



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

Ronan Rose Roberts Architects
First Floor
Mortons Lane
Wicklow
Co. Wicklow

 Of May 2026

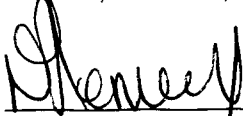
RE: Declaration in accordance with Section 5 of the Planning & Development Acts 2000 (As Amended) -EX45/2026 for Jacks Hole Beach Resort DAC at Brittas Bay, Co. Wicklow

A Chara,

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

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

Is mise, le meas,



ADMINISTRATIVE OFFICER
PLANNING DEVELOPMENT & ENVIRONMENT.



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

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



W I C K L O W



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
Fais / Fax (0404) 69462
Rphost / Email. plandev@wicklowcoco.ie
Suíomh / Website. www.wicklow.ie

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

Applicant: Jacks Hole Beach Resort DAC

Location: Site B17, Jacks Hole Beach Resort, Brittas Bay, Co. Wicklow

Reference Number: EX 45/2026

CHIEF EXECUTIVE ORDER NO. CE/PERD/2026/526

A question has arisen as to whether “*the replacement of existing mobile home (14.63m x 3.96m) with a new mobile home (14.63m x 4.65m) on same site B17*” at Site B17, Jacks Hole Beach Resort, Brittas Bay, Co. Wicklow is or is not exempted development.

Having regard to:

- The details submitted on the 1st of April 2026, as revised by the further information submitted on the 1st of May 2026
- Section 5 Declaration EX 71/2023, and Supplementary report of Senior Engineer Planning dated the 6th of November 2023
- Sections 2, 3 of the Planning and Development Act 2000 (as amended)

Main Reasons with respect to Section 5 Declaration:

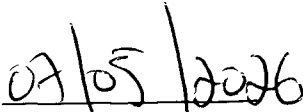
- The proposed development would not come within the scope of the definition of works in Section 2 of the Planning & Development Act 2000, as amended, and would therefore not come within the scope of definition of development in Section 4 of the Planning & Development Act 2000, as amended.

The Planning Authority considers that “*the replacement of existing mobile home (14.63m x 3.96m) with a new mobile home (14.63m x 4.65m) on same site B17*” at Site B17, Jacks Hole Beach Resort, Brittas Bay, Co. Wicklow IS NOT development.

Signed:


ADMINISTRATIVE OFFICER
PLANNING DEVELOPMENT & ENVIRONMENT

Date:





WICKLOW COUNTY COUNCIL

PLANNING & DEVELOPMENT ACTS 2000 (As Amended)
SECTION 5

CHIEF EXECUTIVE ORDER NO. CE/PERD/2026/526

Reference Number: EX 45/2026

Name of Applicant: Jacks Hole Beach Resort DAC

Nature of Application: Section 5 Referral as to whether "*the replacement of existing mobile home (14.63m x 3.96m) with a new mobile home (14.63m x 4.65m) on same site B17*" is or is not development and is or is not exempted development.

Location of Subject Site: Site B17, Jacks Hole Beach Resort, Brittas Bay, Co. Wicklow

Report from: Edel Bermingham, T/SP

With respect to the query under Section 5 of the Planning & Development Act 2000 as to whether "*the replacement of existing mobile home (14.63m x 3.96m) with a new mobile home (14.63m x 4.65m) on same site B17*" at Site B17, Jacks Hole Beach Resort, Brittas Bay, Co. Wicklow is or is not exempted development within the meaning of the Planning & Development Act 2000 (as amended)

Having regard to:

- a) The details submitted on the 1st of April 2026, as revised by the further information submitted on the 1st of May 2026
- b) Section 5 Declaration EX 71/2023, and Supplementary report of Senior Engineer Planning dated the 6th of November 2023
- c) Sections 2, 3 of the Planning and Development Act 2000 (as amended)

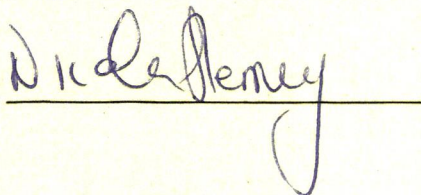
Main Reasons with respect to Section 5 Declaration:

1. The proposed development would not come within the scope of the definition of works in Section 2 of the Planning & Development Act 2000, as amended, and would therefore not come within the scope of definition of development in Section 4 of the Planning & Development Act 2000, as amended.

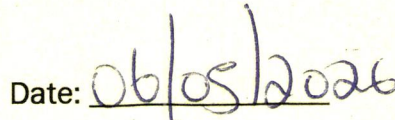
Recommendation

The Planning Authority considers that "*the replacement of existing mobile home (14.63m x 3.96m) with a new mobile home (14.63m x 4.65m) on same site B17*" at Site B17, Jacks Hole Beach Resort, Brittas Bay, Co. Wicklow is not development as recommended in the planning reports.

Signed: _____



Date: _____

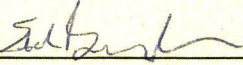


ORDER:

I HEREBY DECLARE:

THAT "the replacement of existing mobile home (14.63m x 3.96m) with a new mobile home (14.63m x 4.65m) on same site B17" at Site B17, Jacks Hole Beach Resort, Brittas Bay, Co. Wicklow is not development within the meaning of the Planning & Development Acts 2000 (as amended).

Signed:



T/Senior Planner

Planning, Economic & Rural Development

Date:

7/5/2026.

Section 5 Application EX 45/2025

Date : 5/5/2026

Applicant : Jacks Hole Beach Resort DAC

Address : Jacks Hole Beach Resort, Ballynacarrig, Brittas Bay, Co. Wicklow

Exemption Whether or not :

Replacement mobile home on site B17

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

Assessment :

See previous report dated the 20th April 2026. Further Information issued on foot of that report, and a reply was received on the 1st May 2026. The agent in response to Further information request has now indicated that the Section 5 is for the replacement of the mobile home on Site B17 as opposed to modification. The existing mobile is 14.63m x 3.96m , height 2.45m to replacement mobile 14.63m x 4.65m overall height 3.13m.

A similar Section 5 Declaration was sought in respect to a replacement mobile under EX 71/2023 on Plot BR56 at Jack's Hole Beach Resort Brittas Bay. The declaration that issued confirmed that

The replacement of existing mobile home (3960 x 14630 mm) with new mobile home (4877mm x 14630 mm) on same site Plot BR56, Jack's Hole Beach Resort Brittas Bay, Co. Wicklow is not development

The SE(Planning) in his analysis identified that

Alternatively, it could be considered that it is the mobile home pitch within the caravan park that is the "structure". In such a case, the "structure" would include the existing mobile, the services, the foundations/supports, any pathways, etc. If this thought process if followed through it could be contended that S(4) (1) (h) does apply, as not all the structure would be removed. It could therefore, be argued that the replacement of the mobile, would comprise "of works for the maintenance, improvement or other alteration" and would potentially come within the scope of S(4) (1) (h). On this basis the next question would be whether the works do or do not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure or neighbouring structures. In this case, I would then contend that, having regard to the type of mobile replacement proposed, the proposed development would come within the scope of S(4) (1) (h) and therefore is Exempted Development.

The above reasoning is supported by the definition of "structure" in S2 of the Act, i.e.

"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 situated, and.....

Furthermore the report highlights that

Having regard to the normal process that takes place when a mobile is being replaced, it could be considered that it would not be an act or operation of construction, excavation or demolition. I also consider that given the mobile is fully replaced it would not be an act or operation of extension, alteration, repair or renewal (although renewal is very close to what is being done, i.e. the existing mobile is being renewed). However, I would consider that if the replacement mobile isn't effectively the same size and type of the existing mobile, then it would open up the consideration of it being an act of extension, where it is bigger or an act of alteration where it is a different type.

The final conclusion from that report as set out

In conclusion, I would note that this is a very complex issue and in the absence of a definitive declaration from ABP on a situation like this or some relevant Case Law, I consider that there is merit in both the above arguments and that I could potentially support either one. However, on balance, I consider that the replacement of an existing mobile with a new like for like/similar mobile would not be development for the purposes of the Planning Acts.

The assessment of this Section 5 Declaration in this instance must be reviewed in light of the Section 5 Declaration and assessment issued in respect to EX 71/2023. Therefore, as identified under that Section 5 the replacement of the mobile home is not an act of construction, demolition, extension, alteration, repair or renewal, and therefore does not come within the definition of works and is therefore not development.

Recommendation :

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

the replacement of existing mobile home (14.63m x 3.96m) with a new mobile home (14.63m x 4.65m) on same site B 17 at Jacks Hole Beach Resort, Ballynacarrig, Brittas Bay, Co. Wicklow

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

The Planning Authority consider that the replacement of existing mobile home (14.63m x 3.96m) with a new mobile home (14.63m x 4.65m) on same site B 17, Jacks Hole Beach Resort, Ballynacarrig, Brittas Bay, Co. Wicklow **is not development.**

Main Considerations with respect to Section 5 Declaration:

- a) The details submitted on the 1st April 2026, as revised by the further information submitted on the 1st May 2026
- b) Section 5 Declaration EX 71/2023, and Supplementary report of Senior Engineer Planning dated the 6th November 2023
- c) Sections 2 , 3 of the Planning and Development Act 2000 (as amended)

Main Reasons with respect to Section 5 Declaration:

1. The proposed development would not come within the scope of the definition of works in Section 2 of the Planning & Development Act 2000, as amended, and would therefore not come within the scope of definition of development in Section 4 of the Planning & Development Act 2000, as amended.

John Birmingham JSP

5/5/2026

WICKLOW COUNTY COUNCIL

PLANNING & DEVELOPMENT ACTS 2000 (As Amended)
SECTION 5

CHIEF EXECUTIVE ORDER NO. CE/PDE/1873/2023

Reference Number: EX 71/2023
Name of Applicant: Jacks Hole Beach Resort DAC
Nature of Application: Section 5 Referral as to whether or not "the replacement of existing mobile (3960 x 14630mm) with new mobile (4877mm X 14630mm) on same site" is or is not exempted development.
Location of Subject Site: Site R56, Jacks Hole Beach Resort, Brittas Bay, Co. Wicklow

Report from Patrice Ryan, EP & Suzanne White, SEP

With respect to the query under section 5 of the Planning & Development Act 2000 as to whether "the replacement of existing mobile (3960 x 14630mm) with new mobile (4877mm X 14630mm) on same site" at is Site R56, Jacks Hole Beach Resort, Brittas Bay, Co. Wicklow is or is not exempted development within the meaning of the Planning & Development Acts 2000 (as amended).

Having regard to:

- The details submitted on the 10/10/2023,
- Appeal Reference PL27/5/81179 (PRR 89/4826), and associated planning compliance report of the Senior Planner.
- Sections 2, 3 of the Planning and Development Act 2000 (as amended)

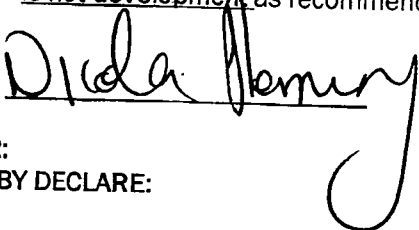
Main Reason with respect to Section 5 Declaration:

The proposed development would not come within the scope of the definition of works in S2 of the Planning & Development Act 2000, as amended, and would therefore not come within the scope of definition of development in S3 of the Planning & Development Act 2000, as amended.

Recommendation

The Planning Authority considers that "the replacement of existing mobile (3960 x 14630mm) with new mobile (4877mm X 14630mm) on same site" at Site R56, Jacks Hole Beach Resort, Brittas Bay, Co. Wicklow is not development as recommended in the report by the SEP.

Signed:



Dated 6th day of November 2023

ORDER:

I HEREBY DECLARE:

That "the replacement of existing mobile (3960 x 14630mm) with new mobile (4877mm X 14630mm) on same site" at is Site R56, Jacks Hole Beach Resort, Brittas Bay, Co. Wicklow is not development within the meaning of the Planning & Development Act 2000 (as amended).

Signed:



Senior Engineer
Planning Development & Environment

Dated 06th day of November 2023

Supplementary Report

The question raised via the S5 Declaration request is the standard request as set out in S5 of the P&D Act 2000, as amended, i.e. whether the proposed development is or is not development and is or is not exempted development. However, the proposed development is the replacement of an existing mobile home with a new mobile home on an existing authorised caravan park, which is quite complicated and is not obviously provided for in the legislation.

In a permitted caravan park there is both use and works. In this particular case there would be no change of use in that the use within the caravan park on the subject plot would be the same use before and after the proposed development. Hence, there would be no material change of use and therefore no development in terms of use.

On the basis of the above, the only possible development then would be works.

The existence of a permission does not result in works carried out pursuant to the permission not being development. The carrying out of works is development.

Similarly, having regard to the definition of Exempted Development in S4 of the Act, permitted development is not exempted development. Therefore, if it is concluded that development would take place where a mobile development is replaced, it cannot be exempted development just because it has a permission.

In addition to the above, I would note that a S5 Request/Declaration cannot really relate to whether a development comes within the scope of a permission or not, e.g. whether minor deviations to what is permitted are exempted development. Although, there are some particular situations where this can be asked with a carefully worded query and I understand that this type of question re the scope of a permission may be allowed in the new Planning Act (if as per the Draft Bill).

All of the above leaves it very difficult to answer the question in this case, given it could be argued the replacement of the mobile involves works and a permission for the caravan park exists. It would not make much sense (unless there are specific requirements in a permission) to require planning permission every time a mobile is replaced in an established authorised caravan park. Such upgradings and replacements are a regular occurrence for obvious reasons, particularly given the design/makeup of a mobile. However, the specifics of a permission are of significant relevance, e.g. were the mobile home sizes specified or conditioned in the permission?. Quite often the mobile home sizes are not specified or conditioned, where the number of mobiles/mobile pitches are normally specified or conditioned.

Having regard to previous cases decided by ABP, I would note that a relevant consideration is the type of mobile, where a mobile is considered to be a type of structure that is temporary and can be moved easily, as opposed to something that is more akin to a house in that it is more of a permanent nature

clear as to the full basis of this contention. There is no assessment as to whether works take place or not when a mobile is being replaced. The basis seems to be that a permission exists for the caravan park and therefore, subject to some degree of similarity in the new and old mobiles, the replacement of the mobile is not development. I am not sure that this can be fully supported.

To assess if works would take place in replacing a mobile the definition of works is of relevance, i.e.:

“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.

Having regard to the normal process that takes place when a mobile is being replaced, it could be considered that it would not be an act or operation of construction, excavation or demolition. I also consider that given the mobile is fully replaced it would not be an act or operation of extension, alteration, repair or renewal (although renewal is very close to what is being done, i.e. the existing mobile is being renewed). However, I would consider that if the replacement mobile isn't effectively the same size and type of the existing mobile, then it would open up the consideration of it being an act of extension, where it is bigger or an act of alteration where it is a different type.

On the basis of the above paragraph, it could be considered that the replacement of an existing development with a similar mobile would not be works and therefore would not be development. Whether there is a permission or not for the original mobile, is not really of relevance, as while the replacement of an existing unauthorised mobile may not be development, it does not confer an authorisation on the new mobile where the old one did not have same. However, I am mindful of existing Case Law where it has been decided that an unauthorised structure when fully replaced can lose its protection from enforcement and therefore be no longer statute barred, whereby the logic was that it was a new development. Again given the complexity of this matter, it is difficult to be definitive.

In conclusion, I would note that this is a very complex issue and in the absence of a definitive declaration from ABP on a situation like this or some relevant Case Law, I consider that there is merit in both the above arguments and that I could potentially support either one. However, on balance, I consider that the replacement of an existing mobile with a new like for like/similar mobile would not be development for the purposes of the Planning Acts.

It may be appropriate to not issue a declaration given the uncertainty and then the Applicant would have the opportunity to seek a declaration from ABP, however, given the Planning Authority previously issued a declaration on a similar matter in the same caravan site, I consider a declaration should issue

I therefore consider that a declaration is issued as follows:

and not easily moved. A further consideration relates to the actual makeup of the pitch, e.g. services, foundations, etc.

Therefore, the fundamental first question is whether works would take place to replace an existing mobile with a new one. If it is decided that works would take place then an examination would have to be undertaken to see if there would be any exemption applicable. In this regard, there is no relevant exemption contained in the P&D regulations, 2001, as amended. The only possible exemption then would be in S4 of the P&D Act 200, as amended, and that realistically could only be S(4) (1) (h).

S(4) (1) (h) states:

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;

For this to apply there has to be a structure in the first place and that structure cannot be completely removed and then replaced. Therefore, if the mobile being replaced is regarded as the "structure" then S(4) (1) (h) cannot apply. Another possible avenue is to consider the caravan park as the "structure" and hence the structure would not be fully replaced but I do not consider this to be a reasonable line of argument.

Alternatively, it could be considered that it is the mobile home pitch within the caravan park that is the "structure". In such a case, the "structure" would include the existing mobile, the services, the foundations/supports, any pathways, etc. If this thought process is followed through it could be contended that S(4) (1) (h) does apply, as not all the structure would be removed. It could therefore, be argued that the replacement of the mobile, would comprise "of works for the maintenance, improvement or other alteration" and would potentially come within the scope of S(4) (1) (h). On this basis the next question would be whether the works do or do not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure or neighbouring structures. In this case, I would then contend that, having regard to the type of mobile replacement proposed, the proposed development would come within the scope of S(4) (1) (h) and therefore is Exempted Development.

The above reasoning is supported by the definition of "structure" in S2 of the Act, i.e.

"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 situated, and.....

The alternative argument, which is concluded in the Planner's Report, which appears to arise from the referred to letter of 15/03/21, is that the replacement of a mobile is not development. However, it is not

With respect to the query under Section 5 of the Planning and Development Act 2000(as amended), as to whether the replacement of existing mobile home (3960 x 14630 mm) with new mobile home (4877mm x 14630 mm) on same site Plot R56, Jack's Hole Beach Resort Brittas Bay, Co. Wicklow is or is not development and is or is not exempted development within the meaning of the Planning and Development Acts, 2000(as amended), the Planning Authority consider that :

The replacement of existing mobile home (3960 x 14630 mm) with new mobile home (4877mm x 14630 mm) on same site Plot BR56, Jack's Hole Beach Resort Brittas Bay, Co. Wicklow is not development

Main Considerations with respect to Section 5 Declaration:

- a) The details submitted on the 10/10/2023,
- b) Appeal Reference PL27/5/81179 (PRR 89/4826), and associated planning compliance report of the Senior Planner.
- c) Sections 2 , 3 of the Planning and Development Act 2000 (as amended)

Main Reasons with respect to Section 5 Declaration:

1. The proposed development would not come within the scope of the definition of works in S2 of the Planning & Development Act 2000, as amended, and would therefore not come within the scope of definition of development in S3 of the Planning & Development Act 2000, as amended.

Fergal J. Maguire
06/11/23



WICKLOW COUNTY COUNCIL
Planning Department

Section 5 – Application for declaration of Exemption Certificate

Ref:	EX 71/2023
Name:	Ronan Road-Roberts.
Development:	Replace existing mobile home with a new mobile home.
Location:	Jacks Hole Beach Resort, Brittas Bay, Co. Wicklow.

Application Site

The site comprises of site no. R56 locating within the Jacks Hole Beach Resort in Ballinacarrig, Brittas Bay.

Planning History Application Site

92/8661 - PL27.091078: Permission granted for 9 mobile homes and associated roads and services.

89/4826 - PL 27/5/81179: Permission granted for extension of caravan park at Jack's Hole, Ballinacarrig, Brittas Bay.

Section 5- EX82/2021.

Exemption Query: Whether the replacement of existing mobile home (3960 x 14630 mm) with new mobile home (4877mm x 14630 mm) on same site is or is not development at Plot B23, Jack's Hole Beach Resort Brittas Bay, Co. Wicklow.

Recommendation: Not development.

Current Exemption Query:

Whether the replacement of existing mobile home (3960 x 14630 mm) with new mobile home (4877mm x 14630 mm) on same site is or is not development and is or is not exempted development at Plot BR56, Jack's Hole Beach Resort Brittas Bay, 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 the following:

'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 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) and (b) 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:

The replacement of existing mobile home (3960 x 14630 mm) with new mobile home (4877mm x 14630 mm) on same site is or is not development and is or is not exempted development at Plot BR56, Jack's Hole Beach Resort Brittas Bay, Co. Wicklow

The proposal will result in an increase in height of the mobile home from 2370mm to 2985mm and an increase in floor area from 57.93sq.m to 71.35sq.m (difference of 13.4sq.m or 23% increase).

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" 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.

A letter was issued to Jack's Hole Caravan Park from the planning section in March 2021 to indicate that the replacement of mobile with a like for like with an increase not exceeding 10% would come within the scope of PRR89/4826. The Senior Planner in the compliance report, see Appendix 1 attached, of the 15/03/2021 identified the following:

"I have considered the two Bord decisions carefully on which the SEP based their assessment and I am satisfied that they are not perfect precedents in relation to a 'like for like' (or very similar) replacement of a mobile on a permitted caravan park site for the following reasons:

- *RL 2500 related to the replacement of a traditional 'mobile homes' with 'modular dwellings' which the Bord deemed was 'development' and not 'exempted development' on the basis principally that such modular mobile homes, having regard to the ground works, service connections, internal layouts and specifications etc did not come within the meaning of a 'caravan' which is understood to be a vehicle readily transportable single unit, as well as the fact that the proposed development entailed changes to the layout of the caravan park. This is differed from the current request as what is being sought in Jack's Hole is a like for like replacement unit with no layout changes;*
- *RL 2925 refers to the replacement of a mobile home with another mobile home at a different location on a 'established' (i.e. pre '63) site which the Bord said constituted development as it was works of replacement and not repair / maintenance etc. I consider these circumstances different as this was a single mobile on a stand-alone site not in a permitted caravan park, and it was intended to move the unit on site. .*

I consider that once we grant permission for a caravan / mobile home park, it can be expected that units will be replaced from time to time given the 'lower' quality construction of such units which would only be expected to last 20 years; otherwise each time a unit fell into disrepair and became uninhabitable that 'plot' would lose its consent and gradually the caravan park use would have to 'cease'. This clearly cannot be the intention of a grant of permission for a caravan park, unless that is a specified term / condition of the permission. I am also cognisant that while it has been our practice to only grant permission for caravan parks for 5 years and therefore after use shall cease unless another grant of permission is secured (to allow the impact of same to be assessed on an ongoing basis), the Bord regularly omits such conditions when appeals are made (as in 92/8661).

I am therefore of the view that like-for-like replacement of mobile homes in permitted mobile home parks is 'allowable' without a fresh grant of planning permission".

Whilst the new proposal is for a c. 23% increase based on the layout/ drawings the impact would be in line with the existing, and the replacement is a modification/ improvement of the existing structure and would be in accordance with the terms and conditions of PL 27/5/81179 (PRR 89/4826) .

RECOMMENDATION

With respect to the query under Section 5 of the Planning and Development Act 2000(as amended), as to whether the replacement of existing mobile home (3960 x 14630 mm) with new mobile home (4877mm x 14630 mm) on same site Plot ~~BR5~~^{BR56}, Jack's Hole Beach Resort Brittas Bay, Co. Wicklow constitutes exempted development within the meaning of the Planning and Development Acts, 2000(as amended), the Planning Authority consider that :

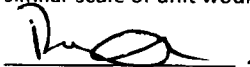
The replacement of existing mobile home (3960 x 14630 mm) with new mobile home (4877mm x 14630 mm) on same site ~~is or is not development and is or is not exempted development~~ at Plot BR56, Jack's Hole Beach Resort Brittas Bay, Co. Wicklow is not development

Main Considerations with respect to Section 5 Declaration:

- a) The details submitted on the 10/10/2023,
- b) Appeal Reference PL27/5/81179 (PRR 89/4826), and associated planning compliance report of the Senior Planner.
- c) Sections 2 , 3 of the Planning and Development Act 2000 (as amended)

Main Reasons with respect to Section 5 Declaration:

Given the existing permitted Caravan Park development Appeal Reference PL 27/5/81179, the scale/ type of replacement mobile home, it is considered that the replacement of an existing permitted mobile home, with a similar scale of unit would be permitted by reference to the provisions of PL27/5/81179.



Patrice Ryan
Executive Planner
26/10/2023

*Agreed as amended
Shilke SP
26/10/23*

*C.F attached supplementary report.
Issue declaration as detailed in
supplementary report.
Agd P. M. L. SP
26/10/23*

Appendix 1 –Compliance Report

Compliance Report

File Ref: PRR 89/4826 (copy to go on 92/8661)
Location: Jack's Hole Caravan Park
Date: 15/03/2021

This report relates to a 'compliance' submission made in relation to Jack's Hole on 07/10/2020 (on file). In this submission, the landowner representative requested to utilise the 'compliance' mechanisms to secure the Planning Authority 'consent' for the replacement of a mobile home on Site No. R31 via Condition 10 of that permission.

In their assessment of the request the SEP indicated that it was not possible to utilise the compliance mechanisms to 'approve' the replacement of a mobile on a site, and that planning permission was required for such development. In this regard, reference was made to two Bord decision as precedent. The developer was advised therefore that this proposed replacement could not be 'approved'.

Thereafter the developer rep wrote directly to me to question that decision. This request was made on the grounds that in our previous interaction with the developer, we had advised in writing (08/02/2019) that minor changes, including like-for-like unit replacements, may be feasible to 'approve' via the compliance process. Understandably, the landowner rep was concerned about carrying out *any* works / alterations at all on the site without pre-approval of the Council given that our interaction to that point had been in relation to unauthorised development, which is prevalent on the site (but historic so no action in train). This site was more recently purchased by the site holders, and they are keen to have a 'compliant' development and positive relationship with the Council going forward.

On 20/03/2019, a request was received under file 92/8661 and related to the proposed change of the roof profile of one existing mobile. In that case, the SEP indicated that this could be 'approved' via the compliance process following discussion with me in relation to same (letter issued to this effect on 29/04/2019).

The developer is now understandably confused that one year was advised that the compliance process could be used to approve certain changes on site, but the following year advised it was not.

I have considered the two Bord decisions carefully on which the SEP based their assessment and I am satisfied that they are not perfect precedents in relation to a 'like for like' (or very similar) replacement of a mobile on a *permitted caravan park site* for the following reasons:

- RL 2500 related to the replacement of a traditional 'mobile homes' with 'modular dwellings' which the Bord deemed was 'development' and not 'exempted development' on the basis principally that such modular mobiles homes, having regard to the ground works, service connections, internal layouts and specifications etc did not come within the meaning of a 'caravan' which is understood to be a vehicle readily transportable single unit, as well as the fact that the proposed development entailed changes to the layout of the caravan park. This is differed from the current request as what is being sought in Jack's Hole is a like for like replacement unit with no layout changes;
- RL 2925 refers to the replacement of a mobile home with another mobile home at a different location on a 'established' (i.e. pre '63) site which the Bord said constituted development as it was works of replacement and not repair / maintenance etc. I consider these circumstances different as this was a single mobile on a stand-alone site not in a permitted caravan park, and it was intended to move the unit on site. .

I consider that once we grant permission for a caravan / mobile home park, it can be expected that units will be replaced from time to time given the 'lower' quality construction of such units which would only be expected to

MEMORANDUM

WICKLOW COUNTY COUNCIL

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

**FROM: Nicola Fleming
Staff Officer**

**RE:- EX45/2026 - Declaration in accordance with Section 5 of the
Planning & Development Acts 2000 (as amended)**

I enclose herewith for your attention application for Section 5 Declaration received 01/04/2026 along with FI received on 01/05/2026.

The due date on this declaration is the 21/05/2026.



**Staff Officer
Planning Development & Environment**

Nicola Fleming

From: Nicola Fleming
Sent: Tuesday 5 May 2026 11:19
To: 'info'
Subject: RE: EX45/2026 Attn Nicola Fleming

A chara,

I acknowledge receipt of the Further Information for EX45/2026 and to advise this file is due decision on 21/05/2026.

Regards,

Nicola Fleming

Oifigeach Foirne - Staff Officer

Pleanáil, Forbairt Eacnamaíochta & Tuaithe - Planning, Economic & Rural Development -

Comhairle Contae Chill Mhantáin, Halla an Chontae, Bóthar an Stáisiúin, Cill Mhantáin, A67 FW96
Wicklow County Council, County Building, Station Road, Wicklow Town, A67 FW96

Ph☎: +353 (0404) 20148 |

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



Comhairle Chontae Chill Mhantáin
Wicklow County Council

From: info <info@ronanroseroberts.com>
Sent: Friday 1 May 2026 09:11
To: Planning - Planning and Development Secretariat <plandev@wicklowcoco.ie>
Subject: EX45/2026 Attn Nicola Fleming

Some people who received this message don't often get email from info@ronanroseroberts.com. [Learn why this is important](#)

External Sender - From: (info <info@ronanroseroberts.com>)
This message came from outside your organisation.

[Learn More](#)

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 Fleming,

In response to your letter dated 20th April I hereby attach a revised Section 5 application.

If you have any queries I would appreciate if you could call me on 086 8223577.

Look forward to hearing fro you in due course.

Kind regards,
Ronan Rose-Roberts
MRPIA Dip. Arch B. Arch. 200

RONAN
ROSE
ROBERTS
ARCHITECTS

Ronan Rose Roberts Architects | Synge St, Dublin | Morton's Lane, Wicklow
t. +353 (0)1 454 1521 | e. info@ronanroseroberts.com | w. www.ronanroseroberts.com

This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify us immediately. Thank you for your co-operation.

Nicola Fleming

From: info <info@ronanroseroberts.com>
Sent: Friday 1 May 2026 09:11
To: Planning - Planning and Development Secretariat
Subject: EX45/2026 Attn Nicola Fleming
Attachments: 1904 B17 letter 2026.05.01.pdf; 1904.B17.01 Site Location, Layout & Elevations.pdf; Section 5 application Revised 2026.05.01.pdf

Some people who received this message don't often get email from info@ronanroseroberts.com.
[Learn why this is important](#)

External Sender - From: (info <info@ronanroseroberts.com>)
This message came from outside your organisation.

[Learn More](#)

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 Fleming,

In response to your letter dated 20th April I hereby attach a revised Section 5 application.
If you have any queries I would appreciate if you could call me on 086 8223577.

Look forward to hearing fro you in due course.

Kind regards,
Ronan Rose-Roberts

RONAN
ROSE
ROBERTS
ARCHITECTS

Ronan Rose Roberts Architects | Syngé St, Dublin | Morton's Lane, Wicklow
t. 01 454 4444 | e. info@ronanroseroberts.com | w. www.ronanroseroberts.com

This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify us immediately. Thank you for your co-operation.

RONAN
ROSE
ROBERTS
ARCHITECTS

Chief Planning Officer,
Planning Department
Wicklow County Council
Whitegates, Wicklow
Co Wicklow

1st May 2026
Your ref: EX45/2026

Re: Section 5 Declaration Application for Exempted Development, Mobile Home B17 Jacks Hole Beach Resort, Brittas Bay, Co Wicklow

Dear Sir/Madam,

We write in response to your letter dated 20th April.

On behalf of our client, Jacks Hole Beach Resort DAC, we resubmit a revised Section 5 Declaration application for a replacement of an existing mobile home with a new mobile home.

The proposed changes are:

- Changes to elevations as described on drawings.
- Increase in height & width of the mobile home as described on the drawings.

We enclose 1 copy of each of the following:

Revised application form

This letter

Copy of the following drawings, all on 1 no A1 sheet:

Site Location Map survey drawing, 1:2000

Existing and proposed Site layout plan 1:200

Proposed elevations of mobile home, 1:100

Payment in sum of €80.00 (already paid)

If you have any queries please don't hesitate to make contact.

We look forward to a positive response at your earliest convenience.

Yours faithfully,



Ronan Rose-Roberts, MRIA

CC Client



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: Jacks Hole Beach Resort DAC
Address of applicant: Jacks Hole Beach Resort, Brittas Bay, Co Wicklow

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

2. Agents Details (Where Applicable)

- (b) Name of Agent (where applicable) Ronan Rose Roberts Architects
Address of Agent : First Floor, Mortons Lane, Wicklow, Co Wicklow

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

3. Declaration Details

i. Location of Development subject of Declaration Site B17, Jacks Hole beach Resort,
Brittas Bay, Co Wicklow

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

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, an 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 :

**Whether the replacement of existing mobile home (B17) with new mobile home on
same site is or is not development and is or is not exempted development under the
Planning and Development Act 2000 (as modified) and the regulations made
thereunder.** _____

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 _____
Section 5 Planning and Development Act 2000 _____

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 _____

Site Location map 1:2000, Site layout plan 1:200, elevations 1:100

viii. Fee of € 80 Attached ? **Already paid** _____

Signed : *Ramona Rose Roberts* Dated : 01 / 05 / 2026
(On behalf of applicant)

Additional Notes :

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

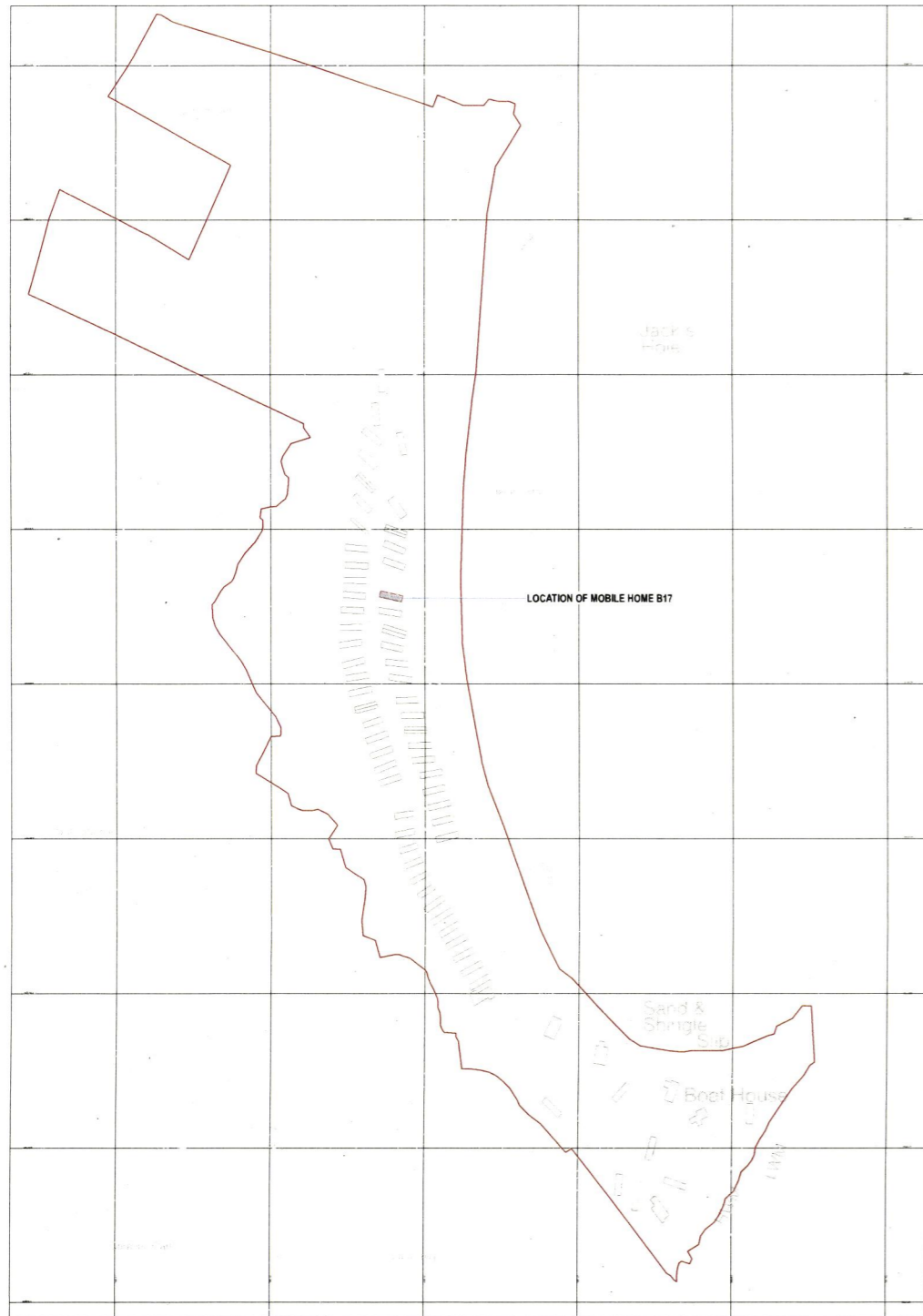
- A. Extension to dwelling - Class 1 Part 1 of Schedule 2
- Site Location Map
 - Floor area of structure in question - whether proposed or existing.
 - Floor area of all relevant structures e.g. previous extensions.
 - Floor plans and elevations of relevant structures.
 - Site Layout Plan showing distance 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.

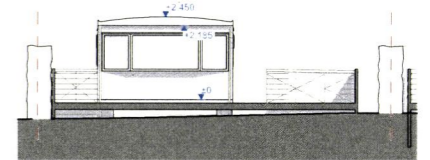
- Site layout plan showing location of structure and any adjoining farm structures and any dwellings within 100m of the farm structure.
- Gross floor area of the farm structure
- Floor plan and elevational details of Farm Structure and Full details of the gross floor area of the proposed structure.
-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



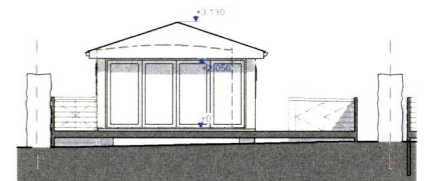
Site Location Map 1:2000



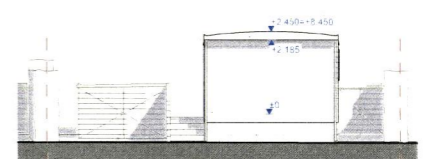
Existing Site Layout Plan 1:200



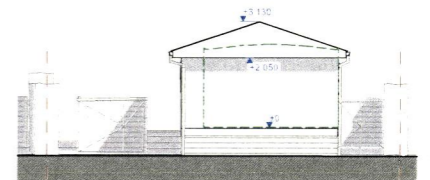
Existing Rear Elevation facing West 1:100



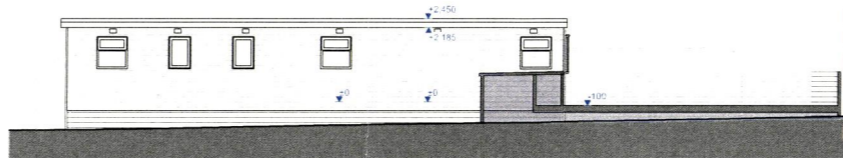
Proposed Rear Elevation facing West 1:100



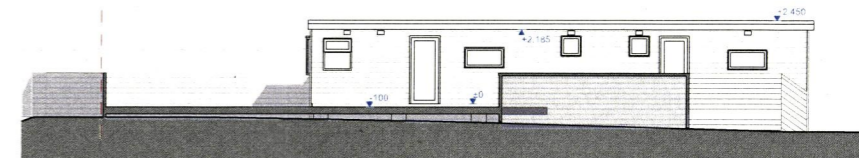
Existing Front Elevation facing East 1:100



Proposed Front Elevation facing East 1:100

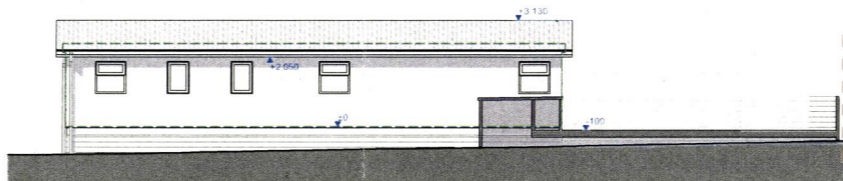


Existing Side Elevation facing South 1:100

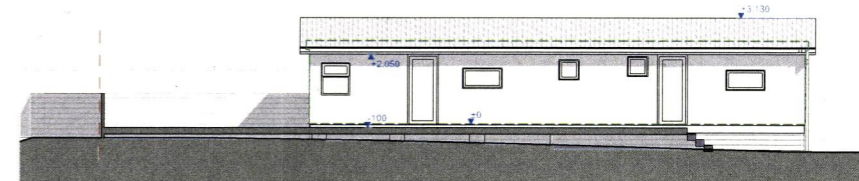


Existing Side Elevation Facing North 1:100

proposed position of doors & windows may vary



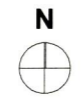
Proposed Side Elevation facing South 1:100



Proposed Side Elevation Facing North 1:100

EXISTING EXTERNAL FINISHES:
 BARREL SHAPED ROOF - MODIFIED BITUMEN WATERPROOF FINISH, HIDDEN GUTTERING BEHIND PARAPET
 EXTERNAL WALLS - PAINTED ALUMINIUM, OFF-WHITE, GREEN
 EXTERNAL WINDOWS / DOORS - ALUMINIUM, SINGLE GLAZED, GREY
 RAINWATER GOODS - WHITE PVC ROUND RWPS, HIDDEN GUTTERS

PROPOSED EXTERNAL FINISHES:
 PITCHED ROOF - POLYESTER POWDERCOATED PRESSED METAL SHEETS WITH TILE PATTERN, DARK GREEN COLOUR
 EXTERNAL WALLS - ACRYLIC RENDER
 EXTERNAL WINDOWS / DOORS - WHITE PVC
 RAINWATER GOODS - WHITE PVC GUTTERING & RWPS
 FASCIAS & SOFFITS - WHITE PVC



DEMOLITIONS/REMOVALS - DASHED LINE
 EXTENT OF JACK BEACH RESORT - SOLID RED LINE
 EXTENT OF SUBJECT SITE - DASHED RED LINE

PROJECT CONSULTANTS:	REV.	DATE	DESCRIPTION	DRAWN	CHECKED
ENGINEER: ###	A	01.04.2026	Issued for Section 5 Declaration Application	JJ	RRR
MAE ENGINEER: ###					
QUANTITY SURVEYOR: ###					
FCC & DAC: ###					
ASSIGNED CERTIFIER: ###					
PSDP: ###					

PROJECT: Works to Jack's Hole Beach Resort Unit B17	DRG NO: 1904.B17.01
JOB NO: 1904	STAGE: Section 5 Declaration
CLIENT: JHR DAC	DRAWING: Site Location, Layout & Elevations
SCALE: PER NOTES @ Arch D, A1 marked with solid line frame / print @ 100%	DATE: 31/03/2026
NOTIFY ARCHITECTS OF ANY DISCREPANCIES. DO NOT SCALE FROM DRAWING. CHECK DIMENSIONS ON-SITE. COPYRIGHT RESERVED.	

SECT 5
RONAN ROSE ROBERTS ARCHITECTS



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

Ronan Rose Roberts Architects
First Floor
Mortons Lane
Wicklow
Co. Wicklow

20th of April 2026


RE: Application for Certificate of Exemption under Section 5 of the Planning & development Acts 2000 (as amended) – EX45/2026 for Jacks Hole Beach Resort DAC

A Chara

In respect of your query under Section 5 of the Planning and Development Act 2000 (as amended) received on 01st of April 2026; in order to fully assess the section 5 query, you are requested to submit further details concerning the proposed fenced area for the exercising and training of horses and ponies inclusive of.

1. Having regard to the provisions of Section 5(1)(b) of the Planning and Development Act 2000(as amended) the following further information is requested -
 - (a) The indicated modification would appear to involve increasing the floor area of the existing mobile, which may involve the provision of a new mobile home as opposed to modification of the existing. Please confirm the exact extent of works and that it does not involve the placement of a new mobile home on the pitch.

Mise, le meas


STAFF OFFICER
PLANNING DEVELOPMENT AND ENVIRONMENT.



Section 5 Application EX 45/2025

Date : 20/4/2026

Applicant : Jacks Hole Beach Resort DAC

Address : Jacks Hole Beach Resort, Ballynacarrig, Brittas Bay, Co. Wicklow

Exemption Whether or not :

Modifications to mobile home on site B17

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

Planning History :

PL 27/5/81179 (PRR 89/4826)

Permission granted for extension of caravan park at Jack's Hole, Ballinacarrig, Brittas Bay.

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 :

3.— 1) In this Act, except where the context otherwise requires, "development" means—

(a) the carrying out of any works in, on, over or under land, or the making of any

material change in the use of any land or structures situated on land, or
(b) development within the meaning of Part XXI (inserted by section 171 of the
Maritime Area Planning Act 2021)

Section 4 :

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;

Assessment :

The querist seeks confirmation that roof and elevation changes to the existing mobile home currently on site a Jack's Hole at site B17 is or is not exempted development. The details identify an increase in height of mobile home from 2450mm to 3130 mm to allow for the replacement of the roof to accommodate a greater pitch to accommodate a powdercoated pressed metal sheet, tile patterned and dark green in colour. The external finishes are to be altered and in addition the floor area would appear to be increased. Therefore, whilst not stated it appears that the proposal involves the placement of a new mobile home on the pitch, but this is not clear from the details and further clarification is required.

Recommendation :

Further Information ;

1. Having regard to the provisions of Section 5(1)(b) of the Planning and Development Act 2000(as amended) the following further information is requested –
 - (a) The indicated modification would appear to involve increasing the floor area of the existing mobile, which may involve the provision of a new mobile home as opposed to modification of the existing. Please confirm the exact extent of works, and that it does not involve the placement of a new mobile home on the pitch.

St. Branningham T/S

20/4/2026



**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

MEMORANDUM

WICKLOW COUNTY COUNCIL

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

**FROM: Nicola Fleming
Staff Officer**

**RE:- EX45/2026 - Declaration in accordance with Section 5 of the
Planning & Development Acts 2000 (as amended)**

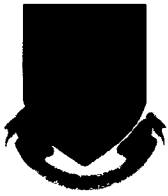
I enclose herewith for your attention application for Section 5 Declaration received 01/04/2026.

The due date on this declaration is the 28/04/2026.



**Staff Officer
Planning Development & Environment**





COMHAIRLE CONTAE CHILL Mhantáin
Wicklow County Council

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

Áras An Chontae / County Buildings
Cill Mhantáin / Wicklow
Guthán / Tel: (0404) 20148
Faics / Fax: (0404) 69462
Rphost / Email: plandev@wicklowcoco.ie
Suíomh / Website: www.wicklow.ie

Ronan Rose Roberts Architects
First Floor
Mortons Lane
Wicklow
Co. Wicklow


1st April 2026

RE: Application for Certificate of Exemption under Section 5 of the Planning and Development Acts 2000 (as amended). – EX45/2026 – Site B17, Jacks Hole Beach Resort DAC

A Chara

I wish to acknowledge receipt on 01/04/2026 full details supplied by you in respect of the above Section 5 application. A decision is due in respect of this application by 28/04/2026.

Mise, le meas



Nicola Fleming
Staff Officer
Planning, Economic & Rural Development



RONAN
ROSE
ROBERTS
ARCHITECTS

Chief Planning Officer,
Planning Department
Wicklow County Council
Whitegates, Wicklow
Co Wicklow

1st April 2026

Re: Section 5 Declaration Application for Exempted Development, Mobile Home B17 Jacks Hole Beach Resort, Brittas Bay, Co Wicklow

Dear Sir/Madam,

On behalf of our client, Jacks Hole Beach Resort DAC, we submit a Section 5 Declaration application for changes to an existing mobile home. The proposed changes are:

- Changes to elevations as described on drawings.
- Increase in height & width of the mobile home as described on the drawings.

We enclose 1 copy of each of the following:

Application form

This letter

Copy of the following drawings, all on 1 no A1 sheet:

Site Location Map survey drawing, 1:2000

Existing and proposed Site layout plan 1:200

Proposed elevations of mobile home, 1:100

Payment in sum of €80.00

If you have any queries please don't hesitate to make contact.

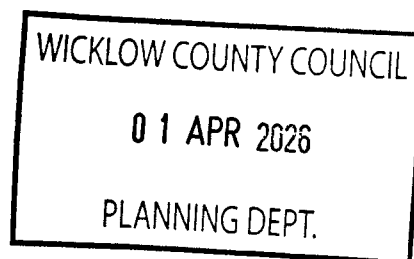
We look forward to a positive response at your earliest convenience.

Yours faithfully,



Ronan Rose-Roberts, MRIA

CC Client



Wicklow County Council
County Buildings ,
Wicklow
0404-20100

01/04/2026 12:05:22

Receipt No L1/0/361427

Ronan Rose Roberts
Mortans Lane
Wicklow Town
Co Wicklow

EXEMPTION CERTIFICATES	80.00
GOODS	80.00
VAT Exempt/Non-vatable	

Total 80.00 EUR

Tendered
Credit Card 80.00
Jacks Hole Beach Resort

Change 0.00

Issued By Lea Anne Daniels
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 _____

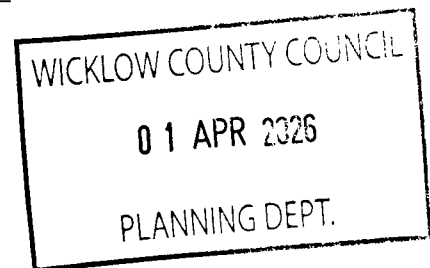
Fee Received _____

**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: Jacks Hole Beach Resort DAC
Address of applicant: Jacks Hole Beach Resort, Brittas Bay, Co Wicklow
-

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



2. Agents Details (Where Applicable)

- (b) Name of Agent (where applicable) Ronan Rose Roberts Architects
Address of Agent : First Floor, Mortons Lane, Wicklow, Co Wicklow
-

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

3. Declaration Details

i. Location of Development subject of Declaration Site B17, Jacks Hole beach Resort,
Brittas Bay, Co Wicklow _____

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

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 :

**Whether the modification of existing mobile home (B17) on same site is or is not
development and is or is not exempted development under the Planning and
Development Act 2000 (as modified) and the regulations made thereunder.** _____

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 _____
Section 5 Planning and Development Act 2000 _____

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 _____

Site Location map 1:2000, Site layout plan 1:200, elevations 1:100

viii. Fee of € 80 Attached ? Yes

Signed:  Dated : 01 / 04 / 2026
(Agent)

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 -

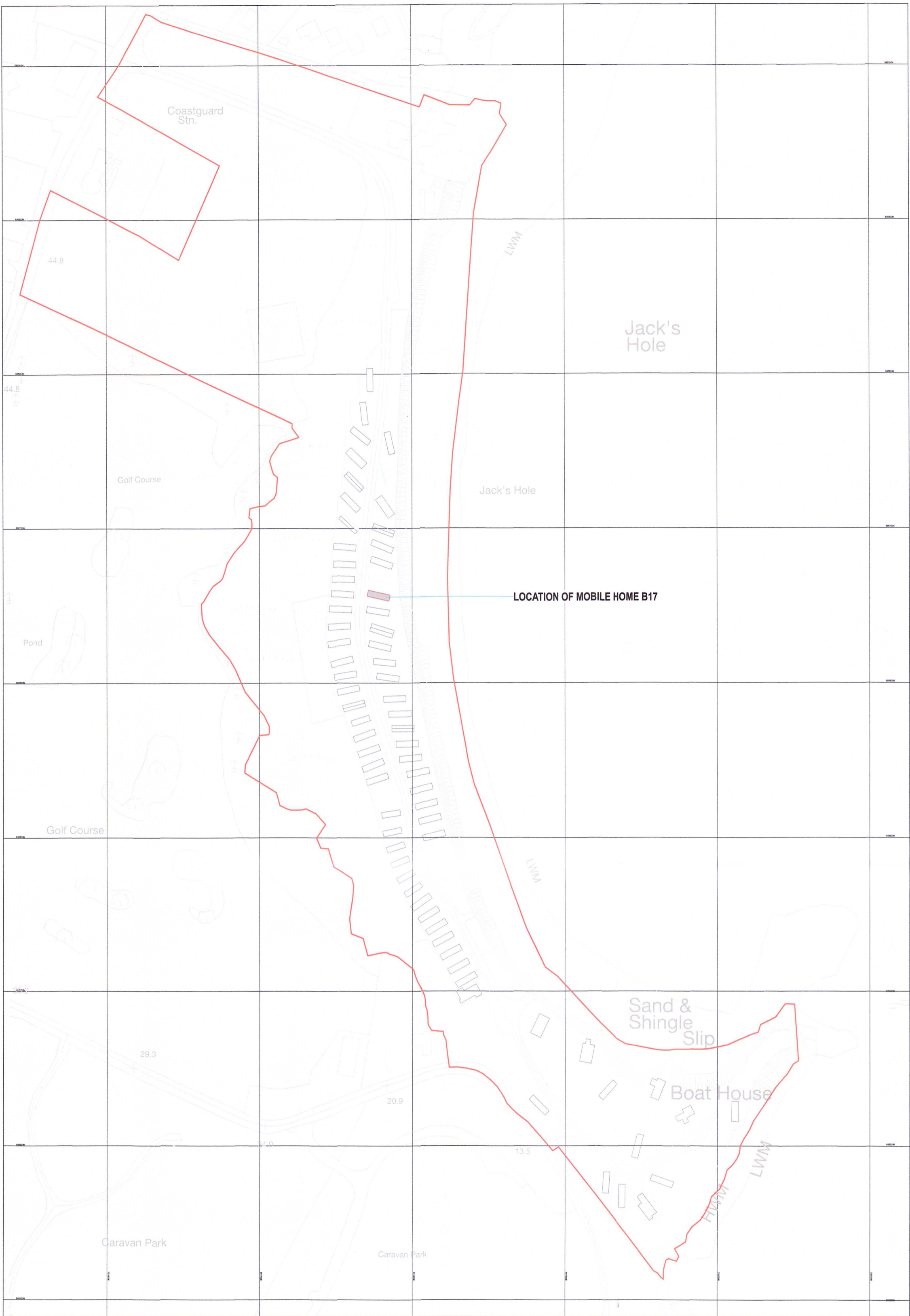
The provisions of Article 8 of the Planning and Development Regulations 2001 (as

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.

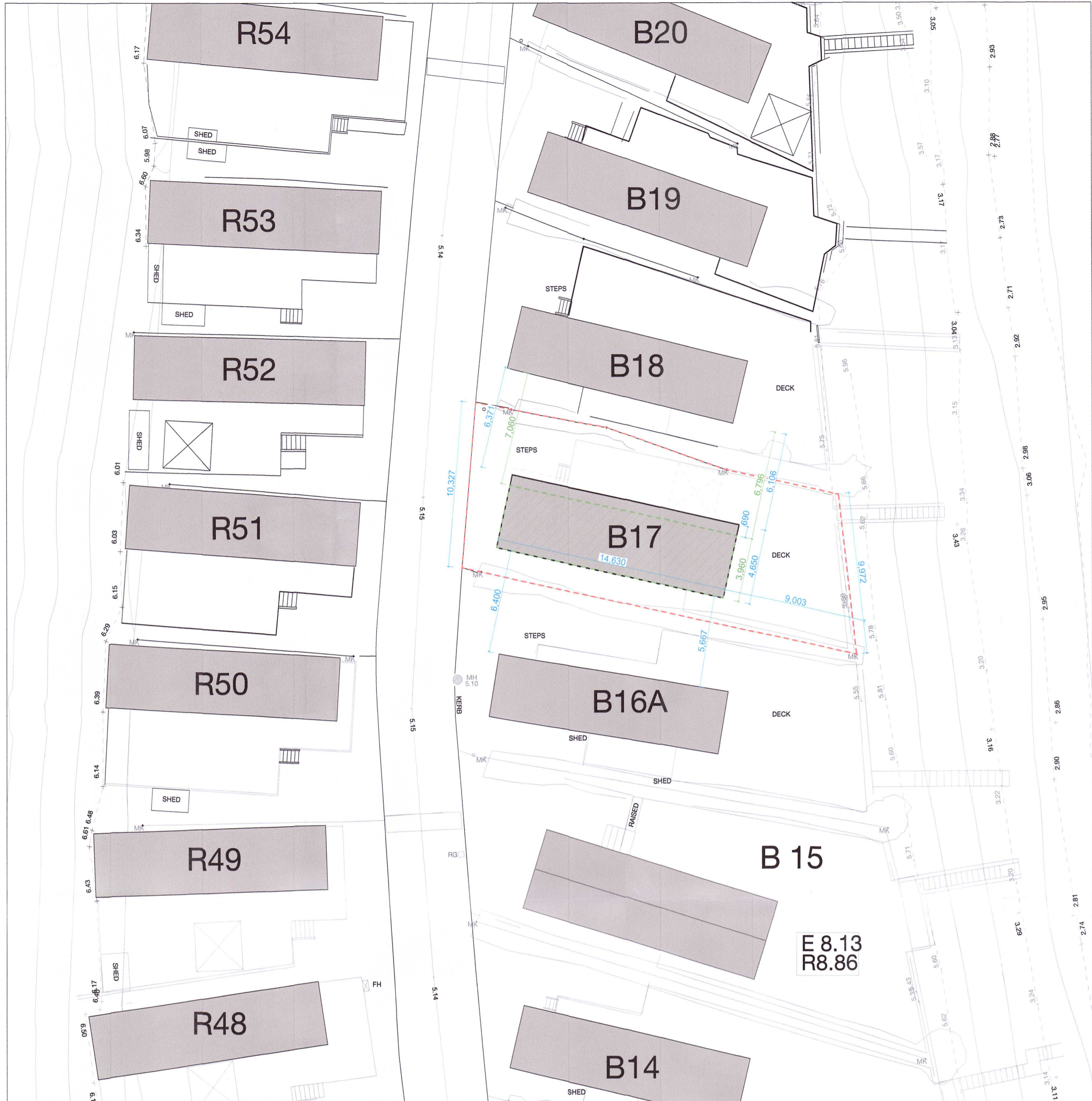
Any Section 5 Declaration should include a location map delineating the location of and exact area of lands to be reclaimed, and an indication of the character of the land.

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

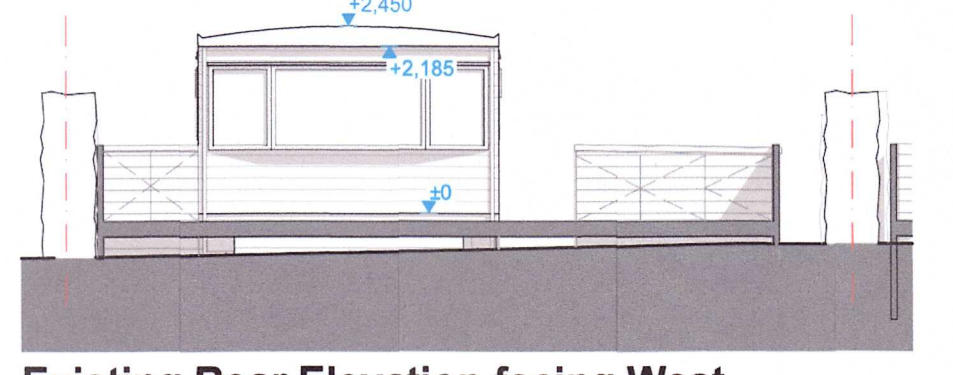
- Site layout plan showing location of structure and any adjoining farm structures and any dwellings within 100m of the farm structure.
- Gross floor area of the farm structure
- Floor plan and elevational details of Farm Structure and Full details of the gross floor area of the proposed structure.
-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



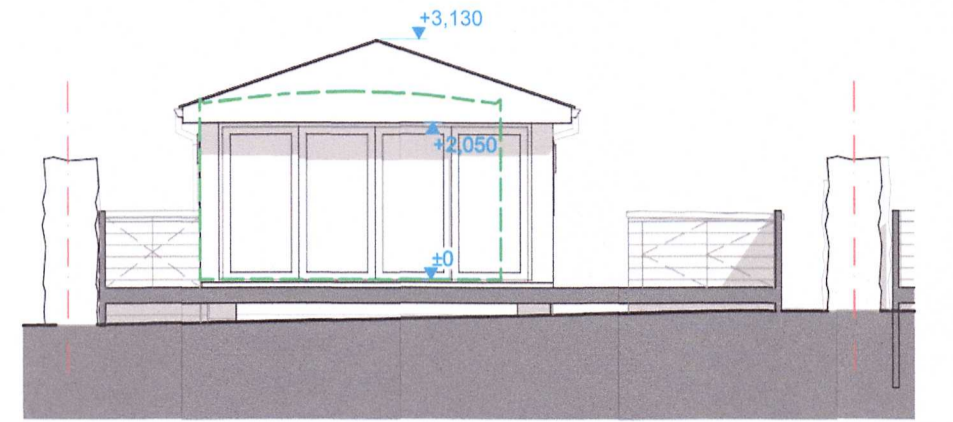
Site Location Map 1:2000



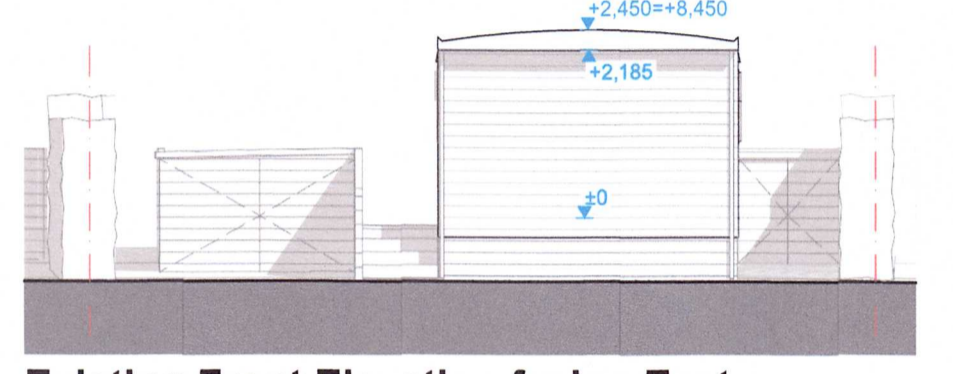
Existing Site Layout Plan 1:200



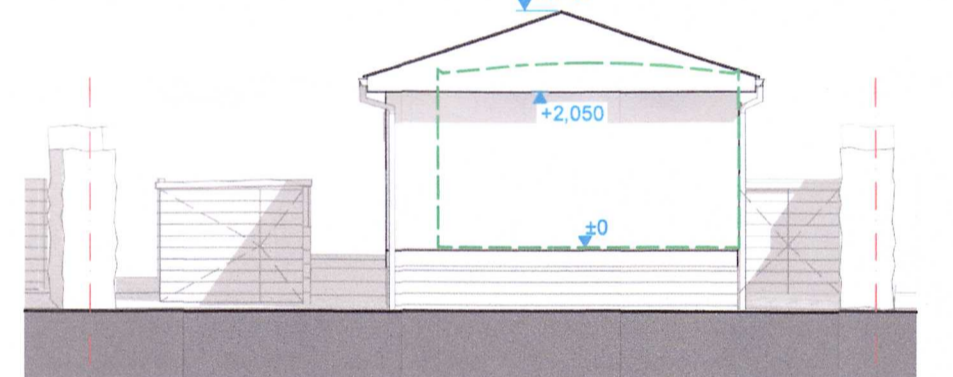
Existing Rear Elevation facing West 1:100



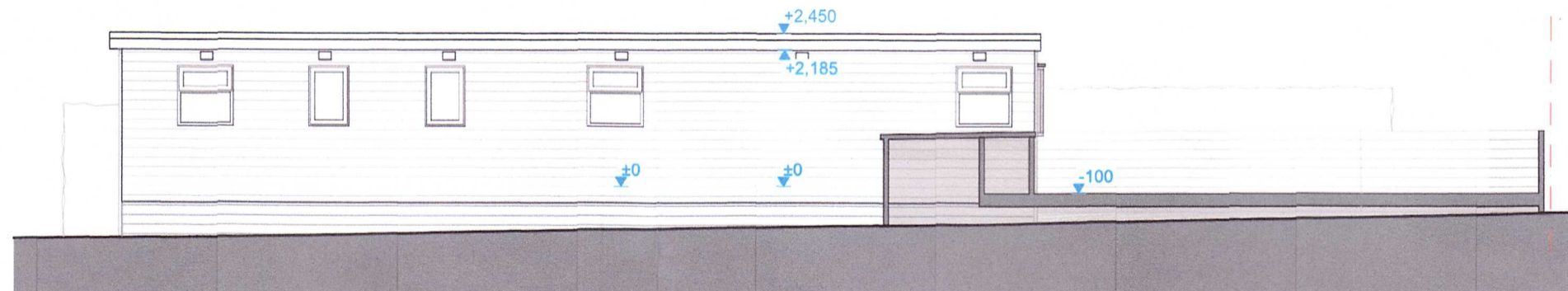
Proposed Rear Elevation facing West 1:100



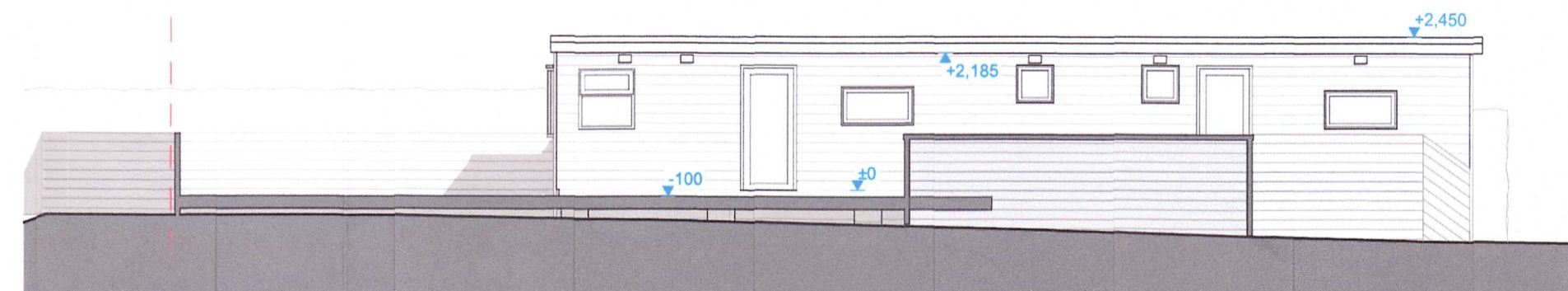
Existing Front Elevation facing East 1:100



Proposed Front Elevation facing East 1:100

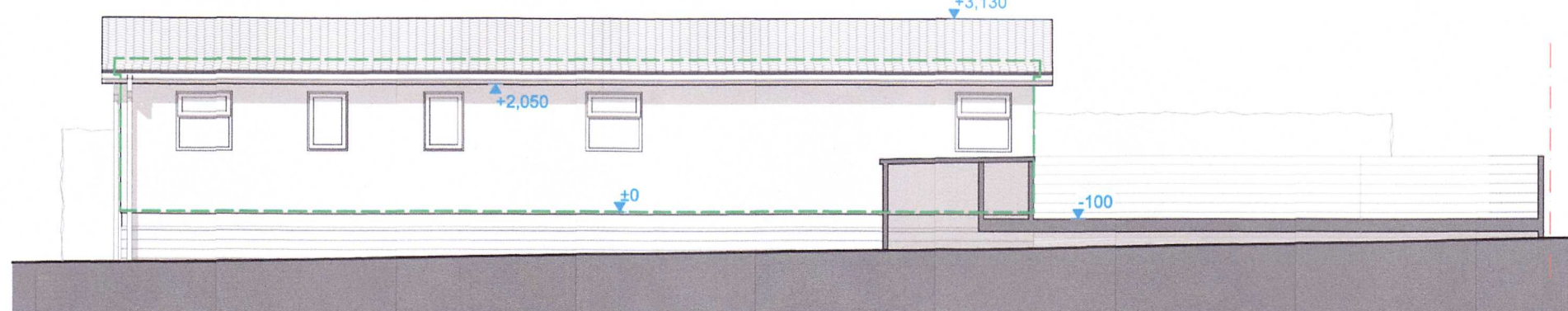


Existing Side Elevation facing South 1:100

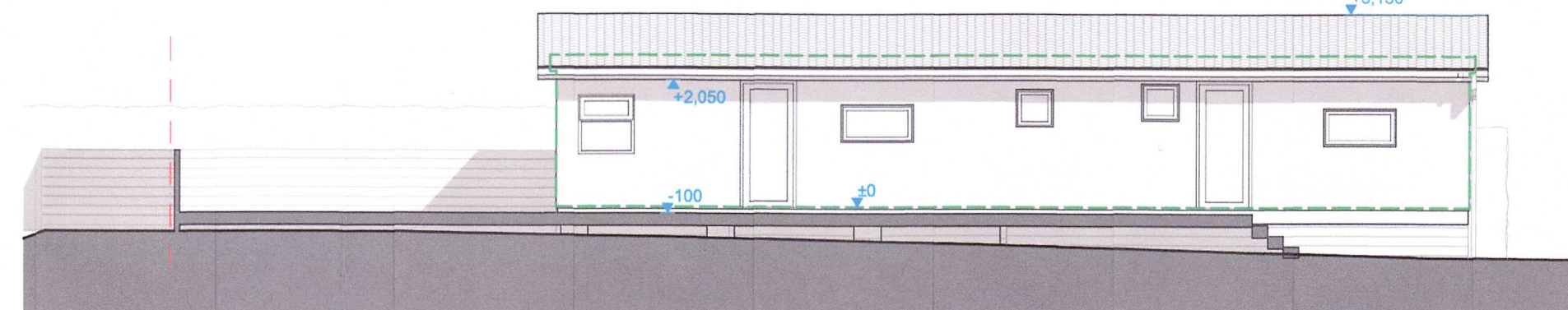


Existing Side Elevation Facing North 1:100

proposed position of doors & windows may vary



Proposed Side Elevation facing South 1:100



Proposed Side Elevation Facing North 1:100

- | | |
|--|---|
| EXISTING EXTERNAL FINISHES: | PROPOSED EXTERNAL FINISHES: |
| BARREL SHAPED ROOF -
MODIFIED BITUMEN WATERPROOF FINISH, HIDDEN
GUTTERING BEHIND PARAPET | PITCHED ROOF -
POLYESTER POWDERCOATED PRESSED METAL
SHEETS WITH TILE PATTERN, DARK GREEN COLOUR |
| EXTERNAL WALLS -
PAINTED ALUMINIUM, OFF-WHITE, GREEN | EXTERNAL WALLS -
ACRYLIC RENDER |
| EXTERNAL WINDOWS / DOORS
ALUMINIUM, SINGLE GLAZED, GREY | EXTERNAL WINDOWS / DOORS
WHITE PVC |
| RAINWATER GOODS -
WHITE PVC ROUND RWPS, HIDDEN GUTTERS | RAINWATER GOODS -
WHITE PVC GUTTERING & RWPS |
| | FASCIAS & SOFFITS -
WHITE PVC |
| | DEMOLITIONS/REMOVALS
----- |
| | EXTENT OF JACK BEACH RESORT ----- |
| | EXTENT OF SUBJECT SITE - - - - - |



PROJECT CONSULTANTS:	REV.	DATE	DESCRIPTION	DRAWN	CHECKED
ENGINEER: ###	A	01.04.2026	Issued for Section 5 Declaration Application	JJ	RRR
M&E ENGINEER: ###					
QUANTITY SURVEYOR: ###					
FCC & DAC: ###					
ASSIGNED CERTIFIER: ###					

wicklow: mortons lane, wicklow town, A67TF44, t0404-34652, dublin: syngre street, dublin 8 t01-4753796 e: info@ronanros Roberts.com w: www.ronanros Roberts.com	
PROJECT: Works to Jack's Hole Beach Resort Unit B17	DRG. NO: 1904.B17.01
JOB NO: 1904	STAGE: Section 5 Declaration
CLIENT: JHBR DAC	DRAWING: Site Location, Layout & Elevations
SCALE: PER NOTES @ Arch D, A1 marked with solid line frame / print @ 100%	DATE: 31/03/2026