

**WICKLOW COUNTY COUNCIL**

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

**CHIEF EXECUTIVE ORDER NO. CE/PDE/992/2023**

**Reference Number:** EX 26/2023

**Name of Applicant:** Daisy Mauhay

**Nature of Application:** Section 5 Referral as to whether "change of use of house to residence for persons with intellectual or physical disability or mental illness" is or is not exempted development

**Location of Subject Site:** Corballis, Rathdrum, Co. Wicklow

**Report from Solomon Aroboto, EP & Edel Bermingham, SEP**

With respect to the query under Section 5 of the Planning & Development Act 2000 as to whether "change of use of house to residence for persons with intellectual or physical disability or mental illness" at Corballis, Rathdrum, Co. Wicklow is or is not exempted development within the meaning of the Planning & Development Act 2000 (as amended)

**Having regard to:**

- i. The details submitted under Section 5 Declaration on 21/04/23 and 23/05/23
- ii. Planning history of the site
- iii. Sections 2(1) and 3(1), of the Planning and Development Act 2000 (as amended)
- iv. Articles 6 & 9 of the Planning and Development Regulations 2001 as amended
- v. Schedule 2, Pt.1 Class 14 of the Planning and Development Regulations 2001(as amended)
- vi. Site inspection carried out on 17/05/23

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

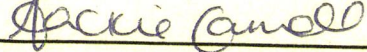
- i. The change of use from dwelling to residence for persons with intellectual or physical disability or mental illness is development having regard to the provisions of Section 3 of the Planning & Development Act 2000 (as amended).
- ii. The change of use would not come within the limitations set out under Schedule 2: Part 1: Class 14 which limited resident carers to 2 persons.
- iii. The rear addition to the dwelling i.e. covered extended area has not been shown to come within the exempted provisions and therefore the provisions of



Article 9 of the Planning & Development Regulations 2001 (as amended) would apply.

**Recommendation**

The Planning Authority considers that "change of use of house to residence for persons with intellectual or physical disability or mental illness" at Corballis, Rathdrum, Co. Wicklow is development and is not exempted development as recommended in the planning report.

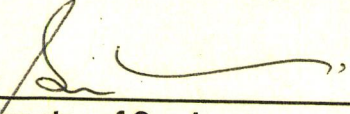
Signed 

Dated 7<sup>th</sup> day of June 2023

**ORDER:**

I HEREBY APPROVE that a declaration to issue stating:

That "change of use of house to residence for persons with intellectual or physical disability or mental illness" at Corballis, Rathdrum, Co. Wicklow is development and is not exempted development within the meaning of the Planning & Development Acts 2000 (as amended).

Signed: 

**Director of Services**

**Planning Development & Environment**

Dated 7<sup>th</sup> day of June 2023



# **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  
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Rphost / Email: [plandev@wicklowcoco.ie](mailto:plandev@wicklowcoco.ie)  
Suíomh / Website: [www.wicklow.ie](http://www.wicklow.ie)

**Daisy Mauhay**

**June 2023**

**RE: Declaration in accordance with Section 5 of the Planning & Development  
Acts 2000 (As Amended) – EX26/2023**

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

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

Is mise, le meas,

**ADMINISTRATIVE OFFICER  
PLANNING DEVELOPMENT & ENVIRONMENT.**





# Comhairle Contae Chill Mhantáin Wicklow County Council

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Suíomh / Website: [www.wicklow.ie](http://www.wicklow.ie)

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

**Applicant: Daisy Mauhay**

**Location: Corballis, Rathdrum, Co. Wicklow**

**CHIEF EXECUTIVE ORDER NO. CE/PDE/992/2023**

A question has arisen as to whether “change of use of house to residence for persons with intellectual or physical disability or mental illness” at Corballis, Rathdrum, Co. Wicklow is or is not exempted development.

### **Having regard to:**

- i. The details submitted under Section 5 Declaration on 21/04/23 and 23/05/23
- ii. Planning history of the site
- iii. Sections 2(1) and 3(1), of the Planning and Development Act 2000 (as amended)
- iv. Articles 6 & 9 of the Planning and Development Regulations 2001 as amended
- v. Schedule 2, Pt.1 Class 14 of the Planning and Development Regulations 2001(as amended)
- vi. Site inspection carried out on 17/05/23

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

- i. The change of use from dwelling to residence for persons with intellectual or physical disability or mental illness is development having regard to the provisions of Section 3 of the Planning & Development Act 2000 (as amended).
- ii. The change of use would not come within the limitations set out under Schedule 2: Part 1: Class 14 which limited resident carers to 2 persons.
- iii. The rear addition to the dwelling i.e. covered extended area has not been shown to come within the exempted provisions and therefore the provisions of Article 9 of the Planning & Development Regulations 2001 (as amended) would apply.



**The Planning Authority considers that change of use of house to residence for persons with intellectual or physical disability or mental illness” at Corballis, Rathdrum, Co. Wicklow is development and is not exempted development.**

Signed: \_\_\_\_\_

**ADMINISTRATIVE OFFICER  
PLANNING DEVELOPMENT & ENVIRONMENT**

Dated June 2023

## **Report for – Section 5 declaration**

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**File Reference:** EX 26/2023

**Applicant's Name:** Daisy Mauhay

**Address:** Corballis, Rathdrum, Co. Wicklow.

**Description:** Change of use of house to residence for persons with intellectual or physical disability or mental illness.

**Date of site visit** 17/05/23

### **Section 5 Referral**

**With respect to the query under Section 5 of the Planning and Development Act 2000, as to whether,**  
Change of use of house to residence for persons with intellectual or physical disability or mental illness.

At Corballis, Rathdrum,, Co. Wicklow, is or is not development and is or is not exempted development within the meaning of the Planning and Development Act, 2000 (as amended)

**Please read this report in conjunction with the previous report. Further information was sought on 06/04/23 and response was received on 23/05/23. The further information request, response and assessment are as follows.**

1. In accordance with Section 5(2) (b) of the Planning and Development Act 2000(as amended) the following details should be submitted to fully assess the question i.e.

Please confirm the number of persons with an intellectual or physical disability or a mental illness that would be living in the residence and the number of resident carers.

### **Response**

It is stated that the number of persons with an intellectual or physical disability or a mental illness that would be living in the residence would be 4 and number of resident carers would be 3.

2. With reference to the existing structure attached to the rear of the dwelling, please submit information on the planning status of same or the exemption you area relying on under planning legislation.

### **Response**

No information is submitted.

## Assessment

The issue is to determine whether the,

Change of use of house to residence for persons with intellectual or physical disability or mental illness

is or is not exempted development within the meaning of the Planning and Development Acts, 2000 as amended.

The first question is whether the change of use of house to residence for persons with intellectual or physical disability or mental illness is or is not development.

Having regard to the definition of development in Section 3 of the Planning and Development Act 2000 (as Amended), it is considered that the change of use of house to residence for persons with intellectual or physical disability or mental illness is development.

The next question is whether the change of use of house to residence for persons with intellectual or physical disability or mental illness is or is not exempted development.

The permitted dwelling on site is a dormer and the number of bedrooms in the dwelling was 5. This has now been increased to 8 bedrooms via internal alterations. Note, the internal alterations are considered to come under Section 4(1)h of the Planning and Development Act 2000 (as amended).

Schedule 2, Pt.1 Class 14(F), provides exemption for *a change of use-*

*f) from use as a house, to use as a residence for persons with an intellectual or physical disability or mental illness and persons providing care for such persons. With Conditions and limitations that ; The number of persons with an intellectual or physical disability or a mental illness living in any such residence shall not exceed 6 and the number of resident carers shall not exceed 2.*

It is stated that the number of persons with an intellectual or physical disability or a mental illness that would be living in the residence would be 4 and number of resident carers would be 3. In light of the above, it is considered that the proposed change of use is not exempted development having regard to the number of resident carers.

With reference to the structure attached to the rear of the dwelling and the details of the same, no information is submitted on the planning status of the structure as requested. From examining, the planning record, there is no record of permission for same and therefore rendering entire development on site unauthorised

Note **Article 9 (1)** - *Development to which article 6 relates shall not be exempted development for the purposes of the Act-*

*(a) If the carrying out of such development would-*

*(i) Contravene a condition attached to a permission under Act or be inconsistent with any use specified in a permission under the Act,*

*(viii) Consist of or compromise the extension, alteration, repair or renewal of an unauthorized structure or a structure the use of which is an unauthorized use*

## Conclusion

On basis on the above assessment, it is considered that, the change of use of house to residence for persons with intellectual or physical disability or mental illness at Corballis, Rathdrum, Co. Wicklow

is development but is not exempted development within the meaning of the Planning and Development Acts, 2000 as amended.

## Recommendation

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

The change of use of house to residence for persons with intellectual or physical disability or mental illness at Corballis, Rathdrum, Co. Wicklow, is or is not development and is or is not exempted development within the meaning of the Planning and Development Act, 2000 (as amended)

## The Planning Authority considers that:

the change of use of house to residence for persons with intellectual or physical disability or mental illness at Corballis, Rathdrum, Co. Wicklow is development but is not exempted development within the meaning of the Planning and Development Acts, 2000 as amended.

## Main Considerations with respect to Section 5 Declaration:

- The details submitted under Section 5 Declaration on 21/04/23 and 23/05/23
- Planning history of the site
- Sections 2(1) and 3(1), of the Planning and Development Act 2000 (as amended)
- Articles 6 & 9 of the Planning and Development Regulations 2001 as amended
- Schedule 2, Pt.1 Class 14 of the Planning and Development Regulations 2001(as amended)
- Site inspection carried out on 17/05/23

Agreed  
as  
Amended  
BCE  
23/6/23

## Main Reasons with respect to Section 5 Declaration:

Having regard to the planning history of the site and current use of the building, it is considered that the building change of use the existing house to children's residential care facility would not come within the description and limitations of development specified under Schedule 2, Pt.1 Class 14 of the Planning and Development Regulations 2001 (as amended) by reason of the number of the resident carers and Article 9 of the Planning and Development Regulations 2001 as amended.

Solomon Aroboto E/P 06/06/23

\* The change of use from dwelling to residence for persons with intellectual or physical disability or mental illness is development having regard to the provisions of section 3 of the PDA 2000 (as amended).

\* The change of use would not come within the limitations set out under Class 14 of the Schedule 2 Pt.1 Class 14 which limits resident carers to 2 persons.

\* The new addition to the dwelling is covered by the provisions of Article 9 of the Planning and Development Regulations 2001 as amended.

As per marked  
J.N.R.  
6/6/23

Noted & agreed  
as amended 23/6/23



# **MEMORANDUM**

## **WICKLOW COUNTY COUNCIL**

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**TO: Solomon Aroboto  
Executive Planner**

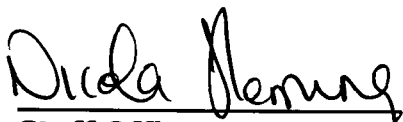
**FROM: Nicola Fleming  
Staff Officer**

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**RE:- EX 26/2023 - Declaration in accordance with Section 5 of the  
Planning & Development Acts 2000 (as amended)  
Change of use as the place will be used as residence for persons  
with intellectual or physical disability or mental illness**

I enclose herewith for your attention application for Section 5 Declaration received 25<sup>th</sup> April 2023 and Further Information received on 23<sup>rd</sup> May 2023.

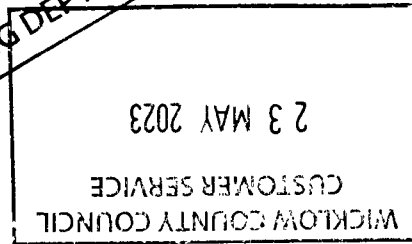
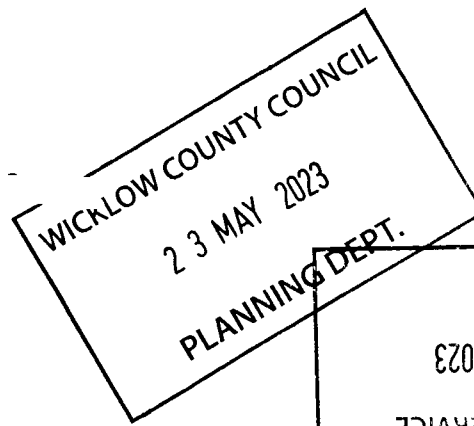
The due date on this declaration is 12<sup>th</sup> June 2023.

  
**Staff Officer**

**Planning Development & Environment**

**Daisy Mauhay**

The Nightingale Agency



**22<sup>nd</sup> May 2023**

**Wicklow County Council**

County Buildings

Wicklow Co. Wicklow

Dear Officer,

I refer to the query (EX 216/2023) that I received for my application for Certificate of Exemption under Section 5 of the Planning & Development Acts 2000 (as amended) for the property Sean Carraig House, Corballis, Rathdrum Co. Wicklow A67 DY80.

I would like to provide responses to your query as below:

The number of persons with an intellectual or physical disability or a mental illness that would be living in the residence is – Four

The number of resident carers will be – Three

The notification of final grant with planning register number: 09/780 has been attached with the application before. I am attaching it again for your reference.

Yours truly

Daisy Mauhay

The Nightingale Agency

2 Church Street

Wicklow  
A66 8728

T: (0404) 68344

F: (0404) 68131

E: info@haughtonmccarroll.ie

DN: 46003 - Wicklow

# Haughton McCarroll

## SOLICITORS

Feeney & Corcoran LLP,  
Solicitors  
15 Mount Street Lower,  
Dublin.  
D02 F722.

6 January, 2023  
Our Ref: DJH/CA/ DOY161/0003  
Your Ref:

**Re: Our Client: Donald Doyle & Ashley Doyle,  
Your Clients: PCRJ Limited,  
Matter: Sale of Sean Carraig House, Corballis, Rathdrum, Co. Wicklow.**


Dear Sirs,

In consideration of your completing this transaction we undertake to retain sufficient monies to cover financial condition no. 5 of planning reference 09/780 from the sale proceeds and to furnish you with a letter of compliance from Wicklow County Council in respect of this condition as soon as possible after completion.

We attach a clear copy of 09/780. *[to follow]*

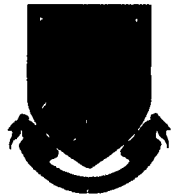
Your might confirm it is in order to release the sale proceeds.

Yours faithfully,



Haughton McCarroll

Encl.  
217,416



# Comhairle Contae Chill Mhantáin Wicklow County Council

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Planning Development and Environment**

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Suíomh / Website: [www.wicklow.ie](http://www.wicklow.ie)

06/04/2023

Daisy Mauhay

**RE: EX 216/2023**

**Application for Certificate of Exemption under Section 5 of the Planning & Development Acts 2000 (as amended)**

**Change of use as the place will be used as residence for persons with intellectual or physical disability or mental illness**

A Chara

I wish to acknowledge receipt of your application for a declaration in respect of Section 5 for the above proposal on 25<sup>th</sup> April 2023.

In accordance with Section 5(2)(b) of the Planning & Development Act 2000 (as amended) the following details should be submitted to fully assess the question i.e. please confirm the number of persons with an intellectual or physical disability or a mental illness that would be living in the residence and the number of resident carers.

With reference to the existing structure attached to the rear of the dwelling, please submit information on the planning status of same or the exemption you are relying on under planning legislation.

Mise, le meas

**Nicola Fleming  
Staff Officer**

**Planning Development & Environment**





## Report for – Section 5 declaration

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**File Reference:** EX 26/2023

**Applicant's Name:** Daisy Mauhay

**Address:** Corballis, Rathdrum, Co. Wicklow.

**Description:** Change of use of house to residence for persons with intellectual or physical disability or mental illness.

**Date of site visit** 17/05/23

### Section 5 Referral

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

Change of use of house to residence for persons with intellectual or physical disability or mental illness.

At Corballis, Rathdrum,, Co. Wicklow, is or is not development and is or is not exempted development within the meaning of the Planning and Development Act, 2000 (as amended)

### Planning History

09/780 – Don and Aisling Doyle – Retention permission was granted for dwelling and site layout as constructed, previously granted under ref no 98/8397.

98/8397 – Permission was granted for dwelling house & septic tank.

### Relevant Legislation

#### ***Planning and Development Act 2000 as amended Section 2(1)***

***“house”*** means a building or part of a building which is being or has been occupied as a dwelling or was provided for use as a dwelling but has not been occupied, and where appropriate, includes a building which was designed for use as 2 or more dwellings or a flat, an apartment or other dwelling within such a building;

***“Works”*** includes any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal

***“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,

**Section 3(1) of the Planning and Development Act 2000 as amended defined a development as follows: -**

*“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.*

**Planning and Development Act 2000- 2010 Section 4(1)(h) as amended - defined an Exempted development as follows: -**

*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 Planning and Development Regulation 2001 as amended**

**Article 6**

*(3) Subject to article 9,..... development of a class specified in column 1 of Part 1 of Schedule 2 shall be exempted development for the purposes of the Act, provided that such development complies with the conditions and limitations specified in column 2 of the said Part 1 opposite the mention of that class in the said column 1.*

**Article 9 (1) -** *Development to which article 6 relates shall not be exempted development for the purposes of the Act–*

*(a) If the carrying out of such development would–*

*(i) Contravene a condition attached to a permission under Act or be inconsistent with any use specified in a permission under the Act,*

*(iii) Endanger public safety by reason of traffic hazard or obstruction of road users,*

*(viii) Consist of or compromise the extension, alteration, repair or renewal of an unauthorized structure or a structure the use of which is an unauthorized use*

**Planning and Development Regulations 2001 as amended: Schedule 2, Pt.1 Class 14(f), states that the following constitutes exempted development:**

**Change of use**

**Class 14; Development consisting of a change of use-**

*f) from use as a house, to use as a residence for persons with an intellectual or physical disability or mental illness and persons providing care for such persons.*

**Conditions and limitations;** *The number of persons with an intellectual or physical disability or a mental illness living in any such residence shall not exceed 6 and the number of resident carers shall not exceed 2.*

**Assessment**

The issue is to determine whether the,

Change of use of house to residence for persons with intellectual or physical disability or mental illness

is or is not exempted development within the meaning of the Planning and Development Acts, 2000 as amended.

### Site description

The site measures 0.4046ha and located in the townland of Corballis, and c. 1km southwest of Rathdrum Main Street. The site slopes gently away from the road. Existing on site is a dwelling with a roofed structure with open sides to the rear and a glass house. To the east is a dwelling and to the west is cemetery.

The site is accessed by an existing entrance off the R755. The site is screened by existing trees and block wall along the boundaries.

The first question is whether the change of use of house to residence for persons with intellectual or physical disability or mental illness is or is not development.

Having regard to the definition of development in Section 3 of the Planning and Development Act 2000 (as Amended), it is considered that the change of use of house to residence for persons with intellectual or physical disability or mental illness is development.

The next question is whether the change of use of house to residence for persons with intellectual or physical disability or mental illness is or is not exempted development.

The permitted dwelling on site is a dormer and the number of bedrooms in the dwelling was 5. This has now been increased to 8 bedrooms via internal alterations. Note, the internal alterations are considered to come under Section 4(1)h of the Planning and Development Act 2000 (as amended).

Schedule 2, Pt.1 Class 14(F), provides exemption for *a change of use- f) from use as a house, to use as a residence for persons with an intellectual or physical disability or mental illness and persons providing care for such persons. With Conditions and limitations that ; The number of persons with an intellectual or physical disability or a mental illness living in any such residence shall not exceed 6 and the number of resident carers shall not exceed 2.*

The information provided are not sufficient to carry out a full assessment of whether the development is exempted development or not. Therefore further information should be sought.

Note: on site inspection, it is noted that a structure is attached to the rear of the dwelling and the details of the structure is not included in the submitted drawings and plans. In addition, there is no record of permission for the same. Clarification should be sought on the planning status of the structure.

### Conclusion


On basis on the above assessment, it is considered that further information should be sought.

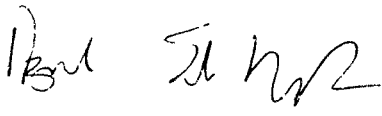
**Recommendation: Further information**

1. In accordance with Section 5(2) (b) of the Planning and Development Act 2000(as amended) the following details should be submitted to fully assess the question i.e.

- Please confirm the number of persons with an intellectual or physical disability or a mental illness that would be living in the residence and the number of resident carers.

2. With reference to the existing structure attached to the rear of the dwelling, please submit information on the planning status of same or the exemption you are relying on under planning legislation.

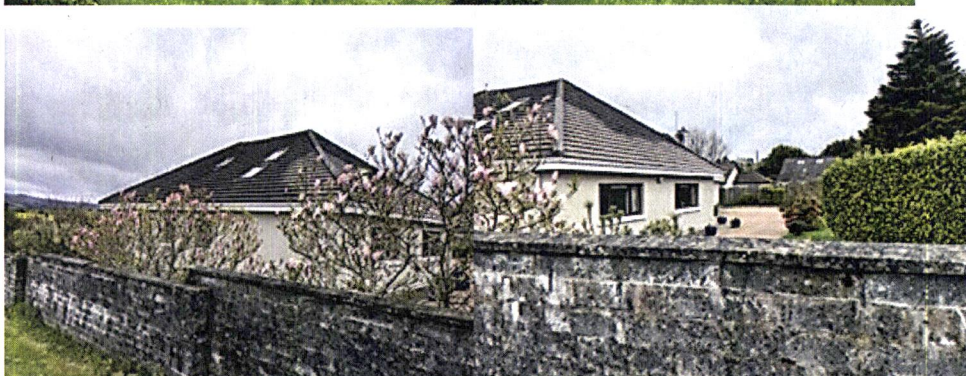
  
Solomon Aroboto E/P  
17/05/23

  
SEP  
18/5/23











# **Comhairle Contae Chill Mhantáin Wicklow County Council**

**Forbairt Pleanála agus Comhshaol  
Planning Development and Environment**

## **MEMORANDUM**

Áras An Chontae / County Buildings  
Cill Mhantáin / Wicklow  
Guthán / Tel: (0404) 20148  
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## **WICKLOW COUNTY COUNCIL**

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**TO: Solomon Aroboto  
Executive Planner**

**FROM: Nicola Fleming  
Staff Officer**

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**RE:- EX 26/2023 - Declaration in accordance with Section 5 of the  
Planning & Development Acts 2000 (as amended)  
Change of use as the place will be used as residence for persons  
with intellectual or physical disability or mental illness**

I enclose herewith for your attention application for Section 5 Declaration received 25<sup>th</sup> April 2023.

The due date on this declaration is the 22<sup>nd</sup> April 2023.

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**Staff Officer  
Planning Development & Environment**



# Comhairle Contae Chill Mhantáin Wicklow County Council

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Suíomh / Website: [www.wicklow.ie](http://www.wicklow.ie)

26<sup>th</sup> April 2023

**Daisy Mauhay**

**RE: Application for Certificate of Exemption under Section 5 of the Planning and Development Acts 2000 (as amended). Ex 26/2023  
Change of use as the place will be used as residence for persons with intellectual or physical disability or mental illness**

A Chara

I wish to acknowledge receipt on 25<sup>th</sup> April 2023 details supplied by you in respect of the above Section 5 application. A decision is due in respect of this application by 22<sup>nd</sup> May 2023.

Mise, le meas

**NICOLA FLEMING  
STAFF OFFICER  
PLANNING DEVELOPMENT AND ENVIRONMENT**





Ashley Don Doyle  
Sean Carraig  
Corballis Upper  
Rathdrum  
Co. Wicklow  
A67 DY80

## CERTIFICATE OF REGISTRATION

Reference ID: **964-ZJK7R**

Registration number: <b>M3VB778JZG</b>
Date of registration: <b>28/09/2012</b>
Registered to: <b>Ashley Don Doyle</b>
Registered address: <b>Sean Carraig, Corballis Upper, Rathdrum, Co. Wicklow, A67 DY80</b>
Water services authority: <b>Wicklow County Council</b>

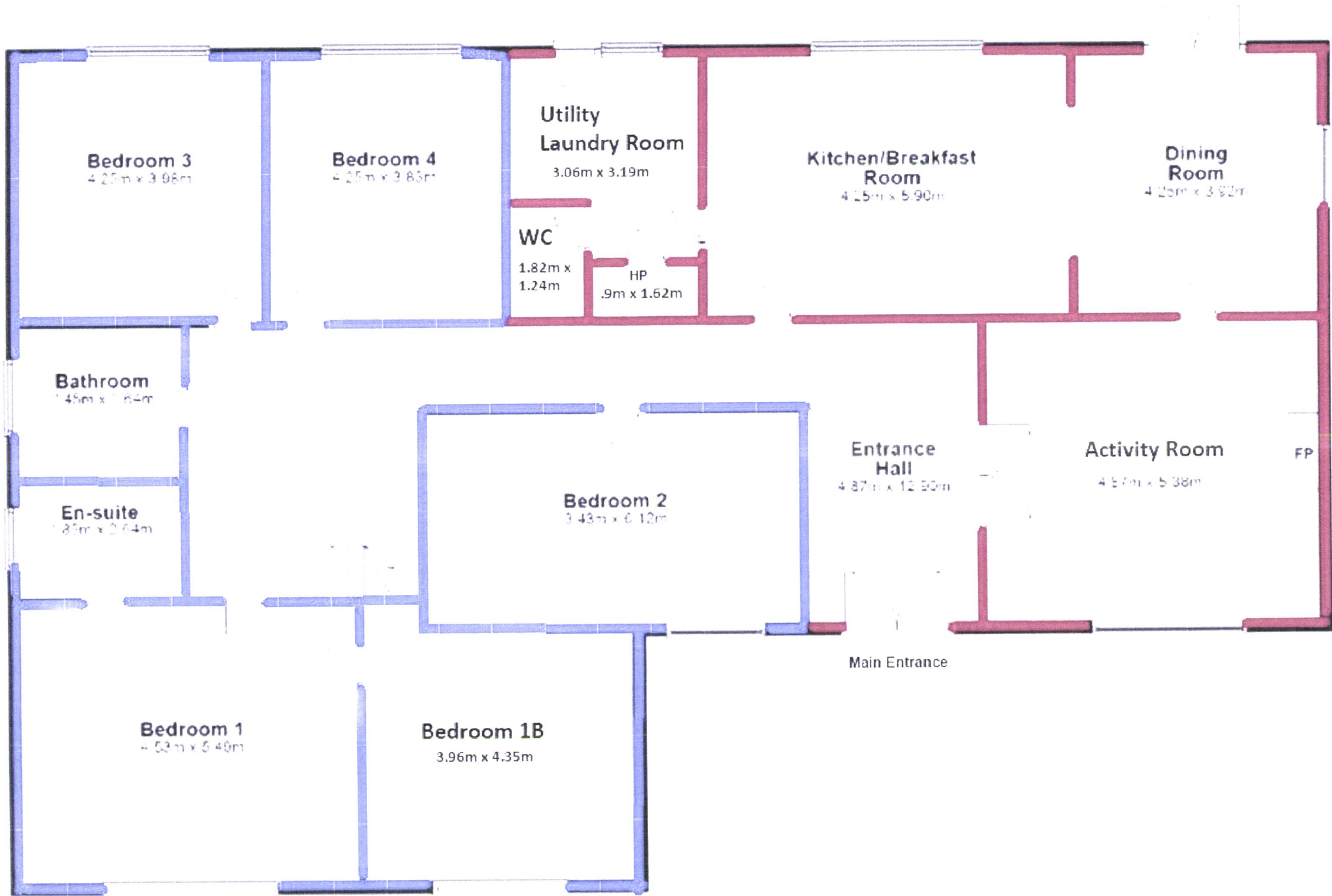
### Issued under the Water Services Act 2017.

This document certifies that the domestic wastewater treatment system connected to a property at the aforementioned address, and registered to the aforementioned owner, has been included on the Domestic Wastewater Treatment Systems register.

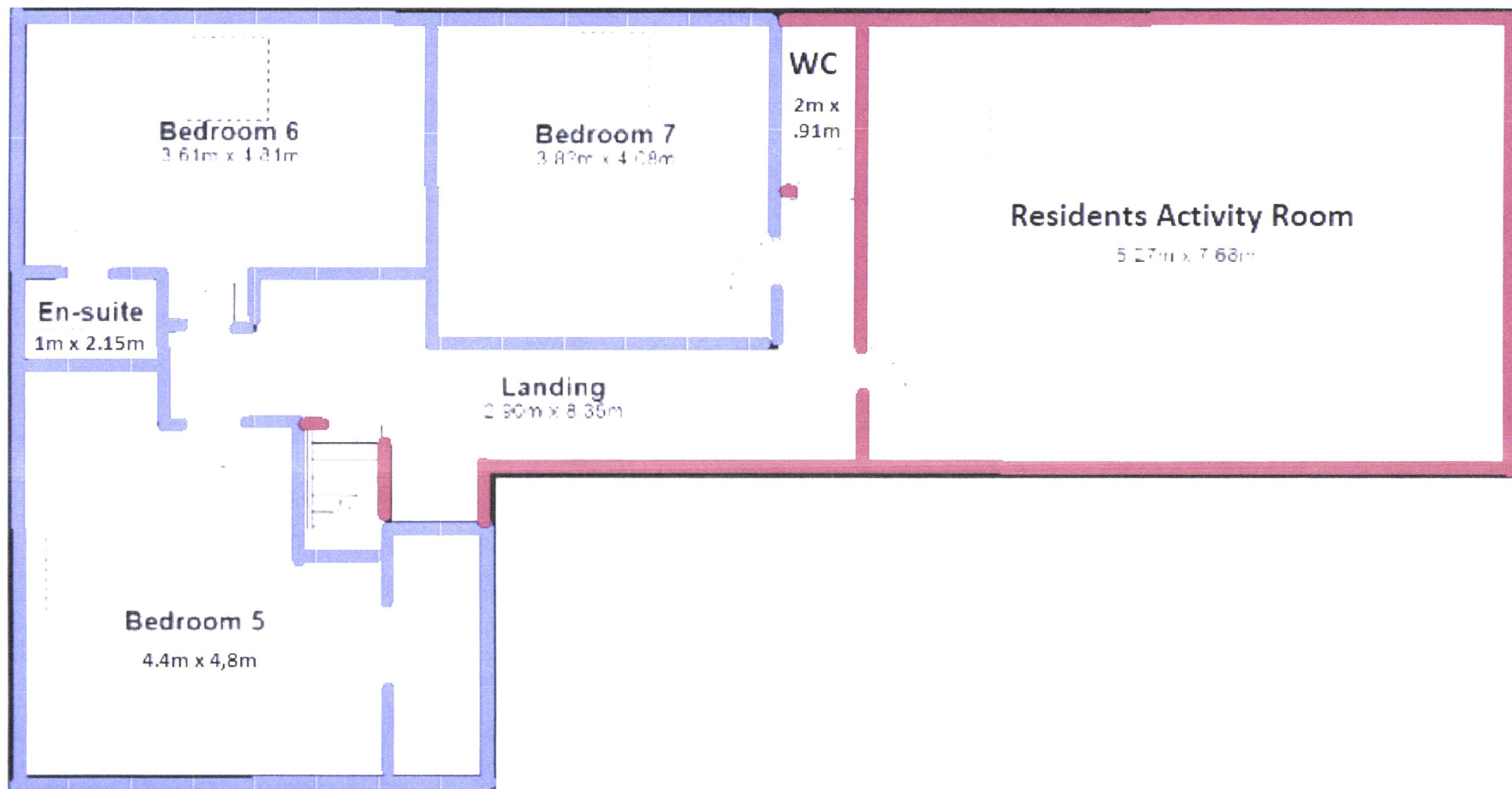
### Please retain this document.

- You may be requested to present this document to an authorised person appointed by the water services authority.
- When selling or transferring ownership of your property please provide a copy of this certificate to the new owner. The new owner will be responsible for notifying the water services authority above of the change in ownership. For more information on change of ownership please visit [www.protectourwater.ie](http://www.protectourwater.ie).

Ground Floor



## First Floor



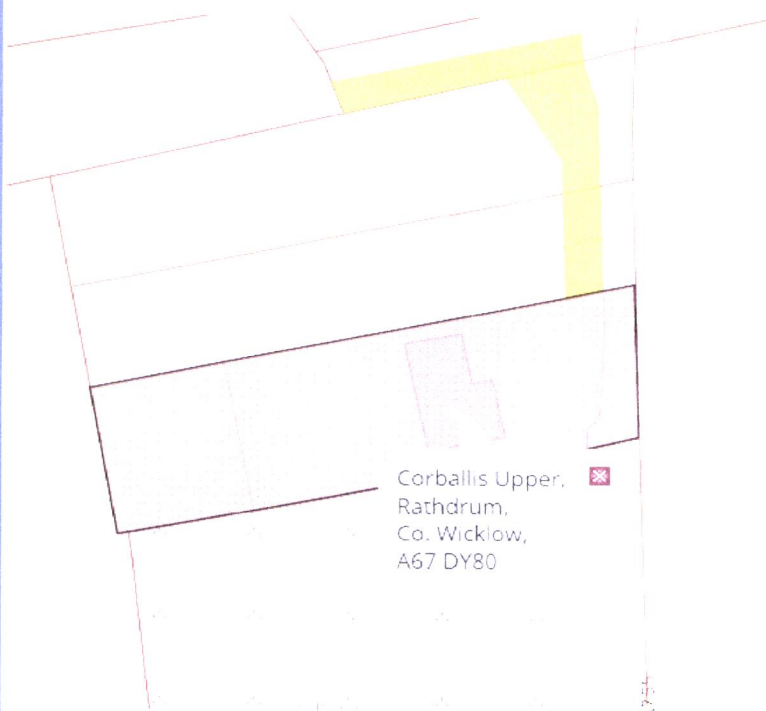
## Section F - Land registry

We carried out an on-line search of The Land Registry.

The folio number is : WW33547F

We recommend obtaining a certified land registry compliant map.

The boundary and plan area are not conclusive.



Property Details	
<a href="#">Back</a>	
Folio Number	WW33547F
Title Level	Freehold
Plan Number	B3JJG
Property Number	1
Area of selected plans	0.32 hectares.
Number of Plans on this folio:	1
Address	Corballis Upper, Rathdrum, Co. Wicklow, A67 DY80
<a href="#">Add to Basket</a> <a href="#">Create Alert</a>	
Note: Boundaries and Plan Area are not conclusive. See <a href="#">here</a> for more information.	
<a href="#">View Basket</a>	
<a href="#">Print Current View</a>	
<a href="#">Help</a>	



## **Section 6 - Planning**

We carried out an on-line search from the local County Council website.

The planning references are below:

File Number	Application Status	Decision Due Date	Decision Date	Decision Code	Received Date	Applicant Name	Development Address	Development Description	Local Authority Name
000007	APPLICATION FINALISED	08/04/2000	05/04/2000	CONDITIONAL	09/04/1998	Donald Doyle	Corballis Upper Rathdrum	dwelling house & septic tank	WICKLOW CO CO

File Number	Application Status	Decision Due Date	Decision Date	Decision Code	Received Date	Applicant Name	Development Address	Development Description	Local Authority Name
000007	APPLICATION FINALISED	12/04/2010	08/04/2010	CONDITIONAL	02/07/2009	Don & Ashley Doyle	Corballis Upper Rathdrum Co Wicklow	dwelling and site layout as constructed previously granted under ref no 98/8397	WICKLOW CO CO

A certificate of compliance/exemption for planning permission should be requested.

Wicklow County Council  
County Buildings  
Wicklow  
0404-20100

25/04/2023 09:58:40

Receipt No L11/0/312173

DAISY MAUSCY  
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EXEMPTION CERTIFICATES	80.00
GOODS	80.00
VAT Exempt/Non-vatable	

Total	80.00 EUR
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Tendered	
Credit Card	80.00
26/2023	

Change	0.00
--------	------

Issued By Katie Finn  
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 21/04/23

Fee Received 25/04/23

**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: DAISY MAUNAY

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) \_\_\_\_\_

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 SEAN CARRAIL HOUSE,  
CORBALLIS, RATHRUM, CO. WILLOW, A67 DY80

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

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

iv. Section 5 of the Planning and Development Act provides that : If any question arises as to what, in any particular case, is or is not development and is or is not exempted development, within the meaning of this act, any person may, 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 EXEMPTION TO CHANGE OF  
USE AS THE PLACE WILL BE USED AS RESIDENCE  
FOR PERSONS WITH INTELLECTUAL OR PHYSICAL  
DISABILITY OR MENTAL ILLNESS

*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 \_\_\_\_\_  
\_\_\_\_\_

SECTION 5

*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 \_\_\_\_\_

- FLOOR PLANS  
- PLANNING GRANT  
- BUILDING COMPLIANCE  
- SITE MAP  
- PLANNING

viii. Fee of € 80 Attached ? WILL BE PAID VIA DEBIT CARD. PLEASE CALL  
01 525 3213 EXT 1001

Signed :  Dated : 16/04/23

#### **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