



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

20th February 2025

Ciara O'Donnell
3 Lamberton Grove
Arklow
Co. Wicklow

RE: Declaration in accordance with Section 5 of the Planning & Development Acts
2000 (As Amended) – EX04/2025

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

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

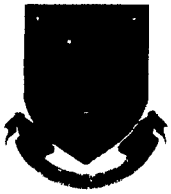
Is mise, le meas,


ADMINISTRATIVE OFFICER
PLANNING ECONOMIC & RURAL DEVELOPMENT

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

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





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

Applicant: Ciara O'Donnell

Location: 3 Lamberton Grove, Arklow, Co. Wicklow

Reference Number: EX04/2025

CHIEF EXECUTIVE ORDER NO. CE/PERD/2025/187

Section 5 Declaration as to whether "installation of external wall insulation to the front, side and rear of house" at 3 Lamberton Grove, Arklow, Co. Wicklow constitutes exempted development within the meaning of the Planning and Development Act, 2000(as amended).


Having regard to:

- i. The details submitted on 08/01/2025 and 07/02/2025;
- ii. Sections 2 , 3 , and 4 of the Planning and Development Act 2000 (as amended);
- iii. Articles 6 & 9 of the Planning and Development Regulations 2001 (as amended);

Main Reasons with respect to Section 5 Declaration:

- 1) The installation of external wall insulation to the front, side, and rear of the house at No.3 Lamberton Grove, Arklow, Co. Wicklow would be development having regard to Section 3 of the Planning and Development Act 2000 (as amended), as set out in the documents lodged.
- 2) The works do not materially affect the external appearance of the house so as to render the appearance inconsistent with the character of the house or of neighbouring houses, and therefore the development constitutes exempted development under Section 4(1)(h) of the Planning and Development Act 2000 (as amended).

The Planning Authority considers that "installation of external wall insulation to the front, side and rear of house" at 3 Lamberton Grove, Arklow, Co. Wicklow is development and is exempted development within the meaning of the Planning & Development Act 2000 (as amended).

Signed: 
ADMINISTRATIVE OFFICER
PLANNING ECONOMIC & RURAL DEVELOPMENT

Dated  February 2025

Ta an doicimead seo ar fáil i bhformáidí eile ar iarratas
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All correspondence should be addressed to the Director of Services, Planning, Economic and Rural Development



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

CHIEF EXECUTIVE ORDER NO. CE/PERD/2025/187

Reference Number: EX04/2025

Name of Applicant: Ciara O'Donnell

Nature of Application: Section 5 Declaration request as to whether or not: -
"installation of external wall insulation to the front, side and rear of house" is or is not development and is or is not exempted development.

Location of Subject Site: 3 Lamberton Grove, Arklow, Co. Wicklow

Report from Dara Keane, AP & Suzanne White, SEP

With respect to the query under section 5 of the Planning & Development Act 2000 as to whether "installation of external wall insulation to the front, side and rear of house" at 3 Lamberton Grove, Arklow, Co. Wicklow is or is not exempted development within the meaning of the Planning & Development Act 2000 (as amended).

Having regard to:

- i. The details submitted on 08/01/2025 and 07/02/2025;
- ii. Sections 2, 3, and 4 of the Planning and Development Act 2000 (as amended);
- iii. Articles 6 & 9 of the Planning and Development Regulations 2001 (as amended);

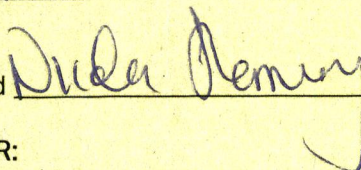
Main Reason with respect to Section 5 Declaration:

- 1) The installation of external wall insulation to the front, side, and rear of the house at No.3 Lamberton Grove, Arklow, Co. Wicklow would be development having regard to Section 3 of the Planning and Development Act 2000 (as amended), as set out in the documents lodged.
- 2) The works do not materially affect the external appearance of the house so as to render the appearance inconsistent with the character of the house or of neighbouring houses, and therefore the development constitutes exempted development under Section 4(1)(h) of the Planning and Development Act 2000 (as amended).

Recommendation:

The Planning Authority considers that "installation of external wall insulation to the front, side and rear of house" at 3 Lamberton Grove, Arklow, Co. Wicklow is development and is exempted development as recommended in the report by the SEP.

Signed

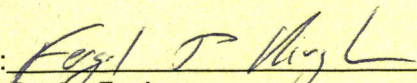


Dated 26th day of February 2025

ORDER:

I HEREBY DECLARE THAT "installation of external wall insulation to the front, side and rear of house" at 3 Lamberton Grove, Arklow, Co. Wicklow is development and is exempted development within the meaning of the Planning & Development Act 2000 (as amended).

Signed:


Senior Engineer
Planning, Economic & Rural Development

Dated 26th day of February 2025



**WICKLOW COUNTY COUNCIL
PLANNING DEPARTMENT**

To: Fergal Keogh S.E / Suzanne White S.E.P. / Edel Bermingham S.E.P.
From: Dara Keane A.P.
Type: Section 5 Application
REF: EX 4/2025

Applicant: Ciara O'Donnell
Address: 3 Lamberton Grove, Arklow, Co. Wicklow
Date of FI received: 07/02/2025
Decision Due Date: 27/02/2025
Exemption Query: Installation of External Wall Insulation.

Assessment:

1. In order to fully assess the section 5 query, you are requested to submit further details concerning the proposed Installation of external wall insulation to the front, side, and rear of the house inclusive of;

Full details of the proposed depth and finish of the external wall insulation for the existing dwelling onsite.

In response to the above request, the applicant has made a submission stating that the proposed will include 100ml depth external insulation throughout with 50ml external insulation proposed on the front of the property in replace of the existing red brick portion. It has been stated that the portion of external cladding over the brick section to the front will be the only visual difference onsite. Pictures of same have also been included.

Having regard to the further information submitted, I am now satisfied that the proposed external insulation would it is considered come within the provisions of Section 4(1)(h) of the Planning and Development Act 2000(as amended) as they would affect the external appearance however it is considered that the impact of the external insulation would not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure or of neighbouring structures.

Conclusion:

With respect to the query under Section 5 of the Planning and Development Act 2000 (as amended), as to whether or not the proposal for the 'Installation of external wall insulation to the front, side, and rear of the house at No.3-Lamberton Grove, Arklow, Co. Wicklow.' is or is not exempted development.

The Planning Authority considers that:

The installation of external wall insulation to the front, side, and rear of the house at No.3 Lamberton Grove, Arklow, Co. Wicklow is **development**, and is **exempted development**.

Main Considerations with respect to Section 5 Declaration:

- i. The details submitted on 08/01/2025 and 07/02/2025;
- ii. Sections 2 , 3 , and 4 of the Planning and Development Act 2000 (as amended);
- iii. Articles 6 & 9 of the Planning and Development Regulations 2001 (as amended);

Main Reasons with respect to Section 5 Declaration:

- 1) The installation of external wall insulation to the front, side, and rear of the house at No.3 Lamberton Grove, Arklow, Co. Wicklow would be development having regard to Section 3 of the Planning and Development Act 2000 (as amended), as set out in the documents lodged.
- 2) The works do not materially affect the external appearance of the house so as to render the appearance inconsistent with the character of the house or of neighbouring houses, and therefore the development constitutes exempted development under Section 4(1)(h) of the Planning and Development Act 2000 (as amended).



Dara Keane A.P.
24/02/2025

*Agreed
D. Keane
24/2/25*

*Issue declaration as recommended
foryl to the 2
26/02/25*



COMHAIRLE CONTAE CHILL Mhantáin
Wicklow County Council

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MEMORANDUM

WICKLOW COUNTY COUNCIL

TO: Dara Keane
Assistant Planner

FROM: Nicola Fleming
Staff Officer

RE:- Application for Certificate of Exemption under Section 5 of the
Planning and Development Acts 2000 (as amended).
EX04/2025

I enclose herewith application for Section 5 Declaration received completed on 08/01/2025 along with FI received on 07/02/2025.

The due date on this declaration is 27th February 2025.



Staff Officer
Planning, Economic & Rural Development





COMHAIRLE CONTAE CHILL Mhantáin
Wicklow County Council

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11th February 2025

Ciara O'Donnell
3 Lamberton Grove
Arklow
Co. Wicklow

RE: Application for Certificate of Exemption under Section 5 of the Planning and Development Acts 2000 (as amended). – EX04/2025.

A Chara

I wish to acknowledge receipt on 08/01/2025 details supplied by you in respect of the above Section 5 application along with Further Information received 07/02/2025. A decision is due in respect of this application by 27/02/2025.

Mise, le meas

Nicola Fleming
Staff Officer
Planning, Economic & Rural Development



icola Fleming

From: Ciara O'Donnell
Sent: Friday 7 February 2025 11:29
To: Nicola Fleming
Subject: Exemption Cert for 3 Lamberton Grove
Attachments: 1738926234401.jpg; 1738926306214.jpg

Hi Nicola,

Thank you for your email re the Exemption Cert for 3 Lamberton Grove and queries in relation to same.

On the side of the property, there is now 100 ml depth of external insulation. Same on white edging on front of house (see photos).

On the red brick portion of the front of the property, we hope to put 50mil external insulation as recommended by the contractor. The only visual difference will be that we hope to change the appearance of the red brick by painting the external insulation white similar to the rest of the property.

There are 6 other bungalows on this development all with red brick front so we are applying for the cert to avoid any issues with changing the front of the property.

I would be very grateful for your help in this matter and I look forward to hearing from you.

Ciara







**Comhairle Contae Chill Mhantáin
Wicklow County Council**

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

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29th January 2025

**Ciara O'Donnell
3 Lamberton Grove
Arklow
Co. Wicklow**

RE: EX04/2025 – Section 5 exemption application

A Chara

In respect of you query under Section 5 of the Planning and Development Act 2000(as amended), received on 08/01/2025 in order to fully assess if the proposed development comes within the scope of Schedule 2, Part 1, Class 2(c) please submit further details concerning the proposed installation of external wall insulation to the front, side and rear of the house inclusive of:

- a) Full details of the proposed depth and finish of the external wall insulation for the existing dwelling onsite.

Mise, le meas

**NICOLA FLEMING
STAFF OFFICER,
PLANNING DEVELOPMENT AND ENVIRONMENT.**





**WICKLOW COUNTY COUNCIL
PLANNING DEPARTMENT**

Section 5 – Application for declaration of Exemption Certificate

REF: EX04/2025
NAME: CIARA O'DONNELL
DEVELOPMENT: INSTALLATION OF EXTERNAL WALL INSULATION
LOCATION: 3 LAMBERTON GROVE, ARKLOW.

The Site: A semi-detached Bungalow dwelling located on Lamberton Grove in Arklow, Co. Wicklow.

Section 5 Referral

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

'The installation of external wall insulation to the front, side, and rear of the house at No.3 Lamberton Grove, Arklow, Co. Wicklow.'

Relevant Planning History:

- None Noted.

Question:

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

'The installation of external wall insulation to the front, side, and rear of the house at No.3 Lamberton Grove, Arklow, Co. Wicklow.'

Legislative Context:

- Planning and Development Act 2000 (as amended)

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

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

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

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

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

Section 4(1) (h) *development consisting of the carrying out of works for the maintenance, improvement or other alteration of any structure, being works which affect only the interior of the structure or which do not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure or of neighbouring structures;*

-Planning and Development Regulations, 2001 (as amended)

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

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

Assessment:

The Section 5 declaration application seeks an answer with respect to the following question i.e. whether or not *'the installation of external wall insulation to the front, side, and rear of the house at No.3 Lamberton Grove, Arklow, Co. Wicklow'* is or is not development; and is or is not exempted development.

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

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

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

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

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

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

The works proposed involve the installation of external wall insulation to the front, side, and rear of the house at No.3 Lamberton Grove, Arklow, Co. Wicklow '.

No information has been given regarding the proposed finish of the external wall insulation which would be required in order to fully assess the proposed works under the remit of 4(1)(h). Clarification is required to confirm that the proposed alterations would not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the house or neighbouring houses. This shall be sought via further information.

Conclusion:

With respect to the query under Section 5 of the Planning and Development Act 2000 (as amended), as to whether or not the proposal for the 'Installation of external wall insulation to the front, side, and rear of the house at No.3 Lamberton Grove, Arklow, Co. Wicklow.' is or is not exempted development.

The Planning Authority considers that:

The proposal for the 'Installation of external wall insulation to the front, side, and rear of the house at No.3 Lamberton Grove, Arklow, Co. Wicklow.' is development and that Further Information is required to determine if the proposed development is exempt development.

Recommendation:

FURTHER INFORMATION

1. In order to fully assess the section 5 query, you are requested to submit further details concerning the proposed Installation of external wall insulation to the front, side, and rear of the house inclusive of;

- a) Full details of the proposed ^{depth and} finish of the external wall insulation for the existing dwelling onsite. ^



29/01/2025

Dara Keane

Assistant Planner

Agreed as amended

A White SSP

29/1/25

MEMORANDUM

WICKLOW COUNTY COUNCIL

**TO: Dara Keane
Assistant Planner**

**FROM: Nicola Fleming
Staff Officer**

**RE:- Application for Certificate of Exemption under Section 5 of the
Planning and Development Acts 2000 (as amended).
EX04/2025**

I enclose herewith application for Section 5 Declaration received completed on 08/01/2025

The due date on this declaration is 4th February 2025.



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



COMHAIRLE CONTAE CHILL Mhantáin
Wicklow County Council

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14th January 2025

Ciara O'Donnell
3 Lamberton Grove
Arklow
Co. Wicklow

RE: Application for Certificate of Exemption under Section 5 of the Planning and Development Acts 2000 (as amended). – EX04/2025.

A Chara

I wish to acknowledge receipt on 08/01/2025 details supplied by you in respect of the above Section 5 application. A decision is due in respect of this application by 04/02/2025.

Mise, le meas



Nicola Fleming
Staff Officer
Planning, Economic & Rural Development



Wicklow County Council
County Buildings
Wicklow
0404-20100

08/01/2025 15 31 36

Receipt No L11/0/339299

***** REPRINT *****

CIARA O'DONNELL
3 LAMBERTON GROVE
ARKLOW

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

Total	80 00 EUR
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Tendered Credit Card	80 00
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Change	0 00
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Issued By Ruth Graham
From Customer Service Hub
Vat reg No 0015233H



Wicklow County Council
County Buildings
Wicklow
Co Wicklow
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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: Ciaera O'Donnell
Address of applicant: 3 Lamberton Grove, Arklow
B. Wicklow

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

2. Agents Details (Where Applicable)

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

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

RECEIVED - 8 JAN 2025

3. Declaration Details

i. Location of Development subject of Declaration ³ Lamberton Grove,
Arklow Co. Wicklow.

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

iii. If 'No' to ii above, please supply the Name and Address of the Owner, and or occupier _____

iv. Section 5 of the Planning and Development Act provides that : If any question arises as to what, in any particular case, is or is not development and is or is not exempted development, within the meaning of this act, any person may, on payment of the prescribed fee, request in writing from the relevant planning authority a declaration on that question. You should therefore set out the query for which you seek the Section 5 Declaration _____
I am in the process of getting the property
insulated via wrapped insulation. There is red brick
on front of all 7 properties in the development
and No. 3 may now lose the red brick due to
covering with insulation.
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 _____
Unknown

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 maps
Elevation maps
House site works plan.

viii. Fee of € 80 Attached ?

Signed : C O'Donnell Dated : 8/1/25

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.

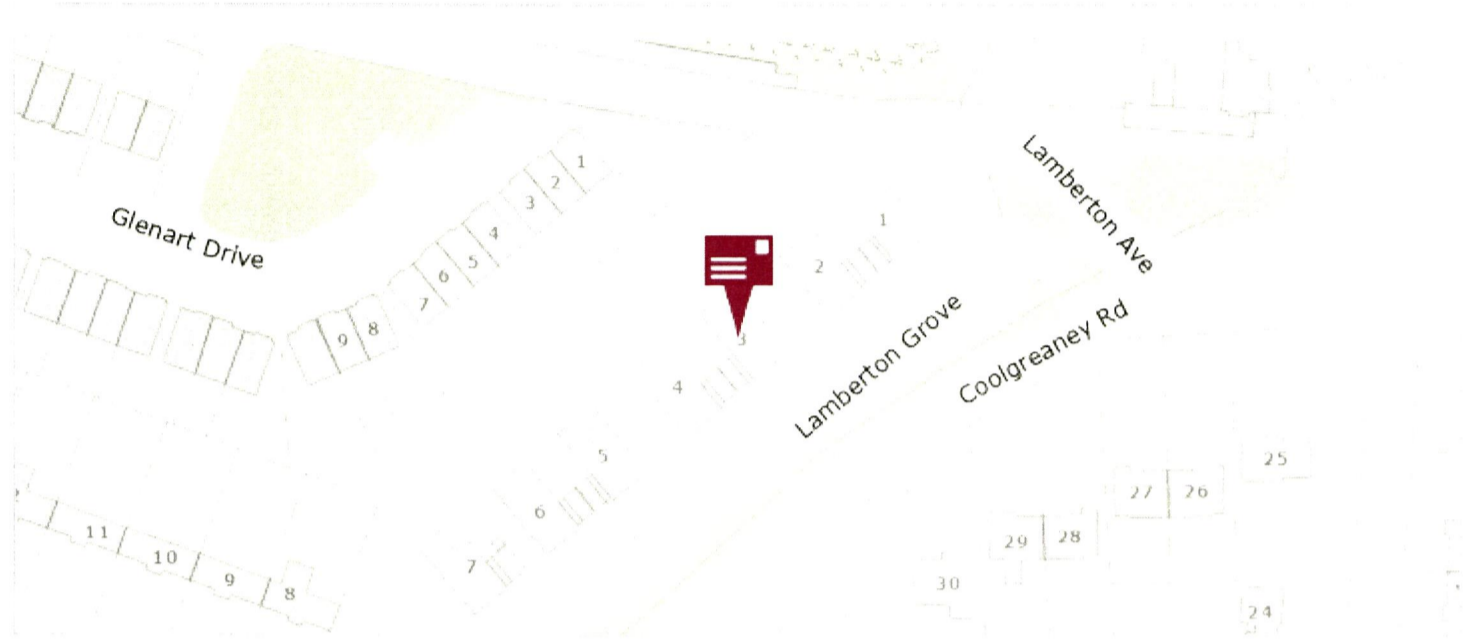
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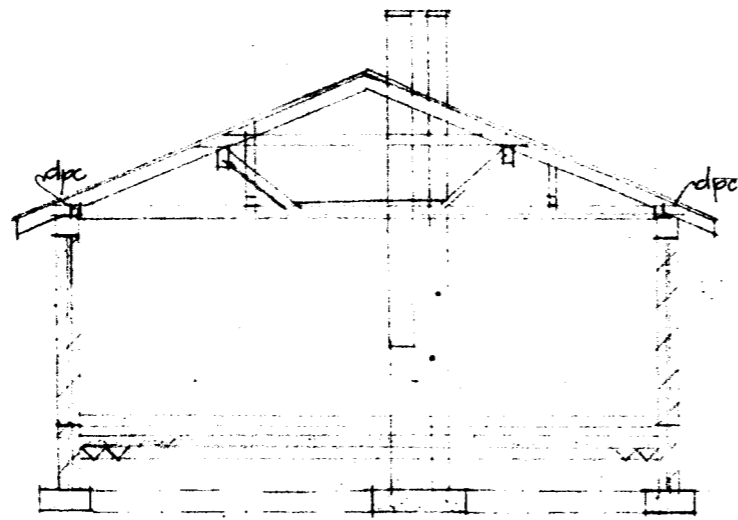
3 LAMBERTON GROVE

ARKLOW

CO. WICKLOW

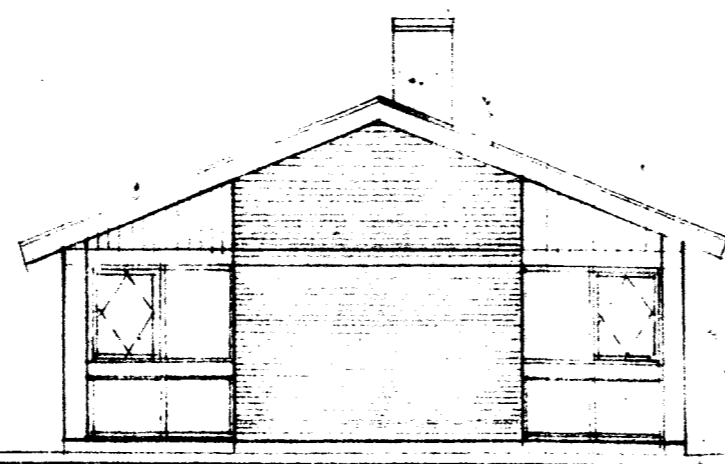
Y14 YY58





provide 2" x 1" hangers 3" x 1/2" runners.
 & 4" x 8" ceiling joists at 14" c/c's.
 provide slate & plaster finish to same.
 4" x 2" collars & struts.

section a a



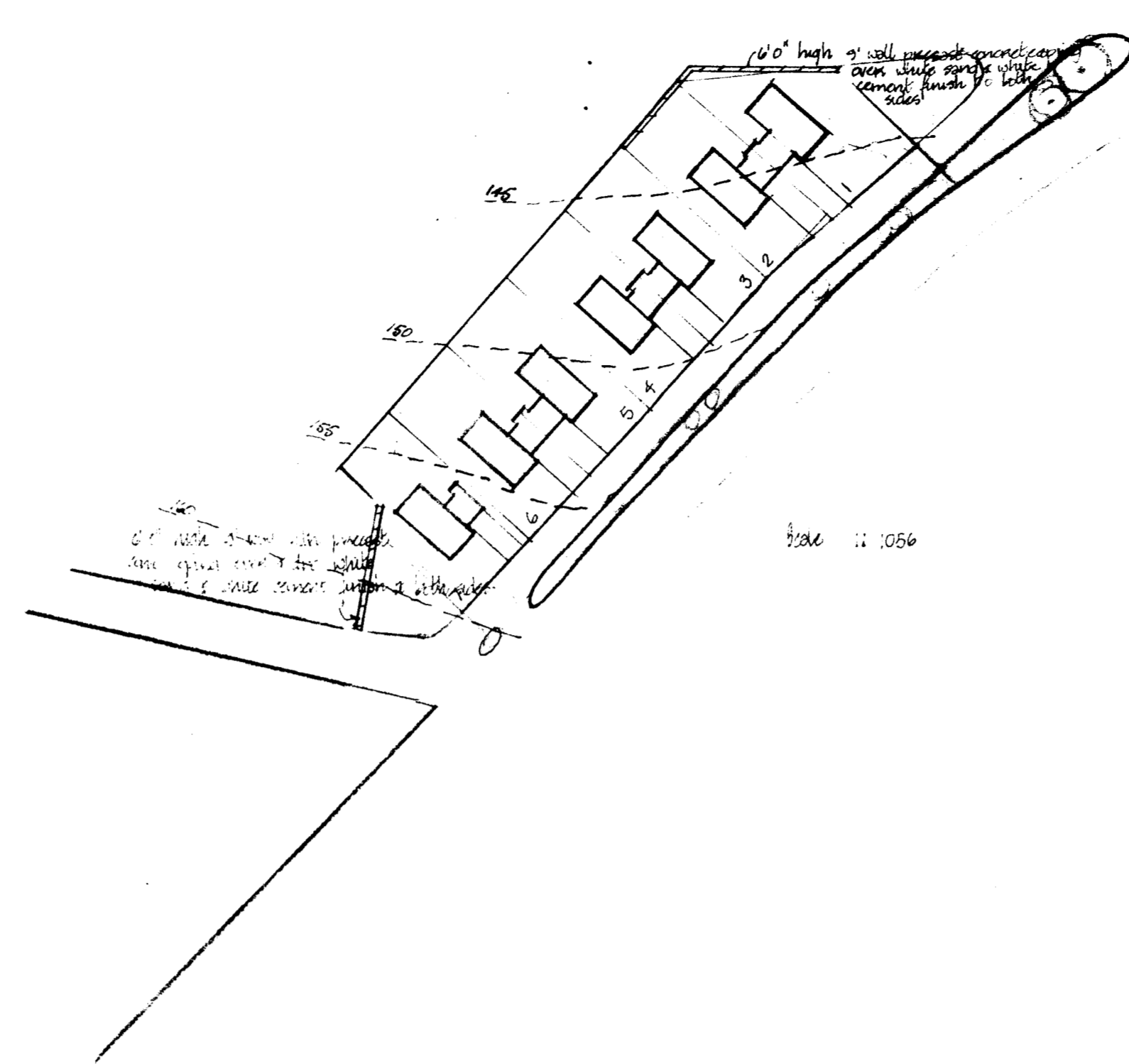
Provide cedarwood preservative (British Bunks)
 on cedar sheathing on 2" x 1" battens on 4" x 2"
 vertical battens at 14" centres provide felt behind
 battens and batten same to form vertical & horizontal dpc.

Back panel to be continued upwards & beam
 omitted at centre.

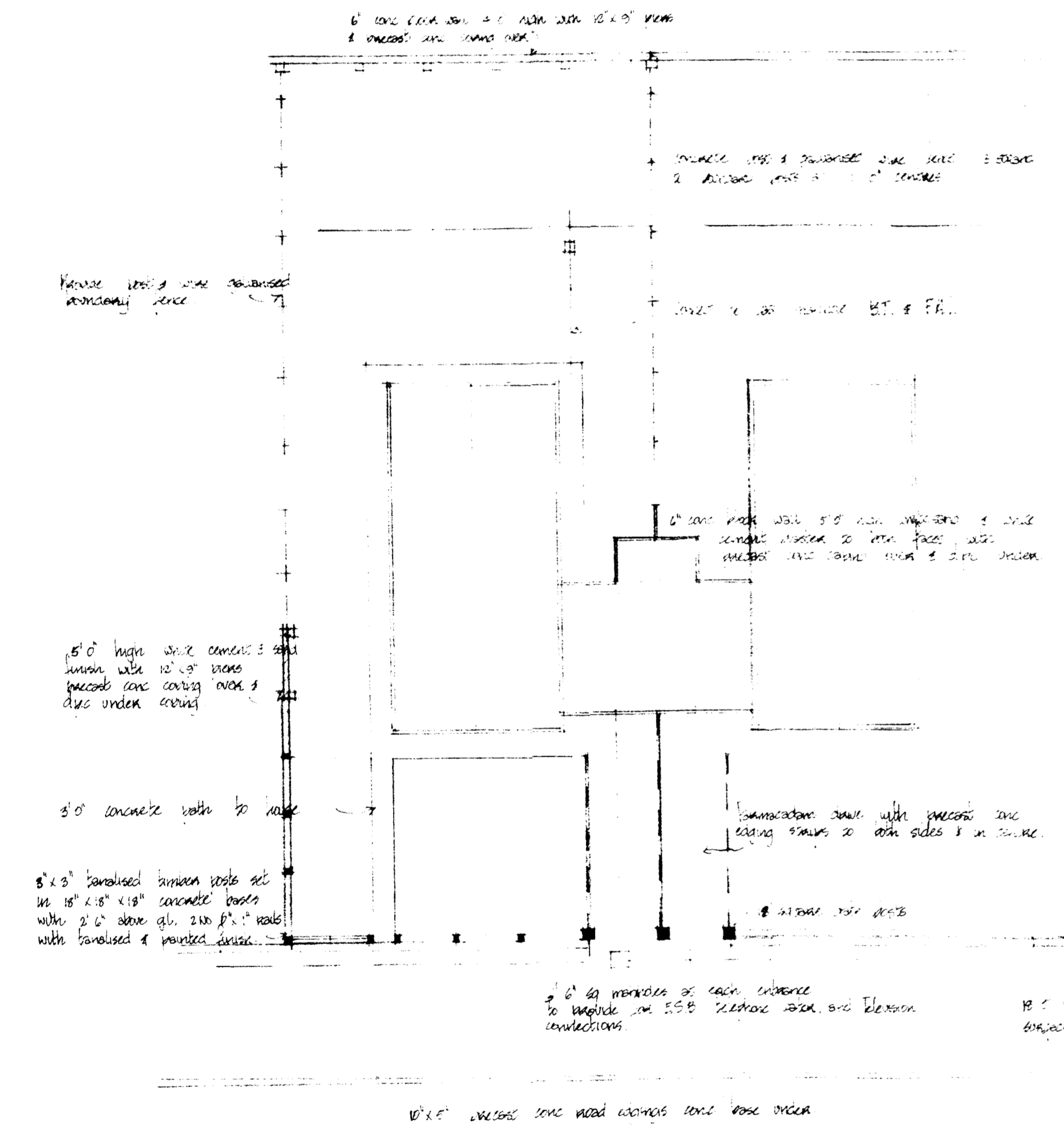
front elevation

Necham Lewis Associates
 43 Main Street
 Andover
 Scale 1" = 8' 0"

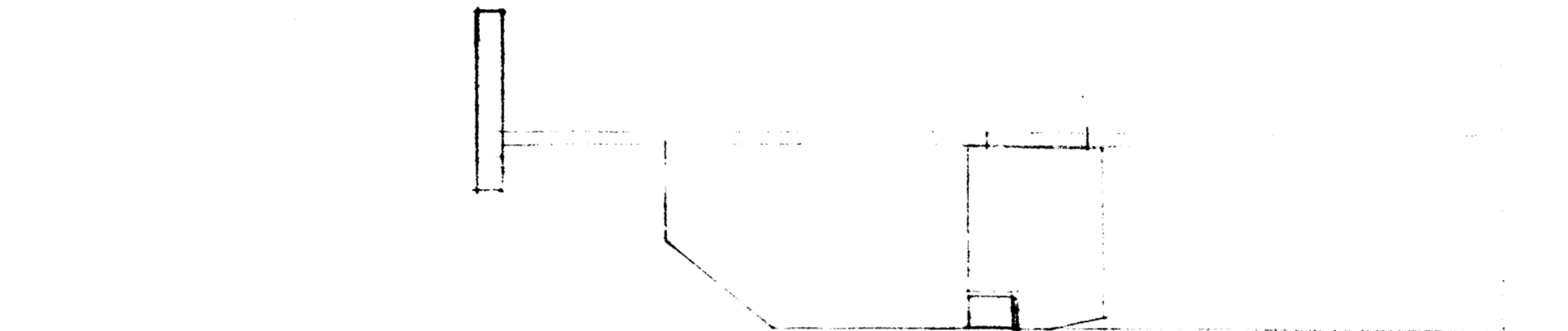
No objections
 M. Stewart
 13. 1. 71



Scale 1" = 16'0"



House Site Works Plan Scale 1" = 16'0"



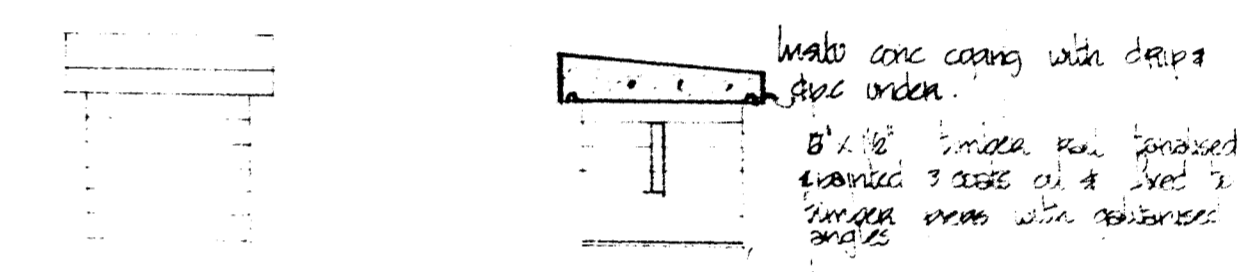
10'0" high wall... 10'0" high wall...

10'0" high wall... 10'0" high wall...

Detail of front gable

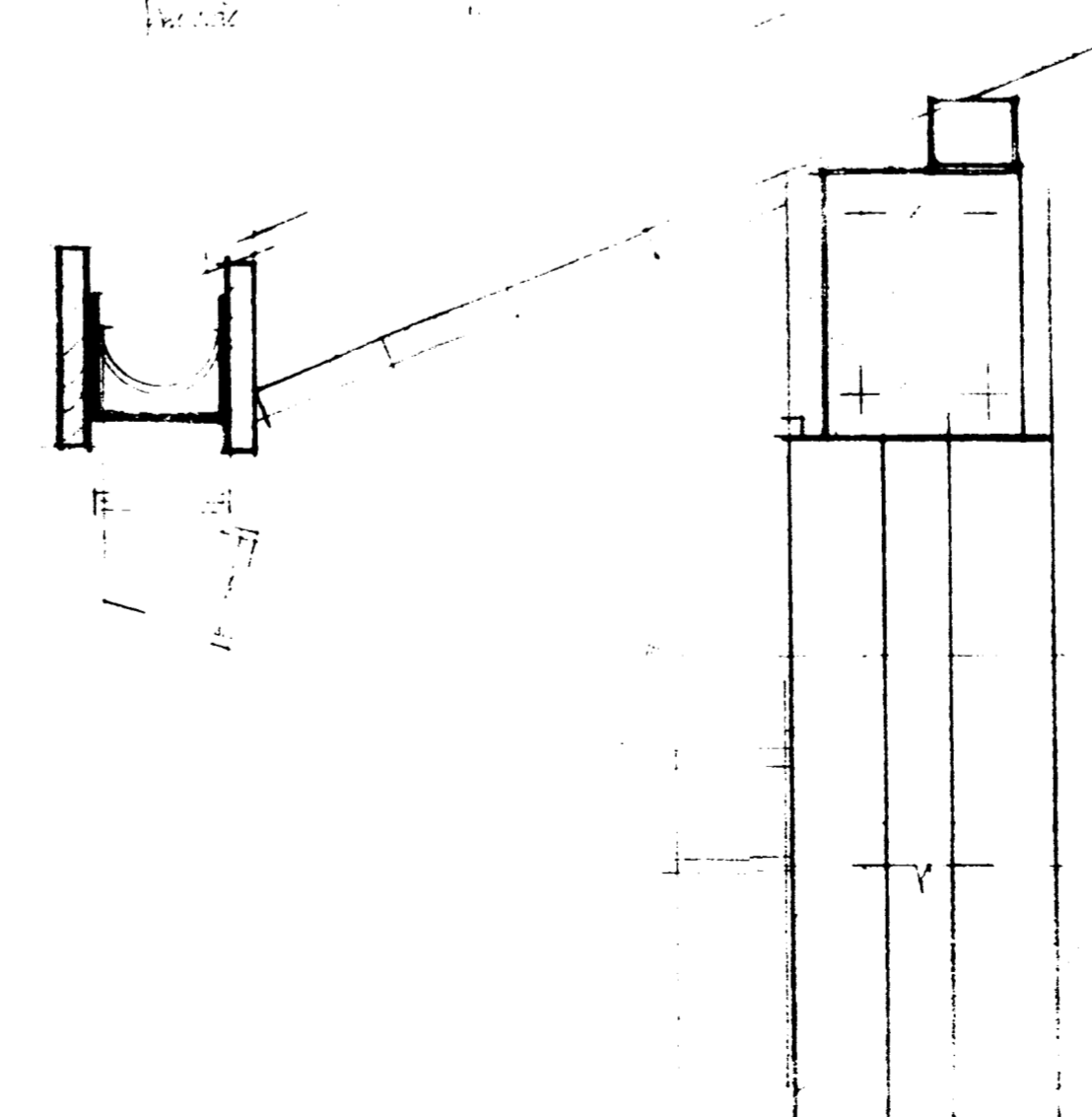
10'0" high wall... 10'0" high wall...

column inside back view to door posts to architect's section. 1/2" scale



Details of posts at entrance

Scale 1/2" = 1'0"



Detail of lower side Section

10'0" high wall... 10'0" high wall...

ARCHITECTS: Meehan & Levins Ass.
43 Main St.
Arklow.

Scales

Date 17/8/70