



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

Catholic Guides of Ireland
C/O Gisele Mansfield
48 The Bailey
Castle Farm
Naas
Co. Kildare

ick Of July 2026

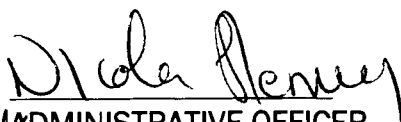
RE: Declaration in accordance with Section 5 of the Planning & Development Acts
2000 (As Amended) -EX 82/2026

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.





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

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

Applicant: Catholic Guides of Ireland

Location: Beechlawn, Corballis Upper, Rathdrum, Co. Wicklow

Reference Number: EX 82/2026

CHIEF EXECUTIVE ORDER NO. CE/PERD/2026/858

A question has arisen as to whether *"the change of use from creche to residential (weekend) house for girl guide groups for age 6 upwards"* at Beechlawn, Corballis Upper, Rathdrum, Co. Wicklow is or is not exempted development.

Having regard to:

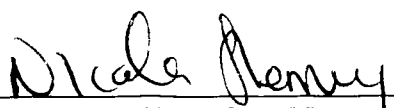
- The details submitted with the Section 5 Declaration Application
- Planning Permissions Register Reference PRR 13/8179
- Sections 2, 3 and 4 of the Planning and Development Act 2000 (as amended)
- Planning and Development Regulations 2001 (as amended).

Main Reasons with respect to Section 5 Declaration:

- the existing permitted use of the structures and site is as a creche facility.
- The proposed use for residential weekend house for girl guide groups would be different in character to the existing creche use, and would give rise to differing traffic movements, differing patterns of usage, and increased noise impacts. The change of use would therefore give rise to materially different planning considerations to the current use of the site as a creche.
- As the change of use is materially different to the existing use, it would therefore be development having regard to the definition set out in Section 3(1)(a) of the Planning and Development Act 2000 (as amended) which provides that "development" means, except where the context otherwise requires, 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.
- There are no exemptions provided for such a change of use under the Planning and Development Regulations 2001 (as amended).

The Planning Authority considers that "the change of use from creche to residential (weekend) house for girl guide groups for age 6 upwards" at Beechlawn, Corballis Upper, Rathdrum, Co. Wicklow is development and IS NOT exempted development.

Signed:


ADMINISTRATIVE OFFICER/
PLANNING DEVELOPMENT & ENVIRONMENT

Date: 14/07/2026



WICKLOW COUNTY COUNCIL

PLANNING & DEVELOPMENT ACTS 2000 (As Amended)
SECTION 5

CHIEF EXECUTIVE ORDER NO. CE/PERD/2026/858

Reference Number: EX 82/2026

Name of Applicant: Catholic Guides of Ireland

Nature of Application: Section 5 Referral as to whether "*the change of use from creche to residential (weekend) house for girl guide groups for age 6 upwards*" is or is not development and is or is not exempted development.

Location of Subject Site: Beechlawn, Corballis Upper, Rathdrum, Co. Wicklow

Report from: Edel Bermingham, T/SP

With respect to the query under Section 5 of the Planning & Development Act 2000 as to whether "*the change of use from creche to residential (weekend) house for girl guide groups for age 6 upwards*" at Beechlawn, Corballis Upper, Rathdrum, Co. Wicklow is or is not exempted development within the meaning of the Planning & Development Act 2000 (as amended)

Having regard to:

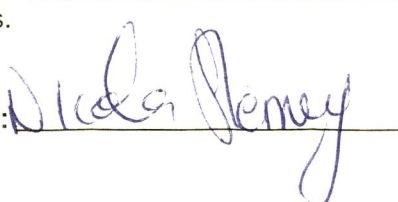
- a. The details submitted with the Section 5 Declaration Application
- b. Planning Permissions Register Reference PRR 13/8179
- c. Sections 2, 3 and 4 of the Planning and Development Act 2000 (as amended)
- d. Planning and Development Regulations 2001 (as amended).

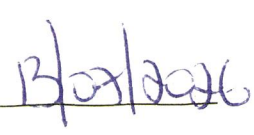
Main Reasons with respect to Section 5 Declaration:

- i. the existing permitted use of the structures and site is as a creche facility.
- ii. The proposed use for residential weekend house for girl guide groups would be different in character to the existing creche use, and would give rise to differing traffic movements, differing patterns of usage, and increased noise impacts. The change of use would therefore give rise to materially different planning considerations to the current use of the site as a creche.
- iii. As the change of use is materially different to the existing use, it would therefore be development having regard to the definition set out in Section 3(1)(a) of the Planning and Development Act 2000 (as amended) which provides that "development" means, except where the context otherwise requires, 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.
- iv. There are no exemptions provided for such a change of use under the Planning and Development Regulations 2001 (as amended).

Recommendation

The Planning Authority considers that "*the change of use from creche to residential (weekend) house for girl guide groups for age 6 upwards*" at Beechlawn, Corballis Upper, Rathdrum, Co. Wicklow is development and is not exempted development as recommended in the planning reports.

Signed: 

Date: 

ORDER:

I HEREBY DECLARE:

THAT "the change of use from creche to residential (weekend) house for girl guide groups for age 6 upwards" at Beechlawn, Corballis Upper, Rathdrum, Co. 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

Date: 14/7/2020

Section 5 Application : EX 82/2026.

Date : 13/7/2026

Applicant : Catholic Guides of Ireland.

Address : Beechlawn, Corballis Upper, Rathdrum, Co. Wicklow

Query Whether or not :

The change of use from creche to residential (weekend) house for girl guide groups for age 6 upwards is or is not exempted development

Relevant Planning History :

13/8179 Permission granted for (1) convert existing bed and breakfast residence to creche. Alterations to elevations, relocation of windows and patio doors (2) provide car parking facility for staff and parents (3) decommission existing sewage treatment plant (4) provide a pumping station with a holding tank and connect to existing sewage mains (5) all associated works. The permission was subject to the following relevant conditions .

3. The development shall be used solely for the use as described in the documents lodged i.e. Creche only. No change of use, whether or not such change of use would constitute other exempted development, shall occur without a prior grant of permission from the Planning Authority.

REASON: For Clarification

4. The hours of operation shall be from 8.00am and 16.00p.m unless otherwise agreed in writing by the Planning Authority.

REASON: In the interests of protecting the residential amenities of adjacent residential properties in this mixed commercial and residential area.

Planning and Development Act 2000 (as amended)

Section 2 : (1) In this Act, except where the context otherwise requires—

"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,

"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,

(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).

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.

Planning and Development Regulations 2001(as amended)

Article 10

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.

(2)

(a) A use which is ordinarily incidental to any use specified in Part 4 of Schedule 2 is not excluded from that use as an incident thereto merely by reason of its being specified in the said Part of the said Schedule as a separate use.

(b) Nothing in any class in Part 4 of the Schedule 2 shall include any use—

- (i) as an amusement arcade,
- (ii) as a motor service station,
- (iii) for the sale or leasing, or display for sale or leasing, of motor vehicles,
- (iv) for a taxi or hackney business or for the hire of motor vehicles,
- (v) as a scrap yard, or a yard for the breaking of motor vehicles,
- (vi) for the storage or distribution of minerals,
- (vii) as a supermarket, the total net retail sales space of which exceeds 3,500 square metres in the greater Dublin Area and 3,000 square metres in the remainder of the State,
- (viii) as a retail warehouse, the total gross retail sales space of which exceeds 6,000 square metres (including any ancillary garden centre), or
- (ix) as a shop, associated with a petrol station, the total net retail sales space of which exceeds 100 square metres.

(4) Development consisting of the use of not more than 4 bedrooms in a house, where each bedroom is used for the accommodation of not more than 4 persons as overnight guest accommodation, shall be exempted development for the purposes of the Act, provided that such development would not contravene a condition attached to a permission under the Act or be inconsistent with any use specified or included in such a permission.

Schedule 2 : Part 3:

CLASS 2

Temporary use of land by a scouting organisation for a camp.

Limitations :

The land shall not be used for such purposes for any period or periods exceeding 30 days in any year.

Schedule : Part 4

CLASS 8

Use—

- (a) as a health centre or clinic or for the provision of any medical or health services (but not the use of the house of a consultant or practitioner, or any building attached to the house or within the curtilage thereof, for that purpose),
- (b) as a crèche,
- (c) as a day nursery,
- (d) as a day centre.

Assessment :

The querist seeks confirmation as to whether the change of use from creche to residential (weekend) house for girl guide groups for age 6 upwards is or is not exempted development

Limited information has been submitted however the query indicates that the facility will be used for the girl guides and for weekend usage. The current permitted usage of the site and structures is as a creche facility and that use was permitted c. 2013

The first question to be asked is whether a change of use would occur and whether this change of use would be material.

In this regard the use as a creche facility would provide for care for children during the daytime. The permitted hours of operation were 8:00 to 16:00. That usage would be Monday to Friday, and would result in early morning and evening car movements. The use by girl guide groups for overnight weekend use, would result in a different pattern of use from week day use to weekend use, alteration in traffic movements to the facility, increased usage of external areas to facilitate girl guide practices, likely to give rise to increased noise impacts. It is therefore considered that the proposed change of use would give rise to materially different planning considerations to the existing creche use, and this change of use would therefore be development having regard to the definition set out in Section 3((1)(a)

(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

There are no exemptions under the Planning and Development Regulations 2001(as amended) that would allow for this change of use

Recommendation :

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

The change of use from creche to residential (weekend) house for girl guide groups for age 6 upwards is or is not exempted development Beechlawn, Corballis Upper, Rathdrum, 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 creche to residential (weekend) house for girl guide groups for age 6 upward is **Development and is Not exempted development.**

Main Considerations with respect to Section 5 Declaration :

- a. The details submitted with the Section 5 Declaration Application
- b. Planning Permissions Register Reference PRR 13/8179
- c. Sections 2 , 3 and 4 of the Planning and Development Act 2000 (as amended)
- d. Planning and Development Regulations 2001 (as amended).

Main Reasons with respect to Section 5 Declaration :

- i. the existing permitted use of the structures and site is as a creche facility.
- ii. The proposed use for residential weekend house for girl guide groups would be different in character to the existing creche use, and would give rise to differing traffic movements, differing patterns of usage, and increased noise impacts. The change of use would therefore give rise to materially different planning considerations to the current use of the site as a creche.

- iii. As the change of use is materially different to the existing use, it would therefore be development having regard to the definition set out in Section 3(1)(a) of the Planning and Development Act 2000 (as amended) which provides that "development" means, except where the context otherwise requires, 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.
- iv. There are no exemptions provided for such a change of use under the Planning and Development Regulations 2001 (as amended).

John Cunningham TSP

13/7/2026

MEMORANDUM

WICKLOW COUNTY COUNCIL

**TO: Edel Bermingham
T/Senior Planner**

**FROM: Aoife Kinsella
Clerical Officer**

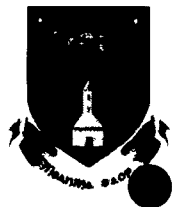
**RE: Declaration in accordance with Section 5 of the Planning &
Development Acts 2000 (as amended) -EX82/2026**

I enclose herewith for your attention application for Section 5 Declaration received 02/07/2026.

The due date on this declaration is the 29/07/2026.

Aoife Kinsella

**Clerical Officer
Planning Development & Environment**



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

Catholic Guides of Ireland
C/O Gisele Mansfield
48 The Bailey
Castle Farm
Naas
Co. Kildare

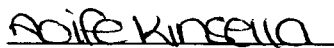
03rd of July 2026

RE: Application for Certificate of Exemption under Section 5 of the Planning and Development Acts 2000 (as amended) – EX82/2026

A Chara

I wish to acknowledge receipt on 02/07/2026 full details supplied by you in respect of the above Section 5 application. A decision is due in respect of this application by 29/07/2026

Mise, le meas

_____

Aoife Kinsella
Clerical Officer
Planning, Economic & Rural Development



Faigh tuilleadh eolais ar ár seirbhísí ar www.wicklowcoco.ie
For more information on our services visit www.wicklowcoco.ie

Ba chóir gach comhfhreagras a sheoladh chuig an Stiúrthóir Seirbhísí, Pleanáil, Forbairt Eacnamaíochta agus Tuaithe
All correspondence should be addressed to the Director of Services, Planning, Economic and Rural Development



Aoife Kinsella

From:  Danielle Gannon
Sent: Friday 3 July 2026 09:06
To: Nicola Fleming; Aoife Kinsella
Subject: FW: Ref: EX82/2026 ("Beechlawn", Corballis Upper, Rathdrum, Co Wicklow)
Attachments: EX82_2026_Beechlawn.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

From: ER Secretary <ersecretary@girlguidesireland.ie>
Sent: Thursday 2 July 2026 21:16
To: Planning - Planning and Development Secretariat <plandev@wicklowcoco.ie>
Subject: Ref: EX82/2026 ("Beechlawn", Corballis Upper, Rathdrum, Co Wicklow)

External Sender - From: (ER Secretary
<ersecretary@girlguidesireland.ie>)

[Learn More](#)

This message came from outside your organisation.

CAUTION This email originated from outside Wicklow County Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Good morning

Further to our application for Certificate of Exemption under Section 5 of the Planning & Development Act 2000 (as amended) for "Beechlawn", Corballis Upper, Rathdrum, Co Wicklow, please find attached the site location map and the floor plans of the property that we have received from the current owner.

I trust this will complete our application. If you need anything further, please let me know.

Kind regards

Gisèle

Gisèle Mansfield
Regional Secretary - Eastern Region

National Office: Catholic Guides of Ireland/Banoglaigh Catoilici Na hEireann
12 Clanwilliam Terrace, Grand Canal Quay, Dublin 2 DO2 DE76, Ireland (Tel 01 661 9566 (+353 1 661 9566))
Email: ersecretary@girlguidesireland.ie **Web:** www.girlguidesireland.ie

Charity Number CHY 7958 Registered Charity Number: 20018689
Northern Region Office Belfast Tel: 048 9031 3639

Mission Statement CGI provide challenging, accessible Guiding opportunities within a safe environment to enable girls and women to develop their full potential, instilling leadership skills for the future.



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

1st of July 2026

Catholic Guides of Ireland
C/O Gisele Mansfield
48 The Bailey
Castle Farm
Naas
Co. Kildare

RE: Application for Certificate of Exemption under Section 5 of the Planning and Development Act 2000 (as amended). – EX82/2026

A Chara

I wish to acknowledge receipt of your application for a declaration in respect of Section 5 for the above proposal on the 30th of June 2026.

The application form however is incomplete as per our additional notes section: -

- No site location map has been submitted (Eircode map will suffice)
- Please provide floor plans for the property

Application is currently classed as incomplete and decision date cannot be noted until documentation is received.

Mise, le meas



Aoife Kinsella
Clerical Officer
Planning, Economic & Rural Development



Wicklow County Council
County Buildings
Wicklow
0404-20100

30/06/2026 16 21 14

Receipt No L1/0/366030
***** REPRINT *****

CATHOLIC GUIDES OF IRELAND
48 THE BAILEY
CASTLEFARM
NAAS
CO KILDARE

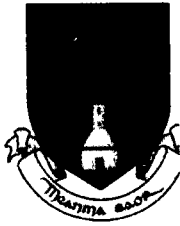
PLANNING APPLICATION FEES	80 00
GOODS	80 00
VAT Exempt/Non-vatable	

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

Tendered	
Cheque	80 00
SECTION V	

Change	0 00
--------	------

Issued By Tom Byrne
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

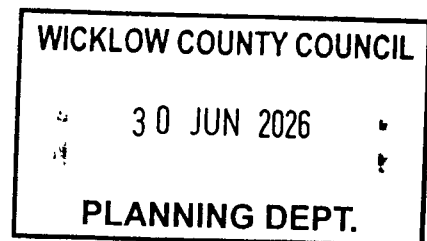
- (a) Name of applicant: CATHOLIC GUIDES of IRELAND
Address of applicant: C/O GISELE MANSFIELD (SECRETARY EREGION)
48 THE BAILEY, CASTLE FARM, DAAS, CO KILDARE

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 BEECHLAWN,
CORBALLY'S UPPER, RATHDRUM
CO WICKLOW

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
ARKZONE LTD
C/O EDWARDS CORPORATION, GRESHAM HOUSE
353, CLONTARF ROAD, CLONTARF, DUBLIN

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
Change of use from
a creche to a residential (weekend) house for
girl guide groups (age 6 upwards) .

Additional details may be submitted by way of separate submission.

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

Additional details may be submitted by way of separate submission.

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

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

viii. Fee of € 80 Attached ? Yes

Signed : Gus J. J. J. Dated : 27 June 2026

Additional Notes :

As a guide the minimum information requirements for the most common types of referrals under Section 5 are listed below :

A. Extension to dwelling - Class 1 Part 1 of Schedule 2

- Site Location Map
- Floor area of structure in question - whether proposed or existing.
- Floor area of all relevant structures e.g. previous extensions.
- Floor plans and elevations of relevant structures.
- Site Layout Plan showing distance to boundaries, rear garden area, adjoining dwellings/structures etc.

B. Land Reclamation -

The provisions of Article 8 of the Planning and Development Regulations 2001 (as amended) now applies to land reclamation, other than works to wetlands which are still

governed by Schedule 2, Part 3, Class 11. Note in addition to confirmation of exemption status under the Planning and Development Act 2000(as amended) there is a certification process with respect to land reclamation works as set out under the European Communities (Environmental Impact Assessment) (Agriculture) Regulations 2011 S.I. 456 of 2011. You should therefore seek advice from the Department of Agriculture, Fisheries and Food.

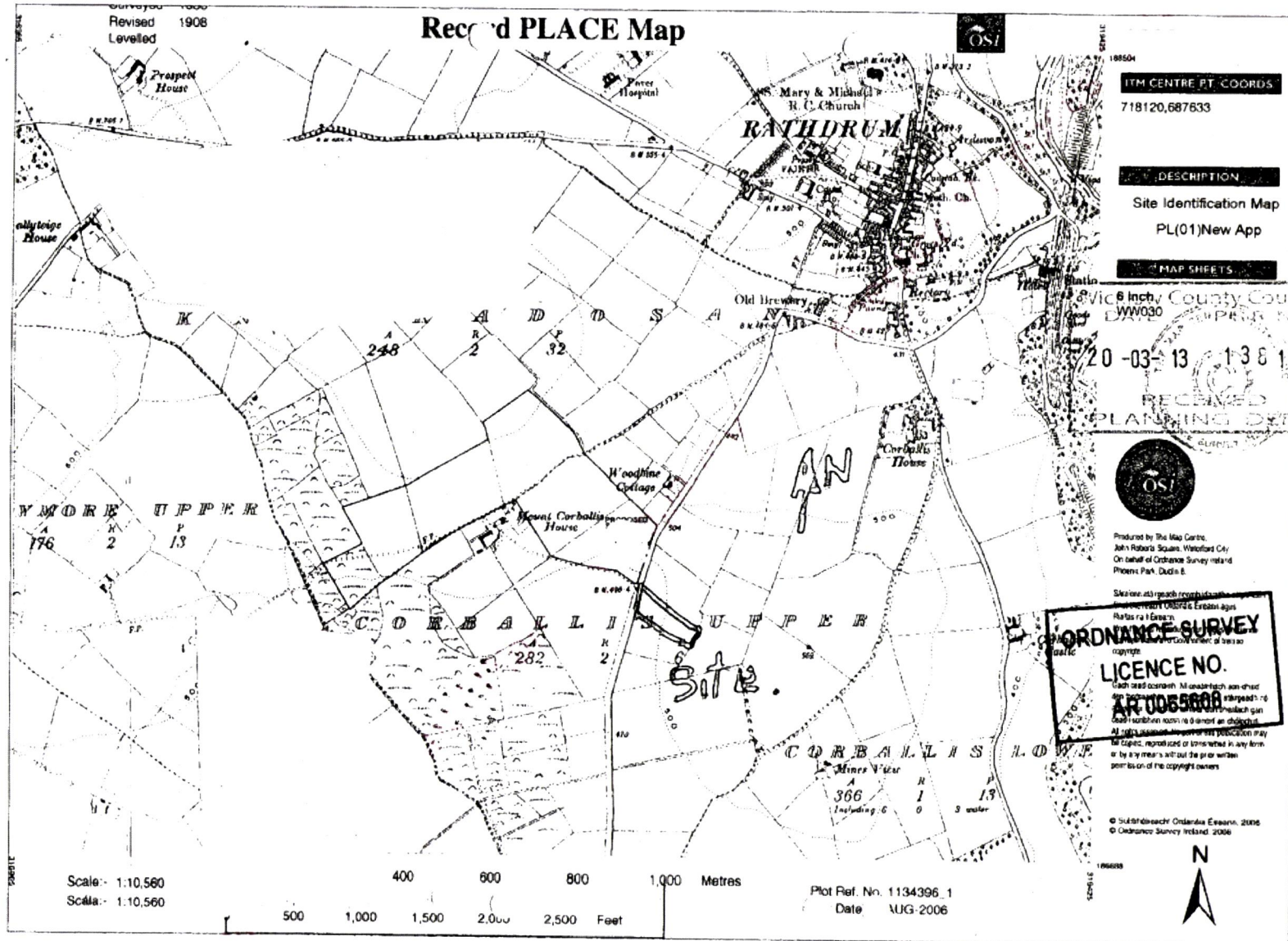
Any Section 5 Declaration should include a location map delineating the location of and exact area of lands to be reclaimed, and an indication of the character of the land.

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

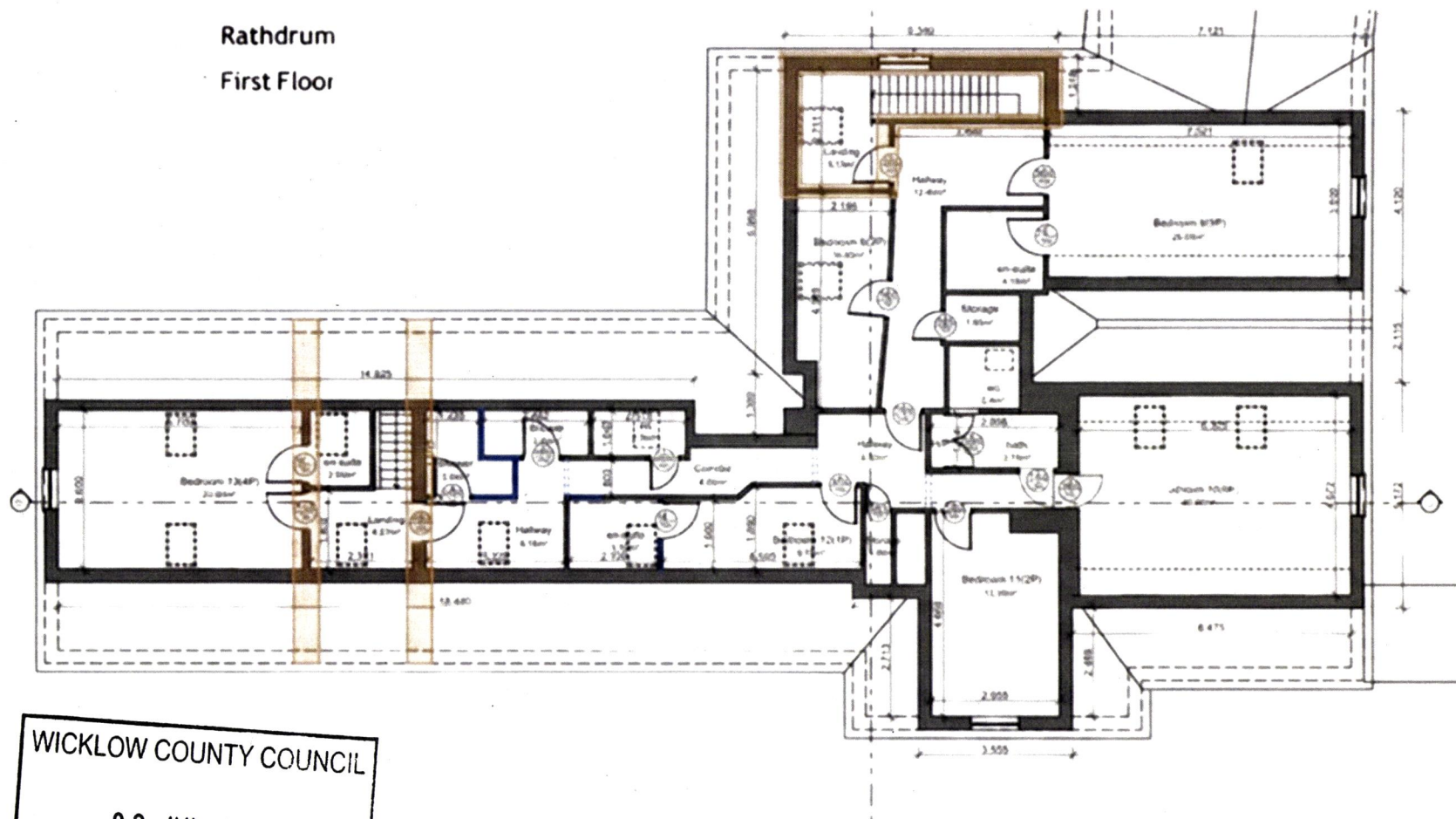
- Site layout plan showing location of structure and any adjoining farm structures and any dwellings within 100m of the farm structure.
- Gross floor area of the farm structure
- Floor plan and elevational details of Farm Structure and Full details of the gross floor area of the proposed structure.
- Details of gross floor area of structures of similar type within the same farmyard complex or within 100metres of that complex.

"Beechlawn", Corballis Upper, Rathdrum, Co Wicklow

Site Location Map



Rathdrum
First Floor



WICKLOW COUNTY COUNCIL

03 JUL 2026

PLANNING DEPT.

LILLIPUT CHILDCARE

BEECHLAWN

CORBALLIS UPPER

RATHDRUM

CO. WICKLOW

A67 PX53

