



Comhairle Contae Chill Mhantáin Wicklow County Council

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

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

**Duncan Styles,
Bersama,
Victoria Road,
Greystones.
Co. Wicklow.
A63 AV82**

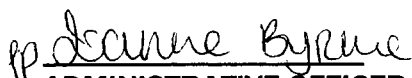
July 2025

RE: Declaration in accordance with Section 5 of the Planning & Development Acts 2000 (As Amended) – EX64/2025 for Duncan Styles

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, ECONOMIC & RURAL DEVELOPMENT**



*Ta an doic meo seo ar fáil i bhformáid níos gairbhí.
This document is available in alternative formats on request.*

Ba chóir gach comhfhreagras a sheoladh chuig an Stiúrthóir Seirbhísi, Pleanáil, Forbairt Eacnamaíochta agus Tuaithe
All correspondence should be addressed to the Director of Services, Planning, Economic and Rural Development





WICKLOW COUNTY COUNCIL
PLANNING & DEVELOPMENT ACTS 2000 (As Amended)
SECTION 5
CHIEF EXECUTIVE ORDER NO. CE/PERD/2025/819

Reference Number: EX 64/2025

Name of Applicant: Duncan Styles

Nature of Application: Section 5 Referral as to whether or not "1. The construction of a garage (24sqm) attached to the side of a detached dwelling & 2. The construction of a utility room extension (18.5sqm) to the rear of a detached dwelling" is or is not development and is or is not exempted development.

Location of Subject Site: Bersama, Victoria Road, Greystones, Co. Wicklow

Report from Andrew Spencer, EP & Fergal Keogh, SE

With respect to the query under section 5 of the Planning & Development Act 2000 as to whether "The construction of a garage (24sqm) attached to the side of a detached dwelling & the construction of a utility room extension (18.5sqm) to the rear of a detached dwelling" at Bersama, Victoria Road, Greystones, Co. Wicklow is or is not exempted development within the meaning of the Planning & Development Acts 2000 (as amended).

Having regard to:

- (a) The details received with this Section 5 application (EX64/2025) on the 23rd June 2025 and the further information received on the 14th July 2025.
- (b) Sections 2, 3, and 4 of the Planning and Development Act 2000(as amended).
- (c) Article 6(1) of the Planning and Development Regulations, 2001, (as amended).
- (d) Article 9 of the Planning and Development Regulations, 2001(as amended).
- (e) Class 1 and Class 3 of Part 1 of Schedule 2 of the Planning and Development Regulations, 2001 (as amended).

Main Reason with respect to Section 5 Declaration:

- 1) The proposed domestic garage located to the side of the house and extension to the rear of the house would be development having regard to Section 3 of the Planning and Development Act 2000 (as amended)
- 2) The proposed domestic garage located to the side of the house accords with the provisions of Schedule 2, Part 1, Class 3 of the Planning and Development Regulations 2001 (as amended)
- 3) The proposed extension located to the rear of the house accords with the provisions of Schedule 2, Part 1, Class 1 of the Planning and Development Regulations 2001 (as amended)

Recommendation

The Planning Authority considers that "The construction of a garage (24sqm) attached to the side of a detached dwelling & the construction of a utility room extension (18.5sqm) to the rear of a detached dwelling" at Bersama, Victoria Road, Greystones, Co. Wicklow is development and is exempted development as recommended in the report by the SE

Signed Deanne Byrne

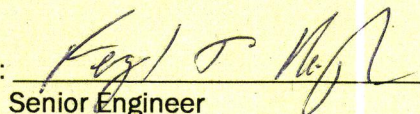
Dated 31st day of July 2025

ORDER:

I HEREBY DECLARE:

That "The construction of a garage (24sqm) attached to the side of a detached dwelling & the construction of a utility room extension (18.5sqm) to the rear of a detached dwelling" at Bersama, Victoria Road, Greystones, Co. Wicklow is development and is exempted development within the meaning of the Planning & Development Act 2000 (as amended).

Signed:



Senior Engineer

Planning, Economic & Rural Development

Dated 31st day of July 2025



**WICKLOW COUNTY COUNCIL
PLANNING DEPARTMENT**

Section 5 – Application for declaration of Exemption Certificate

REF: EX 64/2025
NAME: DUNCAN STYLES
DEVELOPMENT: GARAGE TO SIDE AND EXTENSION TO REAR OF DWELLING
LOCATION: BERSAMA, VICTORIA ROAD , GREYSTONES.

Further information was requested on the 23rd June 2025 and received on the 14/07/2025. The following should be read in conjunction with the initial planner's report.

Further Information Request:

- (a) The external finishes of any garage or other structure constructed, erected or placed to the side of a house, and the roof covering where any such structure has a tiled or slated roof, shall conform with those of the house.
- (b) The height of any such structure shall not exceed, in the case of a building with a tiled or slated pitched roof, 4 metres or, in any other case, 3 metres.

Response:

The applicant has submitted the following information with respect to items (a) and (b). With respect to item (a) the applicant confirms that the proposed finishes shall be render as per the main dwelling. With respect to (b) the applicant confirms that the height of the rear extension and garage shall be 3m (flat roof).

In addition to the above the applicant has increased the size of the garage to 24sqm from 20.5sqm, submitting drawings and assessment of compliance with planning exemptions.

Assessment:

The applicant's submission with respect to further information items (a) and (b) are considered acceptable.

The applicant's revised garage proposal, increasing the area from 20.5 to 24sqm thus remaining below 25sqm and with all other conditions being met keeps the applicant's proposal within the parameters of the conditions and limitations set out within Class 3.

Recommendation:

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

1. The construction of a garage (24.sqm) attached to the side of a detached dwelling at Bersama, Victoria Road, Greystones Co. Wicklow

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

The Planning Authority considers that the construction of a garage (24.sqm) attached to the side of a detached dwelling is development and is **exempted development**.

2. The construction of a utility room extension (18.5sqm) to the rear of a detached dwelling at Bersama, Victoria Road, Greystones Co. Wicklow

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

The Planning Authority considers that

The construction of a utility room extension (18.5sqm) to the rear of a detached dwelling is development and is **exempted development**.

Main Considerations with respect to Section 5 Declaration:

- a) The details received with this Section 5 application (EX64/2025) on the 23rd June 2025 and the further information received on the 14th July 2025.
- b) Sections 2, 3, and 4 of the Planning and Development Act 2000 (as amended).
- c) Article 6(1) of the Planning and Development Regulations, 2001, (as amended).
- d) Article 9 of the Planning and Development Regulations, 2001 (as amended).
- e) Class 1 and Class 3 of Part 1 of Schedule 2 of the Planning and Development Regulations, 2001 (as amended).

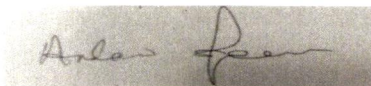
Main Reasons with respect to Section 5 Declaration:

Item 1 – Garage:

- 1) The proposed domestic garage located to the side of the house would be development having regard to Section 3 of the Planning and Development Act 2000 (as amended), ~~as set out in the documents lodged~~.
- 2) The proposed domestic garage located to the side of the house accords with the provisions of Schedule 2, Part 1, Class 3 of the Planning and Development Regulations 2001 (as amended) and ~~therefore is exempted development~~.

Item 2 – Extension:

- 3) The proposed extension located to the rear of the house would be development having regard to Section 3 of the Planning and Development Act 2000 (as amended), as set out in the documents lodged.
- 3) The proposed extension located to the rear of the house accords with the provisions of Schedule 2, Part 1, Class 1 of the Planning and Development Regulations 2001 (as amended) and ~~therefore is exempted development~~.



Andrew Spencer
Executive Planner 31/7/2025

*Agreed as modified
Feyl T. Myles
31/07/25*

*Issue Declaration as detailed
Feyl T. Myles 31/07/25*



Comhairle Contae Chill Mhantáin
Wicklow County Council

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MEMORANDUM

WICKLOW COUNTY COUNCIL

TO: Andrew Spencer
Executive Planner

FROM: Nicola Fleming
Staff Officer

RE:- Application for Certificate of Exemption under Section 5 of the
Planning and Development Acts 2000 (as amended).
EX64/2025

I enclose herewith application for Section 5 Declaration received completed on 28/05/2025 along with Further Information received on 14/07/2025.

The due date on this declaration is 3rd August 2025.

Staff Officer
Planning, Economic & Rural Development





Comhairle Contae Chill Mhantáin Wicklow County Council

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**Duncan Styles
Bersama
Victoria Road
Greystones
Co. Wicklow
A63 AV82**

27th May 2025

RE: Application for Certificate of Exemption under Section 5 of the Planning and Development Acts 2000 (as amended). – EX64/2025

A Chara

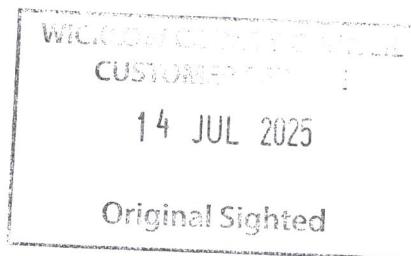
I wish to acknowledge receipt on 28/05/2025 full details supplied by you in respect of the above Section 5 application along with further information received on 14/07/2025. A decision is due in respect of this application by 03/08/2025.

Mise, le meas

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



Planning Department
Wicklow County Council
County Buildings
Wicklow



Bersama
Victoria Rd
Greystones
A63 AV82

09 July 2025

Re: Application for Certificate of Exemption under Section 5 - EX64/2025

Dear Sir / Madam / Nicola

In response to your letter dated 23 June 2025 I have revised the initial drawings allowing for a very slightly larger garage and utility room, while staying within the conditions you noted. I have also enclosed following scale drawings as requested:

- (1) An "As Is" scale plan of the site
- (2) An "After addition of Garage and Utility room rear extension" scale plan of site
- (3) Floorplan with scale
- (4) Northern Elevation to scale
- (5) Southern Elevation to scale
- (6) Eastern Elevation to scale
- (7) Western Elevation to scale

In relation to the conditions of the section 5 exemption conditions in respect to the garage component of the development I can confirm the following:

1. The structure will not be placed forward of the front wall of the house. It will be set back from the front wall by 87cm
2. The total area of the structure will be less than 25sqm. An area of 24sqm is planned.
3. The erection of the structure will leave in excess of 180sqm of private open space.
4. The external finish of the structure will be a rendered finish to conform to the finish of the existing house.
5. The roof of the structure will be flat and constructed to a height of 3m
6. The structure will not be used for habitation

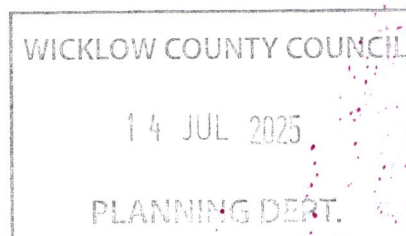
In relation to the conditions of the section 5 exemption conditions in respect of the small scale extension component of the development I can confirm the following:

1. The original floor area of the house is to be increased by 19 sqm to provide for a utility room to the rear of the kitchen and proposed garage at ground level.
2. The house has not previously been extended.
3. As mentioned previously the extension does not reduce the area of private open space to less than 25 square metres.
4. The height of the single story extension with a flat roof will reach a height of 3m, built to the rear of the existing 2 storey house.
5. The external finish of the structure will be a rendered finish to conform to the finish of the existing house.
6. There are 2 south facing windows planned for the utility room extension and they shall be set back from the boundary of the adjoining property by 1m. These windows will be placed above head height and therefore in no way do they provide a view that overlooks the neighbouring property. The purpose of these windows is to provide natural light and airflow to the room.

I trust this letter and the revised drawings enclosed support my application for a certificate of planning exemption for the proposed development. Please do not hesitate to contact me if you have any further queries.

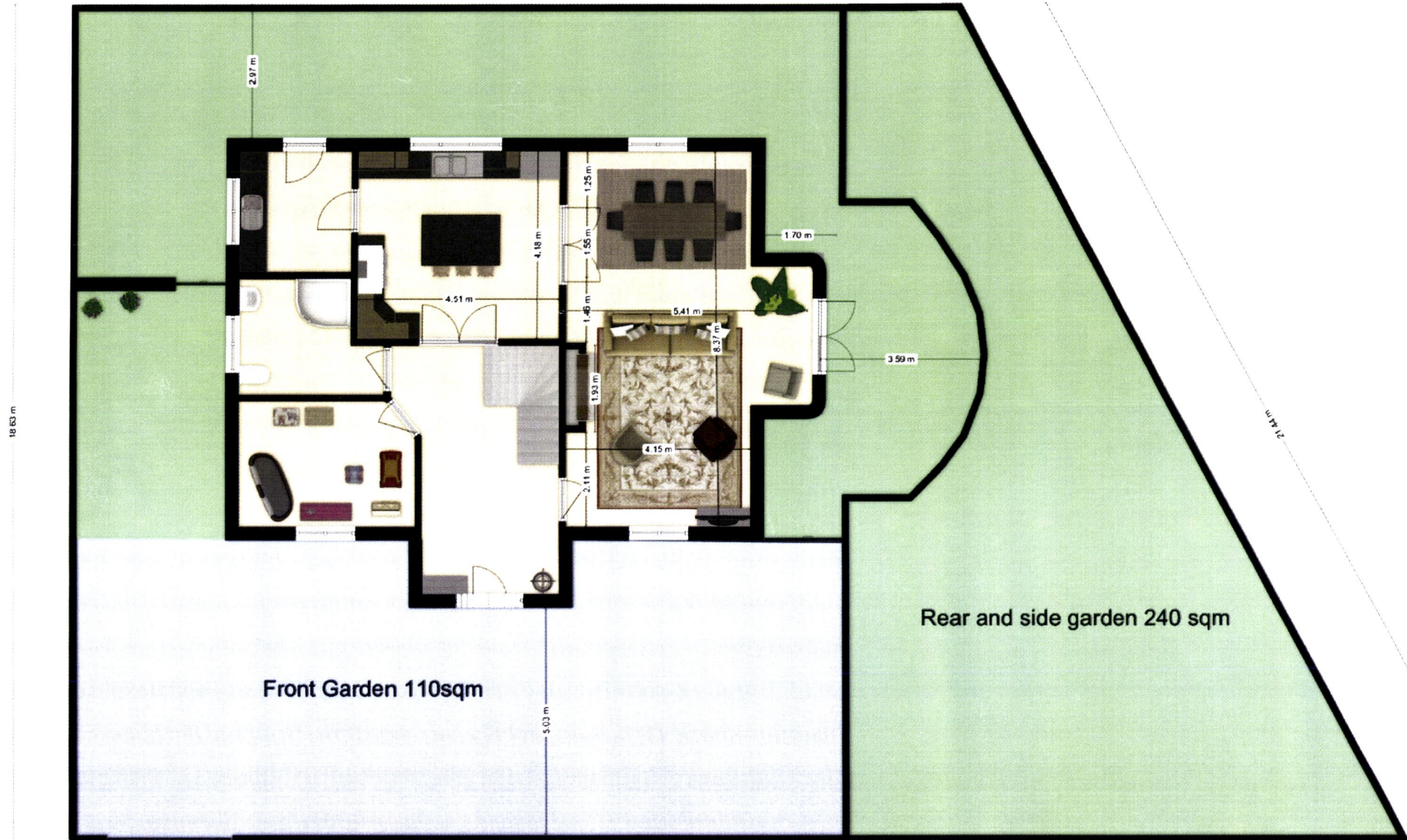
Yours sincerely,
Duncan Styles

087 226 5446 / duncan.styles@gmail.com



As is

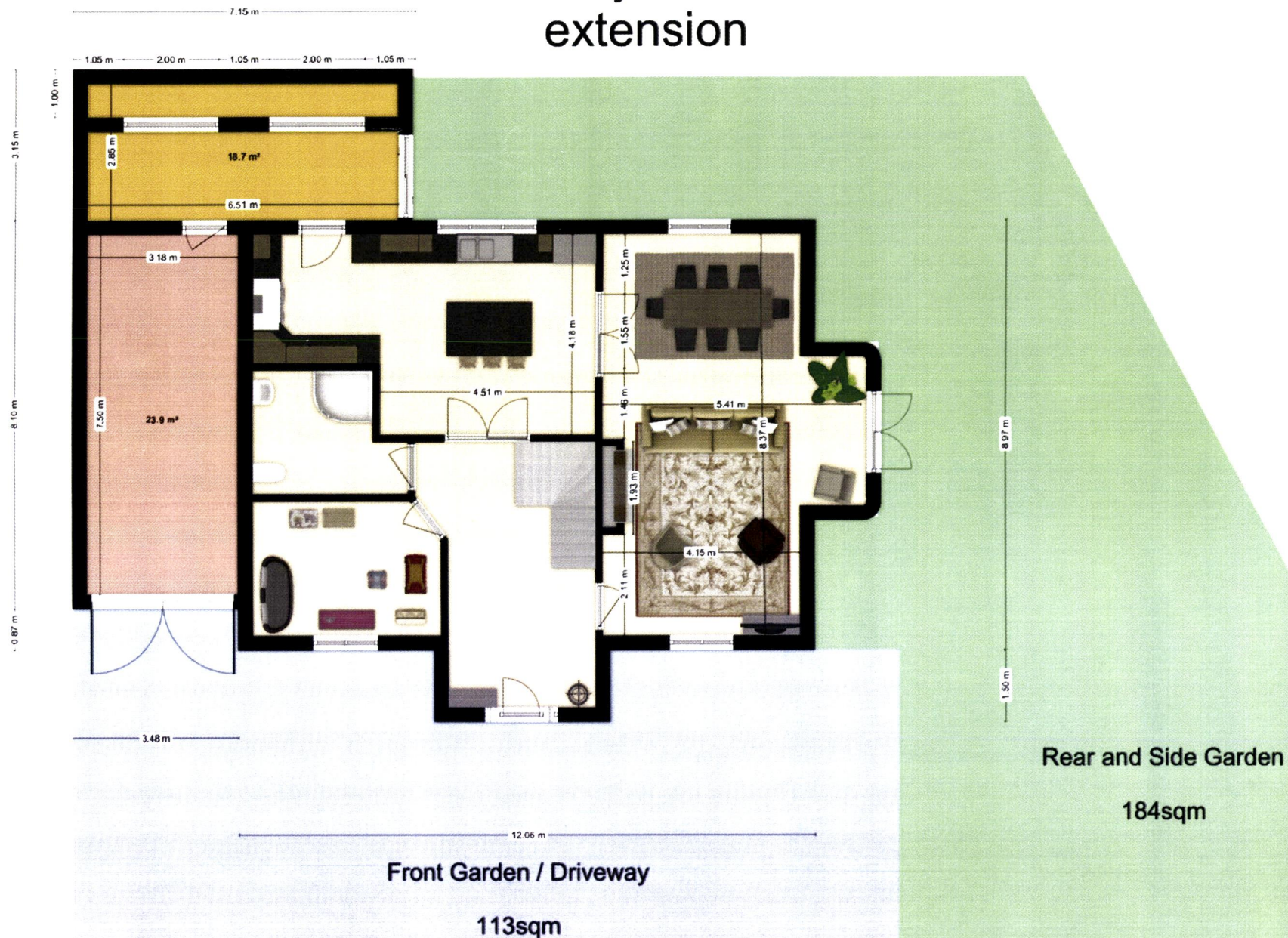
20.00 m



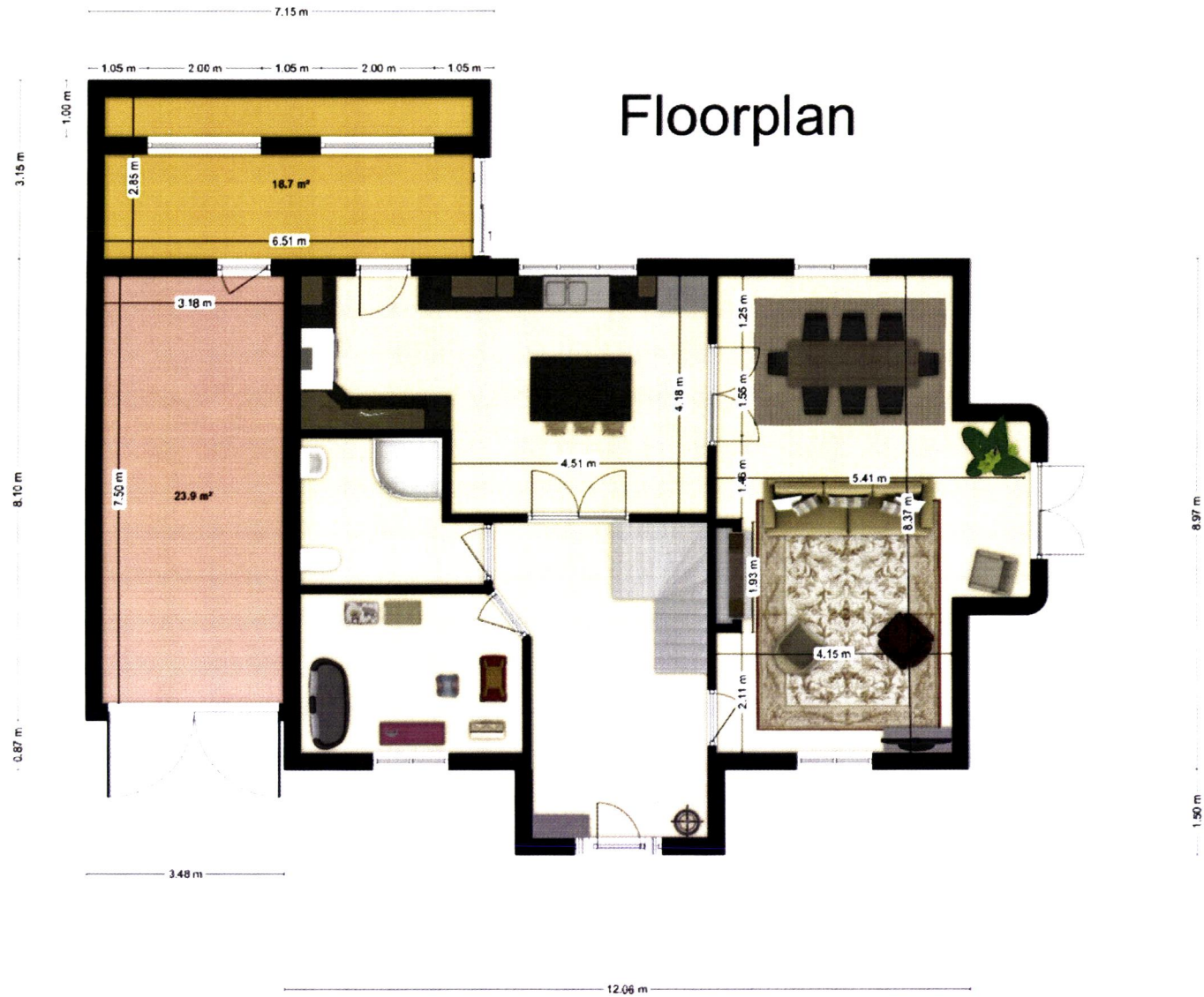
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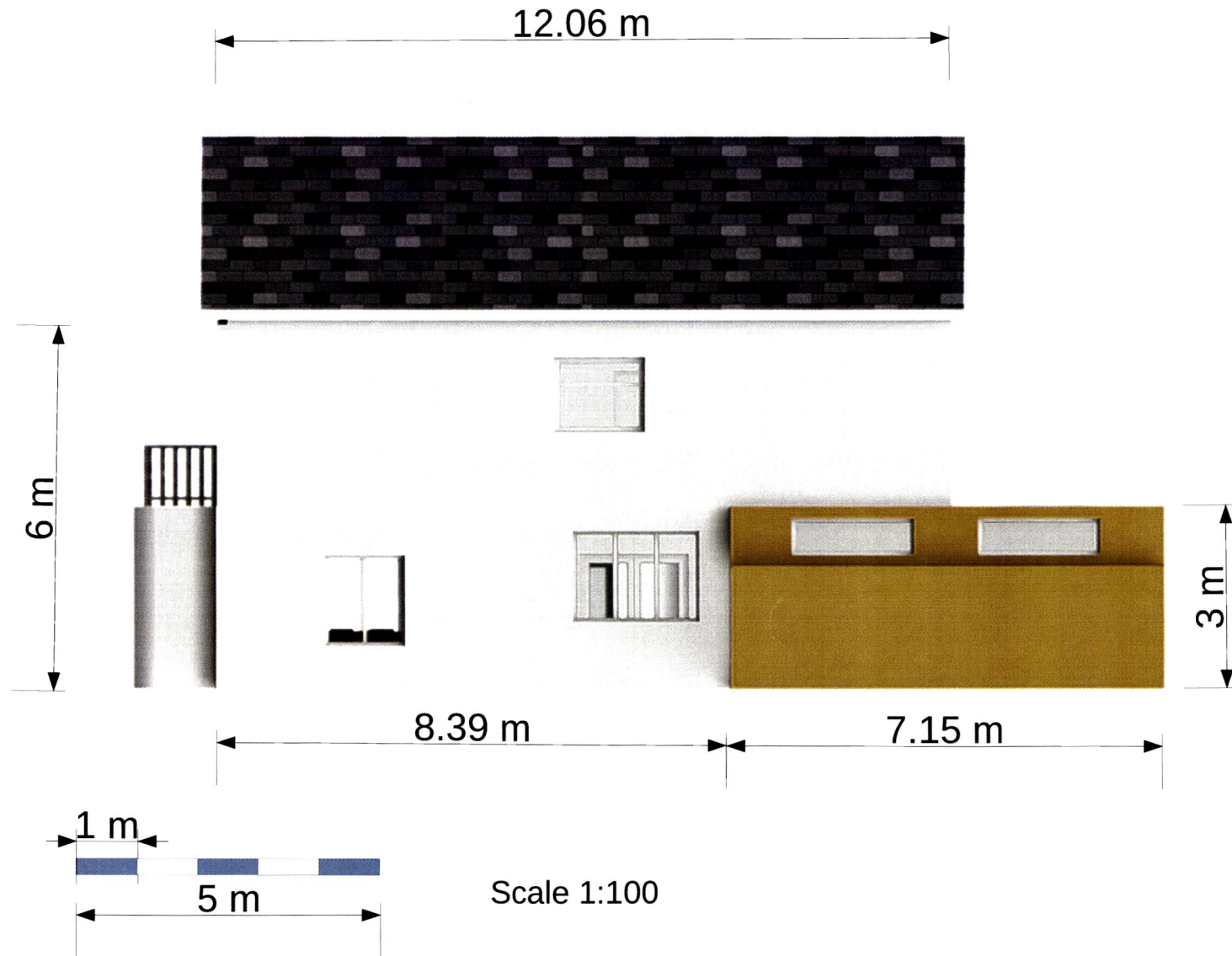
After addition of Garage and Utility room rear extension



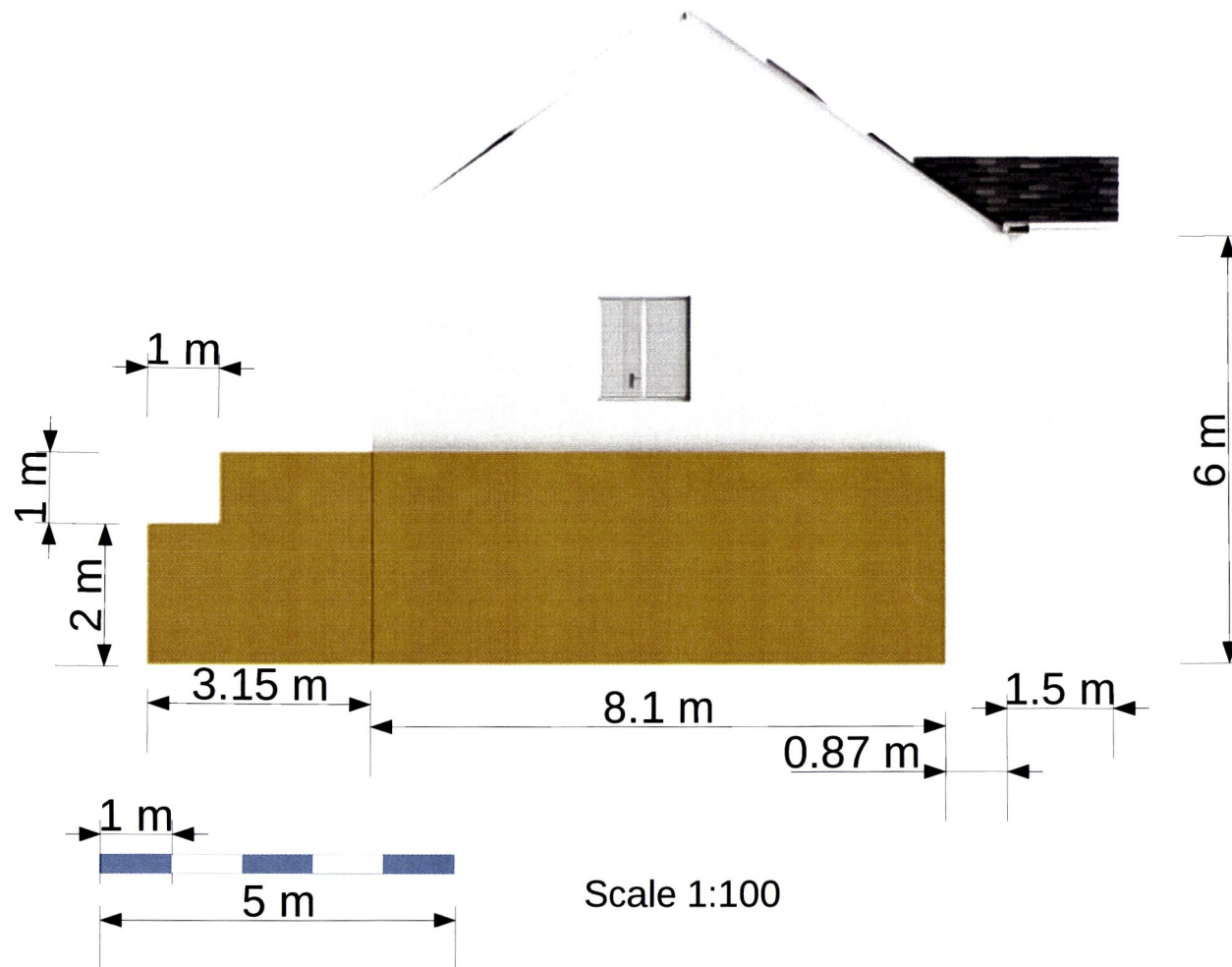
Floorplan



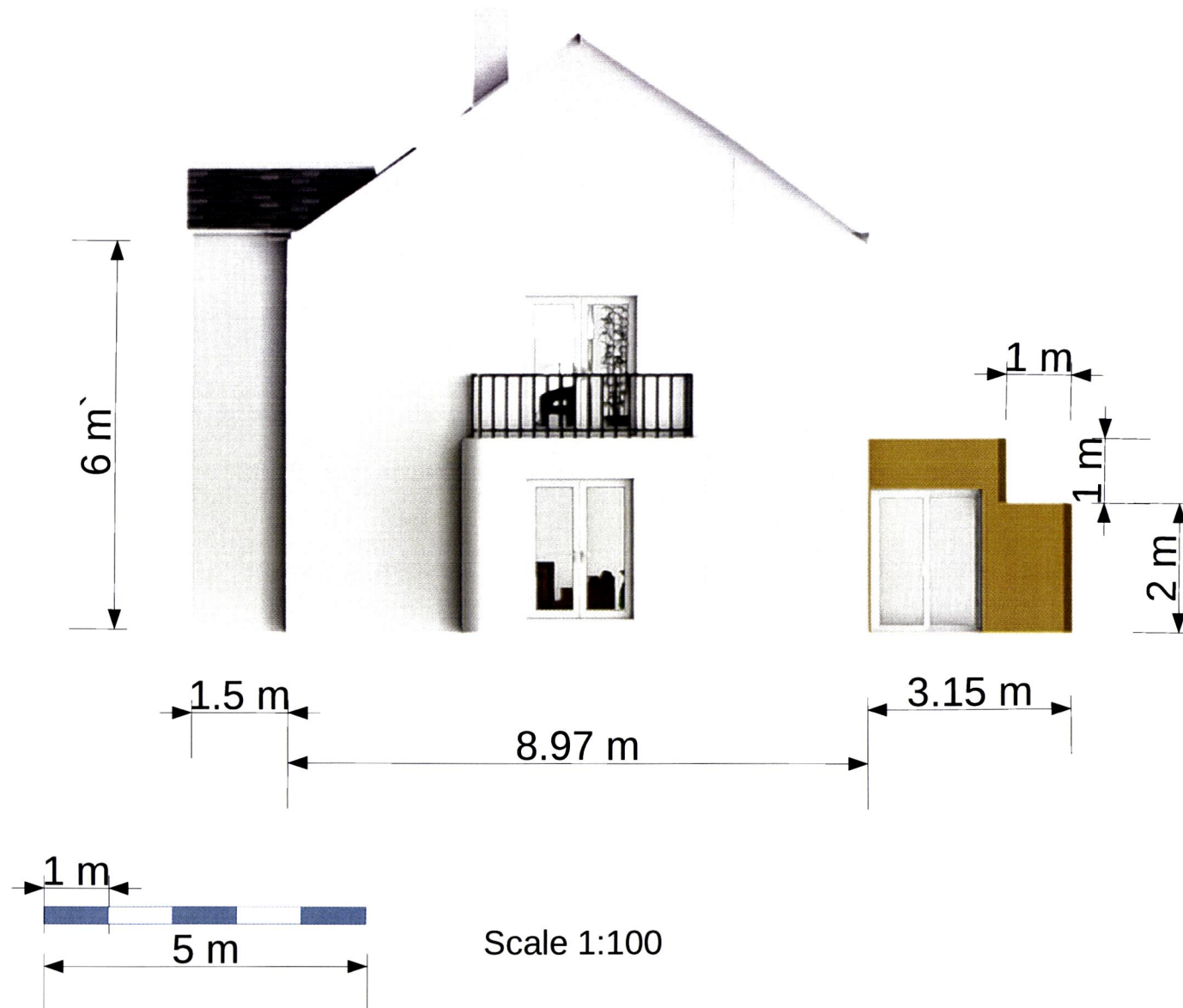
Southern Elevation



Eastern Elevation



Western Elevation





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Duncan Styles
Bersama
Victoria Rd
Greystones
Co. Wicklow
A63 AV82

23rd June 2025

RE: Application for Certificate of Exemption under Section 5 of the Planning & Development Acts 2000 (as amended). – EX64/2025

A Chara

In respect of your query under Section 5 of the Planning and Development Act 2000 (as amended), received on 28th May 2025 please be advised that in order to fully assess the Section 5 query, you are requested to submit further details concerning the proposed development, as follows:

Class 3 of the planning and development regulations 2001 (as amended) sets out the following:

The construction, erection or placing within the curtilage of a house of any tent, awning, shade or other object, greenhouse, garage, store, shed or other similar structure,

Subject to the following conditions/limitations:

- 1. No such structure shall be constructed, erected or placed forward of the front wall of a house.*
- 2. The total area of such structures constructed, erected or placed within the curtilage of a house shall not, taken together with any other such structures previously constructed, erected or placed within the said curtilage, exceed 25 square metres.*
- 3. The construction, erection or placing within the curtilage of a house of any such structure shall not reduce the amount of private open space reserved exclusively for the use of the occupants of the house to the rear or to the side of the house to less than 25 square metres.*
- 4. The external finishes of any garage or other structure constructed, erected or placed to the side of a house, and the roof covering where any such structure has a tiled or slated roof, shall conform with those of the house.*
- 5. The height of any such structure shall not exceed, in the case of a building with a tiled or slated pitched roof, 4 metres or, in any other case, 3 metres.*
- 6. The structure shall not be used for human habitation or for the keeping of pigs, poultry, pigeons, ponies or horses, or for any other purpose other than a purpose incidental to the enjoyment of the house as such.*

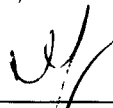


In this regard details respecting items pertaining to the external finishes of the garage and the height of the garage have not been submitted and as such a proper assessment respecting the application of Class 3 cannot be made.

Please submit drawings to scale with cognisance being had to the limitations set out under Class 3 above. In particular:

- a) The external finishes of any garage or other structure constructed, erected or placed to the side of a house, and the roof covering where any such structure has a tiled or slated roof, shall conform with those of the house.
- b) The height of any such structure shall not exceed, in the case of a building with a tiled or slated pitched roof, 4 metres or, in any other case, 3 metres.

Mise, le meas



NICOLA FLEMING
STAFF OFFICER,
PLANNING DEVELOPMENT AND ENVIRONMENT.



**WICKLOW COUNTY COUNCIL
PLANNING DEPARTMENT**

Section 5 – Application for declaration of Exemption Certificate

REF: EX 64/2025
NAME: DUNCAN STYLES
DEVELOPMENT: GARAGE TO SIDE AND EXTENSION TO REAR OF DWELLING
LOCATION: BERSAMA, VICTORIA ROAD , GREYSTONES.



The Site:

PRR042028 – Demolition of existing single storey dwelling and replaced with a single, two storey dwelling. Granted.

Question:

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

- (1) The construction of a garage (20.5sqm) attached to the side of a detached dwelling.
- (2) The construction of a utility room extension (18.5sqm) to the rear of a detached dwelling.

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' include "Any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal..."

Section 4 sets out the types of works that while considered 'development', can be considered 'exempted development' for the purposes of the Act.

Planning and Development Regulations, 2001 (as amended):

Article 6(1) Subject to article 9, development of a class specified in column 1 of Part 1 of Schedule 2 shall be exempted development for the purposes of the Act, provided that such development complies with the conditions and limitations specified in column 2 of the said Part 1 opposite the mention of that class in the said column 1.

Article 9 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 - *None are considered applicable in this instance.*

Schedule 2: Part 1

<p>CLASS 1</p> <p>The extension of a house, by the construction or erection of an extension (including a conservatory) to the rear of the house or by the conversion for use as part of the house of any garage, store, shed or other similar structure attached to the rear or to the side of the house.</p>	<p>1. (a) Where the house has not been extended previously, the floor area of any such extension shall not exceed 40 square metres.</p> <p>(b) Subject to paragraph (a), where the house is terraced or semi-detached, the floor area of any extension above ground level shall not exceed 12 square metres.</p> <p>(c) Subject to paragraph (a), where the house is detached, the floor area of any extension above ground level shall not exceed 20 square metres.</p> <p>2. (a) Where the house has been extended previously, the floor area of any such extension, taken together with the floor area of any previous extension or extensions constructed or erected after 1 October 1964, including those for which planning permission has been obtained, shall not exceed 40 square metres.</p> <p>(b) Subject to paragraph (a), where the house is terraced or semi-detached and has been extended previously, the floor area of any extension above ground level taken together with the floor area of any previous extension or extensions above ground level constructed or erected after 1 October 1964, including those for which planning permission has been obtained, shall not exceed 12 square metres.</p> <p>(c) Subject to paragraph (a), where the house is detached and has been extended previously, the floor area of any extension above ground level, taken together with the floor area of any previous extension or extensions above ground level constructed or erected after 1 October 1964, including those for which planning permission has been obtained, shall not exceed 20 square metres.</p> <p>3. Any above ground floor extension shall be a distance of not less than 2 metres from any party boundary.</p> <p>4. (a) Where the rear wall of the house does not include a gable, the height of the walls of any such extension shall not exceed the height of the rear wall of the house.</p> <p>(b) Where the rear wall of the house includes a gable, the height of the walls of any such extension shall not exceed the height of the side walls of the house.</p> <p>(c) The height of the highest part of the roof of any such</p>
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	<p>extension shall not exceed, in the case of a flat roofed extension, the height of the eaves or parapet, as may be appropriate, or, in any other case, shall not exceed the height of the highest part of the roof of the dwelling.</p> <p>5. The construction or erection of any such extension to the rear of the house shall not reduce the area of private open space, reserved exclusively for the use of the occupants of the house, to the rear of the house to less than 25 square metres.</p> <p>6. (a) Any window proposed at ground level in any such extension shall not be less than 1 metre from the boundary it faces.</p> <p>(b) Any window proposed above ground level in any such extension shall not be less than 11 metres from the boundary it faces.</p> <p>(c) Where the house is detached and the floor area of the extension above ground level exceeds 12 square metres, any window proposed at above ground level shall not be less than 11 metres from the boundary it faces.</p> <p>7. The roof of any extension shall not be used as a balcony or roof garden.</p>
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Description of Development	Conditions and Limitations
<i>Development within the curtilage of a house</i>	
<p>Class 3</p> <p>The construction, erection or placing within the curtilage of a house of any tent, awning, shade or other object, greenhouse, garage, store, shed or other similar structure.</p>	<ol style="list-style-type: none"> 1. No such structure shall be constructed, erected or placed forward of the front wall of a house. 2. The total area of such structures constructed, erected or placed within the curtilage of a house shall not, taken together with any other such structures previously constructed, erected or placed within the said curtilage, exceed 25 square metres. 3. The construction, erection or placing within the curtilage of a house of any such structure shall not reduce the amount of private open space reserved exclusively for the use of the occupants of the house to the rear or to the side of the house to less than 25 square metres. 4. The external finishes of any garage or other structure constructed, erected or placed to the side of a house, and the roof covering where any such structure has a tiled or slated roof, shall conform with those of the house. 5. The height of any such structure shall not exceed, in the case of a building with a tiled or slated pitched roof, 4 metres or, in any other case, 3 metres. 6. The structure shall not be used for

	human habitation or for the keeping of pigs, poultry, pigeons, ponies or horses, or for any other purpose other than a purpose incidental to the enjoyment of the house as such.
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Assessment:

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 for:

- (1) The construction of a garage (20.5sqm) attached to the side of a detached dwelling.
- (2) The construction of a utility room extension (18.5sqm) to the rear of a detached dwelling.

involves works and therefore constitutes development.

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

With respect to item 1:

The relevant exempted development class as per Schedule 2: Part 1 of the Planning & Development Regulations 2001 is Class 3.

Development Description:

- 1). The construction of a garage (20.5sqm) attached to the side of a detached dwelling.

Class 3:

With respect to the conditions and limitations respecting class 3 above the following is noted:

1. Complies.
2. Complies
3. Complies.
4. Information not given.
5. Information not given.
6. Complies.

Having regard to the above it is considered that further information be requested respecting the external finishes of the garage and the height of the garage.

Development Description:

- 2). The construction of a utility room extension (18.5sqm) to the rear of a detached dwelling.

Class 1

Extension of a house, by the construction or erection of an extension (including a conservatory) to the rear of the house or by the conversion for use as part of the house of any garage, store, shed or other similar structure attached to the rear or to the side of the house. Extension is to the side and rear:

As the proposed extension is to the side and the rear of the dwelling, it falls outside of the scope of Class 1.

Recommendation:

With respect to item 1:

The construction of a garage (20.5sqm) attached to the side of a detached dwelling, It is recommended that further information be requested respecting the proposed finishes of the garage and the height of the garage.

With respect to item 2:

The construction of a utility room extension (18.5sqm) to the rear of a detached dwelling, it is considered that the utility room extension (18.5sqm) being to the side and rear of a detached dwelling falls outside the scope of Schedule 2 Part 1 Class1 of the Planning and Development Regulations 2001 (as amended). With respect to the query under Section 5 of the Planning and Development Act 2000 (as amended), as to whether erection of the utility room extension to the rear of the dwelling is or is not exempted development:

The Planning Authority considers that the construction of a utility room extension (18.5sqm) to the rear (and side) of a detached dwelling is development and is **NOT** exempted development.

Recommendation:

P.T. is Allowed!
Class 3 of the planning and development regulations 2001 (as amended) ~~considers that the following may be exempt:~~ *sets out the following:*

The construction, erection or placing within the curtilage of a house of any tent, awning, shade or other object, greenhouse, garage, store, shed or other similar structure,

Subject to the following conditions/limitations:

1. *No such structure shall be constructed, erected or placed forward of the front wall of a house.*
2. *The total area of such structures constructed, erected or placed within the curtilage of a house shall not, taken together with any other such structures previously constructed, erected or placed within the said curtilage, exceed 25 square metres.*
3. *The construction, erection or placing within the curtilage of a house of any such structure shall not reduce the amount of private open space reserved exclusively for the use of the occupants of the house to the rear or to the side of the house to less than 25 square metres.*
4. *The external finishes of any garage or other structure constructed, erected or placed to the side of a house, and the roof covering where any such structure has a tiled or slated roof, shall conform with those of the house.*
5. *The height of any such structure shall not exceed, in the case of a building with a tiled or slated pitched roof, 4 metres or, in any other case, 3 metres.*
6. *The structure shall not be used for human habitation or for the keeping of pigs, poultry, pigeons, ponies or horses, or for any other purpose other than a purpose incidental to the enjoyment of the house as such.*

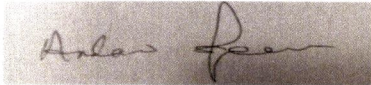
In this regard

to
Details respecting items pertaining to the external finishes of the garage and the height of the garage have not been submitted and as such a proper assessment respecting its exemption cannot be made.

The application of Class 3

Please submit drawings to scale with cognisance being had to the limitations set out under Class 3 above. In particular:

- a) The external finishes of any garage or other structure constructed, erected or placed to the side of a house, and the roof covering where any such structure has a tiled or slated roof, shall conform with those of the house.
- b) The height of any such structure shall not exceed, in the case of a building with a tiled or slated pitched roof, 4 metres or, in any other case, 3 metres.



Andrew Spencer
Executive Planner 23/6/2025

Agreed
Stirling SEP
23/6/25

Agreed as modified
15/6/25
23/6/25



Comhairle Contae Chill Mhantáin Wicklow County Council

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

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

MEMORANDUM

WICKLOW COUNTY COUNCIL


**TO: Andrew Spencer
Executive Planner**

**FROM: Nicola Fleming
Staff Officer**

**RE:- Application for Certificate of Exemption under Section 5 of the
Planning and Development Acts 2000 (as amended).
EX64/2025**

I enclose herewith application for Section 5 Declaration received completed on 28/05/2025.

The due date on this declaration is 24th June 2025.



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





Comhairle Contae Chill Mhantáin Wicklow County Council

**Pleanáil, Forbairt Eacnamaíochta agus Tuaithe
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**Duncan Styles
Bersama
Victoria Road
Greystones
Co. Wicklow
A63 AV82**

27th May 2025

RE: Application for Certificate of Exemption under Section 5 of the Planning and Development Acts 2000 (as amended). – EX64/2025

A Chara

I wish to acknowledge receipt on 28/05/2025 full details supplied by you in respect of the above Section 5 application. A decision is due in respect of this application by 24/06/2025.

Mise, le meas

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



*Faigh doiríneáisea n-íonann tairmáire n-áiríochas
This document is available in alternative formats on request*

Ba chóir gach comhfhreagras a sheoladh chuig an Stiúrthóir Seirbhísí, Pleanáil, Forbairt Eacnamaíochta agus Tuaithe
All correspondence should be addressed to the Director of Services, Planning, Economic and Rural Development

W I C K L O W

Wicklow County Council
Court Buildings
Wick
0404 20100

28/05/2025 10:12:41

Receipt No L110/345979

DUNCAN STYLES
VICTORIA RD
GREYSTONES
CO WICKLOW

EXEMPTION CERTIFICATES	80.00
GOODS	80.00
VAT Exempt/Non-vatable	

Total	80.00 EUR
-------	-----------

Tendered	
Cheque	80.00

Change	0.00
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Wicklow County Council
County Buildings
Wicklow
Co Wicklow
Telephone 0404 20148
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Office Use Only

Date Received _____

Fee Received _____

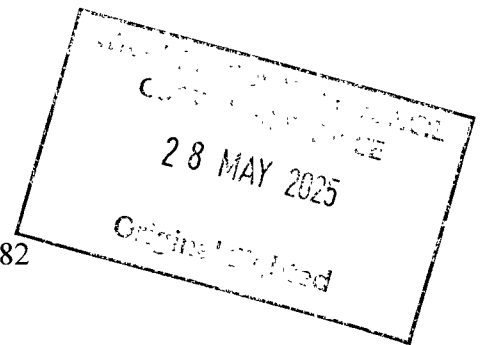
**APPLICATION FORM FOR A
DECLARATION IN ACCORDANCE WITH SECTION 5 OF THE PLANNING &
DEVELOPMENT ACTS 2000(AS AMENDED) AS TO WHAT IS OR IS NOT
DEVELOPMENT OR IS OR IS NOT EXEMPTED DEVELOPMENT**

1. Applicant Details

- (a) Name of applicant: Duncan Styles
Address of applicant:

Bersama, Victoria Rd, Greystones, Co Wicklow A63 AV82

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 _____
Bersama, Victoria Rd, Greystones, Co Wicklow A63 AV82

ii. Are you the owner and/or occupier of these lands at the location under i. above ?
YES

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

iv. Section 5 of the Planning and Development Act provides that : If any question arises as to what, in any particular case, is or is not development and is or is not exempted development, within the meaning of this act, any person may, on payment of the prescribed fee, request in writing from the relevant planning authority a declaration on that question. You should therefore set out the query for which you seek the Section 5 Declaration _____

The proposed garage to the side of the property and utility room extension to the rear is classified as 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 _____

The proposed garage has an area of less than 25sqm and is set back from the front of the property. The utility room extension is less than 40sqm and has windows that are positioned 1.8m above ground level and set back 1m from the boundary.

It is anticipated that the proposed development will include a party wall agreement with the neighbouring property. If this is not forthcoming, the area of the

development will be reduced to comply with necessary requirements. The
development will be finished in keeping with the existing house.

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 _____
Site location map, Floor plan of proposed structures, 3d viewport of existing
house, 3d viewport of proposed development from front, side and rear

Proposed development is in yellow on
all drawings and plans.

viii. Fee of € 80 Attached ? Cheque enclosed

Signed : _____



Dated : 27 May 2025

Additional Notes :

As a guide the minimum information requirements for the most common types of referrals under Section 5 are listed below :

A. Extension to dwelling - Class 1 Part 1 of Schedule 2

- Site Location Map
- Floor area of structure in question - whether proposed or existing.
- Floor area of all relevant structures e.g. previous extensions.

- Floor plans and elevations of relevant structures.
- Site Layout Plan showing distance to boundaries, rear garden area, adjoining dwellings/structures etc.

B. Land Reclamation -

The provisions of Article 8 of the Planning and Development Regulations 2001 (as amended) now applies to land reclamation, other than works to wetlands which are still governed by Schedule 2, Part 3, Class 11. Note in addition to confirmation of exemption status under the Planning and Development Act 2000(as amended) there is a certification process with respect to land reclamation works as set out under the European Communities (Environmental Impact Assessment) (Agriculture) Regulations 2011 S.I. 456 of 2011. You should therefore seek advice from the Department of Agriculture, Fisheries and Food.

Any Section 5 Declaration should include a location map delineating the location of and exact area of lands to be reclaimed, and an indication of the character of the land.

C. Farm Structures - Class 6 -Class 10 Part 3 of Schedule 2.

- Site layout plan showing location of structure and any adjoining farm structures and any dwellings within 100m of the farm structure.
- Gross floor area of the farm structure
- Floor plan and elevational details of Farm Structure and Full details of the gross floor area of the proposed structure.
- Details of gross floor area of structures of similar type within the same farmyard complex or within 100metres of that complex.

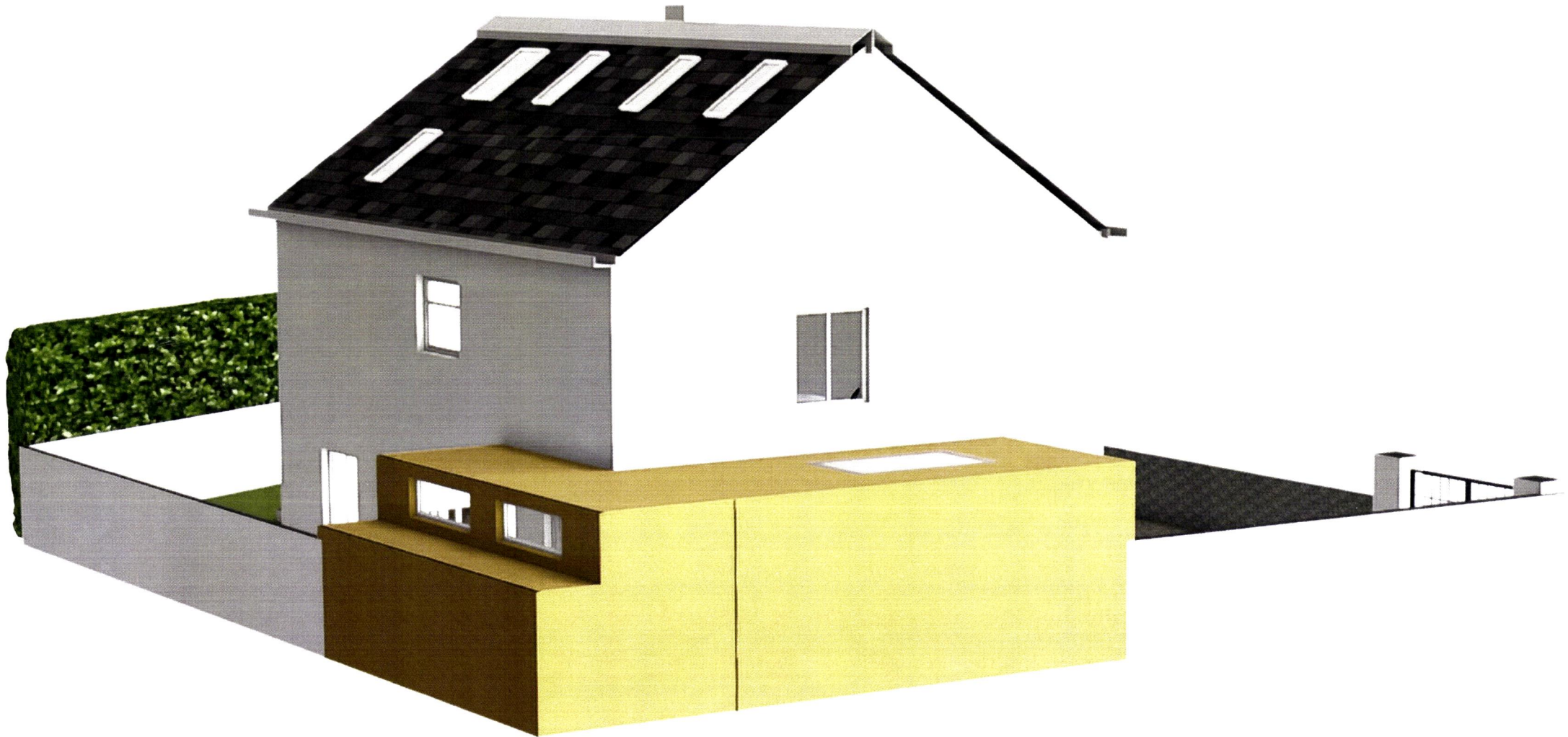
existing property



Proposed development 1



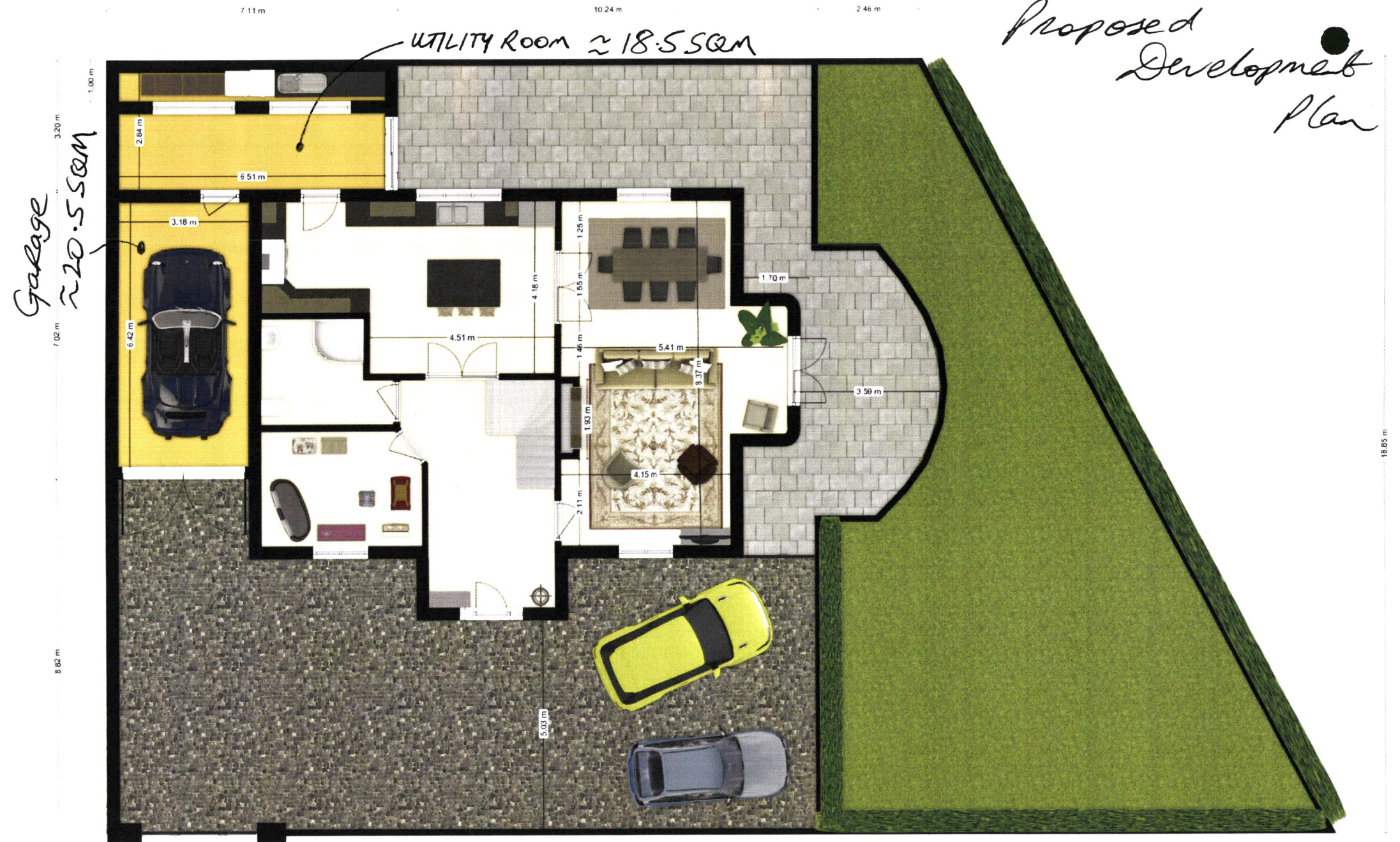
Proposed development 2

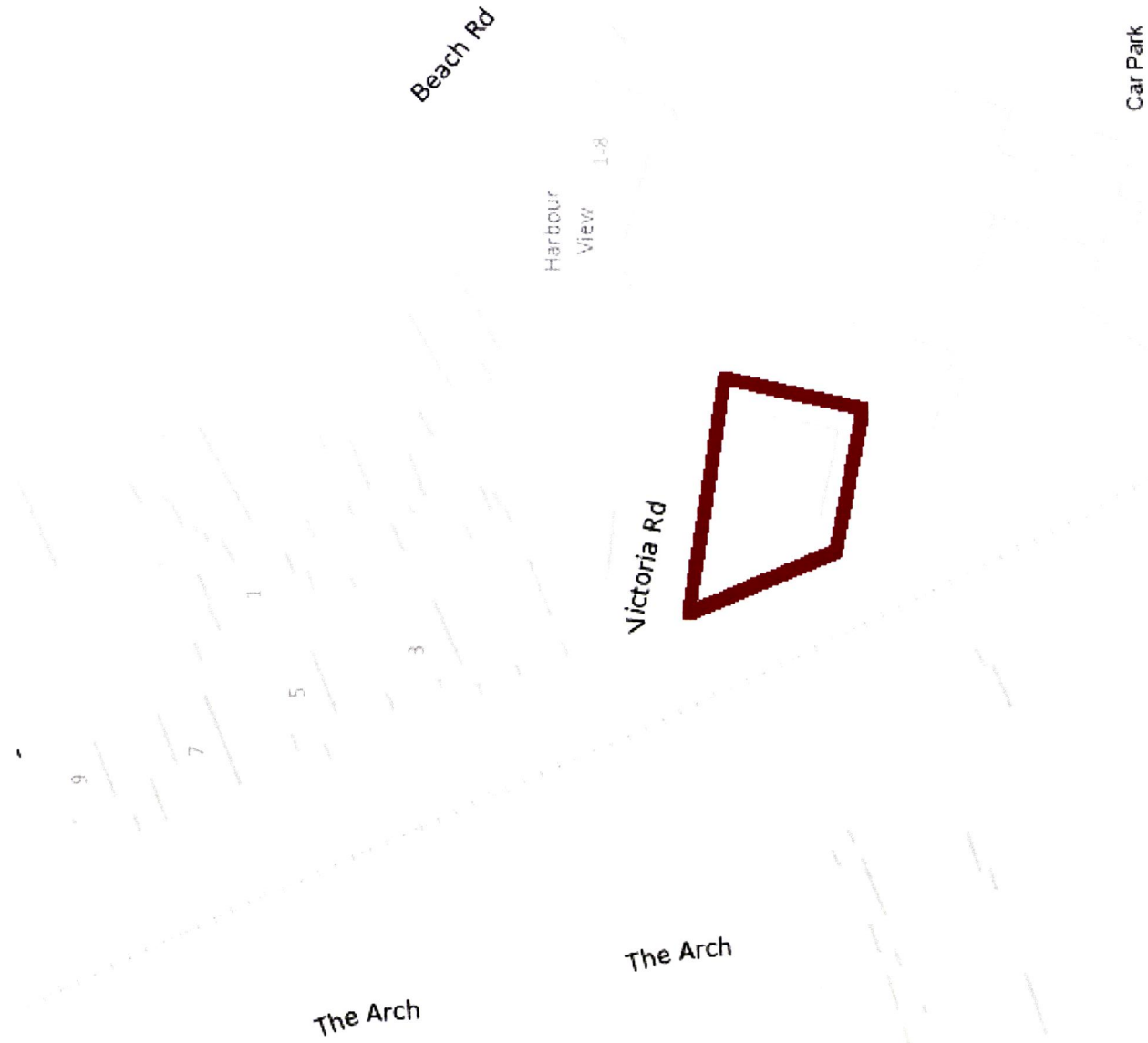


Proposed Development 3



Proposed Development Plan





Location Map.
A63 HV82
Folio 6977L