



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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Rphost / Email: plandev@wicklowcoco.ie
Suíomh / Website: www.wicklow.ie

19th May 2025

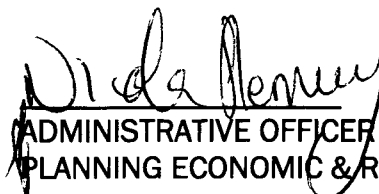
Dean Cummins & Hayley Doyle
5 Lakeview Crescent
St. Patricks Road
Wicklow Town

**RE: Declaration in accordance with Section 5 of the Planning & Development Acts
2000 (As Amended) – EX52/2025**

I enclose herewith Declaration in accordance with Article 5 (2) (A) of the Planning & Development Act 2000.

Where a Declaration is used under this Section any person issued with a Declaration under subsection (2) (a) may, on payment to An Bord Pleanála of such fee as may be prescribed, refer a declaration for review by the Board within four weeks of the date of the issuing of the declaration by the Local Authority.

Is mise, le meas,


**ADMINISTRATIVE OFFICER
PLANNING ECONOMIC & RURAL DEVELOPMENT**





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

Applicant: Dean Cummins & Hayley Doyle

Location: 5 Lakeview Crescent, St. Patricks Road, Wicklow Town

Reference Number: EX52/2025

CHIEF EXECUTIVE ORDER NO. CE/PERD/2025/483

Section 5 Declaration as to whether "installation of external insulation to a depth of 100mm and render finish to the external elevations" at 5 Lakeview Crescent, St. Patricks Road, Wicklow Town constitutes exempted development within the meaning of the Planning and Development Act, 2000(as amended).


Having regard to:

- a) The details submitted with the Section 5 Declaration application
- b) Sections 2, 3 and 4 of the Planning & Development Act 2000 (as amended)
- c) Article 6 and 9 of the Planning and Development Regulations 2001 (as amended).

Main Reasons with respect to Section 5 Declaration:

- a) The installation of external insulation with render finish would be operations of construction and alteration, and therefore such operations would come within the definition of works as set out in Section 2 of the Planning and Development Act 2000(as amended).
- b) The works are development given the provisions of Section 3(1) (a) of the Planning and Development Act 2000 (as amended).
- c) The external insulation is considered to come within the provisions of Section 4(1)(h) of the Planning and Development Act 2000 (as amended) as it 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, given the existing finishes of the dwelling all along St Patrick's Road.

The Planning Authority considers that "installation of external insulation to a depth of 100mm and render finish to the external elevations" at 5 Lakeview Crescent, St. Patricks Road, Wicklow Town **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 19th May 2025



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

CHIEF EXECUTIVE ORDER NO. CE/PERD/2025/483

Reference Number: EX52/2025

Name of Applicant: Dean Cummins & Hayley Doyle

Nature of Application: Section 5 Declaration request as to whether or not:-
"installation of external insulation to a depth of 100mm
and render finish to the external elevations" is or is not
development and is or is not exempted development.

Location of Subject Site: 5 Lakeview Crescent, St. Patricks Road, Wicklow Town

Report from Maria Harte, GP & Edel Bermingham, SEP

With respect to the query under section 5 of the Planning & Development Act 2000 as to whether
"installation of external insulation to a depth of 100mm and render finish to the external
elevations" at 5 Lakeview Crescent, St. Patricks Road, Wicklow Town 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) Sections 2, 3 and 4 of the Planning & Development Act 2000 (as amended)
- c) Article 6 and 9 of the Planning and Development Regulations 2001 (as amended).

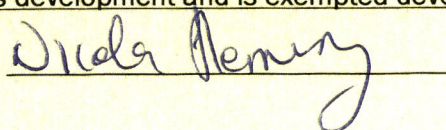
Main Reason with respect to Section 5 Declaration:

- (a) The installation of external insulation with render finish would be operations of construction and alteration, and therefore such operations would come within the definition of works as set out in Section 2 of the Planning and Development Act 2000(as amended).
- (b) The works are development given the provisions of Section 3(1) (a) of the Planning and Development Act 2000 (as amended).
- (c) The external insulation is considered to come within the provisions of Section 4(1)(h) of the Planning and Development Act 2000 (as amended) as it 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, given the existing finishes of the dwelling all along St Patrick's Road.

Recommendation:

The Planning Authority considers that "installation of external insulation to a depth of 100mm and render finish to the external elevations" at 5 Lakeview Crescent, St. Patricks Road, Wicklow Town is development and is exempted development as recommended in the report by the SEP.

Signed

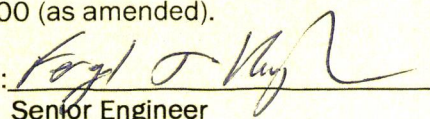


Dated 19th day of May 2025

ORDER:

I HEREBY DECLARE THAT the "installation of external insulation to a depth of 100mm and render finish to the external elevations" at 5 Lakeview Crescent, St. Patricks Road, Wicklow Town is development and is exempted development within the meaning of the Planning & Development Act 2000 (as amended).

Signed:



Senior Engineer
Planning, Economic & Rural Development

Dated 19th day of May 2025



**WICKLOW COUNTY COUNCIL
PLANNING DEPARTMENT**

Section 5 – Application for declaration of Exemption Certificate

Ref: EX52/2025
Name: Dean Cummins & Hayley Doyle
Development: Application for Certificate of Exemption under Section 5 of the Planning & Development Act 2000 (as amended).
RE: External Insulation
Location: 5 Lakeview Crescent, Saint Patrick's Road, Wicklow Town.

The Site: The subject site lies c850m west of the Main Street of Wicklow Town, in an established residential area, in a row of elevated terraced and semi-detached two storey houses. There is off street parking to the front of the dwelling. The finish on the house is of pebble dash; this finish is also found on all of the dwellings within this development.



Subject site along Saint Patrick's Road Wicklow Town.

Question: *Whether or not:*
 installation of external insulation to a depth of 100mm and render finish to the external elevations constitutes exempted development within the meaning of the Planning and Development Acts, 2000(as amended).

Planning History:

Subject site: There is no planning history associated with subject site.

Nearby Planning:

| | | | |
|---------------------|------------|------------------|--|
| REF: | 01622582; | Location: | 6 Lakeview Crescent St Patricks Road, Wicklow. |
| Development: | Extension; | Decision: | GRANT. |

| | | | |
|---------------------|-----------|------------------|--|
| REF: | 01622582; | Location: | 4 Lakeview Crescent St Patricks Road, Wicklow. |
| Development: | Porch; | Decision: | GRANT. |

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

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

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

(b) in relation to a protected structure or proposed protected structure, includes—

- (i) the interior of the structure,
- (ii) the land lying within the curtilage of the structure,
- (iii) any other structures lying within that curtilage and their interiors, and
- (iv) all fixtures and features which form part of the interior or exterior of any structure or structures referred to in *subparagraph (i) or (iii)*;

“works” includes any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal and, in relation to a protected structure or proposed protected structure, includes any act or operation involving the application or removal of plaster, paint, wallpaper, tiles or other material to or from the surfaces of the interior or exterior of a structure.

Section 3 (1)(a) defines development as: “The carrying out of works on, in, over or under land or the making of any material change in the use of any land or structures on land”;

Section 2 (1) defines works as 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 (1) (a) to (l) specifies various categories of development, which shall be exempted for the purposes of the Act;

In particular, section 4 (1) (h) is:

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) provides for certain classes of development to be designated as exempted development by way of legislation.

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;

Relevant Planning: Wicklow County Development Plan 2022-2028

Zoning Objective: RE: Existing Residential under Wicklow –Rathnew LAP.

To protect and preserve existing residential uses and provide for infill residential development.

Appendix 1 – Section 1.2 outlines measures to address climate action.

Section 1.2.2 states:

'Energy efficiency' in building design relates to:

- a. reducing the amount of energy used in the building and*
- b. Increasing the use of renewable sources of energy.*

There are a number of ways in which both can be achieved:

- *High quality insulation, which will minimise heat loss and therefore reduce demand for heat generation;*

Details of Query: Proposal

In accordance with the details submitted with Section 5 application:

It is proposed to install external insulation on the external walls of the terraced dwelling, to a depth of 100mm. It is stated that this depth will also include a render finish and that this will enhance energy efficiency. The dwelling is **not** a Protected Structure.

Assessment

The application seeks a declaration as to whether the; installation of external insulation to a depth of 100mm and render finish to the external elevations of 5 Lakeview Crescent, Saint Patrick's Road Wicklow Town Co Wicklow; is development and is or is not exempted development:

The existing finish of the subject dwelling and the other dwellings within the row is a pebble dashed mortar finish, painted in various colour. Similar finishes exist within the area. However a variety of finishes are used along Saint Patrick's Road Wicklow Town. While Lakeview Crescent is part of a larger development the subject site forms part of the streetscape along this busy linkage road which is a mix of detached, semidetached, single and two storey, brick, smooth render etc. and where one style is not distinctively apparent.



Lakeview Crescent along St. Patrick's Road Wicklow Town.

Photos show houses on St. Patrick's Road directly opposite 5 Lakeview Crescent with differing finishes;



Photos show houses on St. Patrick's Road Wicklow Town directly opposite 5 Lakeview Crescent with differing finishes.



Differing finishes used opposite Lakeview Crescent along St. Patrick's Road Wicklow Town.

The first question to be asked therefore is whether or not development is taking place?

The installation of insulation would it is considered be works as it would involve the placement of external rigid panels of insulation to the dwelling and the applying a final render finish.

This operation would be acts of construction / alteration and therefore are works having regard to the definition set out in Section 2 of the Planning and Development Act 2000(as amended).

These works are therefore development given the provisions of *Section 3(1) (a)* i.e.

'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'.

Section 4 of the Planning and Development Act 2000 (as amended) provides that

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;

The installations of insulation on the external walls are considered to be works of maintenance/improvement to the dwelling. As identified there are a variety of external finishes of textured pebble dashed and smooth mortar and brick used along St Patrick's Road. It is therefore considered that given the variety and mix of finish along St Patrick's Road, the proposed external insulation would not materially affect the external appearance so as to render the appearance inconsistent with the character of the structure or of neighbouring structures.

The external insulation would it is considered come within the provisions of *Section 4(1) (h)* of the Planning and Development Act 2000 (as amended) as they would affect the external appearance however the impact 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.

Recommendation:

With respect to the query under Section 5 of the Planning and Development Act 2000, as to whether:
installation of external insulation to a depth of 100mm and render finish to the external elevations of 5 Lakeview Crescent is development and is or is not exempted development:

The Planning Authority considers that:

The installation of external insulation to a depth of 100mm and render finish **is development and is exempted development.**

Main Considerations with respect to Section 5 Declaration:

- a) The details submitted with the Section 5 Declaration application
- b) Sections 2, 3 and 4 of the Planning & Development Act 2000 (as amended)
- c) Article 6 and 9 of the Planning and Development Regulations 2001 (as amended).

Main Reasons with respect to Section 5 Declaration:

- (a) The installation of external insulation with render finish would be operations of construction and alteration, and therefore such operations would come within the definition of works as set out in Section 2 of the Planning and Development Act 2000(as amended).
- (b) The works are development given the provisions of Section 3(1) (a) of the Planning and Development Act 2000 (as amended).
- (c) The external insulation is considered to come within the provisions of Section 4(1)(h) of the Planning and Development Act 2000 (as amended) as it 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, given the existing finishes of the dwelling all along St Patrick's Road, ~~which are dominated by a rich variety of finishes including many front elevation render finishes.~~

Maria Harte GP

Maria Harte (Graduate Planner)

Dated: 12/05/2025

Paul [Signature]

12/5/2025

*Issue declaration as recommended & modified
 by P. Harte
 19/05/25*



Comhairle Contae Chill Mhantáin Wicklow County Council

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MEMORANDUM

WICKLOW COUNTY COUNCIL

TO: Maria Harte
Graduate Planner

FROM: Nicola Fleming
Staff Officer

**RE:- Application for Certificate of Exemption under Section 5 of the
Planning and Development Acts 2000 (as amended).
EX52/2025**

I enclose herewith application for Section 5 Declaration received completed on 06/05/2025.

The due date on this declaration is 2nd June 2025

Staff Officer
Planning, Economic & Rural Development



*Tá an doiciméad seo ar fáil i gform leictreonach le h-ádh.
This document is available in electronic format on request.*

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





Comhairle Contae Chill Mhantáin Wicklow County Council

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

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8th May 2025

**Dean Cummins & Hayley Doyle
5 Lakeview Crescent
St. Patrick's Road
Wicklow Town**

**RE: Application for Certificate of Exemption under Section 5 of the Planning and
Development Act 2000 (as amended). – EX52/2025 –**

A Chara

I wish to acknowledge receipt on 06/05/2025 details supplied by you in respect of the above
Section 5 application. A decision is due in respect of this application by 2nd June 2025.

Mise, le meas

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

Dean Cummins & Hayley Doyle
5 Lakeview Crescent
St. Patrick's Road
Wicklow Town
Co. Wicklow

6th May 2025

Planning Department
Wicklow County Council
County Buildings
Whitegates
Wicklow Town
Co. Wicklow

Re: Request for Planning Exemption – Installation of External Insulation at 5 Lakeview Crescent, St. Patrick's Road, Wicklow Town

Dear Sir/Madam,

I am writing to submit a request for planning exemption under the relevant provisions of the Planning and Development Regulations 2001 (as amended), in relation to the proposed installation of external insulation at my property, 5 Lakeview Crescent, St. Patrick's Road, Wicklow Town.

I understand that under Class 2 of Schedule 2, Part 1 of the Planning and Development Regulations 2001 allows for certain developments involving external insulation on buildings to be classified as exempt.

The work involves the addition of external insulation to the front, side and rear elevations of this end-of-terrace, three-bedroom dwelling. The aim of this installation is to improve the energy efficiency of the building, reduce its environmental impact, and enhance comfort for the occupants.

Key Details of the Proposed Works:

- The external insulation will be applied only to the side and rear elevations of the property, with no alterations planned for the front-facing elevation.
- The materials used will be in keeping with the design and aesthetic of the property, ensuring minimal visual impact.
- The works will be conducted in a manner that does not negatively affect the amenity or privacy of neighbouring properties.
- No significant changes to the external appearance of the building are proposed, other than the insulation installation, which will be unobtrusive.

Relevant Regulations:

The request is based on the criteria set out in **Article 6(1)(a)(i)** and **Article 6(1)(a)(ii)** of the **Planning and Development Regulations 2001 (as amended)**, which outline exemptions for certain building works including:

1. **Article 6(1)(a)(i):** Exemption for works that relate to the **improvement or repair of a structure** without affecting the external appearance in a manner that would be visible from the public domain.
2. **Article 6(1)(a)(ii):** Exemption for works to a **dwellinghouse** that are intended to **improve its energy efficiency**, provided that they do not involve any alterations to the structure that would materially affect the building's visual amenity.

I respectfully request that Wicklow County Council consider this application for exemption from planning permission based on the above criteria. I am happy to provide any further documentation or clarification if necessary.

As the proposed works are intended solely for energy efficiency improvements and fall within the guidelines for minor alterations under the regulations, I believe this project qualifies for a planning exemption.

Please do not hesitate to contact me if further information or clarification is required. I look forward to your confirmation of the exemption request and would appreciate your timely consideration.

Thank you for your attention to this matter.

Yours faithfully,

Dean Cummins
Owner, 5 Lakeview Crescent
St. Patrick's Road, Wicklow Town

Wicklow County Council
County Buildings
Wicklow
0404-20100

06/05/2025 09:12:23

Receipt No L11/0/344856

***** REPRINT *****

DEAN CUMMINS AND HAYLEY DOYLE
5 LAKEVIEW CRES
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 Ruth Graham
From Customer Service Hub
Vat reg No 0015233H



Wicklow County Council
County Buildings
Wicklow
Co Wicklow
Telephone 0404 20148
Fax 0404 69462

Office Use Only

Date Received _____

Fee Received _____

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

1. Applicant Details

- (a) Name of applicant: DEAN CUMMINS & HAYLEY DOYLE
Address of applicant: 5 LAKEVIEW CRESCENT,
ST. PATRICKS ROAD, WICKLOW TOWN

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

WICKLOW COUNTY COUNCIL

06 MAY 2025

PLANNING DEPT.

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 5 LAKEVIEW CRESCENT, ST. PATRICKS ROAD, WICKLOW TOWN
- ii. Are you the owner and/or occupier of these lands at the location under i. above ?
Yes/No.
- iii. If 'No' to ii above, please supply the Name and Address of the Owner, and or occupier _____

- iv. Section 5 of the Planning and Development Act provides that : If any question arises as to what, in any particular case, is or is not development and is or is not exempted development, within the meaning of this act, any person may, on payment of the prescribed fee, request in writing from the relevant planning authority a declaration on that question. You should therefore set out the query for which you seek the Section 5 Declaration The application of external insulation with a rendered finish to the existing external walls.

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 Class 2 of Schedule 2, part 1 of the planning and development Regulations 2001 (as amended),

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 ? _____

Signed : Don Curran Dated : _____

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.

Lakeview Crescent,
Saint Patrick's Road,
Wicklow,
A67 V594



Lakeview Grove



Property De

> Back

| | |
|--------------------------------|---|
| Folio Number | WW32242F |
| Title Level | Freehold |
| Plan Number | BM6KD |
| Property Number | 1 |
| Area of selected plans | Not available. |
| Number of Plans on this folio: | 1 |
| Address | 5 Lakeview Crescent, S Patrick's Road, Wicklov A67 V594 |

Add to Basket

Create Alert

*Táilte Éireann Registration Boundaries and Area **are not conclusive** See [Section 62\(2\) Registration of Title Act 2006](#) and [Rule 1 of the Land Registration Rules 2012](#)





