



Comhairle Contae Chill Mhantáin Wicklow County Council

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

Áras An Chontae / County Buildings
Cill Mhantáin / Wicklow
Guthán / Tel: (0404) 20148
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Suíomh / Website: www.wicklow.ie

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

Applicant: Sean Ashmore

Location: Bedrock, Giltspur Lane, Bray, Co. Wicklow

Reference Number: EX17/2025

CHIEF EXECUTIVE ORDER NO. CE/PERD/2025/221

Section 5 Declaration as to whether "A. replacement of existing slate roof with an aluminium standing seam roof finish and B. installation of external insulation with render finish " at Bedrock, Giltspur Lane, Bray, Co. Wicklow constitutes exempted development within the meaning of the Planning and Development Act, 2000(as amended).

Having regard to:

- i. The details submitted on 10/02/2025;
- ii. Sections 2 , 3 , and 4 of the Planning and Development Act 2000 (as amended);
- iii. Articles 6 & 9 of the Planning and Development Regulations 2001 (as amended);

Main Reasons with respect to Section 5 Declaration:

3. The replacement of existing roof and installation of external wall insulation at Bedrock, Giltspur Lane, Bray, Co. Wicklow' would be development having regard to Section 3 of the Planning and Development Act 2000 (as amended), as set out in the documents lodged.
4. The replacement of existing slate roof with an aluminium standing seam roof finish and the installation of external insulation with render finish as detailed is for the maintenance/ improvement of the dwelling structure, would affect the external appearance, however given the existing dwelling on site, and finishes it is considered that the works would not render the external appearance of this structure inconsistent with the character of the structure or of neighbouring structures, and therefore the works come within the provisions of Section 4(1)(h) of the Planning and Development Act 2000 (as amended).

The Planning Authority considers that: -

A. "replacement of existing slate roof with an aluminium standing seam roof finish" at Bedrock, Giltspur Lane, Bray, Co. Wicklow is development and is exempted development within the meaning of the Planning & Development Act 2000 (as amended).

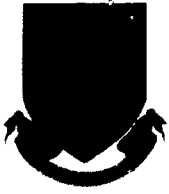
B. "installation of external insulation with render finish" at Bedrock, Giltspur Lane, Bray, Co. Wicklow is development and is exempted development within the meaning of the Planning & Development Act 2000 (as amended).

Signed: 

ADMINISTRATIVE OFFICER
PLANNING ECONOMIC & RURAL DEVELOPMENT

Dated 07 March 2025





Comhairle Contae Chill Mhantáin
Wicklow County Council

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Planning, Economic and Rural Development

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07^m March 2025

Sean Ashmore
Ballyduff Old Schoolhouse
Killiskey
Ashford
Co. Wicklow
A67 E336

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

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,

Daniella Samon
ADMINISTRATIVE OFFICER
PLANNING ECONOMIC & RURAL DEVELOPMENT



WICKLOW COUNTY COUNCIL

PLANNING & DEVELOPMENT ACTS 2000 (As Amended)

SECTION 5

CHIEF EXECUTIVE ORDER NO. CE/PERD/2025/221

Reference Number: EX17/2025

Name of Applicant: Sean Ashmore

Nature of Application: Section 5 Declaration request as to whether or not: -
"A. replacement of existing slate roof with an aluminium standing seam roof finish and B. installation of external insulation with render finish" is or is not development and is or is not exempted development.

Location of Subject Site: Bedrock, Giltspur Lane, Bray, Co. Wicklow

Report from Dara Kean, AP & Suzanne White, SEP

With respect to the query under section 5 of the Planning & Development Act 2000 as to whether "A. replacement of existing slate roof with an aluminium standing seam roof finish and B. installation of external insulation with render finish " at Bedrock, Giltspur Lane, Bray, Co. 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 on 10/02/2025;
- ii. Sections 2 , 3 , and 4 of the Planning and Development Act 2000 (as amended);
- iii. Articles 6 & 9 of the Planning and Development Regulations 2001 (as amended);

Main Reason with respect to Section 5 Declaration:

1. The replacement of existing roof and installation of external wall insulation at Bedrock, Giltspur Lane, Bray, Co. Wicklow' would be development having regard to Section 3 of the Planning and Development Act 2000 (as amended), as set out in the documents lodged.
2. The replacement of existing slate roof with an aluminium standing seam roof finish and the installation of external insulation with render finish as detailed is for the maintenance/improvement of the dwelling structure, would affect the external appearance, however given the existing dwelling on site, and finishes it is considered that the works would not render the external appearance of this structure inconsistent with the character of the structure or of neighbouring structures, and therefore the works come within the provisions of Section 4(1)(h) of the Planning and Development Act 2000 (as amended).

Recommendation:

The Planning Authority considers that: -

A. "replacement of existing slate roof with an aluminium standing seam roof finish" at Bedrock, Giltspur Lane, Bray, Co. Wicklow is development and is exempted development as recommended in the report by the SEP.

B. "installation of external insulation with render finish" at Bedrock, Giltspur Lane, Bray, Co. Wicklow is development and is exempted development as recommended in the report by the SEP.

Signed Samelle Jones

Dated 07th day of March 2025

ORDER:

I HEREBY DECLARE THAT "

A. "replacement of existing slate roof with an aluminium standing seam roof finish" at Bedrock, Giltspur Lane, Bray, Co. Wicklow is development and is NOT exempted development within the meaning of the Planning & Development Act 2000 (as amended).

B. "installation of external insulation with render finish" at Bedrock, Giltspur Lane, Bray, Co. Wicklow is development and is exempted development within the meaning of the Planning & Development Act 2000 (as amended).

Signed: Fergal J. Maguire
Senior Engineer
Planning, Economic & Rural Development

Dated 07th day of March 2025

09



**WICKLOW COUNTY COUNCIL
PLANNING DEPARTMENT**

Section 5 – Application for declaration of Exemption Certificate

REF: EX17/2025
NAME: SEAN ASHMORE
DEVELOPMENT: REFURBUISHMENT OF ROOF & EXTERNAL INSULATION
LOCATION: BEDROCK, GILTSPUR LANE, BRAY

The Site: A detached split level dwelling located on Giltspur Lane in Bray, Co. Wicklow.

Section 5 Referral

From examining the submitted particulars, it is noted that the section 5 query should be re worded as follows:

- A. Replacement of existing slate roof with an aluminium standing seam roof finish
- B. Installation of External Insulation with render finish

at Bedrock, Giltspur Lane, Bray, Co. Wicklow

Relevant Planning History:

On site:

PRR17/1452 (Start Mortgages DAC)- Permission GRANTED for alterations to the front fenestration of an existing dwelling house involving the replacement of two small window units with one larger window unit and associated works

PRR 12/6013 (Manning)- Permission GRANTED for modifications to existing detached dwelling (during original construction), comprising enlargement of floor area by 59sqm, increase in height by 0.6m, minor repositioning of house within site and for retention of garage. Permission is also sought for works at main entrance to improve sightlines and comply with the original permission ref no. 01/4022

PRR01/4022 (Manning) - Permission GRANTED for detached split level dwelling

PRR99/1363 (Baguley) - Outline permission GRANTED for Bungalow

Question:

The applicant has applied to see whether or not the following is or is not development; and is or is not exempted development:

- A. Replacement of existing slate roof with an aluminium standing seam roof finish
- B. Installation of External Insulation with render finish

at Bedrock, Giltspur Lane, Bray, Co. Wicklow.

Legislative Context:

- Planning and Development Act 2000 (as amended)

Section 3(1) of the Act states the following in respect of 'development':

"In this Act, 'development' means, except where the context otherwise requires, the carrying out of any works on, in, over or under land or the making of any material change in the use of any structures or other land."

Section 2(1) of the Act states the following in respect of 'works':

"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 4 sets out the types of works that while considered 'development', can be considered 'exempted development' for the purposes of the Act.

Section 4(1) (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;*

Planning and Development Regulations, 2001 (as amended):

Article 6(1) states that certain classes of development which are specified in Schedule 2 shall be exempted development for the purposes of the Act, subject to compliance with any associated conditions and limitations;

Article 9(1)(a) details a number of circumstances under which the development to which Article 6 relates shall not be exempted development for the purposes of the Act;

Assessment:

The Section 5 declaration application seeks an answer with respect to the following question i.e. 'whether or not;

- A. *Replacement of existing slate roof with an aluminium standing seam roof finish*
- B. *Installation of External Insulation with render finish*

at *Bedrock, Giltspur Lane, Bray, Co. Wicklow*' is or is not development; and is or is not exempted development.

The first assessment must be whether or not the proposal outlined above constitutes development within the remit of Section 3 of the Planning and Development Act 2001. In this regard, Section 3 of the Planning and Development Act provides that:

“development” means, except where the context otherwise requires, the carrying out of any works on, in, over or under land or the making of any material change in the use of any structures or other land.

It should be noted that Section 2 of the Act defines works as:

“works” include any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal.

I am satisfied that the proposal involves works to the existing property and therefore constitutes development.

The second stage of the assessment is to determine whether or not the proposal would be exempted development under the Planning and Development Act 2000 (as amended) or its associated Regulations.

A. Replacement of existing slate roof with an aluminium standing seam roof finish

The proposed works involve the updating and improvement of existing roofing to address leakage issues and low angle run off for rainwater as part of general maintenance and improvement works. The main roof is constructed at an angle of 19 degrees which is at a lower end of acceptable angles for roof tiles and therefore it is proposed to replace the existing roof tiles with an aluminium (or equivalent) standing seam roof finish for the existing dwelling onsite.

It has been noted that a similar roof finish has been included for other dwellings constructed along Giltspur lane in recent years for which the proposed roof finish would not be considered to materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of neighbouring structures. However, given the existing roof of the dwelling onsite is tiled and having regard to the lack of metal finish used throughout the rest of the house, it is considered that a standing seam roof finish would materially affect the external appearance such that it would be inconsistent with the character of the existing house and therefore would not be considered exempted development having regard to the provisions of Section 4(1) (h) of the Planning and Development Act 2000(as amended).

B. Installation of External Insulation with render finish

Proposals have also been included which detail the addition of external insulation to some of the external walls of the property (walls to the front of the property currently clad externally in brown Wicklow Granite will not be altered and are being retained in all areas that the material is in use on the external walls of the property.

The proposed insulation and render finish will add up to 200mm in thickness to the external walls. Some parts of the property are currently finished externally with weathered cedar wood cladding which is c.25 years old and in poor condition in places. The cedar cladding would be replaced with external insulation and a render finish. The render finish will be the same colour as the existing render finish on other parts of the building.

Having regard to the installation of external insulation as detailed above, I am satisfied that the proposed external insulation is for the maintenance/ improvement of the dwelling structure and would it is considered come within the provisions of Section 4(1)(h) of the Planning and Development Act 2000(as amended) as it would

affect the external appearance however it is considered that the impact of the external insulation would not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure or of neighbouring structures.

Conclusion:

With respect to the query under Section 5 of the Planning and Development Act 2000 (as amended), as to 'whether or not;

- A. Replacement of existing slate roof with an aluminium standing seam roof finish
- B. Installation of External Insulation with render finish

at Bedrock, Giltspur Lane, Bray, Co. Wicklow' constitutes exempted development within the meaning of the Planning and Development Acts, 2000(as amended).

The Planning Authority considers that the:

- A. Replacement of existing slate roof with an aluminium standing seam roof finish **is** development and is ~~NOT~~ exempted development
- B. Installation of External Insulation with render finish **is** development and **is** exempted development

Main Considerations with respect to Section 5 Declaration:

- i. The details submitted on 10/02/2025;
- ii. Sections 2 , 3 , and 4 of the Planning and Development Act 2000 (as amended);
- iii. Articles 6 & 9 of the Planning and Development Regulations 2001 (as amended);

Main Reasons with respect to Section 5 Declaration:

- 1) The replacement of existing roof and installation of external wall insulation at Bedrock, Giltspur Lane, Bray, Co. Wicklow' would be development having regard to Section 3 of the Planning and Development Act 2000 (as amended), as set out in the documents lodged.

- 2) The replacement of existing slate roof with an aluminium standing seam roof finish would it is considered materially affect the external appearance such that it would be inconsistent with the character of the house, and therefore would not be exempted having regard to the provisions of Section 4(1)(h) of the Planning and Development Act 2000(as amended).

- 3) The installation of external insulation with render finish as detailed is for the maintenance/ improvement of the dwelling structure, would affect the external appearance, however given the existing dwelling on site, and finishes it is considered that the works would not render this structure inconsistent with the character of the structure or of neighbouring structures, and therefore the

the external appearance of

works come within the provisions of Section 4(1)(h) of the Planning and Development Act 2000 (as amended).

Dara Keane
Dara Keane A.P
Date: 05/03/2025

Agreed as amended. It is noted that the cedar clad ~~part~~ part of the dwelling is not the main volume of the dwelling and represents a smaller proportion of the total elevation than the granite clad portion. Consequently ~~and~~ and having regard to the existence of render on the building as existing and in neighbouring dwellings, it is not considered that the render finish to this portion of the building would be inconsistent with the character of the structure.

White SF
5/3/25

Noted. S 4(1)(h) has 2 parts as such for external consistency, i.e. 1) with the structure itself and 2) with structures in the area. However, the bar for "inconsistency" for 1) would have to be higher than 2), as if surrounding structures have alterations that might be considered material to those structures on an individual basis, the 2) would become irrelevant. I would not think that this would be the intention of S 4(1)(h).

Having regard to the conclusion re the structure itself, I would ~~not~~ consider the change in roof from tiled to aluminium / metal to be material to a degree but not such that it would render the external appearance inconsistent with the character of the structure. The character of the structure as currently existing is not really defined by the tiled roof in this instance.

I therefore consider the replacement of the roof is within the scope of S 4(1)(h) and is Exempted Development
Issue declaration as modified

Fergal To My L
07/3/25

MEMORANDUM

WICKLOW COUNTY COUNCIL

**TO: Dara Keane
Assistant Planner**

**FROM: Nicola Fleming
Staff Officer**

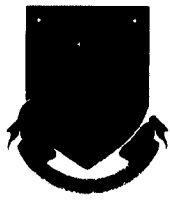
**RE:- Application for Certificate of Exemption under Section 5 of the
Planning and Development Acts 2000 (as amended).
EX17/2025**

I enclose herewith application for Section 5 Declaration received completed on 10/02/2025.

The due date on this declaration is 9th March 2025.



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



COMHAIRLE CONTAE CHILL Mhantáin
Wicklow County Council

Pleanáil, Forbairt Eacnamaíochta agus Tuaithe
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Sean Ashmore
Ballyduff Old Schoolhouse
Killiskey
Ashford
Co. Wicklow
A67 E336

11th February 2025

RE: Application for Certificate of Exemption under Section 5 of the Planning and Development Acts 2000 (as amended). – EX17/2025

A Chara

I wish to acknowledge receipt on 10/02/2025 details supplied by you in respect of the above Section 5 application. A decision is due in respect of this application by 09/03/2025.

Mise, le meas

Nicola Fleming
Staff Officer
Planning, Economic & Rural Development



Wicklow County Council
County Buildings
Wicklow
0404-20100

10/02/2025 11 21 34

Receipt No L1/0/340736

SEAN ASHMORE
BEDROCK
GUILTSPUR LANE
BRAY
CO WICKLOW

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

Total 80 00 EUR

Tendered
Credit Card 80 00

Change 0 00

Issued By Annmarie Ryan
From Customer Service Hub
Vat reg No 0015233H



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Date Received _____

Fee Received _____

RECEIVED 10 FEB 2025

**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: _____ Sean Ashmore _____

Address of applicant: _____ Ballyduff Old Schoolhouse _____

_____ Killiskey, Ashford, Co Wicklow, A67E336 _____

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

2. Agents Details (Where Applicable)

(b) Name of Agent (where applicable) _____ N/A _____

Address of Agent : _____ N/A _____

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

3. Declaration Details

- i. Location of Development subject of Declaration _____
Bedrock, Giltspur Lane, Bray, Co Wicklow, A98 YX57
- ii. Are you the owner and/or occupier of these lands at the location under i. above ?
Yes
- iii. If 'No' to ii above, please supply the Name and Address of the Owner, and or occupier _____
N/A
- iv. Section 5 of the Planning and Development Act provides that: If any question arises as to what, in any particular case, is or is not development and is or is not exempted development, within the meaning of this act, any person may, on payment of the prescribed fee, request in writing from the relevant planning authority a declaration on that question. You should therefore set out the query for which you seek the Section 5 Declaration:

The property in question has been vacant since c. 2017/2018 with no external maintenance during this period. The external condition of the property is in poor condition with several roof leaks developing and a need for general refurbishment to take place to resolve issues and bring the property back into use.

This is a two part application requesting determinations on the following separate and distinct queries:

1. Roof covering/finish materials
2. Wall Cladding finish

1. Roof Covering/Finish Materials

I seek a determination under Section 5 of the Planning and Development Act 2000 (as amended) as to whether the proposed refurbishment of the roofing finish on the property is considered development and, if so, whether it is exempted development under the Planning and Development Regulations 2001 (as amended).

The proposed works involve the updating and improvement of the roofing to address leakage issues and low-angle run-off for rainwater as part of general

maintenance and improvement works. The main roof is constructed at an angle of 19 degrees which is at the lower end of acceptable angles for roof tiles, therefore it is proposed to replace the existing roof tiles with an aluminium (or equivalent) standing seam roof finish which would visually be in keeping with recent developments in the immediate vicinity of the property (the nearest two houses on Giltspur Lane, constructed in the past three years, have been finished in a similar style of roof finish – see attachments (5) and (6) for reference). The replacement of the roof finish will also facilitate the installation of additional/improved roof insulation contributing to sustainability goals and reducing energy consumption at the property. The aluminium (or equivalent) finish will be better suited to the low-angle rainwater run-off than the existing roof tiles and should eliminate leaks and roof issues at the property. See Attachment (10) for data sheet and spec on proposed material for roof finish.

These works do not materially affect the external appearance of the structure, nor do they make it inconsistent with the character of the structure itself or that of neighbouring structures.

2. Wall Cladding Finish

I seek a determination under Section 5 of the Planning and Development Act 2000 (as amended) as to whether the proposed installation of external insulation on the property is considered development and, if so, whether it is exempted development under the Planning and Development Regulations 2001 (as amended).

The proposed works involve the addition of external insulation to some of the external walls of the property (walls to the front of the property currently clad externally in (brown) Wicklow Granite will not be altered and are being retained as is, in all areas that the material is in use on the external walls of the property). The thickness of the insulation and render finish will add up to 200mm in thickness to the external walls. The primary purpose of the works is to enhance the energy efficiency of the property, contributing to sustainability goals and reducing energy consumption. It is also to improve the heat retention of the property which is currently too cold.

Some parts of the property are currently finished externally with weathered cedar wood cladding which is c. 25 years old and in poor condition in places. The cedar cladding would be replaced with external insulation and a render finish. The render finish will be the same colour as the existing render finish on other parts of the building (see attachment '9. Current Cladding View' which shows the cedar cladding on one part of the property and the existing render and finish colour on other parts of the property).

These works do not materially affect the external appearance of the structure, nor do they make it inconsistent with the character of the structure itself or that of neighbouring structures.

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

Section 4(1)(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;

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

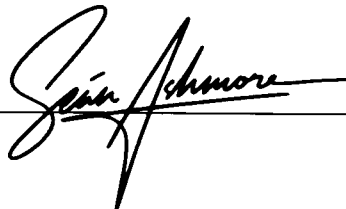
NO

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

1. Site Location Map 1
2. Site Location Map 2
3. Elevation Drawing Bedrock
4. Ariel View – Giltspur Lane with the relevant property marked in red outline
5. View 1 from front of property
6. View 2 from front of property
7. Current Appearance of main roof
8. Angle of Roof
9. Current Cedar Cladding Appearance
10. Kytun Data Sheet Standing Seam Coil
11. Receipt for payment for fee (€80)

- viii. Fee of € 80 Attached ? Fee paid by Phone – Receipt No: L1/0/340736

Signed :



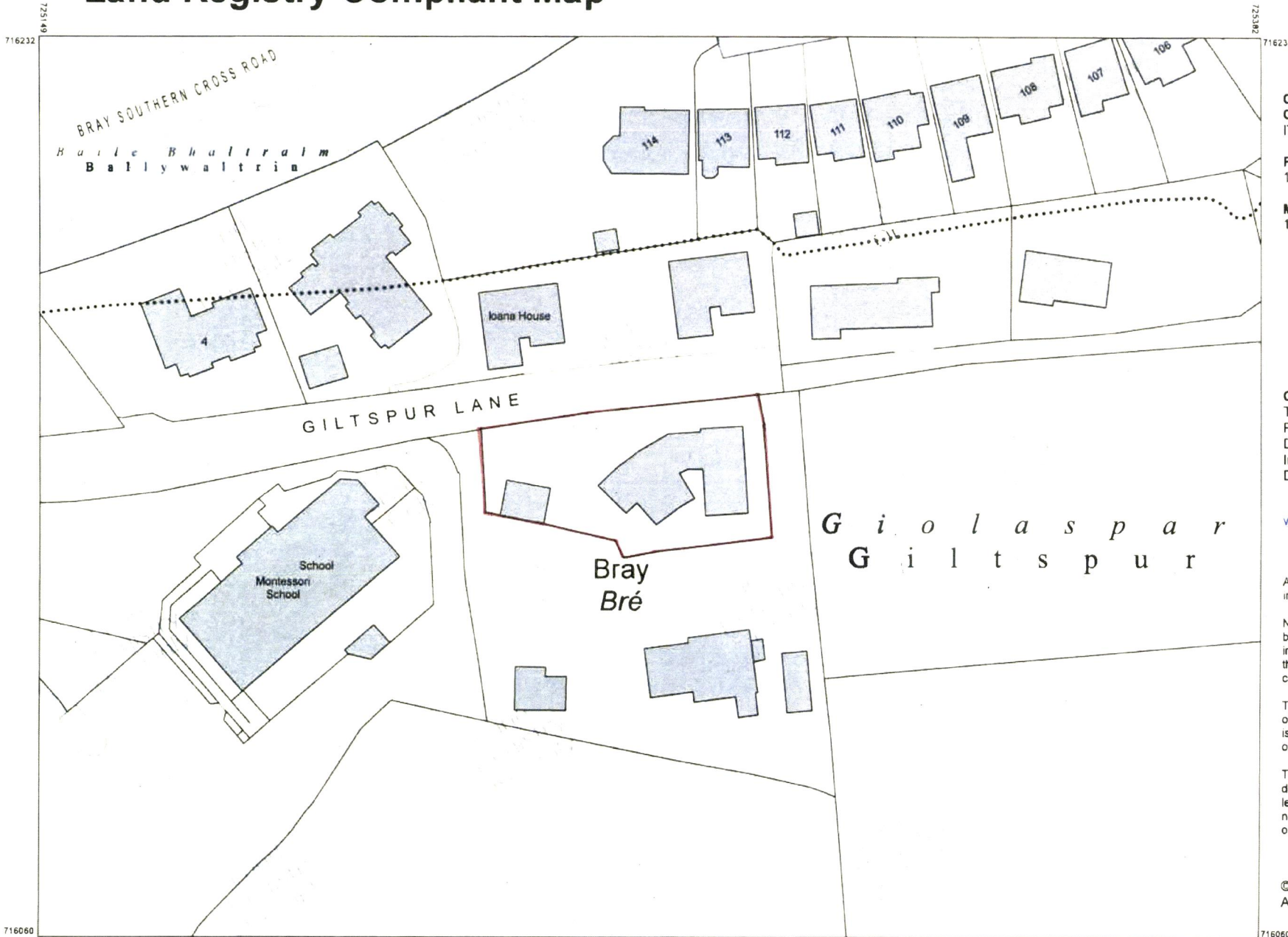
Dated : February 10th 2025



Land Registry Compliant Map



Tailte
Éireann



CENTRE COORDINATES:
ITM 725266,716146

PUBLISHED: 19/03/2024
ORDER NO.: 50389608_1

MAP SERIES: 1:2,500
MAP SHEETS: 3617-A

COMPILED AND PUBLISHED BY:

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Phoenix Park,
Dublin 8,
Ireland.
D08F6E4

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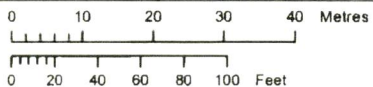
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