



COMHAIRLE CONTAE CHILL Mhantáin
Wicklow County Council

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

Áras An Chontae / County Buildings
Cill Mhantáin / Wicklow
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Suíomh / Website www.wicklow.ie

Michael Carroll

18th Of June 2026

RE: Declaration in accordance with Section 5 of the Planning & Development Acts
2000 (As Amended) -EX68/2026 for Tresi O'Brien

A Chara,

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 Coimisiún Pleanála of such fee as may be
prescribed, refer a declaration for review by the Coimisiún 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: Tresi O'Brien

Location: Vale Cottage, Pearse Road, Bray, Co. Wicklow

Reference Number: EX 68/2026

CHIEF EXECUTIVE ORDER NO. CE/PERD/2026/714

A question has arisen as to whether "the installation of external insulation to a depth of 100mm and render finish" at Vale Cottage, Pearse Road, Bray, Co. Wicklow is or is not exempted development.

Having regard to:


- The details submitted with the Section 5 Declaration application
- Sections 2, 3 and 4 of the Planning & Development Act 2000 (as amended)
- Article 6 and 9 of the Planning and Development Regulations 2001 (as amended).

Main Reasons with respect to Section 5 Declaration:

- The installation of external insulation with render finish would be operations of construction and alteration, and therefore such operations would come within the definition of works as set out in Section 2 of the Planning and Development Act 2000(as amended).
- The works are development given the provisions of Section 3(1) (a) of the Planning and Development Act 2000 (as amended).
- The external insulation is considered to come within the provisions of Section 4(1)(h) of the Planning and Development Act 2000 (as amended) as it 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, given the existing finishes of the dwelling along Pearse and Dargle Road, which have a variety of finishes to the front elevations.

The Planning Authority considers that "the installation of external insulation to a depth of 100mm and render finish" at Vale Cottage, Pearse Road, Bray, Co. Wicklow is development and IS exempted development.

Signed:


ADMINISTRATIVE OFFICER
PLANNING DEVELOPMENT & ENVIRONMENT

Date:

18/06/2026



WICKLOW COUNTY COUNCIL

PLANNING & DEVELOPMENT ACTS 2000 (As Amended)
SECTION 5

CHIEF EXECUTIVE ORDER NO. CE/PERD/2026/714

Reference Number: EX 68/2026

Name of Applicant: Tresi O'Brien

Nature of Application: Section 5 Referral as to whether "*the installation of external insulation to a depth of 100mm and render finish*" is or is not development and is or is not exempted development.

Location of Subject Site: Vale Cottage, Pearse Road, Bray, Co. Wicklow

Report from: Laoise O'Connor, GP, Edel Bermingham, T/SP

With respect to the query under Section 5 of the Planning & Development Act 2000 as to whether "*the installation of external insulation to a depth of 100mm and render finish*" at Vale Cottage, Pearse Road, Bray, 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) Sections 2, 3 and 4 of the Planning & Development Act 2000 (as amended)
- c) Article 6 and 9 of the Planning and Development Regulations 2001 (as amended).

Main Reasons with respect to Section 5 Declaration:

- (a) The installation of external insulation with render finish would be operations of construction and alteration, and therefore such operations would come within the definition of works as set out in Section 2 of the Planning and Development Act 2000(as amended).
- (b) The works are development given the provisions of Section 3(1) (a) of the Planning and Development Act 2000 (as amended).
- (c) The external insulation is considered to come within the provisions of Section 4(1)(h) of the Planning and Development Act 2000 (as amended) as it 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, given the existing finishes of the dwelling along Pearse and Dargle Road, which have a variety of finishes to the front elevations.

Recommendation

The Planning Authority considers that "*the installation of external insulation to a depth of 100mm and render finish*" at Vale Cottage, Pearse Road, Bray, Co. Wicklow **is development and is exempted development** as recommended in the planning reports.

Signed: 

Date: 17/06/26

ORDER:

I HEREBY DECLARE:

THAT "*the installation of external insulation to a depth of 100mm and render finish*" at Vale Cottage, Pearse Road, Bray, Co. Wicklow is **development and is exempted** development within the meaning of the Planning & Development Acts 2000 (as amended).

Signed: 

T/Senior Planner

Planning, Economic & Rural Development

Date: 14/1/2020



**WICKLOW COUNTY COUNCIL
PLANNING DEPARTMENT**

Section 5 – Application for declaration of Exemption Certificate

Ref: EX68/2026
Name: TRESI O'BRIEN
Development: Application for Certificate of Exemption under Section 5 of the Planning & Development Act 2000 (as amended). RE: External Insulation
Location: Vale Cottage, 1 Pearse Road, Bray Commons, Bray, Wicklow, A98D803

The Site: The subject site lies within Bray Town along the northern boundary of the River Dargle along Pearse Road. The dwelling is semi-detached with a smooth unpainted render.



Image 1: Subject site.

Question: *Whether or not:*
 installation of external insulation to a depth of 100mm to the external elevations constitutes exempted development within the meaning of the Planning and Development Acts, 2000(as amended).

Relevant Planning History

Subject site:

- REF:** 11/630095 - shed to rear
- REF:** 00/630042 - First floor bedroom and landing windows to front
- REF:** 00/630024 - Change of sue from Hairdressing Salon to flat unit at ground floor

Relevant Legislation:**Planning and Development Act, 2000 (as amended):****Section 2**

“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)(a) defines development as: “The carrying out of works on, in, over or under land or the making of any material change in the use of any land or structures on land”;

Section 2 (1) defines works as any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal and, in relation to a protected structure or proposed protected structure, includes any act or operation involving the application or removal of plaster, paint, wallpaper, tiles or other material to or from the surfaces of the interior or exterior of a structure.

Section 4 (1)(a) to (l) specifies various categories of development, which shall be exempted for the purposes of the Act;

In particular, section 4 (1) (h) is:

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) provides for certain classes of development to be designated as exempted development by way of legislation.

Planning and Development Regulations, 2001 (as amended):

Article 6(1) states that certain classes of development which are specified in Schedule 2 shall be exempted development for the purposes of the Act, subject to compliance with any associated conditions and limitations;

Article 9(1)(a) details a number of circumstances under which the development to which Article 6 relates shall not be exempted development for the purposes of the Act;

Relevant Planning: Wicklow County Development Plan 2022-2028

Zoning Objective: RE: Existing Residential under Bray MD LAP 2018-2024

To protect, provide and improve residential amenities of existing residential areas

Appendix 1 – Section 1.2 outlines measures to address climate action.

Section 1.2.2 states:

'Energy efficiency' in building design relates to:

- a. reducing the amount of energy used in the building and*
- b. Increasing the use of renewable sources of energy.*

There are a number of ways in which both can be achieved:

- *High quality insulation, which will minimise heat loss and therefore reduce demand for heat generation;*

Details of Query: Proposal

In accordance with the details submitted with Section 5 application:

It is proposed to install external insulation on the external walls of the semi-detached dwelling, to a depth of 100mm. The dwelling is not a Protected Structure.

Assessment

The application seeks a declaration as to whether the;

installation of external insulation to a depth of 100mm to the external elevations of Vale Cottage, 1 Pearse Road, Bray Commons, Bray, Wicklow is development and is or is not exempted development:

The existing finish of the subject dwelling is a smooth render finish. The surrounding dwellings along Pearse Road and Lower Dargle Road consist of a range of external finishes including render (painted and unpainted), pebbledash and red brick.



Images 2-4: Surrounding dwellings along Pearse Road and Lower Dargle Road with differing finishes;



The first question to be asked therefore is whether or not development is taking place.

The installation of insulation would, it is considered, be works as it would involve the placement of external rigid panels of insulation to the dwelling and the applying a final render finish. This operation would be acts of construction/alteration and therefore are works having regard to the definition set out in Section 2 of the Planning and Development Act 2000(as amended). These works are therefore development given the provisions of Section 3(1) (a) i.e.

'the carrying out of any works in, on, over or under land, or the making of any material change in the use of any land or structures situated on land'.

Section 4 of the Planning and Development Act 2000 (as amended) provides that

4.— (1) *The following shall be exempted developments for the purposes of this Act—*

(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;

The installation of insulation on the external walls is considered to be works of maintenance/improvement to the dwelling. As identified the finishes along the Pearse Road vary from smooth finished render to pebble-dashed including painted and unpainted.

It is therefore considered that given the mix of finishes along the Pearse Road, the external insulation would not materially affect the external appearance so as to render the appearance inconsistent with the character of the structure or of neighbouring structures.

The external insulation would, it is considered, come within the provisions of *Section 4(1)(h)* of the Planning and Development Act 2000(as amended) as they would affect the external appearance however the impact 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.

Recommendation

With respect to the query under Section 5 of the Planning and Development Act 2000, as to whether: installation of external insulation to a depth of 100mm to the external elevations of Vale Cottage, 1 Pearse Road, Bray Commons, Bray, Wicklow is development and is or is not exempted development:

The Planning Authority considers that:

The installation of external insulation to a depth of 100mm and render finish **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) Sections 2, 3 and 4 of the Planning & Development Act 2000 (as amended)
- c) Article 6 and 9 of the Planning and Development Regulations 2001 (as amended).

Main Reasons with respect to Section 5 Declaration:

- (a) The installation of external insulation with render finish would be operations of construction and alteration, and therefore such operations would come within the definition of works as set out in Section 2 of the Planning and Development Act 2000(as amended).
- (b) The works are development given the provisions of Section 3(1) (a) of the Planning and Development Act 2000 (as amended).
- (c) The external insulation is considered to come within the provisions of Section 4(1)(h) of the Planning and Development Act 2000 (as amended) as it 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, given the existing finishes of the dwelling along Pearse and Dargle Road, which have a variety of finishes to the front elevations.

Laoise O'Connor

Laoise O'Connor (G.P.)
Dated: 11/06/2026

Approved *Shelagh* *11/06/2026*

MEMORANDUM

WICKLOW COUNTY COUNCIL

**TO: Laoise O'Connor
Graduate Planner**

**FROM: Aoife Kinsella
Clerical Officer**

**RE: - EX68/2026 - Declaration in accordance with Section 5 of the
Planning & Development Acts 2000 (as amended)**

I enclose herewith for your attention application for Section 5 Declaration received 05/06/2026.

The due date on this declaration is the 02/07/2026.



**Clerical Officer
Planning Development & Environment**



Comhairle Contae Chill Mhantáin
Wicklow County Council

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

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Michael Carroll

9th of June 2026

RE: Application for Certificate of Exemption under Section 5 of the Planning and Development Acts 2000 (as amended). – EX68/2026 for Tresi O'Brien

A Chara

I wish to acknowledge receipt on 05/06/2026 full details supplied by you in respect of the above Section 5 application. A decision is due in respect of this application by 02/07/2026

Mise, le meas



Aoife Kinsella
Clerical Officer
Planning, Economic & Rural Development



Wicklow County Council
County Buildings
Wicklow
0404-20100

04/06/2026 09 41 00

Receipt No L1/0/364634

TRESI O'BREIN
MOYAD
CONVENT ROAD
BRAY
CO WICKLOW

PLANNING APPLICATION FEES	80 00
GOODS	80 00
VAT Exempt/Non-vatable	

Total 80 00 EUR

Tendered
Credit Card 80 00

Change 0 00

Issued By VANESSA PORTER
From Customer Service Hub
Vat reg No 0015233H



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Date Received	WICKLOW COUNTY COUNCIL CUSTOMER SERVICE
Fee Received	- 5 JUN 2026

**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: Tresi O'Brien
Address of applicant: Moyad, Convent Avenue, Bray, Co. Wicklow A98X9W0
-

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

2. Agents Details (Where Applicable)

- (b) Name of Agent (where applicable) Michael Carroll
Address of Agent : 1 Glenherbert, Dargle Road, Bray
-



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

3. Declaration Details

i. Location of Development subject of Declaration Vale Cottage, Pearse Road, Bray,
Co. Wicklow A980803

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

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

iv. Section 5 of the Planning and Development Act provides that : If any question arises as to what, in any particular case, is or is not development and is or is not exempted development, within the meaning of this act, any person may, an payment of the prescribed fee, request in writing from the relevant planning authority a declaration on that question. You should therefore set out the query for which you seek the Section 5 Declaration 100 mm thick
external insulation

Additional details may be submitted by way of separate submission.

v. Indication of the Sections of the Planning and Development Act or Planning Regulations you consider relevant to the Declaration _____
Planning and Development Act 2000, 4 (h)

Additional details may be submitted by way of separate submission.

vi. Does the Declaration relate to a Protected Structure or is it within the curtilage of a Protected Structure (or proposed protected structure)? No

vii. List of Plans, Drawings submitted with this Declaration Application
OS Location Map; 1/1000;
Existing Floor Plans (S5/0726/01- 1/100)
Proposed Floor Plans (S5/0726/02 – 1/100)
Front Elevations (S5/0726/03 – 1/100)
Side and Rear Elevations (S5/0726/04 – 1/100)
Existing Site Layout (S5/0726/05 – 1/100)
Proposed Site Layout (S5/0726/06 – 1/100)

viii. Fee of € 80 Attached ? Yes

Signed : Tim O'Brien Dated : 27th May 2026

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 -

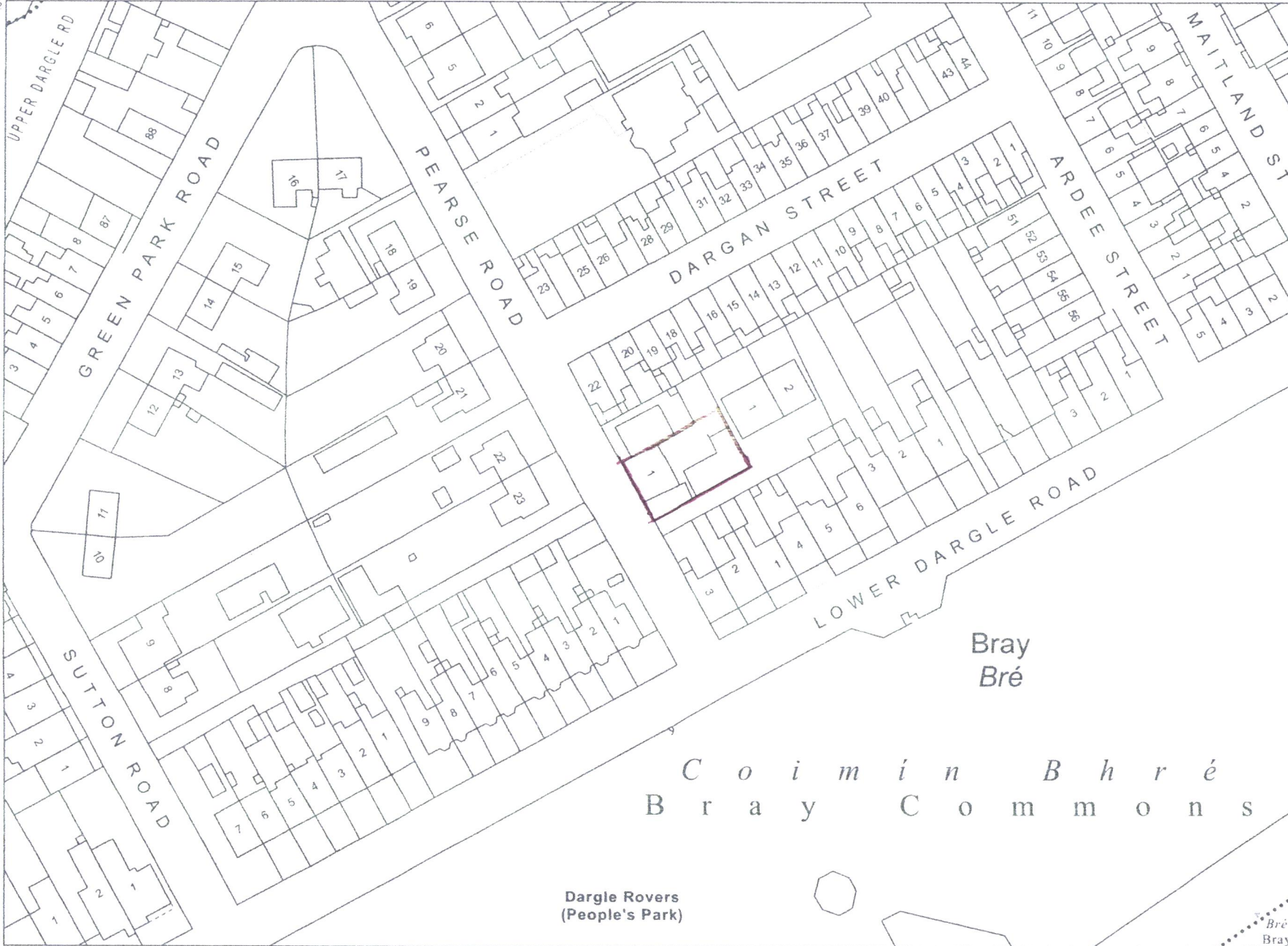
The provisions of Article 8 of the Planning and Development Regulations 2001 (as amended) now applies to land reclamation, other than works to wetlands which are still governed by Schedule 2, Part 3, Class 11. Note in addition to confirmation of exemption status under the Planning and Development Act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



CENTRE COORDINATES:
ITM 725751,718796

PUBLISHED: 20/02/2025
ORDER NO.: 50450069_1

MAP SERIES: 1:1,000
MAP SHEETS: 3568-08, 3568-13

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D08F6E4

www.tailte.ie

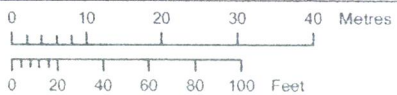
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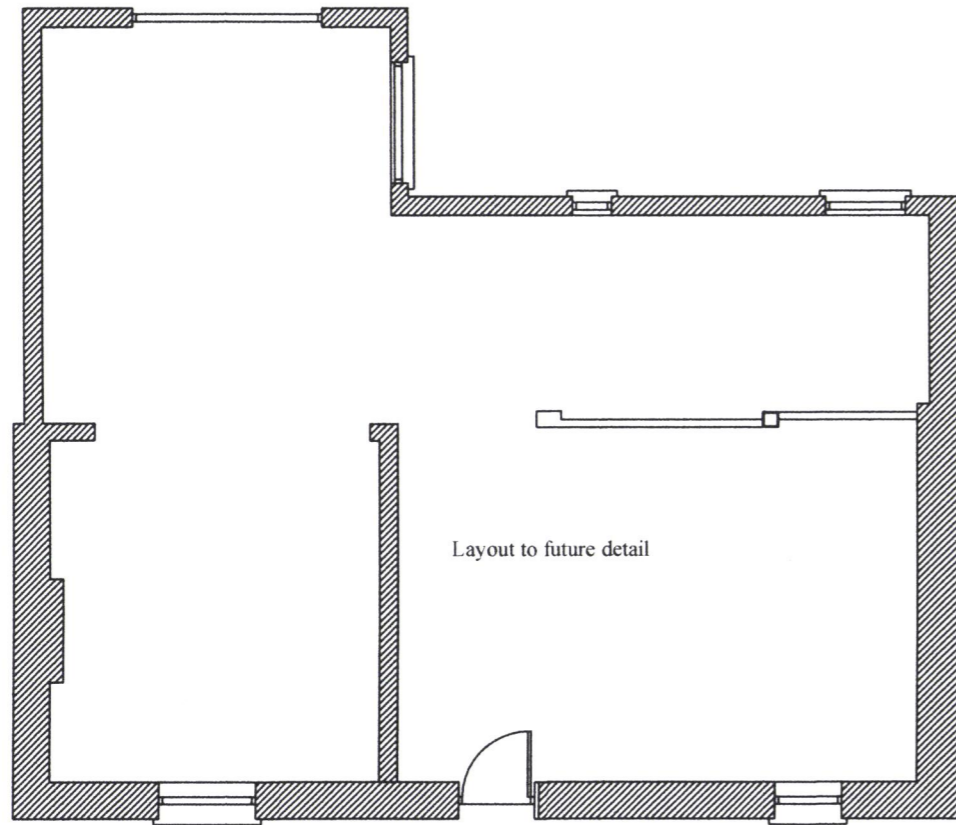


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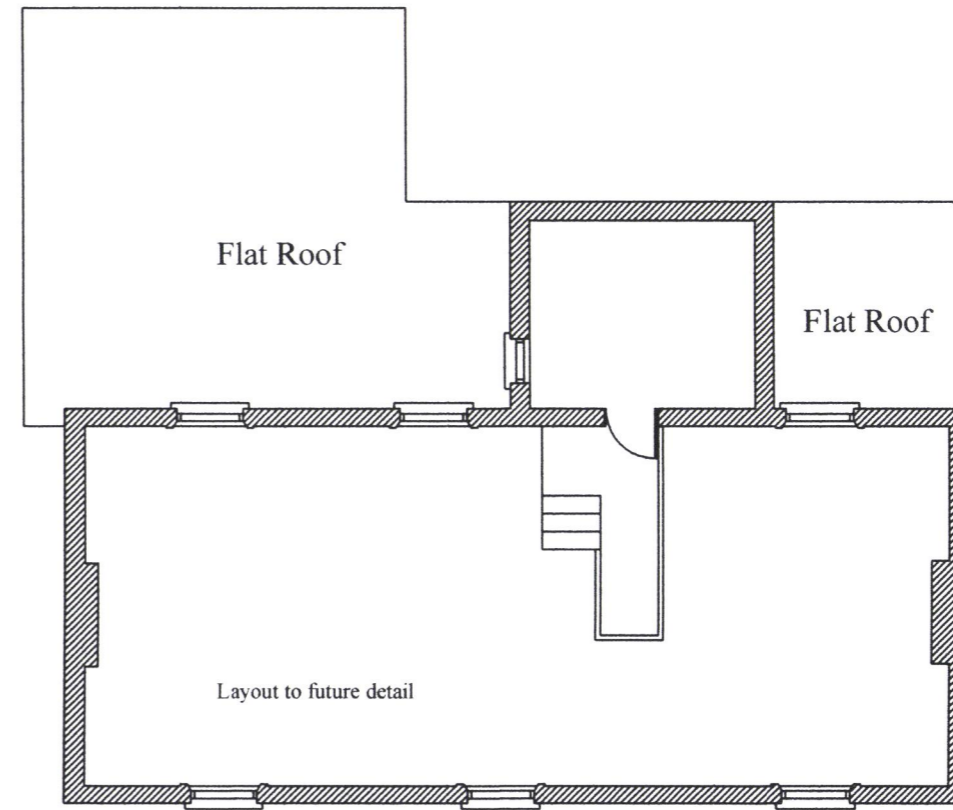
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The map objects are only accurate to the resolution at which they were captured. Output scale is not indicative of data capture scale. Further information is available at: www.tailte.ie; search 'Capture Resolution'

LEGEND:
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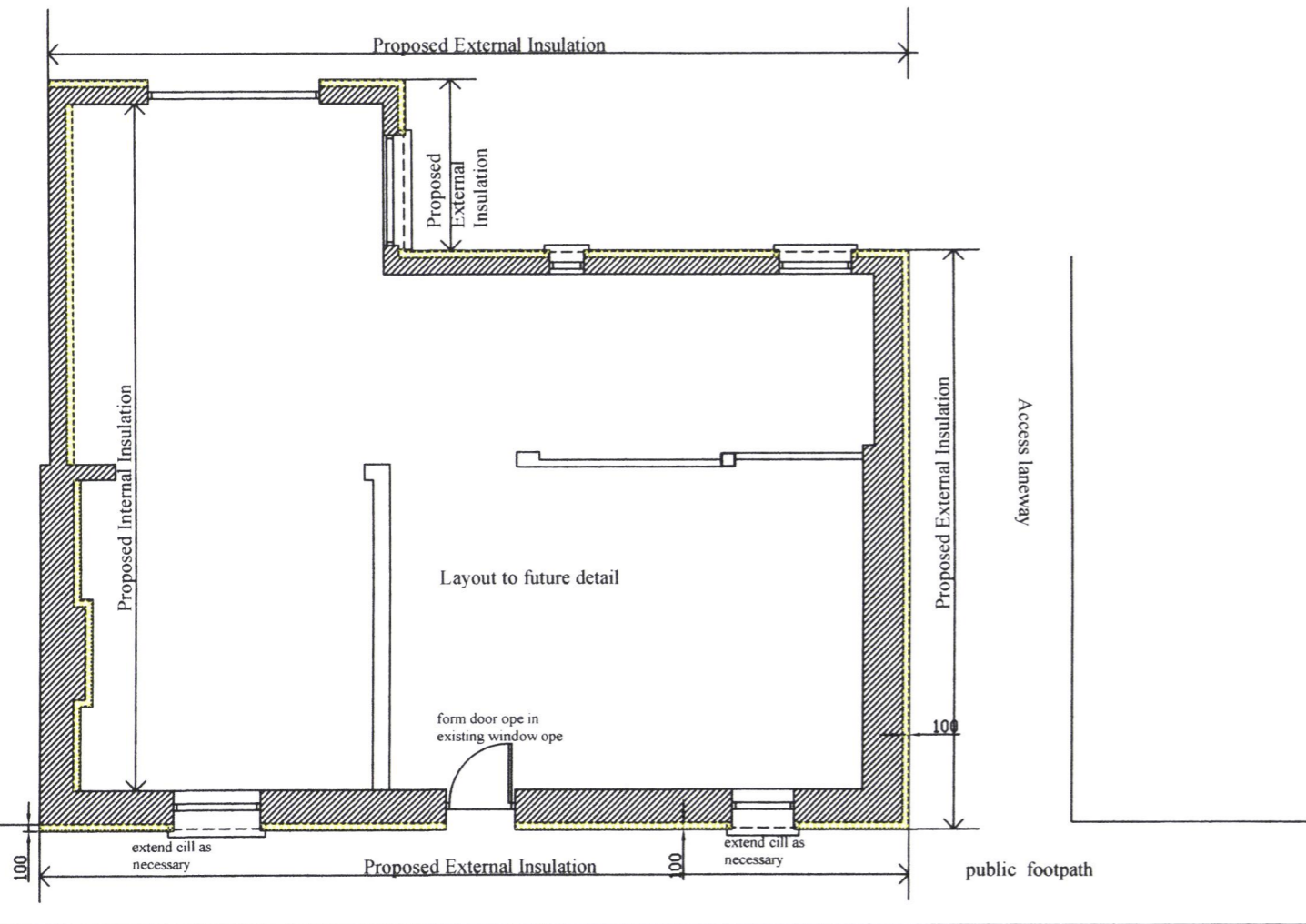
GROUND FLOOR PLAN



FIRST FLOOR PLAN

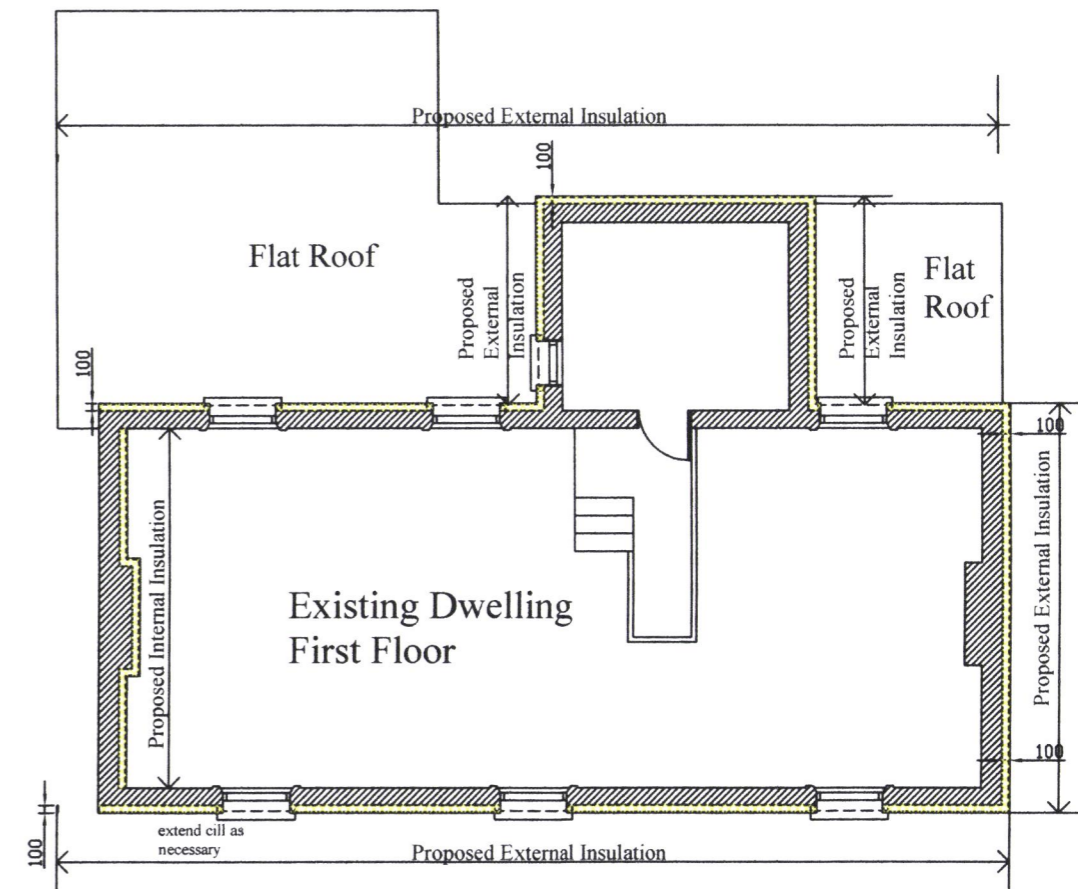


MICHAEL CARROLL Architectural & Energy Design Glenherbert, Dargle Road, Bray. tel: 087 982 0283 email: 2mcarroll1@gmail.com	EXISTING FLOOR PLANS	
	1/100	S5/0726/01
PROPOSED EXTERNAL INSULATION TO DWELLING AT PEARSE ROAD, BRAY, CO. WICKLOW.	SCALE	NUMBER
	MAY 2026	Pre Planning Only
	DATE	ISSUE



GROUND FLOOR PLAN

Roadway



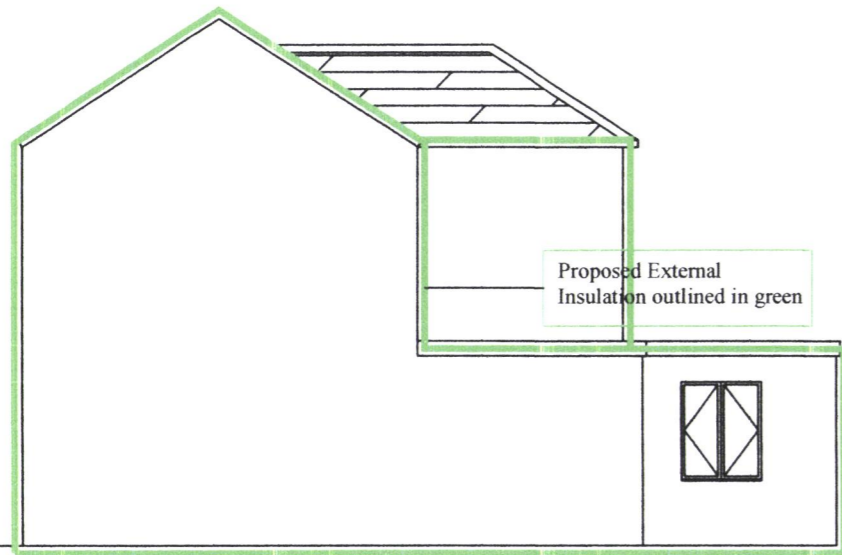
FIRST FLOOR PLAN



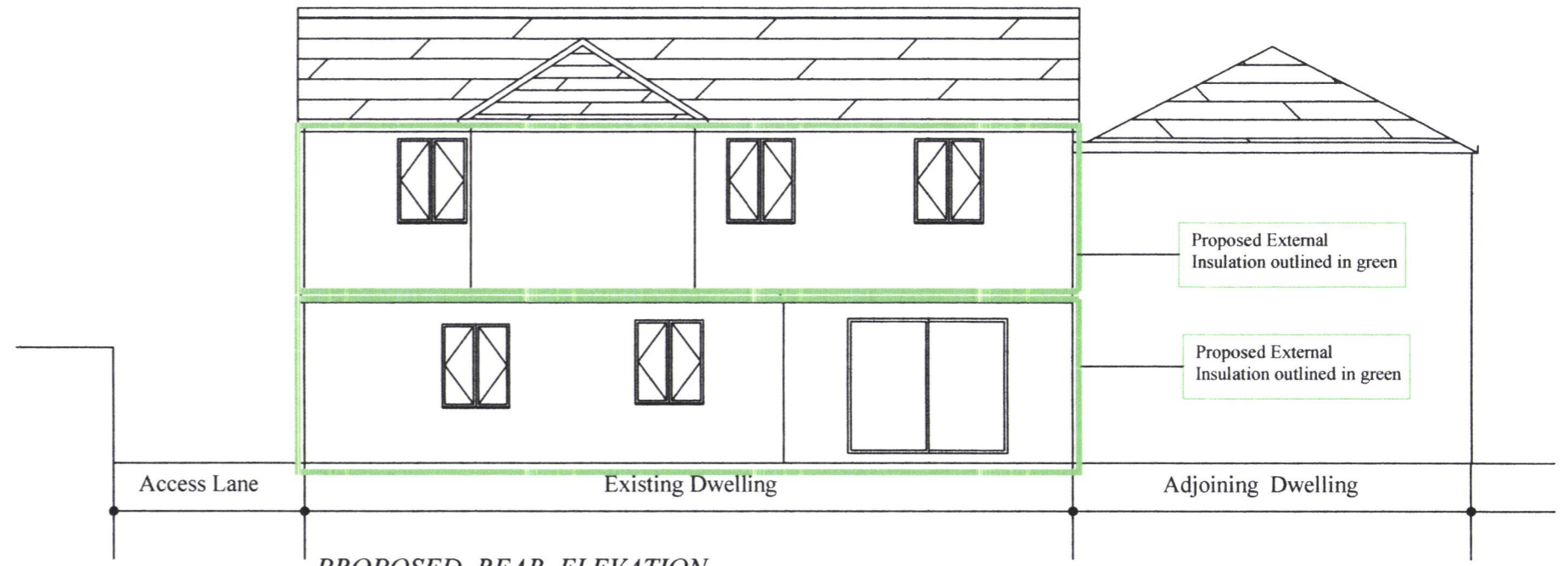
MICHAEL CARROLL Architectural & Energy Design Glenherbert, Dargle Road, Bray. tel: 087 982 0283 email: 2mcarroll1@gmail.com	PROPOSED FLOOR PLANS	
	SCALE 1/100	NUMBER S5/0726/02
PROPOSED EXTERNAL INSULATION TO DWELLING AT PEARSE ROAD, BRAY, Co. WICKLOW.	DATE MAY 2026	Pre Planning Only ISSUE



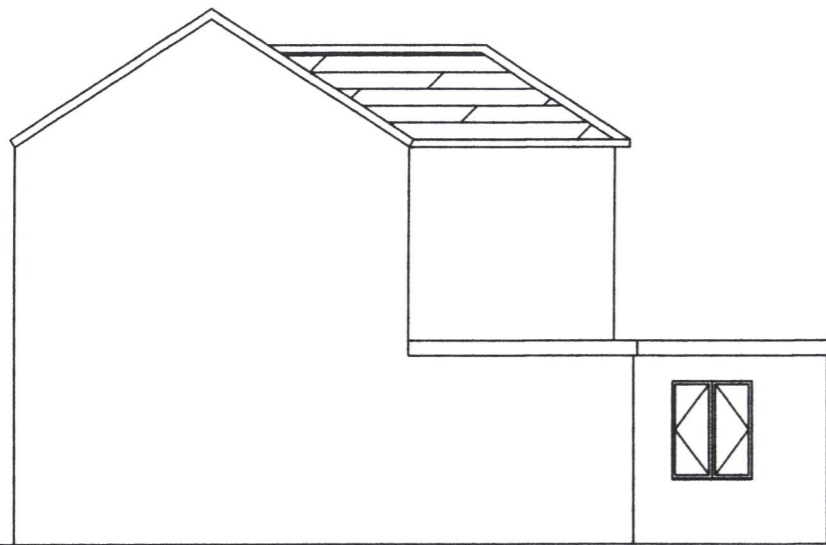
MICHAEL CARROLL Architectural & Energy Design Glenherbert, Dargle Road, Bray. tel: 087 982 0283 email: 2mcarroll1@gmail.com	FRONT ELEVATIONS	
	PROPOSED EXTERNAL INSULATION TO DWELLING AT PEARSE ROAD, BRAY, Co. WICKLOW.	SCALE 1/200 DATE MAY 2026



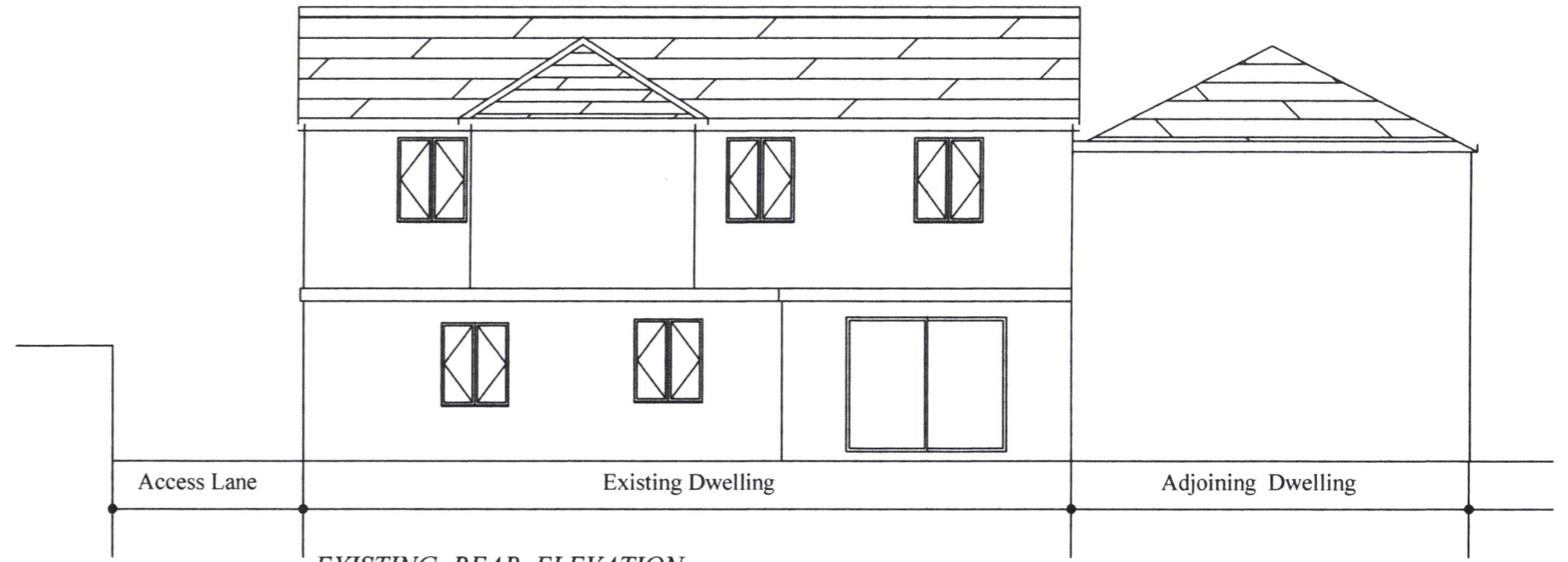
PROPOSED SIDE ELEVATION



PROPOSED REAR ELEVATION

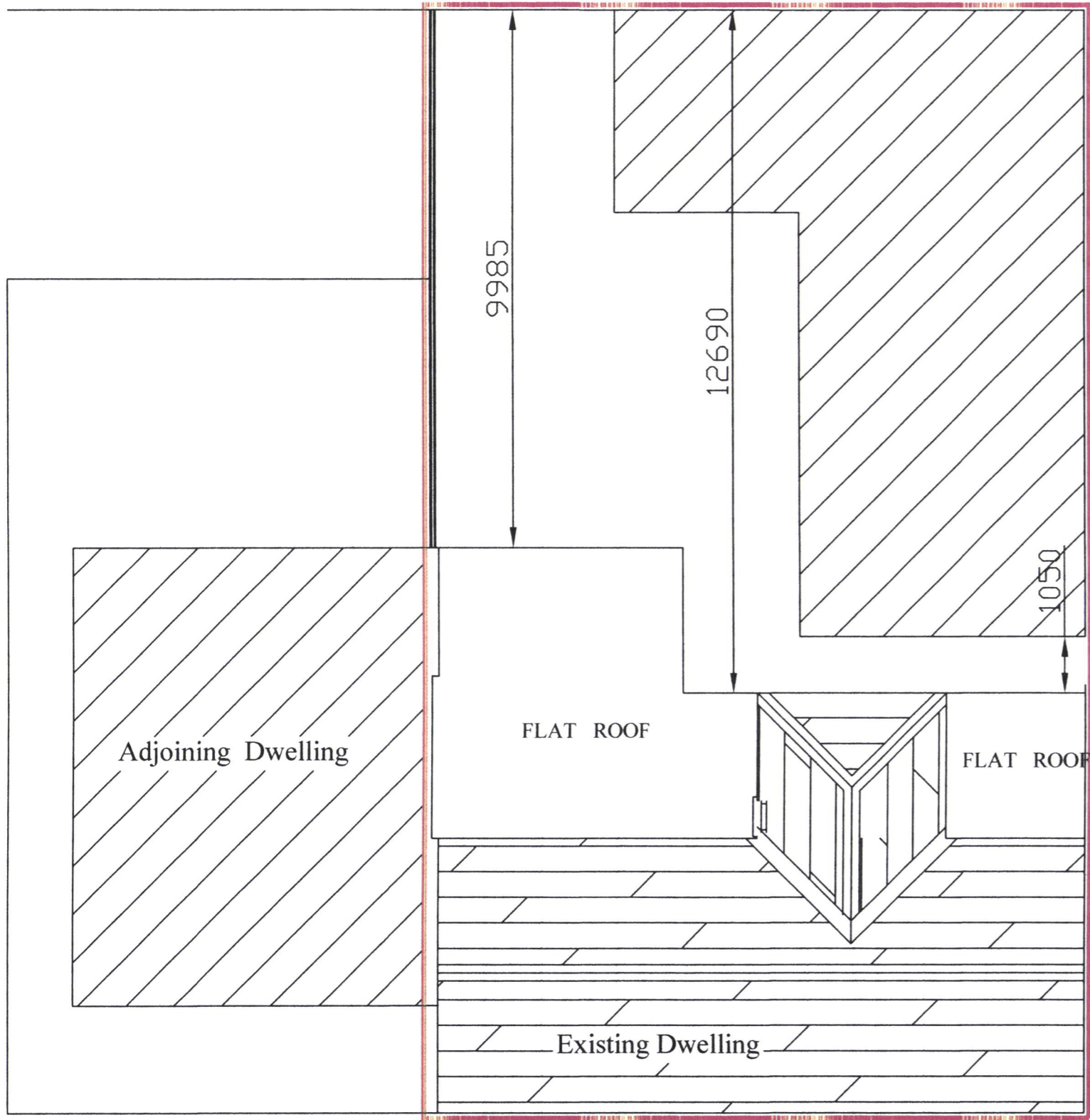


EXISTING SIDE ELEVATION



EXISTING REAR ELEVATION

MICHAEL CARROLL Architectural & Energy Design Glenherbert, Dargle Road, Bray. tel: 087 982 0283 email: 2mcarroll1@gmail.com	SIDE AND REAR ELEVATIONS	
	SCALE 1/100	NUMBER S5/0726/04
PROPOSED EXTERNAL INSULATION TO DWELLING AT PEARSE ROAD, BRAY, CO. WICKLOW.	DATE MAY 2026	ISSUE Pre Planning Only



Access laneway



public footpath

Roadway

MICHAEL CARROLL Architectural & Energy Design Glenherbert, Dargle Road, Bray, tel: 087 982 0283 email: 2mcarroll1@gmail.com		EXISTING SITE LAYOUT	
PROPOSED EXTERNAL INSULATION TO DWELLING AT PEARSE ROAD, BRAY, CO. WICKLOW.		1/100 <small>SCALE</small>	S5/0726/05 <small>NUMBER</small>
		MAY 2026 <small>DATE</small>	Pre Planning Only <small>ISSUE</small>

