L1/0/357487
***** REPRINT *****

WICKLOW RFC
ASHTOWN LANE
WICKLOW

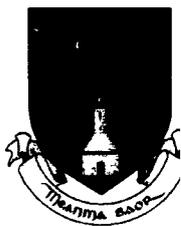
EXEMPTION CERTIFICATES	80 00
GOODS	80 00
VAT Exempt/Non-vatable	

Total 80 00 EUR

Tendered
Credit Card 80 00

Change 0 00

Issued By Annmarie Ryan
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: Wicklow Rugby Football Club
Address of applicant: Ashtown Lane, Wicklow, A67 EY02

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

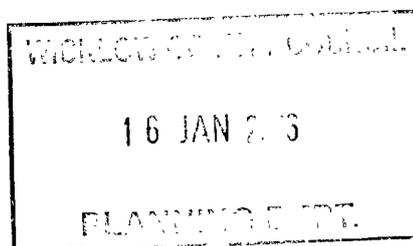
2. Agents Details (Where Applicable)

- (b) Name of Agent (where applicable) N/A

Address of Agent : _____

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

3. Declaration Details



i. Location of Development subject of Declaration

Wicklow Rugby Football Club, Ashtown Lane, Wicklow, A67 EY02

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

Wicklow Rugby Football Club is looking to change the playing surface of the bottom pitch (outlined in red in the attached "Plan 2: Bottom Pitch outlined in red") from grass to astro turf. The extent of the change of surface will be the existing playing enclosure, which is approximately 8,000m².

v. Indication of the Sections of the Planning and Development Act or Planning Regulations you consider relevant to the Declaration

Section 3 of the Planning and Development Act, 2000 (as amended).
Schedule 2, Part 1, Class 33(c) of the Planning & Development Regulations 2001(as amended)

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

Site Layout: Wicklow RFC Grounds outline in blue

Plan 2: Bottom Pitch outlined on red

viii. Fee of € 80 Attached ? Yes

Signed :  Dated : 16th Jan 2026
Dunan Duke
Chairman, WRFC

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.

Plan 2: Bottom Pitch outlined in red



Site Layout: Wicklow RFC Grounds outlined in blue

