WICKLOW COUNTY COUNCIL

PLANNING & DEVELOPMENT ACTS 2000 (As Amended) SECTION 5

Director of Services Order I	No: 1814/2022
Reference Number:	EX 57/2022
Name of Applicant:	Derek & Martina McLoughlin
Nature of Application:	Section 5 Referral as to whether "A 16sqm and 3m high flat roof domestic shed located in the rear garden of a dwelling house at 4 Hazelwood, Dargle Road, Bray, Co Wicklow" is or is not exempted development.

Location of Subject Site: 4 Hazelwood, Dargle Road, Bray, Co Wicklow

Report from Andrew Spencer AP & Suzanne White SEP

With respect to the query under Section 5 of the Planning & Development Act 2000 as to whether "A 16sqm and 3m high flat roof domestic shed located in the rear garden of a dwelling house at 4 Hazelwood, Dargle Road, Bray, Co Wicklow" is or is not exempted development within the meaning of the Planning & Development Act 2000 (as amended)

Having regard to:

- The details received with this Section 5 application (EX57/2022) on the 3rd September 2022 and the further information received on the 28th October 2022.
- Sections 2, 3, and 4 of the Planning and Development Act 2000(as amended).
- Article 6(1) of the Planning and Development Regulations, 2001, (as amended).
- Article 9 of the Planning and Development Regulations, 2001(as amended).
- Class 3 of Part 1 of Schedule 2 of the Planning and Development Regulations, 2001 (as amended).

Main Reasons with respect to Section 5 Declaration:

 The constructed domestic shed located to the rear of the dwelling would be development having regard to Section 3 of the Planning and Development Act 2000 (as amended), as set out in the documents lodged.

2) The constructed domestic shed located to the rear of the dwelling would not accord with the provisions of Schedule 2, Part 1, Class 3 of the Planning and Development Regulations 2001 (as amended) and therefore is not exempted development.

Recommendation

The Planning Authority considers that "A 16sqm and 3m high flat roof domestic shed located in the rear garden of a dwelling house at 4 Hazelwood, Dargle Road, Bray, Co Wicklow" is development and is not exempted development as recommended in the planning reports.

Signed (

Dated $\mathcal{S}_{day}^{\uparrow \land}$ of November 2022

ORDER:

That a declaration to issue stating:

That "A 16sqm and 3m high flat roof domestic shed located in the rear garden of a dwelling house at 4 Hazelwood, Dargle Road, Bray, Co Wicklow" is development and is not exempted development within the meaning of the Planning & Development Acts 2000 (as amended).

Signed: 2022

Director of Services

Dated 8th day of November 2022



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 Suíomh / Website: www.wicklow.ie

Derek & Martina McLoughlin

November 2022

RE: Declaration in accordance with Section 5 of the Planning & Development Acts 2000 (As Amended)

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

Exemption Ref. No: EX 57/2022

Applicant: Derek & Martina McLoughlin

Nature of Application: "A 16sqm and 3m high flat roof domestic shed located in the rear garden of a dwelling house at 4 Hazelwood, Dargle Road, Bray, Co Wicklow"

Location: 4 Hazelwood, Dargle Road, Bray, Co Wicklow

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

Is mise, le meas,

ADMINISTRATIVE OFFICER PLANNING DEVELOPMENT & ENVIRONMENT.





Comhairle Contae Chill Mhantáin Wicklow County Council

Forbairt Pleanála agus Comhshaol Planning Development and Environment

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

Applicant: Derek & Martina McLoughlin

Location: 4 Hazelwood, Dargle Road, Bray, Co Wicklow

DIRECTOR OF SERVICES ORDER NO. 1814/2022

A question has arisen as to whether "A 16sqm and 3m high flat roof domestic shed located in the rear garden of a dwelling house at 4 Hazelwood, Dargle Road, Bray, Co Wicklow" is or is not exempted development.

Having regard to:

- The details received with this Section 5 application (EX57/2022) on the 3rd September 2022 and the further information received on the 28th October 2022.
- Sections 2, 3, and 4 of the Planning and Development Act 2000(as amended).
- Article 6(1) of the Planning and Development Regulations, 2001, (as amended).
- Article 9 of the Planning and Development Regulations, 2001(as amended).
- Class 3 of Part 1 of Schedule 2 of the Planning and Development Regulations, 2001 (as amended).

Main Reasons with respect to Section 5 Declaration:

- 1) The constructed domestic shed located to the rear of the dwelling would be development having regard to Section 3 of the Planning and Development Act 2000 (as amended), as set out in the documents lodged.
- 2) The constructed domestic shed located to the rear of the dwelling would not accord with the provisions of Schedule 2, Part 1, Class 3 of the Planning and Development Regulations 2001 (as amended) and therefore is not exempted development.

The Planning Authority considers that "A 16sqm and 3m high flat roof domestic shed located in the rear garden of a dwelling house at 4 Hazelwood, Dargle Road, Bray, Co Wicklow" is development and is not exempted development.

Signed:

ADMINISTRATIVE OFFICER PLANNING DEVELOPMENT & ENVIRONMENT

Dated November 2022





WICKLOW COUNTY COUNCIL PLANNING DEPARTMENT Section 5 – Application for declaration of Exemption Certificate

REF:EX57/2022NAME:DEREK AND MARTINA LOUGHLINDEVELOPMENT:DETACHED SHEDLOCATION:4 HAZELWOOD BRAY CO. WICKLOW.

Site Location and description:

4 Hazelwood Dargle Road, Bray, Co. Wicklow. Two storey terraced house in established local authority housing development.

Google Streetview – August 2022.



Further information was requested on the 26th October 2022 and received on the 28/10/2022. The following should be read in conjunction with the initial planner's report.

Further Information Request:

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

1. A site layout of rear garden area indicating all structures thereon.

2. Plan and elevations of domestic shed indicating area measurements and the overall height (external)

The applicant responded to the above requested further information on the 28th October 2022. The response comprised annotated hand drawings of the shed floor area, the shed height and the remaining private open space within the back garden.

The applicant gives the following information: Internal floor area of shed – 17.07 sqm. Height to Eaves of shed – 119inches (3.02m) inside garden. 144inches (3.66m) back wall measurement (lower ground level) Remaining private open space - 24sqm

No site layout was submitted.

Assessment:

The response from the applicant is consistent with my findings with the ridge height of the shed in excess of 3m and the private open space reduced to less than 25sgm.

Recommendation:

Given that the shed exceeds 3m in height, Schedule 2 Part 1 Class 3 Condition 5 refers and the private open space has been reduced to less than 25sqm, Schedule 2 Part 1 Class 3 Condition 3 refers it is considered as a consequence that the development falls outside the scope of the Schedule 2 Part 1 Class 3 of the Planning and Development Regulations 2001 (as amended).

With respect to the query under Section 5 of the Planning and Development Act 2000, as to whether or the constructed domestic shed to the rear of 4 Hazelwood Bray is exempted development. The Planning Authority considers that the constructed shed to the rear of the dwelling is development and is not exempted development.

Main Considerations with respect to Section 5 Declaration:

- The details received with this Section 5 application (EX57/2022) on the 3rd September 2022 and the further information received on the 28th October 2022.
- Sections 2, 3, and 4 of the Planning and Development Act 2000(as amended).
- Article 6(1) of the Planning and Development Regulations, 2001, (as amended).
- Article 9 of the Planning and Development Regulations, 2001(as amended).
- Class 3 of Part 1 of Schedule 2 of the Planning and Development Regulations, 2001 (as amended).

Main Reasons with respect to Section 5 Declaration:

- 1) The constructed domestic shed located to the rear of the dwelling would be development having regard to Section 3 of the Planning and Development Act 2000 (as amended), as set out in the documents lodged.
- 2) The constructed domestic shed located to the rear of the dwelling would not accord with the provisions of Schedule 2, Part 1, Class 3 of the Planning and Development Regulations 2001 (as amended) and therefore is not exempted development.

Andrew Spenger A.I 04/11/2022

2 Marcan A/Tes S/ 4 (2020

518.16=5.1816 SET TO EVES = FROM SILED. 120455 469.9 = 4.699. WICKLOW COUNTY COUNCIL 10" ABOVE DOOR = SHED .: . 2 8 OCT 2022 430.06=4.8006 100" TO EVE OF HOUSE PLANNING DEPT. 355.6= 3.556 OVER-ALL HEIGHT - 16-2 FOTT - 5.0292 methes. 198-502.92 5.0292 FLOOR BACK GARDEN = 24.3483384 J ~ 185" Severe merrer. 4-7 ____7 17.0709336 189" SHED SQUARE MOTRES, INTERIOR SHED BOILD is FLOOR 24" Borow 302.26. Joverner. 365.76. Adoust ground 51769 HEIGHT TO EVES LEVEL. AT FRONT. 144~ 19 48" M RACK FALSE FLOOR ONAHILL.



Comhairle Contae Chill Mhantáin Ulicklow County Council

Forbairt Pleanála agus Comhshaol Planning Development and Environment Áras An Chòntae / County Buildings Cill Mhantáin / Wicklow Guthán / Tel: (0404) 20148 Faics / Fax: (0404) 69462 Rphost / Email: plandev@wicklow.coco.ie Suíomh / Website: www.wicklow.ie

26/10/2022

Derek & Martina McLoughlin

RE: EX 57/2022

"Whether detached shed at 4 Hazelwood, Dargle Road, Bray, Co Wicklow is or is not exempted development"

A Chara

I wish to acknowledge receipt of your application for a declaration in respect of Section 5 for the above proposal on 3rd October 2022.

In order to progress the request the Planning Authority require further information.

Class 3 of the Planning & Development Regulations 2001 (as amended) considers that the following may be exempt;

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

Subject to the following conditions/limitations:

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





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) 2014 Faics / Fax: (0404) 69462 Rphost / Email: plandev@wicklowcoco.ie Suíomh / Website: www.wicklow.ie

It would appear from site investigations that the domestic shed is in excess of 3m in height and reduces the private open space of the rear garden to less than 25sqm and as such may not be exempt.

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

- 1. A site layout of rear garden area indicating all structures thereon.
- 2. Plan and elevations of domestic shed indicating area measurements and the overall height (external).

Mise) le meas

SENIOR STAFF OFFICER PLANNING DEVELOPMENT AND ENVIRONMENT





WICKLOW COUNTY COUNCIL PLANNING DEPARTMENT Section 5 – Application for declaration of Exemption Certificate

REF:EX57/2022NAME:DEREK AND MARTINA LOUGHLINDEVELOPMENT:DETACHED SHEDLOCATION:4 HAZELWOOD BRAY CO. WICKLOW.

Site Location and description:

۱

.

4 Hazelwood Dargle Road, Bray, Co. Wicklow. Two storey terraced house in established local authority housing development.

Google Streetview - August 2022.



Relevant Planning History: None.

Question:

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

- 16sqm and 3m high flat roof domestic shed located in the rear garden of a dwelling house.

Legislative Context:

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:

٠.

٦

3.—(1) 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.

Planning and Development Regulations 2001(as amended)

Article 6 states:-

"(1) Subject to Article 9, development of a class specified in column 1 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."

Schedule 2 Part 1 Exempted Development General

Description of Development	Conditions and Limitations
Development within the curtilage of a house	
Class 3	1. No such structure shall be
	constructed, erected or placed
The construction, erection or placing within	forward of the front wall of a house.
the curtilage of a house of any tent, awning,	2. The total area of such structures
shade or other object, greenhouse, garage,	constructed, erected or placed within
store, shed or other similar structure.	the curtilage of a house shall not,
	taken together with any other such
	structures previously constructed,
	erected or placed within the said
	curtilage, exceed 25 square metres.
	 The construction, erection or placing within the curtilage of a house of any
	such structure shall not reduce the
	amount of private open space
	reserved exclusively for the use of
	the occupants of the house to the
	rear or to the side of the house to
	less than 25 square metres.
	4. The external finishes of any garage
	or other structure constructed,
	erected or placed to the side of a
	house, and the roof covering where
	any such structure has a tiled or

slated roof, shall conform with those of the house.
 The height of any such structure shall not exceed, in the case of a building with a tiled or slated pitched roof, 4 metres or, in any other case, 3 metres.
 The structure shall not be used for human habitation or for the keeping of pigs, poultry, pigeons, ponies or horses, or for any other purpose other than a purpose incidental to the enjoyment of the house as such.

Assessment

, 1

As part of this assessment I carried out a site visit on the 21st October 2022 to establish the size of the subject domestic shed as I found that the information submitted did not provide clarity in this regard.

The Section 5 application seeks a declaration as to whether the proposed work is or is not development and is or is not exempted development. The first issue to be decided is whether the proposal is or is not development. In this regard it is considered that the proposed works would come within the meaning of "works" as set out under Section 2 of the Planning and Development Act 2000 (as amended) and as such would come within the meaning of "development" as set out under Section 3 of the Planning and Development Act 2000 (as amended).

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

The applicants have submitted the following details as part of their submission:

- Declaration details pertaining to proposed development and sections of Planning and Development Legislation considered relevant.
- Google earth images and photo of shed in back garden.
- Site layout, not to scale, indicating dwelling, back garden and shed situated at the end of the garden.

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

I am satisfied that the proposal involves carrying out of works and therefore constitutes development.

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

Site Inspection:

. •

I carried out a site inspection on the 21st October 2022. On arrival at the property, 4 Hazelwood, I gained access to a laneway to the rear of the property and to which the subject shed backs on to. I could see that in addition to the subject shed in the rear garden there was also a barna shed and a covered area extending out from the north boundary wall of the rear garden.

Whilst I did not get access to the rear garden, I could measure the height of the subject shed from this laneway. I measured the height to be 3.7m. That said, as I could not gain access to the rear garden I was unable to confirm the ground level of the subject shed within the garden.

Using google earth measuring tool I found that the area of the shed to be c.24sqm, with the overall garden area to be c.48sqm. That being the case the remaining private open space c.24sqm has been reduced to less 25sqm.

The development is the type of development which could come under Class 3 of the Planning & Development Regulations 2001.

Development Description:

The subject shed is development within the curtilage of a dwelling.

Conditions and Limitations:

- 1. Structure not forward of front wall of dwelling? Yes.
- 2. Total area of such structures? not fully established
- 3. Remaining private open space is not below 25sqm? No.
- 4. External finish of shed conforms with that of the main dwelling? Yes.
- 5. Flat roofed structure does not exceed 3m? No Measured at time of site visit to be 3.7m.
- 6. Structure being used for purpose incidental to enjoyment of dwelling? Yes (as per application)

Recommendation:

Class 3 of the planning and development regulations 2001 (as amended) considers that the following may be exempt:

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

Subject to the following conditions/limitations:

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

It would appear from site investigations that the domestic shed is in excess of 3m in height and reduces the private open space of the rear garden to less than 25sqm and as such may not be exempt.

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

- 1. A site layout of rear garden area indicating all structures thereon.
- 2. Plan and elevations of domestic shed indicating area measurements and the overall height (external)

Andrew Spencer A.P. 24/10/2022

.

· •

Agreed Stillite SEP 26/10/22

MEMORANDUM

WICKLOW COUNTY COUNCIL

TO: Andrew Spencer Assistant Planner

ł

FROM: Crystal White Assistant Staff Officer

RE:- EX 57/2022 - Declaration in accordance with Section 5 of the Planning & Development Acts 2000 (as amended) Whether detached shed at 4 Hazelwood, Dargle Road, Bray, Co Wicklow is exempted development

I enclose herewith for your attention application for Section 5 Declaration received 3^{rd} of September 2022.

The due date on this declaration is the 28th October 2022.

Senior Staff Officer Planning Development & Environment



Comhairle Contae Chill Mhantáin Ulicklow 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

05/10/2022

Derek & Martina McLoughlin

_`-

RE: Application for Certificate of Exemption under Section 5 of the Planning and Development Acts 2000 (as amended). Ex 57/2022 Whether detached shed at 4 Hazelwood, Dargle Road, Bray, Co Wicklow is exempted development

A Chara

I wish to acknowledge receipt on the 03^{rd} of October 2022 details supplied by you in respect of the above section 5 application. A decision is due in respect of this application by 28/10/2022.

Mise le mea

SENIOR EXECUTIVE OFFICER PLANNING DEVELOPMENT AND ENVIRONMENT



Wicklow County Council County Buildings Wicklow 0404-20100

03/10/2022 11 11 45

Receipt No L1/0/302391

DEREK & MARTINA MCLOUGHLIN 4 HAZELWOOD DARGLE ROAD BRAY CO WICKLOW A98TF98

EXEMPTION CERTIFICATES GOODS 80.00 VAT Exempt/Non-vatable 80 00

Total

80 00 EUR

ş., *

*

Tendered Cash Credit Card

50 00 30 00

Change

0 00

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



Wicklow County Council County Buildings Wicklow Co Wicklow Telephone 0404 20148 Fax 0404 69462

Office	Use	Only

Date Received _____

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: DEREK & MARTINA	4 ^c hough	Lip.
	Address of applicant:	1	
		V	
	7.	~~~ 7	

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

2. Agents Details (Where Applicable)

(b)	Name of Agent (where applicable)	
	Address of Agent :	

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

WICKLOW COUNTY COUNCIL
0 3 OCT 2022
PLANNING DEPT.

<u>3. Declaration Details</u>

- i. Location of Development subject of Declaration <u>THE END OF</u> <u>My BACK GARDEN. (SITED)</u>
- 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, 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 / USE 714rS SHERFOR MY, STORNEE PLAY - DONT - MAN CAVEWORKING AND FITING.MANS DINNER ONCE CHERY YEAR.QUITE TIME FOR ME.

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

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

DRAWING OF MY SHED WITH SIZE AND HEIGHT AND DISTANCE FROM HOUSE NTTACHED.

ASIAM TRYING TO SELL MY HOUSE INFED ASAP PLEASE. THANK YOU.

YES. Fee of € 80 Attached ? viii.

Dated : 3/10/20 3/10/22 Signed

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.







♥ 53°12'10.3"N 6°07'41.7"W





