

WICKLOW COUNTY COUNCIL

**PLANNING & DEVELOPMENT ACTS 2000 (As Amended)
SECTION 5**

Director of Services Order No: 389/2023

Reference Number: EX 1/2023

Name of Applicant: Leapshin Eile Ltd C/O Niall Hegarty SM Building Consulting

Nature of Application: Section 5 Referral as to whether "Change of use from residential care facility for children at risk, including those with a learning disability at Tigh Na Croise, Barnisky, Redcross, Co Wicklow" is or is not exempted development.

Location of Subject Site: Tigh Na Croise, Barnisky, Redcross, Co Wicklow

Report from Holly O'Connor AP & Suzanne White SEP

With respect to the query under Section 5 of the Planning & Development Act 2000 as to whether "Change of use from residential care facility for children at risk, including those with a learning disability at Tigh Na Croise, Barnisky, Redcross, Co Wicklow" is or is not exempted development within the meaning of the Planning & Development Act 2000 (as amended)

Having regard to:

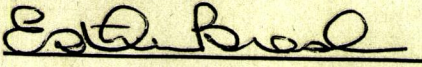
- a) The details submitted with this Section 5 Application.
- b) Sections 2 & 3 of the Planning & Development Act 2000 (as amended).
- c) Schedule 2, Part 1, Class 14 of the Planning and Development Regulations 2001 (as amended).

Main Reasons with respect to Section 5 Declaration:

- 1. The permitted dwelling under 05/2806 and compliance with conditions of same;
- 2. The purposed use as a residence for persons with an intellectual or physical disability or mental illness and persons providing care for such persons as detailed in the submission;
- 3. Schedule 2, Part 1, Class 14 (f) of the Planning and Development Regulations 2001 as amended.

Recommendation

The Planning Authority considers that "Change of use from residential care facility for children at risk, including those with a learning disability at Tigh Na Croise, Barnisky, Redcross Co Wicklow" is development and is exempted development as recommended in the planning reports.

Signed  Dated 27 day of February 2023

ORDER:

That a declaration to issue stating:

That "Change of use from residential care facility for children at risk, including those with a learning disability at Tigh Na Croise, Barnisky, Redcross, Co Wicklow" is development and is exempted development within the meaning of the Planning & Development Acts 2000 (as amended).

Signed: 
Director of Services
Planning Development & Environment

Dated 28 day of February 2023



Comhairle Contae Chill Mhantáin Wicklow County Council

Forbairt Pleanála agus Comhshaol Planning Development and Environment

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

Leapshin Eile Ltd
C/O Niall Hegarty SM Building Consulting
Unit 4
84 Strand Street
Skerries
Co Wicklow

27th February 2023

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

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

Exemption Ref No: EX 1/2023

Applicant: Leapshin Eile Ltd C/O Niall Hegarty SM Consulting

Nature of Application: Change of use from residential care facility for children at risk including those with a learning disability at Tigh Na Croise, Barnisky, Redcross, Co Wicklow

Location: Tigh Na Croise, Barnisky, Redcross, Co Wicklow

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 DEVELOPMENT & ENVIRONMENT.





Comhairle Contae Chill Mhantáin Wicklow County Council

Forbairt Pleanála agus Comhshaol
Planning Development and Environment

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

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

Applicant: Leapshin Eile Ltd C/O Niall Hegarty SM Building Consulting

Location: Tigh Na Croise, Barnisky, Redcross, Co Wicklow

DIRECTOR OF SERVICES ORDER NO 389/2023

A question has arisen as to whether "Change of use from residential care facility for children at risk including those with a learning disability at Tigh Na Croise, Barnisky, Redcross, Co Wicklow" is or is not exempted development.

Having regard to:

- a) The details submitted with this Section 5 Application.
- b) Sections 2 and 3 of the Planning and Development Act 2000 (as amended),
- c) Schedule 2, Part 1, Class 14 of the Planning and Development Regulations 2001 (as amended).

Main Reasons with respect to Section 5 Declaration:

1. The permitted dwelling under 05/2806 and compliance with conditions of same;
2. The proposed use as a residence for persons with an intellectual or physical disability or mental illness and persons providing care for such persons as detailed in the submission;
3. Schedule 2, Part 1, Class 14 (f) of the Planning and Development Regulations 2001 as amended.

The Planning Authority considers that "Change of use from residential care facility for children at risk including those with a learning disability at Tigh Na Croise, Barnisky, Redcross, Co Wicklow is development and is exempted development.

Signed: 

ADMINISTRATIVE OFFICER
PLANNING DEVELOPMENT & ENVIRONMENT

Dated  February 2023

Tá an doiciméad seo ar fáil i bhformáidí eile ar iarratas
This document is available in alternative formats on request.

Ba chóir gach comhfhreagras a sheoladh chuig an Stiúrthóir Seirbhísí, Forbairt Pleanála agus Comhshaol.
All correspondence should be addressed to the Director of Services, Planning Development & Environment.



**WICKLOW COUNTY COUNCIL
PLANNING DEPARTMENT**

PLANNING REPORT SECTION 5 APPLICATION

TO:	FERGAL KEOGH S.E. / EDEL BERMINGHAM S.E.P
FROM:	HOLLY O'CONNOR A.P.
SUBJECT REF:	EX 1/2023
DECISION DATE:	09/03/2023
APPLICANT:	LEAPSHIN EILE LTD
ADDRESS:	TIGHT NA CROISE, BARNISKY, REDCROSS, CO. WICKLOW
EXEMPTION:	USE OF RESIDENTIAL DWELING TO RESIDENTIAL CARE FACILITY

This application has been the subject of a further information request. This report should be read in conjunction with the previous planners report. Further information was requested on 10/02/2023 and a response was received on 17/02/2023.

Further Information was sought on the following:

Item 1:

In order to assess if the proposed use would constitutes exempted development within the meaning of the Planning and Development Acts, 2000 (as amended), it is necessary to clarify the number of persons with an intellectual or physical disability or a mental illness living in the residence and the number of resident carers. You are requested to submit information to clarify the details.

In response:

The applicant has stated that the number of residents will not exceed 6 and the number of carers will not exceed 2.

Recommendation:

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

Change of use from residential to provide a residential care facility for children at risk, including those with learning disability at Tigh Na Croise, Barnisky, Redcross, Co. Wicklow constitutes exempted development within the meaning of the Planning and Development Acts, 2000 (as amended).

The Planning Authority considers that:

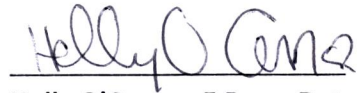
The use of the dwelling for residence for persons with an intellectual or physical disability or mental illness and persons providing care for such persons is development and is exempt development.

Main Considerations with respect to Section 5 Declaration:

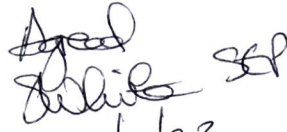
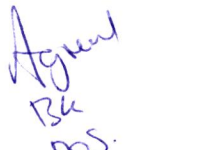
- (a) The details submitted with this Section 5 Application.
- (b) Sections 2 and 3 of the Planning and Development Act 2000 (as amended),
- (c) Schedule 2, Part 1, Class 14 of the Planning and Development Regulations 2001 (as amended).

Main Reasons with respect to Section 5 Declaration:

1. The permitted dwelling under 05/2806 and compliance with conditions of same;
2. The proposed use as a residence for persons with an intellectual or physical disability or mental illness and persons providing care for such persons as detailed in the submission;
3. Schedule 2, Part 1, Class 14 (f) of the Planning and Development Regulations 2001 as amended.



Holly O'Connor E.P. Date: 23/02/2023


24/2/23
28/2/23

Crystal White

From: Niall Hegarty <nial.hegarty@smbc.ie>
Sent: Friday 17 February 2023 14:54
To: Planning - Planning and Development Secretariat
Cc: Sean Mooney
Subject: RE: EX1/2023 - Additional Information Request - Change of Use at Tigh Na Croise, Barnisky, Redcross, Co. Wicklow
Attachments: WCC - Add Info Request - Response 17.02.2023.pdf
Follow Up Flag: Follow up
Flag Status: Flagged

To Wicklow County Council Planning Department,

Please find attached here, a PDF copy of the Additional information Request RE: EX1/2023.

'Change of use from residential to provide a residential care facility for children at risk, including those with learning disabilities at Tigh Na Croise, Barnisky, Redcross, Co. Wicklow'

If you require any further information regarding this application, please do not hesitate to contact me on

Kind regards,

Niall Hegarty BSc Hons
Building Surveyor



M: +353 (0) 871618417

Visit our website: www.smbc.ie

Disclaimer: This Email and the information it contains is privileged.

Any views or opinions presented are solely those of the author and do not necessarily represent those of SM Building Consultancy. If you receive this in error, please notify the sender immediately and do not copy, forward or disclose its content to any other party. It is the responsibility of the recipient to ensure it is virus free and SM Building Consultancy does not accept any responsibility for any loss or damage that may arise from the use of this email, or its contents.

Subject to Contract / Without Prejudice

17th February 2023

Planning Department,
Wicklow County Council,
Council Building,
White Gates,
Wicklow Town
County Wicklow A67 FW96

Dear Sir/Madam

RE: EX1/2023 - CHANGE OF USE - SECTION 5 APPLICATION FOR A DECLARATION OF EXEMPTED DEVELOPMENT UNDER SCHEDULE 2, PART 1, CLASS 14 (f) OF THE PLANNING AND DEVELOPMENT REGULATION 2001.

ADDITIONAL INFORMATION

Request via. Wicklow County Council

- 1. In order to assess if the proposed use would constitutes exempted development within the meaning of the Planning and Development Act, 2000 (as amended), it is necessary to clarify the number of persons with an intellectual or physical disability or a mental illness living in the residence and the number of resident carers. You are requested to submit information to clarify the details**

In line with Schedule 2, Part 1, Schedule 14 (f) of the Planning and Development Regulation 2001, the number of residents will not exceed 6 and the number of resident careers will not exceed 2.

(f) from use as a house, to use as a residence for persons with an intellectual or physical disability or mental illness and persons providing care for such persons.

The number of persons with an intellectual or physical disability or a mental illness living in any such residence shall not exceed 6 and the number of resident carers shall not exceed 2. Schedule 2, Part 1, Class 14 (f) of the Planning and Development Regulation 2001.

We Trust that the above and enclosed are satisfactory, however, should you have any queries or require any further information, please do not hesitate to contact me.

Yours Sincerely,

Niall Hegarty
Building Surveyor
SM Building Consultancy



Comhairle Contae Chill Mhantáin Wicklow County Council

Forbairt Pleanála agus Comhshaol Planning Development and Environment

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

10/02/2023

Leapshin Eile Ltd
C/O Niall Hegarty (SM Building Consultancy)
Unit 4
84 Strand Street
Skerries
Co Dublin

RE: EX 1/2023

'Change of use from residential to provide a residential care facility for children at risk, including those with learning disabilities at Tigh Na Croise, Barnisky, Redcross, Co Wicklow'

A Chara

I wish to acknowledge receipt of your application for a declaration in respect of Section 5 for the above proposal on 19th January 2023.

Further Information:

Further information is required to fully assess the application.

1. In order to assess if the proposed use would constitutes exempted development within the meaning of the Planning and Development Acts, 2000 (as amended), it is necessary to clarify the number of persons with an intellectual or physical disability or a mental illness living in the residence and the number of resident carers. You are requested to submit information to clarify the details.

Mise, le meas

SENIOR STAFF OFFICER

PLANNING DEVELOPMENT AND ENVIRONMENT



**WICKLOW COUNTY COUNCIL
PLANNING DEPARTMENT**

PLANNING REPORT SECTION 5 APPLICATION

TO:	FERGAL KEOGH S.E. / EDEL BERMINGHAM S.E.P
FROM:	HOLLY O'CONNOR A.P.
SUBJECT REF:	EX 1/2023
DECISION DATE:	15/02/2023
APPLICANT:	LEAPSHIN EILE LTD
ADDRESS:	TIGHT NA CROISE, BARNISKY, REDCROSS, CO. WICKLOW
EXEMPTION:	USE OF RESIDENTIAL DWELING TO RESIDENTIAL CARE FACILITY

Site Location:

The site is located within the rural node/cluster of Barranisky, a level 9 settlement, c.3km to the north-west of the urban settlement of Arklow. The site adjoins the cross-roads of the L6171 and the L2172, and is accessed via the L6171. The subject site consist of a detached single storey L shaped dwelling with a large garden.

Planning History:

05/2806: Planning permission granted to Marleene Burke for single storey dwelling with garage, well and effluent disposal system

21/356: Planning permission granted to Anne Marie Whelan for installation of a wastewater treatment system together with associated ancillary site works, RETENTION of a part first floor attic conversion including 8 no velux rooflight installations on both the north and north west facing roof slopes of the dwelling.

Relevant legislation:

Planning and Development Act 2000 (as amended)

"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

"use", in relation to land, does not include the use of the land by the carrying out of any works thereon

Section 3:

(1) 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.

"house" means a building or part of a building which is being or has been occupied as a dwelling or was provided for use as a dwelling but has not been occupied, and where appropriate, includes a building which was designed for use as 2 or more dwellings or a flat, an apartment or other dwelling within such a building;

Planning and Development Regulations 2001(as amended)**Part 2**

"care" means personal care, including help with physical, intellectual or social needs;

house" does not, as regards development of classes 1, 2, 3, 4, 6(b)(ii), 7 or 8 specified in column 1 of Part 1 of Schedule 2, or development to which articles 10(4) or 10(5) refer, include a building designed for use or used as 2 or more dwellings or a flat, an apartment or other dwelling within such a building;

Section 10: Change of Use;

(1) Development which consists of a change of use within any one of the classes of use specified in Part 4 of Schedule 2, shall be exempted development for the purposes of the Act, provided that the development, if carried out would not—

- (a) involve the carrying out of any works other than works which are exempted development,
- (b) contravene a condition attached to a permission under the Act,
- (c) be inconsistent with any use specified or included in such a permission, or
- (d) be a development where the existing use is an unauthorised use, save where such change of use consists of the resumption of a use which is not unauthorised and which has not been abandoned.

Article 6(1) states that certain classes of development which are specified in Part 3 of Schedule 2 shall be exempted development for the purposes of the Act, subject to compliance with any associated conditions and limitations;

*Part 1- Exempt Development Classes of Use**CLASS 14**Development consisting of a change of use—*

- (f) from use as a house, to use as a residence for persons with an intellectual or physical disability or mental illness and persons providing care for such persons.

Conditions and limitations

the number of persons with an intellectual or physical disability or a mental illness living in any such residence shall not exceed 6 and the number of resident carers shall not exceed 2.

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, specifically (viii) Consist of or comprise the extension, alteration, repair or renewal of an unauthorised structure or a structure the use of which is an unauthorised use.

Submission:

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

Change of use from residential to provide a residential care facility for children at risk, including those with learning disability.

Assessment:

The dwelling was permitted under PRR: 05/2806 as a residential dwelling for a person(s) who qualified for rural housing under the policies of the CDP at the time, a burden was registered against the property in 2007 and the details of same were provide to the Planning Authority. The S.47 period (10 years) has now expired and therefore the order can be discharged from the folio so at this time the property is not subject to an occupancy agreement.

The applicant is seeking the change of use from residential to a care residence for children at risk with a learning disability. No details have been provided with respect to the number of persons with an intellectual or physical disability or a mental illness living in the residence or the number of resident carers, the regulations set out the no. of residents shall not exceed 6 and the number of carers shall not exceed 2. This is necessary to be clarified.

There are no circumstances applicable in this instance under which the development to which Article 6 relates shall not be exempted development for the purposes of the Act.

Recommendation:

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

Change of use from residential to provide a residential care facility for children at risk, including those with learning disability at Tigh Na Croise, Barnisky, Redcross, Co. Wicklow constitutes exempted development within the meaning of the Planning and Development Acts, 2000 (as amended).

The Planning Authority considers that:

The use of the dwelling for children with intellectual disabilities is development and may constitute exempt development, however further information is required to clarify the conditions and limitations of Class 14 are being met.


Recommendation:**FI as follows:**

1. In order to assess if the proposed use would constitutes exempted development within the meaning of the Planning and Development Acts, 2000 (as amended), it is necessary to clarify the number of persons with an intellectual or physical disability or a mental illness living in the residence and the number of resident carers. You are requested to submit information to clarify the details.



Holly O'Connor A.P. Date: 31/01/2023



<p>(a) any fence (not being a hoarding or sheet metal fence), or</p> <p>(b) any wall of brick, stone, blocks with decorative finish, other concrete blocks or mass concrete.</p>	<p>exceed 2 metres.</p> <p>2. Every wall, other than a dry or natural stone wall, constructed or erected bounding a road shall be capped and the face of any wall of concrete or concrete blocks (other than blocks of a decorative finish) which will be visible from any road, path or public area, including a public open space, shall be rendered or plastered.</p>
<p>CLASS 12 The painting of any external part of any building or other structure.</p>	<p>Such painting may not, except in the case of a hoarding or other temporary structure bounding land on which development consisting of works is being or will be carried out in pursuance of a permission granted under Part III of the Act or as exempted development, be for the purposes of creating a mural.</p>
<p>CLASS 13 The repair or improvement of any private street, road or way, being works carried out on land within the boundary of the street, road or way, and the construction of any private footpath or paving.</p>	<p>The width of any such private footpath or paving shall not exceed 3 metres.</p>
<p> <i>Change of use</i></p> <p>CLASS 14 Development consisting of a change of use—</p> <p>(a) from use for the sale of hot food for consumption off the premises, or for the sale or leasing or display for sale or leasing of motor vehicles, to use as a shop,</p> <p>(b) from use as a public house, to use as a shop,</p> <p>(c) from use for the direction of funerals, as a funeral home, as an amusement arcade or a restaurant, to use as a</p>	

<p>shop,</p> <p>(d) from use to which class 2 of Part 4 of this Schedule applies, to use as a shop,</p> <p>(e) from use as 2 or more dwellings, to use as a single dwelling, of any structure previously used as a single dwelling,</p> <p>(f) from use as a house, to use as a residence for persons with an intellectual or physical disability or mental illness and persons providing care for such persons.</p> <p>(g) from use as a hotel, to use as a hostel (other than a hostel where care is provided),</p>	<p>The number of persons with an intellectual or physical disability or a mental illness living in any such residence shall not exceed 6 and the number of resident carers shall not exceed 2.</p>	
<p>(h) from use as a hotel, motel, hostel, guesthouse, holiday accommodation, convent, monastery, Defence Forces barracks or other premises or residential institution providing overnight accommodation, or part thereof, or from the change of use specified in paragraph (i) of the said premises or institution, or part thereof, to use as accommodation for protected persons,</p>		<p>Comment [1750]: Inserted by article 4 of S.I. No. 582/2015 – Planning and Development (Amendment)(No. 4) Regulations 2015</p>
<p>(i) from use as a hotel, motel, hostel, guesthouse, holiday accommodation, convent, monastery, Defence Forces barracks or other premises or residential institution providing overnight accommodation, or part thereof, or from the change of use specified in paragraph (h) of the said premises or institution, or part thereof, to use as an emergency reception and orientation centre for protected persons, and</p>		<p>Comment [1751]: Inserted by article 4 of S.I. No. 582/2015 – Planning and Development (Amendment)(No. 4) Regulations 2015</p>
<p>(j) from the change of use specified in paragraph (h) or (i) or both, to the permitted use of the premises immediately prior to the change of use specified in the said paragraph (h) or</p>	<p>Class 14(j) shall not apply after a period of 3 years from the date of the commencement of the change of use specified in Class 14(h) or (i) or both, whichever date is the earliest.</p>	<p>Comment [1752]: Inserted by article 4 of S.I. No. 582/2015 – Planning and Development (Amendment)(No. 4) Regulations 2015</p> <p>Comment [1754]: Inserted by article 4 of S.I. No. 582/2015 – Planning and Development (Amendment)(No. 4) Regulations 2015</p>

MEMORANDUM

WICKLOW COUNTY COUNCIL

TO: Holly O'Connor
Executive Planner

FROM: Crystal White
Assistant Staff Officer

**RE:- EX 1/2023 - Declaration in accordance with Section 5 of the
Planning & Development Acts 2000 (as amended)
Change of use from residential to provide a residential care facility for
children at risk, including those with learning disabilities at Tigh Na Croise,
Barnisky, Redcross, Co Wicklow Y14 DW60**

I enclose herewith for your attention application for Section 5 Declaration
received 19th of January 2023.

The due date on this declaration is the 15th of February 2023.


Senior Staff Officer
Planning Development & Environment



Comhairle Contae Chill Mhantáin Wicklow County Council

**Forbairt Pleanála agus Comhshaol
Planning Development and Environment**

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

25/01/2023


**SM Building Consultancy
Unit 4
84 Strand Street
Skerries
Co Dublin**

**RE: Application for Certificate of Exemption under Section 5 of the Planning and Development Acts 2000 (as amended). Ex 1/2023
Change of use from residential to provide a residential care facility for children at risk, including those with learning disabilities at Tigh Na Croise, Barnisky, Redcross, Co Wicklow Y14 DW60**

A Chara

I wish to acknowledge receipt on the 19th of January 2023 details supplied by you in respect of the above section 5 application. A decision is due in respect of this application by 15/02/2023.

Mise, le meas



**SENIOR EXECUTIVE OFFICER
PLANNING DEVELOPMENT AND ENVIRONMENT**



Wicklow County Council
County Buildings
Wicklow
0404-20100

19/01/2023 14 35 41

Receipt No L1/0/307487
***** REPRINT *****

SM Building Consultancy
Unit 4
84 Strand Street
Skerries
Co Dublin

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

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

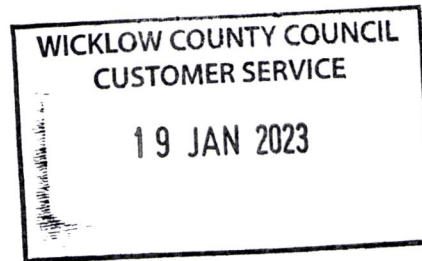
Tendered	
Cheque	80 00
Leapshin Eile Ltd	

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

Issued By Catherine Byrne
From Customer Service Hub
Vat reg No 0015233H

18th January 2023

Planning Department,
Wicklow County Council,
Council Building,
White Gates,
Wicklow Town
County Wicklow A67 FW96



Dear Sir/Madam

RE: CHANGE OF USE - SECTION 5 APPLICATION FOR A DECLARATION OF EXEMPTED DEVELOPMENT UNDER SCHEDULE 2, PART 1, CLASS 14 (f) OF THE PLANNING AND DEVELOPMENT REGULATION 2001.

On behalf of Leapshin Eile Ltd, we hereby formally apply for a declaration of Exempt Development under Schedule 2, Part 1, Class 14 (f) of the Planning and Development Regulation 2001 at Tigh na Croise, Barnisky, Redcross, Co. Wicklow Y14 DW60, regarding the Change of Use from residential to provide a residential care facility for children at risk, including those with learning difficulties.

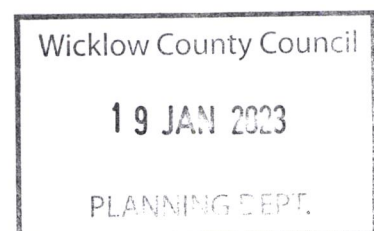
In support of our application, we enclose the following documents:

1. Completed application form
2. A cheque for €80.00 being the appropriate application fee.
3. A drawing register, enclosing 2 no. copies of the following:
 - Drawing No. 001.S51.2023 – Site Location Map
 - Drawing No. 002.S51.2023 – Site Layout Plan
 - Drawing No. 003.S51.2023 – Existing Ground Floor Plan
 - Drawing No. 004.S51.2023 – Existing First-floor Plan
 - Drawing No. 005.S51.2023 – Existing North and West Elevations
 - Drawing No. 006.S51.2023 – Existing South and East Elevations
 - Drawing No. 007.S51.2023 – Existing Sections A-A / B-B

We Trust that the above and enclosed are satisfactory, however should you have any queries or require any further information, please do not hesitate to contact me.

Your Sincerely,

Sean Mooney
Director
SM Building Consultancy





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: Leapshin Eile Ltd.

Address of applicant: _____

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

2. Agents Details (Where Applicable)

(b) Name of Agent (where applicable) – Niall Hegarty (SM Building Consultancy)

Address of Agent : Unit 4, 84 Strand Street, Skerries, Co. Dublin

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

3. Declaration Details

- i. Location of Development subject of Declaration: Tigh Na Croise, Barnisky, Redcross, Co. Wicklow Y14 DW60.
- 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: N/A
- iv. Section 5 of the Planning and Development Act provides that : If any question arises as to what, in any particular case, is or is not development and is or is not exempted development, within the meaning of this act, any person may, 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.

Application for a declaration of Exempted Development under Schedule 2, Part 1, Class 14 (f) of the Planning and Development Regulation 2001, regarding the change of use from residential to provide a residential care facility for children at risk, including those with learning disabilities.

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

Schedule 2, Part 1, Class 14 (f) of the Planning and Development Regulation 2001
- 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
001-S51-2023 = Site Location Map
002-S51-2023= Site Layout
003-S51-2023 = Existing Ground Floor Plan
004-S51-2023= Existing First Floor Plan

005-S51-2023 =Existing North and West Elevation

006-S51-2023 =Existing South and East Elevation

007-S51-2023 = Existing Sections

viii. Fee of € 80 Attached? Yes – Cheque attached with application

Signed : _____ Dated : 18/01/2023

Site Location Map

SITE LOCATION MAP

SCALE 1 : 10560



CENTRE COORDINATES:
ITM 724601.680185

PUBLISHED: 08/03/2021 **ORDER NO.:** 50176949_1

MAP SERIES: 6 Inch Raster
6 Inch Raster
6 Inch Raster
6 Inch Raster
MAP SHEETS: WW035
WW036
WW040
WW041

COMPILED AND PUBLISHED BY:
Ordnance Survey Ireland,
Phoenix Park,
Dublin 8,
Ireland.

Unauthorised reproduction
infringes Ordnance Survey Ireland
and Government of Ireland
copyright.

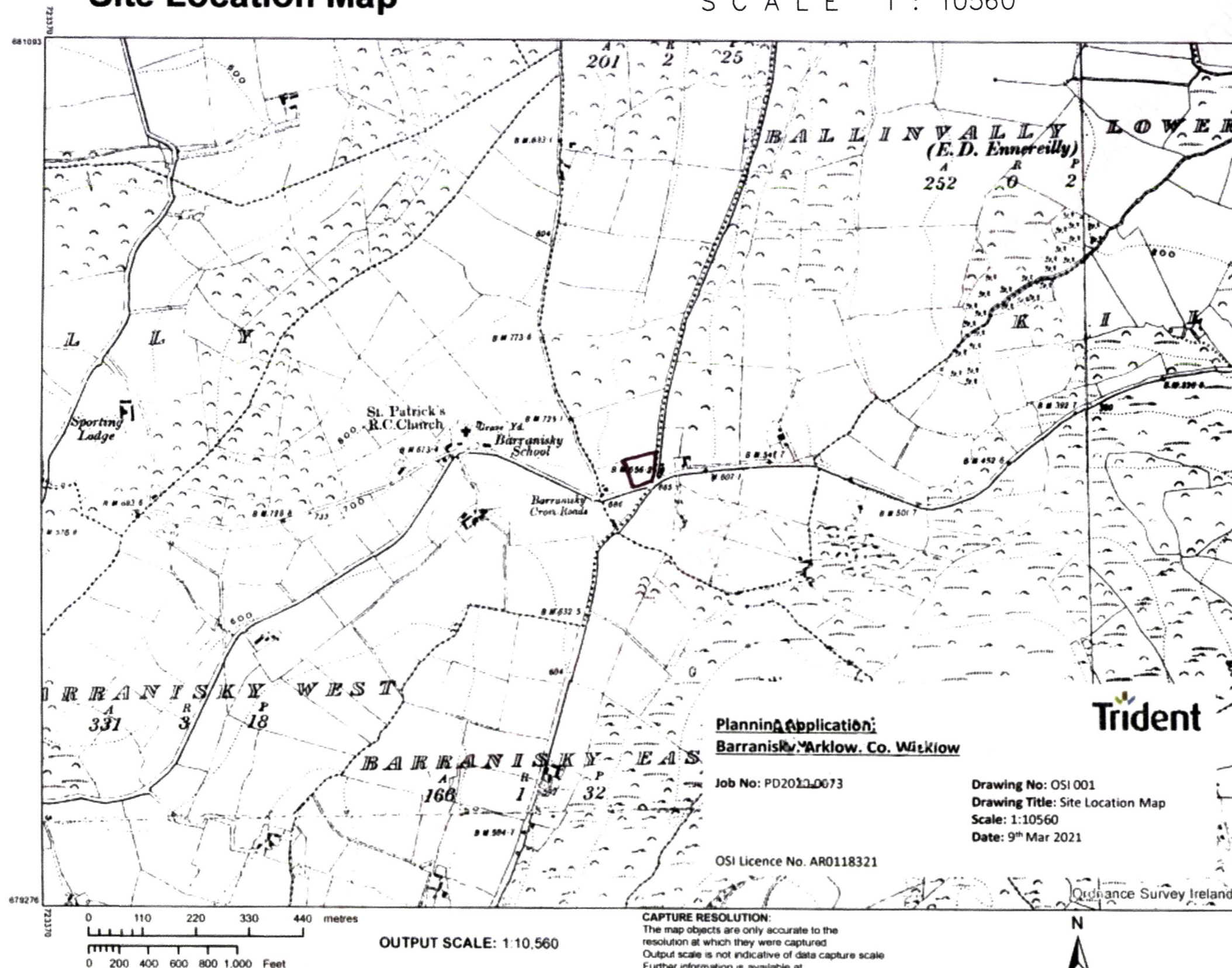
All rights reserved.
No part of this publication may
be copied, reproduced
or transmitted in any form
or by any means without the prior
written permission of
the copyright owners.

The representation on this map
of a road, track or footpath
is not evidence of the existence
of a right of way.

Ordnance Survey maps
never show legal property
boundaries, nor do they
show ownership of
physical features.

© Suirbheireacht Ordanáis Éireann,
2021
© Ordnance Survey Ireland, 2021
www.osi.ie/copyright

LEGEND:
<http://www.osi.ie>
search: Large Scale Legend



Planning Application:
Barranisky, Arklow, Co. Wicklow

Job No: PD2022.0073

Drawing No: OSI 001
Drawing Title: Site Location Map
Scale: 1:10560
Date: 9th Mar 2021

OSI Licence No. AR0118321

CAPTURE RESOLUTION:
The map objects are only accurate to the
resolution at which they were captured.
Output scale is not indicative of data capture scale.
Further information is available at
<http://www.osi.ie> search: 'Capture Resolution'

OUTPUT SCALE: 1:10,560

Amendments:

Client:

LEAPSHIN EILE LTD.

Project:

TIGH NA CROISE, BARNISKY, REDCROSS
CO. WICKLOW, Y14 DW60

Scale: 1:10560

Date: JANUARY 2023

Drawn: PL / NH

Checked: SM / DM

Drg.no: 001-S51-2023

Rev: 1

Title:

S51 - 2023 - SECTION 5 APPLICATION
SITE LOCATION MAP



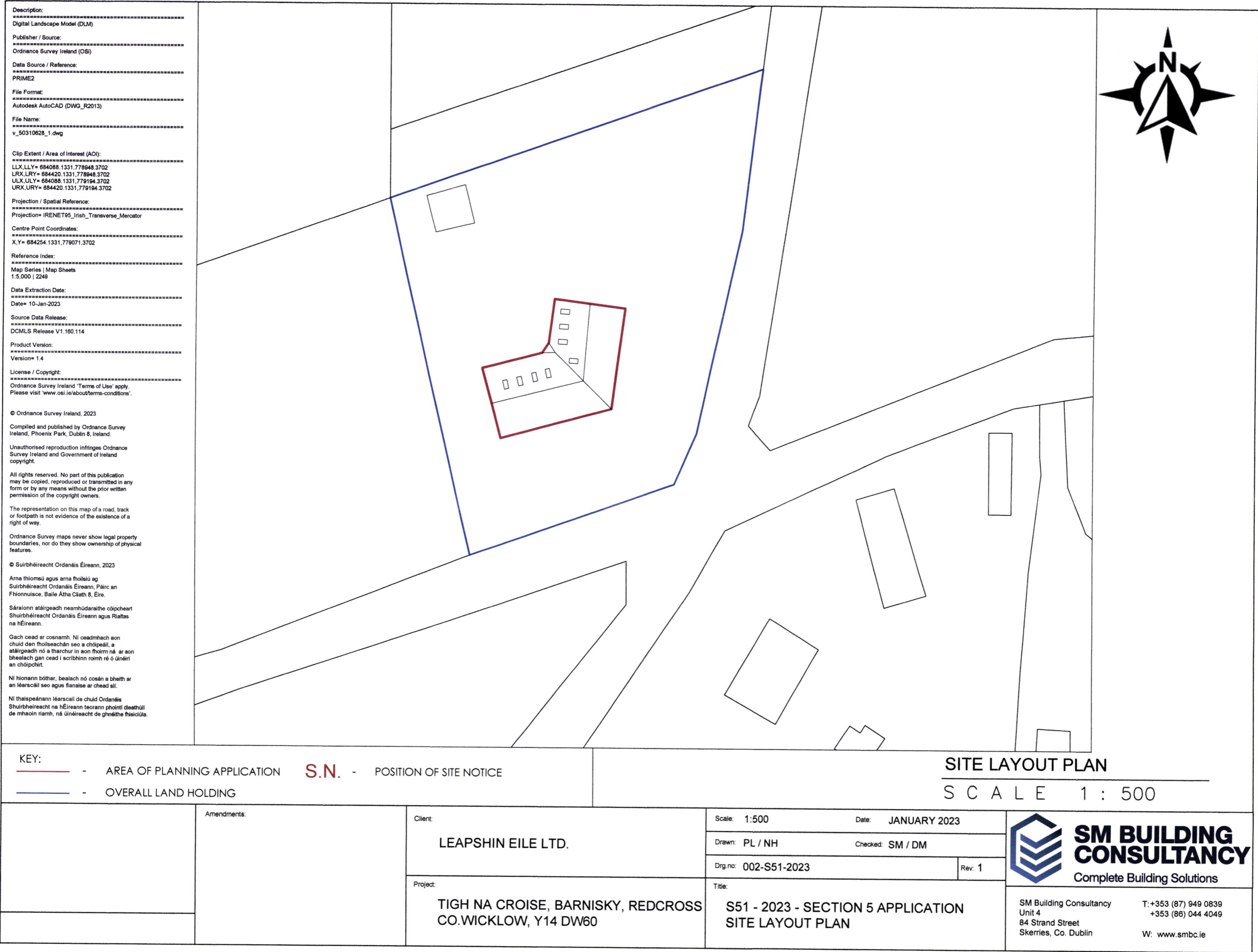
**SM BUILDING
CONSULTANCY**

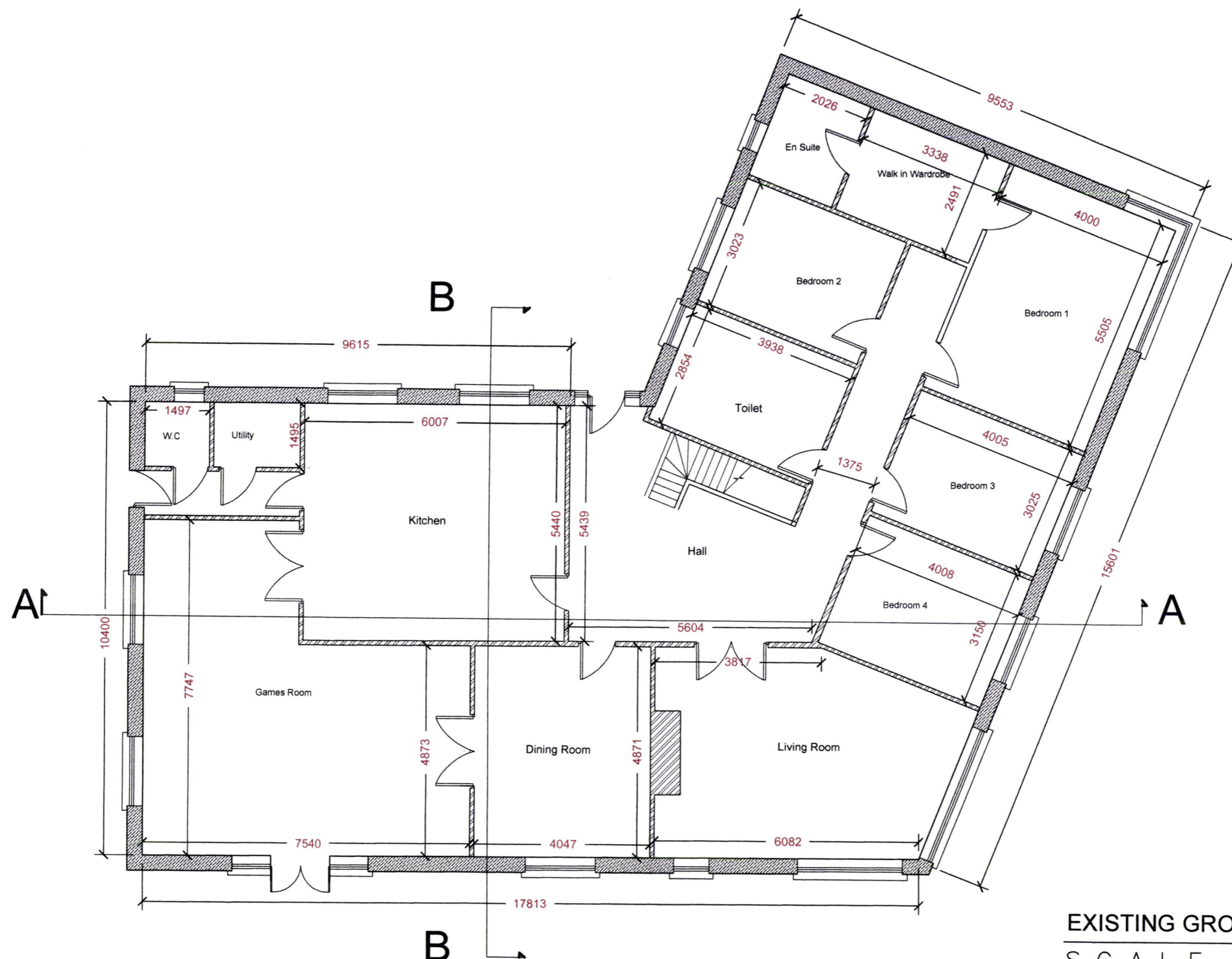
Complete Building Solutions


SM Building Consultancy
Unit 4
84 Strand Street
Skerries, Co. Dublin

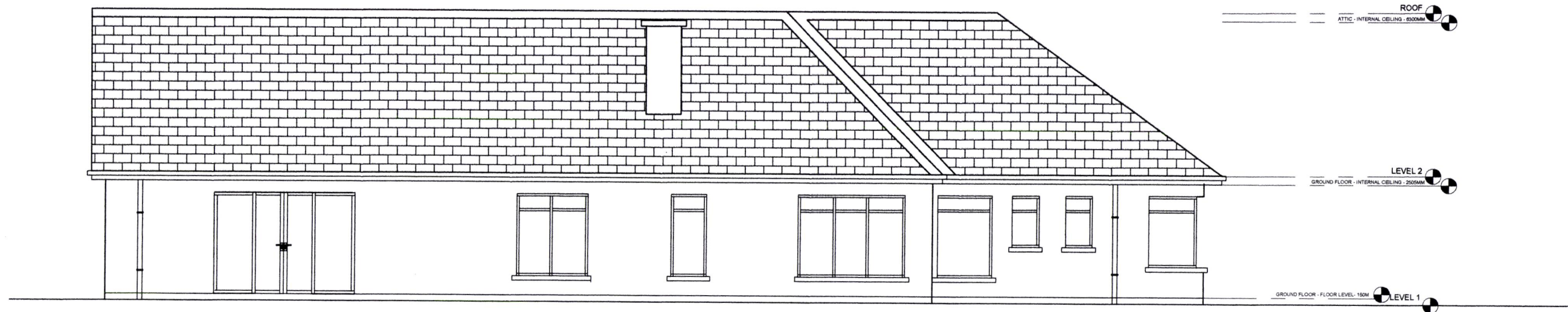
T: +353 (87) 949 0839
+353 (86) 044 4049

W: www.smbc.ie



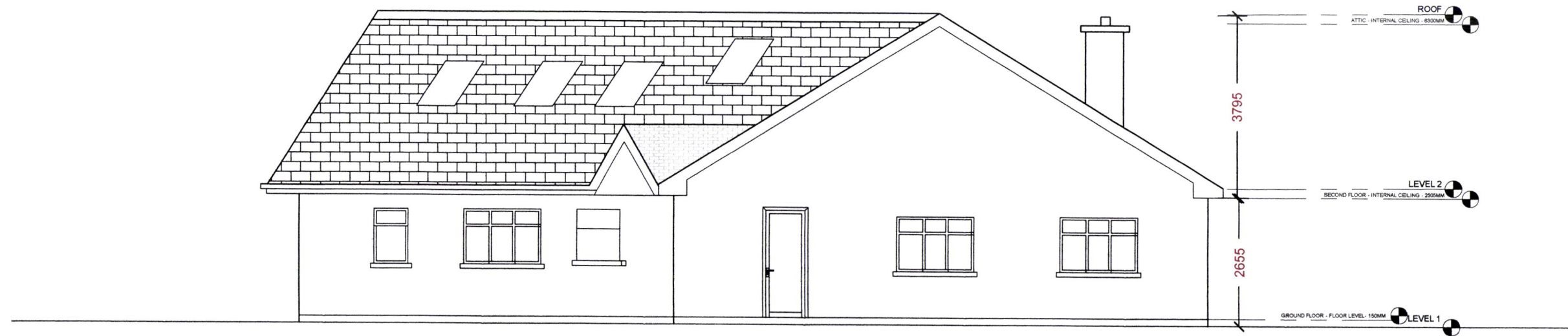


	Amendments:	Client: LEAPSHIN EILE LTD.	Scale: 1:100		Date: JANUARY 2023	
			Drawn: PL / NH		Checked: SM / DM	
			Drg.no: 003-S51-2023		Rev: 1	
		Project: TIGH NA CROISE, BARNISKY, REDCROSS CO.WICKLOW, Y14 DW60	Title: S51 - 2023 - SECTION 5 APPLICATION EXISTING GROUND FLOOR PLAN		<div><div><div>SM BUILDING CONSULTANCY</div><div>Complete Building Solutions</div></div><div><div>SM Building Consultancy Unit 4 84 Strand Street Skerries, Co. Dublin</div><div>T: +353 (87) 949 0839 +353 (86) 044 4049 W: www.smbc.ie</div></div></div>	




EXISTING NORTH ELEVATION

SCALE 1 : 100



EXISTING WEST ELEVATION

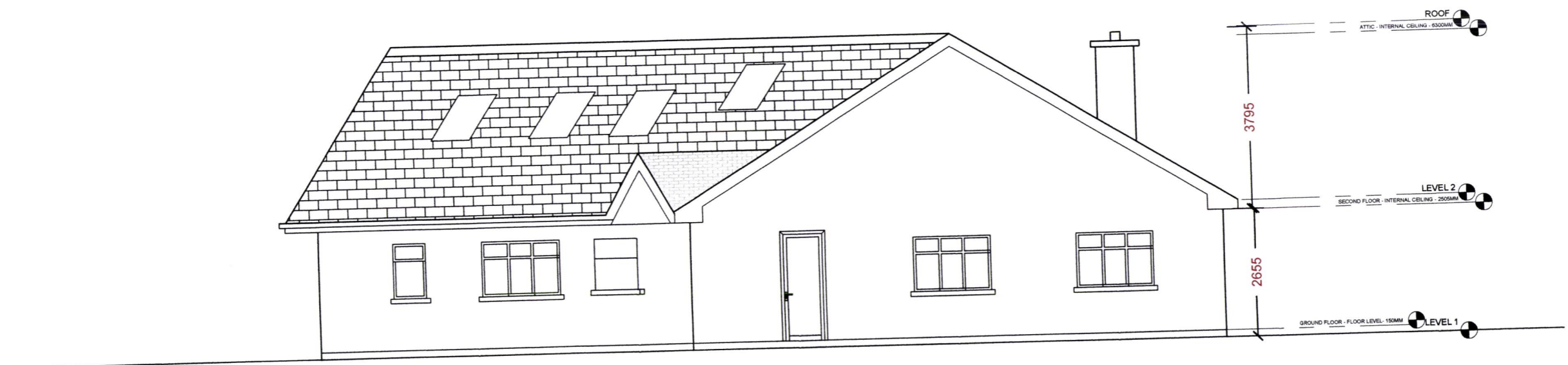
SCALE 1 : 100

	Amendments:	Client:	Scale: 1:100		Date: JANUARY 2023		 <div>SM BUILDING CONSULTANCY</div> <div>Complete Building Solutions</div>
		LEAPSHIN EILE LTD.	Drawn: PL / NH		Checked: SM / DM		
			Drg.no: 005-S51-2023		Rev: 1		
			Project:	TIGH NA CROISE, BARNISKY, REDCROSS CO.WICKLOW, Y14 DW60		S51 - 2023 - SECTION 5 APPLICATION EXISTING NORTH & WEST ELEVATIONS ELEVATIONS	
			SM Building Consultancy Unit 4 84 Strand Street Skerries, Co. Dublin		T: +353 (87) 949 0839 +353 (86) 044 4049 W: www.smbc.ie		




EXISTING SOUTH ELEVATION

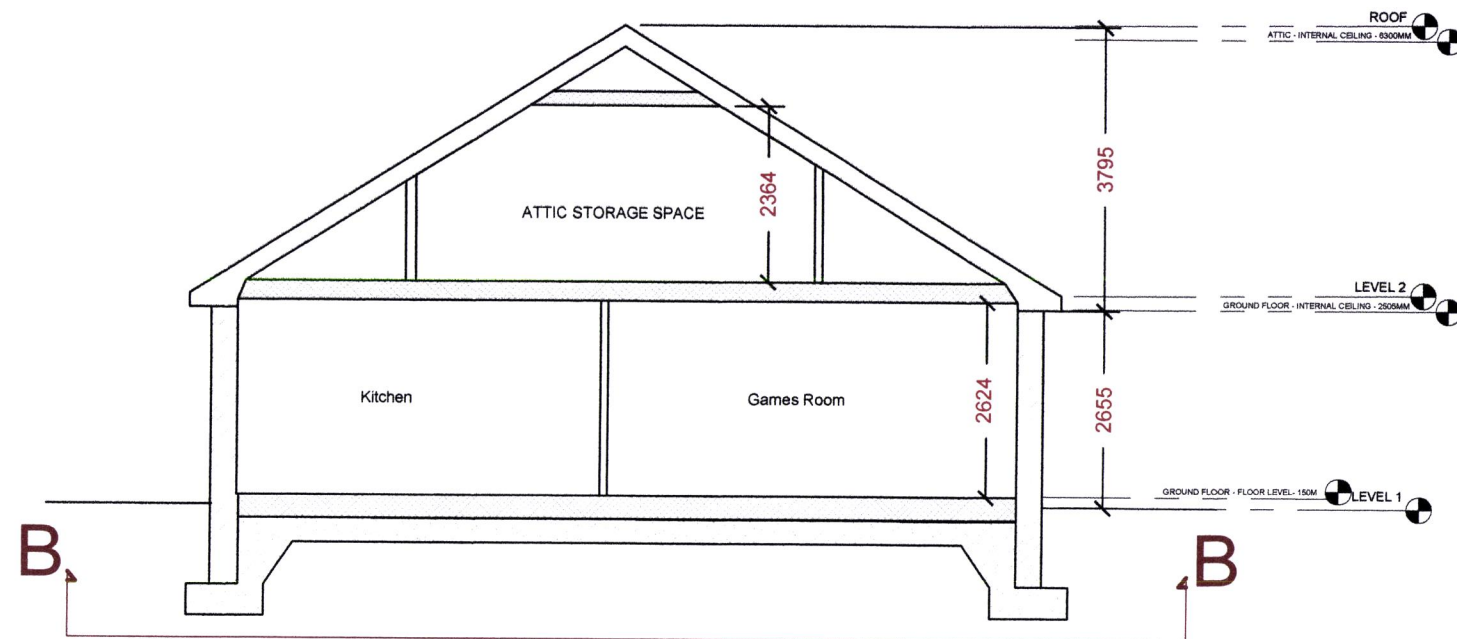
SCALE 1 : 100



EXISTING EAST ELEVATION

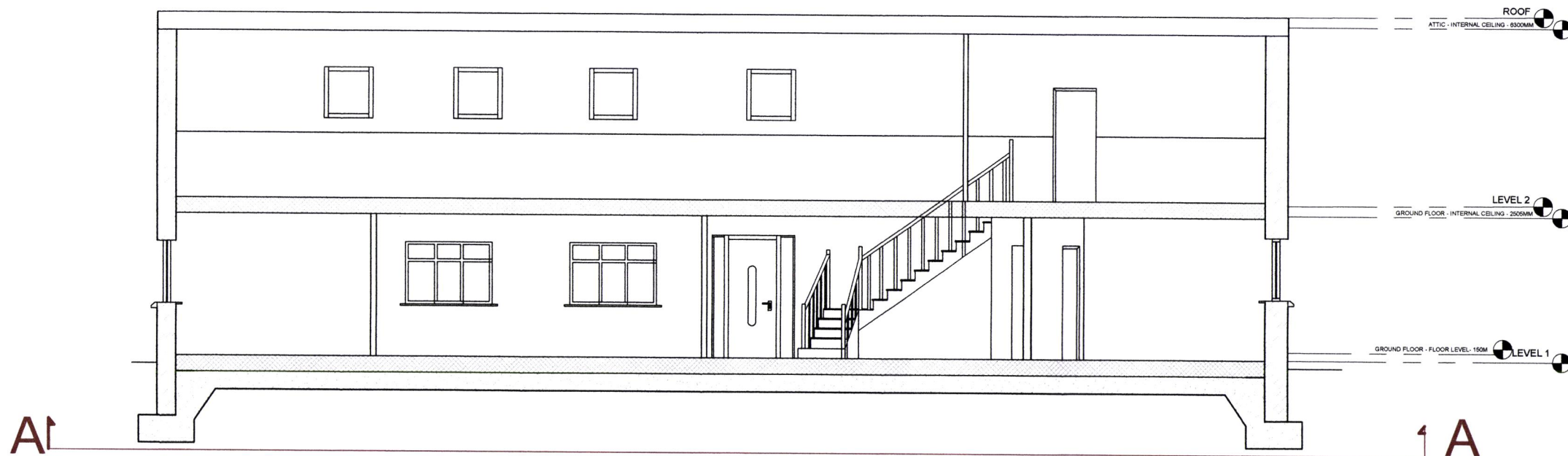
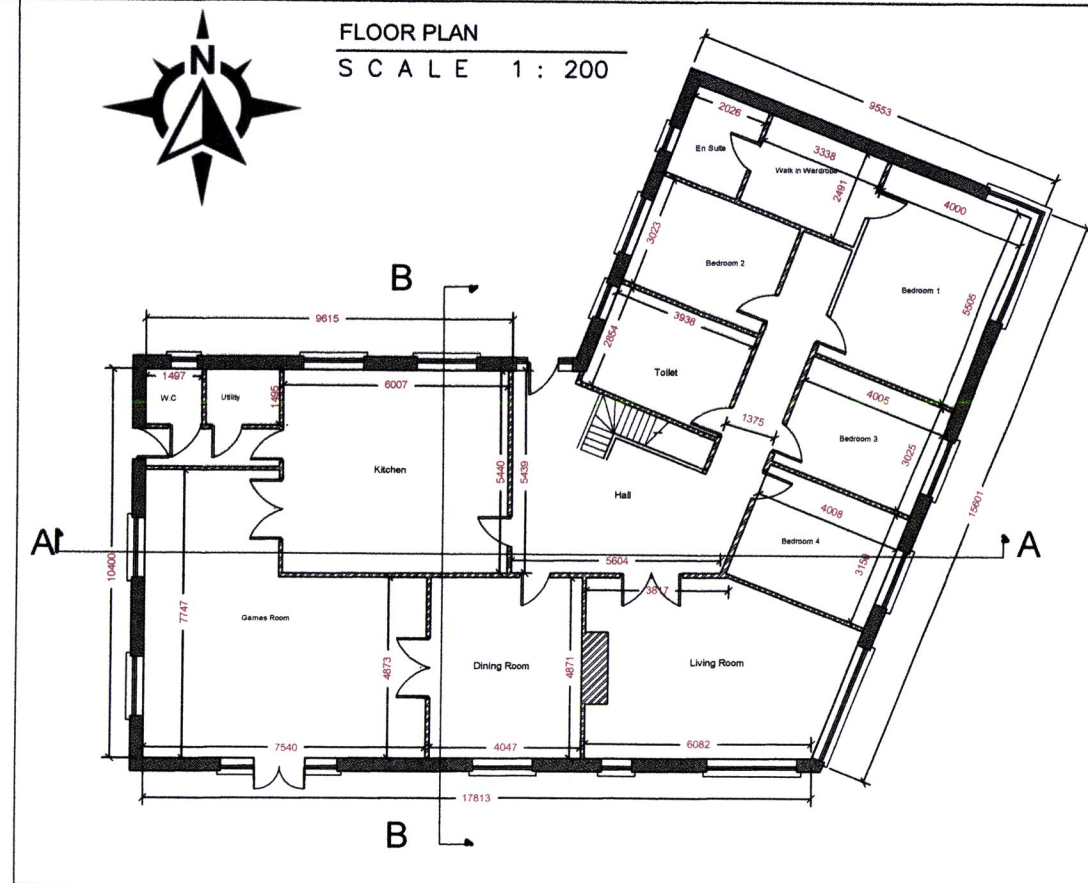
SCALE 1 : 100

S C A L E 1 : 100						
	Amendments:	Client: LEAPSHIN EILE LTD.	Scale: 1:100		Date: JANUARY 2023	
			Drawn: PL / NH		Checked: SM / DM	
			Drg.no: 006-S51-2023		Rev: 1	
		Project: TIGH NA CROISE, BARNISKY, REDCROSS CO.WICKLOW, Y14 DW60	Title: S51 - 2023 - SECTION 5 APPLICATION EXISTING SOUTH & EAST ELEVATION ELEVATION			<div><div>SM BUILDING CONSULTANCY</div><div>Complete Building Solutions</div></div> <div>SM Building Consultancy Unit 4 84 Strand Street Skerries, Co. Dublin T: +353 (87) 949 0839 +353 (86) 044 4049 W: www.smbc.ie</div>




EXISTING SECTION B - B

SCALE 1 : 100



EXISTING SECTION A - A

SCALE 1 : 100

	Amendments:	Client:	Scale: 1:100		Date: JANUARY 2023		 <div>SM BUILDING CONSULTANCY</div> <div>Complete Building Solutions</div>
		LEAPSHIN EILE LTD.	Drawn: PL / NH		Checked: SM / DM		
			Drg.no: 007-S51-2023		Rev: 1		
		Project:	S51 - 2023 - SECTION 5 APPLICATION EXISTING SECTIONS		SM Building Consultancy Unit 4 84 Strand Street Skerries, Co. Dublin		T: +353 (87) 949 0839 +353 (86) 044 4049 W: www.smbc.ie
		TIGH NA CROISE, BARNISKY, REDCROSS CO.WICKLOW, Y14 DW60					