## WICKLOW COUNTY COUNCIL

## PLANNING & DEVELOPMENT ACTS 2000 (As Amended) SECTION 5

Director of Services Order No:

1898/2022

Reference Number:

EX 66/2022

Name of Applicant: Alan & Pauline Smith C/O PD Lane & Associates

Nature of Application: Section 5 Referral as to whether "Existing lift facility and adjacent window to side of Shannagh Bay Nursing Home" is or is not exempted development.

Location of Subject Site: Shannagh Bay Nursing Home, 2-3 Fitzwilliam Terrace, Strand Road, Bray, Co Wicklow

Report from Patrice Ryan EP & Edel Bermingham SEP

With respect to the query under Section 5 of the Planning & Development Act 2000 as to whether "Existing lift facility and adjacent window to side of Shannagh Bay Nursing Home" is or is not exempted development within the meaning of the Planning & Development Act 2000 (as amended)

## Having regard to:

- The details submitted under Section 5 Declaration on the 26/10/2022.
- Sections 2(1), 3(1) and 4(1)h, of the Planning and Development Act 2000 (as amended)

## Main Reasons with respect to Section 5 Declaration:

- a) The development does not accord with the provisions of Schedule 2. Article 6, Part 1-Exempted Development (General) of the Planning and Development Regulations 2001 (as amended) in particular Class 41(e), as no conditions were attached to any of the Fire Safety Certificates submitted requiring the construction of this structure which houses a lift shaft. All fire safety certificates were granted subject to no conditions and therefore cannot be considered to be exempted development under Class 41(e) of Schedule 2. Article 6, Part 1 of the Planning and Development Regulations 2001 (as amended)
- b) The structure is considered to be an external standalone fire escape which is specified as not been exempt development under Class 41(e) as outlined above.

c) The development comprises a 3 storey structure which would materially affect the external appearance of the structure and would render it inconsistent with the character of the structure and therefore does not come within the exempted development described under Sections 4(1) h, of the Planning and Development Act 2000 (as amended).

#### Recommendation

The Planning Authority considers that "Existing lift facility and adjacent window to side of Shannagh Bay Nursing Home" is development and is not exempted development as recommended in the planning reports.

Signed EdD. Rod	Dated 2day of November 2022
ORDER:	

That a declaration to issue stating:

That "Existing lift facility and adjacent window to side of Shannagh Bay Nursing Home" is development and is not exempted development within the meaning of the Planning & Development Acts 2000 (as amended).

Signed: \_ 2022

Director of Services

Planning Development & Environment

Dated 22 day of November



# Comhairle Contae Chill Mhantáin Ulicklow County Council

Forbairt Pleanála agus Comhshaol Planning Development and Environment Cill Mhantáin / Wicklow Guthán / Tel: (0404) 20148 Faics / Fax: (0404) 69462 Rphost / Email: plandev@wicklowcoco Suíomh / Website: www.wicklow.ie

Áras An Chontae / County Buildings

Alan & Pauline Smith C/O PD Lane Associates 1 Church Road Greystones Co Wicklow

2 November 2022

RE: Declaration in accordance with Section 5

of the Planning & Development Acts 2000 (As Amended)

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

Exemption Ref No: EX 66/2022

Applicant:

Alan & Pauline Smith C/O PD Lane & Associates

**Nature of Application:** 

"Existing lift facility and adjacent window to side of

Shannagh Bay Nursing Home"

Location:

Shannagh Bay Nursing Home, 2-3 Fitzwilliam

Terrace, Strand Road, Bray, Co Wicklow

Where a Declaration is used under this Section any person issued with a Declaration under subsection (2) (a) may, on payment to An Bord Pleanala 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,

ADMINISTRATIVE OFFICER

PLÄNNING DEVELOPMENT & ENVIRONMENT.



## Comhairle Contae Chill Mhantáin Uicklow County Council

Áras An Chontae / County Buildings Cill Mhantáin / Wicklow Guthán / Tel: (0404) 20148 Faics / Fax: (0404) 69462 Rphost / Email: plandev@wicklow.coc Suíomh / Website: www.wicklow.ie

## Forbairt Pleanála agus Comhshaol Planning Development and Environment

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

Applicant: Alan & Pauline Smith C/O PD Lane & Associates

Location: Shannagh Bay Nursing Home, 2-3 Fitzwilliam Terrace, Strand Road, Bray, Co Wicklow

#### **DIRECTOR OF SERVICES ORDER NO 1898/2022**

A question has arisen as to whether "Existing lift facility and adjacent window to side of Shannagh Bay Nursing Home" is or is not exempted development.

#### Having regard to:

- The details submitted under Section 5 Declaration on the 26/10/2022.
- Sections 2(1), 3(1) and 4(1)h, of the Planning and Development Act 2000 (as amended)

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

- a) The development does not accord with the provisions of Schedule 2. Article 6, Part 1-Exempted Development (General) of the Planning and Development Regulations 2001 (as amended) in particular Class 41(e), as no conditions were attached to any of the Fire Safety Certificates submitted requiring the construction of this structure which houses a lift shaft. All fire safety certificates were granted subject to no conditions and therefore cannot be considered to be exempted development under Class 41(e) of Schedule 2. Article 6, Part 1 of the Planning and Development Regulations 2001 (as amended)
- b) The structure is considered to be an external standalone fire escape which is specified as not been exempt development under Class 41(e) as outlined above.
- c) The development comprises a 3 storey structure which would materially affect the external appearance of the structure and would render it inconsistent with the character of the structure and therefore does not come within the exempted development described under Sections 4(1) h, of the Planning and Development Act 2000 (as amended).



# Comhairle Contae Chill Mhantáin Wicklow County Council

Forbairt Pleanála agus Comhshaol Planning Development and Environment Áras An Chontae / County Buildings Cill Mhantáin / Wicklow Guthán / Tel: (0404) 20148 Faics / Fax: (0404) 69462 Rphost / Email: plandev@wicklowcocc Suíomh / Website: www.wicklow.ie

The Planning Authority considers that "Existing lift facility and adjacent window to side of Shannagh Bay Nursing Home" is development and is not exempted development.

Signed:

ADMINISTRATIVE OFFICER

PLANNING DEVELOPMENT & ENVIRONMENT

Dated 22 November 2022



#### WICKLOW COUNTY COUNCIL

#### **Planning Department**

#### Section 5 - Application for declaration of Exemption Certificate

Ref: EX 66/2022

Name: Alan and Pauline Smith

Development: Existing lift facility and adjacent window to side of Shannagh Bay Nursing Home.

Location: Shannagh Bay Nursing Home, 2-3 Fitzwilliam Terrace, Strand Road, Bray, Co. Wicklow

**Application Site:** The site comprises a 4 storey nursing home building along Bray Seafront. The lift structure and windows in question are located to the rear of the building.

#### Relevant Planning History:

20/380 – ABP-307782-20: Planning permission REFUSED to Alan and Pauline Smith for 1) Proposed additional storey comprising of 6 No. additional bedrooms, circulation areas, stairway, lift & ancillary works over already approved 2-storey extension (Ref. 16/691) currently under the course of construction to the rear (west) of existing 4-storey Nursing Home together with (2) minor changes to development approved under Ref. 16/691 including revised lift location for fire safety reasons & the subsequent relocation of 3 No. existing windows in north elevation of existing building. The additional storey will be in lieu of previously approved circulation space & roof terrace at same level.

#### Refusal Reasons:

- Having regard to the design and layout of the proposal and to the pattern of development in the area, it is
  considered that the proposed development, by reason of its scale, bulk and proximity to site boundaries,
  would seriously injure the residential amenities of adjoining properties through visual obtrusion and
  overshadowing. The proposed development would, therefore, be contrary to the proper planning and
  sustainable development of the area.
- 2. Having regard to the design, height, scale and massing of the extension, it is considered that the proposed development would result in an unsatisfactory standard of residential amenity for future and existing occupants of the nursing home and result in overdevelopment of the site. The proposed development would give rise to an inadequate provision of good quality open space, resulting in an unsatisfactory standard of amenity space for residents and would, therefore, be contrary to the proper planning and sustainable development of the area.

With regard to the refusal reasons outlined above I refer to Section 7.3.21-7.3.24 of the Bord Inspector's Report which is extracted below:

- 7.3.21. The proposed development provides for a number of minor internal changes to the layout of the development permitted under PA Reg.Ref.16/691. It is also proposed to relocate the lift housed internally within the permitted extension, to affectively an external standalone structure as an extension along the northern side boundary.
- 7.3.22. It is proposed to extend the lift shaft with associated lift access and lobby area vertically at first and second floor, with a single window on the west facing elevation at each floor. The overall height of this structure is in line with the eaves height of the existing 4 storey rear return, with the top of the lift shaft exposed overhead. In my opinion this is a significant structure in terms of its scale and massing over three floors.
- 7.3.23. This structure is located immediately abutting the northern side elevation of the existing and permitted rear return, and marginally (approx. 0.6m) set off the northern side boundary with No.1 Fitzwilliam Terrace. The structure measures approx. 5m in length and extends beyond the rear boundary of this property by approx. 1.2m.
- 7.3.24. Given the proximity, length, height and location of this structure to the south west corner of the adjoining dwelling, in my opinion would be seriously overbearing as viewed from the rear of No. 1 Fitzwilliam Terrace. I am also of the opinion that the structure would have an impact in terms of overshadowing of the rear of this property.
- 7.3.25. I am satisfied that in this instance the proposal to relocate the lift to be to the detriment of the residential amenities of the adjoining residential property.

**16/691:** Planning permission granted for a two storey extension (345.2 sqm) to rear (west) of existing 4 storey nursing home (1102.86 sqm) comprising of 2 full storeys over sunken garden level together with a small roof terrace / circulation area. The development will include staff facilities, administration, storage, treatment room and recreational areas at upper ground floor level, 6 no ensuite bedrooms and ancillary areas at first floor level, circulation areas, lift and stairway at each level together with rainwater harvesting and ancillary site development works including sunken garden.

**16/513:** Planning permission GRANTED for recreational garden to the rear of existing premises for the use of nursing home residents comprising of the lowering of ground level of part of the existing yard by circa 1.6metres (to coincide with first floor level of existing building) including retaining structure, hard and soft landscaping

**Enforcement: None found.** 

#### Question:

The applicant has applied to see whether or not the following is or is not development; and is or is not exempted development:

"Existing lift facility and adjacent window to side of Shannagh Bay Nursing Home".

#### **Planning Context**

The lift facility is located within a 3 storey structure with a west facing window on each floor level. It is noted that a lift shaft was original permitted within the main structure of the permitted 3 storey extension to the rear of the property under PRR 16/691. The applicant has submitted that the lift shaft had to be relocated for fire safety certificate reasons and a new lift shaft was built to the northern side of the nursing home. This construction of the lift shaft required the relocation of 3 no windows in the northern elevation of the building which relate internally to bedrooms and which would have been otherwise blocked by the lift shaft structure.

#### **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;

The applicant has submitted that the structure is exempt under:

Class 41(e) of Schedule 2. Article 6, Part 1-Exempted Development (General) of the Planning and Development Regulations 2001 (as amended) which refers to;

"Works consists of or incidental to -

(e) the carrying out of development in compliance with a condition or conditions attached to a fire safety certificate granted in accordance with Part III of the Building Control Regulations, 1997 other than the construction or erection of an external fire escape or water tank"

And

Section 4(1)(h) of the Planning and Development Act 2000( as amended) which refers to-

"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".

#### Assessment:

The Section 5 declaration application seeks an answer with respect whether or not the following is or is not development; and is or is not exempted development:

"Existing lift facility and adjacent window to side of Shannagh Bay Nursing Home".

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 second stage of the assessment is to determine whether or not the proposal would be exempted development under the Planning and Development Act 2000 (as amended) or it's associated Regulations.

The proposal consisting of an existing lift facility and adjacent window to side of Shannagh Bay Nursing Home Comprises of the construction of a lift shaft within a 3 storey structure with windows and the subsequent relocation of existing windows in the northern side elevation of the original building on site.

Class 41(e) of Schedule 2. Article 6, Part 1-Exempted Development (General) of the Planning and Development Regulations 2001 (as amended) refers to;

"Works consists of or incidental to -

(e) the carrying out of development in compliance with a condition or conditions attached to a fire safety certificate granted in accordance with Part III of the Building Control Regulations, 1997 other than the construction or erection of an external fire escape or water tank"

It is noted that no conditions were attached to any of the Fire Safety Certificates submitted requiring the construction of this structure which houses a lift shaft. All fire safety certificates were granted subject to no conditions and therefore cannot be considered to be exempted development under Class 41(e) of Schedule 2. Article 6, Part 1 of the Planning and Development Regulations 2001 (as amended).

In addition the structure is considered to be an external standalone fire escape which is specified as not been exempt development under Class 41(e) as outlined above

Section 4(1) (h) of the Planning and Development Act 2000 (as amended) which refers to exempted development as been:

"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 fire escape comprises of a 3 storey structure which is a significant building in its own right. In this regard, the works materially affect the external appearance of the structure by reason of the construction of a 3 storey structure which includes fenestration. Such a structure is considered to 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 and therefore planning permission would be required for the erection of such a structure to the exterior of the building.

#### Recommendation:

With respect to the query under Section 5 of the Planning and Development Act 2000 (as amended), as to whether an: Existing lift facility and adjacent window to side of Shannagh Bay Nursing Home is or is not development; and is or is not exempted development:

#### The Planning Authority considers that:

The Existing lift facility and adjacent window to side of Shannagh Bay Nursing Home is development but is not exempted development within the meaning of the Planning and Development Act, 2000( as amended).

## Main Considerations with respect to Section 5 Declaration:

- The details submitted under Section 5 Declaration on the 26/10/2022.
- Sections 2(1), 3(1) and 4(1)h, of the Planning and Development Act 2000 (as amended)

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

Having regard to the nature of the proposed development i.e, Existing lift facility and adjacent window to side of Shannagh Bay Nursing Home, 2-3 Fitxwilliam Terrace, Strand Road, Bray, Co. Wicklow it is considered that;

- a) the development does not accord with the provisions of Schedule 2. Article 6, Part 1-Exempted Development (General) of the Planning and Development Regulations 2001 (as amended) in particular Class 41(e), as no conditions were attached to any of the Fire Safety Certificates submitted requiring the construction of this structure which houses a lift shaft. All fire safety certificates were granted subject to no conditions and therefore cannot be considered to be exempted development under Class 41(e) of Schedule 2. Article 6, Part 1 of the Planning and Development Regulations 2001 (as amended).
- b) The structure is considered to be an external standalone fire escape which is specified as not been exempt development under Class 41(e) as outlined above



(c) The development comprises a 3 storey structure which would materially affect the external appearance of the structure and would render it inconsistent with the character of the structure and therefore does not come within the exempted development described under Sections 4(1) h, of the Planning and Development Act 2000 (as amended).

I recommend that the applicants, Alan and Pauline Smith, be informed accordingly.

## **MEMORANDUM**

## WICKLOW COUNTY COUNCIL

TO: Patrice Ryan Executive Planner

FROM: Crystal White Assistant Staff Officer

RE:- EX 66/2022 - Declaration in accordance with Section 5 of the Planning & Development Acts 2000 (as amended)
Existing lift facility and adjacent window to side of Shannagh Bay Nursing Home, 2-3 Fitzwilliam Terrace, Strand Road, Bray, Co Wicklow

I enclose herewith for your attention application for Section 5 Declaration received 26<sup>th</sup> of October 2022.

The due date on this declaration is the 22<sup>nd</sup> November 2022.

Senior Staff Officer

**Planning Development & Environment** 



## Comhairle Contae Chill Mhantáin Ulicklow County Council

## Forbairt Pleanála agus Comhshaol Planning Development and Environment

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

27/10/2022

Alan & Pauline Smith C/O PD Lane Associates 1 Church Road Greystones Co Wicklow

RE: Application for Certificate of Exemption under Section 5 of the Planning and Development Acts 2000 (as amended). Ex 66/2022 Existing lift facility and adjacent window to side of Shannagh Bay Nursing Home, 2-3 Fitzwilliam Terrace, Strand Road, Bray, Co Wicklow

A Chara

I wish to acknowledge receipt on the 26<sup>th</sup> of October 2022 details supplied by you in respect of the above section 5 application. A decision is due in respect of this application by 22/11/2022.

Mise, le meas

SENIOR EXECUTIVE OFFICER

PLANNING DEVELOPMENT AND ENVIRONMENT





Senior Executive Officer
Panning, Development & Environment
Wicklow County Council
Wicklow

Re: Application for Section 5 Declaration
No 2-3 Fitzwilliam Terrace, Strand Road, Bray, Co. Wicklow

Dear Sir / Madam,

Further to the attached application form to request a declaration in accordance with Section 5 of the Planning & Development Act 2000 (as amended), we wish to furnish the following additional information.

We refer the Warning Letter Ref. UD 5524 which raises the issue of 'Construction in the top part of the north-eastern section of the permitted extension provided for a lift facility and the adjacent window to the west to a different form [height, bulk arrangement of window] than what is provided for on the relevant permitted plans under Condition number 1.'

The lift facility referred to above commenced as emergency works to provide adequate and safe evacuation of all residents within Shannagh Bay Nursing Home. The lift facility was carried out under the Safety, Health and Welfare at Work Act 2005, in compliance with Fire Safety Certificates and Disability Access Certificates under the Fire Services Act 1981/2003 & Building Control Act 1990/2007. Please find attached 3 No. Fire Safety Certificates, 2 No. Disability Access Certificates and associated drawings & plans relevant to the lift facility.

The lift facility is considered to be an exenction development (General) Class 41(e). Class 41(e) refers to works consisting of or incidental to the cappy out of development in compliance with a condition or conditions attached to a fire safety certificate granted in accordance with Part III of the Building Control Regulations 1997.

By way of background, in 2017 HIQA required the owners of Shannagh Bay Nursing Home 'to make adequate arrangements for evacuating, where necessary in the event of fire, all persons in the designated centre and safe placement of residents'. A number of scenarios were considered at the time, and this process resulted in the current lift facility being the best solution that offered all the requirements of HIQA and the Fire Service.

In 2018, a Fire Safety Certificate and a Disability Access Certificate were granted by Wicklow County Council Fire Service for an evacuation lift from lower ground floor level to upper ground floor level. This evacuation lift facility involved the removal of a laundry room on the lower ground floor level and the removal of a boiler on the upper ground floor level of the existing building. These works commenced construction separately and independently of the permitted extension under Planning Permission Ref: 16/691.

Shortly afterwards a further Fire Safety Certificate and a Disability Access Certificate were granted for an extension to the evacuation lift facility up to another two floors as part of the proposed construction of the permitted extension under Planning Permission Ref. 16/691 These works eventually involved the connecting of the protected lobbies of the lift facility to the permitted extension under Planning Permission Ref. 16/691.

It is important to note that the impact of the lift facility on the permitted extension under Planning Permission Ref: 16/691 is minimal as the lift shaft itself is not attached to the permitted extension. The protected lobbies serving the lift shaft are the only part of the lift facility that connects to the permitted extension under Permission Ref. 16/691

The protected lobbies extend alongside the permitted extension by a measurement of approx.1.7m and outwards by a measurement of approx 2.9m on each floor. When you consider the size of the permitted extension at approx.345sq m, it is considered that the protected lobbies do not have a material impact on the permitted extension and are not in contravention of Condition No.1 of Planning Permission Ref: 16/691. In addition, the protected lobbies are not considered to be inconsistent with the use of the permitted extension as a lift facility was granted as part of the permitted extension immediately adjoining the protected lobbies

Furthermore, it is contended that the lift facility comes under the Planning and Development Act, Section 4(1)(h) which exempts '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 lift facility does not materially affect the external appearance of the building so as to render its appearance inconsistent with itself or neighbouring structures due to the location of the lift facility being to the rear of the existing and adjoining premises and the height of the lift facility being roughly at eaves level of the existing and adjoining premises and similar to the level height of the permitted extension.

The area in which the development has taken place is a town centre location, in the vicinity of Bray Daly DART Station where greater intensity of development should be considered in the interests of proper planning and sustainable development.

The current lift facility enables residents/staff move between levels, without the need for site power as it is autonomous having its own kinetic power system and is large enough to move wheelchairs quickly at one time, and can be used by the fire service for their immediate requirements. The lift is required in its current location to meet Fire Safety and Disability Access certification requirements and is fully independent of the building in order to meet escape requirements.

In conclusion, we hereby consider that the construction of the lift facility at the abovementioned premises is an exempted development under the Planning and Development Acts and Planning Regulations

Yours faithfully,

PD Lane Associates

PD Lane Associates

1 Church Road

T+353 1 2876697

Greystones

F+353 1 2870109

Co Wicklow

E info@pdlane.ie

# Application for a Declaration in accordance with Section 5 of the Planning & developments Acts 2000 (As amended)

Shannagh Bay Nursing Home, 2 – 3 Fitzwilliam Terrace, Bray, Co. Wicklow.

#### **Schedule of Documents**

Application form

Covering letter Dated: 19th October 2022

Site location plan Drwg. No. S-37-1

Planning documents - Ref. 16/691 PD lane Associates

Planning Permission Ref. 16/691

Lower GF plan & Upper GF plan Drwg. No. S-37-34

FF plan & FF/ Roof plan Drwg. No. S-37-35

North & south elevations Drwg. No. S-37-36

East & west elevations & Section A-A Drwg. No S-37-37

<u>Disability Access Certificate – Extension/ lift Ref\_DAC 530/2018</u>
<u>Knapton Consulting Engineers</u>

Disability Access Certificate Ref. DAC 530/2018

Lower GF plan & Upper GF plan Drwg. No. 8521217 – 501 Rev A

Proposed FF & SF plans Drwg No. 8521217 – 502 Rev A

North & south elevations Drwg. No. 8521217 - 503

East & west elevations & section Drwg. No. 8521217 - 504

Fire Safety Certificate – Evacuation Lift Ref. BC 3930/2018 Knapton Consulting Engineers

Fire Safety Certificate Ref. BC 3930/2018

Lower GF plan & Upper GF plan Drwg. No. 8521217 - 501

Existing FF & SF plans Drwg. No. 8521217 - 502

Elevations Drwg. No. 8521217 - 503

Fire Safety Certificate – Extension Ref. BC 3931/2018 Knapton Consulting Engineers

Fire Safety Certificate Ref BC 3931/2018

Proposed Lower GF plan & Upper GF plan Drwg. No. 8521217 – 501 Rev A

Proposed FF & SF plans Drwg. No. 8521217 – 502 Rev A

North & south elevations

East & west elevations

Drwg No. 8521217 - 503

Drwg No. 8521217 - 504

Revised Fire Safety Certificate – Ref. BC 4426/2022

Revised Fire Safety Certificate

Lower GF plans (Previously granted & proposed)

Upper GF plans (Previously granted & proposed)

Elevations & section

**Knapton Consulting Engineers** 

Ref. BC 4426/2022

Drwg. No. 8521217 – 101 Rev A

Drwg. No. 8521217 - 102 Rev A

Drwg. No. 8521217 -- 103

Wicklow County Council County Buildings Wicklow 0404-20100

26/10/2022 09 30 31

Receipt No. L1/0/303619

SHANNAGH BAY NURSING HOME C/O PD LANE ASSOCIATES 1 CHURCH ROAD GREYSTONES CO. WICKLOW

EXEMPTION CERTIFICATES
GOODS 80 00
VAT Exempt/Non-vatable

80 00

Total 80 00 EUR

Tendered Cheque

00 08

Change :

0 00

Issued By Margaret Cullen 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	A	1	T) / *1
Ι.	An	blicant	Details

(a)	Name of applicant:	Alan & Pauline Smith	
	Address of applicant.	·	, — • •

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

## 2. Agents Details (Where Applicable)

(b) Name of Agent (where applicable) PD Lane Associates

Address of Agent: 1 Church Road, Greystones, Co. Wicklow

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

#### 3. Declaration Details

i. Location of Development subject of Declaration

Shannagh Bay Nursing Home, 2-3 Fitzwilliam Terrace, Strand Road, Bray

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

Yes, the Applicant is the owner of the lands

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

N/A

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

Whether an existing lift facility and adjacent window to side of Shannagh Bay Nursing Home is or is not development and is or is not exempted development

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
  - Planning & Development Regulations 2001/2021, Schedule 2, Article 6, Part 1-Exempted Development (General) Class 41(e).
  - Planning and Development Act, Section 4(1)(h).

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

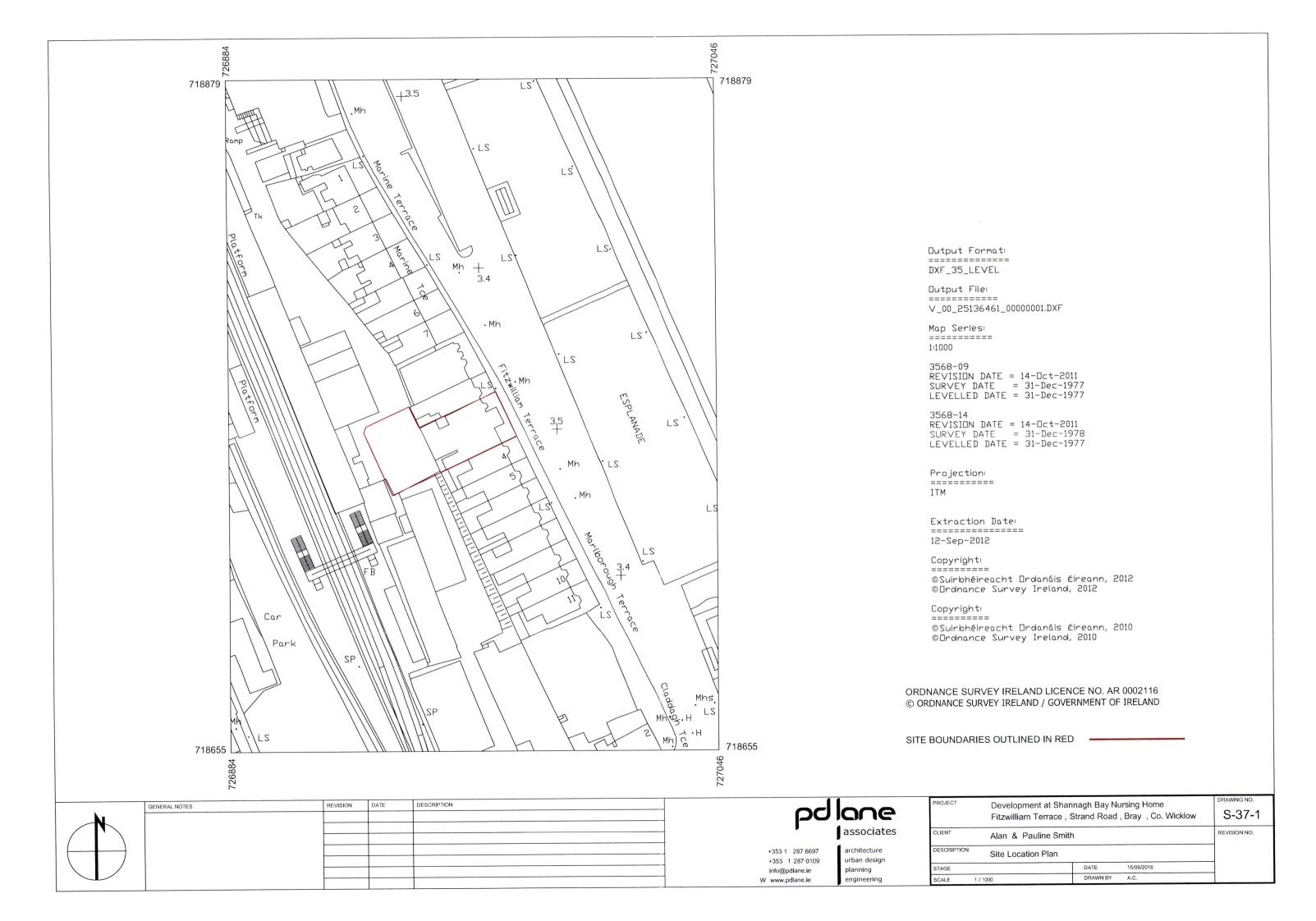
Fire Safety Certificates, Disability Access Certificates, with drawings & plans Planning Permission Ref: 16/691, with drawings & plans Site Location Map

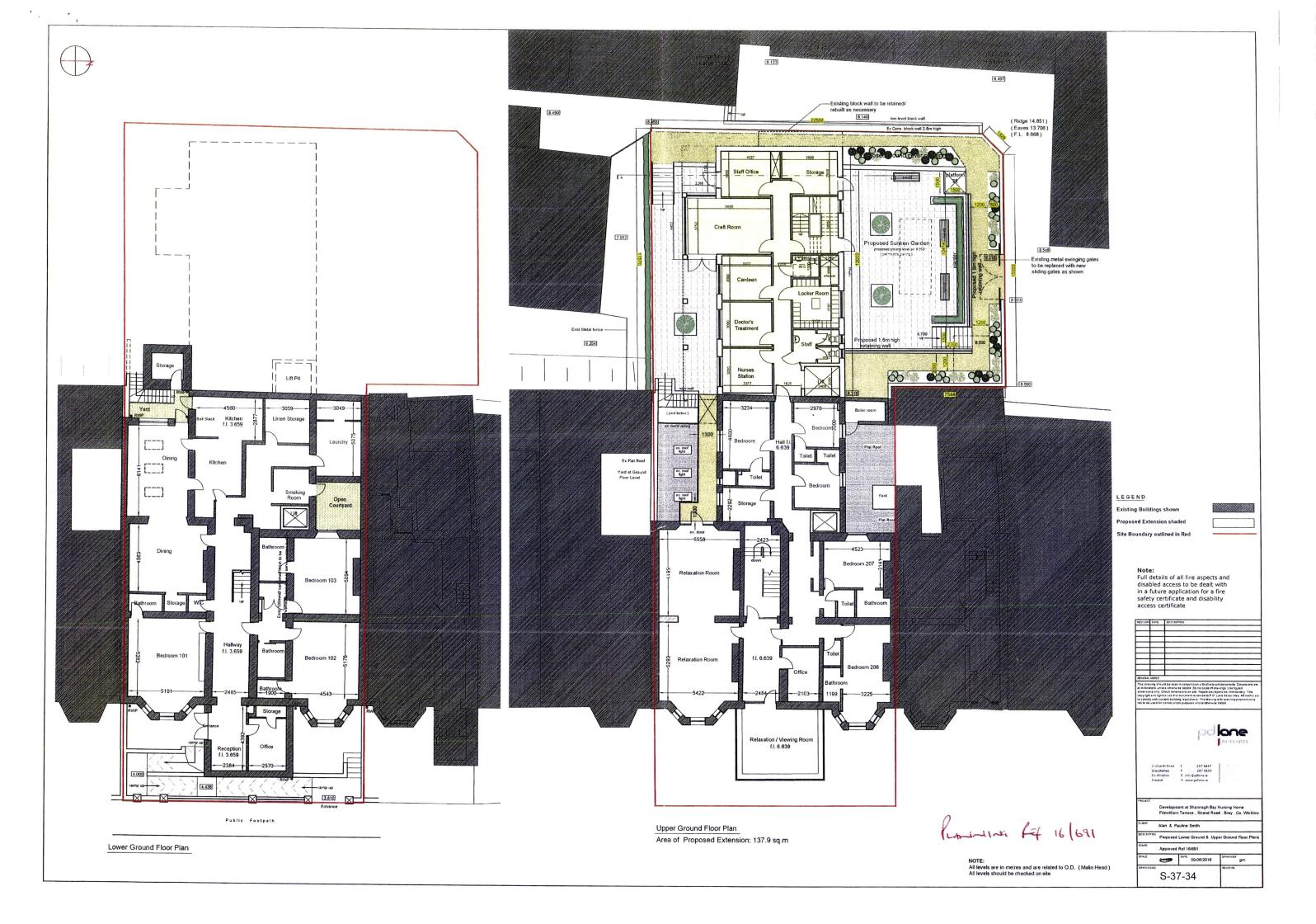
viii. Fee of € 80 Attached?

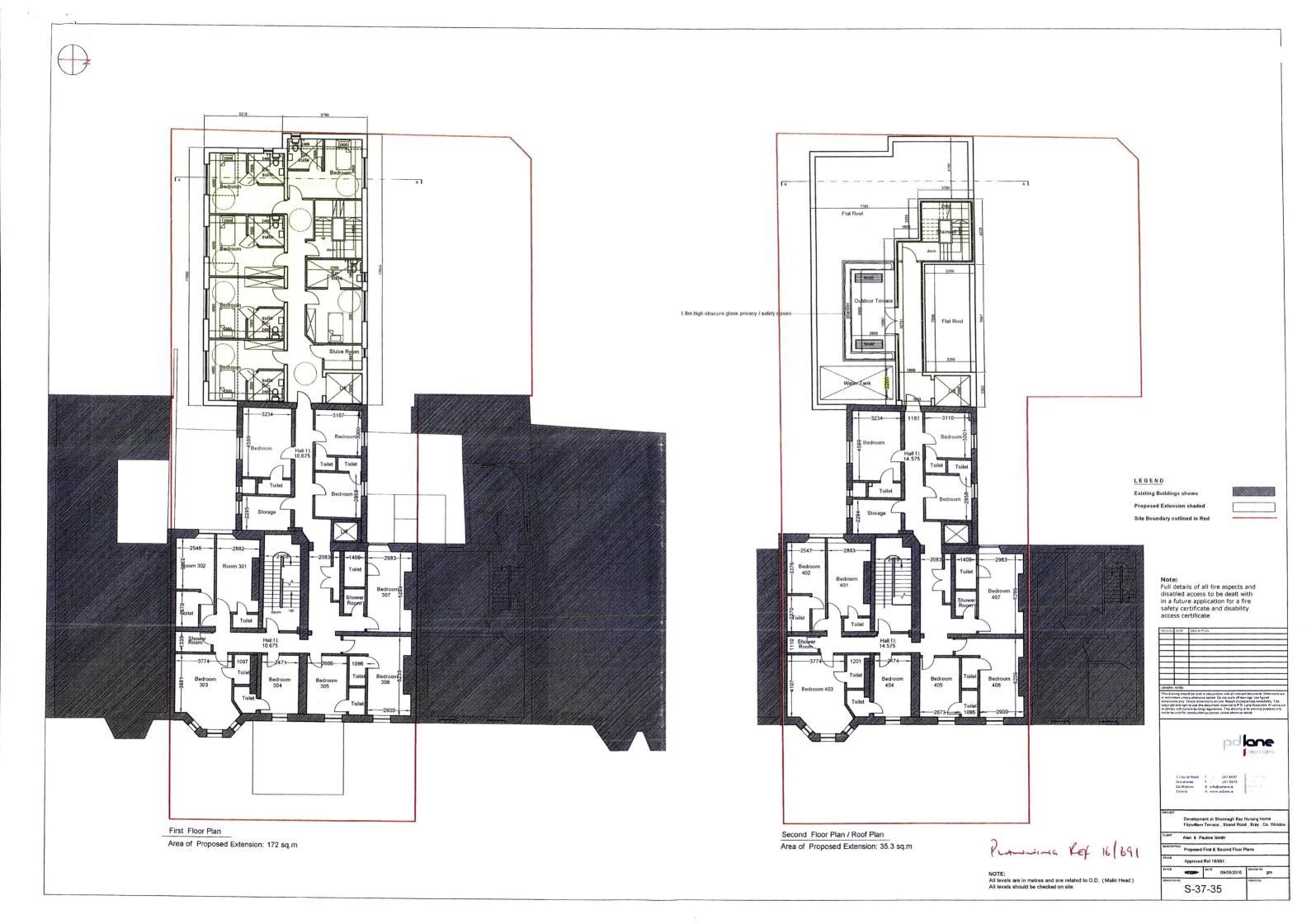
YES

Signed: PD Lare Associates

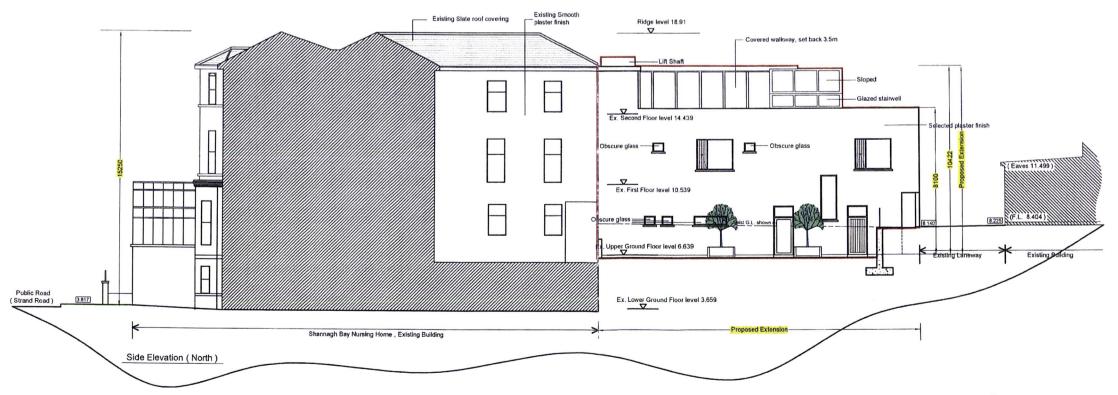
Dated: 19th October 2022











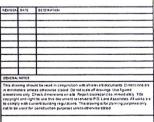
Permine Ref 16/691

NOTE: All levels are in metres and are related to O.D. (Malin Head) All levels should be checked on site

LEGEND

Proposed Extension edged red

Note: Full details of all fire aspects and disabled access to be dealt with in a future application for a fire safety certificate and disability access certificate





Proposed North & South Elevation

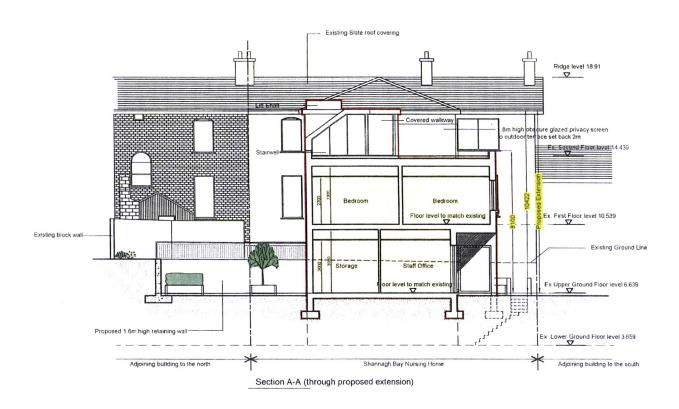
Approved Ref 16/691

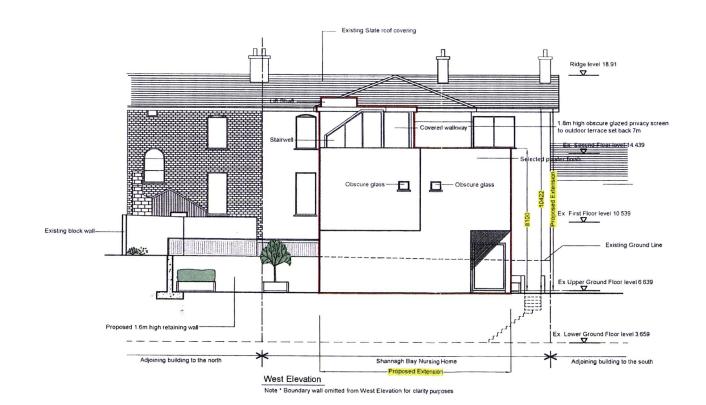
1 09/06/2016

S-37-36



• , , • ,





Puro loca for 16/691

NOTE:
All levels are in metres and are related to O.D. ( Malin Head )
All levels should be checked on site

#### LEGEND

Note: Full details of all fire aspects and disabled access to be dealt with in a future application for a fire safety certificate and disability access certificate

REVISION	DATE	DESCRIPT	TION		
GENERAL	NOTES				
in milime dimensio copyright to comply	ters unless ns only Ci and right to with curse	s otherwise heck dimer to use this and building	in corgunction with all refevir e stated. Do not scale off di- nations on site. Report discr document reserved to P. D. g regulations. This drawing a purposes unless otherwise	evings Use spancies im Lane Associ s for planning	figured mediately Tide lates. All works are
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PROJECT	De		ent at Shannagh Ba n Terrace , Strand R		
CUENT		n & Pa	uline Smith		
DESCRIP	Pri Pri	oposed	East & West Elevation	ns & Sec	tion A-A
Approved Ref 16/691					
SCALE	10	100	DATE 09/06/2016	DRAVAN	gm

S-37-37

## Comhairle Chontae Chill Mhantain-Seirbhis Doiteain Wicklow County Council - Fire Service

Doiteain Ceannaras na Seirbhisi Bothar na Mona Bre Chill Mhantain Teil:01-2117600

Facs: 01-2861535

R-phostl: firehead@wicklowcoco.ie



Fire Service HQ Boghall Rd Bray Co.Wicklow Tel: 01 2117600 Fax: 01 2861535

E-Mail: firehead@wicklowcoco.ie

## FIRE SAFETY CERTIFICATE BUILDING CONTROL ACTS 1990 and 2007

ALAN SMITH OF SHANNAGH BAY NURSING HOME,] C/O KNAPTON CONSULTING ENGINEERS, 76 UPPER GEORGES STREET. DUN LAOGHAIRE. CO. DUBLIN.

Re: APPLICATION FOR A FIRE SAFETY CERTIFICATE, (Ref. No. BC 3931/2018) FOR PROPOSED CONSTRUCTION OF AN EXTENSION TO THE EXISTING NURSING HOME AT SHANNAGH BAY NURSING HOME, 2 -3 FITZWILLIAM TERRACE, STRAND ROAD, BRAY, CO. WICKLOW.

Wicklow County Council hereby certify that the building or works to which the application relates, will if constructed in accordance with the plans, documents and information submitted, comply with the requirements of Part B of the Second Schedule to the Building Regulations 1997, as amended. considering the application, no assessment has been made as to whether the building or other works will comply with the other requirements of the Second Schedule to the Building Regulations 1997, as amended.

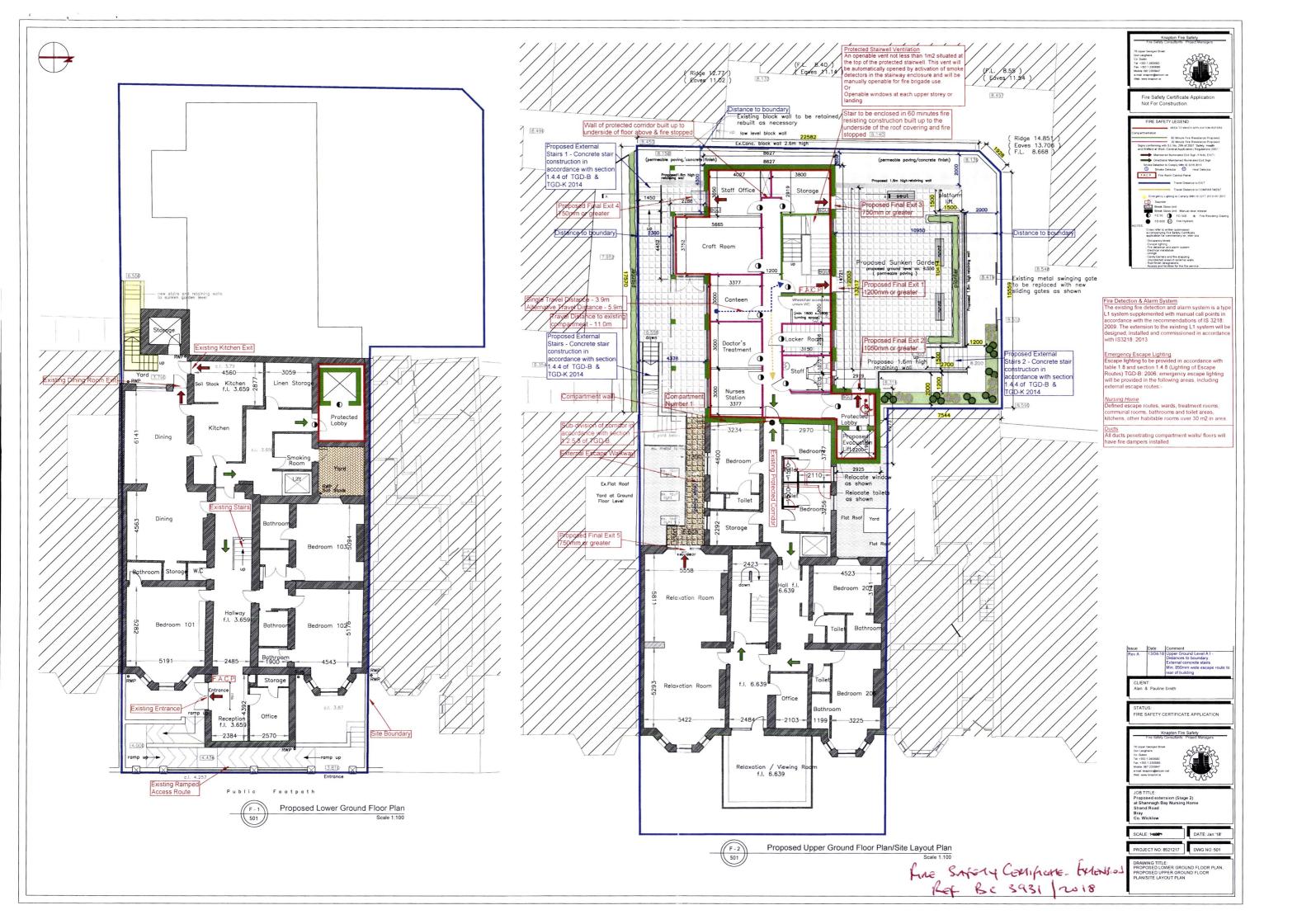
This certificate is granted subject to no conditions.

Dated this 20th day of face 2018

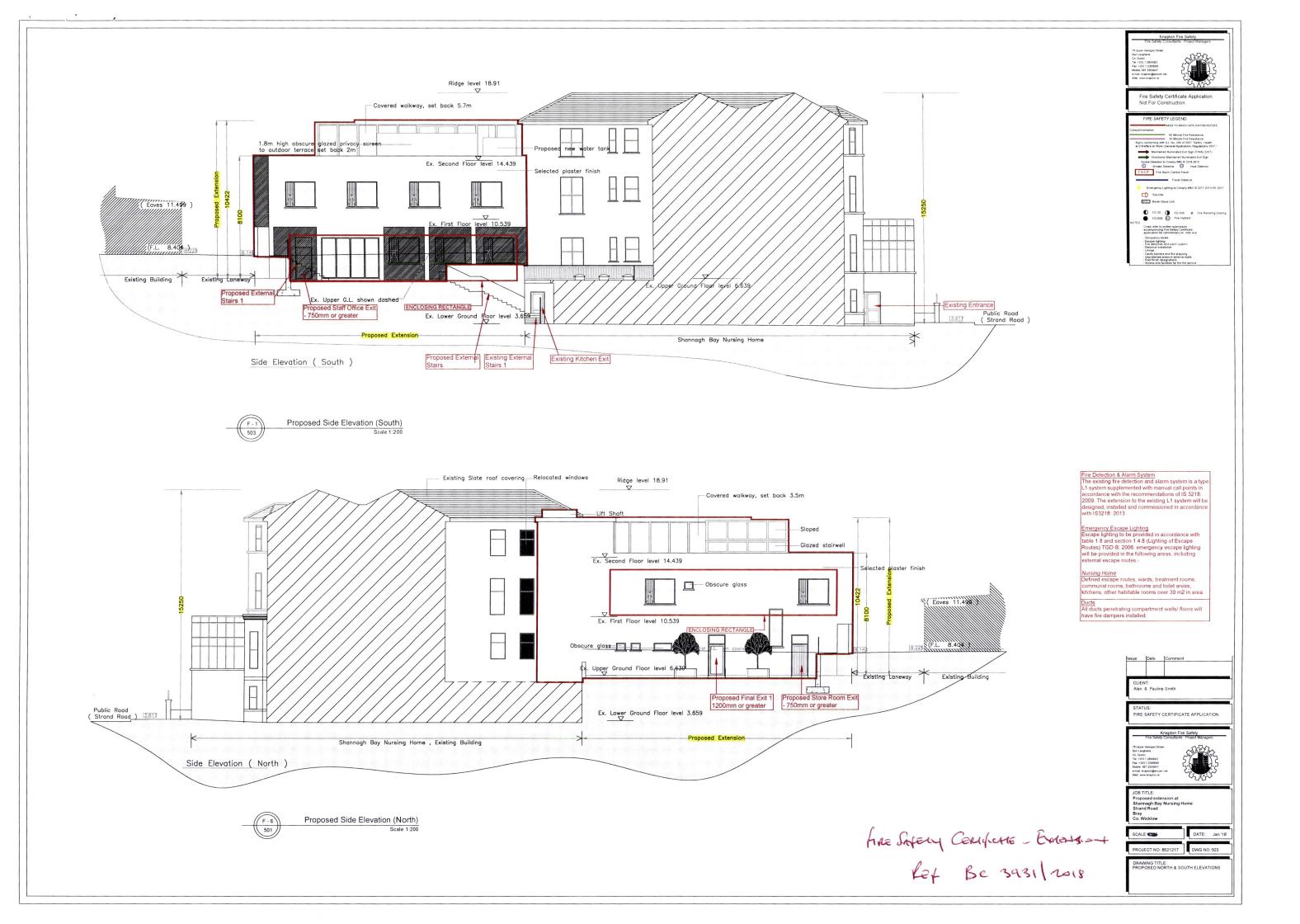
Signed

CHIEF FIRE OFFICER

WICKLOW COUNTY COUNCIL FIRE SERVICE









# Comhairle Chontae Chill Mhantain-Seirbhis Doiteain Wicklow County Council – Fire Service

Doiteain Ceannaras na Seirbhisi Bothar na Mona Bre Chill Mhantain Teil :01-2117600 Facs: 01-2861535 R-phostl: firehead@wicklowcoco.ie



Fire Service HQ Boghall Rd Bray Co.Wicklow Tel: 01 2117600

Tel: 01 2117600 Fax: 01 2861535

E-Mail: firehead@wicklowcoco.ie

# BUILDING CONTROL ACTS 1990 and 2007 DISABILITY ACCESS CERTIFICATE

ALAM SMITH OF SHANNAGH BAY NURSING HOME, C/O KNAPTON CONSULTING ENGINEERS, 76 UPPER GEORGE'S STREET, DUN LAOGHAIRE, CO. DUBLIN.

Re: Application for a Disability Access Certificate (Ref. No. DAC 530/2018) for the proposed construction of an extension to the existing Nursing Home of Shannagh Bay Nursing Home, 2 – 3 Fitzwilliam Terrace, Strand Road, Bray, Co. Wicklow.

Wicklow County Council hereby certify that the works or building to which the application relates, if constructed in accordance with the plans, calculations, specifications and particulars submitted, would comply with the requirements of Part M of the Second Schedule to the Building Regulations 1997 to 2008. In considering this application no assessment has been made as to whether the works or building would comply with the other requirements of the Second Schedule to the Building Regulations 1997 to 2008.

This certificate is granted subject to no conditions

Dated this 19th day of Galil 2018

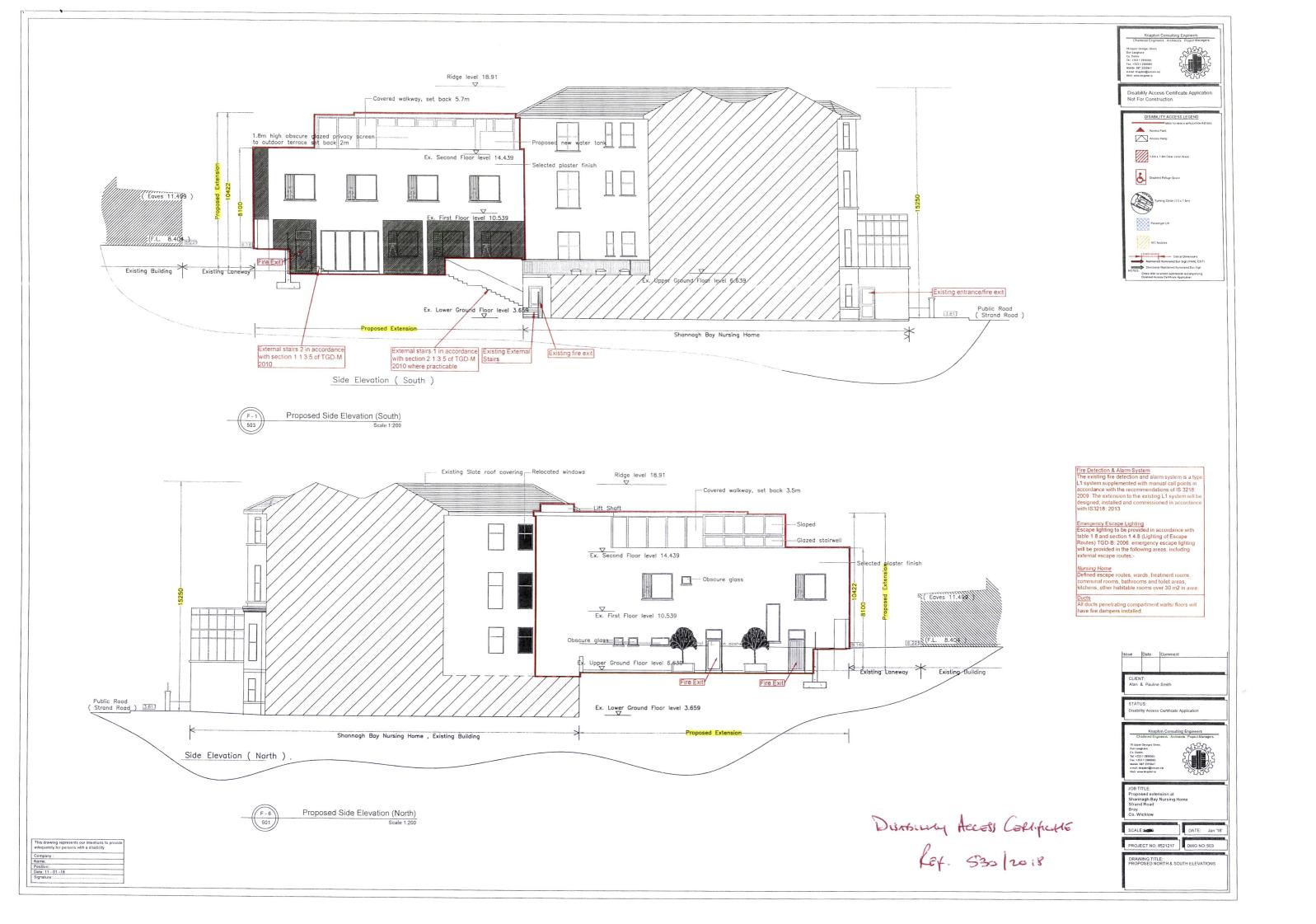
Signed

**CHIEF FIRE OFFICER** 

WICKLOW COUNTY COUNCIL - FIRE SERVICE









### Comhairle Chontae Chill Mhantain-Seirbhis Doiteain

## Wicklow County Council - Fire Service

Doiteain Ceannaras na Seirbhisi Bothar na Mona Bre Chill Mhantain Teil :01-2117600

Facs: 01-2861535 R-phostl: firehead@wicklowcoco.ie



Fire Service Headquarters, Boghall Road, Bray, Co.Wicklow. Tel: 01 2117600 Fax: 01 2861535

E-Mail: firehead@wicklowcoco.ie

# REVISED FIRE SAFETY CERTIFICATE BUILDING CONTROL ACTS 1990 TO 2020

Mr. Alan Smith on behalf of Shannagh Bay Nursing Home C/O Knapton Consulting Engineers Ltd., 76A Upper Georges Street, Dun Laoghaire, Dublin.

Re: Application for a Revised Fire Safety Certificate, (Ref. No. BC 4426/2022) (BCMS Ref. No. 3005266) for design modifications to Shannagh Bay Nursing Homes, 2 - 3 Fitzwilliam Terrace, Strand Road, Bray, Co. Wicklow.

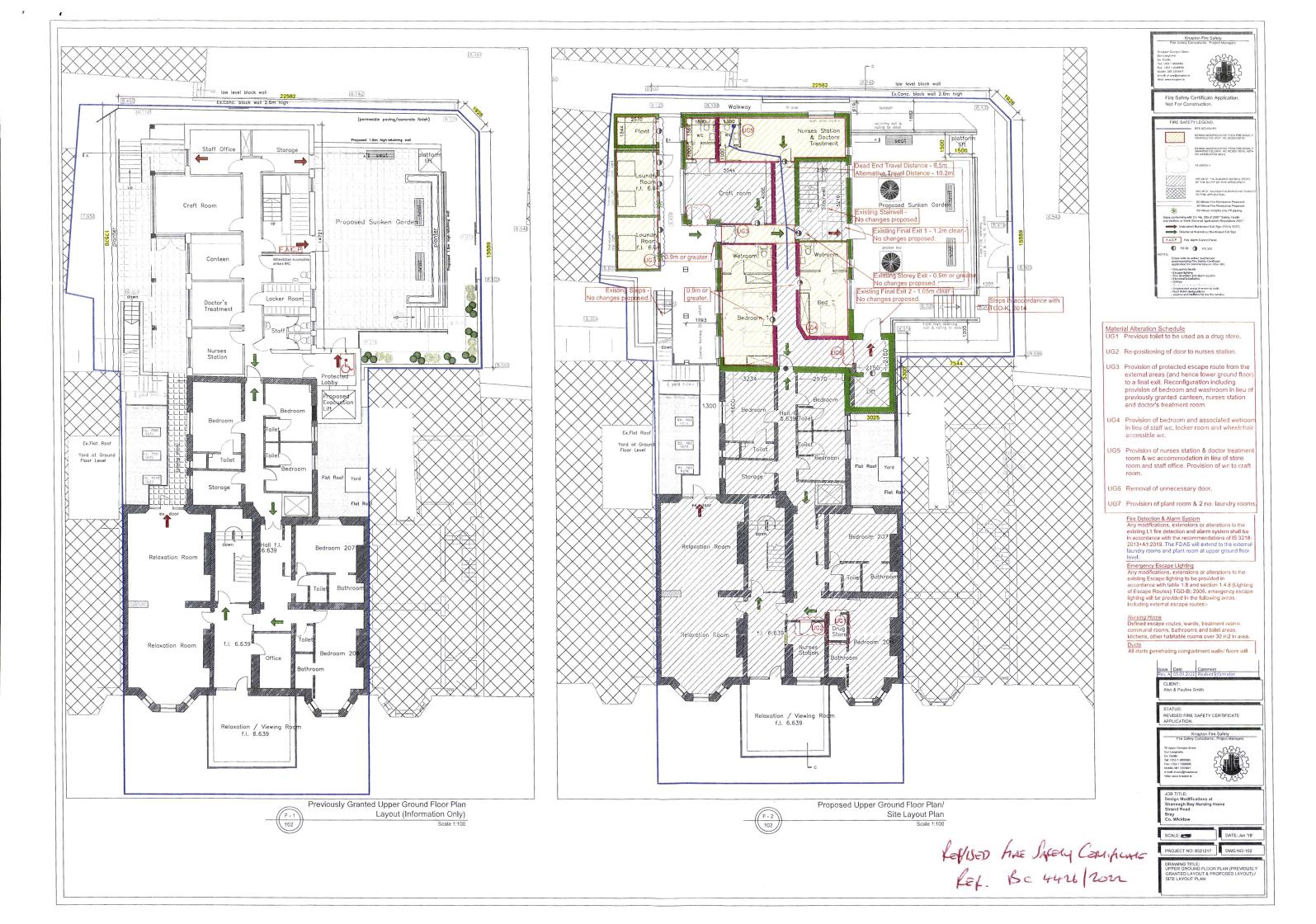
Wicklow County Council hereby certify that the building or works to which the application relates, will if constructed in accordance with the plans, documents and information submitted, comply with the requirements of Part B of the Second Schedule to the Building Regulations, 1997, as amended. In considering the application, no assessment has been made as to whether the building or other works will comply with the other requirements of the Second Schedule to the Building Regulations 1997, as amended.

Signed AIDAN DEMPSEY

CHIEF FIRE OFFICER

WICKLOW COUNTY COUNCIL - FIRE SERVICE







## Comhairle Chontae Chill Mhantain-Seirbhis Doiteain Wicklow County Council - Fire Service

Doiteain Ceannaras na Seirbhisi Bothar na Mona Bre Chill Mhantain Teil:01-2117600

Facs: 01-2861535

R-phostl: firehead@wicklowcoco.ie



Fire Service HQ Boghall Rd Bray Co.Wicklow Tel: 01 2117600 Fax: 01 2861535

E-Mail: firehead@wicklowcoco.ie

## FIRE SAFETY CERTIFICATE BUILDING CONTROL ACTS 1990 and 2007

ALAN SMITH, C/O KNAPTON CONSULTING ENGINEERS, 76 UPPER GEORGE'S STREET, DUN LAOGHAIRE, CO. DUBLIN.

Re: APPLICATION FOR A FIRE SAFETY CERTIFICATE, (Ref. No. BC 3930/2019) FOR THE INSTALLATION OF AN EVACUATION LIFT FROM THE LOWER GROUND FLOOR AND ASSOCIATED MATERIAL AT SHANNAGH BAY NURSING HOME, 2 - 3 ALTERATIONS FITZWILLIAM TERRACE, STRAND ROAD, BRAY, CO. WICKLOW.

Wicklow County Council hereby certify that the building or works to which the application relates, will if constructed in accordance with the plans, documents and information submitted, comply with the requirements of Part B of the Second Schedule to the Building Regulations 1997, as amended. considering the application, no assessment has been made as to whether the building or other works will comply with the other requirements of the Second Schedule to the Building Regulations 1997, as amended.

This certificate is granted subject to no conditions.

Dated this 17th day of Grand 2018

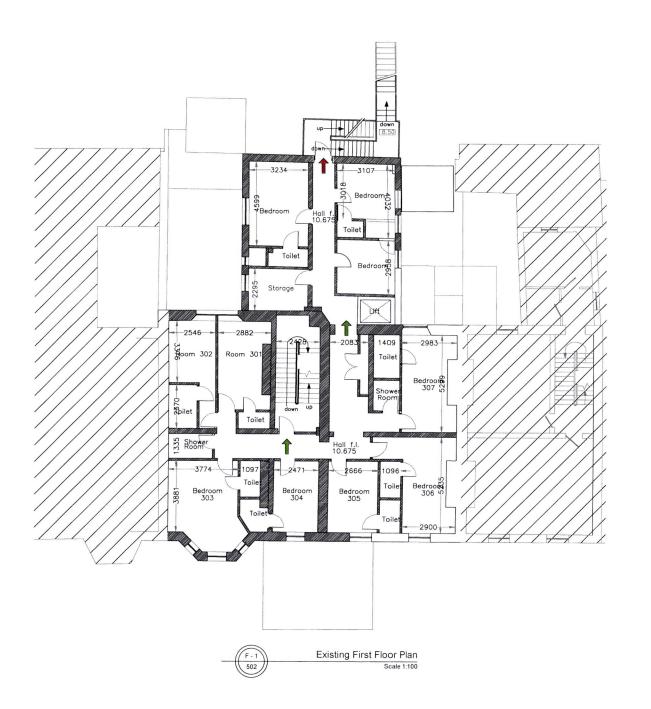
Signed

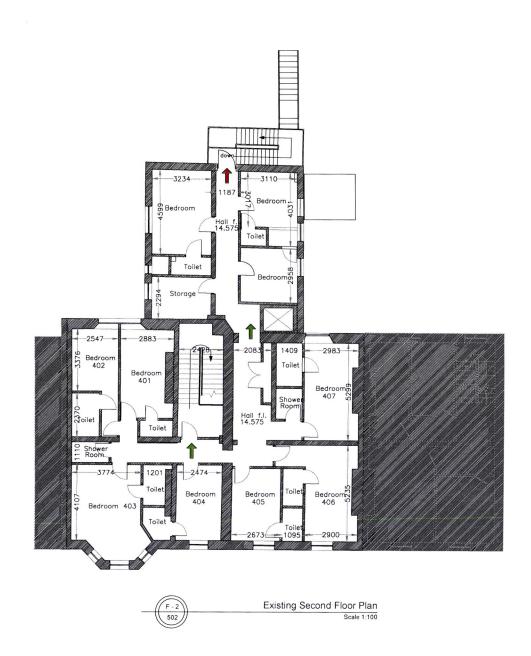
CHIEF FIRE OFFICER

WICKLOW COUNTY COUNCIL FIRE SERVICE









LEF. BC 3930/2018

Knapton Fire Safety
Fire Safety Consultaris Project Managers
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Fire 1351 7 200003
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FIRE SAFETY LEGEND.

AND TO WHICH APPLICATION REFERS

Compartmentation.

30 Minute Fire Research Programed

30 Minute Fire Research Programma 2007

40 Minute Safety (Comerce Agreement Programma 2007)

40 Minute Safety (Comerce Agreement Programma 2007)

40 Minute Safety (Comerce Agreement Programma 2007)

40 Minute Safety (Comerce Agreement Safety)

50 Minute Control Programma 2007

50 Minute Control Program

CLIENT:
Alan & Pauline Smith

STATUS:
FIRE SAFETY CERTIFICATE APPLICATION

Knapton Fire Safety
Free Safety Certificate Application

Knapton Fire Safety
Free Safety Certificate Application

Knapton Fire Safety
Free Safety Certificate Application

Free Safety Certificate

Free Safety Certificate Application

Free Safety Certificate

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DRAWING TITLE: EXISTING FIRST & SECOND FLOOR PLANS



