



Comhairle Contae Chill Mhantáin Wicklow County Council

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

Áras An Chontae / County Buildings
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Seamus O'Hagan,
Graphic Concepts,
Court,
Monamolin,
Gorey,
Co. Wexford.

17th August 2026

RE: Declaration in accordance with Section 5 of the Planning & Development Acts
2000 (As Amended) -EX 97/2026

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,

pp Joanne Byrne
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: Jodi Redmond

Location: 1 Townville, St. Mary's Road, Arklow, Co. Wicklow.

Reference Number: EX 97/2026

CHIEF EXECUTIVE ORDER NO. CE/PERD/2026/1005

A question has arisen as to whether "the construction of a single storey extension to rear" at 1 Townville, St. Mary's Road, Arklow, Co. Wicklow, is or is not exempted development.

Having regard to:

- Section 5 Declaration application details
- Section 5 Declaration issued under EX 10/2026
- The date the single storey extension was constructed c. late 2025/ early 2026
- Sections 2, 3, 4, 55 and 57 of the Planning and Development Act 2000 (as amended)
- Article 6, 9 and Class 1 of Schedule 2: Part 1 of the Planning and Development Regulations 2001 (SI 600 of 2001),
- SI 338 of 2026 Planning and Development (Exempted Development (Act of 2000)) Regulations 2026.

Main Reasons with respect to Section 5 Declaration:

- The construction of a rear extension would come within the meaning of works as set out in Section 2 of the Planning and Development Act 2000 (as amended)
- These works are development having regard to the provisions of Section 3 of the Planning and Development Act 2000 (as amended).
- Article 1 (3) of SI 338 of 2026 provides that
(3) These Regulations shall come into operation on the 27th day of July 2026,
there is no provision for these Regulations to be retrospective.
- The relevant exemption at the date the single storey extension was constructed was that set out under Class 1 of Part 1 of Schedule 2 of SI 600 of 2001 Planning and Development Regulations 2001
- The extension would come within the description of Class 1 of Part 1; Schedule 2 of the Planning and Development Regulations 2001 (SI 600 of 2001), but as the rear private space is reduced to 21.42 sqm it would not meet Limitation 5 which provides that the construction or erection of any such extension to the rear of the house shall not reduce the area of private open space, reserved exclusively for the use of the occupants of the house, to the rear of the house to less than 25 square metres.



- (vi) The Record of Protected Structures , wherein the description refers to 10 Townville St.Mary's Road, Arklow, and the associated picture which refers to 11 Townville St Mary's Road, and not to 1 Townville, St Mary's Road
- (vii) The provisions of Section 55 of the Planning and Development Act 2000(as amended), and the lack of confirmation that the notices required by reference to Section 55 of the Planning and Development Act 2000(as amended) were properly issued to the correct address. The protected status of 1 Townville , St Mary's Road is uncertain.

The Planning Authority considers that "the construction of a single storey extension to rear" at 1 Townville, St. Mary's Road, Arklow, Co. Wicklow. is Development and is Not Exempted Development.

Signed: Joanne Byrne
PP ADMINISTRATIVE OFFICER
PLANNING DEVELOPMENT & ENVIRONMENT

Date: 17/08/2026

WICKLOW COUNTY COUNCIL

PLANNING & DEVELOPMENT ACTS 2000 (As Amended)
SECTION 5

CHIEF EXECUTIVE ORDER NO. CE/PERD/2026/1004

Reference Number: EX 97/2026

Name of Applicant: Jodi Redmond

Nature of Application: Section 5 Referral as to whether "the construction of a single storey extension to rear" is or is not development and is or is not exempted development.

Location of Subject Site: 1 Townville, St. Mary's Road, Arklow, Co. Wicklow

Report from: Edel Bermingham, T/SP

With respect to the query under Section 5 of the Planning & Development Act 2000 as to whether "*the construction of a single storey extension to rear*" at 1 Townville, St. Mary's Road, Arklow, Co. Wicklow is or is not exempted development within the meaning of the Planning & Development Act 2000 (as amended)

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 and Development Act 2000 (as amended)
- c) Article 6, 9 and Class 5: Part 1: Schedule 2 of the Planning and Development Regulations /2001 (as amended).

Main Reasons with respect to Section 5 Declaration:

- (i) The construction of a rear extension would come within the meaning of works as set out in Section 2 of the Planning and Development Act 2000(as amended)
- (ii) These works are development having regard to the provisions of Section 3 of the Planning and Development Act 2000(as amended).
- (iii) Article 1 (3) of SI 338 of 2026 provides that
(3) These Regulations shall come into operation on the 27th day of July 2026,
there is no provision for these Regulations to be retrospective.
- (iv) The relevant exemption at the date the single storey extension was constructed was that set out under Class 1 of Part 1 of Schedule 2 of SI 600 of 2001 Planning and Development Regulations 2001
- (v) The extension would come within the description of Class 1 of Part 1; Schedule 2 of the Planning and Development Regulations 2001 (SI 600 of 2001), but as the rear private space is reduced to 21.42 sqm it would not meet Limitation 5 which provides that *the construction or erection of any such extension to the rear of the house shall not reduce the area of private open space, reserved exclusively for the use of the occupants of the house, to the rear of the house to less than 25 square metres.*

- (vi) The Record of Protected Structures , wherein the description refers to 10 Townville St.Mary's Road, Arklow, and the associated picture which refers to 11 Townville St Mary's Road, and not to 1 Townville, St Mary's Road
- (vii) The provisions of Section 55 of the Planning and Development Act 2000(as amended), and the lack of confirmation that the notices required by reference to Section 55 of the Planning and Development Act 2000(as amended) were properly issued to the correct address. The protected status of 1 Townville , St Mary's Road is uncertain.

Recommendation

The Planning Authority considers that "*the construction of a single storey extension to rear*" at 1 Townville, St. Mary's Road, Arklow, Co. Wicklow, is **Development** and is Not Exempted Development as recommended in the planning reports.

Signed: Deanne Byrne

Date: 17/8/2026

ORDER:

I HEREBY DECLARE:

THAT "*the construction of a single storey extension to rear*" at 1 Townville, St. Mary's Road, Arklow, Co. Wicklow is **Development** and is Not Exempted Development within the meaning of the Planning & Development Acts 2000 (as amended).

Signed: Ed Beaumont
T/Senior Planner

Planning, Economic & Rural Development

Date: 17/8/2026

Section 5 Application EX 97/2026

Date : 17/8/2026

Applicant : Jodi Redmond

Address : 1 Townville, St. Mary's Road, Arklow, Co. Wicklow. .

Exemption Whether or not :

The construction of a single storey extension to rear

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

Planning History :

ATC PRR 113/2000 permission granted for the demolition of part of existing house and alterations to the remaining part of Townville, and construction of 20 no. 2 bedroomed apartments. This permission was granted on the 20th January 2001.

UD 11012 - File closed on basis extension exempt.

Section 5 Declaration

EX 10/2026

The construction of a rear flat roofed single storey extension at 1 Townville, St Mary's Road , Arklow constitutes exempted development within the meaning of the Planning and Development Acts, 2000(as amended).

The Planning Authority considered that the construction of a rear flat roofed single storey extension **is Development and is Not Exempted development.**

- (i) The construction of a rear extension would come within the meaning of works as set out in Section 2 of the Planning and Development Act 2000(as amended)
- (ii) These works are development having regard to the provisions of Section 3 of the Planning and Development Act 2000(as amended).
- (iii) The extension would come within the description of Class 1 of Part 1; Schedule 2 of the Planning and Development Regulations 2001 (as amended), but as the rear private space is reduced to 21 sqm it would not meet Limitation 5 which provides that *the construction or erection of any such extension to the rear of the house shall not reduce the area of private open space, reserved exclusively for the use of the occupants of the house, to the rear of the house to less than 25 square metres.*
- (iv) The Record of Protected Structures , wherein the description refers to 10 Townville St.Mary's Road, Arklow, and the associated picture which refers to 11 Townville St Mary's Road, and not to 1 Townville, St Mary's Road

- (v) The provisions of Section 55 of the Planning and Development Act 2000(as amended), and the lack of confirmation that the notices required by reference to Section 55 of the Planning and Development Act 2000(as amended) were properly issued to the correct address. The protected status of 1 Townville , St Mary's Road is uncertain.

An Coimisiun Pleanála

ABP-308995-20

An Bord Pleanála, hereby decides that the alteration of roof form and wall construction to a previously built late 20th century sunroom is development and is not exempted development as : the nature of the alterations undertaken is development and is not exempted development on the grounds that the works undertaken would materially affect the character of the building which is a protected structure, through the use of materials and design that is not found in the original house.

ABP-305579-19

An Bord Pleanála, hereby decides that the replacement of the existing ventilation system with a new ventilation extractor hood to the roof over the kitchen area located to the rear of 170 Rathmines Road Lower (protected structure), Dublin is development and is not exempted development as

- (a) the erection of the subject ventilation extractor hood involved the carrying out of "works" and therefore constitutes development,
- (b) this development, by reason of its scale, design, finish, and location where it is visible from the public realm, does not come within the scope of Section 4(1)(h) of the Planning and Development Act, 2000, because it materially affects the external appearance of the structure so as to render the appearance inconsistent with the character of the structure and of neighbouring structures (including other protected structures),
- (c) as no Notice under Section 26 of the Air Pollution Act 1987 was served requiring the provision of the subject ventilation extractor hood, the exemption provided for under Class 41(d) of Part 1 of the Second Schedule to the Planning and Development Regulations, 2001, as amended, does not apply in this instance,
- (d) however, it is considered that, even if such notice had been served, the subject extractor hood, by reason of its scale, design, finish and location, materially affects the character of the protected structure and accordingly any exemption provided for under Class 41 (d) of Part 1 of the Second Schedule to the Planning and Development Regulations, 2001, as amended, would be restricted pursuant to Section 57(1) of the Planning and Development Act, 2000, as amended.

In not accepting the Inspector's recommendation that the development in question should be deemed to be exempted development, the Board did not accept, for the reasons outlined in its Order, that the development comes within the scope of Section 4 (1)(h) of the Planning and Development Act 200, as amended, and noted that the status of the subject property as a protected structure relates to the entirety of its curtilage, and not just to the main building fronting onto

Rathmines Road Lower. Furthermore, the Board is satisfied that the subject extractor hood, due to its scale, design and finish, does detract from the character of the protected structure and neighbouring protected structures, notwithstanding that it is located on a subsidiary and non-original building/extension.

County Development Plan 2022-2028

Record of Protected Structures

A18 10 Townville St Mary's Road : Semi-detached three-bay two-storey

Sustainable Residential Development and Compact Settlements Guidelines

Private Open Space:

An outdoor open area that is exclusively for use by the occupants of a residential unit (and their visitors). Does not include areas used exclusively for access (e.g. side passages) or storage (including car parking).

Relevant legislation :

Planning and Development Act 2000 (as amended)

“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 :

3.—

(1) In this Act, except where the context otherwise requires, “development” means—

(a) 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, or

(b) development within the meaning of Part XXI (inserted by section 171 of the Maritime Area Planning Act 2021).

Section 4 :

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;

3) A reference in this Act to exempted development shall be construed as a reference to development which is—

(a) any of the developments specified in subsection (1), or

(b) development which, having regard to any regulations under subsection (2), is exempted development for the purposes of this Act.

(4A) Notwithstanding subsection (4), the Minister may make regulations prescribing development or any class of development that is—

(a) authorised, or required to be authorised by or under any statute (other than this Act) whether by means of a licence, consent, approval or otherwise, and

(b) as respects which an environmental impact assessment or an appropriate assessment is required, to be exempted development.

55.—(1) A planning authority which proposes, at any time other than in the course of making its development plan under *Part II*, to make an addition to or a deletion from its record of protected structures shall—

(a) serve on each person who is the owner or occupier of the proposed protected structure or the protected structure, as the case may be, a notice of the proposed addition or deletion, including the particulars,

(b) send particulars of the proposed addition or deletion to the Minister for Arts, Heritage, Gaeltacht and the Islands and to any other prescribed bodies, and

(c) cause notice of the proposed addition or deletion to be published in at least one newspaper circulating in its functional area.

(5) Within 2 weeks after making an addition to or a deletion from the record of protected structures, a planning authority shall serve on the owner and on the occupier of the structure concerned a notice of the addition or deletion, including the particulars.

57.—(1) Notwithstanding section 4(1)(a), (h), (i), (ia) (j), (k), or (l) and any regulations made under section 4(2), the carrying out of works to a protected structure, or a proposed protected structure, shall be exempted development only if those works would not materially affect the character of—

(a) the structure, or

(b) any element of the structure which contributes to its special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest.

Planning and Development Regulations 2001(as amended).

Article 6

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

Article 9(1) Note see Regulations for full Article

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—

(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 1 (Planning &Development Regulations SI 600 of 2001)

CLASS 1

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

Conditions/ Limitations

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

(b) Subject to paragraph (a), where the house is terraced or semi-detached, the floor area of any extension above ground level shall not exceed 12 square metres.

(c) Subject to paragraph (a), where the house is detached, the floor area of any extension above ground level shall not exceed 20 square metres.

2. (a) Where the house has been extended previously, the floor area of any such extension, taken together with the floor area of any previous extension or extensions constructed or erected after 1 October 1964, including those for which planning permission has been obtained, shall not exceed 40 square metres.

(b) Subject to paragraph (a), where the house is terraced or semi-detached and has been extended previously, the floor area of any extension above ground level taken together with the floor area of any previous extension or extensions above ground level constructed or erected after 1 October 1964, including those for which planning permission has been obtained, shall not exceed 12 square metres.

(c) Subject to paragraph (a), where the house is detached and has been extended previously, the floor area of any extension above ground level, taken together with the floor area of any previous extension or extensions above ground level constructed or erected after 1 October 1964, including those for which planning permission has been obtained, shall not exceed 20 square metres.

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

4. (a) Where the rear wall of the house does not include a gable, the height of the walls of any such extension shall not exceed the height of the rear wall of the house.

(b) Where the rear wall of the house includes a gable, the height of the walls of any such extension shall not exceed the height of the side walls of the house.

(c) The height of the highest part of the roof of any such extension shall not exceed, in the case of a flat roofed extension, the height of the eaves or parapet, as may be appropriate, or, in any other case, shall not exceed the height of the highest part of the roof of the dwelling.

5. The construction or erection of any such extension to the rear of the house shall not reduce the area of private open space, reserved exclusively for the use of the occupants of the house, to the rear of the house to less than 25 square metres.

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

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

(c) Where the house is detached and the floor area of the extension above ground level exceeds 12 square metres, any window proposed at above ground level shall not be less than 11 metres from the boundary it faces.

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

Assessment

This is the second Section 5 Declaration in respect to whether the construction of a single storey extension to the rear of 1 Townsville, St Mary's Road, Arklow is or is not exempted development.

The submission by the agent refers to the recently enacted SI No.338 of 2026 which updated the Schedule 2 : Part 1 : Class 1 exemption. Of particular relevance is Limitation No. 5 which was previously

5. The construction or erection of any such extension to the rear of the house shall not reduce the area of private open space, reserved exclusively for the use of the occupants of the house, **to the rear** of the house to less than 25 square metres.

And which has now been amended to exclude reference to the rear i.e.

5. The construction or erection of any such extension to the rear of the house shall not reduce the total area of private open space within the curtilage of the house, reserved exclusively for the use of the occupants of the house to less than 25 square metres.

SI 338 as set out under Article 1 (3) came into operation on the 27th day of July 2026. There is no provision in these Regulations for them to be retrospective. In this regard it is the exemption enacted at the time the works are undertaken which is the relevant exemption under which any assessment must be undertaken. The extension the subject of this Section 5 query was constructed at the end of 2025/ start 2026. Therefore the exemption in place was that set out under SI 600 of 2001 before it was amended. Accordingly the assessment set out under the previous Section 5 Declaration EX 10/2026 is still applicable see attached.

The report under EX 10/2026 in summary identified that -

The provision of a rear extension involves operations of construction and would be works having regard to Section 2 of the Planning and Development Act 2000(as amended). These works would come within the definition of development as set out in Section 3 (1)(a) of the Planning and Development Act 2000(as amended).

The Protected Status of 1 Townville is questioned as

As the notification of inclusion of 1 Townville on the Record of Protected Structures was not served on the right address, it would appear that processes undertaken had an administrative error which disenfranchised the owners right to participate in the process, as required by the legislation. This error is further exacerbated by the pictures reference in the Record of Protected Structures for 10 Townville, St Mary's Road. Given that there appears to be a flaw in the address of the Protected Structure and in the notification, notwithstanding the mapping of the structure, it is considered that 1 Townville may not part form part of the Record of Protected Structures and as such is not further addressed in this assessment.

The relevant exemption at the date the works were undertaken are set out in SI 600 P&D Regulations 2001 Class 1 of Part 1; Schedule 2 i.e.

Class 1 provides for -

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

The development would come within the description. This exemption is subject to a number of limitations and they are assessed below .

Limitation 1 – the extension is to the below 40sqm

Limitation 2 – no previous extension , this limitation is met.

Limitation 3 – Not applicable

Limitation 4 – The height of the walls do not exceed the side walls of the house.

Limitation 5 - 5. The rear private open space is 21.42sqm and therefore this limitation is not met.

Limitation 6. – This limitation is met.

Limitation 7 – Not applicable.

The proposed extension given the above assessment is development and is not exempted development.

Recommendation :

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

The construction of a single storey extension to the rear at 1 Townville, St Mary's Road , Arklow

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

The Planning Authority consider that the construction of a single storey extension to the rear of 1 Townville , St Mary's Road, Arklow **is Development and is Not Exempted development.**

Main Considerations with respect to Section 5 Declaration :

- a) Section 5 Declaration application details
- b) Section 5 Declaration issued under EX 10/2026
- c) The date the single storey extension was constructed c. late 2025/ early 2026
- d) Sections 2 , 3, 4 , 55 and 57 of the Planning and Development Act 2000 (as amended)
- e) .Article 6,9 and Class 1 of Schedule 2: Part 1 of the Planning and Development Regulations 2001 (SI 600 of 2001),
- f) SI 338 of 2026 Planning and Development (Exempted Development (Act of 2000)) Regulations 2026.

Main Reasons with respect to Section 5 Declaration :

- (vi) The construction of a rear extension would come within the meaning of works as set out in Section 2 of the Planning and Development Act 2000(as amended)
- (vii) These works are development having regard to the provisions of Section 3 of the Planning and Development Act 2000(as amended).
- (viii) Article 1 (3) of SI 338 of 2026 provides that
(3) These Regulations shall come into operation on the 27th day of July 2026,
there is no provision for these Regulations to be retrospective.
- (ix) The relevant exemption at the date the single storey extension was constructed was that set out under Class 1 of Part 1 of Schedule 2 of SI 600 of 2001 Planning and Development Regulations 2001
- (x) The extension would come within the description of Class 1 of Part 1; Schedule 2 of the Planning and Development Regulations 2001 (SI 600 of 2001), but as the rear private space is reduced to 21.42 sqm it would not meet Limitation 5 which provides that *the construction or erection of any such extension to the rear of the house shall not reduce the area of private open space, reserved exclusively for the use of the occupants of the house, to the rear of the house to less than 25 square metres.*

- (xi) The Record of Protected Structures , wherein the description refers to 10 Townville St.Mary's Road, Arklow, and the associated picture which refers to 11 Townville St Mary's Road, and not to 1 Townville, St Mary's Road
- (xii) The provisions of Section 55 of the Planning and Development Act 2000(as amended), and the lack of confirmation that the notices required by reference to Section 55 of the Planning and Development Act 2000(as amended) were properly issued to the correct address. The protected status of 1 Townville , St Mary's Road is uncertain.

See Birmingham TSP

17/8/2026

Section 5 Application EX 10/2026

Date : 20/2/2026

Applicant : Helen Noble

Address : 1 Townville, St. Mary's Road, Arklow, Co. Wicklow. .

Exemption Whether or not :

The construction of a rear lean-to single storey extension

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

Planning History :

ATC PRR 113/2000 permission granted for the demolition of part of existing house and alterations to the remaining part of Townville, and construction of 20 no. 2 bedrooomed apartments. This permission was granted on the 20th January 2001.

UD 11012 - File closed on basis extension exempt.

An Coimisiun Pleanala

ABP-308995-20

An Bord Pleanala, hereby decides that the alteration of roof form and wall construction to a previously built late 20th century sunroom is development and is not exempted development as :
the nature of the alterations undertaken is development and is not exempted development on the grounds that the works undertaken would materially affect the character of the building which is a protected structure, through the use of materials and design that is not found in the original house.

ABP-305579-19

An Bord Pleanála, hereby decides that the replacement of the existing ventilation system with a new ventilation extractor hood to the roof over the kitchen area located to the rear of 170 Rathmines Road Lower (protected structure), Dublin is development and is not exempted development as

- (a) the erection of the subject ventilation extractor hood involved the carrying out of "works" and therefore constitutes development,
- (b) this development, by reason of its scale, design, finish, and location where it is visible from the public realm, does not come within the scope of Section 4(1)(h) of the Planning and Development Act, 2000, because it materially affects the external appearance of the structure

so as to render the appearance inconsistent with the character of the structure and of neighbouring structures (including other protected structures),

- (c) as no Notice under Section 26 of the Air Pollution Act 1987 was served requiring the provision of the subject ventilation extractor hood, the exemption provided for under Class 41(d) of Part 1 of the Second Schedule to the Planning and Development Regulations, 2001, as amended, does not apply in this instance,
- (d) however, it is considered that, even if such notice had been served, the subject extractor hood, by reason of its scale, design, finish and location, materially affects the character of the protected structure and accordingly any exemption provided for under Class 41 (d) of Part 1 of the Second Schedule to the Planning and Development Regulations, 2001, as amended, would be restricted pursuant to Section 57(1) of the Planning and Development Act, 2000, as amended.

In not accepting the Inspector's recommendation that the development in question should be deemed to be exempted development, the Board did not accept, for the reasons outlined in its Order, that the development comes within the scope of Section 4 (1)(h) of the Planning and Development Act 2000, as amended, and noted that the status of the subject property as a protected structure relates to the entirety of its curtilage, and not just to the main building fronting onto Rathmines Road Lower. Furthermore, the Board is satisfied that the subject extractor hood, due to its scale, design and finish, does detract from the character of the protected structure and neighbouring protected structures, notwithstanding that it is located on a subsidiary and non-original building/extension.

County Development Plan 2022-2028

Record of Protected Structures

A18 10 Townville St Mary's Road : Semi-detached three-bay two-storey

Relevant legislation :

Planning and Development Act 2000 (as amended)

"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 :

3.—

(1) In this Act, except where the context otherwise requires, "development" means—

- (a) 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, or
- (b) development within the meaning of Part XXI (inserted by section 171 of the Maritime Area Planning Act 2021).

Section 4 :

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;

3) A reference in this Act to exempted development shall be construed as a reference to development which is—

- (a) any of the developments specified in subsection (1), or
- (b) development which, having regard to any regulations under subsection (2), is exempted development for the purposes of this Act.

(4A) Notwithstanding subsection (4), the Minister may make regulations prescribing development or any class of development that is—

- (a) authorised, or required to be authorised by or under any statute (other than this Act) whether by means of a licence, consent, approval or otherwise, and
- (b) as respects which an environmental impact assessment or an appropriate assessment is required, to be exempted development.

55.—(1) A planning authority which proposes, at any time other than in the course of making its development plan under *Part II*, to make an addition to or a deletion from its record of protected structures shall—

- (a) serve on each person who is the owner or occupier of the proposed protected structure or the protected structure, as the case may be, a notice of the proposed addition or deletion, including the particulars,
- (b) send particulars of the proposed addition or deletion to the Minister for Arts, Heritage, Gaeltacht and the Islands and to any other prescribed bodies, and
- (c) cause notice of the proposed addition or deletion to be published in at least one newspaper circulating in its functional area.

(5) Within 2 weeks after making an addition to or a deletion from the record of protected structures, a planning authority shall serve on the owner and on the occupier of the structure concerned a notice of the addition or deletion, including the particulars.

57.—(1) Notwithstanding section 4(1)(a), (h), (i), (ia) (j), (k), or (l) and any regulations made under section 4(2), the carrying out of works to a protected structure, or a proposed protected structure, shall be exempted development only if those works would not materially affect the character of—
(a) the structure, or
(b) any element of the structure which contributes to its special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest.

Planning and Development Regulations 2001(as amended).

Article 6

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

Article 9(1) Note see Regulations for full Article

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—

(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 1

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

Conditions/ Limitations

1. (a) Where the house has not been extended previously, the floor area of any such extension shall not exceed 40 square metres.
- (b) Subject to paragraph (a), where the house is terraced or semi-detached, the floor area of any extension above ground level shall not exceed 12 square metres.

(c) Subject to paragraph (a), where the house is detached, the floor area of any extension above ground level shall not exceed 20 square metres.

2. (a) Where the house has been extended previously, the floor area of any such extension, taken together with the floor area of any previous extension or extensions constructed or erected after 1 October 1964, including those for which planning permission has been obtained, shall not exceed 40 square metres.

(b) Subject to paragraph (a), where the house is terraced or semi-detached and has been extended previously, the floor area of any extension above ground level taken together with the floor area of any previous extension or extensions above ground level constructed or erected after 1 October 1964, including those for which planning permission has been obtained, shall not exceed 12 square metres.

(c) Subject to paragraph (a), where the house is detached and has been extended previously, the floor area of any extension above ground level, taken together with the floor area of any previous extension or extensions above ground level constructed or erected after 1 October 1964, including those for which planning permission has been obtained, shall not exceed 20 square metres.

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

4. (a) Where the rear wall of the house does not include a gable, the height of the walls of any such extension shall not exceed the height of the rear wall of the house.

(b) Where the rear wall of the house includes a gable, the height of the walls of any such extension shall not exceed the height of the side walls of the house.

(c) The height of the highest part of the roof of any such extension shall not exceed, in the case of a flat roofed extension, the height of the eaves or parapet, as may be appropriate, or, in any other case, shall not exceed the height of the highest part of the roof of the dwelling.

5. The construction or erection of any such extension to the rear of the house shall not reduce the area of private open space, reserved exclusively for the use of the occupants of the house, to the rear of the house to less than 25 square metres.

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

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

(c) Where the house is detached and the floor area of the extension above ground level exceeds 12 square metres, any window proposed at above ground level shall not be less than 11 metres from the boundary it faces.

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

Assessment

The Section 5 application seeks a declaration as to whether the construction of a rear lean-to single storey extension of is or is not development or is or is not exempted development.

Submission:

The referrer indicates that it is considered that the extension to the rear of No. 1 Townville is not exempted due to

- Non compliance with limitation No.5 of Class 1: Part 1 : Schedule 2 the P&D Regulations 2001(as amended) as the rear of the house after the extension is less than 25sqm.
- The lean to structure has had no regard to Section 57 of the P&D Act 2000(as amended)or the guidelines published by the Department of Arts, Heritage and the Gaeltacht, as the works materially affect the character of the structure and adjoining property which are semi-detached house and are both of which are protected structures.

Details

An extension has been constructed to the rear of 1 Townville , St Mary's Road, Arklow . The rear of the house faces out on to carparking and a existing apartment development, with the dwelling itself forming a semi-detached unit with the dwelling to the north.

From measurements taken on sit by the enforcement section the extension to the rear of 1 Townville, has a floor area of 12sqm, and is flat roofed. The area of rear amenity space post construction is measured as 21sqm.

Assessment:

The first question to be asked is whether the identified works are or are not development. It is evident that the provision of a rear extension involves operations of construction and would be works having regard to Section 2 of the Planning and Development Act 2000(as amended). These works would come within the definition of development as set out in Section 3 (1)(a) of the Planning and Development Act 2000(as amended).

Section 57 (1) of the Planning and Development Act 2000 (as amended) provides that

57.—(1) Notwithstanding *section 4(1)(a), (h), (i), (ia)(j), (k), or (l)* and any regulations made under *section 4(2)*, the carrying out of works to a protected structure, or a proposed protected structure, shall be exempted development only if those works would not materially affect the character of—
(a) the structure, or
(b) any element of the structure which contributes to its special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest.

From review of the Record of Protected Structures (CDP 2022-2028) No. 1 Townville, St Mary's Road is marked on mapping as a Protected Structure. However the listing in the Record is for No 10

Townville , St.Mary's Road, Arklow . The record for both 10 Townville and 11 Townville are as follows

A18 16322031	St Marys Road Arklow	10 Townville	century Semi-detached three-bay two-storey Domestic Revival style pair of houses built c.1900. The houses are rendered with rusticated finish to the ground floor dry dash finish to the first floor and with moulded quoins. Each is double-gabled.	
A19 16322031	St Marys Road Arklow	11 Townville	Semi-detached three-bay two-storey Domestic Revival style pair of houses built c.1900. The houses are rendered with rusticated finish to the ground floor dry dash finish to the first floor and with moulded quoins. Each is double-gabled. The northern house has a panelled door with plain fanlight and both are set within a flat-headed opening and framed with an open gabled porch supported on timber brackets. To	

From Streetview(2025) the following view is noted.



11 Townville

1 Townville

It is therefore evident that the picture associated with No 10 Townville is not a picture of the correct structure or the structures currently addressed as 1 Townville, but only shows No. 11 Townville.

No. 10 Townville and No. 11 Townville were added to the Record of Protected Structures in February 2008 by Arklow Town Council . From the attached newspaper notice the structure was referred to as 10 St. Mary's Road, Arklow. A review of Eircode website, shows that the structure is listed as 1 Townville and there is also a separate Eircode for a 10 Townville, which is not the structure the subject of this referral. A review of the planning register identifies that Arklow Town Council under ATC PRR 113/2000 permitted the demolition of part of existing house and alterations to the remaining part of Townville, and construction of 20 no. 2 bedroomed apartments. This permission was granted on the 20th January 2001. The development was commenced on the 10th June 2002. The OS sheet 1/1000 which accompanied the application identified the structure as No. 10 , however the site notice referenced the structure as 'Townville', and the proposed site layout plan referenced it as 1 Townville. It is presumed that on completion of the development the subject of ATC PRR 113/2000 that the addresses were altered to reflect the permitted development and the

layout details. Thus the address of the structure would have at the time of the Notice of Proposed Additions and issuing of letters have been 1 Townville and not 10 St Mary's Road or 10 Townville.

The process for inclusion of a structure in the Record of Protected Structures is set out under Section 55 (1) and (5) of the Planning and Development Act 2000 (as amended) i.e. -

55.—(1) A planning authority which proposes, at any time other than in the course of making its development plan under Part II, to make an addition to or a deletion from its record of protected structures shall—

- (a) serve on each person who is the owner or occupier of the proposed protected structure or the protected structure, as the case may be, a notice of the proposed addition or deletion, including the particulars,*
- (b) send particulars of the proposed addition or deletion to the Minister for Arts, Heritage, Gaeltacht and the Islands and to any other prescribed bodies, and*
- (c) cause notice of the proposed addition or deletion to be published in at least one newspaper circulating in its functional area.*

(5) Within 2 weeks after making an addition to or a deletion from the record of protected structures, a planning authority shall serve on the owner and on the occupier of the structure concerned a notice of the addition or deletion, including the particulars.

As the notice was not served on the right address, it would appear that processes undertaken had an administrative error which disenfranchised the owners right to participate in the process, as required by the legislation. This error is further exacerbated by the pictures reference in the Record of Protected Structures for 10 Townville, St Mary's Road. Given that there appears to be a flaw in the address of the Protected Structure and in the notification, notwithstanding the mapping the structure, it is considered that 1 Townville may not part form part of the Record of Protected Structures and as such is not further addressed in this assessment.

The relevant exemption with respect to the construction of an extension is Class 1 of Part 1; Schedule 2 of the Planning and Development Regulations 2001 (as amended).

The relevant exemption with respect to the construction of the extension is Class 1 of Part 1; Schedule 2 of the Planning and Development Regulations 2001 (as amended) .

Class 1 provides for -

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

The development would come within the description. This exemption is subject to a number of limitations and they are assessed below .

Limitation 1 – the extension is to the below 40sqm

Limitation 2 – no previous extension , this limitation is met.

Limitation 3 – Not applicable

Limitation 4 – The height of the walls do not exceed the side walls of the house.

Limitation 5 - 5. The rear private open space is 21sqm and therefore this limitation is not met.

Limitation 6. – This limitation is met.

Limitation 7 – Not applicable.

The proposed extension given the above assessment is development and is not exempted development.

Recommendation :

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

The construction of a rear flat roofed single storey extension at 1 Townville, St Mary's Road , Arklow

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

The Planning Authority consider that the construction of a rear flat roofed single storey extension **is Development and is Not Exempted development.**

Main Considerations with respect to Section 5 Declaration :

- a) Details of the size and scale of the extension from inspections under UD 11012
- b) Arklow Town Council PRR 113/2000
- c) The Record of Protected Structures which identifies the protection applies to 10 Townville St Mary's Road Arklow.
- d) The Notice of Proposed Additions to the Record of Protected Structures by Arklow Town Council dated the 28th November 2007.
- e) Eircode Geographic/ Postal Address
- f) Sections 2 , 3 , 4 , 55 and 57 of the Planning and Development Act 2000 (as amended)
- g) Article 6,9 and Class 1 of Schedule 2: Part 1 of the Planning and Development Regulations 2001(as amended).

Main Reasons with respect to Section 5 Declaration :

- (i) The construction of a rear extension would come within the meaning of works as set out in Section 2 of the Planning and Development Act 2000(as amended)
- (ii) These works are development having regard to the provisions of Section 3 of the Planning and Development Act 2000(as amended).
- (iii) The extension would come within the description of Class 1 of Part 1; Schedule 2 of the Planning and Development Regulations 2001 (as amended), but as the rear private space is reduced to 21 sqm it would not meet Limitation 5 which provides that *the construction or erection of any such extension to the rear of the house shall not reduce the area of private open space, reserved exclusively for the use of the occupants of the house, to the rear of the house to less than 25 square metres.*

- (iv) The Record of Protected Structures , wherein the description refers to 10 Townville St.Mary's Road, Arklow, and the associated picture which refers to 11 Townville St Mary's Road, and not to 1 Townville, St Mary's Road
- (v) The provisions of Section 55 of the Planning and Development Act 2000(as amended), and the lack of confirmation that the notices required by reference to Section 55 of the Planning and Development Act 2000(as amended) were properly issued to the correct address. The protected status of 1 Townville , St Mary's Road is uncertain.

20/2/2026

See Townville 7/15/16





MEMORANDUM

WICKLOW COUNTY COUNCIL

TO: Neal Murphy
Executive Planner

FROM: Joanne Byrne
A/Staff Officer

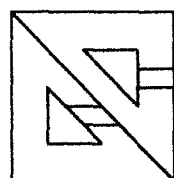
RE:- EX97/2026 - Declaration in accordance with Section 5 of the Planning & Development Acts 2000 (as amended)

I enclose herewith for your attention application for Section 5 Declaration received 07/08/2026.

The due date on this declaration is the **03/09/2026**.

Joanne Byrne

A/ Staff Officer
Planning, Development & Environment



GRAPHIC
CONCEPTS



Seamus O Hagan
Graphic Concepts
Court,
Monamolin,
Gorey,
Co Wexford.

Our ref:13-26

Date: 30th July 2026

Wicklow County Council
Planning Department.
County Buildings.
Wicklow,

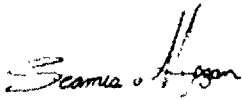
Dear Sir/ madam,

Jodi Redmond.

**Application for Section 5 Exempted Development for construction of a single storey
Extension to the rear of existing building at No 1 Townville, St Marys Road, Arklow
Co Wicklow. Y14 YF70.**

Further to the enclosed Application we enclose herewith the appropriate fee of € 80 to make this application. The applicant has constructed a 15.7 m² single-storey extension to the rear of her semi-detached dwelling house, the extension was built on foot of an adaption grant issued by Wicklow County Council and comprises of a sensory room for one of the applicant's children, the applicant is seeking to complete the extension (ie rendering the northern wall exposed above the party boundary wall) an issue has arisen as to whether the extension is Exempt development or not, I am of the opinion that the extension as constructed and as set out in the attached drawings 13-26-A, B, C, D, E & F Under the Planning & Development (Exempted Development Act of 2000 Regulations 2026 S.I No.338 of 2026 the construction of an extension to the rear of existing dwelling house with a floor area of 15.77sq/m and is single storey in height constructed to the rear of the dwelling which has not been extended previously and the extension does not exceed the height of the rear wall of the dwelling and the construction of the extension does not reduce the total area of private open space within the curtilage of the house, reserved exclusively for the use of the occupants of the house to less than 25 sq/m. The cumulative area of private open space within the curtilage of the house front & rear comes to 62.82m²

I enclose herewith an extract from the S.I No.338 of 2026 on the following page outlining the new provision set out in class 1 Section 5. If you require any further information, please don't hesitate to contact me.

Signed 
Seamus O Hagan Arch Tec

WICKLOW COUNTY COUNCIL

07 AUG 2026

PLANNING DEPT.

Development within the curtilage of a house

CLASS 1

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

1. (a) Where the house has not been extended previously, the floor area of any such extension shall not exceed 45 square metres.

(b) Subject to paragraph (a), where the house is terraced or semi-detached, the floor area of any extension above ground level shall not exceed 12 square metres.

(c) Subject to paragraph (a), where the house is detached, the floor area of any extension above ground level shall not exceed 20 square metres.

2. (a) Where the house has been extended previously, the floor area of any such extension, taken together with the floor area of any previous extension or extensions constructed or erected after 1 October 1964, including those for which planning permission has been obtained, shall not exceed 45 square metres.

(b) Subject to paragraph (a), where the house is terraced or semi-detached and has been extended previously, the floor area of any extension above ground level taken together with the floor area of any previous extension or extensions above ground level constructed or erected after 1 October 1964, including those for which planning permission has been obtained, shall not exceed 12 square metres.

(c) Subject to paragraph (a), where the house is detached and has been extended previously, the floor area of any extension above ground level, taken together with the floor area of any previous extension or extensions above ground level constructed or erected after 1 October 1964, including those for which planning permission has been obtained, shall not exceed 20 square metres.

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

4. (a) Where the rear wall of the house does not include a gable, the height of the walls of any such extension shall not exceed the height of the rear wall of the house.

(b) Where the rear wall of the house includes a gable, the height of the walls of any such extension shall not exceed the height of the side walls of the house.

(c) The height of the highest part of the roof of any such extension shall not exceed, in the case of a flat roofed extension, the height of the eaves or parapet, as may be appropriate, or, in any other case, shall not exceed the height of the highest part of the roof of the dwelling.

5. The construction or erection of any such extension to the rear of the house shall not reduce the total area of private open space within the curtilage of the house, reserved exclusively for the use of the occupants of the house to less than 25 square metres.

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

(b) Any window proposed above ground level in any such extension shall not be less than 8 metres from the boundary it faces.

(c) Where the house is detached and the floor area of the extension above ground level exceeds 12 square metres, any window proposed at above ground level shall not be less than 8 metres from the boundary it faces.

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

8. This exemption shall only be used on the principal house and not any additional detached house within the curtilage of the principal house.

Wicklow County Council
County Buildings
Wicklow
0404-20100

07/08/2026 13 45 04

Receipt No L11/0/368065
***** REPRINT *****

SEAMUS O'HAGAN
COURT
MONAMOLIN
GOREY
CO WEXFORD

EXEMPTION CERTIFICATES	80 00
GOODS	80 00
VAT Exempt/Non taxable	

Total	80 00 EUR
-------	-----------

Tendered	
Cheque	80.00

Change	0 00
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Issued By Lea Anne Daniels
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: Jodi Redmond

Address of applicant: No 1 Townville, Saint Marys Road Arklow, Co Wicklow
Y14 YF70

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

2. Agents Details (Where Applicable)

(b) Name of Agent (where applicable) Seamus O Hagan

Address of Agent : Court, Monamolin, Gorey, Co Wexford

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

3. Declaration Details

i. Location of Development subject of Declaration No 1 Townville,
Saint Marys Road, Arklow, Co Wicklow Y14 YF70

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

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

iv. Section 5 of the Planning and Development Act provides that : If any question arises as to what, in any particular case, is or is not development and is or is not exempted development, within the meaning of this act, any person may, on payment of the prescribed fee, request in writing from the relevant planning authority a declaration on that question. You should therefore set out the query for which you seek the Section 5 Declaration Under the Planning & Development (Exempted Development Act of 2000 Regulations 2026 S.I No.338 of 2026 the construction of an extension to the rear of existing dwelling house with a floor area of 15.77sq/m and is single storey in height constructed to the rear of the dwelling which has not been extended previously and the extension does not exceed the height of the rear wall of the dwelling and the construction of the extension does not reduce the total area of private open space within the curtilage of the house reserved exclusively for the use of the occupants of the house to less than 25 sq/m

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. S.I No.338 of 2026 Planning & Development (Exempted Development Act of 2000 Regulations 2026 "Development within the curtilage of a house" CLASS 1.

Additional details may be submitted by way of separate submission.

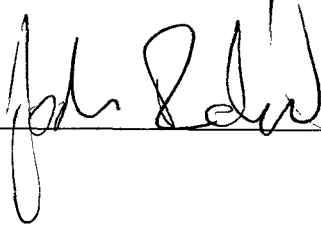
vi. Does the Declaration relate to a Protected Structure or is it within the curtilage of a Protected Structure (or proposed protected structure) ? No

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

13-26-A	Site Location Map	1	1000	A3
13-26-B	Site Layout Map	1	250	A3
13-26-C	Original Elevations of Dwelling	1	100	A3
13-26-D	Original Ground Floor Plan	1	100	A3
13-26-E	Existing Elevations of Dwelling	1	100	A3
13-26-F	Existing Ground Floor Plan of Dwelling	1	100	A3

viii. Fee of € 80 Attached ? Yes

Signed :



Dated : 30 - 07 - 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 -

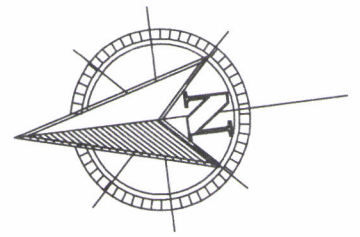
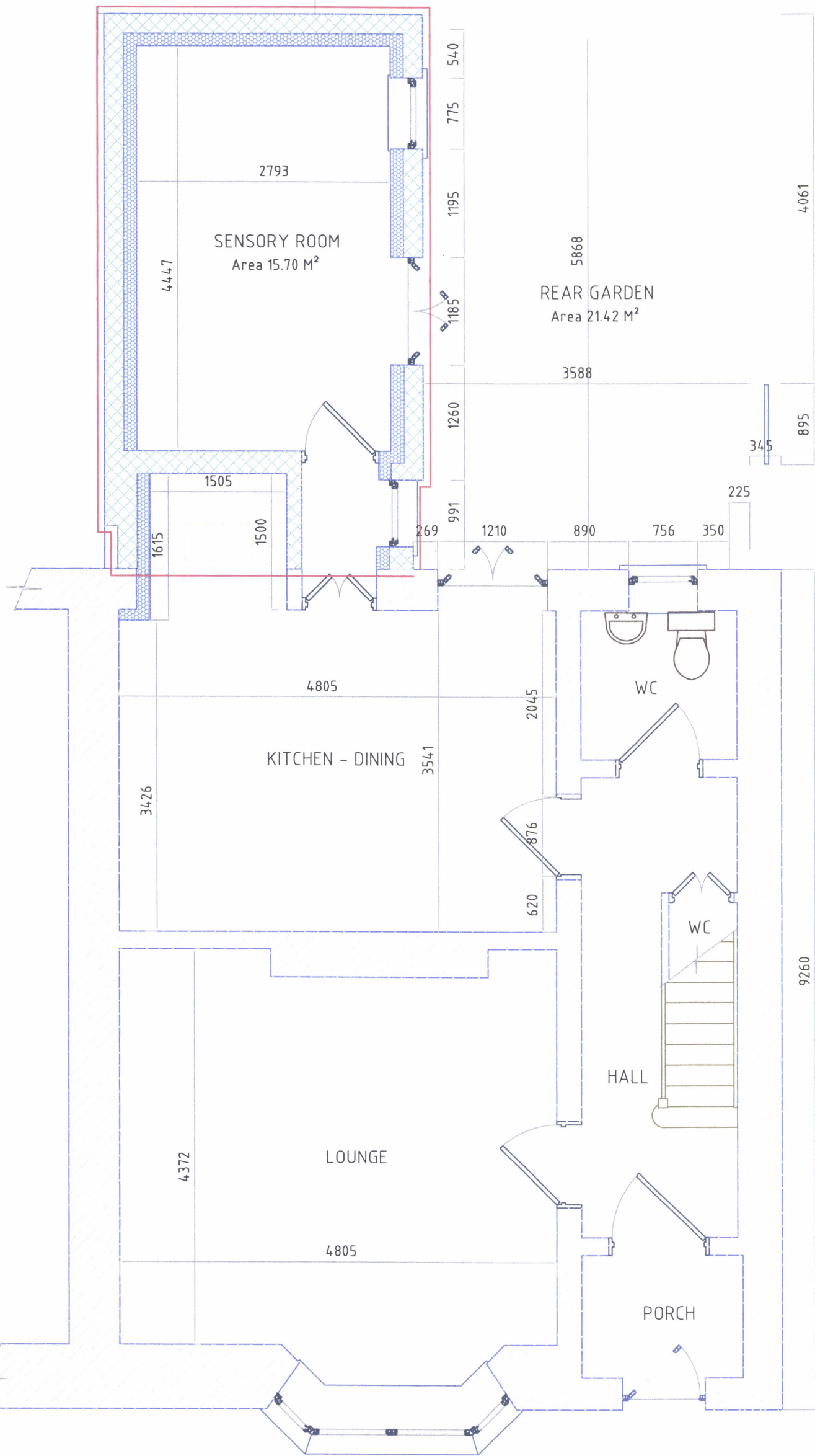
The provisions of Article 8 of the Planning and Development Regulations 2001 (as amended) now applies to land reclamation, other than works to wetlands which are still governed by Schedule 2, Part 3, Class 11. Note in addition to confirmation of exemption status under the Planning and Development Act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

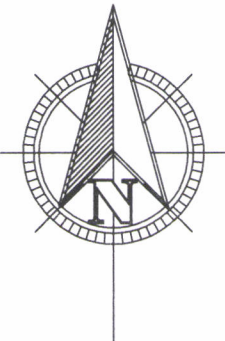
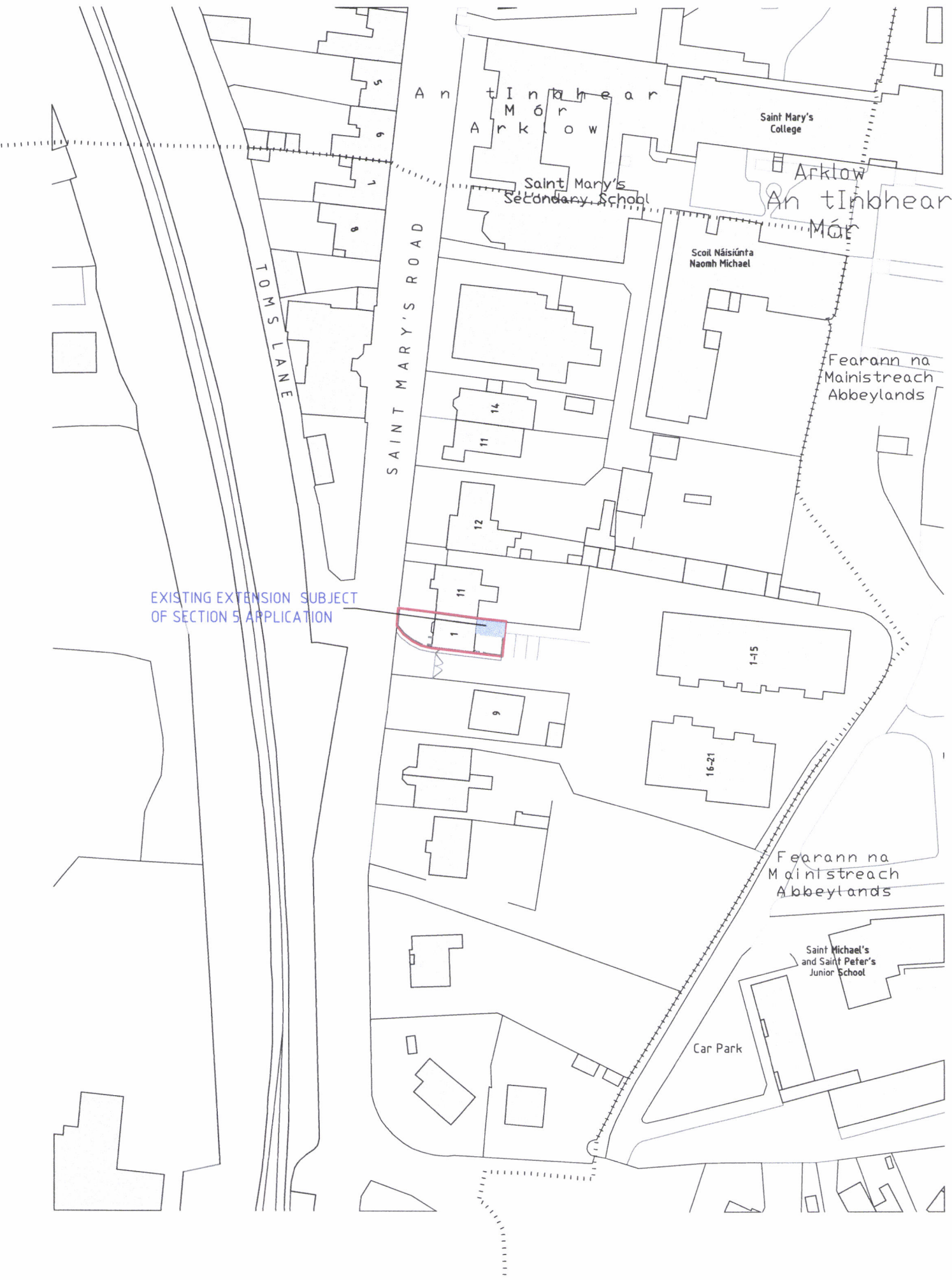
- Gross floor area of the farm structure
- Floor plan and elevational details of Farm Structure and Full details of the gross floor area of the proposed structure.
- Details of gross floor area of structures of similar type within the same farmyard complex or within 100metres of that complex.



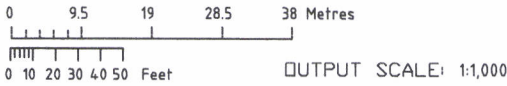
EXISTING EXTENSION FOR EXEMPTION
IS SHOWN EDGED WITH RED LINE



FRONT GARDEN
Area 41.60 M²

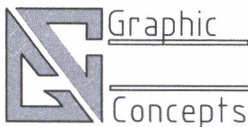


SUBJECT SITE IS SHOWN EDGED IN RED



CENTRE
COORDINATES:
ITM 724168,673261
PUBLISHED: ORDER NO:
50544162_1
MAP SERIES: MAP SHEETS:
1:1,000 4428-11
1:1,000 4428-16

JODI REDMOND
APPLICATION FOR EXEMPTION AT
No 1 TOWNVILLE, St MARYS ROAD,
ARKLOW, Co WICKLOW.



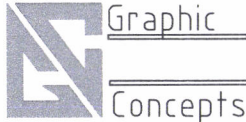
SEAMUS O HAGAN
COURT, MONAMOLIN, GOREY,
Tel. (053) 9389957 (087) 6394987
E-mail : graphicconcepts@eircom.net

SITE LOCATION MAP

DATE: 10-07-23	ISSUE: SECTION 5 APPLICATION	
DRN BY: SOH	REV:	DATE:
SCALES: 1 : 1000		
DRG. No.: 13-26-A		
SHEET SIZE: A3		



JODI REDMOND
APPLICATION FOR EXEMPTION AT
No 1 TOWNVILLE, St MARYS ROAD,
ARKLOW, Co WICKLOW.



Graphic
Concepts

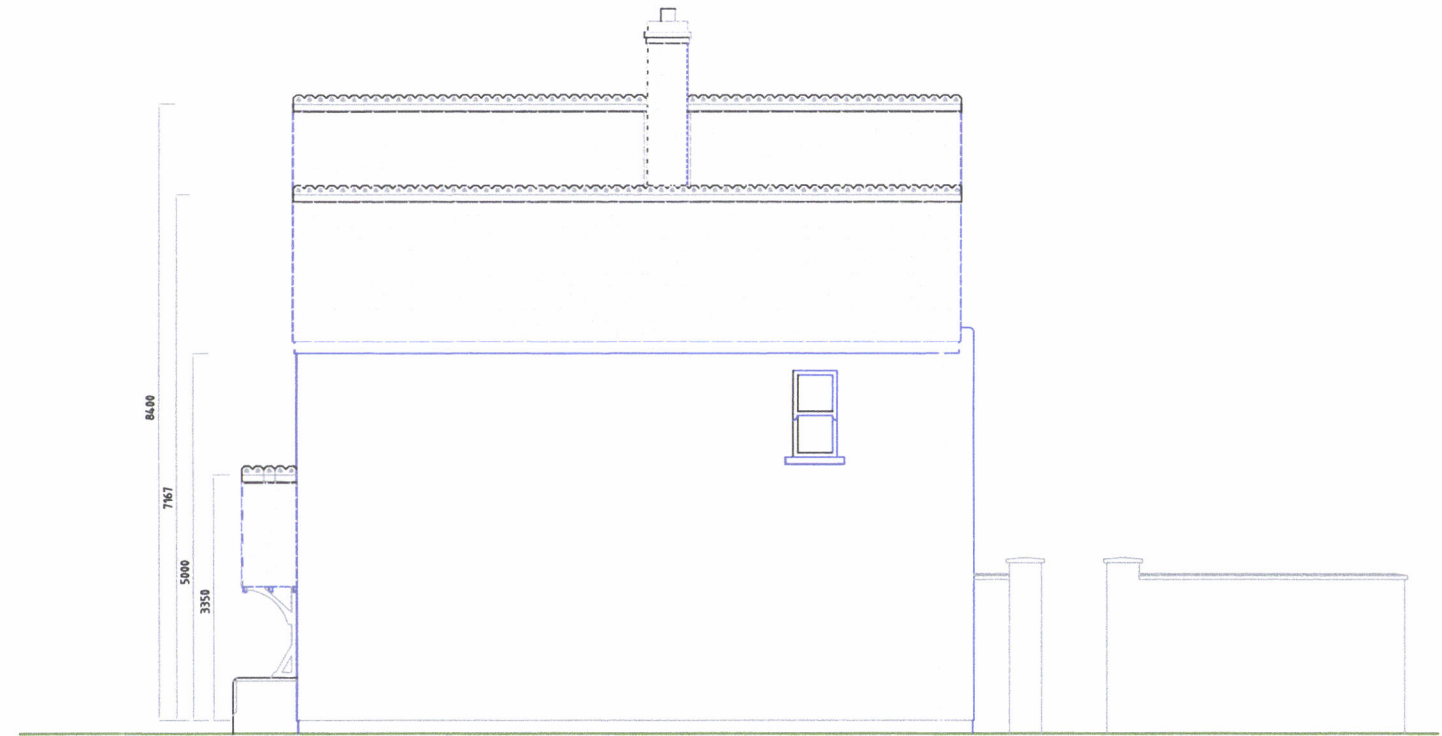
SEAMUS O HAGAN
COURT, MONAMOLIN, GOREY,
Tel. (053) 9389957 (087) 6394987
E-mail : graphicconcepts@eircom.net

SITE LAYOUT MAP

DATE: 28-02-24	ISSUE: SECTION 5 APPLICATION	
DRN BY: SOH	REV:	DESCRIPTION
SCALES: 1 : 250		
DRG. No.: 13-26-B		
SHEET SIZE: A3		



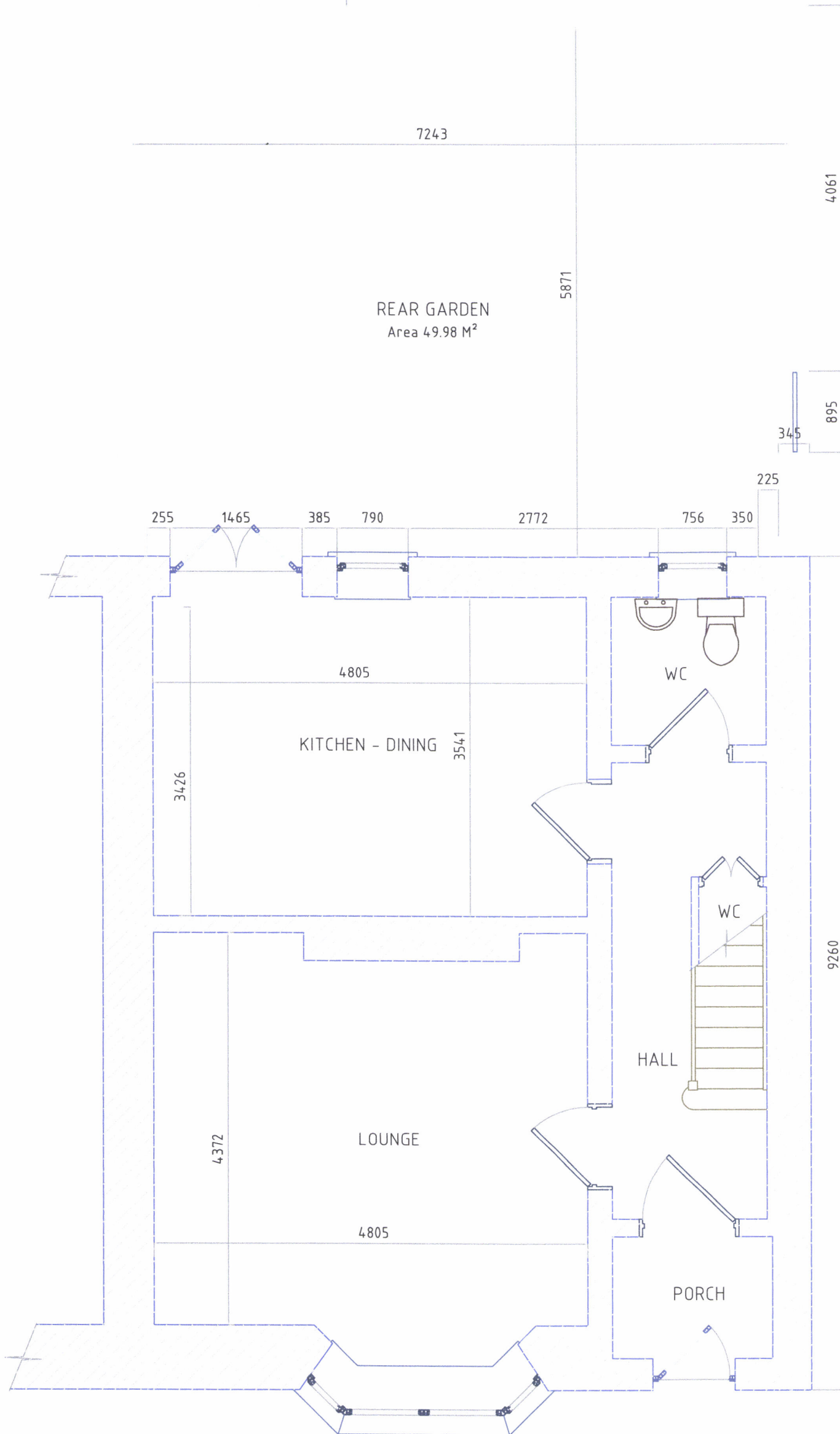
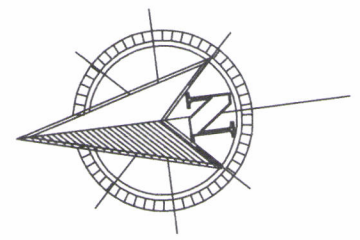
EXISTING WEST ELEVATION



EXISTING SOUTH ELEVATION

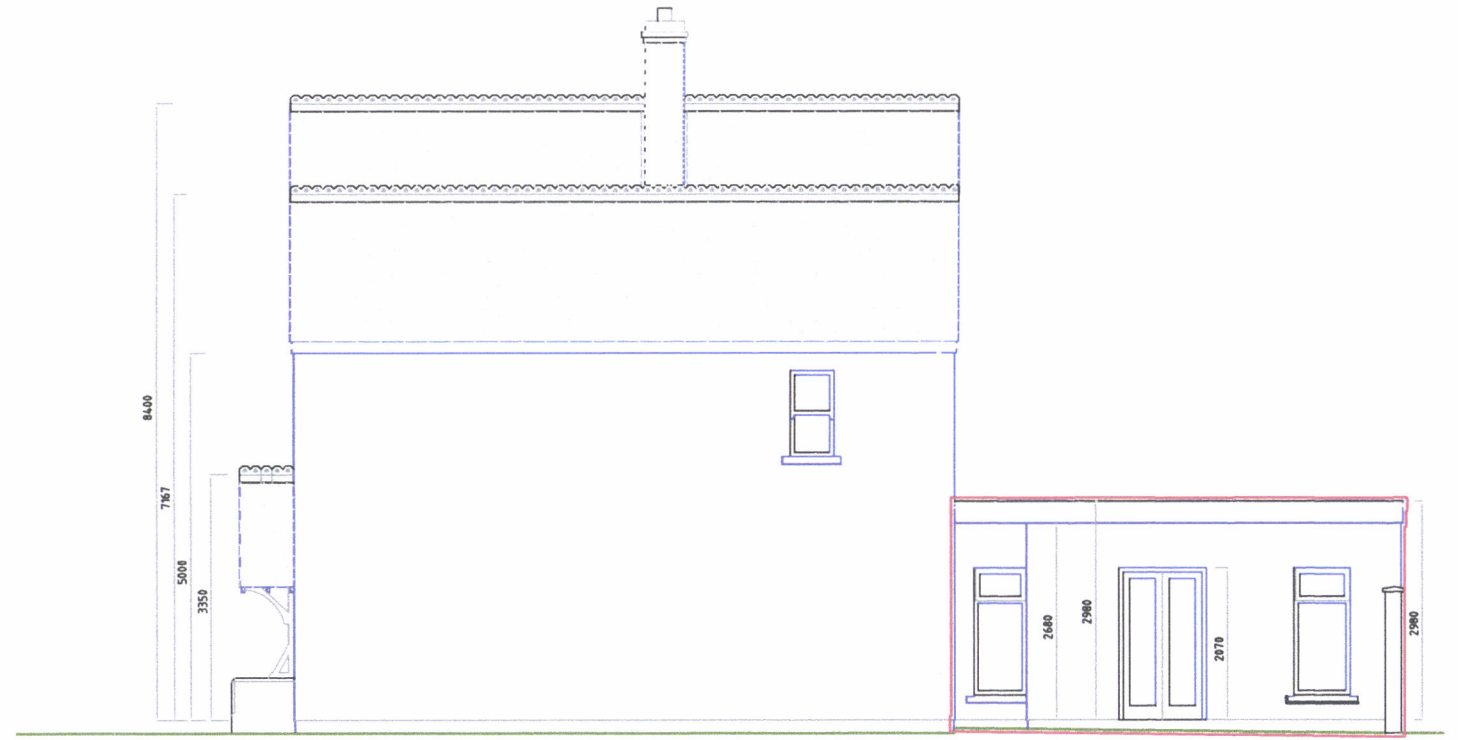


EXISTING EAST ELEVATION





EXISTING WEST ELEVATION

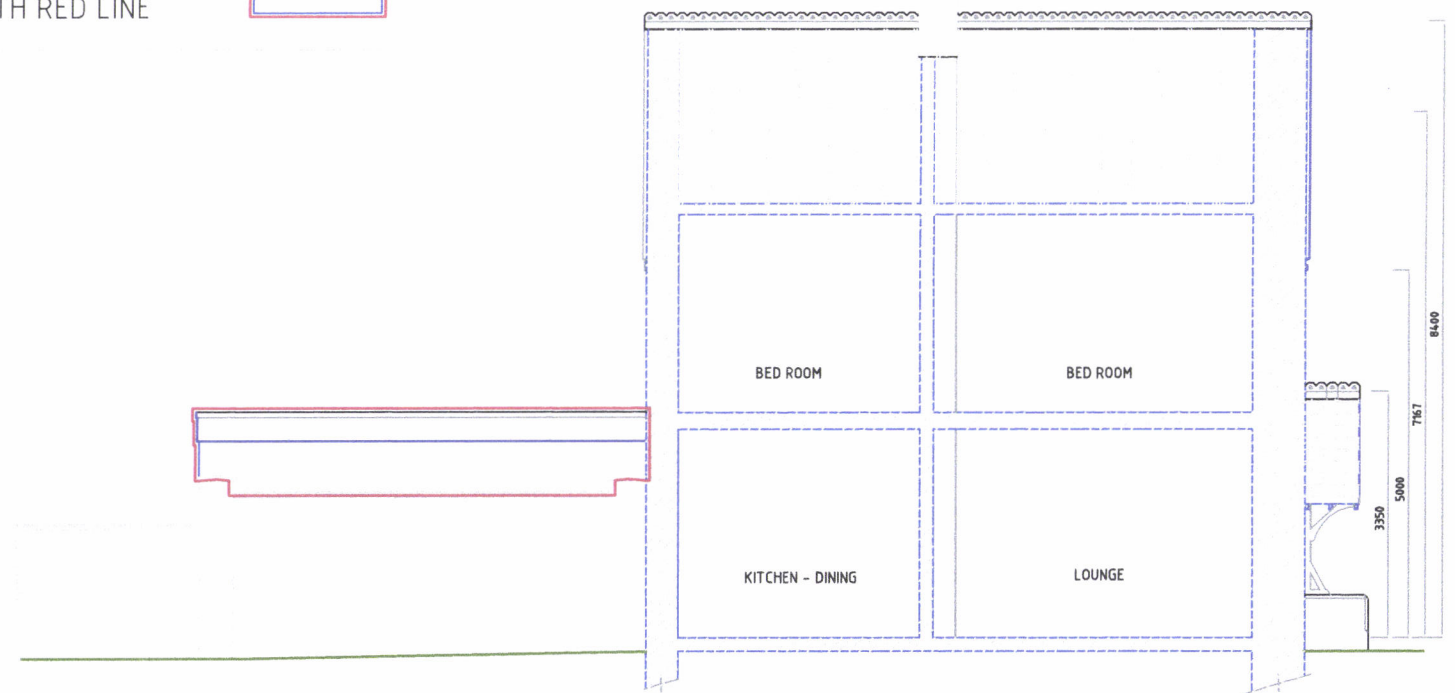


EXISTING SOUTH ELEVATION



EXISTING EAST ELEVATION

EXISTING EXTENSION FOR EXEMPTION
IS SHOWN EDGED WITH RED LINE



EXISTING NORTH ELEVATION