



# Comhairle Contae Chill Mhantáin Wicklow County Council

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

Áras An Chontae / County Buildings  
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Rphost / Email: [plandev@wicklowcoco.ie](mailto:plandev@wicklowcoco.ie)  
Suíomh / Website [www.wicklow.ie](http://www.wicklow.ie)

Stephen Loughman  
2 Glenherbert  
Dargle Road  
Bray  
Co. Wicklow  
A98 HW62

12<sup>th</sup> Of February 2026

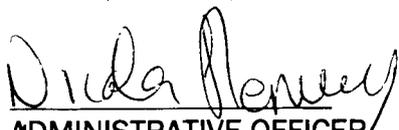
RE: Declaration in accordance with Section 5 of the Planning & Development Acts  
2000 (As Amended) -09/2026

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

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

Applicant: Stephen Loughman

Location: 2 Glenherbert, Dargle Road, Bray, Co. Wicklow

Reference Number: EX 09/2026

CHIEF EXECUTIVE ORDER NO. CE/PERD/2026/170

A question has arisen as to whether *"the installation of external insulation to a depth of 100mm and render finish to the external elevations"* at 2 Glenherbert, Dargle Road, Bray, Co. Wicklow is or is not exempted development.

Having regard to:

- The details submitted with the Section 5 Declaration application
- 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).

Main Reasons with respect to Section 5 Declaration:

- The installation of external insulation with render finish 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).
- The works are development given the provisions of Section 3(1) (a) of the Planning and Development Act 2000 (as amended).
- The external insulation is considered to come within the provisions 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, given the existing finishes of the dwelling along the Dargle Road, which have a variety of finishes to the front elevations.

**The Planning Authority considers that "the installation of external insulation to a depth of 100mm and render finish to the external elevations" at 2 Glenherbert, Dargle Road, Bray, 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/2026/170

Reference Number: EX 09/2026

Name of Applicant: Stephen Loughman

Nature of Application: Section 5 Referral as to whether "*the installation of external insulation to a depth of 100mm and render finish to the external elevations*" is or is not development and is or is not exempted development.

Location of Subject Site: 2 Glenherbert, Dargle Road, Bray, 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 "*the installation of external insulation to a depth of 100mm and render finish to the external elevations*" at 2 Glenherbert, Dargle Road, Bray, 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) 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).

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

- (a) The installation of external insulation with render finish 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 external insulation is considered to come within the provisions 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, given the existing finishes of the dwelling along the Dargle Road, which have a variety of finishes to the front elevations.

**Recommendation**

The Planning Authority considers that "*the installation of external insulation to a depth of 100mm and render finish to the external elevations*" at 2 Glenherbert, Dargle Road, Bray, Co. Wicklow is development and is exempted development as recommended in the planning reports.

Signed: Dickie Denny

Date: 11/02/2026

ORDER:

I HEREBY DECLARE:

That "the installation of external insulation to a depth of 100mm and render finish to the external elevations" at 2 Glenherbert, Dargle Road, Bray, Co. Wicklow is development and is exempted development within the meaning of the Planning & Development Acts 2000 (as amended).

Signed: Eda Denny

T/Senior Planner

Planning, Economic & Rural Development

Date: 12/2/2026



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

**Ref:** EX09/2026  
**NAME:** STEPHEN LOUGHMAN  
**Development:** Application for Certificate of Exemption under Section 5 of the Planning & Development Act 2000 (as amended). RE: External Insulation  
**Location:** 5 Glenherbert, Dargle Road, Bray, Co. Wicklow

The Site: The subject site lies within Bray Town along the northern boundary of the River Dargle overlooking Bray Commons. The dwelling is semi-detached with a smooth unpainted render.



Image Subject site.

**Question:** *Whether or not:*  
 installation of external insulation to a depth of 100mm and render finish to the external elevations constitutes exempted development within the meaning of the Planning and Development Acts, 2000(as amended).

**Relevant Planning History**

Subject site:

**REF:** 20/280- vehicular entrance with car parking to front with connection to all services and associated site works.

**Relevant Legislation:**

**Planning and Development Act, 2000 (as amended):**

**Section 2**

“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 (iii)*;

“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 (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;

**Relevant Planning: Wicklow County Development Plan 2022-2028**

Zoning Objective: RE: Existing Residential under Bray MD LAP 2018-2024

To protect, provide and improve residential amenities of existing residential areas

Appendix 1 – Section 1.2 outlines measures to address climate action.

Section 1.2.2 states:

*‘Energy efficiency’ in building design relates to:*

a. *reducing the amount of energy used in the building and*

b. *Increasing the use of renewable sources of energy.*

*There are a number of ways in which both can be achieved:*

- *High quality insulation, which will minimise heat loss and therefore reduce demand for heat generation;*

### **Details of Query: Proposal**

In accordance with the details submitted with Section 5 application:

It is proposed to install external insulation on the external walls of the semi-detached dwelling, to a depth of 100mm. It is stated that this depth will also include a render finish and that this will enhance energy efficiency. The dwelling is not a Protected Structure.

### **Assessment**

The application seeks a declaration as to whether the;

installation of external insulation to a depth of 100mm and render finish (112mm combined) to the external elevations of

2 Glenherbert, Dargle Road, Bray is development and is or is not exempted development:

The existing finish of the subject dwelling and some other dwellings along Lower Dargle Road is a smooth render finish. Some of the dwellings are of pebble-dash. The subject site is unpainted while some along the road are painted. While the attached dwelling to the east is also unpainted there are semi-detached houses along this road where one is painted and the other remains unpainted.



Houses on Lower Dargle Road with differing finishes;



The first question to be asked therefore is whether or not development is taking place. The installation of insulation would it is considered be works as it would involve the placement of external rigid panels of insulation to the dwelling and the applying a final render finish. This operation would be acts of construction / alteration and therefore are works having regard to the definition set out in Section 2 of the Planning and Development Act 2000(as amended). These 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'.*

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 installation of insulation on the external walls are considered to be works of maintenance/improvement to the dwelling. As identified the finishes along the Dargle road vary from smooth finished render to pebble-dashed including painted and unpainted.

It is therefore considered that given the mix of finishes along the Dargle Road, the external insulation would not materially affect the external appearance so as to render the appearance inconsistent with the character of the structure or of neighbouring structures.

The external insulation would it is considered come within the provisions of *Section 4(1)(h)* of the Planning and Development Act 2000(as amended) as they would affect the external appearance however the impact 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.

### **Recommendation**

With respect to the query under Section 5 of the Planning and Development Act 2000, as to whether: installation of external insulation to a depth of 100mm and render finish to the external elevations of 2 Glenherbert, Dargle Road, Bray is development and is or is not exempted development:

The Planning Authority considers that:

The installation of external insulation to a depth of 100mm and render finish **is development and is exempted development.**

#### Main Considerations with respect to Section 5 Declaration:

- a) The details submitted with the Section 5 Declaration application
- 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).

#### Main Reasons with respect to Section 5 Declaration :

- (a) The installation of external insulation with render finish 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 external insulation is considered to come within the provisions 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, given the existing finishes of the dwelling along the Dargle Road, which have a variety of finishes to the front elevations.

*Maria Harte G.P.*

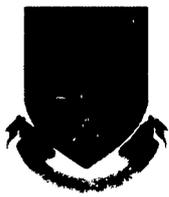
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Maria Harte (G.P.)

Dated: 10/02/2026

*Paul S. Harte*  
10/2/2026 TJS





**COMHAIRLE CONTAE CHILL MCHANTÁIN**  
**Wicklow County Council**

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

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**MEMORANDUM**

**WICKLOW COUNTY COUNCIL**

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**TO: Maria Harte**                      **FROM: Nicola Fleming**  
**Graduate Planner**                      **Staff Officer**

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**RE:- EX09/2026 - 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 22/01/2026

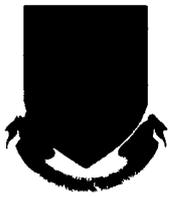
The due date on this declaration is the 18/02/2026.



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**Staff 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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Stephen Loughman  
2 Glenherbert  
Dargle Road  
Bray  
Co. Wicklow  
A98 HW62

27<sup>th</sup> January 2026

**RE: Application for Certificate of Exemption under Section 5 of the Planning and Development Acts 2000 (as amended). – EX09/2026**

A Chara

I wish to acknowledge receipt on 22/01/2026 full details supplied by you in respect of the above Section 5 application. A decision is due in respect of this application by 18/02/2026.

Mise, le meas

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



## .Nicola Fleming

**From:** Stephen Loughman  
**Sent:** Thursday 22 January 2026 14:21  
**To:** Nicola Fleming  
**Subject:** Re: FW: Section 5 application EX09/2026

**External Sender - From: (Stephen Loughman)**

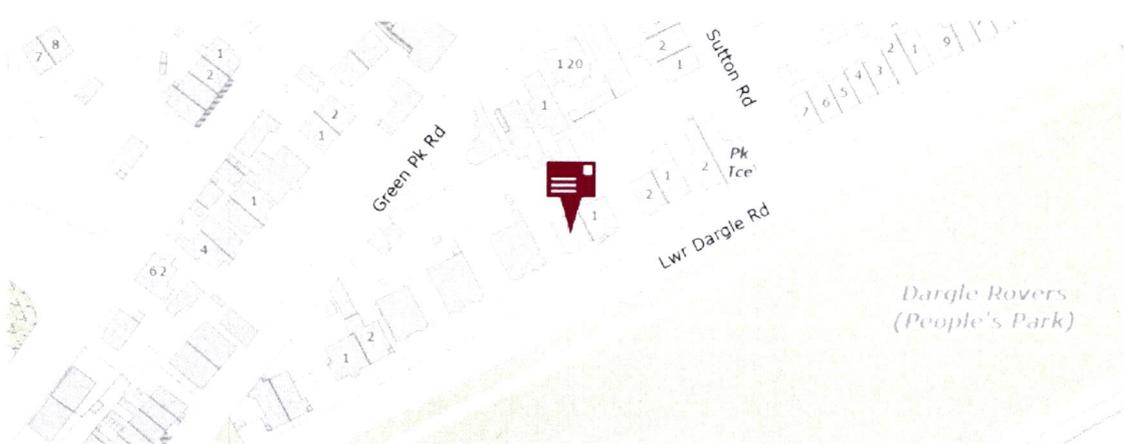
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Hi Nicola,

The Eircode map is below:



The proposed external insulation is 100mm, when finished with render it is c 112mm combined.

Regards,

Stephen Loughman

On Thu, 22 Jan 2026 at 09:37, Nicola Fleming <[NFleming@wicklowcoco.ie](mailto:NFleming@wicklowcoco.ie)> wrote:

I wish to acknowledge receipt of your application for a declaration in respect of Section 5 of the Planning & Development Act 2000 as amended on 20/01/2026. The following is required in order to assess this application.

1. Please submit a site location map (eircode map will suffice).
2. Details in relation to the external insulation (i.e. the depth)

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

Nicola Fleming

Staff Officer

Planning, Economic & Rural Development

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

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

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



Comhairle Chontae Chill Mhantáin  
Wicklow County Council

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\*\*\*\*\*

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

## Nicola Fleming

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**From:** Nicola Fleming  
**Sent:** Thursday 22 January 2026 09:38  
**To:**  
**Subject:** FW: Section 5 application EX09/2026

I wish to acknowledge receipt of your application for a declaration in respect of Section 5 of the Planning & Development Act 2000 as amended on 20/01/2026. The following is required in order to assess this application.

1. Please submit a site location map (eircode map will suffice).
2. Details in relation to the external insulation (i.e. the depth)

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

*Nicola Fleming*

Staff Officer

Planning, Economic & Rural Development

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

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

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



Comhairle Chontae Chill Mhantáin  
Wicklow County Council

Wicklow County Council  
County Buildings  
Wicklow  
0404-20100

16/01/2026 12 30 02

Receipt No L1/0/357475

STEPHEN LOUCHMAN  
1 BRAIR WOOD  
BRAY  
WICKLOW

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

Total 80 00 EUR

Tendered  
Credit Card 80 00  
2 GLENHERBERT DARGLE RD

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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: Stephen Loughman  
Address of applicant: 2 Glenherbert, Dargle Road, Bray, Co. Wicklow  
A98 HW62

**2. Agents Details (Where Applicable)**

N/A

**3. Declaration Details**

Location of Development subject of Declaration:

2 Glenherbert, Dargle Road, Bray, Co. Wicklow A98 HW62

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

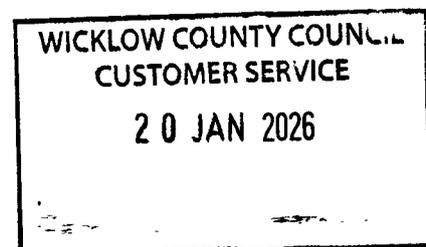
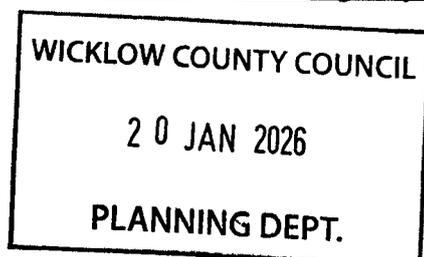
Owner Yes, Occupier No

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

Occupier: Mark Loughman

- 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

As recommended by the SEAI, we propose to add external insulation to the entire property in order to improve the energy efficiency of the building. The works will be managed by an SEAI approved contractor (Energlaze Ltd.).



The external insulation system will be finished with a render that is consistent in colour, texture, and overall appearance with the existing external finish of the building, so as to maintain the current visual character and appearance of the property.

No alterations are proposed to the height, roof profile, footprint, or architectural detailing of the building, and the works will not materially alter the external appearance of the structure.

We seek a declaration under Section 5 of the Planning and Development Act 2000 (as amended) as to whether the proposed installation of external insulation and associated render finish constitutes development and, if so, whether it is exempted development

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

We consider the following to be relevant to the declaration sought:

- Section 3 of the Planning and Development Act 2000 (as amended), relating to the definition of “development”.
- Section 4(1) of the Planning and Development Act 2000 (as amended), relating to exempted development.
- Article 9 of the Planning and Development Regulations 2001 (as amended), relating to exemptions from development; and
- Schedule 2, Part 1, Class 1 of the Planning and Development Regulations 2001 (as amended), relating to the improvement or alteration of a dwelling house.

- vi. Does the Declaration relate to a Protected Structure or is it within the curtilage of a Protected Structure (or proposed protected structure)?

The subject dwelling house is not a Protected Structure, a proposed Protected Structure, and is not located within the curtilage of a Protected Structure or proposed Protected Structure.

- vii. List of Plans, Drawings submitted with this Declaration Application

No plans or drawings accompany this application. The proposed works are limited to the application of external insulation and a render finish and do not alter the building’s footprint, height, or structural elements.

- viii. Fee of € 80 Attached? Previously paid by telephone

Signed:  Dated: 16/1/26