



Comhairle Contae Chill Mhantáin Wicklow County Council

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

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Thomas Buttle
Buttle Design & Planning Consultants
Main Street
Carnew
Co. Wicklow

07th of November 2025

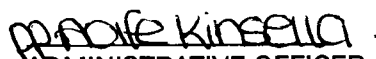
RE: Declaration in accordance with Section 5 of the Planning & Development Acts 2000 (As Amended) – EX 121/2025

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 Board within four weeks of the date of the issuing of the declaration by the Local Authority.

Is mise, le meas,


ADMINISTRATIVE OFFICER
PLANNING DEVELOPMENT & ENVIRONMENT.





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

Applicant: Ian & Frank Doyle

Location: Bridge Laundry, Wentworth Hall, Wentworth Place, Wicklow

Reference Number: EX 121/2025

CHIEF EXECUTIVE ORDER NO. CE/PERD/2025/1223

A question has arisen as to whether "*change of use from commercial to residential*" at Bridge Laundry, Wentworth Hall, Wentworth Place, Wicklow is or is not exempted development.

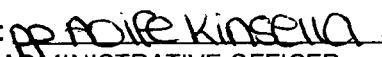
Having regard to:

- vi. The details submitted to the Planning Authority on 16/10/2025.
- vii. PRR: 01/2578, 03/2706/ & 03/2796 and associated planning history files.
- viii. Sections 2(1), 3(1) and 4 of the Planning and Development Act 2000 (as amended);
- ix. Article 2, 9(1)(a)(viii), 10 (6), and Schedule 2: Part 4 of the Planning and Development Regulations 2001 (as amended).
- x. Sustainable Urban Housing: Design Standards for New Apartments: Guidelines for Planning Authorities: DOE: (2025)

Main Reasons with respect to Section 5 Declaration:

1. Permission was granted under 01/2578 & 03/2796 for the structure and associated office use/ storage at basement level, the unit has been in use as a launderette (shop).
2. No permission was ever granted for the change of use of the 4 no. office units within the overall structure to residential use.
3. The change of use of the unit to use as residences would be materially different in character, have differing traffic movement, patterns of usage, and amenity requirements to usage as an office.
4. The change of use would not come within the provisions of Article 10 (6) having regard to Article 10(6)(xi) and Article 9(1)(a)(viii) as the proposal would consist of or comprise the alteration of a structure the use of which is an unauthorized use.

The Planning Authority considers that "*change of use from commercial to residential*" at Bridge Laundry, Wentworth Hall, Wentworth Place, Wicklow is development and NOT exempted development.

Signed: 
ADMINISTRATIVE OFFICER
PLANNING DEVELOPMENT & ENVIRONMENT

Dated: 07th day of November 2025



WICKLOW COUNTY COUNCIL
PLANNING & DEVELOPMENT ACTS 2000 (As Amended)
SECTION 5

CHIEF EXECUTIVE ORDER NO. CE/PERD/2025/1223

Reference Number: EX 121/2025

Name of Applicant: Ian & Frank Doyle

Nature of Application: Section 5 Referral as to whether "*change of use from commercial to residential*" is or is not development and is or is not exempted development.

Location of Subject Site: Bridge Laundry, Wentworth Hall, Wentworth Place, Wicklow

Report from: Holly O'Connor EP, Edel Bermingham T/SP

With respect to the query under Section 5 of the Planning & Development Act 2000 as to whether "*change of use from commercial to residential*" at Bridge Laundry, Wentworth Hall, Wentworth Place, Wicklow, is or is not exempted development within the meaning of the Planning & Development Act 2000 (as amended)

Having regard to:

- i. The details submitted to the Planning Authority on 16/10/2025;
- ii. PRR: 01/2578, 03/2706/ & 03/2796 and associated planning history files;
- iii. Sections 2(1), 3(1) and 4 of the Planning and Development Act 2000 (as amended);
- iv. Article 2, 9(1)(a)(viii), 10 (6), and Schedule 2: Part 4 of the Planning and Development Regulations 2001 (as amended).
- v. Sustainable Urban Housing: Design Standards for New Apartments: Guidelines for Planning Authorities: DOE: (2025)

Main Reasons with respect to Section 5 Declaration:

1. Permission was granted under 01/2578 & 03/2796 for the structure and associated office use/ storage at basement level, the unit has been in use as a launderette (shop);
2. No permission was ever granted for the change of use of the 4 no. office units within the overall structure to residential use.
3. The change of use of the unit to use as residences would be materially different in character, have differing traffic movement, patterns of usage, and amenity requirements to usage as an office.
4. The change of use would not come within the provisions of Article 10 (6) having regard to Article 10(6)(xi) and Article 9(1)(a)(viii) as the proposal would consist of or comprise the alteration of a structure the use of which is an unauthorized use.

Recommendation

The Planning Authority considers that "*change of use from commercial to residential*" at Bridge Laundry, Apartment 14, Wentworth Hall, Wentworth Place, Wicklow **is development and is NOT exempted development** as recommended in the planning reports.

Signed: Nicola Fleming Dated: 7th day of November 2025

ORDER:

I HEREBY DECLARE:

That *“change of use from commercial to residential”* at Bridge Laundry, Apartment 14, Wentworth Hall, Wentworth Place, Wicklow **is development and is Not exempted** development within the meaning of the Planning & Development Acts 2000 (as amended).

Signed: 

T/Senior Planner

Planning, Economic & Rural Development

Dated: 7th day of November 2025



WICKLOW COUNTY COUNCIL
PLANNING DEPARTMENT

PLANNING REPORT SECTION 5 APPLICATION

TO:	EDEL BERMINGHAM S.P/ PATRICE RYAN S.E.P
FROM:	HOLLY O'CONNOR E.P.
SUBJECT REF:	EX 121/2025
DECISION DATE:	10/11/2025
APPLICANT:	IAN & FRANK DOYLE
ADDRESS:	BRIDGE LAUNDRY, WENTWORTH HALL, WICKLOW TOWN
EXEMPTION QUERY:	CHANGE OF USE FROM LAUNDRY TO APARTMENT (RESIDENTIAL)

Site Location:

The subject site is located in the urban area of Wicklow Town, on lands zone TC-Town Centre. The site is along and accessed via Wentworth Place L5703-0 and sits at the end of the road on the junction with Church Hill L57000. The subject site consists of a 4 storey apartment block that is gated with private access only. There is a small car park to the rear (north) of the building.

Planning History:

Ref	24/250
Applicant Development	Castlewhite Electrical Ltd.
Decision	Change of use of an existing commercial unit to a 2 bedroom apartment and associated works REFUSED- 3 REASONS. 1. a) The proposed development would represent the consolidation of un-authorised development on this site, having regard to the non-compliance of the development on this site with the terms and conditions of PRR01/2578, PRR03/2706, and PRR03/2796 and the existing development on site for which no permission exists (change of use of no.4 office units to residential duplexes). The provision of such a form of development unduly impacts on the amenities of the area, the amenities of adjoining properties, undermines the planning regulations, and would be contrary to the proper planning and sustainable development of the area. b) The site of the development proposed for retention is zoned 'Town Centre' within the current Wicklow-Rathnew Development Plan where it is the stated objective of the Planning authority to to preserve, improve and provide for town centre uses. It is considered that the development proposal would, in combination with the unauthorized change of use of no.4 office units to residential duplex units, result in an over-concentration of residential use and a lack of

	appropriate land use mix for the overall site consistent with its location within the Town Centre and with the maintenance of a vibrant centre. The proposed development would therefore seriously injure the amenities of the area and be contrary to the proper planning and sustainable development of the area. 2. The proposed development would not comply with development standards in relation to private open space provision as set out in Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities' Prepared by the Department of Housing, Local Government and Heritage (December 2022). The development proposal would therefore constitute a substandard form of development and provide a poor standard of residential amenity for the intended occupants of the residential unit and would be contrary to the proper planning and sustainable development of the area. 3. Having regard to the location of the residential development within an existing floodplain which is identified as having a High probability of flooding and the fact that no justification has been submitted demonstrating the development is necessary on grounds of wider sustainability through the Justification Test outlined in section 3.9 of The Planning System and Flood Risk Management Guidelines for Local Authorities November 2009, it is considered that the proposed development is contrary to the guidelines, would set an undesirable future precedent for similar types of development on floodplains, would be prejudicial to public health, and would be contrary to the proper planning and sustainable development of the area.
Ref Applicant Development Decision	15/238 Keatingstown Development Retention of two no. as built duplex apartments (apartment no.s 14 and 16), the provision of 157.2m² of office space over 2 floors, retention of as built boundaries, car parking, paths, access roads and all associated services and site works Refused. Refusal reasons set out below:

	1. The development proposed for retention would not comply with site development standards in relation to private open space provision as set out in Section 5.4.5.3 of the Wicklow County Development Plan or as set out in the 'Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities issued by the Department of the Environment Heritage and Local Government in September, 2007, which standards are considered to be reasonable. The development proposed for retention would, therefore, constitute a substandard form of development and provide a poor standard of residential amenity for the intended occupants of the residential units, and would seriously injure the amenities of property in the vicinity and the amenities of the area. The development proposed for retention would, therefore, be contrary to the proper planning and sustainable development of the area. 2. The site of the development proposed for retention is zoned 'Town Centre' in the current Wicklow-Rathnew Development Plan where it is the stated objective of the planning authority to provide for commercial, retail and community services as the primary uses with provision for residential uses where they complement the primary function of the Town Centre, which objective is considered to be reasonable. It is considered that the development proposed for retention would result in an over-concentration of residential use and a lack of appropriate land use mix for the overall site consistent with its location within the Town Centre and with the maintenance of a vibrant centre. The development proposed for retention would, therefore, seriously injure the amenities of the area and be contrary to the proper planning and sustainable development of the area.
Ref Applicant Development Decision	10/393 Keatingstown Development Ltd. 4 no. apartments previously granted as office space and all associated site works, permission for minor alterations to open space areas with additional balcony structure added and alterations to elevations

including removal of windows on the east elevation and new privacy screens on the north elevation
Refused. Refusal reasons set out below:

1. Having regard to the lack of private open spaces proposed, the development proposed for retention permission and permission would not comply with site development standards in relation to private open space provision as set out in Table 16.14.4 of the current Wicklow Town Development Plan or as set out in the 'Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities issued by the Department of the Environment Heritage and Local Government in September, 2007, which standards are considered to be reasonable. The development proposed for retention and the proposed development would, therefore, constitute a substandard form of development and provide a poor standard of residential amenity for the intended occupants of the residential units, and would seriously injure the amenities of property in the vicinity and the amenities of the area. The development proposed for retention would, therefore, be contrary to the proper planning and sustainable development of the area.
2. The site of the development proposed for retention is zoned 'Town Centre' in the current Wicklow Town Development Plan 2007-2013, where it is the stated objective of the planning authority to provide for commercial, retail and community services as the primary uses with provision for residential uses where they complement the primary function of the Town Centre, which objective is considered to be reasonable. It is considered that the development proposed for retention would result in an over-concentration of residential use and a lack of appropriate land use mix for the overall site consistent with its location within the Town Centre and with the maintenance of a vibrant centre. The development proposed for retention would, therefore, seriously injure the amenities of the area and be contrary to the proper planning and sustainable development of the area.

	3. The proposed development would represent consolidation of unauthorised development on this site, having regard to the non-compliance of the development on this site with the terms and conditions of PRR 01/2578 and PRR 03/2706. The provision of such a form of development unduly impacts on the amenities of the area, the amenities of adjoining properties, undermines the planning regulations and would be contrary to the proper planning and sustainable development of the area.
Ref Applicant Development Decision	09/3350 (PL86.235369) Keatingstown Development Ltd. 4no. apartments previously granted as office space and associated site works Refused.
Ref Applicant Development Decision	07/3136 (PL86.223592) Keatingstown Development Ltd. change of use of 292m² of office space to 4no. duplex apartments Refused.
Ref Applicant Development Decision	06/3079 Keatingstown Development Ltd. change of use of 292m² of office space to 4no. duplex apartments Refused.
Ref Applicant Development Decision	05/2917 Noleen Dickenson Change of use of existing 292sqm of office space to 4 no. duplex apartments. Refused
Ref Applicant Development Decision	04/2838 Noleen Dickenson Change use of office space to 4 duplex apartments. Refused
Ref Applicant Development Decision	03/2796 Keatingstown Development LTD. Provision of commercial unit, office unit to apartment block.

	Grant
Ref Applicant Development Decision	03/2706 Premier homes Alteretions to 8 no. duplex apartments Grant
Ref Applicant Development Decision	01/2578 Premier Homes Ltd. 18 Apartments and associated site works Grant
Enforcement	
ID Type Description Status	UD71W Non Compliance / Change of Use Change of use of office space granted permitted under PRR01/2578, and PRR03/2796 without the benefit of planning permission. Case Closed PA is statute barred from taking further enforcement action however enforcement notice issued 30 th of September 2014 remains in place.

Land use:

Settlement: Wicklow Town – Rathnew Development Plan 2025-2031:
 Zoning TC - Town Centre
 Zoning Objective To provide for the development and improvement of appropriate town centre uses including residential, retail, commercial, office and civic use.

Relevant An Coimisiún Pleanála Declarations:

RL27.304765 in respect of the conversion of an existing retail unit to two number one bedroom apartments at 2 South Quay, Arklow, County Wicklow

An Coimisiún Pleanála has concluded that –

(a) the external and internal works to facilitate the residential use of the ground floor unit would constitute “works” defined as “development” in section 3 of the Planning and Development Act 2000, as amended,

(b) the external and internal works and alterations come within the scope of Article 10 (6)(d)(ii) and (iii) of the Planning and Development Regulations, as amended, and are consistent with the fenestration details and architectural and streetscape character of the remainder of the structure and are not considered to materially affect the external appearance of the structure,

(c) having regard to Article 10(6)(d)(iv) of the Planning and Development Regulations, as amended, the use of the ground floor unit for residential use complies with the TC Town Centre land use zoning

objectives for the site as set out in the Arklow and Environs Local Area Plan 2018 – 2024, and development and is exempted development.

(d) having regard to Article 10(6)(d)(vi) and (vii), the amended plans and particulars submitted with the referral comply with the requirements of the Sustainable Urban Housing Design Standards for New Apartments – Guidelines for Planning Authorities issued by the Department of the Housing, Planning and Local Government in March, 2018, in terms of provision of storage for each unit and the rooms for use, or intended for use, as habitable rooms have adequate natural lighting:

Planning Design Standards for Apartments : Guidelines for Planning Authorities (2025)

Appendix 1 - Minimum Floor Areas and Standards

Minimum overall apartment floor areas

Studio	32 sq.m	(n/a) ^a
One bedroom	45 sq.m	(38 sq.m) ^a
Two bedrooms (3 person)	63 sq.m	(55 sq.m) ^a
Two bedrooms (4 person)	73 sq.m	
Three bedroom (4 persons)	76 sq.m	(70 sq.m) ^a
Three bedrooms (5 persons)	90 sq.m	

^a Figures in brackets refer to 1995 Guidelines

Recommended minimum widths for the main living/dining rooms

Apartment type ^b	Minimum width
Studio	4m ^c
One bedroom	3.3 m
Two bedrooms (3 person)	3.6m
Two bedrooms (4 person)	3.6 m
Three bedrooms (4 persons)	3.8 m
Three bedrooms (5 persons)	3.8 m

^b Note: Variation of up to 5% can be applied to widths in all apartment types, subject to overall compliance with required minimum overall apartment floor areas.

^c Note: Combined living/dining/bedspace, also includes circulation

Recommended minimum bedroom widths

Apartment type ^d	Minimum width	Minimum floor area
Studio	4m ^e	25 sq.m ^e
Single bedroom	2.1 m	7.1 sq.m
Double/Twin bedroom	2.8 m	11.4 sq.m

Minimum storage space requirements^f

Studio	3 sq.m
One bedroom	3 sq.m
Two bedrooms (3 person)	5 sq.m
Two bedrooms (4 person)	6 sq.m
Three bedrooms (4 persons)	6 sq.m
Three bedrooms (5 persons)	9 sq.m

^f Note: Where secure, allocated storage is provided in addition to that within individual units, it may satisfy up to half of the minimum storage requirement for individual apartment units, but shall not reduce the minimum floor area required to be provided within each individual apartment unit, as set out in these Guidelines.

Minimum recommended floor areas for private amenity space, where provided

Studio	4 sq.m
One bedroom	5 sq.m
Two bedrooms (3 person)	6 sq.m
Two bedrooms (4 person)	7 sq.m
Three bedrooms (4 persons)	7 sq.m
Three bedrooms (5 persons)	9 sq.m

Minimum recommended floor areas for communal amenity space, where provided

Studio	4 sq.m
One bedrooms	5 sq.m
Two bedrooms (3 person)	6 sq.m
Two bedrooms (4 person)	7 sq.m
Three bedrooms (4 persons)	7 sq.m
Three bedrooms (5 persons)	9 sq.m

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

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

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

"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.

Development -Section 3:

"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

Section 4(2) provides that the Minister may by regulations provide any class of development to be exempted development. The Regulations which are applicable in this case are the Planning and Development Regulations 2001 (as amended).

Exempted Development Section 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.

4 (4) Notwithstanding paragraphs (a), (i), (ia) and (l) of subsection (1) and any regulations under subsection (2), development shall not be exempted development if an environmental impact assessment or an appropriate assessment of the development is required.

Area of special planning control- 84.—(1) A planning authority may, if it considers that all or part of an architectural conservation area is of special importance to, or as respects, the civic life or the architectural, historical, cultural or social character of a city or town in which it is situated, prepare a scheme setting out development objectives for the preservation and enhancement of that area, or part of that area, and providing for matters connected therewith.

Planning & Development Regulations 2001 (as amended)

'shop' means a structure used for any or all of the following purposes, where the sale, display or service is principally to visiting members of the public –

(a) for the retail sale of goods,

(b) as a post office,

(c) for the sale of tickets or as a travel agency,

(d) for the sale of sandwiches or other food or of wine for consumption off the premises, where the sale of such food or wine is subsidiary to the main retail use, and "wine" is defined as any intoxicating liquor which may be sold under a wine retailer's off-licence (within the meaning of the Finance (1909-1910) Act, 1910), 10 Edw. 7. & 1 Geo. 5, c.8,

(e) for hairdressing,

(f) for the display of goods for sale,

(g) for the hiring out of domestic or personal goods or articles,

(h) as a launderette or dry cleaners,

(i) for the reception of goods to be washed, cleaned or repaired,

but does not include any use associated with the provision of funeral services or as a funeral home, or as a hotel, a restaurant or a public house, or for the sale of hot food or intoxicating liquor for consumption off the premises except under paragraph (d), or any use to which class 2 or 3 of Part 4 of Schedule 2 applies;

Schedule 2: Part 4

CLASS 1 Use as a shop

CLASS 2 Use for the provision of— (a) financial services, (b) professional services (other than health or medical services), (c) any other services (including use as a betting office), where the services are provided principally to visiting members of the public.

CLASS 3 Use as an office, other than a use to which class 2 of this Part of this Schedule applies.

CLASS 6 Use as a residential club, a guest house or a hostel (other than a hostel where care is provided).

CLASS 12 Use as a Public House, meaning a premises which has been licensed for the sale and consumption of intoxicating liquor on the premises under the Licensing Acts 1833 to 2018.

Changes of use (10) (1)

Development which consists of a change of use within any one of the classes of use specified in Part 4 of Schedule 2, shall be exempted development for the purposes of the Act, provided that the development, if carried out would not—

- (a) involve the carrying out of any works other than works which are exempted development,
- (b) contravene a condition attached to a permission under the Act,
- (c) be inconsistent with any use specified or included in such a permission, or
- (d) be a development where the existing use is an unauthorised use, save where such change of use consists of the resumption of a use which is not unauthorised and which has not been abandoned

Declaration details submitted:

Existing laundrette has been vacant for 2 years being converted to a 2 bedroom apartment- change of use in accordance with Article 10(6).

Apartment details:

Type: 2 bedroom (4PE)
 GFA: 75sqm
 KLD width: 5.2m
 KLD area: 28.5sqm
 Room 1: 9sqm/ 2.45m wide
 Room 2: 11.8sqm/ 3m wide
 Store: 5.1sqm

Background:

Enforcement file UD71W concerned the presence of alleged non-compliance with the Wentworth Hall development as granted (granted under PRR01/2578 and modified under PRR03/2706 and PRR03/2796), primarily regarding the change of use of no.4 office units to duplex residential units. Although the PA is at this stage statute barred from taking further enforcement action it is noted that an enforcement notice was issued on the 30th of September 2014 and remains in place. The subject application concerns the change of use of a single retail unit (laundrette/ shop) at ground floor level. It is noted upon review that the 4 office units subject to UD71W have remained in use as residential duplexes, with Wentworth Hall comprising of a total of some 16 residential units (to be 17 if the subject unit is changed).

The question:

Whether the change of use from laundrette to residential apartment is or is not development/ exempt development.

Assessment:

The first matter relates to whether or not the works comprises development. The change of use from the permitted use as an office to use as residences would be materially different in character, have differing traffic movement, patterns of usage, and amenity requirements to usage as a shop. It is therefore considered that the change of use would be material, and therefore development having regard to the definition set out in Section 3(1)(a) of the Planning and Development Act 2000(as amended).

The next question is therefore would the conversion come within the provisions set out under Article 10 (6).

Article 10(6)

(a) In this sub-article— 'habitable room' means a room used for living or sleeping purposes but does not include a kitchen that has a floor area of less than 6.5 square metres; 'relevant period' means the period from 8 February 2018 until 31 December 2025.

(b) This sub-article relates to a proposed development, during the relevant period, that consists of a change of use to residential use from Class 1, 2, 3, 6 or 12 of Part 4 to Schedule 2

< See Full Article for Restrictions >

(b) This sub-article relates to a proposed development, during the relevant period, that consists of a change of use to residential use from Class 1, 2, 3, 6 or 12 of Part 4 to Schedule 2

Yes – Structure would come with Class 3

(c) Notwithstanding sub-article (1), where in respect of a proposed development referred to in paragraph (b)—

(i) the structure concerned was completed prior to the making of the Planning and Development (Amendment) (No. 2) Regulations 2018,

(ii) the structure concerned has at some time been used for the purpose of its current use class, being Class 1, 2, 3, 6 or 12, and

Yes- the internal alterations could be carried out before the 31 December 2025.

(iii) the structure concerned, or so much of it that is the subject of the proposed development, has been vacant for a period of 2 years or more immediately prior to the commencement of the proposed development, then the proposed development for residential use, and any related works, shall be exempted development for the purposes of the Act, subject to the conditions and limitations set out in paragraph (d).

Yes- the unit (part of overall structure) has been vacant for a period of 2 years.

(d)(i) The development is commenced and completed during the relevant period.

The relevant period is the 18th February 2018 until 31 December 2025 - no indication when works will be completed but presumed it will happen by 31 December 2025 .

d(ii) Subject to sub-paragraph (iii), any related works, including works as may be required to comply with sub-paragraph (vii), shall –

(I) primarily affect the interior of the structure,

(II) retain 50 per cent or more of the existing external fabric of the building, and

(III) not materially affect the external appearance of the structure so as to render its appearance inconsistent with the character of the structure or of neighbouring structures.

The works will primarily effect the interior of the structure, and not details of works to exterior identified.

d(iii) Any related works for the alteration of existing ground floor shop fronts shall be consistent with the fenestration details and architectural and streetscape character of the remainder of the structure or of neighbouring structures.

NA

d(iv) No development shall consist of or comprise the carrying out of works to the ground floor area of any structure which conflicts with any objective of the relevant local authority development plan or local area plan, pursuant to the Part 1 of the First Schedule to the Act, for such to remain in retail use, with the exception of any works the purpose of which is to solely provide on street access to the upper floors of the structure concerned.

NA

(v) No development shall consist of or comprise the carrying out of works which exceeds the provision of more than 9 residential units in any structure.

1 residential unit is to be provided.

(vi) Dwelling floor areas and storage spaces shall comply with the minimum floor area requirements and minimum storage space requirements of the "Sustainable Urban Housing: Design Standards for

New Apartments – Guidelines for Planning Authorities” issued under section 28 of the Act or any subsequent updated or replacement guidelines.

Apartment details:

Type: 2 bedroom (4PE)
 GFA: 75sqm
 KLD width: 5.2m
 KLD area: 28.5sqm
 Room 1: 9sqm/ 2.45m wide
 Room 2: 11.8sqm/ 3m wide
 Store: 5.1sqm

No private amenity space is provided, however apartment complies with guidelines for floor areas.

(vii) Rooms for use, or intended for use, as habitable rooms shall have adequate natural lighting.

Yes

(viii) No development shall consist of or comprise the carrying out of works to a protected structure, as defined in section 2 of the Act, save where the relevant planning authority has issued a declaration under section 57 of the Act to the effect that the proposed works would not materially affect the character of the structure or any element, referred to in section 57(1)(b) of the Act, of the structure.

NA

(ix) No development shall contravene a condition attached to a permission under the Act or be inconsistent with any use specified or included in such a permission.

The development will not contravene a condition.

(x) No development shall relate to any structure in any of the following areas:

(I) an area to which a special amenity area order relates;

(II) an area of special planning control;

(III) within the relevant perimeter distance area, as set out in Table 2 of Schedule 8, of any type of establishment to which the Major Accident Regulations apply.

NA

(xi) No development shall relate to matters in respect of which any of the restrictions set out in subparagraph (iv), (vii), (viiA), (viiB), (viiC), (viii) or (ix) of article 9(1)(a), or paragraph (c) or (d) of article (9)(1), would apply.

9(1)(a)(viii) consist of or comprise the extension, alteration, repair or renewal of an unauthorised structure or a structure the use of which is an unauthorised use,

Given the unit (former laundrette/shop) forms part of a structure that is currently in unauthorised use, with the office units permitted being brought into residential use without the benefit of planning permission, the development/ change of use would consist of or comprise the alteration of a structure

that the use of which is an unauthorised use. Therefore the development does not come within the scope of 10(6).

Recommendation:

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

Change of use from office to residential at **Wentworth Hall Co. Wicklow**

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

The Planning Authority considers that:

The Planning Authority considers that the works proposed is **development** and is **not exempt development**.

Main Considerations with respect to Section 5 Declaration:

- i. The details submitted to the Planning Authority on 16/10/2025;
- ii. PRR: 01/2578, 03/2706/ & 03/2796 and associated planning history files;
- iii. Sections 2(1), 3(1) and 4 of the Planning and Development Act 2000 (as amended);
- iv. Article 2, 9(1)(a)(viii), 10 (6), and Schedule 2: Part 4 of the Planning and Development Regulations 2001 (as amended).
- v. Sustainable Urban Housing: Design Standards for New Apartments: Guidelines for Planning Authorities: DOE: (2025)

Main Reasons with respect to Section 5 Declaration:

1. Permission was granted under 01/2578 & 03/2796 for the structure and associated office use/ storage at basement level, the unit has been in use as a launderette (shop);
2. No permission was ever granted for the change of use of the 4 no. office units within the overall structure to residential use;
3. The change of use of the unit to use as residences would be materially different in character, have differing traffic movement, patterns of usage, and amenity requirements to usage as an office;
4. The change of use would not come within the provisions of Article 10 (6) having regard to Article 10(6)(xi) and Article 9(1)(a)(viii) as the proposal would consist of or comprise the alteration of a structure the use of which is an unauthorised use.

Holly O'Connor

Holly O'Connor E.P. Date: 06/11/2025

John Cunningham TSP

Agreed 6/11/2025



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

MEMORANDUM

WICKLOW COUNTY COUNCIL

**TO: Holly O'Connor
Executive Planner**

**FROM: Nicola Fleming
Staff Officer**

**RE:- EX121/2025 - 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 16/10/2025.

The due date on this declaration is the 12/11/2025.



**Staff Officer
Planning Development & Environment**





Comhairle Contae Chill Mhantáin Wicklow County Council

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Suíomh / Website www.wicklow.ie

**Buttle Desing & Planning Consultants
Main Street
Carnew
Co. Wicklow**

17th October 2025

RE: Application for Certificate of Exemption under Section 5 of the Planning and Development Acts 2000 (as amended). – EX121/2025 for Ian & Fran Doyle – Castlewhite Electrical Ltd

A Chara

I wish to acknowledge receipt on 16/10/2025 details supplied by you in respect of the above Section 5 application. A decision is due in respect of this application by 12/11/2025.

Mise, le meas

Nicola Fleming
Staff Officer
Planning, Economic & Rural Development



Wicklow County Council
County Buildings
Wicklow
0404-20100

16/10/2025 16 04 30

Receipt No 11/0/353214

IAN & FRANK DOYLE
CASTLEWHITE
GOREY
CO WEXFORD

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

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

Tendered	
Cheque	80 00

Change	0 00
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Issued By Annmarie Ryan
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: Ian & Frank Doyle - Castlewhite Electrical Ltd.

Address of applicant: Castlewhite,
Gorey,
Co. Wexford.

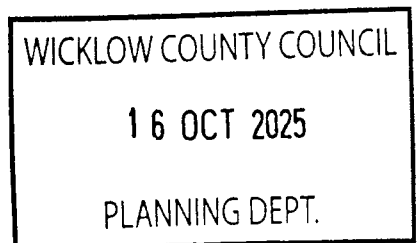
Note Phone number and email to be filled in on separate page.

2. Agents Details (Where Applicable)

(b) Name of Agent (where applicable): Thomas Buttle

Address of Agent : Buttle Design & Planning Consultants,
Main Street,
Carnew,
Co. Wicklow

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



3. Declaration Details

- i. Location of Development subject of Declaration:

Bridge Laundry, Apartment 14,
Wentworth Hall,
Wentworth Place,
Wicklow.

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

Applicants are Owners.

- 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

Existing Laundrette which has been vacant for over 2 years being converted to a 2 Bedroom Apartment (change of use from commercial to residential) accordance with exempted development provisions under Article 10(6).

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

Exempted development provisions under Article 10(6) of the Planning and Development Regulations 2001, as inserted by Article 2 of the Planning and Development (Amendment) (No. 2) Regulations 2018.

- 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:

Floor Plans – 1 of 5
Floor Plans – 2 of 5
Elevations – 3 of 5
Site Layout Map – 4 of 5
Site Location Maps – 5 of 5

- viii. Fee of € 80 Attached ? **YES**

Signed : 
Thomas Buttle (Agent)

Dated : **15th October 2025**

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.

DECLARATION

LAND REGISTRY

COUNTY WICKLOW

FOLIO NO.: 39460F

I, Frank Doyle of Castlewhite, Gorey in the County of Wexford, aged 18 years and upwards
SOLEMNLY AND SINCERELY DECLARE as follows:

1. Castlewhite Electrical Ltd. are the registered owners of the property situate at Unit 20, Wentworth Hall, Wentworth Place, Wicklow Town, Co. Wicklow comprised in Folio 39460F of the register County Wicklow of the register County Wicklow (the "Property").
2. I am the secretary / a director of Castlewhite Electrical Ltd. (the "Company") and am duly authorised by the Company to make this Statutory Declaration on its behalf.
3. I confirm that the said property has been vacant for in excess of two years.
4. I confirm that the said property has had its electricity supply disconnected for in excess of two years.
5. I make this solemn declaration conscientiously believing the same to be true, for the satisfaction of Wicklow County Council and by virtue of the Statutory Declarations Act 1938.

Declared by the said **FRANK DOYLE**

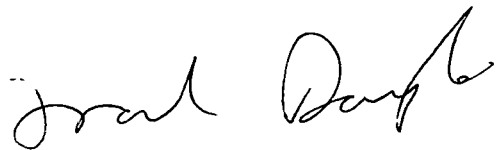
Who is personally known to me

At Arklow,

In the County of Wicklow.

This the 9th day of September 2025

Before me a Commissioner for Oaths
~~PRACTISING SOLICITOR~~



.....
~~Commissioner for Oaths~~
~~PRACTISING SOLICITOR~~

Fergus Kinsella
Solicitor
Arklow, Co. Wicklow



Comhairle Contae Chill Mhantáin Wicklow County Council

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30th June 2025

Ian and Frank Doyle,
C/O Buttle Design & Planning,
27 Main Street,
Carnew,
Co. Wicklow

**Re: Planning and Development Act (Exempted Development) Regulations 2022
(S.I. 75 of 2022)**
**Change of use of certain vacant commercial premises to residential without the need to
obtain planning permission.**

**Applicant: Ian & Frank Doyle , Change of use of premises at Bridge Laundry, Apartment 14,
Wentworth Hall, Wentworth Place, Co. Wicklow A67HC60**

NOTIFICATION NO 45

A Chara,

I wish to acknowledge receipt of your notification received on 12th June, 2025 with regard to the change of use of the above premises to residential use. Please find attached copy of the Planning & Development (Amendment) (No 2) Regulations 2018 and Planning & Development (Exempted Development) Regulations 2022. It is noted that you are declaring that you are fully compliant with these Regulations which are subject to numerous conditions and caveats. Please be aware that the Planning Authority has not carried out an examination for compliance of the proposed change of use with these Regulations.

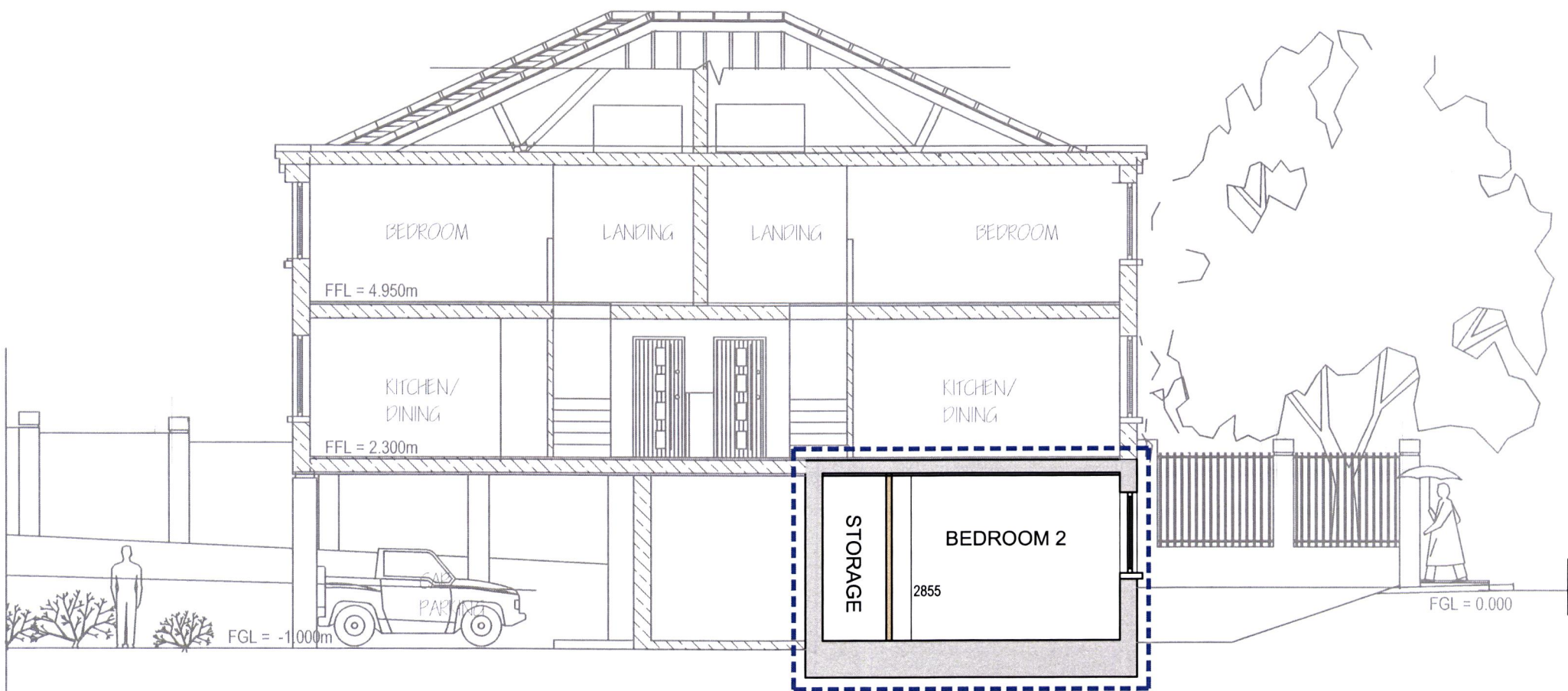
If you wish the Planning Authority to examine whether or not you meet the exemptions set out under the Regulations, you must make a Section 5 Referral to the Planning Authority, further details which are available on the Council's website at [https://www.wicklow.ie/Living/Services/Planning/Planning-applications/Exempted development](https://www.wicklow.ie/Living/Services/Planning/Planning-applications/Exempted%20development). The Section 5 referral should include sufficient details in order to assess the proposal. Alternatively you may wish to seek your own independent planning advice in relation to this exemption.

The Planning Authority will enter on record this notification which shall be available for inspection at the office of the Planning Authority during its office hours and on the Planning Authority's website.

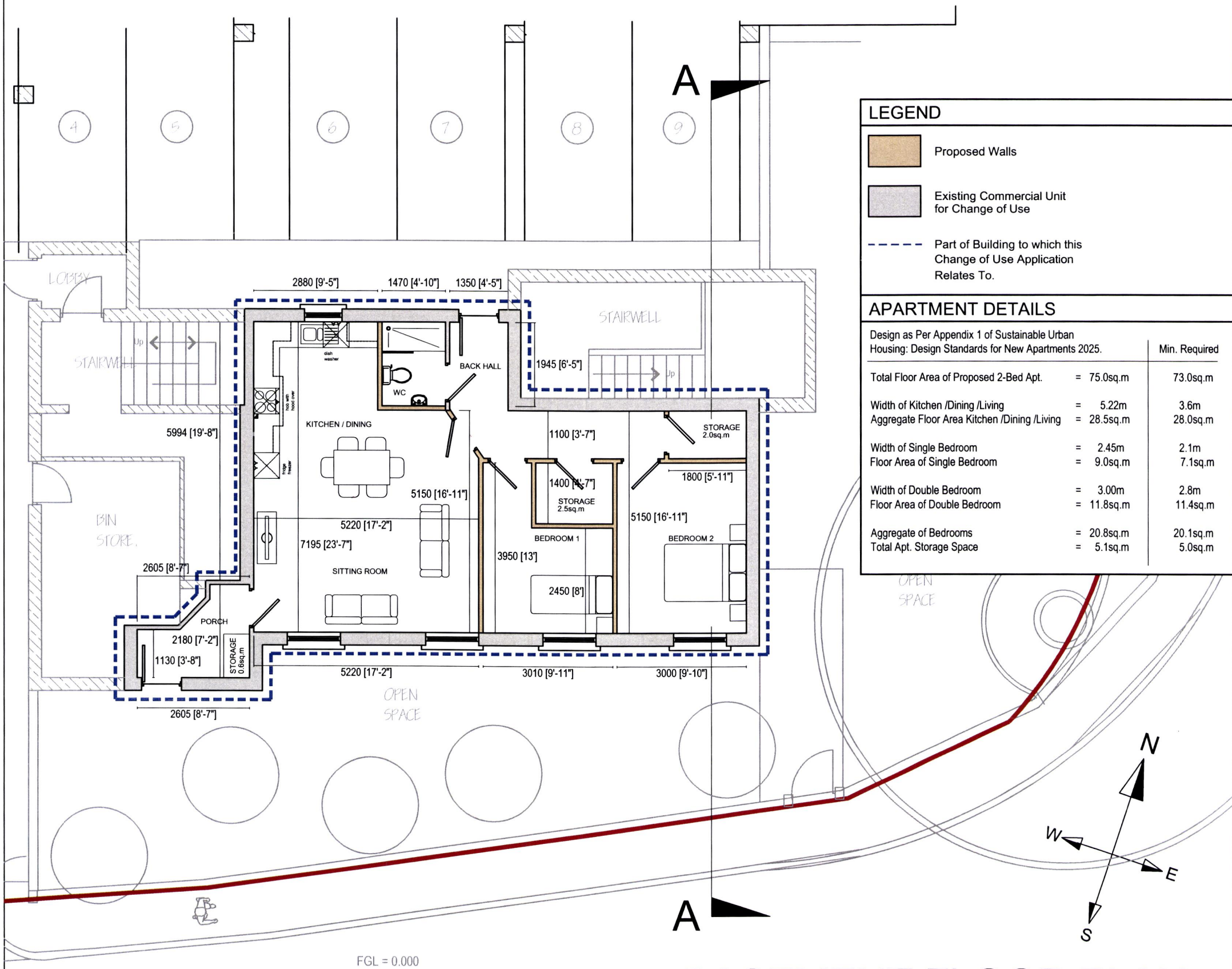
Mise le meas

ADMINISTRATIVE OFFICER
PLANNING
Encl.





SECTION A-A



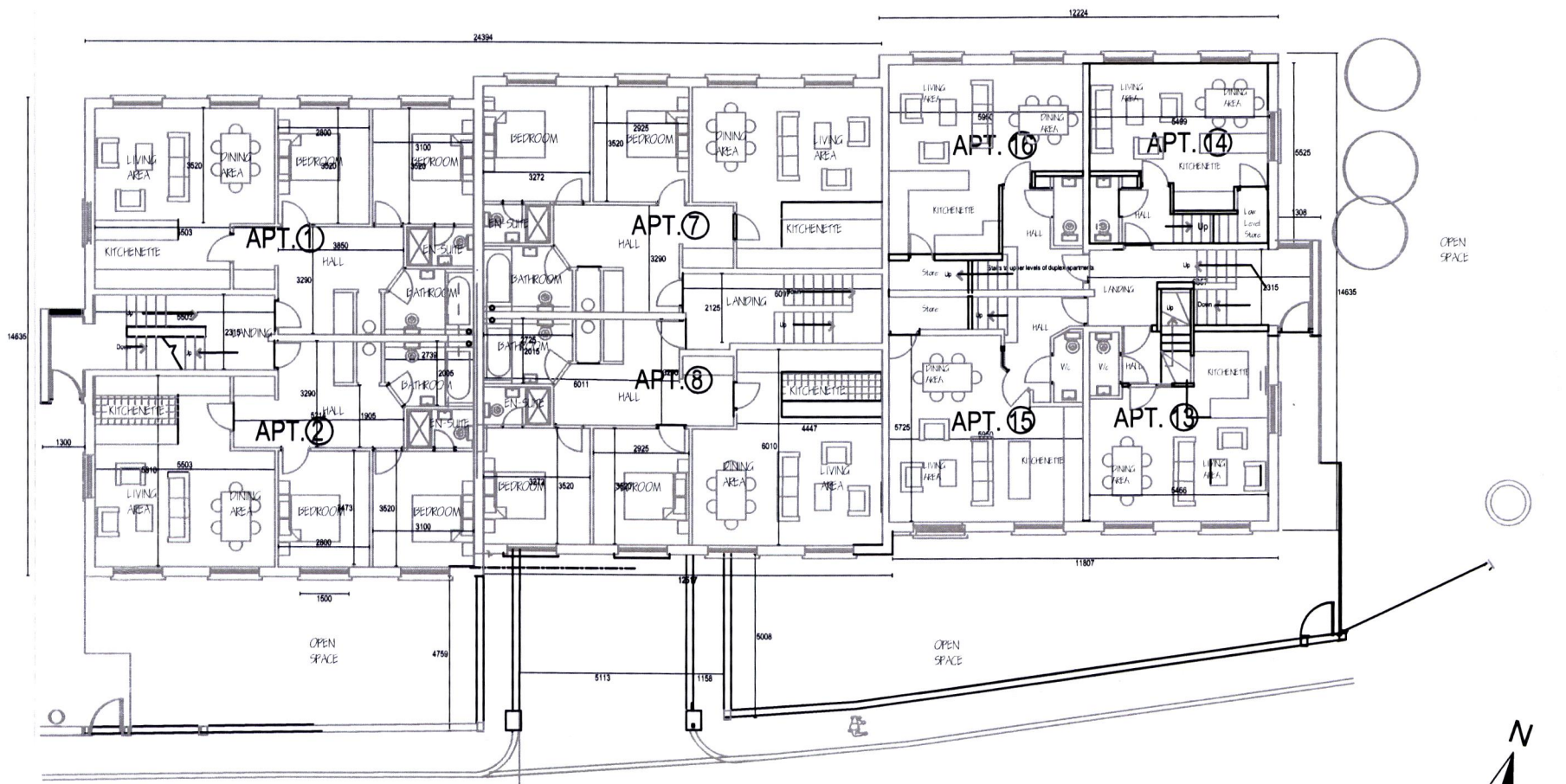
BASEMENT FLOOR PLAN



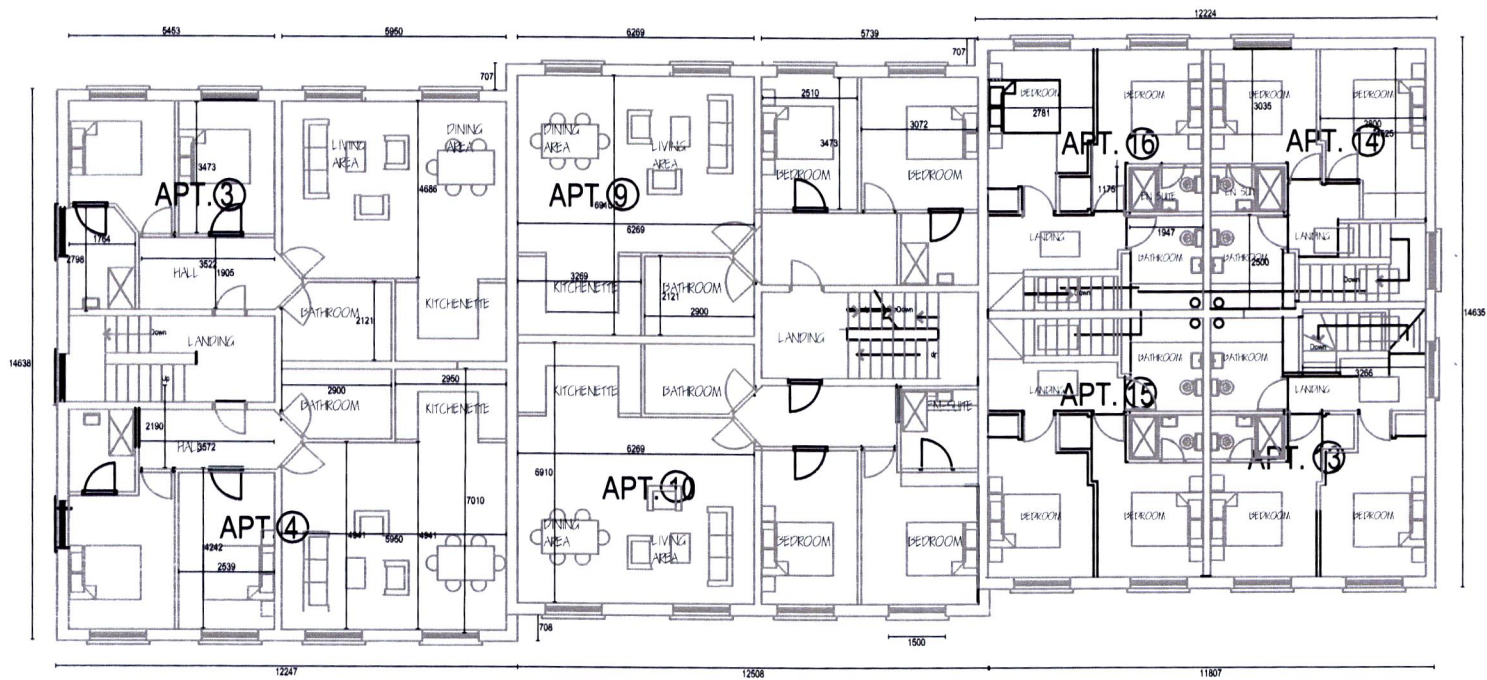
Buttle
Design & Planning Consultants Ltd.
27 MAIN STREET, CARNEW, CO. WICKLOW.
TEL: (053) 9426961
E-MAIL: buttleplanning@gmail.com

SCALES: 1:100 - A3 / 1:50 A1
SHEET NO.: 1 OF 5
DRAWING: FLOOR PLANS & SECTION

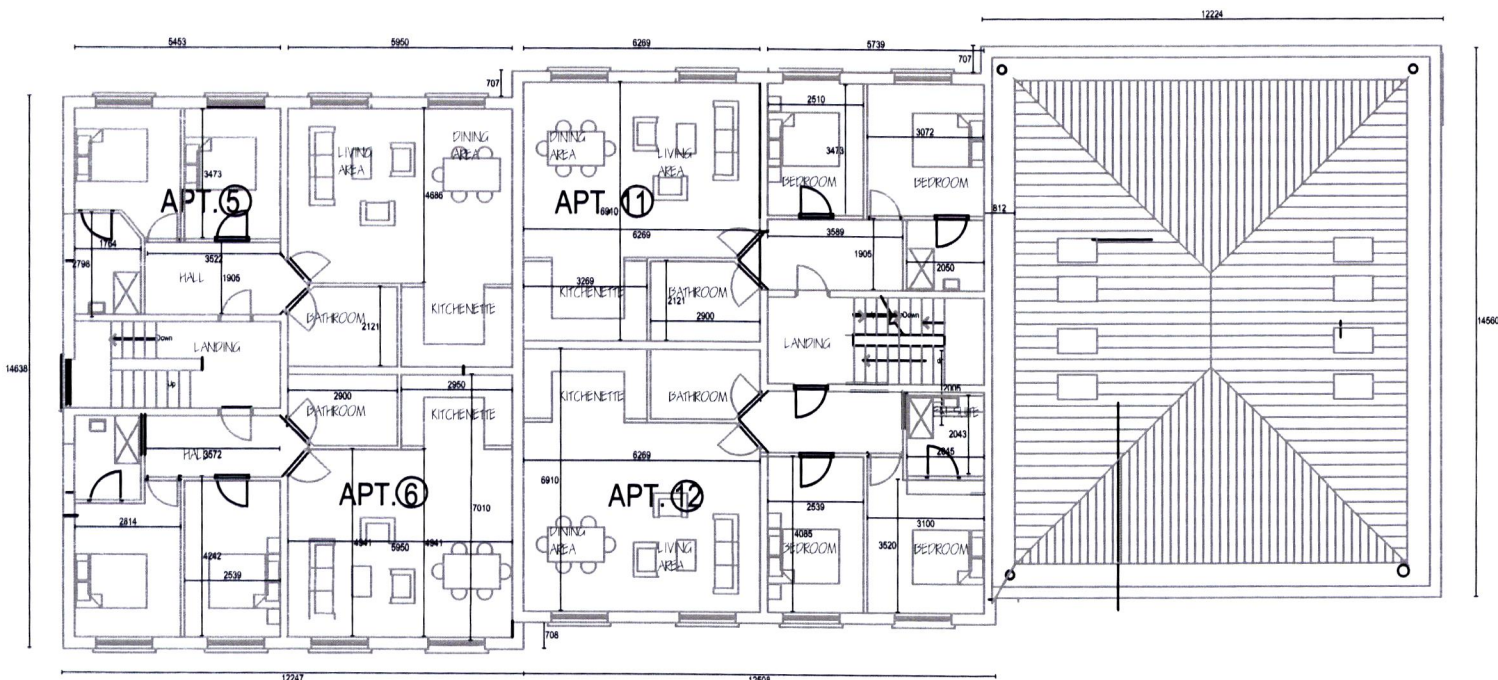
CLIENT: Castlewhite Electrical Ltd., Castlewhite, Gorey, Co. Wexford.
TITLE: Change of use of an existing commercial unit to a 2 bedroom apartment and associated works at Wentworth Place, Wicklow Town, Co. Wicklow, A67 HC60



**GROUND FLOOR PLAN
(Remains Unchanged)**



**FIRST FLOOR PLAN
(Remains Unchanged)**



**SECOND FLOOR PLAN
(Remains Unchanged)**

NOTE:

All other floors remain unchanged & this application relates to a Basement Level Unit Only.



Buttle

Design & Planning Consultants Ltd.
27 MAIN STREET, CARNEW, CO. WICKLOW.
TEL: (053) 9426961

E-MAIL: buttleplanning@gmail.com

CLIENT:	Castlewhite Electrical Ltd., Castlewhite, Gorey, Co. Wexford.
TITLE:	Change of use of an existing commercial unit to a 2 bedroom apartment and associated works at Wentworth Place, Wicklow Town, Co. Wicklow, A67 HC60
SCALES:	1:200 - A3 / 1:100 - A1
SHEET NO.:	2 OF 5
DRAWING:	FLOOR PLANS



SOUTH ELEVATION (Remains Unchanged)

POSITION OF SITE NOTICE



NORTH ELEVATION (Remains Unchanged)

LEGEND



Part of Building to which this Change of Use Application Relates To.



EAST ELEVATION
(Remains Unchanged)



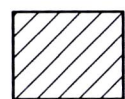
WEST ELEVATION (Remains Unchanged)

NOTES

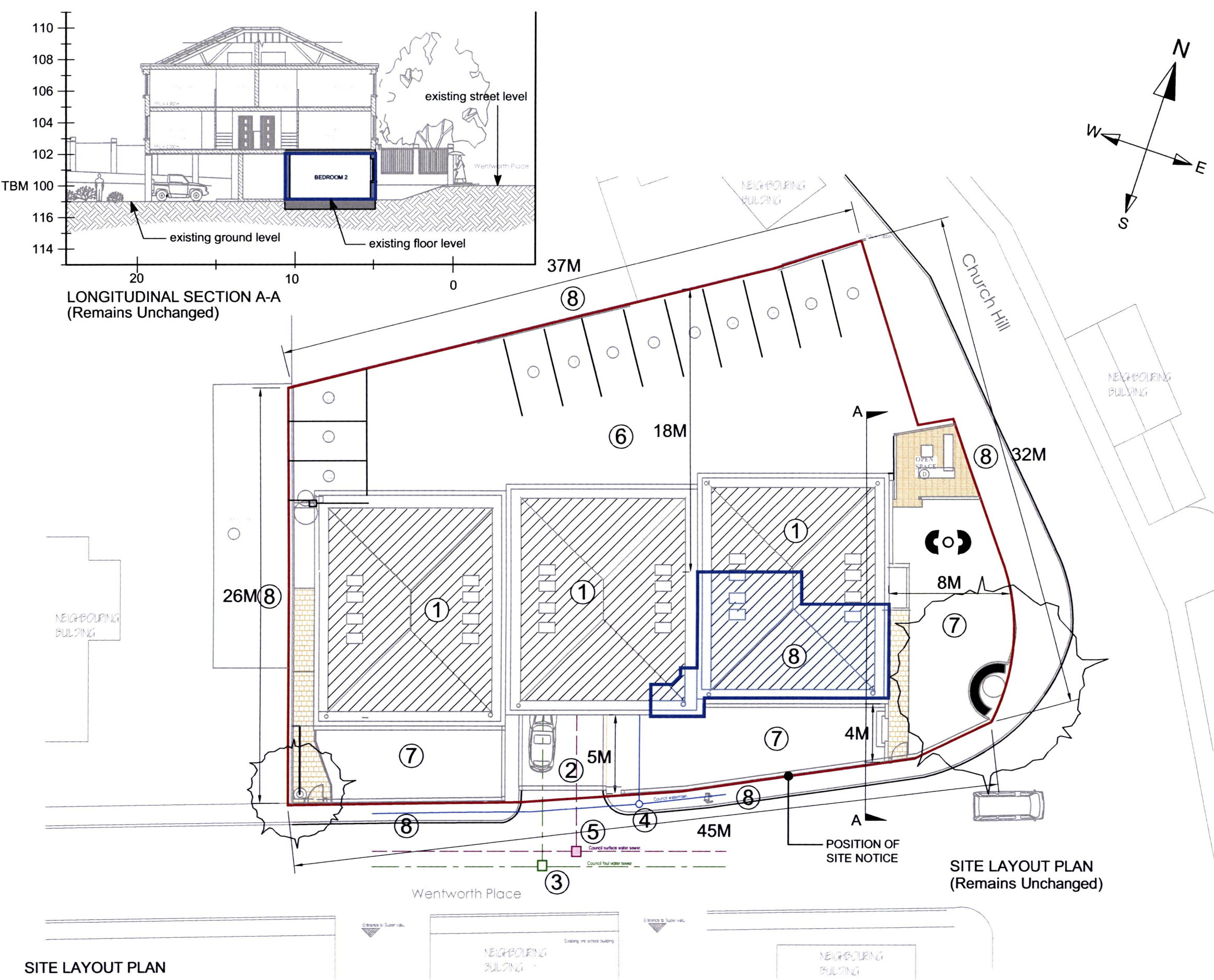
- 1. Existing apartment blocks.
- 2. Existing site entrance.
- 3. Existing connection to foul sewer main.
- 4. Existing connection to water main.
- 5. Existing connection to surface water main.
- 6. Existing parking spaces.
- 7. Existing open areas (295sq.m).
- 8. Existing commercial unit for change of use to 2 bed apartment at Basement Level.

SITE AREA = 0.130 Ha

LEGEND

-  Basement Unit for Change of Use (Basement Level)
-  Existing Building

REVISIONS



Buttle

Design & Planning Consultants Ltd.
MAIN STREET, CARNEW, CO. WICKLOW.
(053) 9426961
E: buttleplanning@gmail.com

SCALES:	1:250 - A3 / 1:125 - A1	CLIENT:	Castlewhite Electrical Ltd., Castlewhite, Gorey, Co. Wexford.
SHEET NO.:	4 OF 5	TITLE:	Change of use of an existing commercial unit to a 2 bedroom apartment and associated works at Wentworth Place, Wicklow Town, Co. Wicklow, A67 HC60
DRAWING:	SITE LAYOUT PLAN		

