



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

William Jermyn & Fionnuala Geraghty

1st August 2024

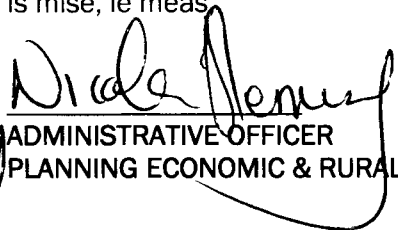
RE: Declaration in accordance with Section 5 of the Planning & Development Act 2000 (As Amended) – EX52/2024

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 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: William Jermyn & Fionnuala Geraghty

Location: 62 Ardmore Park, Bray, Co. Wicklow A98 D8F2

CHIEF EXECUTIVE ORDER NO. CE/PERD/2024/1018

Section 5 Declaration as to whether “the construction of a single storey structure (floor area 17.5sqm” at 62 Ardmore Park, Bray, Co. Wicklow A98 D8F2 constitutes exempted development within the meaning of the Planning and Development Acts, 2000(as amended).

Having regard to:

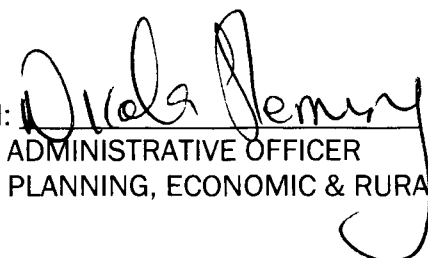
- (i) The details received with this Section 5 application (EX52/2024) on the 10th June 2024 and the further information received on the 17th July 2024.;
- (ii) Sections 2 (1), 3 (1), 4 (1) of the Planning and Development Act 2000 (as amended);
- (iii) Articles 6 & 9 of the Planning and Development Regulations 2001 as amended;
- (iv) Schedule 2, Pt.1 Class 3 of the Planning and Development Regulations 2001(as amended).

Main Reasons with respect to Section 5 Declaration:

- a) The renovation of structure (floor area 17.5sqm) at 62 Ardmore Park, Bray, Co. Wicklow comprises works and is therefore development having regard to the definition set out in Section 3 of the Planning and Development Act 2000(as amended).
- b) The 17.5sqm structure would come within the scope of the exempted development provided for under Class 3 of Part 1 of Schedule 2 to the Planning and Development Regulations, 2001, as amended.

The Planning Authority considers that “the construction of a single storey structure (floor area 17.5sqm” at 62 Ardmore Park, Bray, Co. Wicklow A98 D8F2 A98 D8F2 is development and is exempted development

Signed:


ADMINISTRATIVE OFFICER
PLANNING, ECONOMIC & RURAL DEVELOPMENT

Dated 1st August 2024



WICKLOW COUNTY COUNCIL
PLANNING & DEVELOPMENT ACT 2000 (As Amended)
SECTION 5
CHIEF EXECUTIVE ORDER NO. CE/PERD/2024/1018

Reference Number: EX52/2024

Name of Applicant: William Jermyn & Fionnuala Geraghty

Location of Subject Site: 62 Ardmore Park, Bray, Co. Wicklow A98 D8F2

Nature of Application: Section 5 Declaration request as to whether or not "the construction of a single storey structure (floor area 17.5sqm)" constitutes exempted development within the meaning of the Planning and Development Act, 2000(as amended).

Report from Chris Garde, EP & Edel Bermingham, SEP

With respect to the query under section 5 of the Planning & Development Act 2000 as to whether "the construction of a single storey structure (floor area 17.5sqm)" at 62 Ardmore Park, Bray, Co. Wicklow A98 D8F2 is or is not exempted development within the meaning of the Planning & Development Act 2000 (as amended).

Having regard to:

- i. The details received with this Section 5 application (EX52/2024) on the 10th June 2024 and the further information received on the 17th July 2024.;
- ii. Sections 2 (1), 3 (1), 4 (1) of the Planning and Development Act 2000 (as amended);
- iii. Articles 6 & 9 of the Planning and Development Regulations 2001 as amended;
- iv. Schedule 2, Pt.1 Class 3 of the Planning and Development Regulations 2001(as amended).

Main Reasons with respect to Section 5 Declaration:

- a) The renovation of structure (floor area 17.5sqm) at 62 Ardmore Park, Bray, Co. Wicklow comprises works and is therefore development having regard to the definition set out in Section 3 of the Planning and Development Act 2000(as amended).
- b) The 17.5sqm structure would come within the scope of the exempted development provided for under Class 3 of Part 1 of Schedule 2 to the Planning and Development Regulations, 2001, as amended.

Recommendation:

The Planning Authority considers that "the construction of a single storey structure (floor area 17.5sqm)" at 62 Ardmore Park, Bray, Co. Wicklow A98 D8F2 is development and is exempted development as recommended in the report by the SEP.

Signed

Michael Fleming

Dated

1st

day of August 2024

ORDER:

I HEREBY DECLARE:

That "the construction of a single storey structure (floor area 17.5sqm" at 62 Ardmore Park, Bray, Co. Wicklow A98 D8F2 is development and is exempted development within the meaning of the Planning & Development Act 2000 (as amended).

Signed:

Fogel T. Myles

Senior Engineer

Planning, Economic & Rural Development

Dated

1st

day of August 2024



WICKLOW COUNTY COUNCIL

Planning Department

Section 5 – Application for declaration of Exemption Certificate

TO: Fergal Keogh SE, Edel Bermingham SEP, Suzanne White SEP.
FROM: Chris Garde EP.
REF: EX 52/2024
DECISION DUE DATE: 06/08/2024
APPLICANT: William Jermyn & Fionnuala Geraghty
ADDRESS: 62 Ardmore Park, Bray, Co. Wicklow, A98 D8F2
EXEMPTION QUERY: Is renovation of structure (floor area 17.5sqm) exempted development.

This application has been subject to a further information request. This report should be read in conjunction with the previous planning reports.

Further Information was requested as follows:

Item 1

1. In order to fully assess the section 5 query, you are requested to submit further details concerning the proposed development. A cover letter and site layout plan describing the development proposed. Please include the following in your response:

- A. Whether the structure is a greenhouse, garage, store, shed or other similar structure?
- B. Please also specify the following details of the proposed structure i.e.:
 - i. Where the structure to be renovated is located? You should clearly state/show/indicate on a site plan where the proposed structure is and that it is not to be attached to the existing dwelling and that it is not to be constructed, erected or placed forward of the front wall of a house.
 - ii. Whether there are any other structures constructed in the rear garden excluding the existing ground floor extension to the house? If there are any other structures, what floor area are these structures?
 - iii. Based on the new information provided please confirm that the proposed structure will not reduce the private open space to the rear to less than 25sqm?
 - iv. Is the structure to the side of the dwelling and if so please provide details of the external finishes of the proposed structure?
 - v. Does the structure have a pitched or flat roof?
 - vi. Whether the purpose of the structure is incidental/ancillary to the enjoyment of the house?

Response

The applicant has submitted a cover letter describing the development proposed, a photo of the proposed location, and a land registry map.. The applicant communicates that:

1. A:
The current structure consists of three block walls and no roof (see photo attached). The proposed renovated structure will function as a home office and living room.

Bi:
The structure is located at the rear of the garden. It is marked on the folio / map attached (number ww1077ef) as the grey shaded box at the rear of the garden. The current structure is not attached to the current swelling and it is not constructed, erected or placed forward of the front wall of the house. The renovated structure will be located in the same location as the current structure.

Bii:
The current structure is the only structure in the rear garden.

Biii:
The size of the private open space at the rear of the dwelling excluding the size of the current structure is 160m squared. The size of the rear private open space once the structure has been renovated will be 150m squared.

Biv:
The structure is not located at the side of the dwelling. The structure is located at the rear of the garden as indicated in the attached folio.

Bv:
The renovated single story structure will have a pitched roof sloping downwards from back to front.

Bvi:
The purpose of the structure is ancillary to the enjoyment of the house. The renovated structure will contain a home office and a living room. My moving the office from the house to the renovated structure we will free up a room to become a third bedroom thus enabling our 2 children (one boy and one girl) to have separate bedrooms.

Assessment:

The response from the applicant clarifies the information required to assess the proposal.

Recommendation:

The development is the type of development which could come under Class 3 of the Planning & Development Regulations 2001 (as amended).

Class 3	Conditions & Limitations	Proposed development
<i>The construction, erection or placing within the curtilage of a house of any tent, awning, shade or other object, greenhouse, garage, store, shed or other similar structure</i>	1. No such structure shall be constructed, erected or placed forward of the front wall of a house.	The shed has been shown to the rear of the dwelling house.

	2. The total area of such structures constructed, erected or placed within the curtilage of a house shall not, taken together with any other such structures previously constructed, erected or placed within the said curtilage, exceed 25 square metres.	The shed is detailed as bring 17.5sqm. The applicant indicates that there are no other standalone structures in the rear garden.
	3. The construction, erection or placing within the curtilage of a house of any such structure shall not reduce the amount of private open space reserved exclusively for the use of the occupants of the house to the rear or to the side of the house to less than 25 square metres.	A large garden of c.150sqm is detailed to remain.
	4. The external finishes of any garage or other structure constructed, erected or placed to the side of a house, and the roof covering where any such structure has a tiled or slated roof, shall conform with those of the house.	The structure is detached detailed to be located to rear back wall and is not attached to the dwelling house.
	5. The height of any such structure shall not exceed, in the case of a building with a tiled or slated pitched roof, 4 metres or, in any other case, 3 metres.	The structure is pitched with a maximum roof height of 3.1m.
	6. The structure shall not be used for human habitation or for the keeping of pigs, poultry, pigeons, ponies or horses, or for any other purpose other than a purpose incidental to the enjoyment of the house as such.	The applicant has detailed the structure as a garden office and room to be incidental to the enjoyment of the house as such.

With respect to the query under Section 5 of the Planning and Development Act 2000, as to whether or the proposed renovation domestic shed to the rear of **62 Ardmore Park**, Bray is exempted development. The proposed shed appears to fall within the conditions and limitations of exempt development under Class 3. The Planning Officer considers that the shed to be constructed to the rear of the dwelling is development and is exempted development.

Conclusion:

Is exempted development.

Recommendation:

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

- Whether the ~~renovation~~ ^{construction of a single storey} of structure (floor area 17.5sqm) at 62 Ardmore Park, Bray, Co. Wicklow is or is not exempted development.

The Planning Authority consider that the construction of a single storey structure (floor area 17.5sqm) to the rear of 62 Ardmore Park, Bray, Co. Wicklow is development and is exempted development.

Main Considerations with respect to Section 5 Declaration:

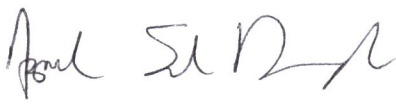
- The details received with this Section 5 application (EX52/2024) on the 10th June 2024 and the further information received on the 17th July 2024.;
- Sections 2 (1), 3 (1), 4 (1) of the Planning and Development Act 2000 (as amended);
- Articles 6 & 9 of the Planning and Development Regulations 2001 as amended;
- Schedule 2, Pt.1 Class 3 of the Planning and Development Regulations 2001(as amended).

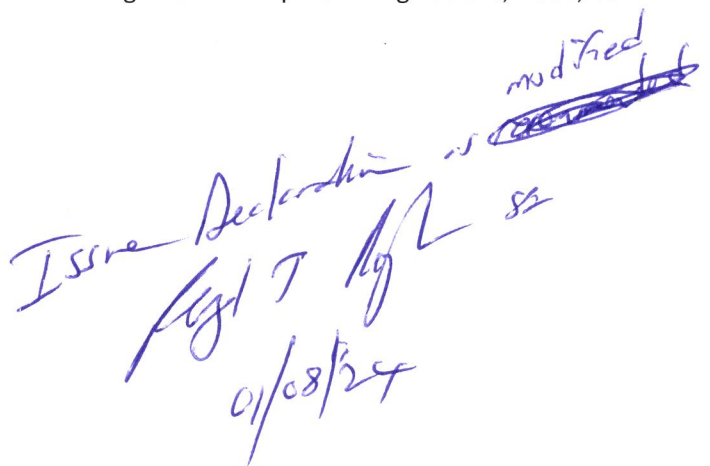
Main Reasons with respect to Section 5 Declaration:

- The renovation of structure (floor area 17.5sqm) at ~~62 Ardmore Park, Bray, Co. Wicklow~~ comprises works and is therefore development having regard to the definition set out in Section 3 of the Planning and Development Act 2000(as amended).
- The 17.5sqm structure would come within the scope of the exempted development provided for under Class 3 of Part 1 of Schedule 2 to the Planning and Development Regulations, 2001, as amended.



Chris Garde
Executive Planner
Date: 01/08/2024


SVP
1/8/2024


Issue Declaration as ^{modified} ~~revised~~
Fglt 7 19/2 ss
01/08/24

MEMORANDUM
WICKLOW COUNTY COUNCIL

TO: Chris Garde
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).
EX52/2024**

I enclose herewith application for Section 5 Declaration received 10th June 2024 and Further Information received on 17/07/2024.

The due date on this declaration is 6th August 2024.


Staff Officer
Planning Development & Environment

EX 52/2024

Nicola Fleming

From: Fionnuala & Bob Jermyn <
Sent: Wednesday 17 July 2024 18:59
To: Nicola Fleming
Subject: Re: Re: EX52/2024 renovation of structure
Attachments: image001.jpg; IMG-20240716-WA0011.jpg

External Sender - From: ("Fionnuala & Bob Jermyn")

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.

Dear Ms Flemming,



Map - WW10773F - 62 Ardmore Park.png

Many thanks for your response in relation to our submitted query. Please find our responses below:

A: The current structure consists of three block walls and no roof (see photo attached). The proposed renovated structure will function as a home office and living room.

B i The structure is located at the rear of the garden. It is marked on the folio / map attached (number ww1077ef) as the grey shaded box at the rear of the garden. The current structure is not attached to the current dwelling and it is not constructed, erected or placed forward of the front wall of the house. The renovated structure will be located in the same location as the current structure.

Bii The current structure is the only structure in the rear garden.

Biii The size of the private open space at the rear of the dwelling excluding the size of the current structure is 160m squared. The size of the rear private open space once the structure has been renovated will be 150m squared

Biv The structure is not located at the side of the dwelling. The structure is located at the rear of the garden as indicated in the attached folio .

Bv The renovated single story structure will have a pitched roof sloping downwards from back to front.

Bvi The purpose of the structure is ancillary to the enjoyment of the house. The renovated structure will contain a home office and a living room. By moving the office from the house to the renovated structure we will free up a room to become a third bedroom thus enabling our 2 children (one boy and one girl) to have separate bedrooms.

I am available via email or at 0876310982 to discuss any further queries you may have,

Many Thanks

Fionnuala

On Fri 14 Jun 2024, 15:44 Nicola Fleming, <NFleming@wicklowcoco.ie> wrote:

I acknowledge receipt of your Section 5 application and advise that a decision is due on this application by 11/07/2024

Regards,

Nicola Fleming

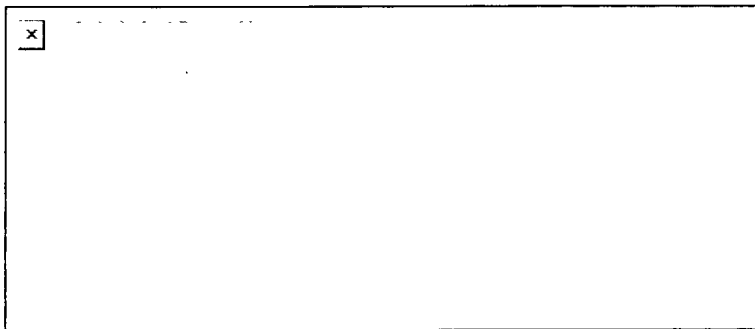
Staff Officer

Planning Department

WICKLOW COUNTY COUNCIL, COUNTY BUILDINGS, WICKLOW TOWN, A67 FW96

Ph☎: +353 (0404) 20148 | ✉: nfleming@wicklowcoco.ie

Website: <http://www.wicklow.ie>



From: Fionnuala & Bob Jermyn [<mailto:62ardmorepark@gmail.com>]

Sent: Friday 14 June 2024 12:10

To: Nicola Fleming

Subject: Re: Re:

Hi Nicola,



Comhairle Contae Chill Mhantáin Wicklow County Council

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

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Suíomh / Website: www.wicklow.ie

5th July 2024

William Jermyn & Fionnuala Geraghty


RE: EX 52/2024 – renovation of structure

A Chara

In respect of your query under Section 5 of the Planning and Development Act 2000 (as amended), received on 10th June 2024 in order to fully the Section 5 query, you are requested to submit further details concerning the proposed development. A cover letter and site layout plan describing the development proposed. Please include the following in your response:

- A. Whether the structure is a greenhouse, garage, store, shed or other similar structure?
- B. Please also specify the following details of the proposed structure i.e.:
 - i. Where the structure to be renovated is located? You should clearly indicate on a site plan where the proposed structure is and that it is not to be attached to the existing dwelling and that it is not to be constructed, erected or placed forward of the front wall of a house.
 - ii. Whether there are any other structures constructed in the rear garden excluding the existing ground floor extension to the house? If there are any other structures, what floor area are these structures? Any such structures should be indicated on a site layout plan.
 - iii. Please confirm that the proposed structure will not reduce the private open space to the rear of the dwelling to less than 25sqm?
 - iv. If the structure is located to the side of the dwelling, provide details of the external finishes of the proposed structure.
 - v. Does the structure have a pitched or flat roof?
 - vi. Please confirm whether the purpose of the structure is incidental/ancillary to the enjoyment of the house?

Mise, le meas


NICOLA FLEMING,
STAFF OFFICER,
PLANNING, ECONOMIC & RURAL DEVELOPMENT



Ta an doicimead seo ar fáil i bhformáid eile ar iarratas
This document is available in alternative formats on request

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



WICKLOW COUNTY COUNCIL

Planning Department

Section 5 – Application for declaration of Exemption Certificate

TO: Fergal Keogh S.E. / Edel Bermingham S.E.P
FROM: Chris Garde E.P.
SUBJECT REF: EX 52/2024
DECISION DUE DATE: 11/07/2024
APPLICANT: William Jermyn & Fionnuala Geraghty
ADDRESS: 62 Ardmore Park, Bray, Co. Wicklow, A98 D8F2
EXEMPTION QUERY: Is renovation of structure (floor area 17.5sqm) exempted development.

Application Site:

The subject site is located at 62 Ardmore Park, Bray, Co. Wicklow, A98 D8F2. Existing semi-detached, two storey dwelling on site. The site is located within a large housing development.

Planning History:

99/630092 –
Carol Paltridge
62 Ardmore Park, Bray, Co. Wicklow, A98 D8F2
Extension to rear of house
Grant

Question:

The applicants have applied to see whether or not the following is or is not development and is or is not exempted development:

- 1) Renovation of structure (floor area 17.5sqm) at 62 Ardmore Park.

Legislative Context

Planning and Development Act 2000 (as amended)

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

“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

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

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 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) is relevant for the purposes of this declaration:

"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."

Section 4(2) makes provision for ministerial regulations to set out further exemptions. The 2001 Planning Regulations as amended derive from this section and designate further works as being exempted development for the purposes of the act.

Planning and Development Regulations 2001(as amended)

Article 6 (1):

Subject to Article 9, development of a class specified in column 1 of Part 1 of Schedule 2 shall be exempted development for the purposes of the Act, provided that such development complies with the conditions and limitations specified in column 2 of the said Part 1 opposite the mention of that class in the said column 1.

Article 9 (1):

Development to which article 6 relates shall not be exempted development for the purposes of the Act–

(a) If the carrying out of such development would–

(i) Contravene a condition attached to a permission under Act or be inconsistent with any use specified in a permission under the Act,

(ii) consist of or comprise the formation, laying out or material widening of a means of access to a public road the surfaced carriageway of which exceeds 4 metres in width,

(iii) Endanger public safety by reason of traffic hazard or obstruction of road users,

Planning and Development Regulations 2001 as amended: Schedule 2, Pt.1 Class 3, states that the following constitutes exempted development:

<p>CLASS 3</p> <p>The construction, erection or placing within the curtilage of a house of any tent, awning, shade or other object, greenhouse, garage, store, shed or other similar structure.</p>	<ol style="list-style-type: none"> 1. No such structure shall be constructed, erected or placed forward of the front wall of a house. 2. The total area of such structures constructed, erected or placed within the curtilage of a house shall not, taken together with any other such structures previously constructed, erected or placed within the said curtilage, exceed 25 square metres. 3. The construction, erection or placing within the curtilage of a house of any such structure shall not reduce the amount of private open space reserved exclusively for the use of the occupants of the house to the rear or to the side of the house to less than 25 square metres. 4. The external finishes of any garage or other structure constructed, erected or placed to the side of a house, and the roof covering where any such structure has a tiled or slated roof, shall conform with those of the house.
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	<p>5. The height of any such structure shall not exceed, in the case of a building with a tiled or slated pitched roof, 4 metres or, in any other case, 3 metres.</p> <p>6. The structure shall not be used for human habitation or for the keeping of pigs, poultry, pigeons, ponies or horses, or for any other purpose other than a purpose incidental to the enjoyment of the house as such.</p>
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Details Submitted in support of Application:

The applicants are applying for a Section 5 Declaration in relation to the following;

- 1) Renovation of structure 17.5sqm at 62 Ardmore Park.

Assessment:

From the information supplied, the following information is unclear:

A. Whether the structure is a greenhouse, garage, store, shed or other similar structure?

B. Details of the proposed structure i.e.:

- i. Where the structure to be renovated is located. From reading the application and attached Appendices (i.e. description, location map and Land Registry map) it appears that the applicant implies the structure is located within the rear garden and not forward of the building line and is not directly attached the existing dwelling. However the existing structure for renovation has not been clearly indicated.

The applicant should clearly state/indicate on a site plan where the proposed structure is and that it is not to be attached to the existing dwelling and that it is not to be constructed, erected or placed forward of the front wall of a house.

- ii. Whether there are any other structures constructed in the rear garden excluding the existing ground floor extension to the house? If there are any other structures, what floor area are these structures?
- iii. The applicant states that the proposed structure will not reduce the private open space to the rear to less than 25sqm.
- iv. Is the structure to the side of the dwelling and if so details of the external finishes of the proposed structure are required.
- v. Does the structure have a pitched or flat roof?
- vi. Whether the purpose of the structure is incidental to the enjoyment of the house as such?

The above information is required before the Planning Authority can fully assess the proposal.

Recommendation:

FURTHER INFORMATION

1. In order to fully assess the section 5 query, you are requested to submit further details concerning the proposed development. A cover letter and site layout plan describing the development proposed. Please include the following in your response:

A. Whether the structure is a greenhouse, garage, store, shed or other similar structure?

B. Please also specify the following details of the proposed structure i.e.:

- i. Where the structure to be renovated is located? You should clearly ~~state/show~~ indicate on a site plan where the proposed structure is and that it is not to be attached to the existing dwelling and that it is not to be constructed, erected or placed forward of the front wall of a house.
- ii. Whether there are any other structures constructed in the rear garden excluding the existing ground floor extension to the house? If there are any other structures, what floor area are these structures? *Any such structures should be indicated on a site layout plan.*
- iii. ~~Based on the new information provided~~ Please confirm that the proposed structure will not reduce the private open space to the rear to less than 25sqm?
- iv. ~~Is~~ ^{is located} the structure ^{to the side of the dwelling} and if so please provide details of the external finishes of the proposed structure?
- v. Does the structure have a pitched or flat roof?
- vi. ~~Whether~~ ^{Please confirm whether} the purpose of the structure is incidental/ancillary to the enjoyment of the house?



Chris Garde
Executive Planner
Date: 05/07/2024

*Agreed as amended.
D. White SEP
5/7/24*

MEMORANDUM
WICKLOW COUNTY COUNCIL

TO: Chris Garde
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).
EX52/2024**

I enclose herewith application for Section 5 Declaration received 10th June 2024.

The due date on this declaration is 11th July 2024.



Staff Officer
Planning Development & Environment

ola Fleming

From: Nicola Fleming
Sent: Friday 14 June 2024 15:38
To: 'Fionnuala & Bob Jermyn'
Subject: RE: Re:

I acknowledge receipt of your Section 5 application and advise that a decision is due on this application by 11/07/2024

Regards,

Nicola Fleming

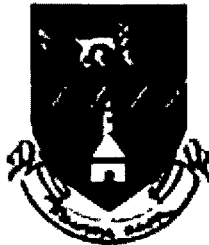
Staff Officer

Planning Department

WICKLOW COUNTY COUNCIL, COUNTY BUILDINGS, WICKLOW TOWN, A67 FW96

Ph ☎: +353 (0404) 20148 | ✉: nfleming@wicklowcoco.ie

Website: <http://www.wicklow.ie>



From: Fionnuala & Bob Jermyn | —
Sent: Friday 14 June 2024 12:10
To: Nicola Fleming
Subject: Re: Re:

Hi Nicola,

Thank you for the clarification.

The two questions we need answered are:

- 1: "do we need planning permission for the proposed renovation works"?
- 2: "is there sufficient rationale provided for a planning permission exemption"?

Thank you for your help on this application,
William

On Thu 13 Jun 2024, 9:26 AM Nicola Fleming, <NFleming@wicklowcoco.ie> wrote:

No William if you can just advise me via email what exact question you are asking us that will be fine.

Regards,

Nicola Fleming

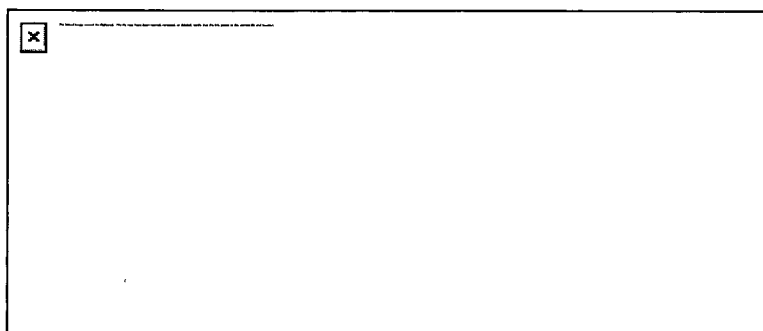
Staff Officer

Planning Department

WICKLOW COUNTY COUNCIL, COUNTY BUILDINGS, WICKLOW TOWN, A67 FW96

Ph ☎: +353 (0404) 20148 | ✉: nfleming@wicklowcoco.ie

Website: <http://www.wicklow.ie>



From: Fionnuala & Bob Jermyn [mailto:]

Sent: Wednesday 12 June 2024 16:50

To: Nicola Fleming

Subject: Re:

Dear Nicola,

Many thanks for your email.

Could i send in a second form with just the section iv completed, while making reference to the previous form for the other sections, or must the entire application be completed again?

Much appreciated,

William

Wed 12 Jun 2024, 8:50 AM Nicola Fleming, <NFleming@wicklowcoco.ie> wrote:

I refer to your application for exemption declaration under Section 5 of the Planning & Development Acts 2000.

In order to process your application you need to state what exactly you are looking for an exemption for ? it is not clear from your application what you are seeking. You MUST fill in (iv) on the form which asks you to set out the query for which you are seek the Section 5 Declaration.

Regards,

Nicola Fleming

Staff Officer

Planning Department

WICKLOW COUNTY COUNCIL, COUNTY BUILDINGS, WICKLOW TOWN, A67 FW96

Ph☎: +353 (0404) 20148 | ✉: nfleming@wicklowcoco.ie

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Wicklow County Council
County Buildings
Wicklow
0404-20100

10/06/2024 10:31:58

Receipt No L10/330357

WILLIAM JERMYN & FIONNUAL A GERAGHTY
62 ARDMORE PARK
BRAY
CO WICKLOW
A98 D8F2

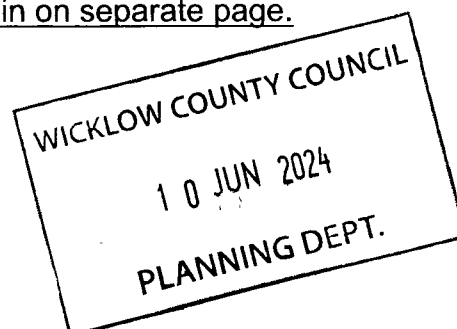
EXEMPTION CERTIFICATES	80.00
GOODS	80.00
VAT Exempt/Non-vatable	

Total	80.00 EUR
-------	-----------

Tendered	
Bank Draft	80.00
62 ARDMORE PARK	

Change	0.00
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Issued By: Cashier6MW
From: Customer Service Hub
Vat reg No 0015233H



3. Declaration Details

i. Location of Development subject of Declaration 62 ARDMORE PARK, A98 D8F2

[illegible]

vii. List of Plans, Drawings submitted with this Declaration Application _____
Attachment 1: Land Registry Photo
Attachment 2: Folio Number WW10773F
Attachment 3: Drawing of New Structure

viii. Fee of € 80 Attached ? Yes Bank Draft
098067 - 99 - 0623 - 77777781 - 09

Signed : F. Gajon / W. Gajon Dated : 01 JUN 2024

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.

Appendix 1:

- ① Renovated structure will not reduce the private open space at the rear of the existing private dwelling at 62 ordmore park to Less than 25 sq meters.
- ② the current existing structure is not habitable and is not a protected structure and is not part of a terrace.
- ③ the new renovated structure will have a smaller Footprint than the current existing dilapidated structure.
- ④ the new renovated structure will have a Footprint of 17.5 sq meters. There is an extension on 62 ordmore park of 21.0 square meters. Therefore the overall extension works will total 38.5 sq meters which is Less than the 40.0 sq meter maximum.
- ⑤ Structure will not endanger public safety and it will not obstruct a right of way. It will not involve a new or wider access to the public road and does not involve development to a protected structure.

Attachment 1: Land Registry Photo Dated 19/9/84

Existing structure present in Number 62.



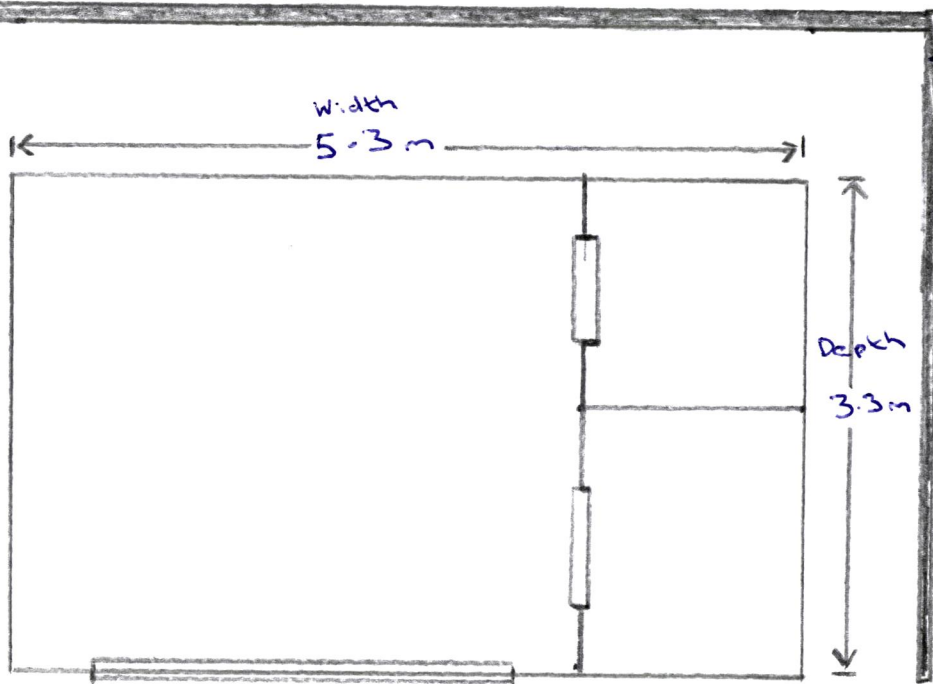
Attachment 2: Folio Number WW10773F

Existing structure present in Number 62.



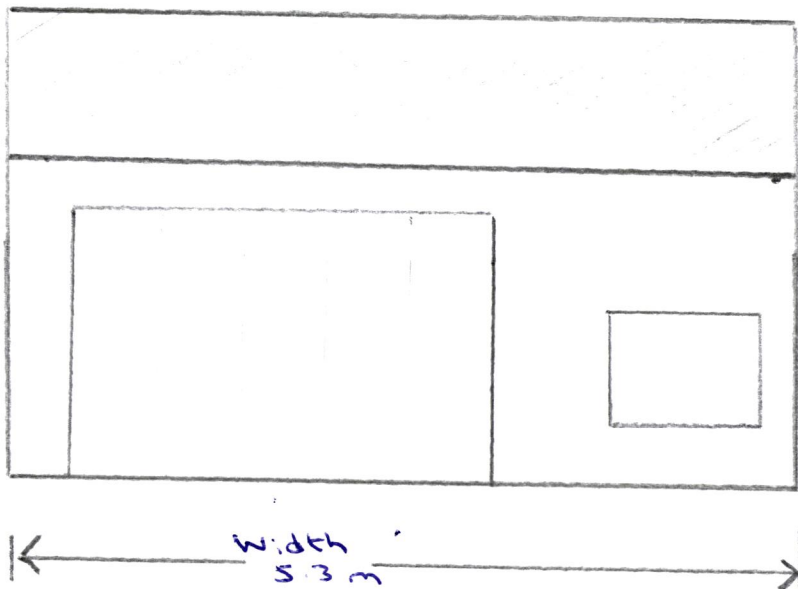
Attachment 3: Plan for new structure within current location of existing structure.

Aerial View



Walls of existing structure - to remain in place.
1 metre clearance on each side.

Front View



Height 3.1m