



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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Suíomh / Website: www.wicklow.ie

Martin Cleary
Ardkeen
PUTland Road
Bray
Co. Wicklow

21st December 2023

RE: Declaration in accordance with Section 5 of the Planning & Development Acts 2000 (As Amended) – EX78/2023 – Elena Doyle & Scott McDowall

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.





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

Applicant: Elena Doyle & Scott McDowall

Location: 48 Newcourt Road, Bray, Co. Wicklow

CHIEF EXECUTIVE ORDER NO. CE/PDE/2174/2023

A question has arisen as to whether “proposed 2 options for a single storey extension to the rear of the dwelling with floor area of 20.25sqm or 16.31sqm respectively” at 48 Newcourt Road, Bray, Co. Wicklow is or is not exempted development.

Having regard to:

- The details submitted on 24/11/2023;
- Sections 2, 3, and 4 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 1 of the Planning and Development Regulations 2001 (as amended).

Main Reasons with respect to Section 5 Declaration:

- The provision of a single storey extension to the rear of the dwelling with a floor area of 20.25sqm or 16.31sqm respectively is works and therefore development having regard to Section 3 of the Planning and Development Act 2000 (as amended).
- The development of an above ground single storey extension to the rear of the dwelling with a floor area of 20.25sqm or 16.31sqm respectively would not accord with the provisions of Schedule 2, Part 1, Class 1 of the Planning and Development Regulations 2001 (as amended) and therefore is not exempted development.
- The development of a single storey extension to the rear of the dwelling with a floor area of 20.25sqm or 16.31sqm respectively are both considered to be above ground level and so the development would not accord with the maximum floor area of 12sqm for an extension above ground level as set out in 1(b) of the conditions and limitations of Schedule 2, Part 1, Class 1
- The development would also be located within 2 metres of a party wall which is the minimum separation distance for an above ground extension and so the development would not satisfy condition 3 as set out in the conditions and limitations of Schedule 2, Part 1, Class 1 which states that any above ground floor extension shall be a distance of not less than 2 metres from any party boundary.

The Planning Authority considers that “proposed 2 options for a single storey extension to the rear of the dwelling with floor area of 20.25sqm or 16.31sqm respectively” at 48 Newcourt Road, Bray, Co. Wicklow **is development and is not exempted development**

Signed:


ADMINISTRATIVE OFFICER PLANNING
DEVELOPMENT & ENVIRONMENT

Dated  December 2023

Tá an doiciméad seo ar fáil i bhformáidí eile ar iarratas.
This document is available in alternative formats on request.

Ba chóir gach comhfhreagras a sheoladh chuig an Stiúrthóir Seirbhísí, Forbairt Pleanála agus Comhshaol.
All correspondence should be addressed to the Director of Services, Planning Development & Environment.



WICKLOW COUNTY COUNCIL

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

CHIEF EXECUTIVE ORDER NO. CE/PDE/2174/2023

Reference Number: EX 78/2023

Name of Applicant: Elena Doyle & Scott McDowall

Nature of Application: Section 5 Referral as to whether or not "proposed 2 options for a single storey extension to the rear of the dwelling with floor area of 20.25sqm or 16.31sqm respectively" is or is not exempted development.

Location of Subject Site: 48 Newcourt Road, Bray, Co. Wicklow

Report from Dara Keane, AP & Edel Bermingham SEP

With respect to the query under section 5 of the Planning & Development Act 2000 as to whether "proposed 2 options for a single storey extension to the rear of the dwelling with floor area of 20.25sqm or 16.31sqm respectively" at 48 Newcourt Road, Bray, Co. Wicklow is or is not exempted development within the meaning of the Planning & Development Acts 2000 (as amended).

Having regard to:

- i. The details submitted on 24/11/2023;
- ii. Sections 2, 3, and 4 of the Planning and Development Act 2000 (as amended);
- iii. Articles 6 & 9 of the Planning and Development Regulations 2001 (as amended);
- iv. Schedule 2, Pt.1 Class 1 of the Planning and Development Regulations 2001 (as amended).


Main Reason with respect to Section 5 Declaration:

- The provision of a single storey extension to the rear of the dwelling with a floor area of 20.25sqm or 16.31sqm respectively is works and therefore development having regard to Section 3 of the Planning and Development Act 2000 (as amended).
- The development of an above ground single storey extension to the rear of the dwelling with a floor area of 20.25sqm or 16.31sqm respectively would not accord with the provisions of Schedule 2, Part 1, Class 1 of the Planning and Development Regulations 2001 (as amended) and therefore is not exempted development.
- The development of a single storey extension to the rear of the dwelling with a floor area of 20.25sqm or 16.31sqm respectively are both considered to be above ground level and so the development would not accord with the maximum floor area of 12sqm for an extension above ground level as set out in 1(b) of the conditions and limitations of Schedule 2, Part 1, Class 1

- The development would also be located within 2 metres of a party wall which is the minimum separation distance for an above ground extension and so the development would not satisfy condition 3 as set out in the conditions and limitations of Schedule 2, Part 1, Class 1 which states that any above ground floor extension shall be a distance of not less than 2 metres from any party boundary.

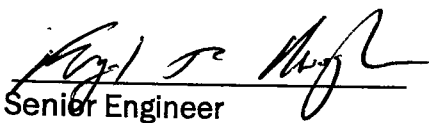
Recommendation

The Planning Authority considers that "proposed 2 options for a single storey extension to the rear of the dwelling with floor area of 20.25sqm or 16.31sqm respectively" at 48 Newcourt Road, Bray, Co. Wicklow is development and is not exempted development as recommended in the report by the SEP.

Signed 
ORDER:
I HEREBY DECLARE:

Dated 21st day of December 2023

That "proposed 2 options for a single storey extension to the rear of the dwelling with floor area of 20.25sqm or 16.31sqm respectively" at 48 Newcourt Road, Bray, Co. Wicklow is development and is not exempted development within the meaning of the Planning & Development Act 2000 (as amended).

Signed: 
Senior Engineer
Planning Development & Environment

Dated 21st day of December 2023

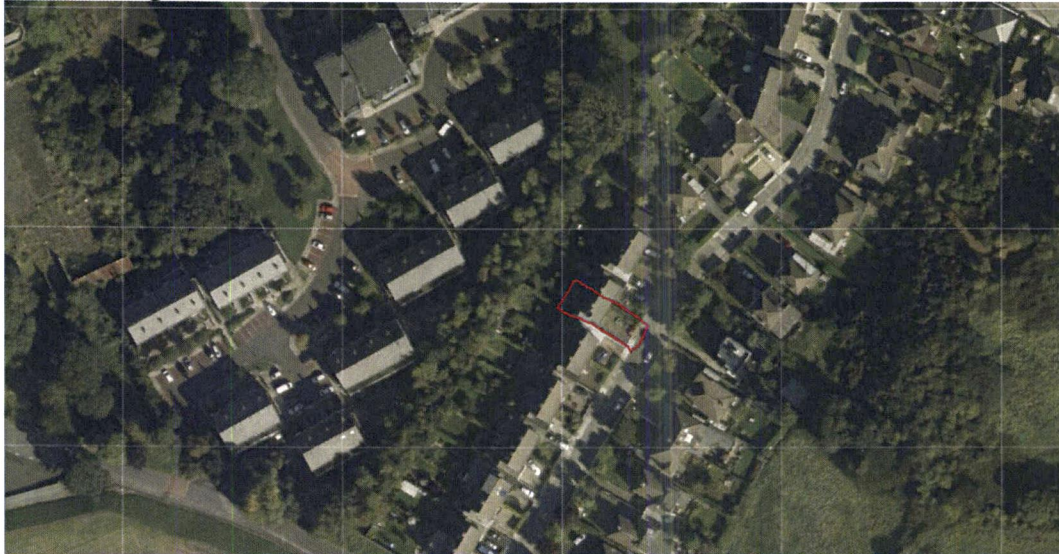


**WICKLOW COUNTY COUNCIL
PLANNING DEPARTMENT**

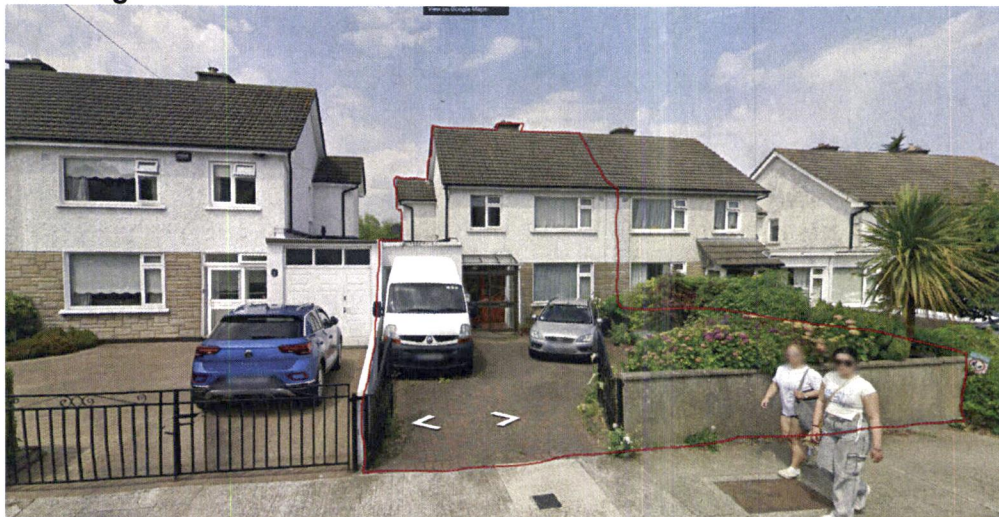
To: Fergal Keogh S.E / Edel Bermingham S.E.P. / Suzanne White S.E.P.
From: Dara Keane A.P.
Type: Section 5 Application
REF: EX 78/2023
Applicant: Elena Doyle & Scott McDowall
Date of Application: 24/11/2023
Decision Due Date: 21/12/2023
Address: 48 Newcourt Road, Bray Co. Wicklow.
Exemption Query: Proposed 2 options for a single storey extension to the rear of the dwelling with a floor area of 20.25sqm and 16.31sqm respectively.

Application Site: The application site is a semi-detached two storey dwelling with converted garage and front porch located on Newcourt road in the townland of Newcourt, Bray.

Aerial Image



Site Image



Relevant Planning History: None

Question:

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

- *Proposed 2 options for a single storey extension to the rear of the dwelling with a floor area of 20.25sqm and 16.31sqm respectively, at 48 Newcourt Road, Bray Co. Wicklow.*

is or is not development and is or is not exempted development:

Legislative Context

Planning and Development Act 2000 (as amended)

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

"structure" means any building, structure, excavation, or other thing constructed or made on, in or under any land, or any part of a structure so defined, and—

(a) where the context so admits, includes the land on, in or under which the structure is situate, and

"works" includes Any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal..."

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 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."

Section 4(2) makes provision for ministerial regulations to set out further exemptions. The 2001 Planning Regulations as amended derive from this section and designate further works as being 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 (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,

(ii) consist of or comprise the formation, laying out or material widening of a means of access to a public road the surfaced carriageway of which exceeds 4 metres in width,

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

(xii) further to the provisions of section 82 of the Act, consist of or comprise the carrying out of works to the exterior of a structure, where the structure concerned is located within an architectural conservation area or an area specified as an architectural conservation area in a development plan for the area or, pending the variation of a development plan or the making of a new development plan, in the draft variation of the development plan or the draft development plan and the development would materially affect the character of the area,

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

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.

The conditions and limitations include:

1. (a) *Where the house has not been extended previously, the floor area of any such extension shall not exceed 40 square metres.*

(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.*

(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.*

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.*

(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.*

(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.*

3. Any above ground floor extension shall be a distance of not less than 2 metres from any party boundary.

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.

(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.

(c) The height of the highest part of the roof of any such 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.

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.

6. (a) Any window proposed at ground level in any such extension shall not be less than 1 metre from the boundary it faces.

(b) Any window proposed above ground level in any such extension shall not be less than 11 metres from the boundary it faces.

(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.

7. The roof of any extension shall not be used as a balcony or roof garden.

Details submitted in support of the application

Existing Dwelling

GFA	Not disclosed
Ridge Height	Not disclosed
FFL	100.00

Proposed extension (Option 1)

GFA	20.25sqm
Ridge Height	4.680m
FFL	100

Private open space retained in excess of c.100sqm to rear alone

Proposed extension (Option 2)

GFA	16.31sqm
Ridge Height	4.680m
FFL	100

Private open space retained in excess of c.100sqm to rear alone

Both ridge height proposals for single storey extensions will not exceed that of the existing two storey dwelling onsite.

Assessment:

2 no. options are proposed for a ground floor single storey extension to the rear of the dwelling with a floor area of 20.25sqm or 16.31sqm respectively, at 48 Newcourt Road, Bray Co. Wicklow. It is stated that the existing dwelling has been previously extended twice with an existing porch (2.45sqm) to the front of the dwelling and conversion of existing garage (13.73sqm) to a study. However, both extension proposals have included the existing extensions and therefore post development the overall development will still not exceed the 40sqm extension exemption.

The Section 5 declaration application seeks an answer with respect to the following question: *Whether or not the 'Proposed 2 options for a single storey extension to the rear of the dwelling with a floor area of 20.25sqm or 16.31sqm respectively, at 48 Newcourt Road, Bray Co. Wicklow', is or is not exempted development.*

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 would involve works to the existing structure and therefore the proposal does constitute development.

The second stage of the assessment is to determine whether or not the proposed works would be exempted development under the Planning and Development Act 2000 (as amended) or it's associated Regulations. Schedule 2, Pt.1 Class 1 of the Planning and Development Regulations 2001 (as amended) states that the following constitutes exempted development:

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.

Relevant Schedule 2, Pt.1 Class 1 Checklist

	<i>Proposal A</i>	<i>Proposal B</i>
<i>Is the extension to the rear?</i>	Yes	Yes
<i>Was the house extended previously?</i>	Yes	Yes
<i>Is the house terraced or</i>	Yes & Yes	Yes & Yes

<i>semi-detached, Does the floor area of any extension above ground level shall exceed 12 square metres.</i>		
<i>Is the above ground floor extension more than 2 metres from any party boundary.</i>	No	No
<i>Would the 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, exceed 40 square metres.</i>	No	No
<i>Would the height of the walls of the extension exceed the height of the rear wall of the house?</i>	No	No
<i>Is the roof flat and does the height of the highest part of the roof of the extension 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, exceed the height of the highest part of the roof of the dwelling?</i>	Yes and No	Yes & No
<i>Is any part of the extension above ground floor and would its distance be less than 2 metres from any party boundary.</i>	No. The extension is single storey	No. The extension is single storey
<i>Would the construction or erection of the extension to the rear of the house reduce the area of private open space, reserved exclusively for the use of the occupants of the house, to the rear of the</i>	No, the private open space would not be reduced to less than 25sqm.	No, the private open space would not be reduced to less than 25sqm.

house to less than 25 square metres.		
Would the window proposed at ground level in the extension be less than 1 metre from the boundary it faces?	No, the window in the rear elevation would be more than 1m from the boundary it faces.	No, the window in the rear elevation would be more than 1m from the boundary it faces.
Would the roof of the extension be used as a balcony or roof garden?	No	No

Given the proposed rear extension will be built on a structural column to the rear of the existing dwelling at a height of 1.850m from ground level, the proposed rear extension is considered to be above ground level.

would not come within the limitations set out under

With this in mind, both of the proposed rear extensions ~~fall~~ under ~~sections~~ 1(b) and ~~section~~ 3 of the conditions and limitations set out for Schedule 2, Part 1, Class 1 for Exempted Development.

In particular, both of the proposals put forward for extension to rear of no.48 Newcourt Road, Bray Co. Wicklow will exceed the maximum floor area (12sqm) for an extension above ground level as both propose floor areas of 20.25sqm or 16.31sqm respectively and so would not be in accordance with section 1(b) of the conditions and limitations set out for class 1 of Exempted Development which states 'where the house is terraced or semi-detached, the floor area of any extension above ground level shall not exceed 12 square metres.'

Furthermore, both of the proposals will result in an above ground floor extension which is located less than 2 metres from any party boundary and so does not accord with section 3 of the conditions and limitations set out for class 1 of Exempted Development which states that 'any above ground floor extension shall be a distance of not less than 2 metres from any party boundary.'

Recommendation:

With respect to the query under Section 5 of the Planning and Development Act 2000 (as amended), as to whether or not the the 'Proposed 2 options for a single storey extension to the rear of the dwelling with a floor area of 20.25sqm or 16.31sqm respectively, at 48 Newcourt Road, Bray Co. Wicklow' is or is not exempted development,

The Planning Authority considers that:

The Proposed 2 options for a single storey extension to the rear of the dwelling with a floor area of 20.25sqm or 16.31sqm respectively at 48 Newcourt Road, Bray Co. Wicklow' are development but **are not exempted development**.

Main Considerations with respect to Section 5 Declaration:

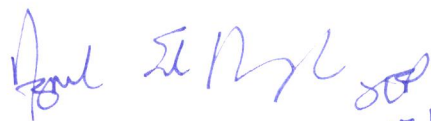
- i. The details submitted on 24/11/2023;
- ii. Sections 2 , 3 , and 4 of the Planning and Development Act 2000 (as amended);
- iii. Articles 6 & 9 of the Planning and Development Regulations 2001 (as amended);
- iv. Schedule 2, Pt.1 Class 1 of the Planning and Development Regulations 2001 (as amended).

Main Reasons with respect to Section 5 Declaration:

- The provision of a single storey extension to the rear of the dwelling with a floor area of 20.25sqm or 16.31sqm respectively is works and therefore development having regard to Section 3 of the Planning and Development Act 2000 (as amended).
- The development of an above ground single storey extension to the rear of the dwelling with a floor area of 20.25sqm or 16.31sqm respectively would not accord with the provisions of Schedule 2, Part 1, Class 1 of the Planning and Development Regulations 2001 (as amended) and therefore is not exempted development.
- The development of a single storey extension to the rear of the dwelling with a floor area of 20.25sqm or 16.31sqm respectively are both considered to be above ground level and so the development would not accord with the maximum floor area of 12sqm for an extension above ground level as set out in 1(b) of the conditions and limitations of Schedule 2, Part 1, Class 1.
- The development would also be located within 2 metres of a party wall which is the minimum separation distance for an above ground extension and so the development would not satisfy condition 3 as set out in the conditions and limitations of Schedule 2, Part 1, Class 1 which states that any above ground floor extension shall be a distance of not less than 2 metres from any party boundary.



Dara Keane A.P.
15/12/2023



15/12/2023

Issue as recommended
Paul T. 21/12/23

MEMORANDUM

WICKLOW COUNTY COUNCIL

TO: Dara Keane
Assistant Planner

FROM: Nicola Fleming
Staff Officer

RE:- Application for Certificate of Exemption under Section 5 of the Planning and Development Acts 2000 (as amended). Ex 78/2023
Elena Doyle & Scott McDowall

I enclose herewith for your attention application for Section 5 Declaration received 24/11/2023.

The due date on this declaration is the 21/12/2023

Staff Officer
Planning Development & Environment



Comhairle Contae Chill Mhantáin Wicklow County Council

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

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27th November 2023

**Martin Cleary
Ardkeen
Putland Road
Bray
Co. Wicklow**

RE: Application for Certificate of Exemption under Section 5 of the Planning and Development Acts 2000 (as amended). EX78/2023- Elena Doyle and Scott McDowall

A Chara

I wish to acknowledge receipt on 24/11/2023 details supplied by you in respect of the above Section 5 application. A decision is due in respect of this application by 21/12/2023.

Mise, le meas



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



MARTIN CLEARY Architectural Design

Ardkeen Putland Road,
Bray,
Co. Wicklow.

ARCHITECTURAL DESIGN
BUILDING ENERGY RATING CONSULTANTS
BUILDING CONSULTANTS

M 0868172516
E martin@infoarchitecturaldesign.ie

REF
51/23
Wicklow County Council
Planning Section,
County Buildings,
Station Road,
Wicklow,
Co. Wicklow.

DATE
24th November 2023

RE Application for a Declaration in Accordance with Section 5 of The Planning & Development Acts 2000(As Amended) For A Single Storey Extension to the Rear of 48 Newcourt Road Bray County Wicklow for Elena Doyle & Scott McDowall.

Dear Sir or Madam,

On behalf of Elena Doyle and Scott McDowall I enclose a Section 5 application for the above project.

My clients would like to build a single storey extension to the rear of their house as shown on the attached drawings. With rising costs in the construction industry, we have enclosed 2 options of the proposed extension, one design has a floor width of 3700 and the other option has a floor width of 2700.

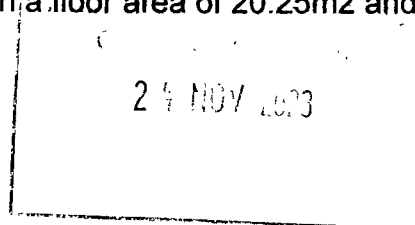
There is an existing garage conversion present in the house with a floor area of 13.73m² and a Porch to the front of the house with a floor area of 2.45m² refer to drawing no. P.007. It is proposed to add a rear extension with a floor area of either 20.25m² or 16.31m² depending on construction costs, refer to attached drawings illustrating option 1 and 2. The total floor area of both options including the existing extensions will be 36.43m² and 32.49m² respectively. This means that both proposed options will be under the allowed 40m² exemption rule.

The extension will be supported on a structural column and retaining wall to the side due to the fall in ground levels to the rear of the site. There will be a clear void under the floor of the proposed extension. Presently there is a basement store that has been in existence since my clients purchased the house some years ago, the floor level of the basement is approximately 600mm below the adjacent ground level to the rear. It is proposed as part of the works that this level will be lowered to 150mm below the floor level of the basement to combat water ingress to the basement.

A rooflight is also proposed to be fitted to the flat concrete roof to the rear over the existing internal steps to the rear garden which will be visible to the front of the house.

The Section 5 Application relates to the following.

1. Proposed 2 options for a ground floor single storey extension to the rear of the dwelling with a floor area of 20.25m² and 16.31m² respectively.



2. Proposed rooflight to existing flat roof to rear of dwelling over existing internal steps.

The following documents are enclosed.

Application form.

Planning Fee €80.00.

1 copy of OS Map

1 copy of:

1 copy of:

1:100.

1 copy of:

1:50.

1 copy of:

1:50.

1 copy of:

1:50.

1 copy of:

1 copy of:

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1 copy of:

Plot date 23rd November 2023.

P-01/ Proposed Site Plan Option 1 Scale 1:200.

P-02/ Proposed Ground Floor Plan Option 1 Scale

P-03/ Proposed Rear Elevation Option 1 Scale

P-04/ Proposed Side Elevation Option 1 Scale

P-05/ Proposed Side Elevation Option 1 Scale

P-06/ Proposed Section A-A Option 1 Scale 1:50.

P-07/ Existing Ground Floor Plan Scale 1:100.

P-08/ Existing Rear Elevation Scale 1:50.

P-09/ Proposed Existing Section A-A 1:50.

1 copy of:

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P-01/ Proposed Site Plan Option 2 Scale 1:200.

P-02/ Proposed Ground Floor Plan Option 2 Scale

P-03/ Proposed Rear Elevation Option 2 Scale

P-04/ Proposed Side Elevation Option 2 Scale

P-05/ Proposed Side Elevation Option 2 Scale

P-06/ Proposed Section A-A Option 2 Scale 1:50.

P-07/ Existing Ground Floor Plan Scale 1:100.

P-08/ Existing Rear Elevation Scale 1:50.

P-09/ Proposed Existing Section A-A 1:50.

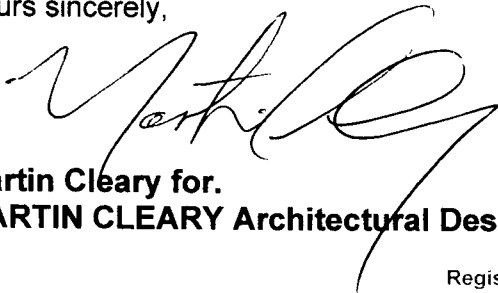
Site Photographs.

Receipt from Ordnance Survey Ireland for purchase of Map.

We look forward to a favourable response.

If you have any further queries, please do not hesitate to contact me.

Yours sincerely,



Martin Cleary for.

MARTIN CLEARY Architectural Design

Registered No: IE 3831352S

Wicklow County Council
County Buildings
Wicklow
0404 20100

24/11/2023 14 43 48

Receipt No L1/0/321962
***** REPRINT *****

MARTIN CLEARY
ARDKEEN
PUTLAND ROAD
BRAY
CO WICKLOW

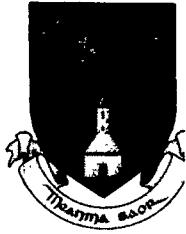
EXEMPTION CERTIFICATES	80 00
GOODS	80 00
VAT Exempt/Non-vatable	

Total	80 00 EUR
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Tendered	
Credit Card	80 00

Change	0 00
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From Customer Service Hub
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Wicklow County Council
County Buildings
Wicklow
Co Wicklow
Telephone 0404 20148
Fax 0404 69462

Office Use Only

Date Received _____

Fee Received _____

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

1. Applicant Details

- (a) Name of applicant: ELENA DOYLE + SCOTT McDOWALL
Address of applicant: _____

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

Wicklow County Council

24 NOV 2023

PLANNING DEPT.

2. Agents Details (Where Applicable)

- (b) Name of Agent (where applicable) MARTIN CLEARY
Address of Agent : ARDKEEN PUTLAND ROAD
BLAY Co. Wicklow.

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

3. Declaration Details

i. Location of Development subject of Declaration 48 NEWCOURT ROAD
BRAY COUNTY WICKLOW

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 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, 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

IS GROUND FLOOR EXTENSION EXEMPT FROM
PLANNING?

IS ROOFLIGHT TO EXISTING FLAT ROOF EXEMPT FROM
PLANNING PERMISSION

Additional details may be submitted by way of separate submission.

SEE ATTACHED
COVER LETTER +
DRAWINGS

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

PROPOSED EXTENSION AS FOR ATTACHED DRAWINGS
WILL BE UNDER THE ALLOWED 40M² EXEMPTION
RULE

Additional details may be submitted by way of separate submission.

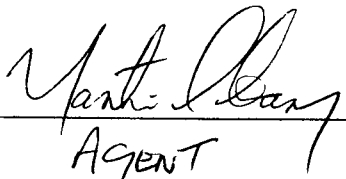
SEE ATTACHED COVER LETTER
+ DRAWINGS

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

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

SEE ATTACHED COVER LETTER

viii. Fee of € 80 Attached ? YES

Signed :  Dated : 24/11/2023
AGENT

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

Planning Pack Map



**Tailte
Éireann**

**CENTRE
COORDINATES:**
ITM 727095,717442

PUBLISHED: 23/11/2023
ORDER NO.: 50369882_1

MAP SERIES: 1:1,000
1:2,500
MAP SHEETS: 3568-24
3568-D

COMPILED AND PUBLISHED BY:
National Mapping Division of
Tailte Éireann,
Phoenix Park,
Dublin 8,
Ireland.
D08F6E4

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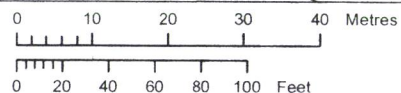
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726978
717528
717356
727211



OUTPUT SCALE: 1:1,000

CAPTURE RESOLUTION:

The map objects are only accurate to the
resolution at which they were captured.
Output scale is not indicative of data capture scale.
Further information is available at:
www.osi.ie; search 'Capture Resolution'

LEGEND:

To view the legend visit
www.osi.ie and search for
'Large Scale Legend'





Photographs of existing rear elevation.



**Tailte
Éireann**

Invoice / Receipt

**Tailte Éireann
Surveying
Phoenix Park, Dublin 8
D08 F6E4
VAT No. IE 4102063GH
custserv@tailte.ie
+353-1-802-5300**

Invoice #: 50369882
Invoice Date: 23 Nov 2023, 08:56:21
Order Date: 23 Nov 2023, 08:53:57

Sold to:
Martin Cleary Architectural Design Martin Cleary
Architectural Design
Ardkeen
Putland Road
Bray, Wicklow, 0000
Ireland
T: 0868172516

Payment Method

Pay by Card Terminal

Product	SKU	Price	Qty	VAT %	Tax	Subtotal
Planning Pack 727095,717442, A4, 1:1,000, Landscape, PDF X/1-A, ITM	471000	€48.50	1	23.0 %	€11.16	€59.66

Subtotal: €48.50

Tax: €11.16

Grand Total: €59.66

48 NEWCOURT ROAD
BRAY
COUNTY WICKLOW

SECTION 5 APPLICATION
FOR
SINGLE STOREY REAR EXTENSION
OPTION 1

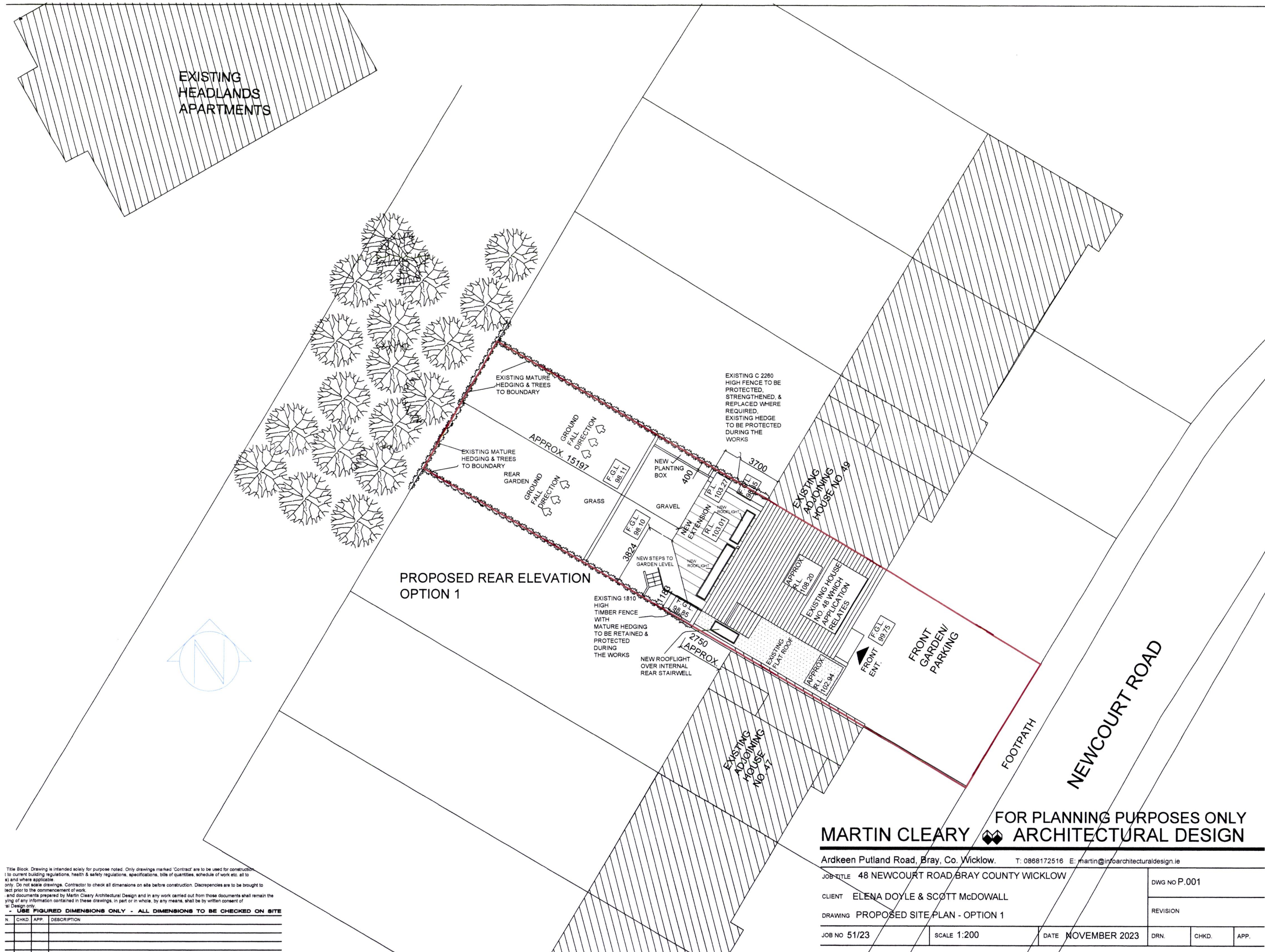
EXISTING EXTENSION AREAS:

EXISTING STUDY 13.73m²

EXISTING PORCH 2.45m²

PROPOSED NEW EXTENSION 20.25m²

TOTAL AREA OF NEW & EXISTING EXTENSIONS 36.43m²



Title Block. Drawing is intended solely for purpose noted. Only drawings marked 'Contract' are to be used for construction. It is the responsibility of the client to ensure that the drawing is used for the purpose intended. The client shall be responsible for obtaining all necessary permissions and consents for the proposed works. The client shall be responsible for ensuring that the drawing is used for the purpose intended. The client shall be responsible for ensuring that the drawing is used for the purpose intended.

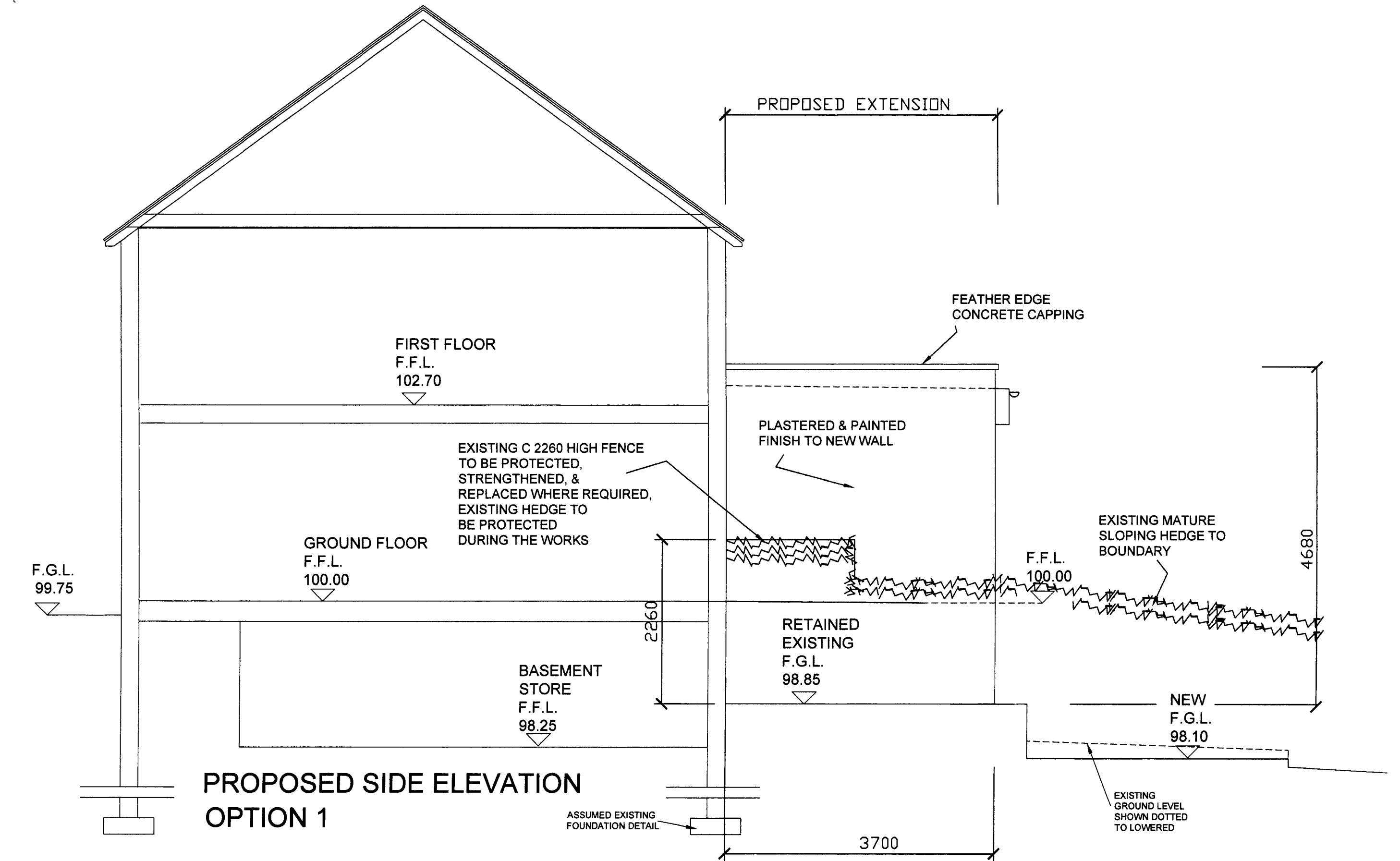
N.	CHKD.	APP.	DESCRIPTION

FOR PLANNING PURPOSES ONLY			
MARTIN CLEARY ARCHITECTURAL DESIGN			
Ardkeen Putland Road, Bray, Co. Wicklow. T: 0868172516 E: martin@infoarchitecturaldesign.ie			
JOB TITLE 48 NEWCOURT ROAD BRAY COUNTY WICKLOW			DWG No P.001
CLIENT ELENA DOYLE & SCOTT McDOWALL			REVISION
DRAWING PROPOSED SITE PLAN - OPTION 1			
JOB NO 51/23	SCALE 1:200	DATE NOVEMBER 2023	DRN. CHKD. APP.



APP.

[illegible]



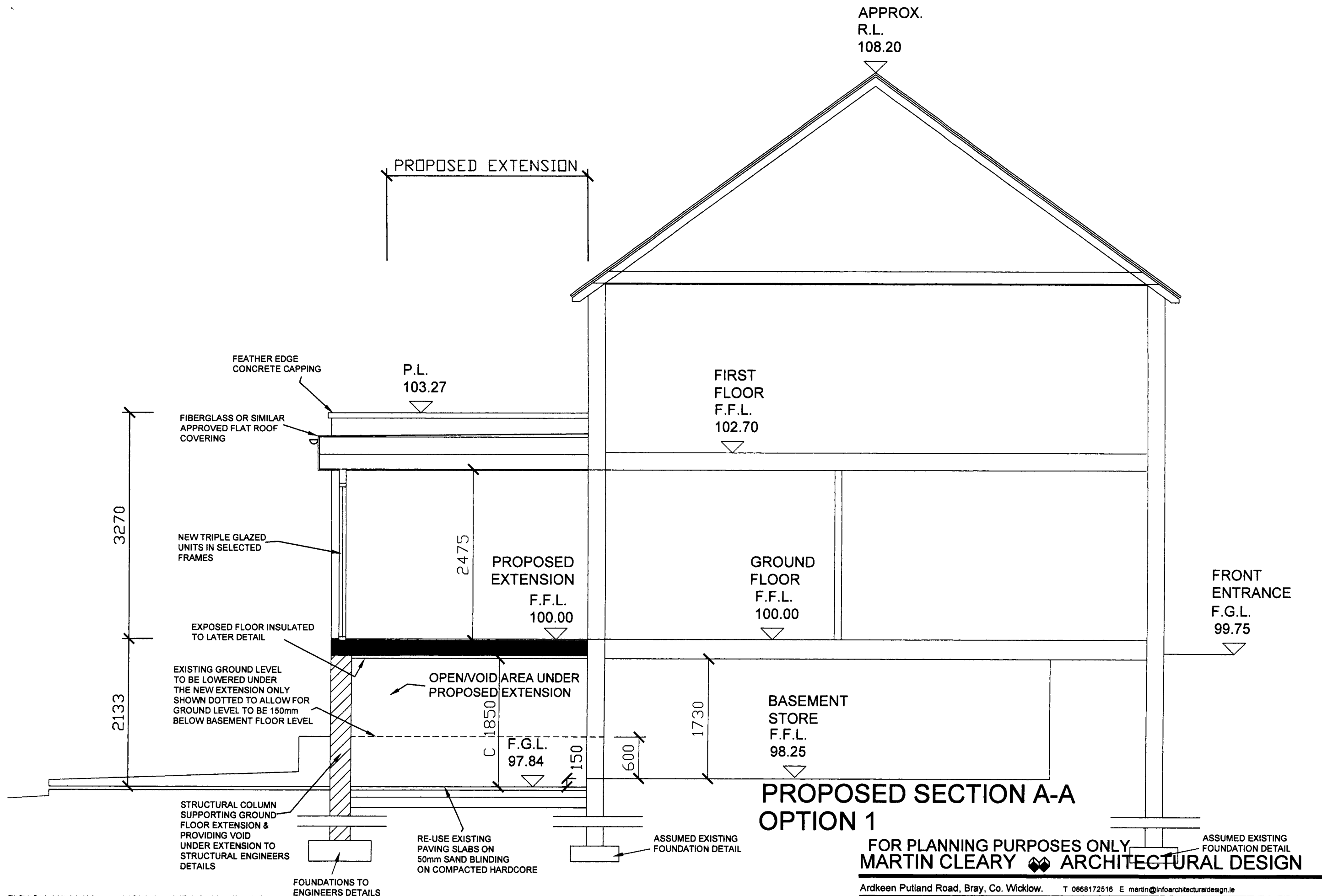
PROPOSED SIDE ELEVATION
OPTION 1

FOR PLANNING PURPOSES ONLY
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Ardkeen Putland Road, Bray, Co. Wicklow. T. 0868172516 E. martin@infoarchitecturaldesign.ie			
JOB TITLE 48 NEWCOURT ROAD BRAY COUNTY WICKLOW			DWG NO P.004
CLIENT ELENA DOYLE & SCOTT McDOWALL			REVISION
DRAWING PROPOSED SIDE ELEVATION OPTION 1			
JOB NO 51/23	SCALE 1:50	DATE OCTOBER 2023	DRN CHKD. APP

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USE FIGURED DIMENSIONS ONLY - ALL DIMENSIONS TO BE CHECKED ON SITE			
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PROPOSED SECTION A-A
OPTION 1

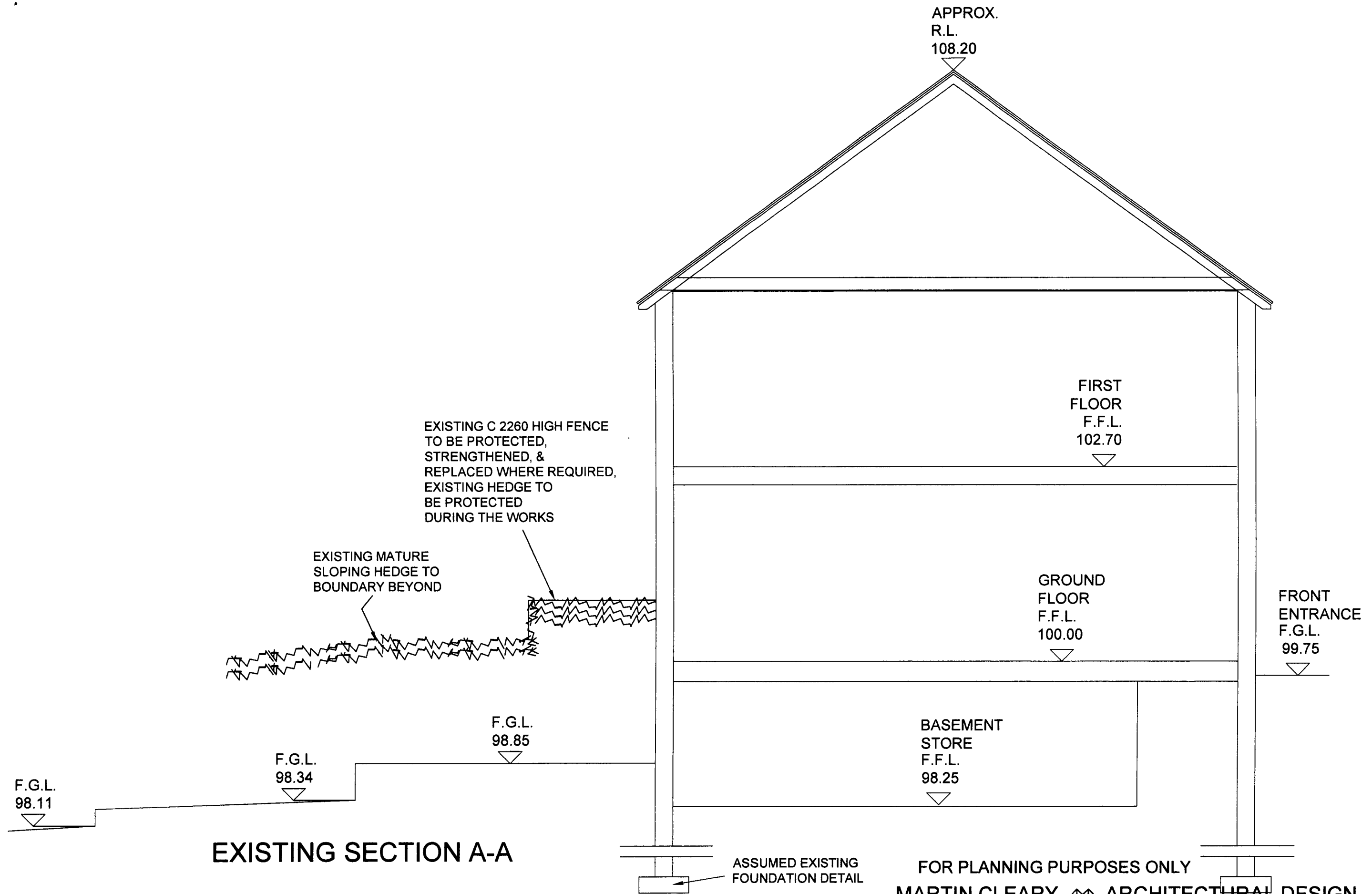
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MARTIN CLEARY ARCHITECTURAL DESIGN

Ardkeen Putland Road, Bray, Co. Wicklow. T 0868172516 E martin@infoarchitecturaldesign.ie			DWG NO P.006		
JOB TITLE 48 NEWCOURT ROAD BRAY COUNTY WICKLOW			REVISION		
CLIENT ELENA DOYLE & SCOTT McDOWALL			DRAWING PROPOSED SECTION A-A OPTION 1		
JOB NO 51/23	SCALE 1:50	DATE OCTOBER 2023	DRN	CHKD	APP.

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Ardkeen Putland Road, Bray, Co. Wicklow. T: 0868172516 E: martin@infoarchitecturaldesign.ie

JOB TITLE	48 NEWCOURT ROAD BRAY COUNTY WICKLOW	DWG NO	P.009
CLIENT	ELENA DOYLE & SCOTT McDOWALL	REVISION	
DRAWING	EXISTING SECTION A-A		
JOB NO	51/23	SCALE	1:50
DATE	NOVEMBER 2023	DRN	
		CHKD.	
		APP.	

48 NEWCOURT ROAD
BRAY
COUNTY WICKLOW

SECTION 5 APPLICATION
FOR
SINGLE STOREY REAR EXTENSION
OPTION 2

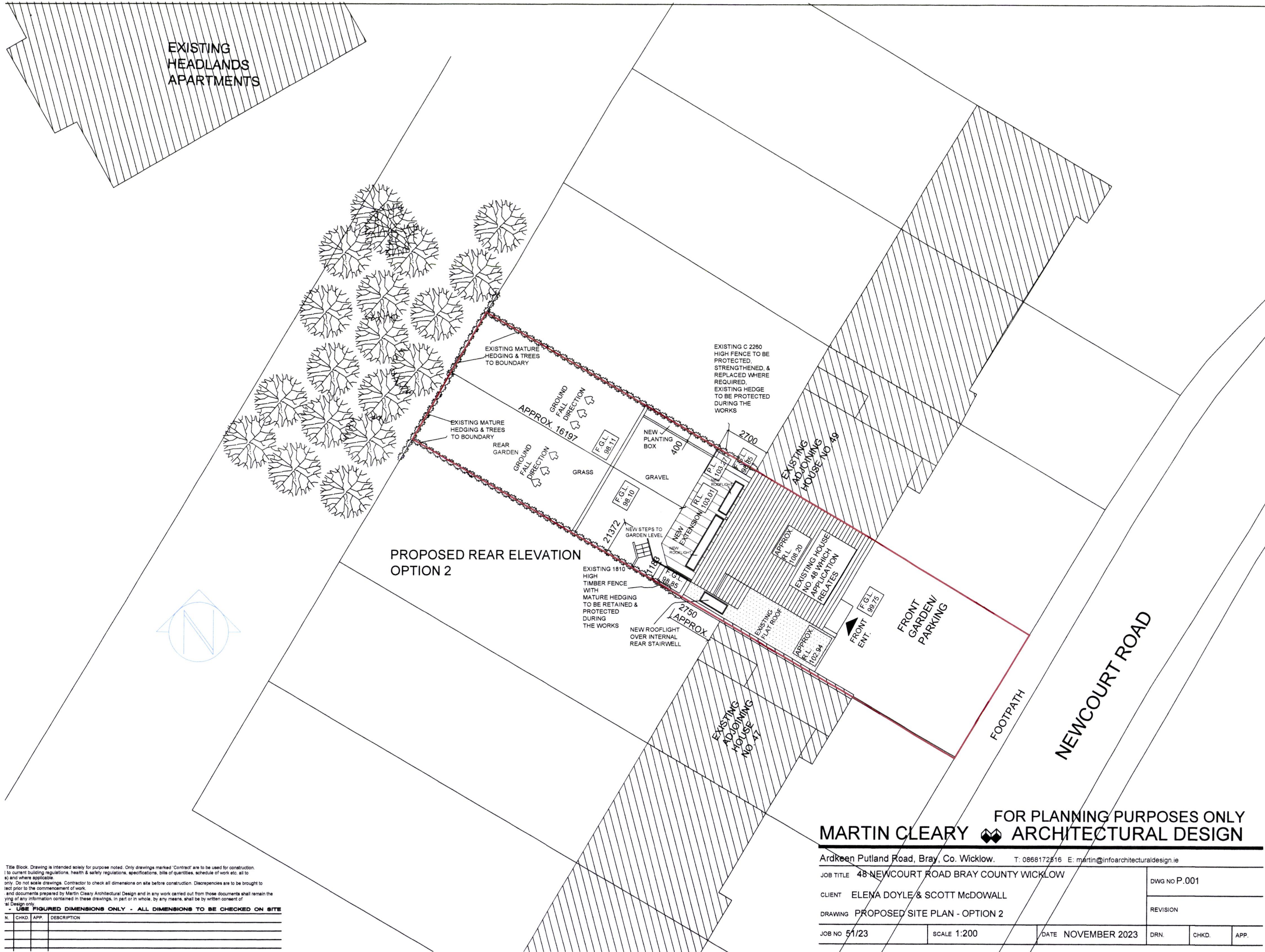
EXISTING EXTENSION AREAS:

EXISTING STUDY 13.73m²

EXISTING PORCH 2.45m²

PROPOSED NEW EXTENSION 16.31m²

TOTAL AREA OF NEW & EXISTING EXTENSIONS 32.49m²



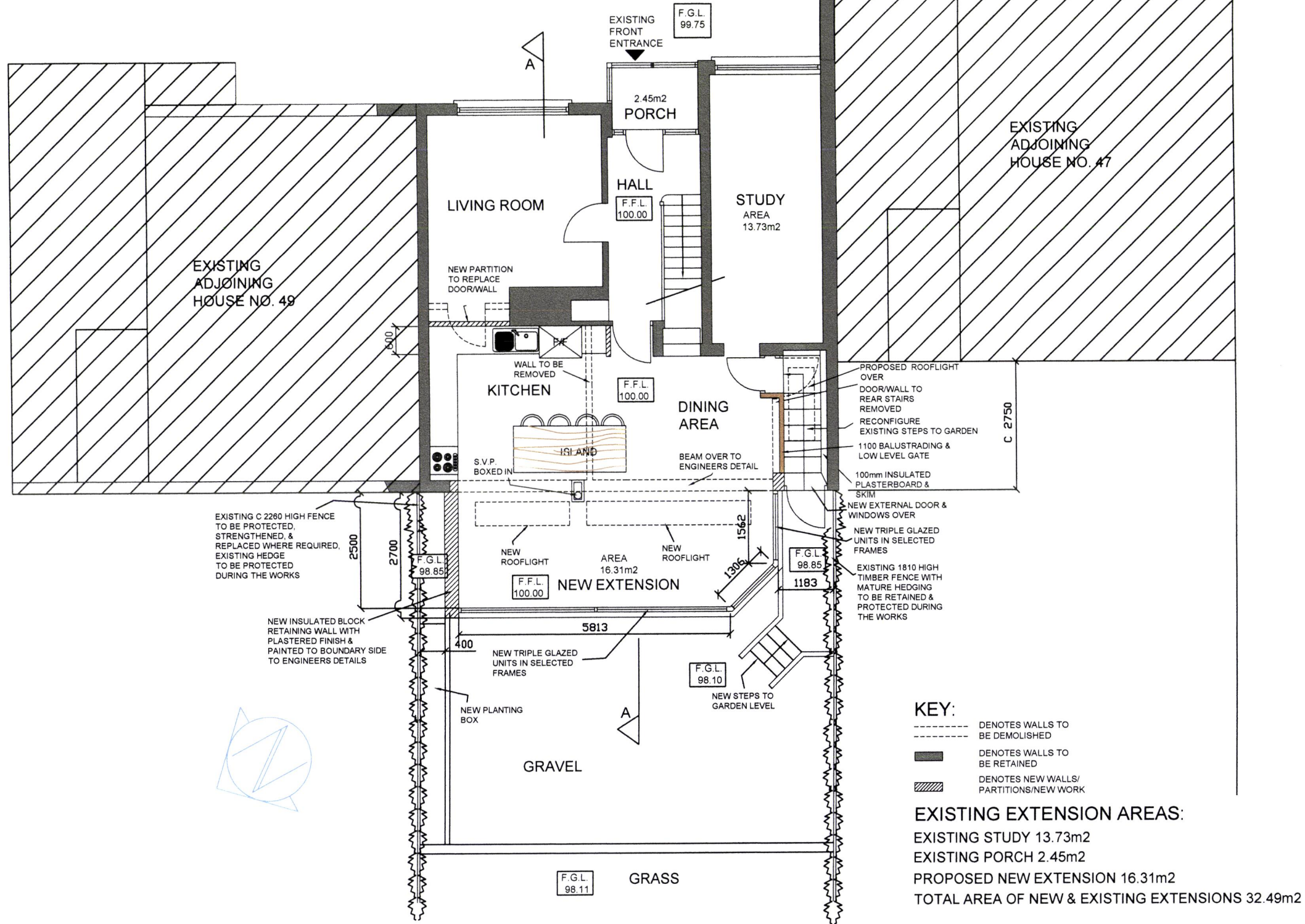
Title Block. Drawing is intended solely for purpose noted. Only drawings marked 'Contract' are to be used for construction.
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and documents prepared by Martin Cleary Architectural Design and in any work carried out from those documents shall remain the
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JOB TITLE 48 NEWCOURT ROAD BRAY COUNTY WICKLOW			DWG No P.001
CLIENT ELENA DOYLE & SCOTT McDOWALL			REVISION
DRAWING PROPOSED SITE PLAN - OPTION 2			
JOB NO 51/23	SCALE 1:200	DATE NOVEMBER 2023	DRN. CHKD. APP.



NEW GROUND FLOOR PLAN OPTION 2

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CLIENT ELENA DOYLE & SCOTT McDOWALL

DRAWING PROPOSED GROUND FLOOR PLAN - OPTION 2

JOB NO 51/23

SCALE 1:100

DATE OCTOBER 2023

DRN.

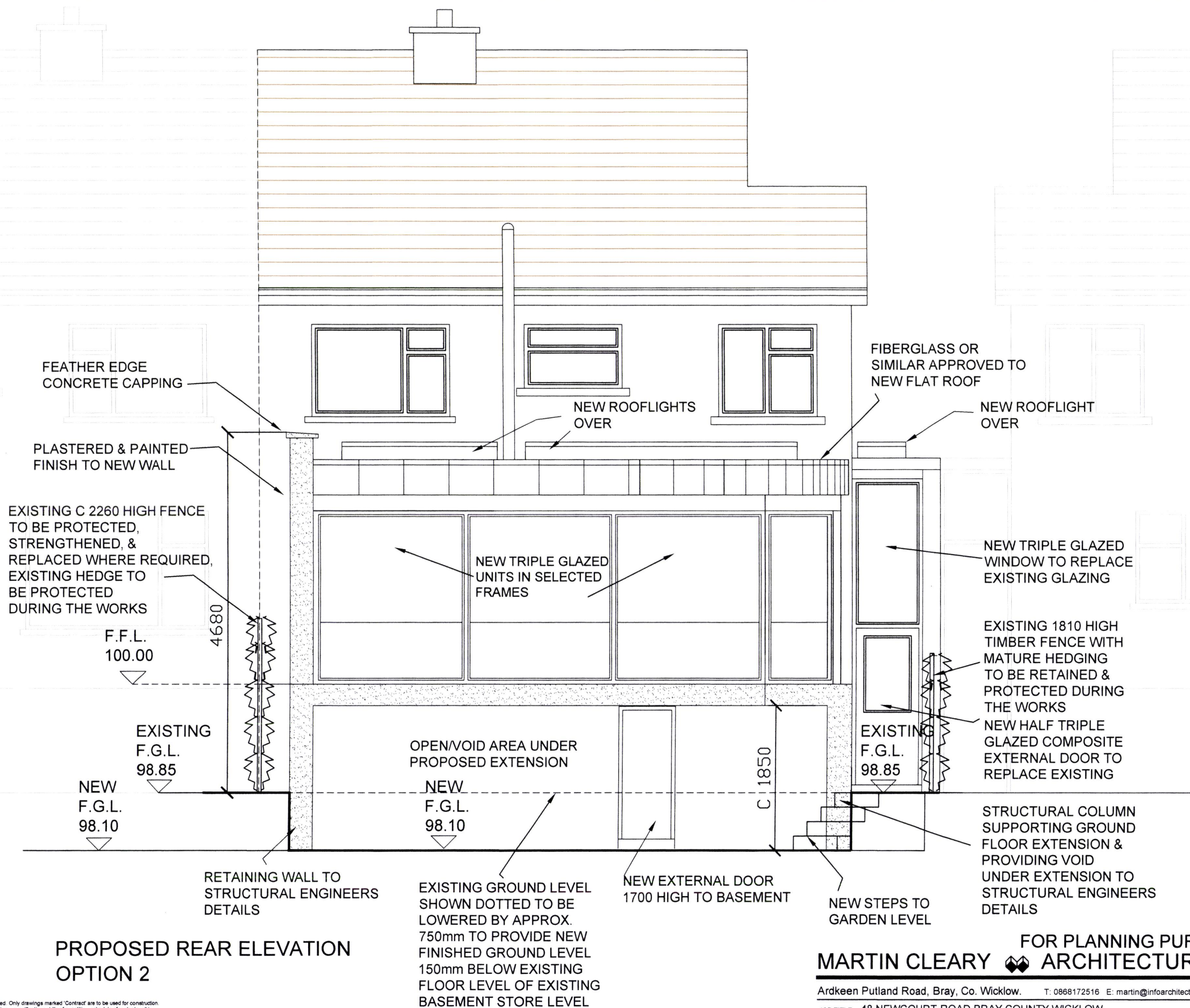
CHKD.

APP.

DWG NO P.002

REVISION

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N	CHKD.	APP.	DESCRIPTION



PROPOSED REAR ELEVATION
OPTION 2

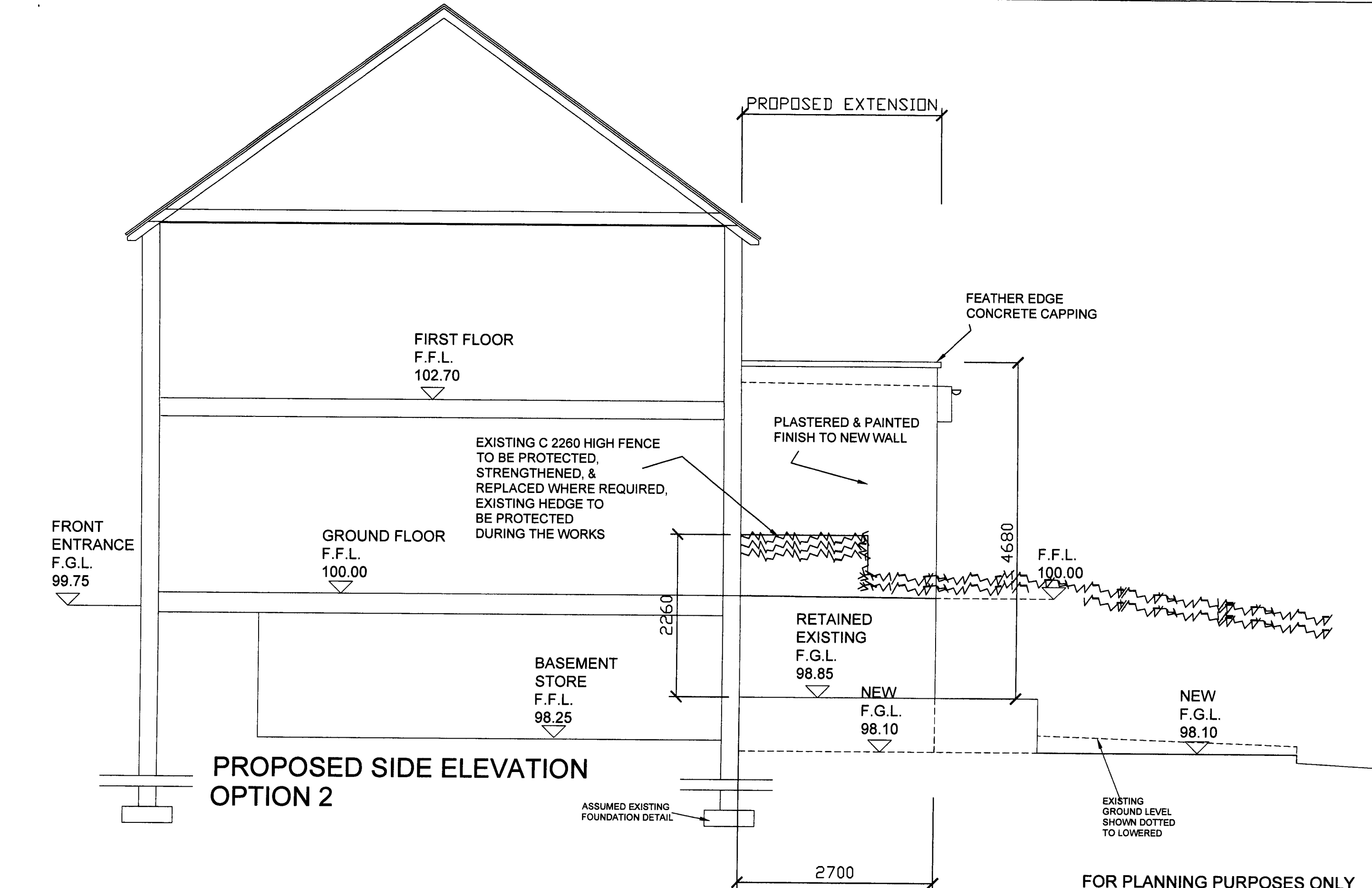
EXISTING GROUND LEVEL
SHOWN DOTTED TO BE
LOWERED BY APPROX.
750mm TO PROVIDE NEW
FINISHED GROUND LEVEL
150mm BELOW EXISTING
FLOOR LEVEL OF EXISTING
BASEMENT STORE LEVEL

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MARTIN CLEARY ARCHITECTURAL DESIGN

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1. to current building regulations, health & safety regulations, specifications, bills of quantities, schedule of work etc. all to
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only. Do not scale drawings. Contractor to check all dimensions on site before construction. Discrepancies are to be brought to
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and documents prepared by Martin Cleary Architectural Design and in any work carried out from those documents shall remain the
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al Design only.
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CLIENT ELENA DOYLE & SCOTT McDOWALL			DRAWING PROPOSED REAR ELEVATION OPTION 2			REVISION		
JOB NO 51/23		SCALE 1:50		DATE OCTOBER 2023		DRN.	CHKD.	APP.



PROPOSED SIDE ELEVATION
OPTION 2

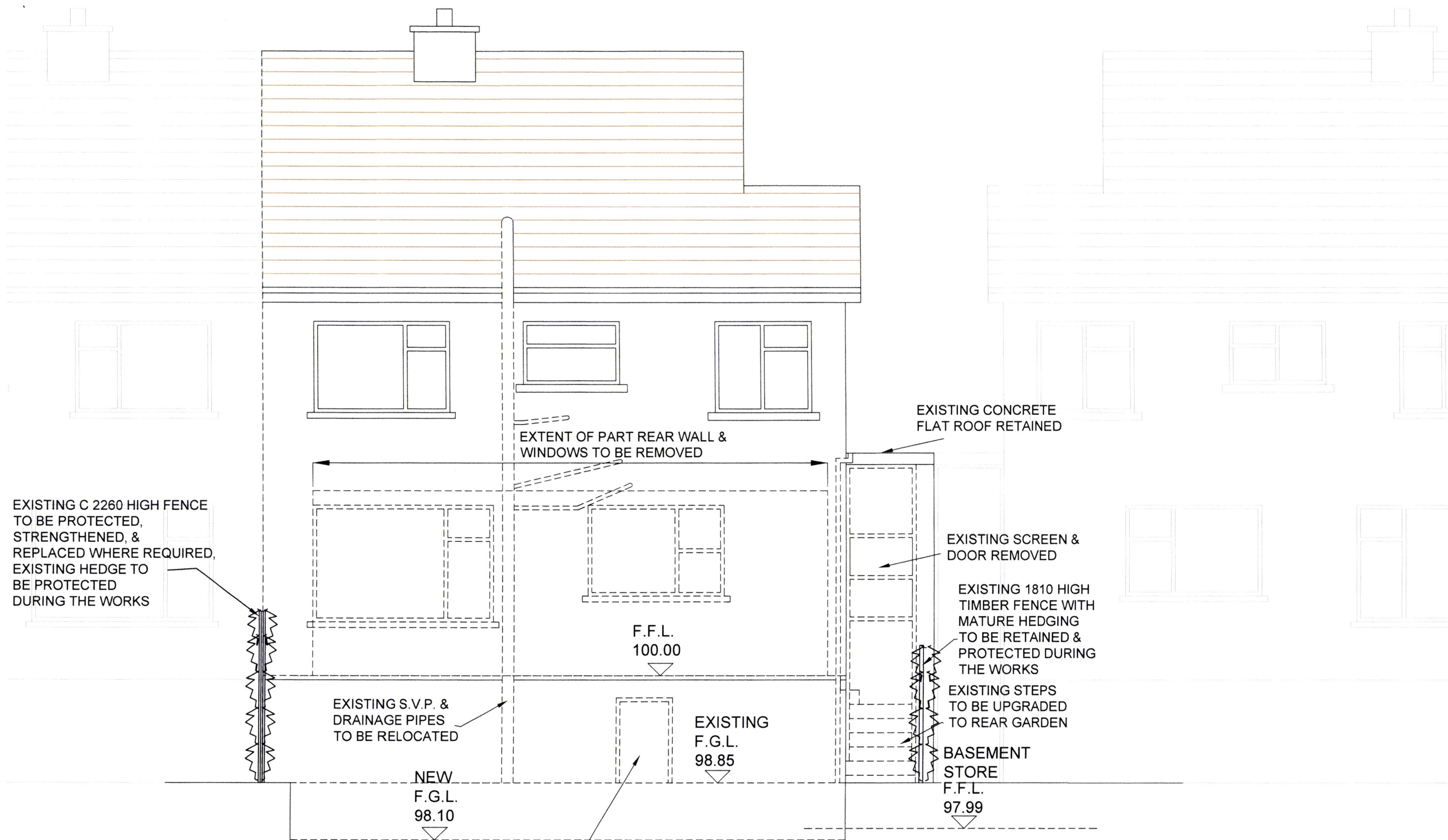
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MARTIN CLEARY  **ARCHITECTURAL DESIGN**

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JOB TITLE 48 NEWCOURT ROAD BRAY COUNTY WICKLOW			DWG NO P.004		
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DRAWING PROPOSED SIDE ELEVATION OPTION 2					
JOB NO 51/23	SCALE 1:50	DATE OCTOBER 2023	DRN	CHKD.	APP.



EXISTING REAR ELEVATION

EXISTING DOOR TO BASEMENT TO BE REMOVED & NEW DOOR PROVIDED TO SUIT NEW GROUND LEVELS

EXTENT OF GROUND TO BE LOWERED TO ACHIEVE 150mm BELOW EXISTING BASEMENT STORE FLOOR LEVEL ALL WORKS IN ACCORDANCE WITH STRUCTURAL ENGINEER'S DETAILS

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JOB TITLE 48 NEWCOURT ROAD BRAY COUNTY WICKLOW

DWG NO P.008

CLIENT ELENA DOYLE & SCOTT McDOWALL

DRAWING EXISTING REAR ELEVATION

REVISION

JOB NO 51/23

SCALE 1:50

DATE OCTOBER 2023

DRN.

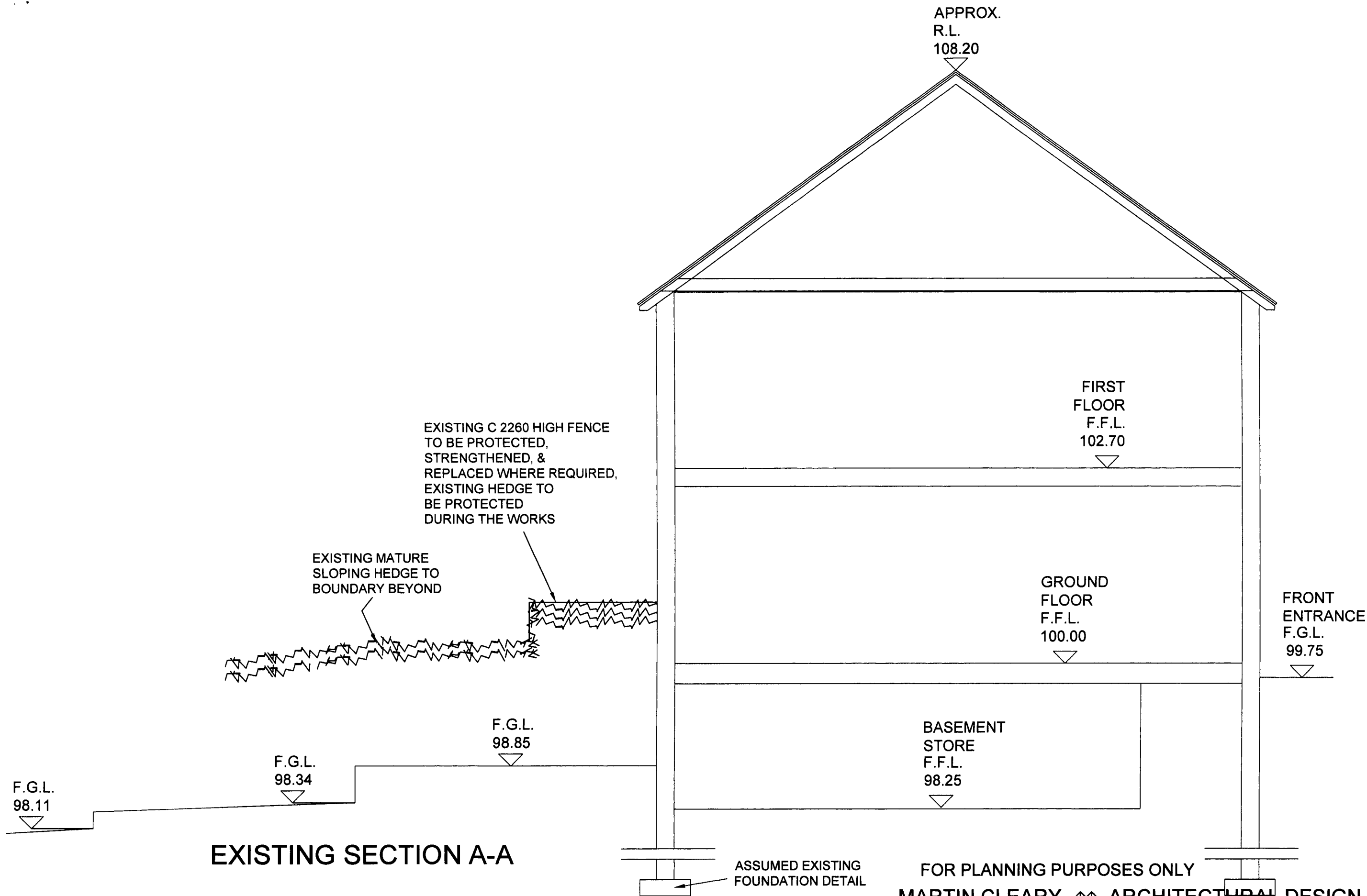
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JOB TITLE 48 NEWCOURT ROAD BRAY COUNTY WICKLOW

DWG NO P.009

CLIENT ELENA DOYLE & SCOTT McDOWALL

REVISION

DRAWING EXISTING SECTION A-A

JOB NO 51/23

SCALE 1:50

DATE NOVEMBER 2023

DRN

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N	CHKD	APP	DESCRIPTION