



Comhairle Contae Chill Mhantáin Wicklow County Council

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

Áras An-Chontae / County Buildings
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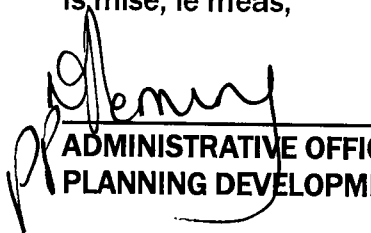
2nd October 2023

**RE: Declaration in accordance with Section 5 of the Planning & Development Acts
2000 (As Amended) – EX65/2023**

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.**







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

Applicant: Board of Management, Holy Rosary School

Location: Bethlehem School Building, Greenhill Road, Wicklow, Co. Wicklow

CHIEF EXECUTIVE ORDER NO. CE/PDE/1723/2023

A question has arisen as to whether “a) Installation of External Wall Insulation and Render, b) Replacement of External Doors and Windows, c) Installation of PV Panels to roof, d) Installation of ventilation hoods, e) Installation of heat recovery units, f) Installation of fence enclosure to heat recovery unit compound, g) Extension of boiler room and h) Installation of fixed ladder to roof” at Holy Rosary School, **Bethlehem School Building, Greenhill Road, Wicklow, Co. Wicklow** is or is not exempted development.

Having regard to:

- The details submitted with the Section 5 Declaration Application.
- Section 3 and 4 (1)(h), and 4 (2) of the Planning & Development) Act 2000 (as amended)
- Article 6, 9 and Schedule 2 : Part 1: Class 11 and Class 61 of the Planning and Development Regulations 2001 (as amended).

Main Reasons with respect to Section 5 Declaration:

- The works would consist of construction and installation, and would come within the definition set out within Section 3 of the Planning and Development Act 2000(as amended), and is therefore development.
- The external alterations to the existing school , consisting of the installation of external wall insulation and render , replacement of external doors and windows, installation of ventilation hoods, installation of fixed ladder to roof_which would affect the exterior of the structure would not it is considered materially affect the external appearance such that it would be inconsistent with the character of the structure or neighbouring structures, and would therefore be exempted having regard to the provisions of Section4(1)(h) of the Planning and Development Act 2000(as amended) nor would they impact on the character of setting of Dominican College/ Convent which forms a series of Protected Structures.
- The placement of PV panels would come within the description and limitations set out under Class 61: Part 1 : Schedule 2 of the Planning and Development Regulations 2001(as amended), and nothing within Article 9 would negate this exemption.
- The provision of fencing would come within the provisions within the description and limitations set out under Class 11 : Part 1 : Schedule 2 of the Planning and Development Regulations 2001(as amended), and nothing within Article 9 would negate this exemption

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.



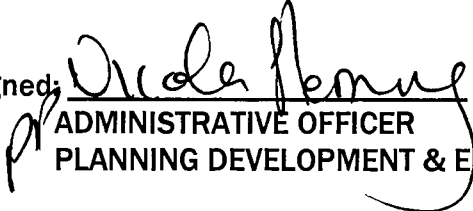
- There are no exemptions for the extension of a boiler room extension or for the provision of Heat Recovery Units on school grounds under the Planning and Development Regulations 2001(as amended)

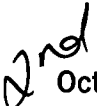
The Planning Authority considers that: -

(a) "Installation of External Wall Insulation and Render, Replacement of External Doors and Windows, Installation of PV Panels to roof, Installation of ventilation hoods, Installation of fence enclosure to heat recovery unit compound and Installation of fixed ladder to roof" at Holy Rosary School, **Bethlehem School Building, Greenhill Road, Wicklow, Co. Wicklow is development and is exempted development.**

AND

(b) "Extension of boiler room and Installation of heat recovery units" at Holy Rosary School, **Bethlehem School Building, Greenhill Road, Wicklow, Co. Wicklow is development and is not exempted development**

Signed: 
ADMINISTRATIVE OFFICER
PLANNING DEVELOPMENT & ENVIRONMENT

Dated  October 2023

WICKLOW COUNTY COUNCIL

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

CHIEF EXECUTIVE ORDER NO. CE/PDE/1723/2023

Reference Number: EX 65/2023

Name of Applicant: Board of Management, Holy Rosary School

Nature of Application: Section 5 Referral as to whether "a) Installation of External Wall Insulation and Render, b) Replacement of External Doors and Windows, c) Installation of PV Panels to roof, d) Installation of ventilation hoods, e) Installation of heat recovery units, f) Installation of fence enclosure to heat recovery unit compound, g) Extension of boiler room and h) Installation of fixed ladder to roof" is or is not exempted development

Location of Subject Site: Bethlehem School Building, Greenhill Road, Wicklow, Co. Wicklow

Report from Billy Slater, EP & Edel Bermingham, SEP

With respect to the query under Section 5 of the Planning & Development Act 2000 as to whether "a) Installation of External Wall Insulation and Render, b) Replacement of External Doors and Windows, c) Installation of PV Panels to roof, d) Installation of ventilation hoods, e) Installation of heat recovery units, f) Installation of fence enclosure to heat recovery unit compound, g) Extension of boiler room and h) Installation of fixed ladder to roof" at Holy Rosary School, Bethlehem School Building, Greenhill Road, Wicklow, Co. Wicklow is or is not exempted development within the meaning of the Planning & Development Act 2000 (as amended)

Having regard to:

- a) The details submitted with the Section 5 Declaration Application .
- b) Section 3 and 4 (1)(h), and 4 (2) of the Planning & Development) Act 2000 (as amended)
- c) Article 6, 9 and Schedule 2 : Part 1: Class 11 and Class 61 of the Planning and Development Regulations 2001 (as amended).

Main Reason with respect to Section 5 Declaration:

- The works would consist of construction and installation, and would come with the definition set out within Section 3 of the Planning and Development Act 2000(as amended), and is therefore development.
- The external alterations to the existing school , consisting of the installation of external wall insulation and render , replacement of external doors and windows, installation of ventilation hoods, installation of fixed ladder to roof_which would affect the exterior of the structure would not it is considered materially affect the external appearance such that it would be inconsistent with the character of the structure or neighbouring structures, and would therefore be exempted having

10/10/10



regard to the provisions of Section 4(1)(h) of the Planning and Development Act 2000 (as amended) nor would they impact on the character of setting of Dominican College/ Convent which forms a series of Protected Structures.

- The placement of PV panels would come within the description and limitations set out under Class 61: Part 1 : Schedule 2 of the Planning and Development Regulations 2001 (as amended), and nothing within Article 9 would negate this exemption.
- The provision of fencing would come within the provisions within the description and limitations set out under Class 11 : Part 1 : Schedule 2 of the Planning and Development Regulations 2001 (as amended), and nothing within Article 9 would negate this exemption
- There are no exemptions for the extension of a boiler room extension or for the provision of Heat Recovery Units on school grounds under the Planning and Development Regulations 2001 (as amended)

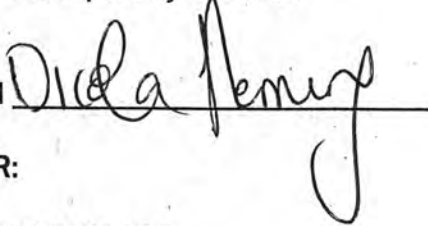
Recommendation:

The Planning Authority considers that;

(a) "Installation of External Wall Insulation and Render, Replacement of External Doors and Windows, Installation of PV Panels to roof, Installation of ventilation hoods, Installation of fence enclosure to heat recovery unit compound and Installation of fixed ladder to roof" at Holy Rosary School, **Bethlehem School Building, Greenhill Road, Wicklow, Co. Wicklow** **is development and is exempted development.** as recommended in the report by the SEP.

(b) "Extension of boiler room and Installation of heat recovery units" at Holy Rosary School, **Bethlehem School Building, Greenhill Road, Wicklow, Co. Wicklow** **is development and is not exempted development.** as recommended in the report by the SEP.

Signed



Dated 2nd day of October 2023

ORDER:

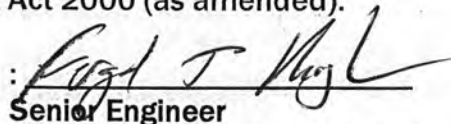
I HEREBY DECLARE:

That;

(a) "Installation of External Wall Insulation and Render, Replacement of External Doors and Windows, Installation of PV Panels to roof, Installation of ventilation hoods, Installation of fence enclosure to heat recovery unit compound and Installation of fixed ladder to roof" at Holy Rosary School, **Bethlehem School Building, Greenhill Road, Wicklow, Co. Wicklow** **is development and is exempted development.** within the meaning of the Planning & Development Act 2000 (as amended).

(b) "Extension of boiler room and Installation of heat recovery units" at Holy Rosary School, **Bethlehem School Building, Greenhill Road, Wicklow, 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 03rd day of October 2023



**WICKLOW COUNTY COUNCIL
PLANNING DEPARTMENT**

To: Fergal Keogh S.E / Suzanne White S.E.P. / Edel Bermingham S.E.P.
From: Billy Slater G.P.
Type: Section 5 Application
REF: EX 65/2023
Applicant: Board of Management, Holy Rosary School
Date of Application: 06/09/2023
Decision Due Date: 03/10/2023
Address: Bethlehem School Building, Greenhill Rd, Co. Wicklow
Exemption Query:

- A. Installation of External Wall Insulation and Render
- B. Replacement of External Doors and Windows
- C. Installation of PV Panels to roof
- D. Installation of ventilation hoods
- E. Installation of heat recovery units
- F. Installation of fence enclosure to heat recovery unit compound
- G. Extension of boiler room
- H. Installation of fixed ladder to roof

Application Site: The subject site is located within the level 2 settlement of Wicklow Town. The site is accessed via the local public road known as Greenhill Rd. The subject site is occupied by a two story detached dwelling. The application site is located within an existing residential zoning and is surrounded by further dwellings beyond all site parameters.

Google Maps Image and Site Image



Planning History:

Subject Site:

Ref 14/1636
Applicant Board of Management, Holy Rosary School
Development alterations to previously granted permission (Ref 13/8513) for an extension to the existing school comprising 2 special education needs classrooms, central

	activities room and associated facilities together with alterations to existing school building and
Decision	Grant
Ref	13/623513
Applicant	Board of Management, Holy Rosary School
Development	Part single storey, part two storey extension to the existing school comprising two special education needs classrooms, central activities room and associated facilities together with alterations to existing school building and all associated site works
Decision	Grant
Ref	01/22575
Applicant	Board of Management, Holy Rosary School
Development	Gabion retaining wall and carpark
Decision	Grant

Question:

The applicants have applied to see whether or not the following is or is not development and is or is not exempted development:

- A. *Installation of External Wall Insulation and Render*
- B. *Replacement of External Doors and Windows*
- C. *Installation of PV Panels to roof*
- D. *Installation of ventilation hoods*
- E. *Installation of heat recovery units*
- F. *Installation of fence enclosure to heat recovery unit compound*
- G. *Extension of boiler room*
- H. *Installation of fixed ladder to roof*

At Bethlehem School Building, Greenhill Rd, Co. Wicklow.

Legislative Context

Planning and Development Act 2000 (as amended)

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

“protected structure” means—

(a) a structure, or

(b) a specified part of a structure,

which is included in a record of protected structures, and, where that record so indicates, includes any specified feature which is within the attendant grounds of the structure and which would not otherwise be included in this definition;

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

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

(b) in relation to a protected structure or proposed protected structure, includes—

(i) the interior of the structure,

(ii) the land lying within the curtilage of the structure,

(iii) any other structures lying within that curtilage and their interiors, and

(iv) all fixtures and features which form part of the interior or exterior of any structure or structures referred to in subparagraph (i) or (iii);

“works” includes Any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal and, in relation to a protected structure or proposed protected structure, includes any act or operation involving the application or removal of plaster, paint, wallpaper, tiles or other material to or from the surfaces of the interior or exterior of a structure.”

Section 3(1) 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) is relevant for the purposes of this declaration:

“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 5

‘School’ has the meaning assigned to it by the Education Act 1998

Education Act Definition -

‘School’ means an establishment which—

(a) provides primary education to its students and which may also provide early childhood education, or

(b) provides post-primary education to its students and which may also provide courses in adult, continuing or vocational education or vocational training.

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,
(vii) consist of or comprise the excavation, alteration or demolition (other than peat extraction) of places, caves, sites, features or other objects of archaeological, geological, historical, scientific or ecological interest, the preservation, conservation or protection of which is an objective of a development plan or local area plan for the area in which the development is proposed or, pending the variation of a development plan or local area plan, or the making of a new development plan or local area plan, in the draft variation of the development plan or the local area plan or the draft development plan or draft local area plan,

Schedule 2 : Part 1

CLASS 11

The construction, erection, lowering, repair or replacement, other than within or bounding the curtilage of a house, of –

- (a) any fence (not being a hoarding or sheet metal fence), or
- (b) any wall of brick, stone, blocks with decorative finish, other concrete blocks or mass concrete.

Limitations

1. The height of any new structure shall not exceed 1.2 metres or the height of the structure being replaced, whichever is the greater, and in any event shall not exceed 2 metres.
2. Every wall, other than a dry or natural stone wall, constructed or erected bounding a road shall be capped and the face of any wall of concrete or concrete blocks (other than blocks of a decorative finish) which will be visible from any road, path or public area, including a public open space, shall be rendered or plastered.

CLASS 61

The placing or erection on a roof, or within the curtilage, or on a roof of any ancillary buildings within the curtilage, of the following buildings or sites of a solar photo-voltaic and/or solar thermal collector installation:

- i. an educational building,
- ii. health centre or hospital,
- iii. recreational or sports facility,
- iv. place of worship,
- v. community facility or centre,
- vi. library,
- vii. sites for the provision of gas, electricity, telecommunications services or water supplies or wastewater services operated by a statutory undertaker.

Limitations

1. Where such development is located within a solar safeguarding zone, the total aperture area of any solar photo-voltaic and/or solar thermal collector panels, taken together with any other such panels previously placed on a roof, shall not exceed 300 square metres.
2. Where such development is located within a solar safeguarding zone, the planning authority for the area shall be notified in writing no later than 4 weeks after the commencement of such development and such notification shall include details regarding the location and scale of the development.
3. The distance between the plane of the roof and the solar photo-voltaic or solar thermal collector panels shall not exceed 1.2 metres in the case of a flat roof or 15cm in any other case.

4. The solar photo-voltaic or solar thermal collector panels shall be a minimum of 2 metres in the case of a flat roof or 50cm in any other case from the edge of the roof on which it is mounted.
5. Any ancillary equipment associated with solar photo-voltaic or solar thermal collector panels shall not be placed or erected on a wall or any roof that is not a flat roof.
6. The height of any ancillary equipment associated with solar photo-voltaic or solar thermal collector panels on a flat roof shall not exceed 1.6 metres above roof level.
7. Any ancillary equipment associated with solar photo-voltaic or solar thermal collector panels on a flat roof shall be a minimum of 2 metres from the edge of the roof on which it is mounted.
8. Any free-standing solar photo-voltaic or solar thermal collector installation shall not be placed or erected forward of the front wall of the building or site.
9. The total aperture area of any free-standing solar photo-voltaic and solar thermal collector panels taken together with any other such existing free-standing panels shall not exceed 75 square metres.
10. The height of any free-standing solar photo-voltaic or solar thermal collector installation shall not exceed 2.5 metres at its highest point above ground level.
11. The placing or erection of a solar photo-voltaic or solar thermal collector installation on any wall shall not be exempted development.
12. The placing or erection of any free-standing solar photo-voltaic or solar thermal collector installation within an Architectural Conservation Area shall only be exempted development if those works would not materially affect the character of the area.
13. No sign, advertisement or object not required for the functioning or safety of the solar photo-voltaic or solar thermal collector installation shall be attached to or exhibited on such installation.
14. Development under this Class shall only be exempted development where the solar photo-voltaic or solar thermal collector installation is primarily used for the provision of electricity or heating for use within the curtilage of the building or site, and shall not be considered a change of use for the purposes of the Act.
15. Development under this Class which causes hazardous glint and/or glare shall not be exempted development and any solar photo-voltaic or solar thermal collector panels which are causing hazardous glint and/or glare shall either be removed or be covered until such time as a mitigation plan to address the hazardous glint and/or glare is agreed and implemented to the satisfaction of the Planning Authority.

Assessment

The applicants have applied to see whether or not the following is or is not development and is or is not exempted development:

- A. Installation of External Wall Insulation and Render
- B. Replacement of External Doors and Windows
- C. Installation of PV Panels to roof
- D. Installation of ventilation hoods
- E. Installation of heat recovery units
- F. Installation of fence enclosure to heat recovery unit compound
- G. Extension of boiler room
- H. Installation of fixed ladder to roof

At Bethlehem School Building, Greenhill Rd, Co. Wicklow.

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 above elements 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. With regard to an assessment of the following elements;

A. Installation of External Wall Insulation and Render

B. Replacement of External Doors and Windows

D. Installation of ventilation hoods

H. Installation of fixed ladder to roof

It is considered that given the scale of the existing building and the nature of the works , that these elements would be acceptable , and would not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure or of neighbouring structures, and would therefore be exempt having regard to Section 4(1)(h). Furthermore, whilst the Holy Rosary is not a protected structure it does sit within the attendant grounds of the Dominican Convent collection of buildings which are themselves Protected Structures. From review it is not considered that the works would materially affect the character of the Dominican Convent Protected Structures.

C. Installation of PV Panels to roof

Class 61 is the relevant exemption for the placement of PV panels on the roof. There are a number of limitations that need to be adhered to and compliance or not is set out below –

1. Where such development is located within a solar safeguarding zone, the total aperture area of any solar photo-voltaic and/or solar thermal collector panels, taken together with any other such panels previously placed on a roof, shall not exceed 300 square metres.	N/A - development is not within a Solar Safe Guarding Zone.
2. Where such development is located within a solar safeguarding zone, the planning authority for the area shall be notified in writing no later than 4 weeks after the commencement of such development and such notification shall include details regarding the location and scale of the development.	N/A
3. The distance between the plane of the roof and the solar photo-voltaic or solar thermal collector panels shall not exceed 1.2 metres in the case of a flat roof or 15cm in any other case.	Distance limit met

4. The solar photo-voltaic or solar thermal collector panels shall be a minimum of 2 metres in the case of a flat roof or 50cm in any other case from the edge of the roof on which it is mounted.	Distance limit met, 2m demarkation denoted on roof plan
5. Any ancillary equipment associated with solar photo-voltaic or solar thermal collector panels shall not be placed or erected on a wall or any roof that is not a flat roof.	None indicated.
6. The height of any ancillary equipment associated with solar photo-voltaic or solar thermal collector panels on a flat roof shall not exceed 1.6 metres above roof level.	Meets limit of 1.6 metres above roof level.
7. Any ancillary equipment associated with solar photo-voltaic or solar thermal collector panels on a flat roof shall be a minimum of 2 metres from the edge of the roof on which it is mounted.	N/A
8. Any free-standing solar photo-voltaic or solar thermal collector installation shall not be placed or erected forward of the front wall of the building or site.	N/A
9. The total aperture area of any free-standing solar photo-voltaic and solar thermal collector panels taken together with any other such existing free-standing panels shall not exceed 75 square metres.	N/A
10. The height of any free-standing solar photo-voltaic or solar thermal collector installation shall not exceed 2.5 metres at its highest point above ground level.	N/A
11. The placing or erection of a solar photo-voltaic or solar thermal collector installation on any wall shall not be exempted development.	N/A
12. The placing or erection of any free-standing solar photo-voltaic or solar thermal collector installation within an Architectural Conservation Area shall only be exempted development if those works would not materially affect the character of the area.	N/A
13. No sign, advertisement or object not required for the functioning or safety of the solar photo-voltaic or solar thermal collector installation shall be attached to or exhibited on such installation.	N/A
14. Development under this Class shall only be exempted development where the solar photo-voltaic or solar thermal collector installation is primarily used for the provision of electricity or heating for use within	For School therefore this limitation is met.

the curtilage of the building or site, and shall not be considered a change of use for the purposes of the Act	
15. Development under this Class which causes hazardous glint and/or glare shall not be exempted development and any solar photo-voltaic or solar thermal collector panels which are causing hazardous glint and/or glare shall either be removed or be covered until such time as a mitigation plan to address the hazardous glint and/or glare is agreed and implemented to the satisfaction of the Planning Authority.	Given location on top of roof consider that this Limit will be met.

Article 9 of the Regulations provides that works to a protected structure are not exempted where they would impact on the protected structure. The existing school is within the attendant grounds of Dominican College / Convent which forms a number of protected structures. It is considered given the works are to a separate structure which is clearly separated from the existing cluster of Buildings that form the Dominican College/ Convent, that the works would not impinge on the existing Dominican College or its setting .

The PV panels are therefore considered to come within the exemption set out under Class 61.

E Installation of Heat Recovery Units

No exemption exists for these works, the Regulations identify exemption under Class 56(a) but educational facilities are not included.

F Installation of Fence enclosure to Heat Recovery Unit Compound

The proposed fence would fall under the description of Class 11 of the P& D Regulations 2001(as amended). The following limitations apply

1. The height of any new structure shall not exceed 1.2 metres or the height of the structure being replaced, whichever is the greater, and in any event shall not exceed 2 metres.	Proposed fence is denoted as 2m in height.
2. Every wall, other than a dry or natural stone wall, constructed or erected bounding a road shall be capped and the face of any wall of concrete or concrete blocks (other than blocks of a decorative finish) which will be visible from any road, path or public area, including a public open space, shall be rendered or plastered.	N/A

The fencing at 2m high will accord with the limitations set out under Class 11. Given the location of the fencing, it is not considered that this compound fenced area would impact on the setting of the protected structure adjoining.

G. Extension of boiler room

No exemption exists for these works, the Regulations identify exemption under Class 56 (i) but educational facilities are not included.

Recommendation :

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

- A. Installation of External Wall Insulation and Render
- B. Replacement of External Doors and Windows
- C. Installation of PV Panels to roof
- D. Installation of ventilation hoods
- E. Installation of heat recovery units
- F. Installation of fence enclosure to heat recovery unit compound
- G. Extension of boiler room
- H. Installation of fixed ladder to roof

At the Bethlehem School Building, Greenhill Rd, Co. Wicklow, constitutes exempted development within the meaning of the Planning and Development Acts, 2000(as amended).

The Planning Authority consider that :

- A. Installation of External Wall Insulation and Render is development and is exempted development
- B. Replacement of External Doors and Windows is development and is exempted development
- C. Installation of PV Panels to roof is development and is exempted development
- D. Installation of ventilation hoods is development and is exempted development
- E. Installation of heat recovery units is development and is NOT exempted development
- F. Installation of fence enclosure to heat recovery unit compound is development and is exempted development
- G. Extension of boiler room is development and is NOT exempted development
- H. Installation of fixed ladder to roof is development and is exempted development

Main Considerations with respect to Section 5 Declaration :

- a) The details submitted with the Section 5 Declaration Application .
- b) Section 3 and 4 (1)(h), and 4 (2) of the Planning & Development) Act 2000 (as amended)
- c) Article 6, 9 and Schedule 2 : Part 1: Class 11 and Class 61 of the Planning and Development Regulations 2001 (as amended).

Main Reasons with respect to Section 5 Declaration :

- The works would consist of construction and installation, and would come within the definition set out within Section 3 of the Planning and Development Act 2000(as amended), and is therefore development.
- The external alterations to the existing school , consisting of the installation of external wall insulation and render , replacement of external doors and windows, installation of ventilation hoods, installation of fixed ladder to roof which would affect the exterior of the structure would not it is considered materially affect the external appearance such that it would be inconsistent with the character of the structure or neighbouring structures, and would therefore be exempted having regard to the provisions of Section 4(1)(h) of the Planning and Development Act 2000(as amended) nor would they impact on the character of setting of Dominican College/ Convent which forms a series of Protected Structures.
- The placement of PV panels would come within the description and limitations set out under Class 61: Part 1 : Schedule 2 of the Planning and Development Regulations 2001(as amended), and nothing within Article 9 would negate this exemption.

- The provision of fencing would come within the provisions within the description and limitations set out under Class 11 : Part 1 : Schedule 2 of the Planning and Development Regulations 2001(as amended), and nothing within Article 9 would negate this exemption
- There are no exemptions for the extension of a boiler room extension or for the provision of Heat Recovery Units on school grounds under the Planning and Development Regulations 2001(as amended)

Billy Slater

Billy Slater A.P.
26/09/2023

Agreed Subj sep
26/9/2023

Issue declaration as recommended
Peggy T. High ss
03/10/23

MEMORANDUM

WICKLOW COUNTY COUNCIL

TO: Billy Slater
Assistant Planner

FROM: Nicola Fleming
Staff Officer

**RE:- Application for Certificate of Exemption under Section 5 of the
Planning and Development Act 2000 (as amended).
EX65/2023 – BOM, Holy Rosary School**

I enclose herewith for your attention application for Section 5 Declaration
received 6th September 2023

The due date on this declaration is the 3rd October 2023.



Staff Officer
Planning Development & Environment



Comhairle Contae Chill Mhantáin Wicklow County Council

Forbairt Pleanála agus Comhshaol
Planning Development and Environment

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

12th September 2023

Gravity Architects
69 Clarendon St
Derry
N. Ireland
BY48 6ER

RE: Application for Certificate of Exemption under Section 5 of the Planning and Development Acts 2000 (as amended).
Ex 65/2023 – Board of Management, Holy Rosary School at Bethlehem School Building, Greenhill Road, Wicklow

A Chara

I wish to acknowledge receipt on 6th September 2023 details supplied by you in respect of the above Section 5 application. A decision is due in respect of this application by 3rd October 2023.

Mise, le meas

NICOLA FLEMING
STAFF OFFICER

PLANNING DEVELOPMENT AND ENVIRONMENT



Wicklow County Council
County Buildings
Wicklow
0404-20100

04/09/2023 12:47:39

Receipt No L1/0/318314

GRAVITY ARCHITECTS
69 CLARENDON ST
DERRY
NI
BT48 6ER

EXEMPTION CERTIFICATES	80.00
GOODS	80.00
VAT Exempt/Non-vatable	

Total	80.00 EUR
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Tendered
Credit Card 80.00
BETHLEHEM SCHOOL BLDG, WICKLOW

Change	0.00
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Issued By Cashier5MW
From Customer Service Hub
Vat reg No 0015233H



Planning Department
Wicklow County Council
County Buildings
Whitegates
Wicklow Town
A67 FW96

WICKLOW COUNTY COUNCIL
CUSTOMER SERVICE

06 SEP 2023

OUR REF: 22577 – HOLY ROSARY SCHOOL – BETHLEHEM BUILDING

4th September 2023

Dear Sir / Madam

Please find attached Section 5 Application for proposed works at Bethlehem School Building, Greenhill Road, Wicklow Town.

The following documents are enclosed:-

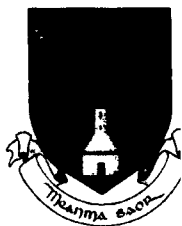
- 1) Section 5 application Form
- 2) 1 set of drawings
- 3) Fee – E80.00

Should you require any further information do not hesitate to contact myself.

Yours sincerely,

gravityarchitects

rgillespie@gravityarchitects.co.uk



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: Board of Management
Address of applicant: Holy Rosary School, Dominican Campus, Wicklow Town

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

Wicklow County Council

06 SEP 2023

PLANNING DEPT.

2. Agents Details (Where Applicable)

- (b) Name of Agent : Gravity Architects
Address of Agent : 69 Clarendon St., Derry, N. Ireland BT48 6ER

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

3. Declaration Details

- i. Location of Development subject of Declaration: Bethlehem School Building
Greenhill Road, Wicklow, Co. Wicklow

- 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
- A) Installation of External Wall Insulation & Render
 - B) Replacement of External Doors & Windows
 - C) Installation of PV Panels to roof
 - D) Installation of Ventilation hoods
 - E) Installation of Heat Recovery Units
 - F) Installation of Fence Enclosure to Heat Recovery Unit compound
 - G) Extension of Boiler Room
 - H) Installation of Fixed Ladder to Roof
- 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 (Exemption), Planning & Development Act 2000
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) ? _____
Yes – Within the curtilage of Dominican Convent, Convent Road, Wicklow Town (W14,15,16 & 17)

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

22577-GA-00-DR-A-0001-I1 - Location Map
22577-GA-00-DR-A-0002-I1 – Site Plan
22577-GA-00-DR-A-0100-I1 – Existing Plans
22577-GA-00-DR-A-0101-I1 – Existing Roof Plan
22577-GA-00-DR-A-0102-I1 – Proposed Plan
22577-GA-00-DR-A-0103-I1 – Proposed Roof Plan
22577-GA-00-DR-A-0200-I1- Existing Sections A,B,C,D,E,F,G
22577-GA-00-DR-A-0201-I1 – Existing Sections H,J,K,L
22577-GA-00-DR-A-0202-I1 – Existing Sections M,N,O,P
22577-GA-00-DR-A-0203-I1 – Proposed Sections A,B,C,D,E,F,G
22577-GA-00-DR-A-0204-I1 – Proposed Sections H,J,K,L
22577-GA-00-DR-A-0205-I1 – Proposed Sections M,N,O,P
22577-GA-00-DR-A-0300-I1 – Existing Elevations
22577-GA-00-DR-A-0301-I1 – Proposed Elevations
22577-GA-00-DR-A-0302-I1 – 3D Views – Existing & Proposed

viii. Fee of € 80 Attached - Paid by Phone

Signed :  Dated : 04/09/23

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 -

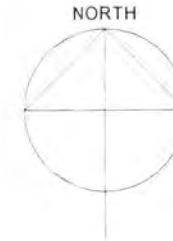
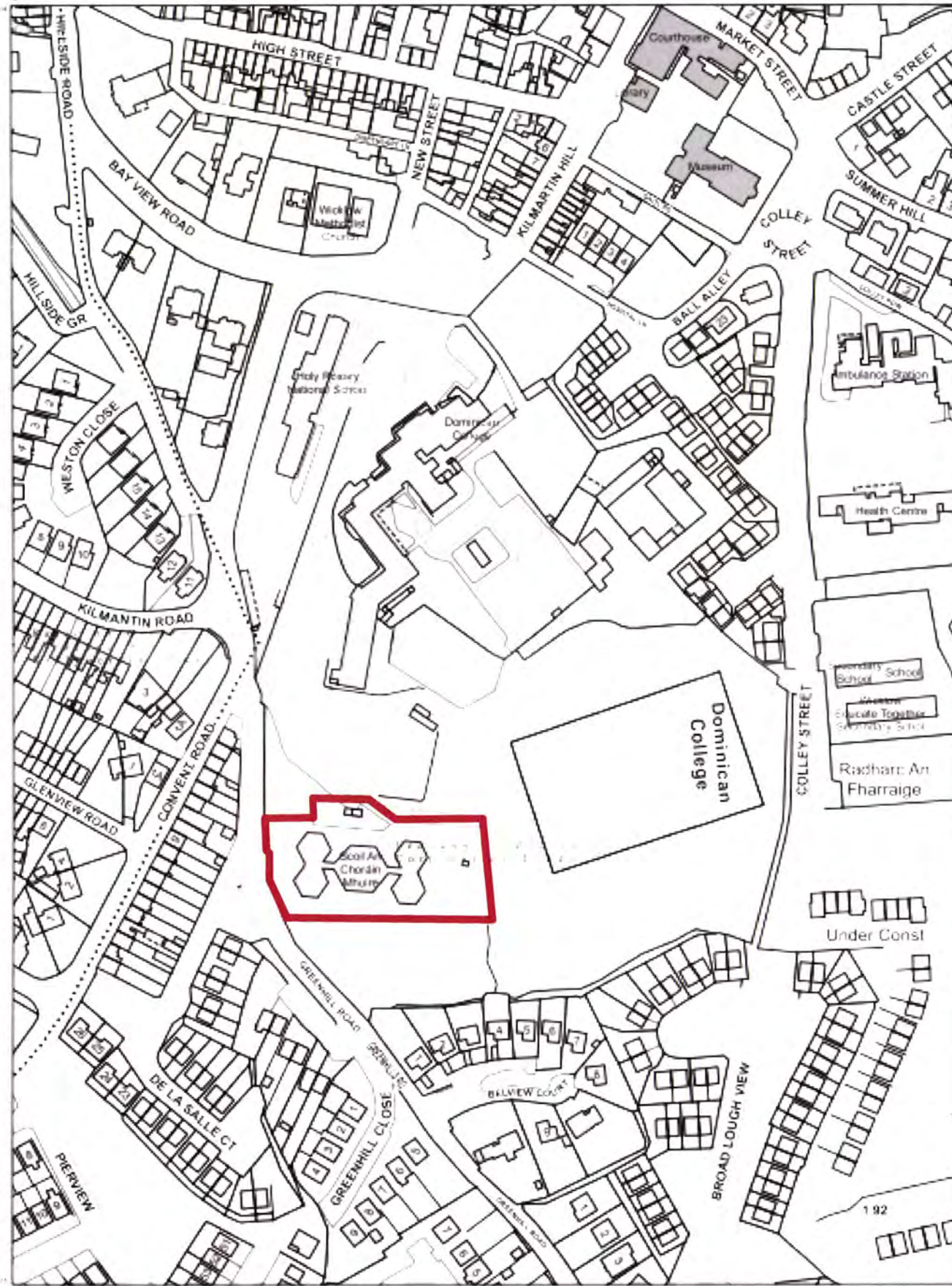
The provisions of Article 8 of the Planning and Development Regulations 2001 (as amended) now applies to land reclamation, other than works to wetlands which are still governed by Schedule 2, Part 3, Class 11. Note in addition to confirmation of exemption status under the Planning and Development Act 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.

Planning Pack Map



OUTPUT SCALE: 1:2 500

CENTRE COORDINATES:
ITM 731705 623603

PUBLISHED 08/12/2022
MAP SERIES 1:1 000
ORDER NO. 5030/2001
MAP SHEETS 4020-20
4020-25

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:
<http://www.osi.ie/search/CaptureResolution>
LEGEND
B1: www.osi.ie/MapCamp/MapCamp.asp



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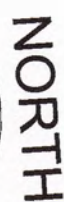
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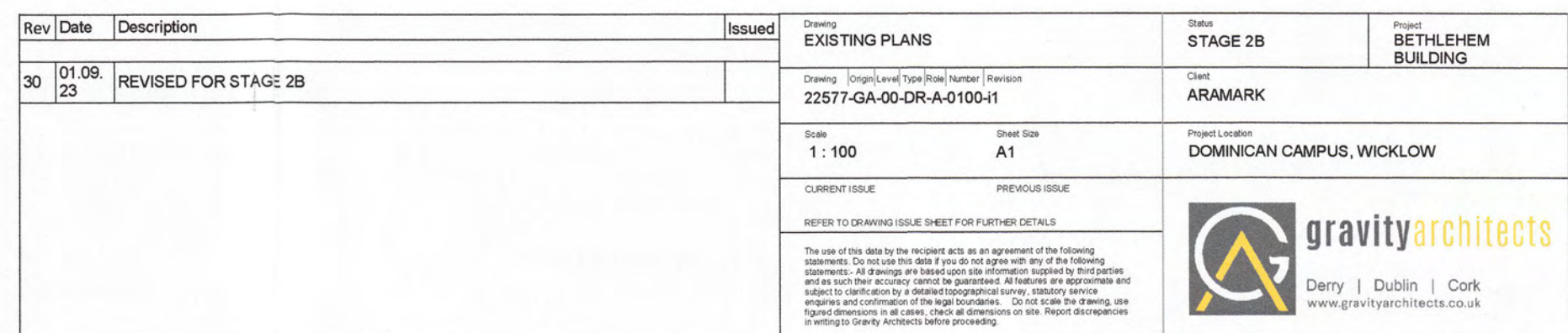
ARAMARK
BETHLEHEM BUILDING
DOMINICAN CAMPUS, WICKLOW

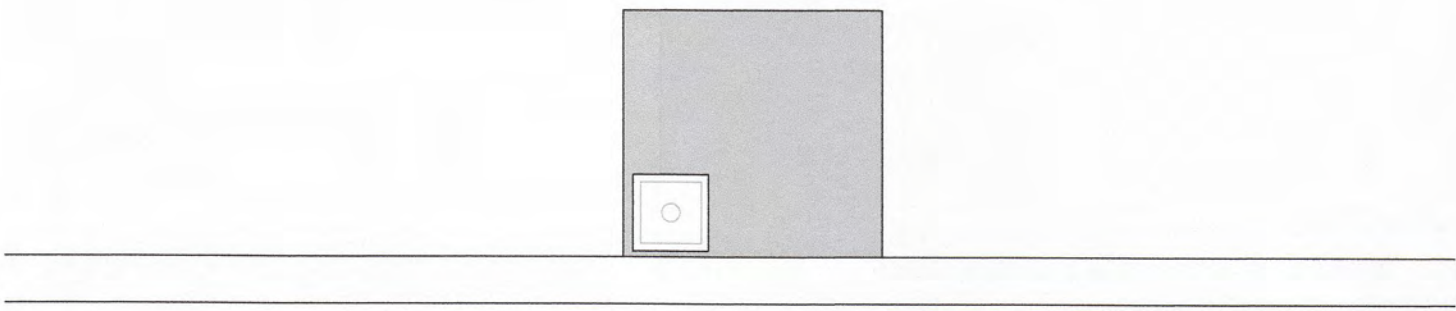
LOCATION MAP
22577-GA-00-DR-A-0001-i1

1 : 2500 A3 STAGE 2B





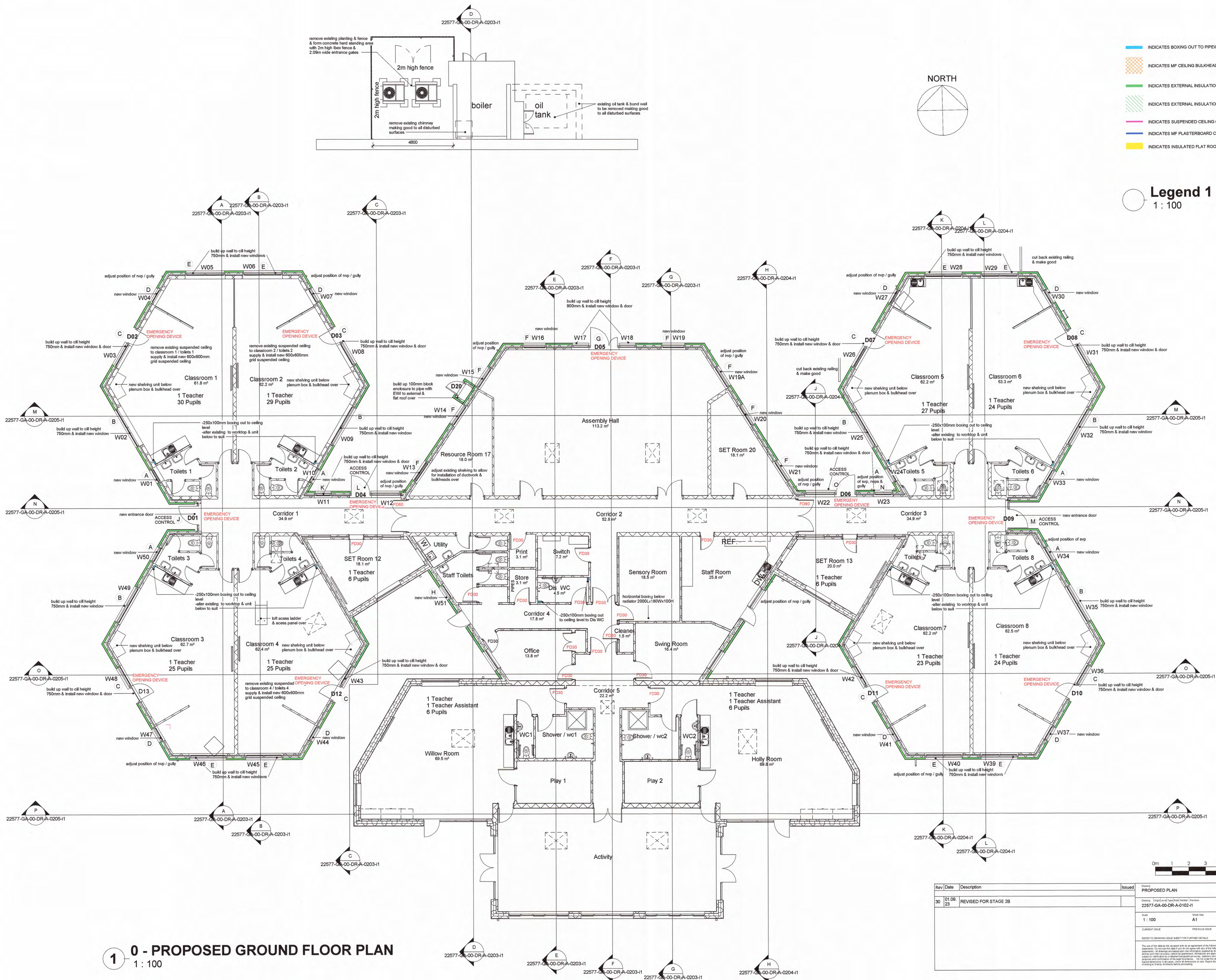




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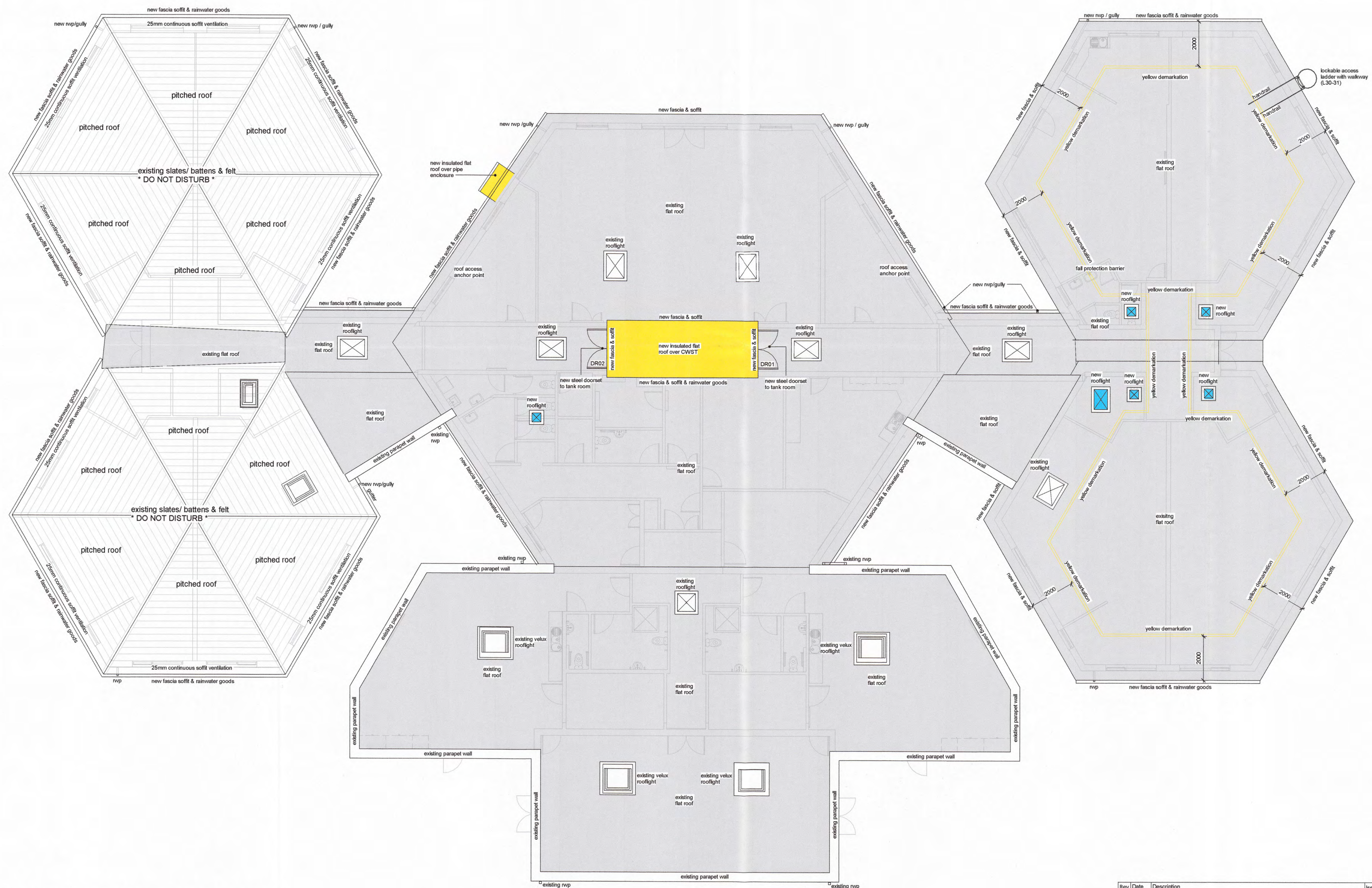


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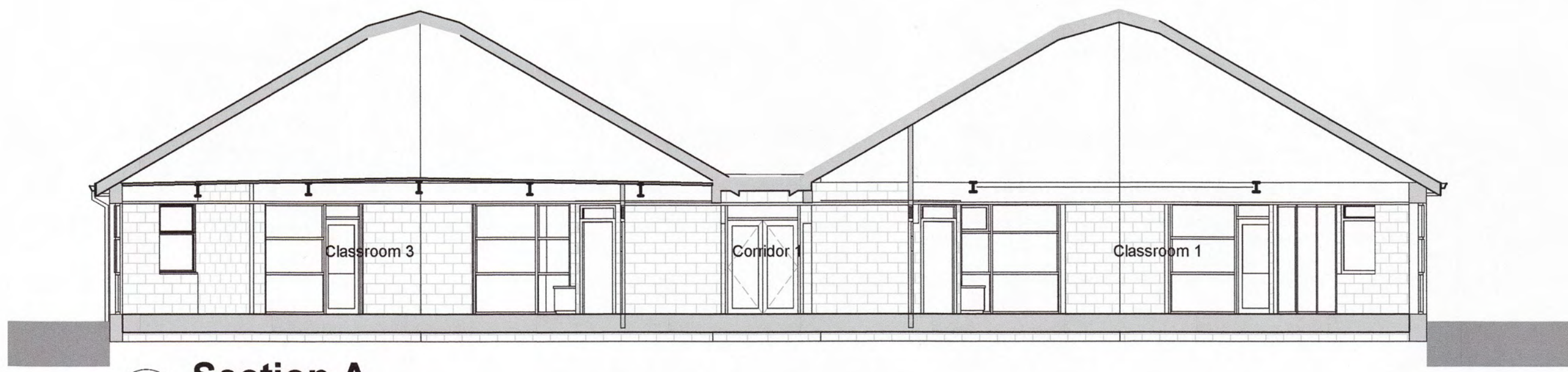


1 0 - PROPOSED GROUND FLOOR PLAN
1 : 100

Rev	Date	Description	Issued	Drawn	Checked	Project
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				22577-GA-00-DR-A-0102-1		BETHLEHEM BUILDING
30	01.09.23	REVISED FOR STAGE 2B		Drawn	Checked	ARAMARK
				Scale	Sheet Size	Project Location
				1 : 100	A1	DOMINICAN CAMPUS, WICKLOW
				CURRENT ISSUE	PREVIOUS ISSUE	
				REFER TO DRAWING ISSUE SHEET FOR FURTHER DETAILS		
				The use of this plan by the recipient is as an agreement of the following conditions: All drawings are based on the information provided by the client and are not to be used for any other purpose without the written consent of the architect. The architect is not responsible for the accuracy of the information provided by the client. The recipient is responsible for the accuracy of the information provided by the client. The recipient is responsible for the accuracy of the information provided by the client. The recipient is responsible for the accuracy of the information provided by the client. The recipient is responsible for the accuracy of the information provided by the client. The recipient is responsible for the accuracy of the information provided by the client. The recipient is responsible for the accuracy of the information provided by the client. The recipient is responsible for the accuracy of the information provided by the client. 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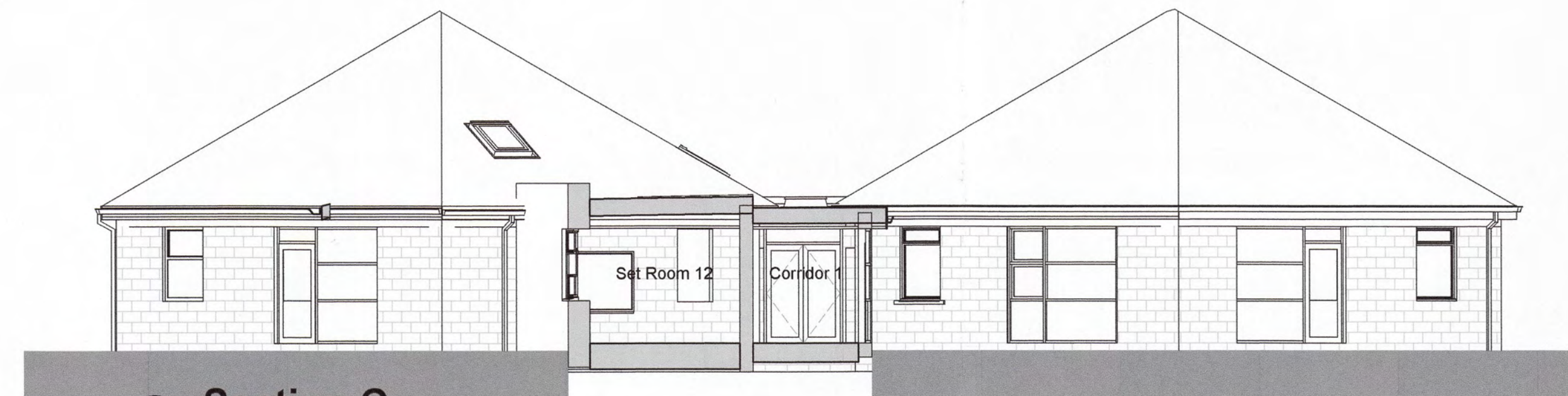
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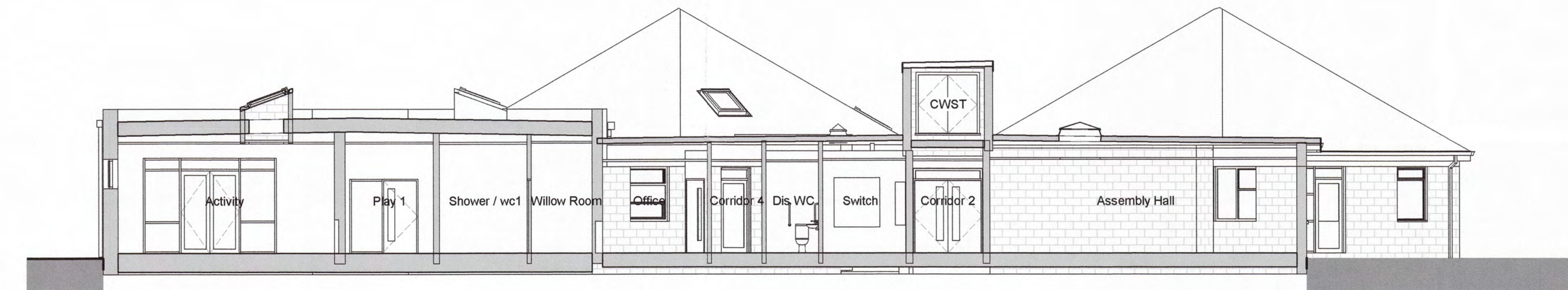
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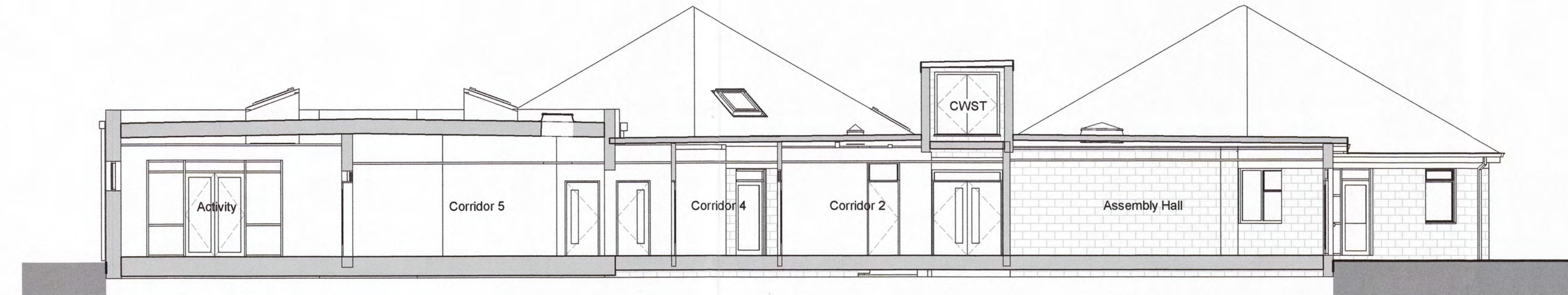
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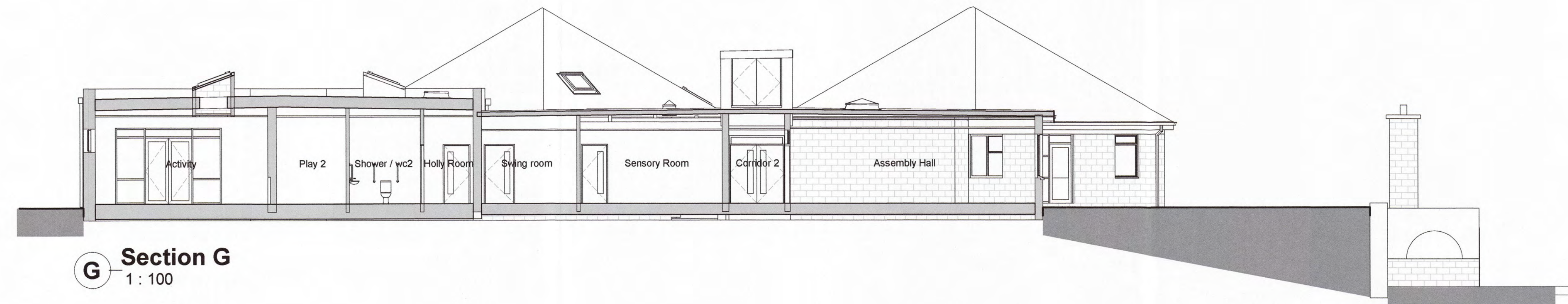
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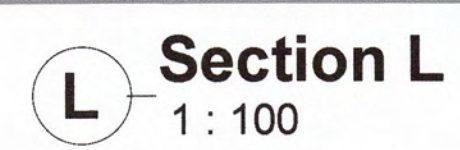
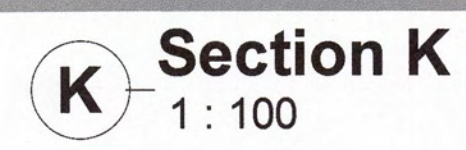
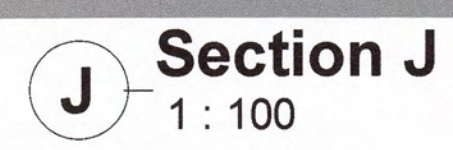
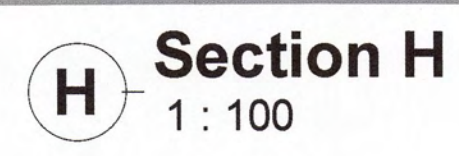


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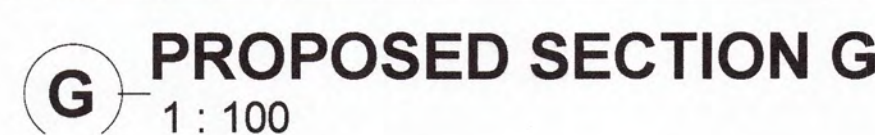
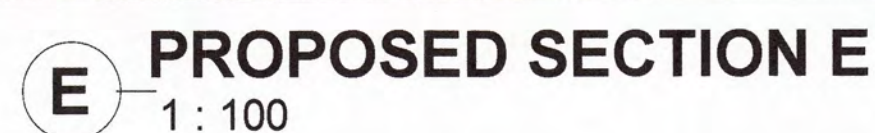
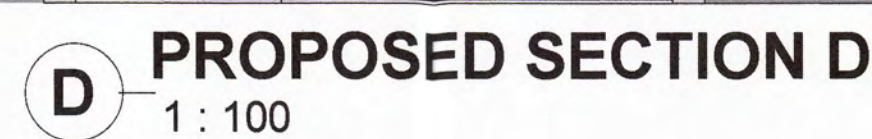
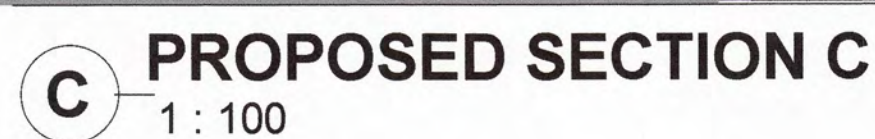









G Section G
1 : 100

Rev	Date	Description	Issued	Drawing	STAGE	Project
				EXISTING SECTIONS A,B,C,D,E,F,G	2B	BETHLEHEM BUILDING
30	01.09.23	REVISED FOR STAGE 2B		Drawing : 22577-GA-00-DR-A-0200-11	Client	ARAMARK
				Scale : 1 : 100	Sheet Size : A1	Project Location : DOMINICAN CAMPUS, WICKLOW
				CURRENT ISSUE		
				PREVIOUS ISSUE		
				REFER TO DRAWING ISSUE SHEET FOR FURTHER DETAILS		
				<div><div></div><div><div>gravityarchitects</div><div>Derry Dublin Cork</div><div>www.gravityarchitects.co.uk</div></div></div>		

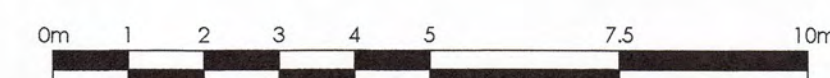
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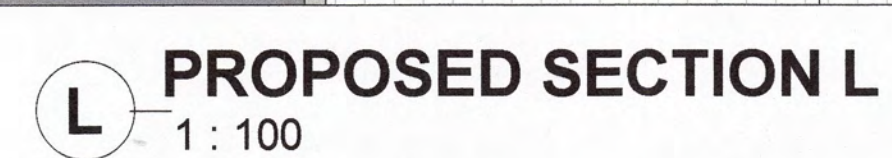
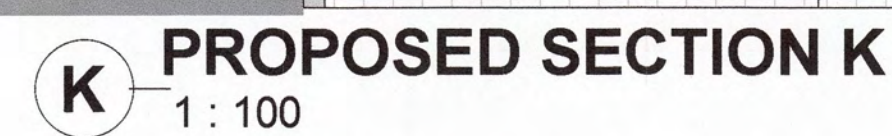
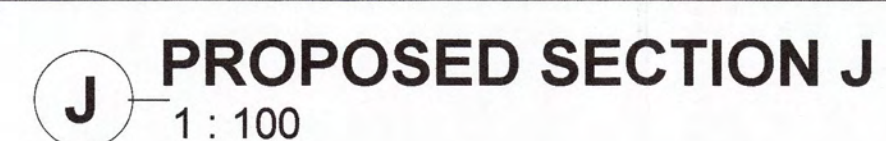
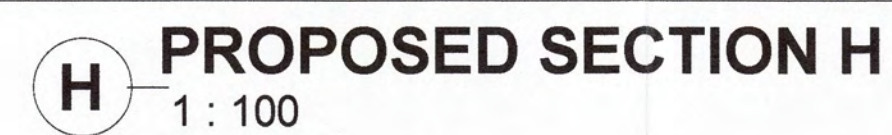









- | | |
|---|--|
|  | INDICATES BOXING OUT TO PIPEWORK (K10-30) |
|  | INDICATES MF CEILING BULKHEAD (ELEVATION) (K10-52) |
|  | INDICATES EXTERNAL INSULATION SYSTEM TO WALLS (SECTION) (M21-20) |
|  | INDICATES EXTERNAL INSULATION SYSTEM TO WALLS (ELEVATION) (M21-20) |
|  | INDICATES SUSPENDED CEILING 600x600mm GRID (K40-10) |
|  | INDICATES MF PLASTERBOARD CEILING (K10-51) |
|  | INDICATES INSULATED FLAT ROOF |

 **Legend 1**
1 : 100

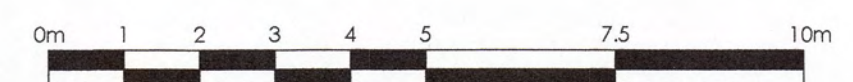


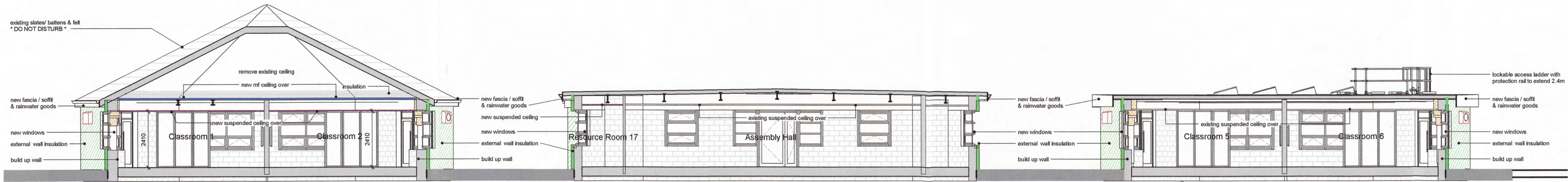
Rev	Date	Description	Issued	Drawing	PROPOSED SECTION A,B,C,D,E,F,G	Station	STAGE 28	Project	BETHLEHEM BUILDING
30	01.09.23	REVISED FOR STAGE 28		Drawing	Totally new "Two Storey" Masterplan 22577-GA-00-DR-A-0203-I1	Client	ARAMARK		
				Scale	1 : 100	Sheet Size	A1	Project Location	DOMINICAN CAMPUS, WICKLOW
				CURRENT ISSUE		PREVIOUS ISSUE			
				REFER TO DRAWING ISSUE SHEET FOR FURTHER DETAILS					
				<p>The user of this drawing shall be held responsible as it is an approximation of the following elements:</p> <ul style="list-style-type: none"> Construction details are not shown. Dimensions are based upon site information supplied by third parties and their accuracy cannot be guaranteed. All materials are approximate and subject to availability. Information is provided for informational purposes only and does not constitute a contract or warranty. Any future developments are at all times, checked off drawings in size. Report discrepancies immediately to clients. Architects retain copyright. 					
				 gravityarchitects Derry Dublin Cork www.gravityarchitects.com					



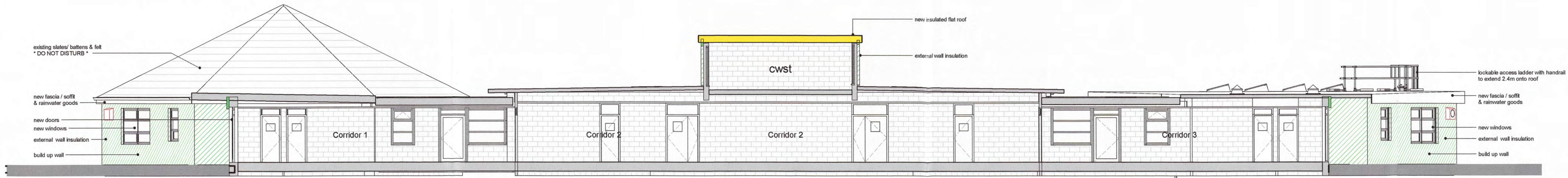
- | | |
|---|--|
|  | INDICATES BOXING OUT TO PIPEWORK (K10-30) |
|  | INDICATES MF CEILING BULKHEAD (ELEVATION) (K10-52) |
|  | INDICATES EXTERNAL INSULATION SYSTEM TO WALLS (SECTION) (M21-20) |
|  | INDICATES EXTERNAL INSULATION SYSTEM TO WALLS (ELEVATION) (M21-20) |
|  | INDICATES SUSPENDED CEILING 600x600mm GRID (K40-10) |
|  | INDICATES MF PLASTERBOARD CEILING (K10-51) |
|  | INDICATES INSULATED FLAT ROOF |

 **Legend 1**
1 : 100

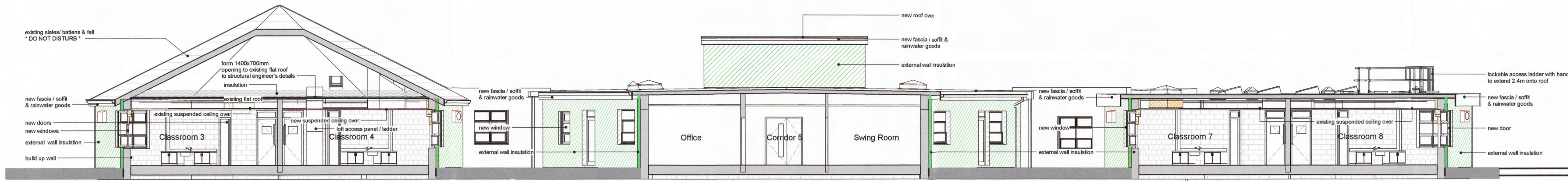
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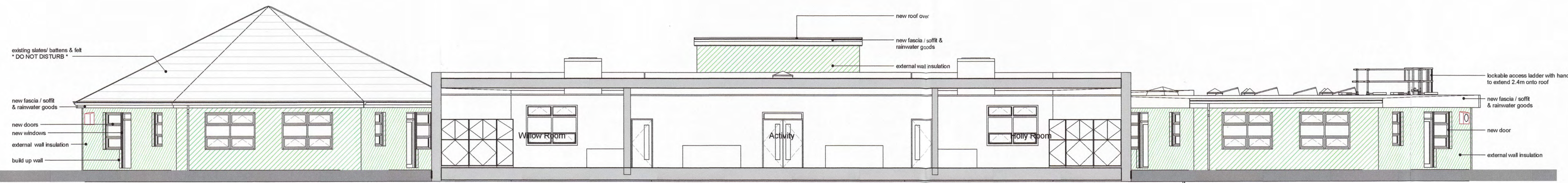
M PROPOSED SECTION M
1 : 100



N PROPOSED SECTION N
1 : 100



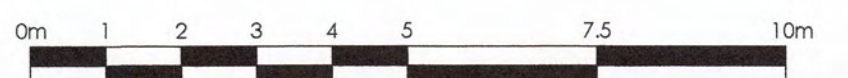
O PROPOSED SECTION O
1 : 100



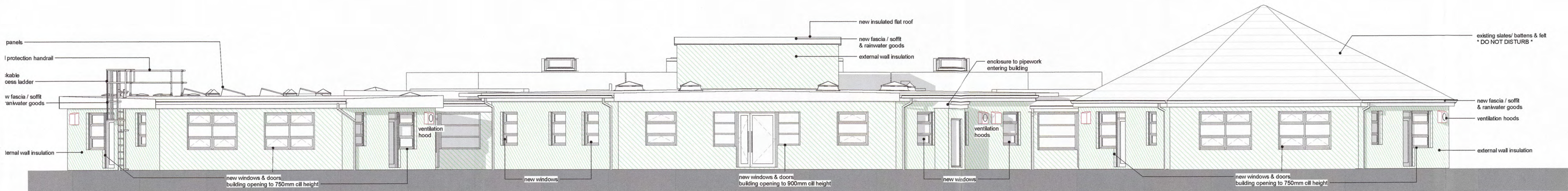
P PROPOSED SECTION P
1 : 100

- INDICATES BOXING OUT TO PIPEWORK (K10-30)
- INDICATES MF CEILING BULKHEAD (ELEVATION) (K10-52)
- INDICATES EXTERNAL INSULATION SYSTEM TO WALLS (SECTION) (M21-20)
- INDICATES EXTERNAL INSULATION SYSTEM TO WALLS (ELEVATION) (M21-20)
- INDICATES SUSPENDED CEILING 600x600mm GRID (K40-10)
- INDICATES MF PLASTERBOARD CEILING (K10-51)
- INDICATES INSULATED FLAT ROOF

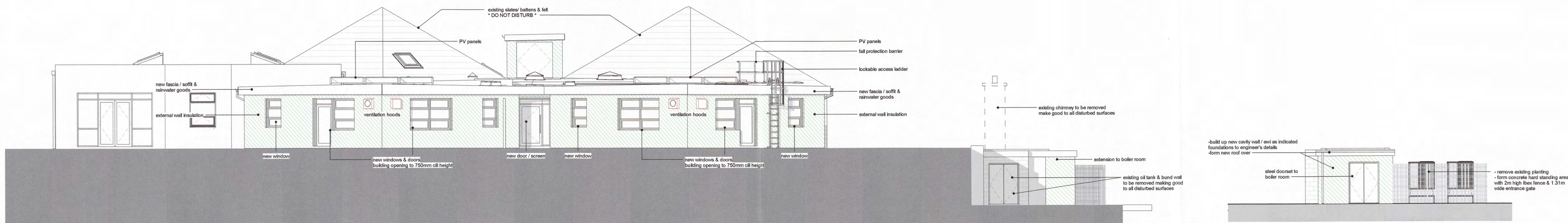
Legend 1
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Rev	Date	Description	Issued	Client	Project
30	01.08.23	REVISED FOR STAGE 2B		PROPOSED SECTIONS M,N,O,P	STAGE 2B
				22577-GA-00-DR-A-0205-I1	BETHLEHEM BUILDING
				Client	ARAMARK
				Scale	1 : 100
				Sheet Size	A1
				Project Location	DOMINICAN CAMPUS, WICKLOW
				Current Issue	PREVIOUS ISSUE
				REFER TO DRAWING ISSUE SHEET FOR FURTHER DETAILS	
				The use of this data by the recipient is at their own risk. It is not to be used for any other purpose than the one for which it was intended. It is not to be used for any other purpose than the one for which it was intended. It is not to be used for any other purpose than the one for which it was intended.	
				gravityarchitects	
				Derry Dublin Cork	
				www.gravityarchitects.co.uk	

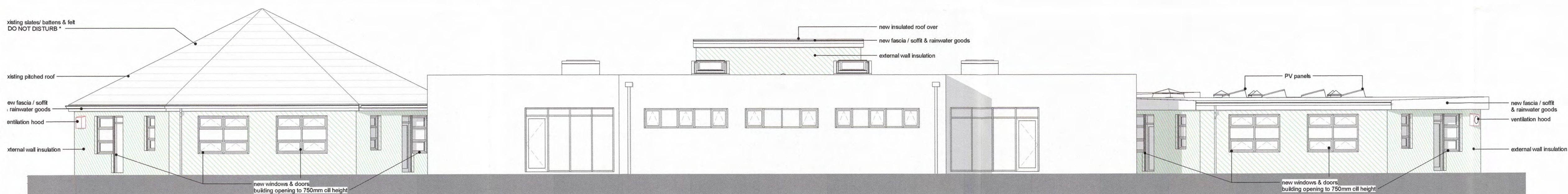


N PROPOSED NORTH ELEVATION
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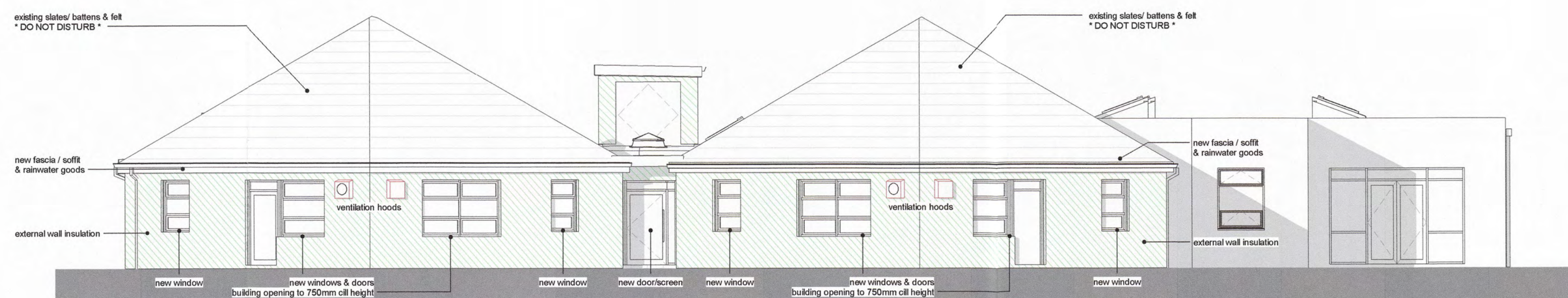


E PROPOSED EAST ELEVATION
1 : 100

1 PROPOSED BOILER ROOM
1 : 100

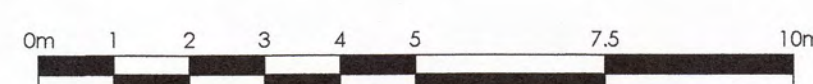


S PROPOSED SOUTH ELEVATION
1 : 100

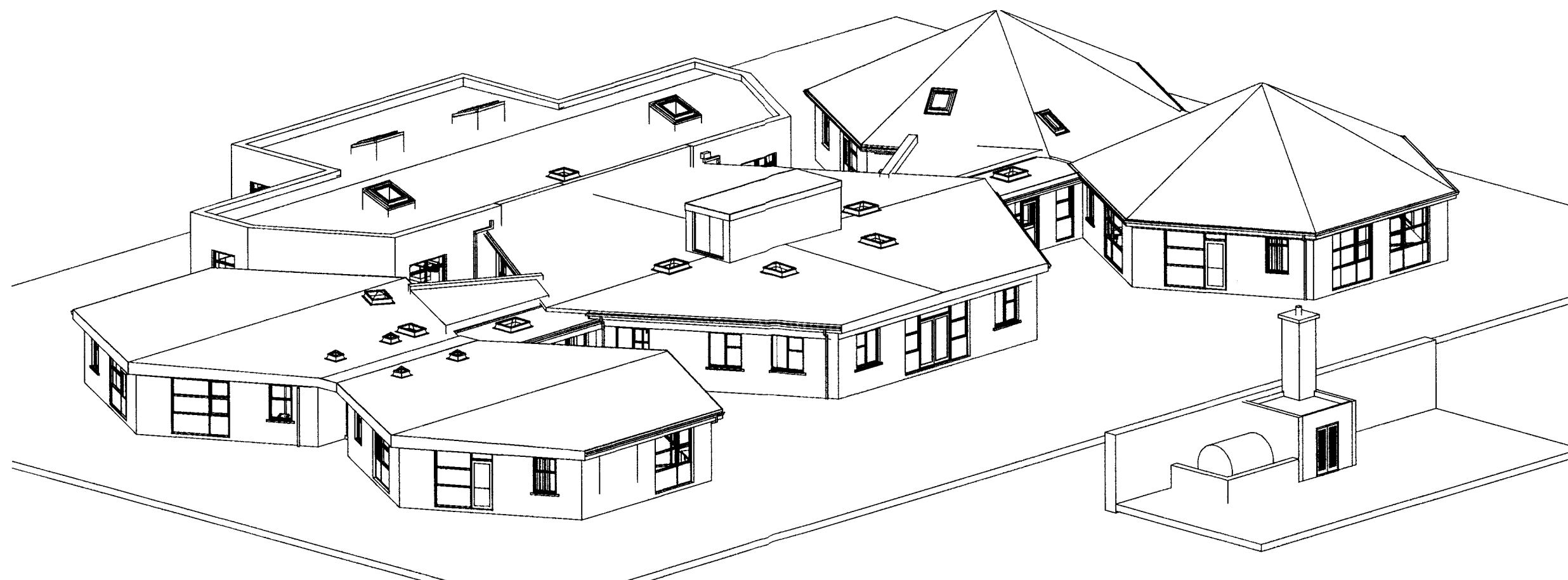


W PROPOSED WEST ELEVATION
1 : 100

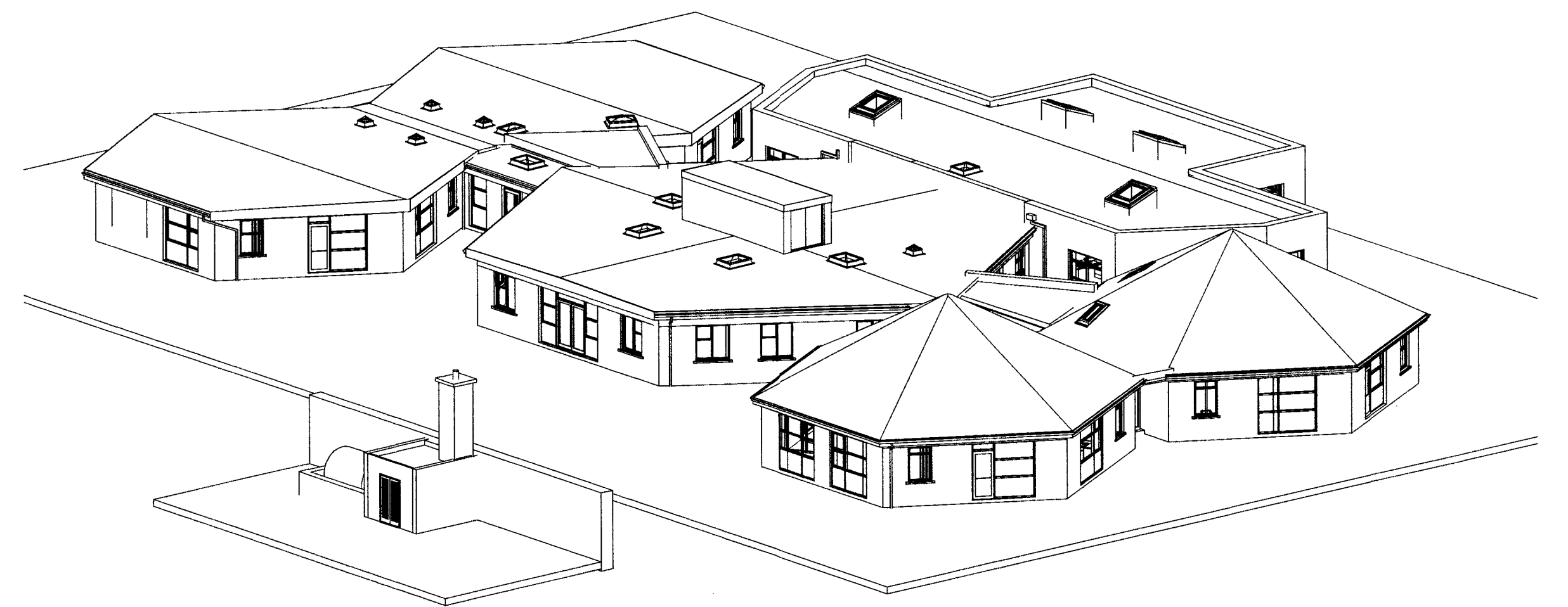
- Legend 1**
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- INDICATES BOXING OUT TO PIPEWORK (K10-30)
 - INDICATES MF CEILING BULKHEAD (ELEVATION) (K10-52)
 - INDICATES EXTERNAL INSULATION SYSTEM TO WALLS (SECTION) (M21-20)
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 - INDICATES SUSPENDED CEILING 600x600mm GRID (K40-10)
 - INDICATES MF PLASTERBOARD CEILING (K10-51)
 - INDICATES INSULATED FLAT ROOF



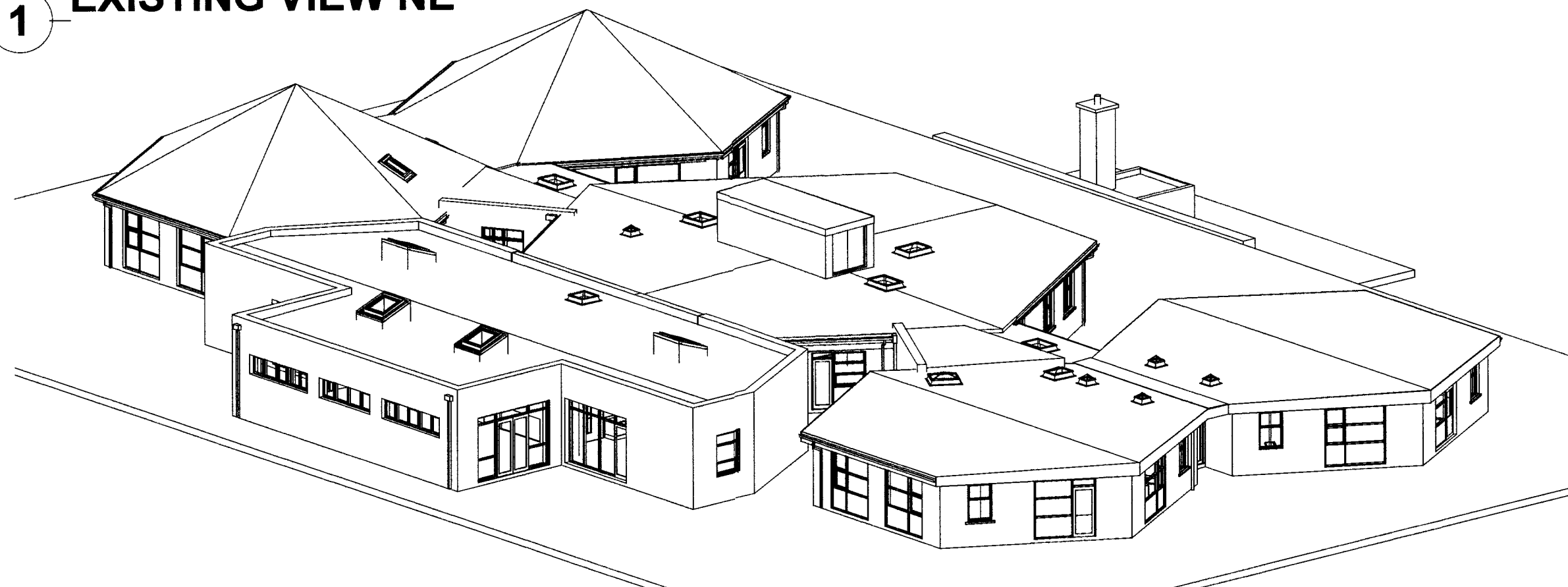
Rev	Date	Description	Issued	Drawing	Stage	Project
				PROPOSED ELEVATIONS	STAGE 2B	BETHLEHEM BUILDING
30	01.09.23	REVISED FOR STAGE 2B		22577-GA-00-DR-A-030-1-1	Client	ARAMARK
				Scale: 1 : 100	Sheet Size: A1	Project Location: DOMINICAN CAMPUS, WICKLOW
				<p>gravityarchitects</p> <p>Derry Dublin Cork</p> <p>www.gravityarchitects.co.uk</p>		



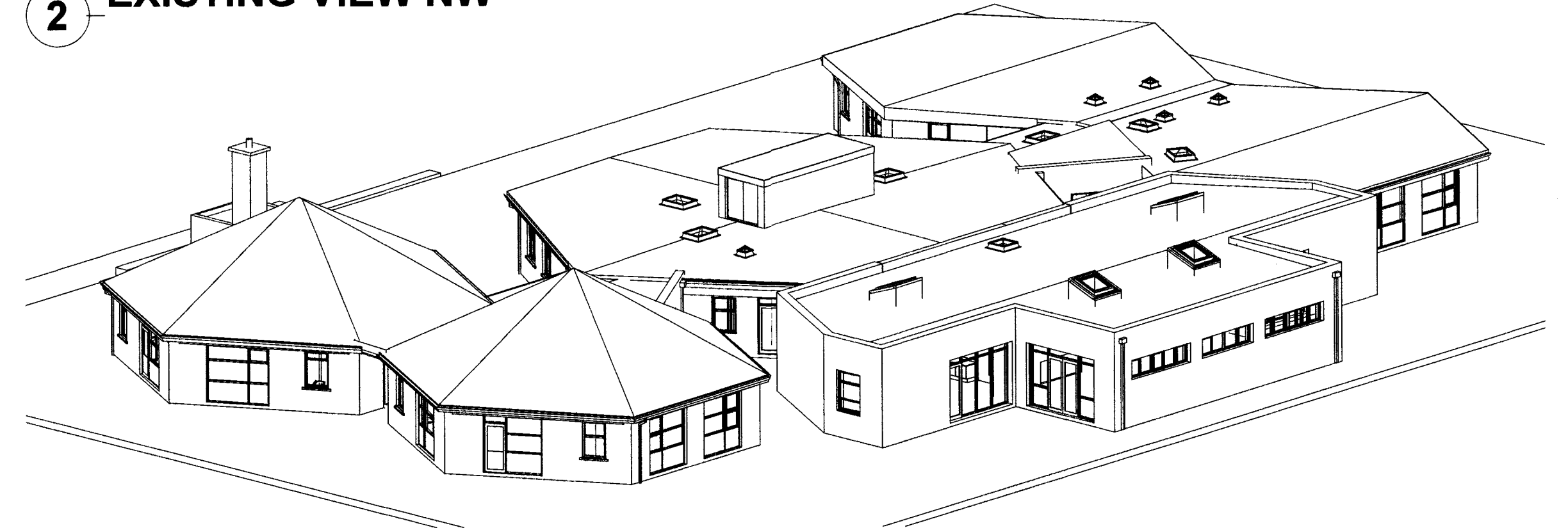
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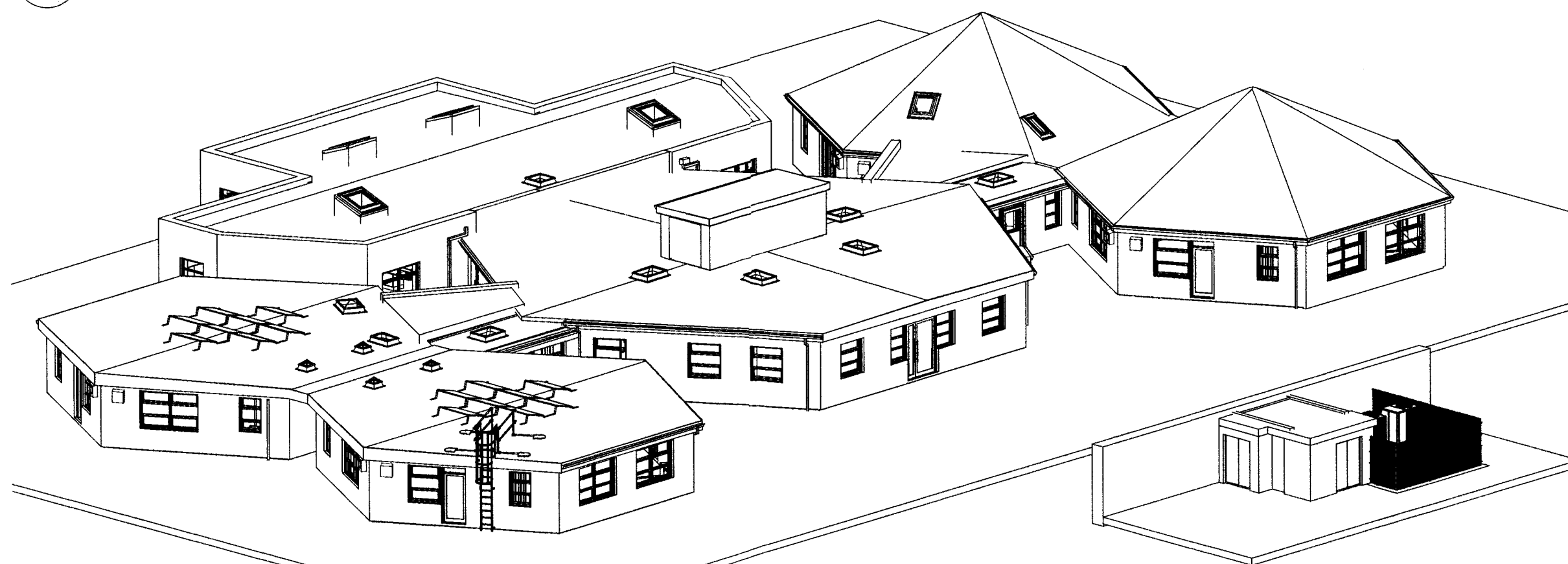
2 EXISTING VIEW NW



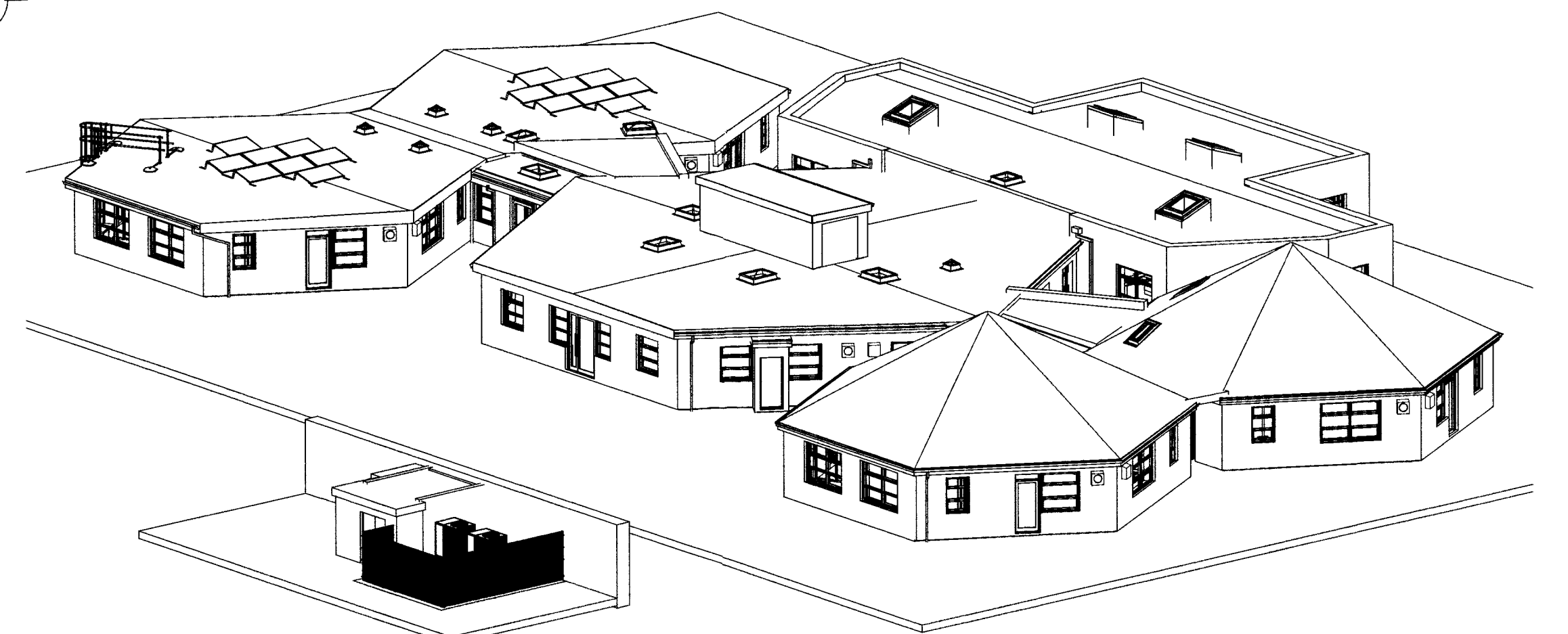
3 EXISTING VIEW SE



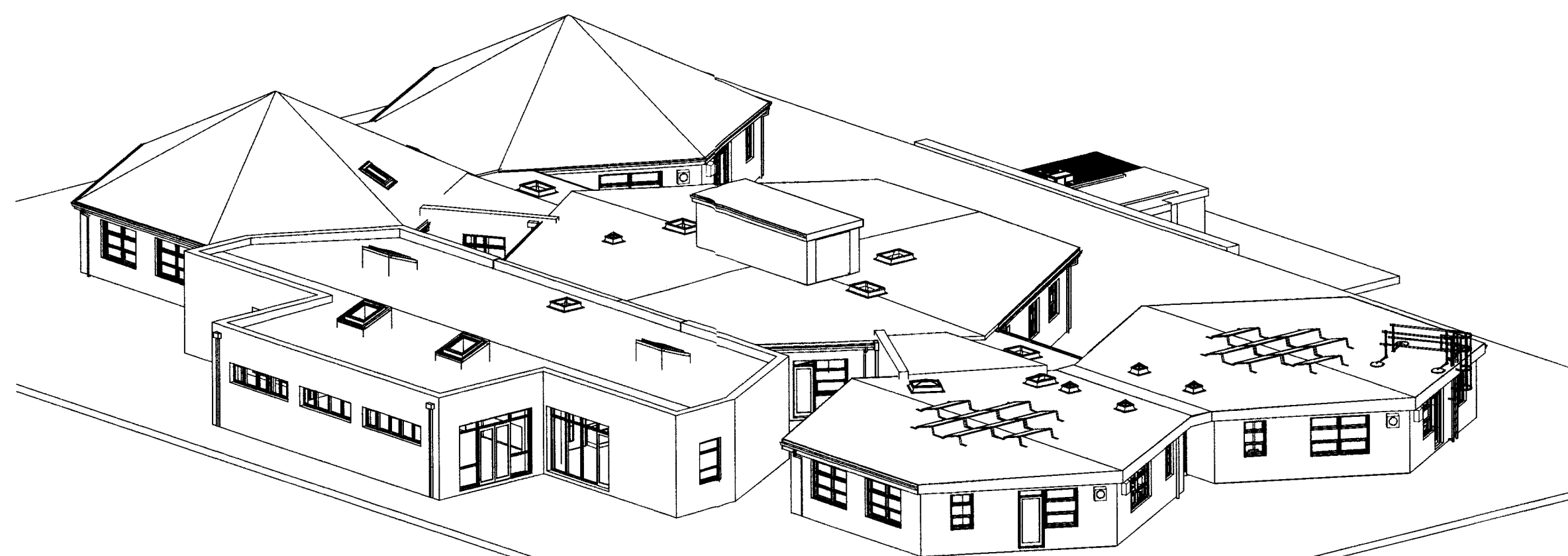
4 EXISTING VIEW SW



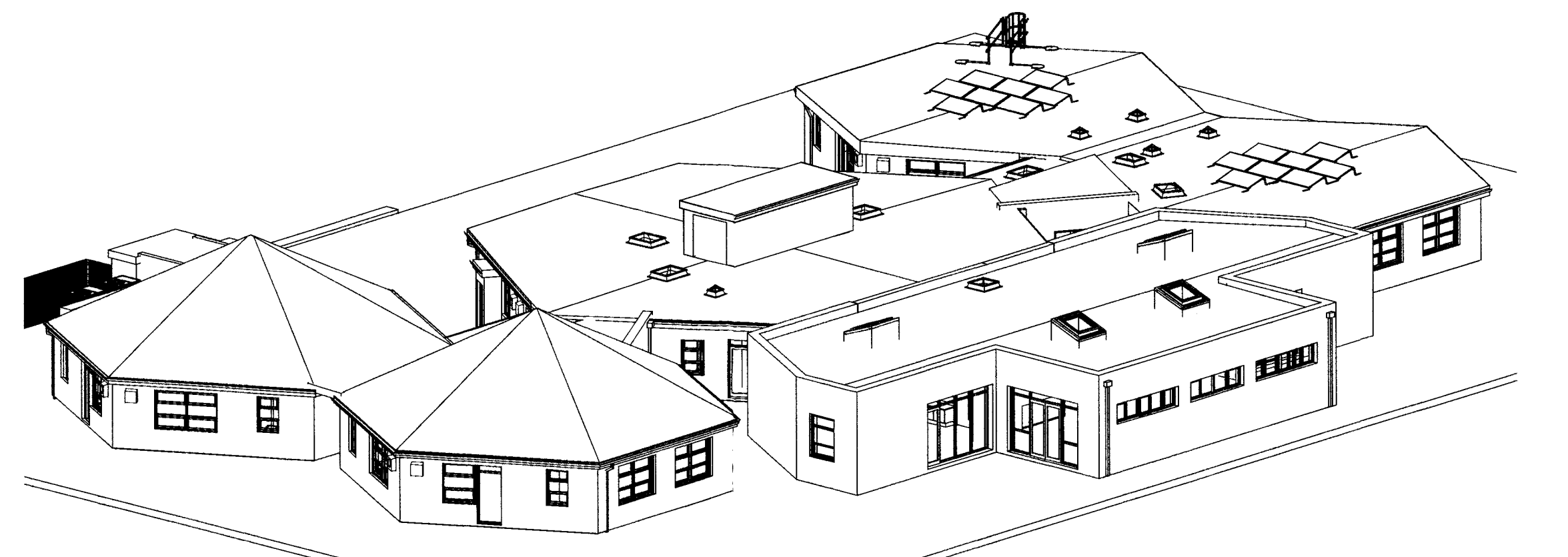
5 PROPOSED VIEW NE



6 PROPOSED VIEW NW



7 PROPOSED VIEW SE



8 PROPOSED VIEW SW

Rev	Date	Description	Issued	Owner
30	01.09.23	REVISED FOR STAGE 2B		22577-GA-00-DR-
CURRENT ISSUE				Owner: [Signature] Level: [Signature]
REPORT TO DRAWING ISSUE IS				Scale:
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