



Comhairle Contae Chill Mhantáin
Wicklow County Council

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

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

Ellen McHugh and David O'Driscoll
40 Carrig Mill
Mill Road
Greystones
Co. Wicklow
A63 KX71

gfm Of March 2026

RE: Declaration in accordance with Section 5 of the Planning & Development Acts
2000 (As Amended) -EX22/2026

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,


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: Ellen McHugh and David O'Driscoll

Location: 40 Carrig Mill, Mill Road, Greystones, Co. Wicklow

Reference Number: EX 22/2026

CHIEF EXECUTIVE ORDER NO. CE/PERD/2026/269

A question has arisen as to whether *"the installation of 2 roof lights to the front roof slope to provide light to a future converted attic space"* at 40 Carrig Mill, Mill Road, Greystones, Co. Wicklow is or is not exempted development.

Having regard to:

- The details submitted on the 18/02/2026.
- An Bord Pleanála Declarations RL2284, ABP-307712-20.
- Sections 2, 3 and 4 of the Planning and Development Act 2000 (as amended).

Main Reasons with respect to Section 5 Declaration:

- The installation of velux roof windows and conversion of an existing attic space 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)
- The installation of the velux roof windows and attic conversion as indicated in the documents submitted, would affect the exterior of the structure , but would not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure or of neighbouring structures, and would therefore come within the provisions of Section 4(1)(h) of the Planning and Development Act 2000(as amended).

The Planning Authority considers that "the installation of 2 roof lights to the front roof slope to provide light to a future converted attic space" at 40 Carrig Mill, Mill Road, Greystones, Co. Wicklow is development and IS exempted development.

Signed: _____

**ADMINISTRATIVE OFFICER
PLANNING DEVELOPMENT & ENVIRONMENT**

Date: _____

09/03/2026



WICKLOW COUNTY COUNCIL

PLANNING & DEVELOPMENT ACTS 2000 (As Amended)
SECTION 5

CHIEF EXECUTIVE ORDER NO. CE/PERD/2026/269

Reference Number: EX 22/2026

Name of Applicant: Ellen McHugh and David O'Driscoll

Nature of Application: Section 5 Referral as to whether "*the installation of 2 roof lights to the front roof slope to provide light to a future converted attic space*" is or is not development and is or is not exempted development.

Location of Subject Site: 40 Carrig Mill, Mill Road, Greystones, Co. Wicklow

Report from: Patrice Ryan, SEP

With respect to the query under Section 5 of the Planning & Development Act 2000 as to whether "*the installation of 2 roof lights to the front roof slope to provide light to a future converted attic space*" at 40 Carrig Mill, Mill Road, Greystones, Co. Wicklow is or is not exempted development within the meaning of the Planning & Development Act 2000 (as amended)

Having regard to:

- a) The details submitted on the 18/02/2026.
- b) An Bord Pleanála Declarations RL2284, ABP-307712-20.
- c) Sections 2, 3 and 4 of the Planning and Development Act 2000 (as amended).

Main Reasons with respect to Section 5 Declaration:

- (i) The installation of velux roof windows and conversion of an existing attic space 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 installation of the velux roof windows and attic conversion as indicated in the documents submitted, would affect the exterior of the structure , but would not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure or of neighbouring structures, and would therefore come within the provisions of Section 4(1)(h) of the Planning and Development Act 2000(as amended)

Recommendation

The Planning Authority considers that "*the installation of 2 roof lights to the front roof slope to provide light to a future converted attic space*" at 40 Carrig Mill, Mill Road, Greystones, Co. Wicklow is development and is exempted development as recommended in the planning reports.

Signed: Orinda Denny

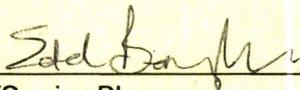
Date: 09/03/26

ORDER:

I HEREBY DECLARE:

THAT *"the installation of 2 roof lights to the front roof slope to provide light to a future converted attic space"* at 40 Carrig Mill, Mill Road, Greystones, Co. Wicklow is **development and is exempted** development within the meaning of the Planning & Development Acts 2000 (as amended).

Signed:

_____

T/Senior Planner

Planning, Economic & Rural Development

Date:

9/3/2020

J

Section 5 Application EX 23/2026

Date : 06/03/2026
Applicant : Ellen McHugh and David O'Driscoll
Address : 40 Carraig Mill, Mill Road, Greystones, Co. Wicklow. A63 KX71

Exemption Whether or not :

"The installation of Velux(or velux style) windows to the back and front of our home, to allow light into our proposed attic conversion"

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

Revised Question:

From review of the documents and for the purpose of clarity it is considered that the question should be revised to read as follows:

Whether or not :

"The installation of 2 roof lights to the front roof slope and 3 roof lights to the rear roof slope to provide light to a future converted attic space at 40 Carraig Mill, Mill Road, Greystones, Co. Wicklow. A63 KX71"

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

Planning History:

PRR14/1073: Planning permission was GRANTED to Silverbow Ltd. for 32 no. 110sqm 3 bed semi detached dwellings, 2 no. 140.5sqm 4 bed detached dwellings, 14 no. 122.5sqm 4 bed semi detached dwellings, 2 no. 103.6sqm 3 bed semi detached bungalows, provision of new access from Mill Road and associated internal estate roads, connection to existing services, all the above together with all associated landscaping and ancillary site works.

Site Description: the property comprises of a modern 2 storey semi detached dwelling in a relatively recently constructed residential development.

ACA: No

Protected Structure: No.

An Bord Pleanála Referrals

06D.RL2284

Whether the installation of six number velux roof lights within the eastern roof plane and one number window within the northern gable wall of 32 Ballinclea Heights, Killiney, is or is not exempted development.

An Bord Pleanála has concluded that –

- (a) the said installation of six number roof lights in the eastern roof plane constitutes development which materially affects the external appearance of the structure, but which does not render its appearance inconsistent with the character of the structure and of neighbouring structures, and
- (b) the said provision of a window in the northern gable of the dwellinghouse constitutes development which materially affects the external appearance of the structure and which renders its appearance inconsistent with the character of the structure and of neighbouring structures:

ABP-307712-20

An Bord Pleanála, in exercise of the powers conferred on it by section 5 (3) (b) of the 2000 Act, hereby decides that the works associated with the renovation of the existing habitable accommodation, including altering, repositioning and additional roof lights in the attic of the original single storey house at 31 Marian Park, Waterford are development and are exempted development as

- (a) the attic was converted to provide additional habitable accommodation before the granting of planning permission under planning register reference number 04/537 and the implementation of that permission and, therefore, the question should be restated as follows: “whether the works associated with the renovation of the existing habitable accommodation, including altering, repositioning and additional roof lights in the attic of the original single storey house at 31 Marian Park, Waterford are or are not development or are or are not exempted development”, and
- (b) the works associated with the renovation of the existing habitable accommodation, including the altering, repositioning and addition of roof lights, constitute development which comes within the scope of Section 4(1)(h) of the Planning and Development Act, 2000 and is, therefore, exempted development:

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

Section 4 :

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;

Assessment

The Section 5 application seeks a declaration as to whether:

"The installation of 2 roof lights to the front roof slope and 3 roof lights to the rear roof slope to provide light to converted attic space at 40 Carraig Mill, Mill Road, Greystones, Co. Wicklow. A63 KX71"

is or is not development or is or is not exempted development .

The submitted details show the the approx. location of 2 roof windows in the front roof slope of the dwelling and 3 in the rear. No other alterations are indicated to the external appearance of the dwelling on site. The rooflights are indicated as the following types

SK06 – 2 no. centre pivot type windows 114cm x 118 cm.

MK06_ 1 No. Centre pivot type window 78cm x 160 cm

PK10 – 2 No. Centre pivot type windows 94cm x 160cm

The windows are required to provide natural light and ventilation to a future converted attic space. No other external alterations are proposed as part of this Section 5.

The placement of velux windows within the roof and attic conversion are operations of construction / alteration, therefore works having regard to the interpretation set out in Section 2 of the Planning and Development Act 2000(as amended). The installation of rooflights and attic conversion would therefore come within the definition of development as set out in Section 3 (1)(a) of the Planning and Development Act 2000(as amended).

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

4.— (1) The following shall be exempted developments for the purposes of this Act—
(h) development consisting of the carrying out of works for the maintenance, improvement or other alteration of any structure, being works which affect only the interior of the structure or which do not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure or of neighbouring structures;

Given the works are for maintenance/ improvement, and whilst they effect the exterior of the structure, having regard to the location within the roof plane, the velux roof windows would not materially affect the external appearance and would not render this structure inconsistent with the character of the structure or of neighbouring structures. No other alterations are proposed to the exterior of the structure.

The works are therefore development, and are exempted development.

Recommendation :

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

"The installation of 2 roof lights to the front roof slope and 3 roof lights to the rear roof slope to provide light to a future converted attic space at 40 Carraig Mill, Mill Road, Greystones, Co. Wicklow. A63 KX71"

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

The Planning Authority consider that *"The installation of 2 roof lights to the front roof slope and 3 roof lights to the rear roof slope to provide light to a future converted attic space at 40 Carraig Mill, Mill Road, Greystones, Co. Wicklow. A63 KX71"* **is development and is exempted development.**

Main Considerations with respect to Section 5 Declaration :

- a) The details submitted on the 18/02/2026.
- b) An Bord Pleanala Declarations RL2284, ABP-307712-20.
- c) Sections 2 , 3 and 4 of the Planning and Development Act 2000 (as amended)

Main Reasons with respect to Section 5 Declaration:

- (i) The installation of velux roof windows and conversion of an existing attic space 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 installation of the velux roof windows and attic conversion as indicated in the documents submitted, would affect the exterior of the structure , but would not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure or of neighbouring structures, and would therefore come within the provisions of Section 4(1)(h) of the Planning and Development Act 2000(as amended)



Senior Executive Planner 06/03/2026



**Comhairle Contae Chill Mhantáin
Wicklow County Council**

**Pleanáil, Forbairt Eacnamaíochta agus Tuaithe
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Suíomh / Website www.wicklow.ie

MEMORANDUM

WICKLOW COUNTY COUNCIL

**TO: Patrice Ryan
Senior Executive Planner**

**FROM: Nicola Fleming
Staff Officer**

**RE:- EX21/2026 - 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 18/02/2026.

The due date on this declaration is the 17/03/2026.



**Staff Officer
Planning Development & Environment**





Comhairle Contae Chill Mhantáin
Wicklow County Council

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

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Ellen McHugh & David O'Driscoll
40 Carrig Mill
Mill Road
Greystones
Co. Wicklow
A63 KX71

20th February 2026

RE: Application for Certificate of Exemption under Section 5 of the Planning and Development Acts 2000 (as amended). - EX22/2026

A Chara

I wish to acknowledge receipt on 18/02/2026 full details supplied by you in respect of the above Section 5 application. A decision is due in respect of this application by 17/03/2026.

Mise, le meas

Nicola Fleming
Staff Officer
Planning, Economic & Rural Development



Wicklow County Council
County Buildings
Wicklow
0404-20100

18/02/2026 15:57:21

Receipt No L1/0/359144
***** REPRINT *****

ELLEN MCHUGH & DAVID O'DRISCOLL
40 CARRIG MIL
MILL ROAD
GREYSTONES
CO WICKLOW
A63KX71

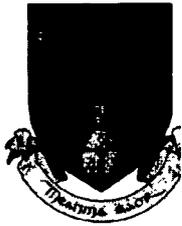
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GOODS	80 00
VAT Exempt/Non-vatable	

Total 80 00 EUR

Tendered	
Credit Card	80 00
EXEMPTION CERT	

Change 0 00

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Vat reg No 0015233H

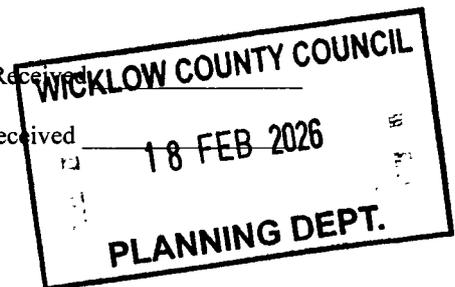


Wicklow County Council
County Buildings
Wicklow
Co Wicklow
Telephone 0404 20148
Fax 0404 69462

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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: Ellen McHugh and David O'Driscoll
Address of applicant: 40 Carrig Mill, Mill Road,
Greystones, Co. Wicklow AG3 KX71

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

2. Agents Details (Where Applicable)

- (b) Name of Agent (where applicable) N/A
Address of Agent : N/A

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

3. Declaration Details

i. Location of Development subject of Declaration

40 Carry Mill, Mill Road, Graystones,
Co. Wicklow AB3 KX71

ii. Are you the owner and/or occupier of these lands at the location under i. above?

Yes/No.

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

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

We are seeking a
determination as to whether the installation
of velux (or velux style) windows to the back
and front of our home, to allow light into
our proposed attic conversion, is exempted development
The conversion will provide us with more living space, or an
Additional details may be submitted by way of separate submission. additional bedroom

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

Sections 2-5 Planning and Development Act 2000
(as amended).

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 _____

- 1) Site location map - Tailte Éireann with circle marking property. Further Google maps also enclosed.
- 2) Estate agent image of same style of house in the estate (our property doesn't have solar panels). Showing approx position of velux windows on front of roof
- 3) Marked-up drawing of smaller property in Canally Mill to show existing roof
- 4) Hand drawing of proposal

viii. Fee of € 80 Attached ? by card _____

Signed : Ellen McIdy Dated : 18/2/26
David O'Driscoll

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.

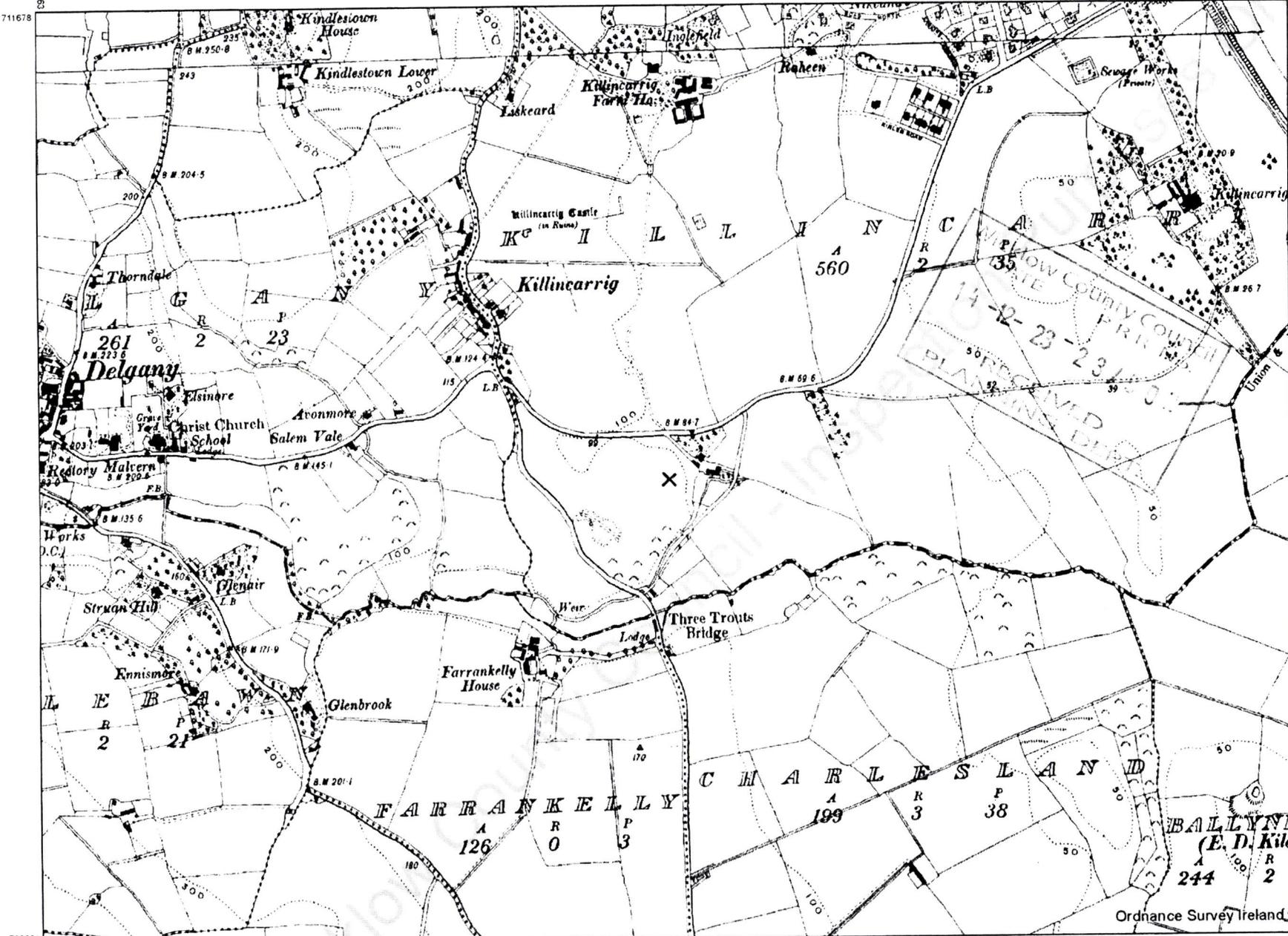
C. Farm Structures - Class 6 -Class 10 Part 3 of Schedule 2.

- 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.

Site Location Map



Tailte
Éireann



CENTRE COORDINATES:
ITM 728894,710770

PUBLISHED: 13/12/2023
ORDER NO.: 50373510_1

MAP SERIES: 6 Inch Raster
MAP SHEETS: WW008, WW013

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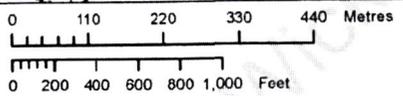
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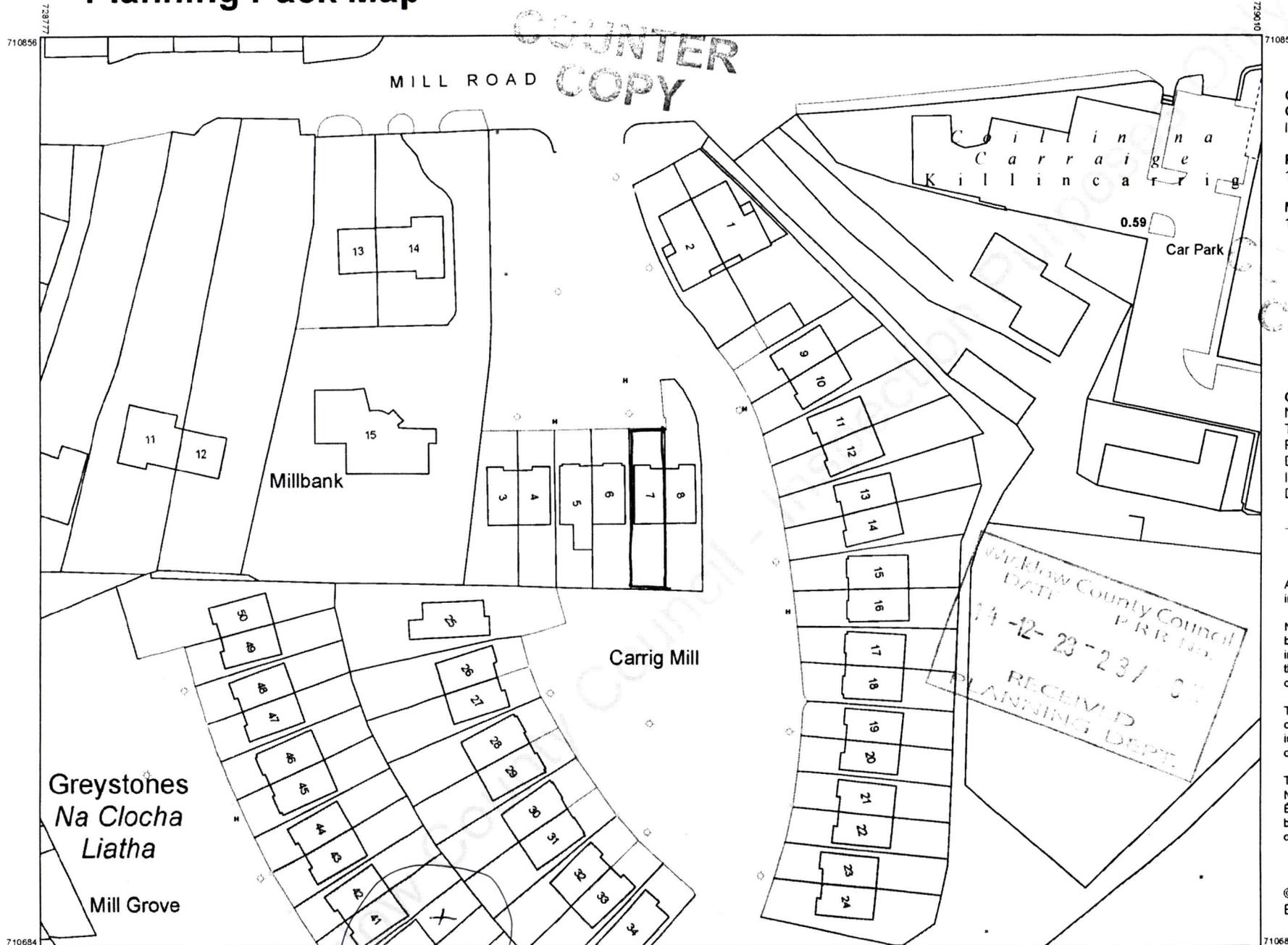


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Planning Pack Map



Tailte Éireann



CENTRE COORDINATES:
ITM 728894,710770

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ORDER NO.: 50373510_1

MAP SERIES: 1:2,500
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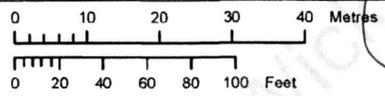
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LEGEND:
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40 carrig mill county wicklow rr X



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AI Mode

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Short videos

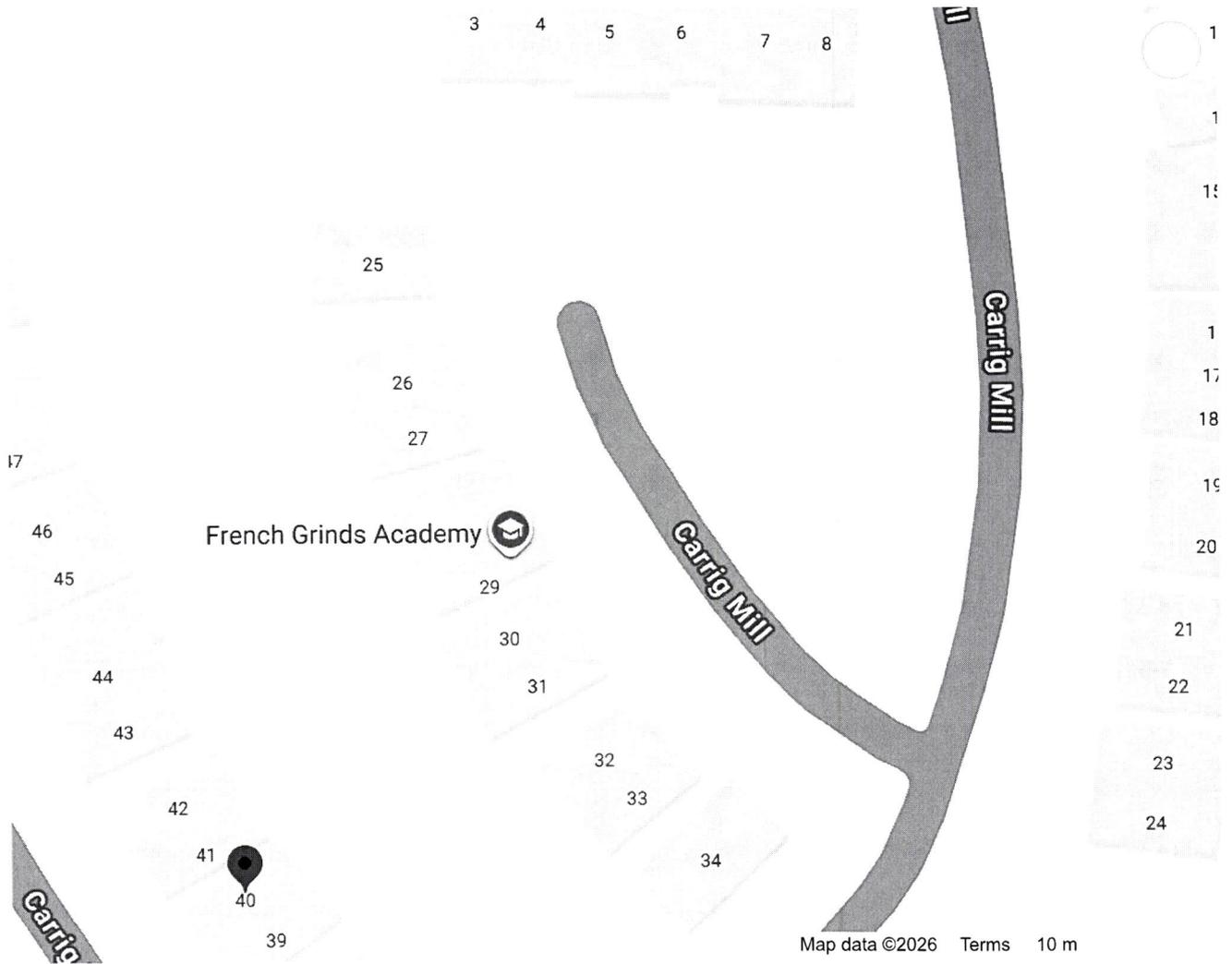
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X Map



40 Carrig Mill

Killincarrig, Greystones, Co. Wicklow, A63 KX71



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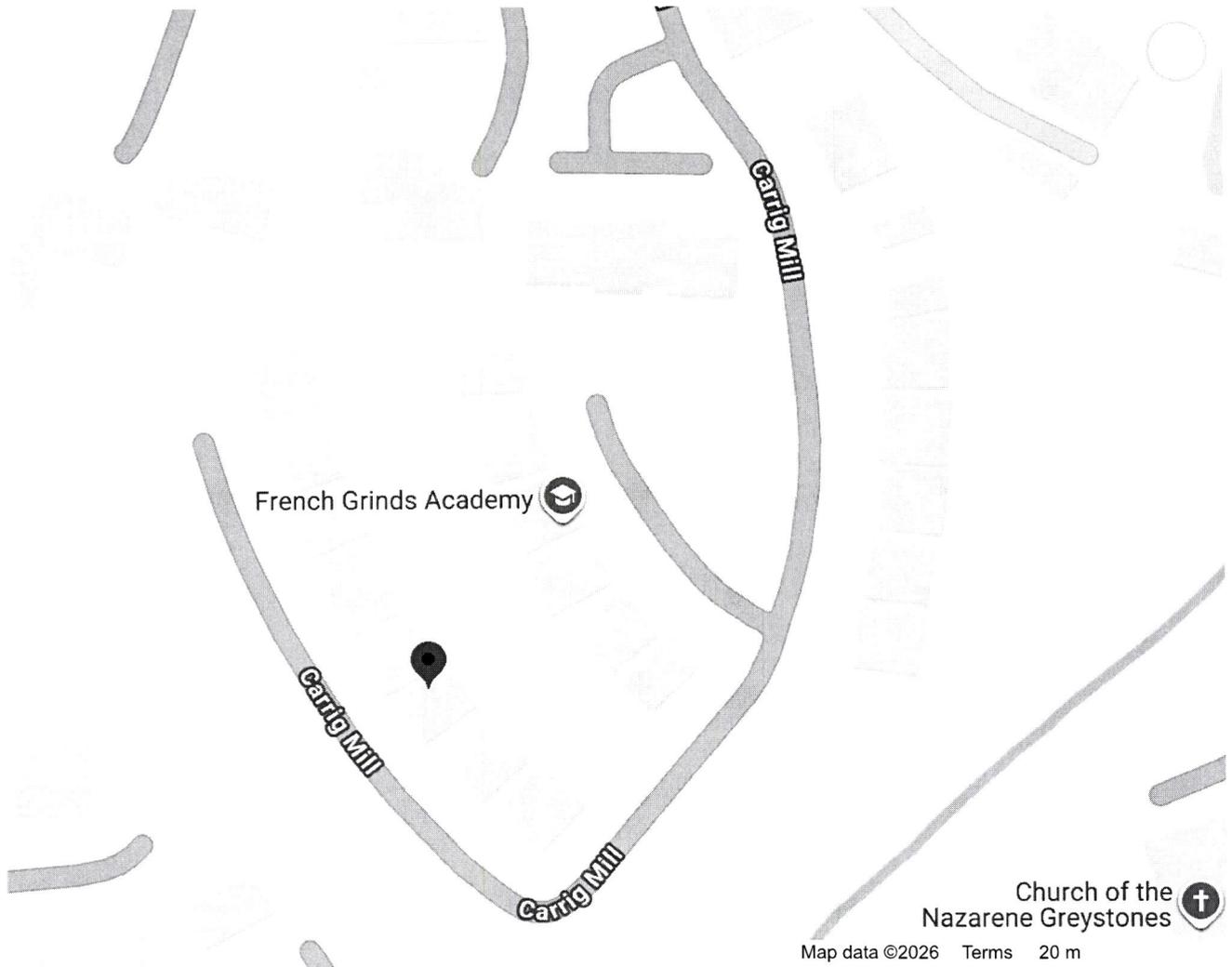
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X Map



40 Carrig Mill

Killincarrig, Greystones, Co. Wicklow, A63 KX71



Share

17 Carrig Mill, Greystones, Wicklow

2 windows here.
(location approx)

Sold

Arrange a Viewing
(/property/viewingenquiry/4485873)

☎ 01 287 7088

✉ Email a Friend
(/property/sendtofriend?
id=4485873)

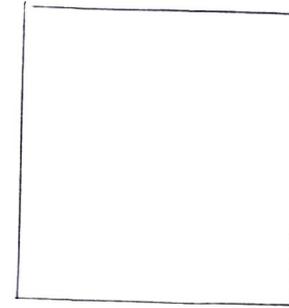
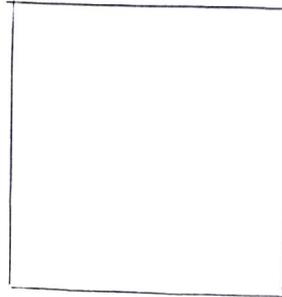
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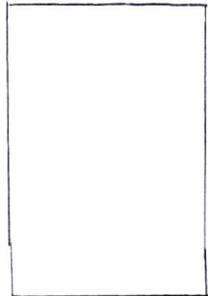
Front

Both SK06 \rightarrow 1140W x 1180H

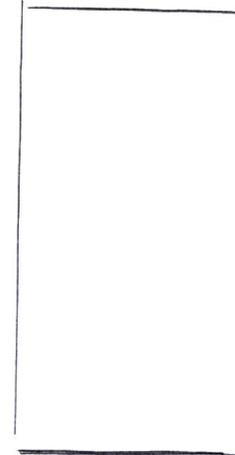
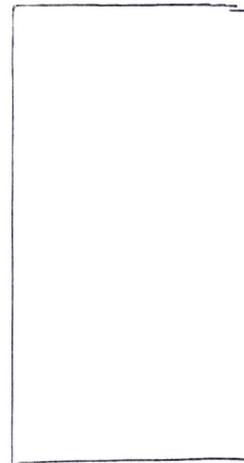


Locations
approx

MK06 \rightarrow 780W x 1180H



Both PK10 \rightarrow 940W x 1600H



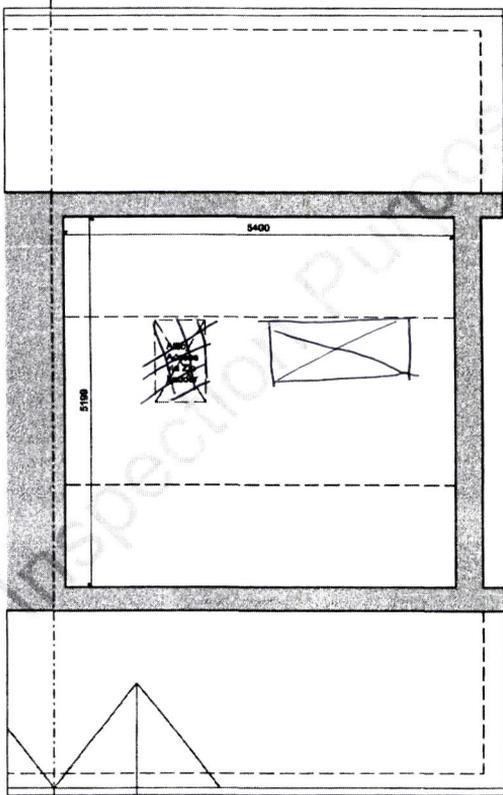
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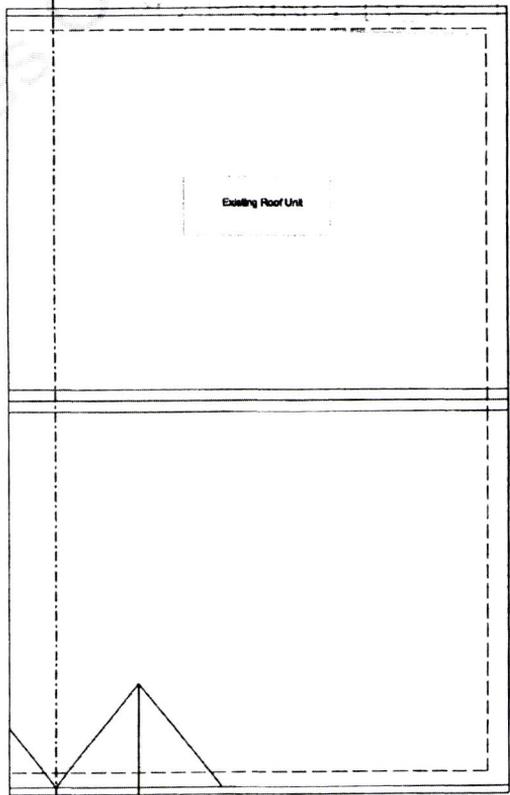
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Approx - measurements from smaller style house in
ATTIC - EXISTING same development ROOF - EXISTING

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