



Comhairle Contae Chill Mhantáin Wicklow County Council

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

Aras 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

Stratford & Grangecon Dev. Ass.Ltd
Stratford Community Hall
Chapel Street
Stratford
Co. Wicklow

July 2025

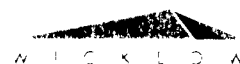
RE: Declaration in accordance with Section 5 of the Planning & Development Acts 2000 (As Amended) – EX78/2025

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 Bord 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 ECONOMIC & RURAL DEVELOPMENT**





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

Applicant: Stratford & Grangecon Development Association Ltd

Location: Chapel Street, Stratford on Slaney, Co. Wicklow

CHIEF EXECUTIVE ORDER NO. CE/PERD/2025/764

A question has arisen as to whether “change of use of store to preschool room” at Chapel Street, Stratford on Slaney, Co. Wicklow is development and is or is not exempted development.

Having regard to:

- (a) The details submitted with the Section 5 Declaration
- (b) Sections 2 , 3 of the Planning and Development Act 2000 (as amended)
- (c) Planning Permission Register Reference PRR 05/4315
- (d) An Coimisiún Pleanála Referral 06.D. RL3443

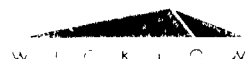
Main Reasons with respect to Section 5 Declaration:

- i. The established use of the structure which the store forms part off, is as a preschool, having regard to planning permission register reference PRR 05/4315.
- ii. The change of use of the store within this structure to preschool room would not result in a material change of use, given the store forms part of the planning unit in use as a preschool, and therefore is not development having regard to the definition under Section 3 of the Planning and Development Act 2000 (as amended).

The Planning Authority considers that “change of use of store to preschool room” at Chapel Street, Stratford on Slaney, Co. Wicklow **is not development.**

Signed: 
ADMINISTRATIVE OFFICER
PLANNING ECONOMIC & RURAL DEVELOPMENT

Dated:  2nd July 2025



WICKLOW COUNTY COUNCIL

PLANNING & DEVELOPMENT ACTS 2000 (As Amended)
SECTION 5

CHIEF EXECUTIVE ORDER NO. CE/PERD/2025/764

Reference Number: EX78/2025

Name of Applicant: Stratford & Grangecon Development Association Ltd

Nature of Application: Section 5 Referral as to whether or not "change of use of store to preschool room" is development and is or is not exempted development.

Location of Subject Site: Chapel Street, Stratford on Slaney, Co. Wicklow

Report from Edel Bermingham, SEP

With respect to the query under section 5 of the Planning & Development Act 2000 as to whether "change of use of store to preschool room" at Chapel Street, Stratford on Slaney, Co. Wicklow is development and is or is not exempted development within the meaning of the Planning & Development Acts 2000 (as amended).

Having regard to:

- (a) The details submitted with the Section 5 Declaration
- (b) Sections 2, 3 of the Planning and Development Act 2000 (as amended)
- (c) Planning Permission Register Reference PRR 05/4315
- (d) An Coimisiún Pleanála Referral 06.D. RL3443:

Main Reason with respect to Section 5 Declaration:

- i. The established use of the structure which the store forms part off, is as a preschool, having regard to planning permission register reference PRR 05/4315.
- ii. The change of use of the store within this structure to preschool room would not result in a material change of use, given the store forms part of the planning unit in use as a preschool, and therefore is not development having regard to the definition under Section 3 of the Planning and Development Act 2000 (as amended).

Recommendation:

The Planning Authority considers that "change of use of store to preschool room" at Chapel Street, Stratford on Slaney, Co. Wicklow is not development as recommended in the report by the SEP.

Signed Wicklow County Council

Dated 21st day of July 2025

ORDER:

I HEREBY DECLARE:

That "change of use of store to preschool room" at Chapel Street, Stratford on Slaney, Co. Wicklow is not development within the meaning of the Planning & Development Act 2000 (as amended).

Signed: Foghlaim

Senior Engineer

Planning, Economic & Rural Development

Dated 22nd day of July 2025

Section 5 Application EX 21/2025

Date : 18th July 2025

Applicant : Strafford and Grangecon Development Association Ltd.

Address : Chapel Street, Stratford on Slaney.

Exemption Whether or not :

Change of Use from Store to preschool Room

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

Planning History :

PRR 05/4315 Permission granted for Pre-School/ School Age Childcare/ Recreational Use, and alterations to structure at Stratford Community Hall , Chapel Street, Stratford.

Relevant precedent cases:

06.D. RL3443:

An Bord Pleanála, decides that the use of a previous school building as an afterschool/montessori facility at the Apres School Club, corner of Adelaide and Lower Eden Road, Glasthule, County Dublin is not development.

An Bord Pleanála has concluded that - (a) there is no provision for exemption within any of the classes as set out in Part 4 of Schedule 2 of the Planning and Development Regulations, 2001, for a change of use from a previous school building to an after school and montessori facility under the exempted development provisions of those Regulations, (b) the use of the building as a Montessori school constitutes a change of use, but in this particular case is not a material change of use, having regard to the characteristics of the site and site layout and to the character of development in the vicinity of the site, and (c) the change of use, not being material, is not development: NOW THEREFORE

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).

Assessment :

The query raised in this Section 5 application is whether the Change of Use from Store to preschool room would be exempted development.

The first question which must be asked, is whether or not the change of use would be development. The definition of development under Section 3 of the Planning & Development Act 2000(as amended) provides that

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

The established use of the overall structure is as a preschool by reference to the grant of planning permission under PRR 05/4315. The store is part of this planning unit, and it is considered therefore forms part of the use as a preschool. The change of use from store to preschool room would be a change of use within the building, but not a material change of use, as it forms part of the planning unit permitted for use as a pre-school. Therefore the change of use is not development.

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 Store to preschool Room, at Stratford Community Hall , Chapel Street, Stratford, Co.Wicklow

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

The Planning Authority consider that the Change of Use from Store to preschool Room **is Not Development**

Main Considerations with respect to Section 5 Declaration :

- (a) The details submitted with the Section 5 Declaration
- (b) Sections 2 , 3 of the Planning and Development Act 2000 (as amended)
- (c) Planning Permission Register Reference PRR 05/4315
- (d) An Coimisiún Pleanála Referral 06.D. RL3443:

Main Reasons with respect to Section 5 Declaration :

- i. The established use of the structure which the store forms part off, is as a preschool, having regard to planning permission register reference PRR 05/4315.
- ii. The change of use of the store within this structure to preschool room would not result in a material change of use, given the store forms part of the planning unit in use as a preschool, and therefore is not development having regard to the definition under Section 3 of the Planning and Development Act 2000 (as amended).

Edel Cunningham SP

18/7/2025

*Issue declaration as recommended
by 1st Plan
22/7/25*



Comhairle Contae Chill Mhantáin Wicklow County Council

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Suíomh / Website www.wicklow.ie

MEMORANDUM

WICKLOW COUNTY COUNCIL

**TO: Edel Bermingham
Senior Executive Planner**

**FROM: Nicola Fleming
Staff Officer**

**RE:- Application for Certificate of Exemption under Section 5 of the
Planning and Development Acts 2000 (as amended).
EX78/2025**

I enclose herewith application for Section 5 Declaration received completed on 4th July 2025.

The due date on this declaration is 31st July 2025.

**Staff Officer
Planning, Economic & Rural Development**





Comhairle Contae Chill Mhantáin Wicklow County Council

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8th July 2025

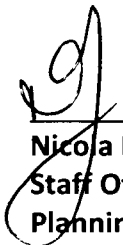
**Statford & Grangecon Dev. Ass. Ltd
Stratford Community Hall
Chapel Street
Stratford
Co. Wicklow**

**RE: Application for Certificate of Exemption under Section 5 of the Planning and
Development Act 2000 (as amended). – EX78/2025**

A Chara

I wish to acknowledge receipt on 04/07/2025 details supplied by you in respect of the above
Section 5 application. A decision is due in respect of this application by 31/07/2025.

Mise, le meas



**Nicola Fleming
Staff Officer
Planning, Economic & Rural Development**



Wicklow County Council
County Buildings
Wicklow
0404-20100

04/07/2025 10:23:37

Receipt No: L11/0/347864

STRATFORD & GRANGE CON DEV ASS LTD
STRATFORD COMMUNITY HALL
CHAPEL STREET
STRATFORD
CO WICKLOW

EXEMPTION CERTIFICATES	80.00
GOODS	80.00
VAT Exempt/Non-vatable	

Total	80.00 EUR
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Tendered	
Cheque	80.00

Change	0.00
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Issued By: Ruth Graham
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 _____

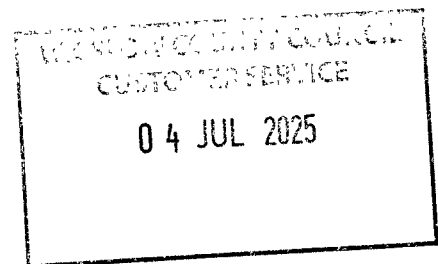
APPLICATION FORM FOR A
DECLARATION IN ACCORDANCE WITH SECTION 5 OF THE PLANNING &
DEVELOPMENT ACTS 2000 (AS AMENDED) AS TO WHAT IS OR IS NOT
DEVELOPMENT OR IS OR IS NOT EXEMPTED DEVELOPMENT

1. Applicant Details

(a) Name of applicant: STRATFORD + GRANGECON DEV. ASS. LTD.

Address of applicant: STRATFORD COMMUNITY HALL,
CHAPEL STREET, STRATFORD, CO. WICKLOW

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

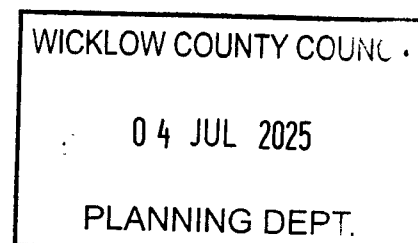


2. Agents Details (Where Applicable)

(b) Name of Agent (where applicable) _____

Address of Agent : _____

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



3. Declaration Details

i. Location of Development subject of Declaration CHAPEL STREET,
STRATFORD ON SLANEY, CO. WICKLOW
W91 FPF3

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

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

iv. Section 5 of the Planning and Development Act provides that : If any question arises as to what, in any particular case, is or is not development and is or is not exempted development, within the meaning of this act, any person may, 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 want to use a store room on
the plans as an additional
preschool room.

Additional details may be submitted by way of separate submission.

Find ground floor plan attached with
store room highlighted for change of use.

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

Additional details may be submitted by way of separate submission.

vi. Does the Declaration relate to a Protected Structure or is it within the curtilage of a Protected Structure (or proposed protected structure) ?

N/A

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

Site map

Ground floor plan + proposed roof plan

viii. Fee of € 80 Attached ?

Yes

Signed : E Mc Donald

Dated : 1/7/2025

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

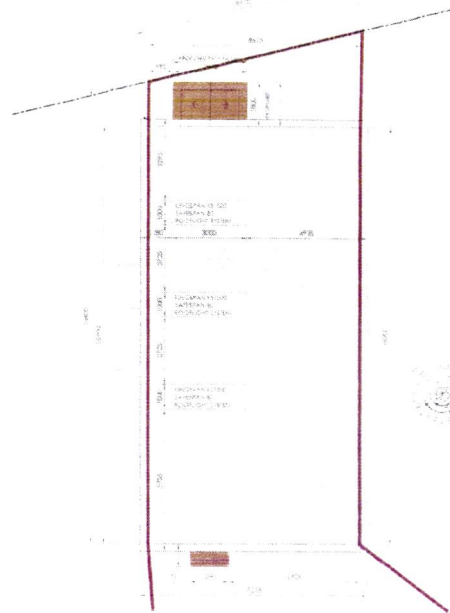
governed by Schedule 2, Part 3, Class 11. Note in addition to confirmation of exemption status under the Planning and Development Act 2000(as amended) there is a certification process with respect to land reclamation works as set out under the European Communities (Environmental Impact Assessment) (Agriculture) 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.

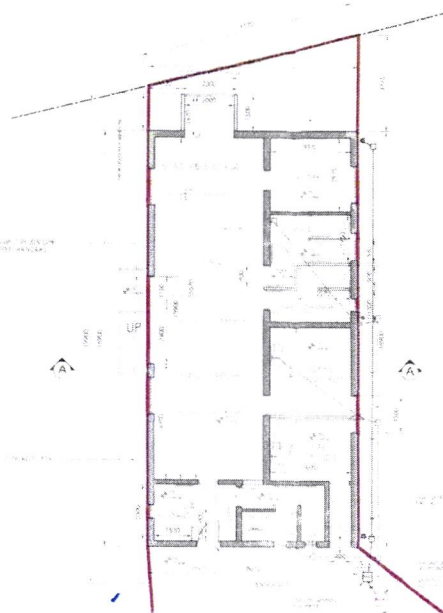
C. Farm Structures - Class 6 -Class 10 Part 3 of Schedule 2.

- 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.





PROPOSED ROOF PLAN
SCALE 1:100



PROPOSED GROUND FLOOR PLAN
SCALE 1:100

NOTES

1. GENERAL: THE ARCHITECT HAS CONDUCTED VISUAL SURVEILLANCE OF THE SITE AND THE PROPOSED BUILDING. THE ARCHITECT HAS NOT CONDUCTED A DETAILED SURVEY OF THE SITE OR THE PROPOSED BUILDING. THE ARCHITECT HAS NOT CONDUCTED A DETAILED SURVEY OF THE SITE OR THE PROPOSED BUILDING. THE ARCHITECT HAS NOT CONDUCTED A DETAILED SURVEY OF THE SITE OR THE PROPOSED BUILDING.
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COMPLIANCE WITH PART M OF THE BUILDING REGULATIONS TECHNICAL GUIDANCE DOCUMENT 2000

1. THE ARCHITECT HAS CONDUCTED VISUAL SURVEILLANCE OF THE SITE AND THE PROPOSED BUILDING. THE ARCHITECT HAS NOT CONDUCTED A DETAILED SURVEY OF THE SITE OR THE PROPOSED BUILDING. THE ARCHITECT HAS NOT CONDUCTED A DETAILED SURVEY OF THE SITE OR THE PROPOSED BUILDING.

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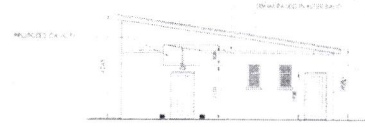
PROPOSED NORTH WEST ELEVATION (SIDE ELEVATION)
SCALE 1:100



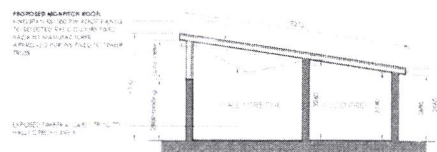
PROPOSED REAR ELEVATION
SCALE 1:100



SIDE ELEVATION
SCALE 1:100



PROPOSED FRONT ELEVATION
SCALE 1:100



SECTION A-A
SCALE 1:100



McLOUGHLIN
ARCHITECTURE
PLANNING APPLICATION
REV: 1 DATE: 5-12-05

REV	DESCRIPTION	DATE
1	McLOUGHLIN ARCHITECTURE	
2	1 UNIT B BLOCK 8 MOUNTAIN LEBURN & COMMERCIAL CENTRAL	
3	TELEPHONE: (0145) 444444 (0145) 444444	
4	CLIENT: STRATFORD GRANGE DEVELOPMENT ASSOCIATION LTD	
5	PROJECT: REDEVELOPMENT OF THE STRATFORD COMMUNITY CENTRE	
6	CHAP: 01	
7	STRATFORD: 001 WICKLOW	
8	DRAWING TITLE: PLANS, ELEVATIONS & SECTION	
9	SCALE: 1:100	DRAWN: DREW HODGINS
10	DWG NO: 001	DATE: 25/11/2005
11	THIS DRAWING IS COPYRIGHT © 2005 BY DREW HODGINS ARCHITECTURE	
12	REPRODUCTION IN ANY FORM WITHOUT PERMISSION IS PROHIBITED	



- GARDEN UNDER PARK OVERSEERING
- SIDE OF THE UPTOWN COMMUNITY HALL
- SURFACE WATER DRAIN
- FLOW WATER RUN IN-COMBINED PUBLIC STREET

PROPOSED SITE LAYOUT
SCALE - 1" = 250'

PLANNING
REGISTER REF. No
05 / 4315

REV	DESCRIPTION	DATE
McLOUGHLIN		
ARCHITECTURE		

UNIT 6, BLOCK 5 MONROD LEISURE & COMMERCIAL CENTRE
11AAB, CO. KILDARE
TELEPHONE / FAX: 045 884466 (6S) E-MAIL: info@monrodcountry.ie

STRATFORD GRANGE CON DEVELOPMENT ASSOCIATION LTD

REDEVELOPMENT OF THE STRATFORD COMMUNITY CENTRE
CHAPEL ST
STRATFORD CO. WICKLOW

DRAWING TITLE

SEE PLAN AND CGMAP

SCALE: 1/250, 1/2500 DRAWN: OWEN MORAN
DWG NO: DATE:

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 05/17/2008 BY 60322 UCBAW

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