



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

Jodie Redmond
1 Townville
Saint Mary's Road
Arklow
Co. Wicklow
Y14 YF70

23rd of February 2026

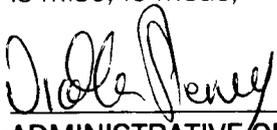
**RE: Declaration in accordance with Section 5 of the Planning & Development Acts
2000 (As Amended) -EX10/2026**

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.





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

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

Applicant: Helen Noble

Location: 1 Townville, St Mary's Road, Arklow, Co. Wicklow

Reference Number: EX 10/2026

CHIEF EXECUTIVE ORDER NO. CE/PERD/2026/211

A question has arisen as to whether "the construction of a rear flat roofed single storey extension" at 1 Townville, St Mary's Road, Arklow, Co. Wicklow is or is not exempted development.

Having regard to:

- Details of the size and scale of the extension from inspections under UD 11012
- Arklow Town Council PRR 113/2000
- The Record of Protected Structures which identifies the protection applies to 10 Townville St Mary's Road Arklow.
- The Notice of Proposed Additions to the Record of Protected Structures by Arklow Town Council dated the 28th November 2007.
- Eircode Geographic/ Postal Address
- Sections 2, 3, 4, 55 and 57 of the Planning and Development Act 2000 (as amended)
- Article 6,9 and Class 1 of Schedule 2: Part 1 of the Planning and Development Regulations 2001(as amended).

Main Reasons with respect to Section 5 Declaration:

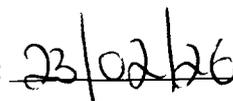
- The construction of a rear extension would come within the meaning of works as set out in Section 2 of the Planning and Development Act 2000(as amended)
- These works are development having regard to the provisions of Section 3 of the Planning and Development Act 2000(as amended).
- The extension would come within the description of Class 1 of Part 1; Schedule 2 of the Planning and Development Regulations 2001 (as amended), but as the rear private space is reduced to 21 sqm it would not meet Limitation 5 which provides that *the construction or erection of any such extension to the rear of the house shall not reduce the area of private open space, reserved exclusively for the use of the occupants of the house, to the rear of the house to less than 25 square metres.*
- The Record of Protected Structures, wherein the description refers to 10 Townville St.Mary's Road, Arklow, and the associated picture which refers to 11 Townville St Mary's Road, and not to 1 Townville, St Mary's Road
- The provisions of Section 55 of the Planning and Development Act 2000(as amended), and the lack of confirmation that the notices required by reference to Section 55 of the Planning and Development Act 2000(as amended) were properly issued to the correct address. The protected status of 1 Townville, St Mary's Road is uncertain.

The Planning Authority considers that "the construction of a rear flat roofed single storey extension" at 1 Townville, St Mary's Road, Arklow, Co. Wicklow is development and is NOT exempted development.

Signed:


ADMINISTRATIVE OFFICER
PLANNING DEVELOPMENT & ENVIRONMENT

Date:







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

Helen Noble
Noble Shipping Law
Ards
St. Mary's Road
Arklow
Co. Wicklow
Y14 W586

23rd of February 2026

RE: Declaration in accordance with Section 5 of the Planning & Development Acts
2000 (As Amended) -EX10/2026

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.





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

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

Applicant: Helen Noble

Location: 1 Townville, St Mary's Road, Arklow, Co. Wicklow

Reference Number: EX 10/2026

CHIEF EXECUTIVE ORDER NO. CE/PERD/2026/211

A question has arisen as to whether "the construction of a rear flat roofed single storey extension" at 1 Townville, St Mary's Road, Arklow, Co. Wicklow is or is not exempted development.

Having regard to:

- Details of the size and scale of the extension from inspections under UD 11012
- Arklow Town Council PRR 113/2000
- The Record of Protected Structures which identifies the protection applies to 10 Townville St Mary's Road Arklow.
- The Notice of Proposed Additions to the Record of Protected Structures by Arklow Town Council dated the 28th November 2007.
- Eircode Geographic/ Postal Address
- Sections 2, 3, 4, 55 and 57 of the Planning and Development Act 2000 (as amended)
- Article 6,9 and Class 1 of Schedule 2: Part 1 of the Planning and Development Regulations 2001(as amended).

Main Reasons with respect to Section 5 Declaration:

- The construction of a rear extension would come within the meaning of works as set out in Section 2 of the Planning and Development Act 2000(as amended)
- These works are development having regard to the provisions of Section 3 of the Planning and Development Act 2000(as amended).
- (iii) The extension would come within the description of Class 1 of Part 1; Schedule 2 of the Planning and Development Regulations 2001 (as amended), but as the rear private space is reduced to 21 sqm it would not meet Limitation 5 which provides that *the construction or erection of any such extension to the rear of the house shall not reduce the area of private open space, reserved exclusively for the use of the occupants of the house, to the rear of the house to less than 25 square metres.*
- (iv) The Record of Protected Structures, wherein the description refers to 10 Townville St.Mary's Road, Arklow, and the associated picture which refers to 11 Townville St Mary's Road, and not to 1 Townville, St Mary's Road
- (v) The provisions of Section 55 of the Planning and Development Act 2000(as amended), and the lack of confirmation that the notices required by reference to Section 55 of the Planning and Development Act 2000(as amended) were properly issued to the correct address. The protected status of 1 Townville, St Mary's Road is uncertain.

The Planning Authority considers that "the construction of a rear flat roofed single storey extension" at 1 Townville, St Mary's Road, Arklow, Co. Wicklow is development and is NOT exempted development.

Signed: 
ADMINISTRATIVE OFFICER
PLANNING DEVELOPMENT & ENVIRONMENT

Date: 23/02/2026



WICKLOW COUNTY COUNCIL

PLANNING & DEVELOPMENT ACTS 2000 (As Amended)
SECTION 5

CHIEF EXECUTIVE ORDER NO. CE/PERD/2026/211

Reference Number: EX 10/2026

Name of Applicant: Helen Noble

Nature of Application: Section 5 Referral as to whether "*the construction of a rear flat roofed single storey extension*" is or is not development and is or is not exempted development.

Location of Subject Site: 1 Townville, St Mary's Road, Arklow, 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 construction of a rear flat roofed single storey extension*" at 1 Townville, St Mary's Road, Arklow, Co. Wicklow is or is not exempted development within the meaning of the Planning & Development Act 2000 (as amended)

Having regard to:

- a) Details of the size and scale of the extension from inspections under UD 11012
- b) Arklow Town Council PRR 113/2000
- c) The Record of Protected Structures which identifies the protection applies to 10 Townville St Mary's Road Arklow.
- d) The Notice of Proposed Additions to the Record of Protected Structures by Arklow Town Council dated the 28th November 2007.
- e) Eircode Geographic/ Postal Address
- f) Sections 2, 3, 4, 55 and 57 of the Planning and Development Act 2000 (as amended)
- g) Article 6,9 and Class 1 of Schedule 2: Part 1 of the Planning and Development Regulations 2001(as amended).

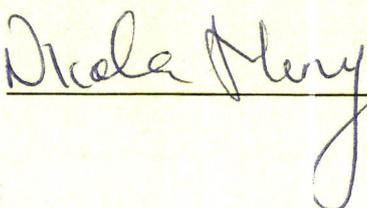
Main Reasons with respect to Section 5 Declaration:

- (i) The construction of a rear extension would come within the meaning of works as set out in Section 2 of the Planning and Development Act 2000(as amended)
- (ii) These works are development having regard to the provisions of Section 3 of the Planning and Development Act 2000(as amended).
- (iii) The extension would come within the description of Class 1 of Part 1; Schedule 2 of the Planning and Development Regulations 2001 (as amended), but as the rear private space is reduced to 21 sqm it would not meet Limitation 5 which provides that *the construction or erection of any such extension to the rear of the house shall not reduce the area of private open space, reserved exclusively for the use of the occupants of the house, to the rear of the house to less than 25 square metres.*

- (iv) The Record of Protected Structures, wherein the description refers to 10 Townville St. Mary's Road, Arklow, and the associated picture which refers to 11 Townville St Mary's Road, and not to 1 Townville, St Mary's Road
- (v) The provisions of Section 55 of the Planning and Development Act 2000(as amended), and the lack of confirmation that the notices required by reference to Section 55 of the Planning and Development Act 2000(as amended) were properly issued to the correct address. The protected status of 1 Townville, St Mary's Road is uncertain.

Recommendation

The Planning Authority considers that "*the construction of a rear flat roofed single storey extension*" at 1 Townville, St Mary's Road, Arklow, Co. Wicklow **is development and is NOT exempted development** as recommended in the planning reports.

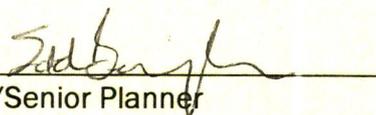
Signed: 

Date: 23/02/2026

ORDER:

I HEREBY DECLARE:

That "*the construction of a rear flat roofed single storey extension*" at 1 Townville, St Mary's Road, Arklow, Co. Wicklow **is development and is NOT exempted development** within the meaning of the Planning & Development Acts 2000 (as amended).

Signed: 

T/Senior Planner

Planning, Economic & Rural Development

Date: 23/2/2026

Section 5 Application EX 10/2026

Date : 20/2/2026

Applicant : Helen Noble

Address : 1 Townville, St. Mary's Road, Arklow, Co. Wicklow. .

Exemption Whether or not :

The construction of a rear lean-to single storey extension

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

Planning History :

ATC PRR 113/2000 permission granted for the demolition of part of existing house and alterations to the remaining part of Townville, and construction of 20 no. 2 bedroomed apartments. This permission was granted on the 20th January 2001.

UD 11012 - File closed on basis extension exempt.

An Coimisiun Pleanala

ABP-308995-20

An Bord Pleanala, hereby decides that the alteration of roof form and wall construction to a previously built late 20th century sunroom is development and is not exempted development as :
the nature of the alterations undertaken is development and is not exempted development on the grounds that the works undertaken would materially affect the character of the building which is a protected structure, through the use of materials and design that is not found in the original house.

ABP-305579-19

An Bord Pleanála, hereby decides that the replacement of the existing ventilation system with a new ventilation extractor hood to the roof over the kitchen area located to the rear of 170 Rathmines Road Lower (protected structure), Dublin is development and is not exempted development as

- (a) the erection of the subject ventilation extractor hood involved the carrying out of "works" and therefore constitutes development,
- (b) this development, by reason of its scale, design, finish, and location where it is visible from the public realm, does not come within the scope of Section 4(1)(h) of the Planning and Development Act, 2000, because it materially affects the external appearance of the structure

so as to render the appearance inconsistent with the character of the structure and of neighbouring structures (including other protected structures),

- (c) as no Notice under Section 26 of the Air Pollution Act 1987 was served requiring the provision of the subject ventilation extractor hood, the exemption provided for under Class 41(d) of Part 1 of the Second Schedule to the Planning and Development Regulations, 2001, as amended, does not apply in this instance,
- (d) however, it is considered that, even if such notice had been served, the subject extractor hood, by reason of its scale, design, finish and location, materially affects the character of the protected structure and accordingly any exemption provided for under Class 41 (d) of Part 1 of the Second Schedule to the Planning and Development Regulations, 2001, as amended, would be restricted pursuant to Section 57(1) of the Planning and Development Act, 2000, as amended.

In not accepting the Inspector's recommendation that the development in question should be deemed to be exempted development, the Board did not accept, for the reasons outlined in its Order, that the development comes within the scope of Section 4 (1)(h) of the Planning and Development Act 2000, as amended, and noted that the status of the subject property as a protected structure relates to the entirety of its curtilage, and not just to the main building fronting onto Rathmines Road Lower. Furthermore, the Board is satisfied that the subject extractor hood, due to its scale, design and finish, does detract from the character of the protected structure and neighbouring protected structures, notwithstanding that it is located on a subsidiary and non-original building/extension.

County Development Plan 2022-2028

Record of Protected Structures

A18 10 Townville St Mary's Road : Semi-detached three-bay two-storey

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

(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;

3) A reference in this Act to exempted development shall be construed as a reference to development which is—

- (a) any of the developments specified in subsection (1), or
- (b) development which, having regard to any regulations under subsection (2), is exempted development for the purposes of this Act.

(4A) Notwithstanding subsection (4), the Minister may make regulations prescribing development or any class of development that is—

- (a) authorised, or required to be authorised by or under any statute (other than this Act) whether by means of a licence, consent, approval or otherwise, and
- (b) as respects which an environmental impact assessment or an appropriate assessment is required, to be exempted development.

55.—(1) A planning authority which proposes, at any time other than in the course of making its development plan under *Part II*, to make an addition to or a deletion from its record of protected structures shall—

- (a) serve on each person who is the owner or occupier of the proposed protected structure or the protected structure, as the case may be, a notice of the proposed addition or deletion, including the particulars,
- (b) send particulars of the proposed addition or deletion to the Minister for Arts, Heritage, Gaeltacht and the Islands and to any other prescribed bodies, and
- (c) cause notice of the proposed addition or deletion to be published in at least one newspaper circulating in its functional area.

(5) Within 2 weeks after making an addition to or a deletion from the record of protected structures, a planning authority shall serve on the owner and on the occupier of the structure concerned a notice of the addition or deletion, including the particulars.

57.—(1) Notwithstanding section 4(1)(a), (h), (i), (ia) (j), (k), or (l) and any regulations made under section 4(2), the carrying out of works to a protected structure, or a proposed protected structure, shall be exempted development only if those works would not materially affect the character of—
(a) the structure, or
(b) any element of the structure which contributes to its special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest.

Planning and Development Regulations 2001(as amended).

Article 6

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

Article 9(1) Note see Regulations for full Article

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

(a) if the carrying out of such development would—

(vii) consist of or comprise the excavation, alteration or demolition (other than peat extraction) of places, caves, sites, features or other objects of archaeological, geological, historical, scientific or ecological interest, the preservation, conservation or protection of which is an objective of a development plan or local area plan for the area in which the development is proposed or, pending the variation of a development plan or local area plan, or the making of a new development plan or local area plan, in the draft variation of the development plan or the local area plan or the draft development plan or draft local area plan,

Schedule 2 : Part 1

CLASS 1

The extension of a house, by the construction or erection of an extension (including a conservatory) to the rear of the house or by the conversion for use as part of the house of any garage, store, shed or other similar structure attached to the rear or to the side of the house.

Conditions/ Limitations

1. (a) Where the house has not been extended previously, the floor area of any such extension shall not exceed 40 square metres.

(b) Subject to paragraph (a), where the house is terraced or semi-detached, the floor area of any extension above ground level shall not exceed 12 square metres.

(c) Subject to paragraph (a), where the house is detached, the floor area of any extension above ground level shall not exceed 20 square metres.

2. (a) Where the house has been extended previously, the floor area of any such extension, taken together with the floor area of any previous extension or extensions constructed or erected after 1 October 1964, including those for which planning permission has been obtained, shall not exceed 40 square metres.

(b) Subject to paragraph (a), where the house is terraced or semi-detached and has been extended previously, the floor area of any extension above ground level taken together with the floor area of any previous extension or extensions above ground level constructed or erected after 1 October 1964, including those for which planning permission has been obtained, shall not exceed 12 square metres.

(c) Subject to paragraph (a), where the house is detached and has been extended previously, the floor area of any extension above ground level, taken together with the floor area of any previous extension or extensions above ground level constructed or erected after 1 October 1964, including those for which planning permission has been obtained, shall not exceed 20 square metres.

3. Any above ground floor extension shall be a distance of not less than 2 metres from any party boundary.

4. (a) Where the rear wall of the house does not include a gable, the height of the walls of any such extension shall not exceed the height of the rear wall of the house.

(b) Where the rear wall of the house includes a gable, the height of the walls of any such extension shall not exceed the height of the side walls of the house.

(c) The height of the highest part of the roof of any such extension shall not exceed, in the case of a flat roofed extension, the height of the eaves or parapet, as may be appropriate, or, in any other case, shall not exceed the height of the highest part of the roof of the dwelling.

5. The construction or erection of any such extension to the rear of the house shall not reduce the area of private open space, reserved exclusively for the use of the occupants of the house, to the rear of the house to less than 25 square metres.

6. (a) Any window proposed at ground level in any such extension shall not be less than 1 metre from the boundary it faces.

(b) Any window proposed above ground level in any such extension shall not be less than 11 metres from the boundary it faces.

(c) Where the house is detached and the floor area of the extension above ground level exceeds 12 square metres, any window proposed at above ground level shall not be less than 11 metres from the boundary it faces.

7. The roof of any extension shall not be used as a balcony or roof garden.

Assessment

The Section 5 application seeks a declaration as to whether the construction of a rear lean-to single storey extension of 15 or is not development or is or is not exempted development .

Submission :

The referrer indicates that it is considered that the extension to the rear of No. 1 Townville is not exempted due to

- Non compliance with limitation No.5 of Class 1: Part 1 : Schedule 2 the P&D Regulations 2001(as amended) as the rear of the house after the extension is less than 25sqm.
- The lean to structure has had no regard to Section 57 of the P&D Act 2000(as amended)or the guidelines published by the Department of Arts, Heritage and the Gaeltacht, as the works materially affect the character of the structure and adjoining property which are semi-detached house and are both of which are protected structures.

Details

An extension has been constructed to the rear of 1 Townville , St Mary's Road, Arklow . The rear of the house faces out on to carparking and a existing apartment development, with the dwelling itself forming a semi-detached unit with the dwelling to the north.

From measurements taken on sit by the enforcement section the extension to the rear of 1 Townville, has a floor area of 12sqm, and is flat roofed. The area of rear amenity space post construction is measured as 21sqm.

Assessment:

The first question to be asked is whether the identified works are or are not development. It is evident that the provision of a rear extension involves operations of construction and would be works having regard to Section 2 of the Planning and Development Act 2000(as amended). These works would come within the definition of development as set out in Section 3 (1)(a) of the Planning and Development Act 2000(as amended).

Section 57 (1) of the Planning and Development Act 2000 (as amended) provides that

57.—(1) Notwithstanding *section 4(1)(a), (h), (i), (ia)(j), (k), or (l)* and any regulations made under *section 4(2)*, the carrying out of works to a protected structure, or a proposed protected structure, shall be exempted development only if those works would not materially affect the character of—
(a) the structure, or
(b) any element of the structure which contributes to its special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest.

From review of the Record of Protected Structures (CDP 2022-2028) No. 1 Townville, St Mary's Road is marked on mapping as a Protected Structure. However the listing in the Record is for No 10

Townville , St.Mary's Road, Arklow . The record for both 10 Townville and 11 Townville are as follows

<p>A18 16322031</p>	<p>St.Marys Road. Arklow</p>	<p>10 Townville</p>	<p>century. Semi-detached three-bay two-storey Domestic Revival style pair of houses. built c.1900. The houses are rendered with rusticated finish to the ground floor, dry dash finish to the first floor and with moulded quoins. Each is double-gabled</p>	
<p>A19 16322031</p>	<p>St.Marys Road. Arklow</p>	<p>11 Townville</p>	<p>Semi-detached three-bay two-storey Domestic Revival style pair of houses. built c.1900. The houses are rendered with rusticated finish to the ground floor, dry dash finish to the first floor and with moulded quoins. Each is double-gabled. The northern house has a panelled door with plain fanlight and both are set within a flat-headed opening; and framed with an open gabled porch supported on timber brackets. To</p>	

From Streetview(2025) the following view is noted.



It is therefore evident that the picture associated with No 10 Townville is not a picture of the correct structure or the structures currently addressed as 1 Townville, but only shows No. 11 Townville.

No. 10 Townville and No. 11 Townville were added to the Record of Protected Structures in February 2008 by Arklow Town Council . From the attached newspaper notice the structure was referred to as 10 St. Mary's Road, Arklow. A review of Eircode website, shows that the structure is listed as 1 Townville and there is also a separate Eircode for a 10 Townville, which is not the structure the subject of this referral. A review of the planning register identifies that Arklow Town Council under ATC PRR 113/2000 permitted the demolition of part of existing house and alterations to the remaining part of Townville, and construction of 20 no. 2 bedroomed apartments. This permission was granted on the 20th January 2001. The development was commenced on the 10th June 2002. The OS sheet 1/1000 which accompanied the application identified the structure as No. 10 , however the site notice referenced the structure as 'Townville', and the proposed site layout plan referenced it as 1 Townville. It is presumed that on completion of the development the subject of ATC PRR 113/2000 that the addresses were altered to reflect the permitted development and the

layout details. Thus the address of the structure would have at the time of the Notice of Proposed Additions and issuing of letters have been 1 Townville and not 10 St Mary's Road or 10 Townville.

The process for inclusion of a structure in the Record of Protected Structures is set out under Section 55 (1) and (5) of the Planning and Development Act 2000 (as amended) i.e.-

55.—(1) A planning authority which proposes, at any time other than in the course of making its development plan under Part II, to make an addition to or a deletion from its record of protected structures shall—

- (a) serve on each person who is the owner or occupier of the proposed protected structure or the protected structure, as the case may be, a notice of the proposed addition or deletion, including the particulars,*
- (b) send particulars of the proposed addition or deletion to the Minister for Arts, Heritage, Gaeltacht and the Islands and to any other prescribed bodies, and*
- (c) cause notice of the proposed addition or deletion to be published in at least one newspaper circulating in its functional area.*

(5) Within 2 weeks after making an addition to or a deletion from the record of protected structures, a planning authority shall serve on the owner and on the occupier of the structure concerned a notice of the addition or deletion, including the particulars.

As the notice was not served on the right address, it would appear that processes undertaken had an administrative error which disenfranchised the owners right to participate in the process, as required by the legislation. This error is further exacerbated by the pictures reference in the Record of Protected Structures for 10 Townville, St Mary's Road. Given that there appears to be a flaw in the address of the Protected Structure and in the notification, notwithstanding the mapping the structure, it is considered that 1 Townville may not part form part of the Record of Protected Structures and as such is not further addressed in this assessment.

The relevant exemption with respect to the construction of an extension is Class 1 of Part 1; Schedule 2 of the Planning and Development Regulations 2001 (as amended).

The relevant exemption with respect to the construction of the extension is Class 1 of Part 1; Schedule 2 of the Planning and Development Regulations 2001 (as amended) .

Class 1 provides for -

The extension of a house, by the construction or erection of an extension (including a conservatory) to the rear of the house or by the conversion for use as part of the house of any garage, store, shed or other similar structure attached to the rear or to the side of the house.

The development would come within the description. This exemption is subject to a number of limitations and they are assessed below .

Limitation 1 – the extension is to the below 40sqm

Limitation 2 – no previous extension , this limitation is met.

Limitation 3 – Not applicable

Limitation 4 – The height of the walls do not exceed the side walls of the house.

Limitation 5 - 5. The rear private open space is 21sqm and therefore this limitation is not met.

Limitation 6. – This limitation is met.

Limitation 7 – Not applicable.

The proposed extension given the above assessment is development and is not exempted development.

Recommendation :

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

The construction of a rear flat roofed single storey extension at 1 Townville, St Mary's Road , Arklow

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

The Planning Authority consider that the construction of a rear flat roofed single storey extension **is Development and is Not Exempted development.**

Main Considerations with respect to Section 5 Declaration :

- a) Details of the size and scale of the extension from inspections under UD 11012
- b) Arklow Town Council PRR 113/2000
- c) The Record of Protected Structures which identifies the protection applies to 10 Townville St Mary's Road Arklow.
- d) The Notice of Proposed Additions to the Record of Protected Structures by Arklow Town Council dated the 28th November 2007.
- e) Eircode Geographic/ Postal Address
- f) Sections 2 , 3, 4 , 55 and 57 of the Planning and Development Act 2000 (as amended)
- g) Article 6,9 and Class 1 of Schedule 2: Part 1 of the Planning and Development Regulations 2001(as amended).

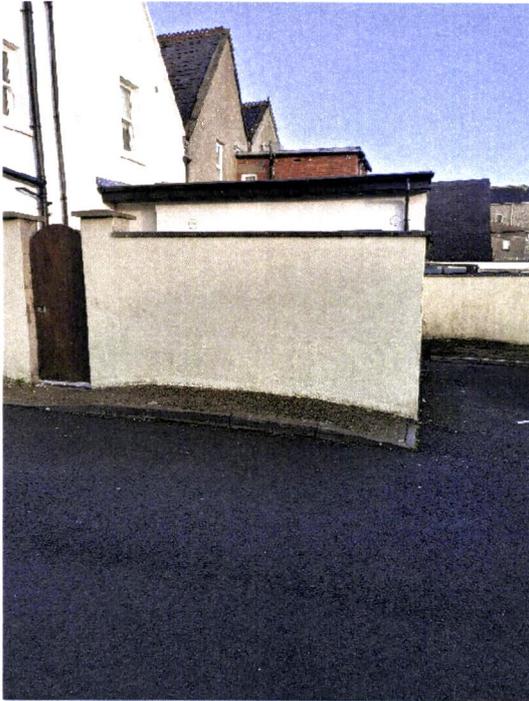
Main Reasons with respect to Section 5 Declaration :

- (i) The construction of a rear extension would come within the meaning of works as set out in Section 2 of the Planning and Development Act 2000(as amended)
- (ii) These works are development having regard to the provisions of Section 3 of the Planning and Development Act 2000(as amended).
- (iii) The extension would come within the description of Class 1 of Part 1; Schedule 2 of the Planning and Development Regulations 2001 (as amended), but as the rear private space is reduced to 21 sqm it would not meet Limitation 5 which provides that *the construction or erection of any such extension to the rear of the house shall not reduce the area of private open space, reserved exclusively for the use of the occupants of the house, to the rear of the house to less than 25 square metres.*

- (iv) The Record of Protected Structures , wherein the description refers to 10 Townville St.Mary's Road, Arklow, and the associated picture which refers to 11 Townville St Mary's Road, and not to 1 Townville, St Mary's Road
- (v) The provisions of Section 55 of the Planning and Development Act 2000(as amended), and the lack of confirmation that the notices required by reference to Section 55 of the Planning and Development Act 2000(as amended) were properly issued to the correct address. The protected status of 1 Townville , St Mary's Road is uncertain.

20/2/2026

John Cunningham TSE





English | Gaeilge

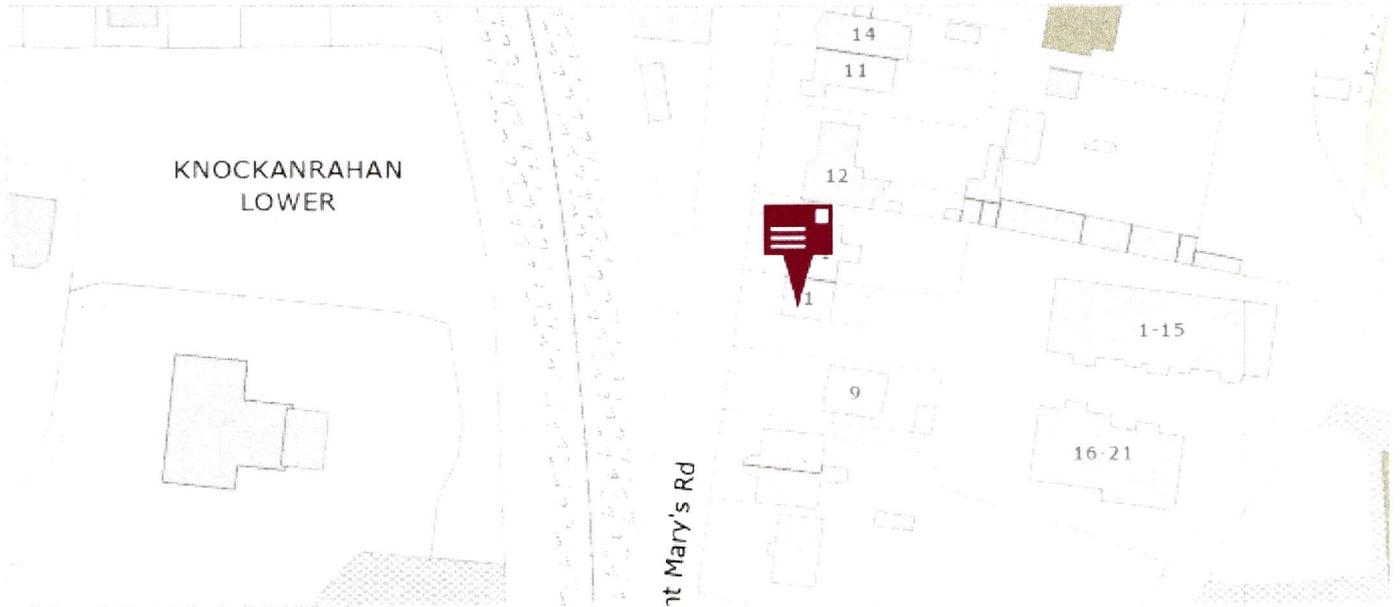
1 TOWNVILLE

SAINT MARY'S ROAD

ARKLOW

CO. WICKLOW

Y14 YF70



EIRCODE

CLASSIFIEDS

WICKLOW
0404 67198ARKLOW
0402 32130BRAY
01 2861347GOREY
087 0502024CARLOW
087 0502019

TO LET & WANTED

PERIOD 2 STOREY HOUSE, newly renovated. 2 bedroom en-suite, kitchen, sitting room, OFCH plus open fire. 2 miles Baltinglass. Ph. 087 2586139.

TWIN OAKS, GOREY 4 Bed. House, fully furnished, ofch, alarmed, private parking. Tel. 087-8634433

TUITION/GRINDS

STUDY SKILLS PROGRAMMES: Junior and Leaving Certificate Students. Maximise use of revision time for increased exam performance. Develop motivation and self discipline. Improve planning and organisational skills. Learn effective study techniques and strategies. Gain the necessary psychological tools for success. Contact Martin Kelly, Consultant Psychologist 0402 24520.

CARAVANS

MOBILE HOME FOR SALE 3 bedroomed, sleeps 8-10 Fridge cooker shower/bath. Willerby Leven 35' by 12' Small deck included. Bought for 5,000 euro will sell for 2,750 euro. Phone: 087 2481134

SITUATIONS WANTED

CARPENTER AVAILABLE. 086 1575253.

SCAFFOLDER AVAILABLE Wicklow Town. Large or small. Tel: 087-7829959.

DOGS

GOLDEN RETRIEVER, female, 4 months old, vaccinated and micro chipped. Both parents can be seen. 087 6768010.

HIHTZU PURE BRED registered, vaccinated and wormed. Males, 9 weeks old, ready to go. Tel. 087-6929472

HEALTH

CLAIRVOYANCE, MEDIUMSHIP, TAROT, ANGELS, BY VERONICA, International Medium, Irish Mystic. Appointments Available in December. Talbot, Wexford, 1st, Grand, Wicklow, 4th, Montrose, Dublin, 6th, Ramada, Bray, 8th, Rochestown Lodge, Dun Laoghaire, 9th. Private/Party Bookings. Tel. 087 4130124.

PERSONAL

COUNSELLING & PSYCHOLOGICAL services Anxiety, Stress, Sleeping, Shyness, Blushing, Personal Problems, Bullying, Relationships, Confidence, Weight-loss programmes, Overcome cigarettes. For appointment phone Martin Kelly Psychologist 0402-24520.

AT EURO INTRODUCTIONS Today is the first day of the rest of your life. Romance, Friendship, everybody met locally. 021-4315180 / 087-302320.

LOW COST COUNSELLING Contact Margaret on 086 1638042

PERSONAL

CONFIDENCE THROUGH HYPNOSIS Stop Smoking, Slimming, Anxiety, Panic, Phobias, Insomnia, Stress, Depression, Shyness, Blushing, Nailbiting, Exams, Personal Success and more. James Jameson, Bray and Wicklow. Freephone 1800924864

NEED TO TALK Qualified Counsellor offers confidential professional service for relationship difficulties and personal problems. Wicklow Area. Tel 085-1254350.

HOUSES FOR SALE

SELLING YOUR HOUSE? Want to save thousands on estate agent fees? Visit www.sellityourself.ie or call us on 1850 66 33 33.

GARDENING

ALDER HOUSE GARDEN CENTRE ARKLOW ROAD, GOREY (Turn at Ryans Kitchens). Sale Now On - up to 50% off all stock. Christmas Shop now open. Unbelievable reductions. Irish grown Christmas Trees, arriving end of November. Order early. Free delivery. Tel/Fax:053 9480422

KINBARK NURSERIES, CAMOLIN for Mature and Semi Mature Trees. Lifting bareroot trees now. Also wide range of Shrubs and Hedging (Green and Copper Beech, Laurel, Griselinia, Escallonia etc.) Organic Compost, Bark Mulch. 053-9383247 or www.kinbark.ie. Vouchers for Christmas

SITUATIONS VACANT

APPLICATIONS ARE INVITED for the post of School Secretary (52 week year). Please apply in writing with CV to The Principal, St. Marys College, Arklow.

CALLING ALL enthusiastic and outgoing individuals. Mon-Fri. work. Fun, sales-based environment. Full training provided. Call 086-6039547.

CHILD MINDER REQUIRED to take care of 2 children and do general housework. Must have own car. References required. Phone 086-8907582.

EARN a stocking full of cash this Christmas! City centre based company looking to fill 10 positions. Looking for ambitious & eager individuals. Call 086-6039547.

FULL TIME STABLE LAD/LASS required for expanding private stud farm near Wicklow Town. Contact Jerome on 087 912 1162 for further information.

PART-TIME Medical Secretary/Receptionist (30 hours per week) required for general practice surgery in Bray. Previous experience desirable. Good computer and people skills essential. Please forward CV to gpsservices@eircom.net or Fax to 01-2863305

SUNSHINE Training and Promotion Team needed for Juice and Smoothie Company. Full training given. Contact 086 8249860.

SITUATIONS VACANT

THE VILLAGE TAKEAWAY, ROUNDWOOD Part time staff required. Must be over 18 years. 7 - 8 hours per night (including weekends). Phone after 5pm. Tel: 01-2818959

SERVICES

FTA SATELLITE SYSTEM. One payment, no card. BBC1, BBC2, BBC3, BBC4, ITV1, ITV2, ITV3, ITV4, Seven Movie Channels, Kids Channels, Sky News, CNN, BBC24, ITV. Sky Agent, TV Aerials. Joe Ryan & Son 0402 32777.

SEAN O'CEALLAIGH & CO SOLICITORS, full range of Legal Services, Main Street, Ashford, Tel : 0404-49795 or e-mail cormac@soc.ie or www.soc.ie. Open Monday-Friday, 9am-5pm.

POULTRY

AVONDALE POULTRY attending Monday 3rd December. Ashford Glanbia Co-op gate 2.20pm. Blessington Mart 3.45pm. For Sale: point-of-lay pullets, Ducklings. To order tel: 087-8250087/029-60298



Just the Job

in our
Appointments
Section

ARKLOW TOWN COUNCIL PLANNING AND DEVELOPMENT ACT 2000 (Section 55)

Notice of Proposed Additions to the Record of Protected Structures

Take notice that Arklow Town Council as the Planning Authority for its administrative area, in accordance with Section 55 of the Planning and Development Act 2000, proposes to add 82 proposed protected structures, as listed hereunder, to the Record of Protected Structures in the Arklow Town Development Plan 2005-2011.

Particulars of the each of the proposed protected structures may be inspected at the offices of the Planning Authority, Arklow Town Council at Town Hall, Main Street, Arklow, Co. Wicklow from 29th November 2007 to 11th January 2008 inclusive during the hours of 9.30 a.m. to 12.30 p.m. and 2.30 p.m. to 4.30 p.m. Monday to Friday, excluding bank and public holidays.

Any submissions or observations in respect of the addition of one or more of the proposed protected structures to the Record of Protected Structures may be made in writing to the Town Clerk, Arklow Town Council, Town Hall, Arklow, Co. Wicklow before 5.00 pm on 11th January 2008, and they will be taken into consideration before making the relevant addition(s).

Des Nichols, Town Clerk

SCHEDULE OF PROPOSED ADDITIONS TO THE RECORD OF PROTECTED STRUCTURES

Building Number or Name	Street	Ref No	Building Number or Name	Street	Ref No	Building Number or Name	Street	Ref No
St Saviours Church	Coolgreaney Road	16322001	Railway Station			56	Ferrybank	16322061
3a	Vale Road	16322002	Buildings	St Mary's Road	16322029	51	Ferrybank	16322062
3b	Vale Road	16322002	Navigation Beacon	North Quay	16322030	39	Ferrybank	16322064
6	Wexford Road	16322003	10	St Mary's Road	16322031	35	Ferrybank	16322065
26 Shamrock House	Coolgreaney Road	16322004	11 Townville	St Mary's Road	16322031	33	Ferrybank	16322066
Rosemont House	Coolgreaney Road	16322005	12	St Mary's Road	16322032	25 Virginia House	Ferrybank	16322067
Clarmont House	Coolgreaney Road	16322005	Apartment Block (Old Convent Bldg)	St Mary's Road	16322033	24 Grianan House	Ferrybank	16322068
11 Valeview House	Coolgreaney Road	16322006	48	Main Street	16322034	23	Ferrybank	16322069
4	Coolgreaney Road	16322007	86	Lower Main Street	16322036	22 Glenthorne	Ferrybank	16322070
Lamberton			85	Lower Main Street	16322037	21 Beulah House	Ferrybank	16322071
Water Tower	Coolgreaney Road	16322008	71	Lower Main Street	16322039	20	Ferrybank	16322072
Lamberton			62	Lower Main Street	16322040	The Old Manse	Ferrybank	16322073
Gate Lodge	Coolgreaney Road	16322009	13	Back Street	16322041	Arklow		
Cemetery Gate Lodge	Cemetery Road	16322011	24-24a	Lower Main Street	16322042	Methodist Church	Ferrybank	16322074
Morgan Doyle Ltd	Main Street	16322013	23	Lower Main Street	16322043	Doctor Surgery	Ferrybank	16322075
St Mary's and			2 The Nineteen			10 Ferrybank	Ferrybank	16322076
Fr Peter's Church	Parade Ground	16322014	Arches Pub	Lower Main Street	16322044	1 Ferrybank	Ferrybank	16322077
Statue	Parade Ground	16322015	2	Bridge Street	16322045	15 Wicklow Terrace	Wicklow Terrace	16322078
Ormonde Cinema	Parade Ground	16322016	Arklow Bridge	Bridge Street		Kynoch Lodge	Sea Road	16322079
1	Upper Main Street	16322017		-Ferrybank	16322046	7 Park Terrace	Sea Road	16322080
2	Upper Main Street	16322018	3	Tinahask	16322051	8 Park Terrace	Sea Road	16322081
Rose's Florist	Upper Main Street	16322019	9 St Bridget's Terrace	Abbey Street	16322053	9 Park Terrace	Sea Road	16322082
1 Gethsemane	St Mary's Terrace,		23 St Bridget's Terrace	Abbey Street	16322054	10 Park Terrace	Sea Road	16322083
	St Mary's Road	16322020	51 Rory			The Cottage	Sea Road	16322084
2 St Mary's Terrace,	St Mary's Road	16322021	O'Connor Place	Abbey Street	16322055	Beech Grove House	Ferrybank	16322085
3 St Mary's Terrace,	St Mary's Road	16322022	4 Rory			Old School Place	Brigg's Lane	16322086
4 St Mary's Terrace,	St Mary's Road	16322023	O'Connor Place	Abbey Street	16322056	Old Church	Brigg's Lane	16322087
5 St Mary's Terrace,	St Mary's Road	16322024	12 St Bridget's Terrace	Abbey Street	16322057	Kilbride Rectory	Dublin Road	16322088
6 St Mary's Terrace,	St Mary's Road	16322025	Abercorn			27	Ferrybank	16322089
7 St Mary's Terrace,	St Mary's Road	16322026	Masonic Hall	Ferrybank	16322058			
8 St Mary's Terrace,	St Mary's Road	16322027	58	Ferrybank	16322059			
Reenmore	St Mary's Road	16322028	57	Ferrybank	16322060			

MEMORANDUM

WICKLOW COUNTY COUNCIL

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

**FROM: Nicola Fleming
Staff Officer**

**RE:- EX10/2026 - 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 30/01/2026

The due date on this declaration is the 26/02/2026.



**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

**Helen Noble
Noble Shipping Law
Ards
St. Mary's Road
Arklow
Co. Wicklow
Y14 W586**

5th February 2026

**RE: Application for Certificate of Exemption under Section 5 of the Planning and
Development Acts 2000 (as amended). – EX10/2026**

A Chara

I wish to acknowledge receipt on 30/01/2026 full details supplied by you in respect of the
above Section 5 application. A decision is due in respect of this application by 26/02/2026

.

Mise, le meas

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



MEMORANDUM

WICKLOW COUNTY COUNCIL

**TO: Deirdre Burns
Heritage Officer**

**FROM: Nicola Fleming
Staff Officer**

**RE:- EX11/2026 - 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 30/01/2026

The due date on this declaration is the 26/02/2026. Edel Bermingham is the Planner dealing with the application.

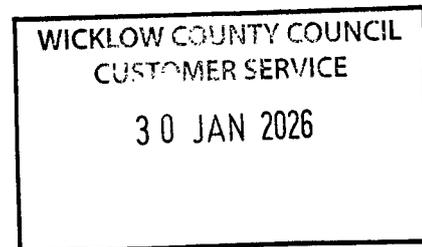
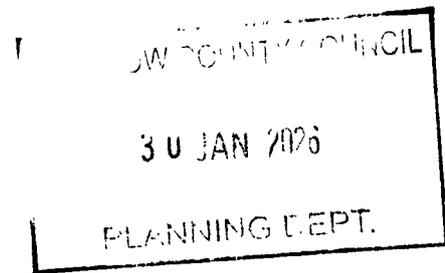


**Staff Officer
Planning Development & Environment**

Noble Shipping Law

Nicola Fleming
Staff Officer
Planning, Economic & Rural Development
Wicklow County Council
County Buildings
Wicklow
Co Wicklow

YOUR REF: EX10/2026



29 January 2026

RE: Application for a declaration in accordance with Section 5 of the Planning & Development Acts 2000 (as amended) as to whether the extension undertaken by my neighbour to the Protected Structure at 1 Townville, Saint Mary's Road Arklow is or is not an exempted development

Dear Ms Fleming

I refer to your letter of 27 January 2026 as enclosed. I note that the title reference of your letter refers to an application for a certificate of exemption and a proposal. To be clear, I am seeking a declaration in accordance with Section 5 of the Planning & Development Acts 2000 (as amended) as to whether the extension undertaken by my neighbour to the Protected Structure at 1 Townville, Saint Mary's Road Arklow is or is not an exempted development.

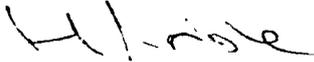
I am of the view as a protected structure it is not an exempted development and/or exempted development pursuant section 6 (1) of the Planning and Development Regulations 2001 (as amended) and/or that the development is not of a class specified in the provisions of Class 1 of Part 1 of Schedule 2 to the Planning and Development Regulations 2001 (as amended) in particular under Condition and Limitation no. 5 to the Planning and Development Regulations 2001 (as amended) in circumstances where the private open space reserved exclusively for the use of the occupants of the house, to the rear of the house after the extension is less than 25 metres squared.

I am deeply concerned that the lean to structure works undertaken by my neighbour has paid no regard whatsoever to Section 57 of the Planning & Development Acts 2000 (as amended) or the guidelines published by the Department of Arts, Heritage and the Gaeltacht issued pursuant to section 52 of the Planning & Development Acts 2000 (as amended) in circumstances where the works materially affect the character of the structure of both her property and my property, which are semi-detached house and are both of which are protected structures.

I have not been provided with any drawings by my neighbour with regard to the lean to structure works that have been undertaken. I however enclose as requested:

- An Eircode map of 1 Townville, Saint Mary's Road Arklow, my neighbour's property; and
- Copy of drawing submitted by the previous owner of my property for planning permission showing 1 Townville, Saint Mary's Road Arklow (my neighbour's property) clearly labelled as "**Neighbouring Dwelling**" and the location of the said lean to extension outlined in red. This is of course not to scale, as I do not have the neighbour's drawings.

Yours sincerely

A handwritten signature in black ink, appearing to read "H. Noble". The signature is written in a cursive style with a long horizontal stroke at the end.

Helen Noble SC
Noble Shipping Law



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

27th January 2026

**Helen Noble
Noble Shipping Law
Ards
St. Mary's Road
Arklow
Co. Wicklow
Y14 W586**

RE: Application for Certificate of Exemption under Section 5 of the Planning and Development Act 2000 (as amended). – EX10/2026 for 1 Townville, Saint Mary's Road, Arklow

A Chara

I wish to acknowledge receipt of your application for a declaration in respect of Section 5 for the above proposal on 22nd January 2026.

The application form however is incomplete as per our additional notes section: -

- No site location map has been submitted (Eircode map will suffice)
- Please indicate on the drawings submitted lean to structure you are referring to in your application.

Application is currently classed as incomplete and decision date cannot be noted until documentation is received.

Mise, le meas

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



Wicklow County Council
Council Buildings
Wicklow
0404-20100

22/01/2026 14 06 30

Receipt No L1/0/35/733

HELEN NOBLE
NOBLE SHIPPING LAWARDS
ST MARY'S RD
ARKLOW
CO WICKLOW

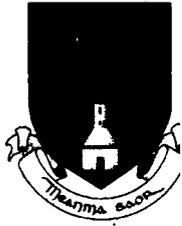
EXEMPTION CERTIFICATE S	80 00
GOODS	80 00
VAT Exempt/Non-vatable	

Total 80 00 EUR

Tendered
Postal Order 80 00

Change 0 00

Issued By Adam Copeland
From Customer Service Hub
Vat reg No 0015233H



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

WICKLOW COUNTY COUNCIL
CUSTOMER SERVICE
22 JAN 2026
Office Use Only

WICKLOW COUNTY COUNCIL
Date Received _____
Fee Received _____ 22 JAN 2026
PLANNING DEPT.

**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: **Helen Noble**

Address of applicant: **Noble Shipping Law, Ards, St Mary's Road
Arklow, County Wicklow, Y14 W586**

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

2. Agents Details (Where Applicable) – N/A

(b) Name of Agent (where applicable) _____

Address of Agent : _____

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

3. Declaration Details

- i. Location of Development subject of Declaration: **1 Townville, Saint Mary's Road, Arklow, County Wicklow, Y14 YF70**
- 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: **Jodie Redmond, 1 Townville, Saint Mary's Road, Arklow, County Wicklow, Y14 YF70**
- 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:

(1) Whether the development is exempted development under Section 4 (1) (h) of the Planning and Development Act and Section 57 (1) where it is a Protected Structure.

(2) Whether the lean-to single storey extension to the rear wall of the subject two-storey protected semi-detached property is, or is not, an exempted development pursuant section 6 (1) of the Planning and Development Regulations 2001 (as amended) and the development is of class specified in the provisions of Class 1 of Part 1 of Schedule 2 to the Planning and Development Regulations 2001 (as amended) in particular under Condition and Limitation no. 5 to the Planning and Development Regulations 2001 (as amended) where the private open space reserved exclusively for the use of the occupants of the house, to the rear of the house after the extension is less than 25 metres squared.

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 4 (2) (a) (i) of the Planning and Development Act 2000**
- **Section 57 (1) of the Planning and Development Act 2000**
- **Section 5 of the Planning and Development Act 2000**
- **Section 6 (1) of the Planning and Development Regulations 2001 (as amended)**
- **Part 1 of Schedule 2 to the Planning and Development Regulations 2001 (as amended).**

Additional details may be submitted by way of separate submission.

- vi. Does the Declaration relate to a Protected Structure or is it within the curtilage of a Protected Structure (or proposed protected structure) ? **YES - A19 16322031**
- vii. List of Plans, Drawings submitted with this Declaration Application

Site Location Map

- viii. Fee of € 80 Attached ? Yes

Signed :  . Dated : 21/1/2026.

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.

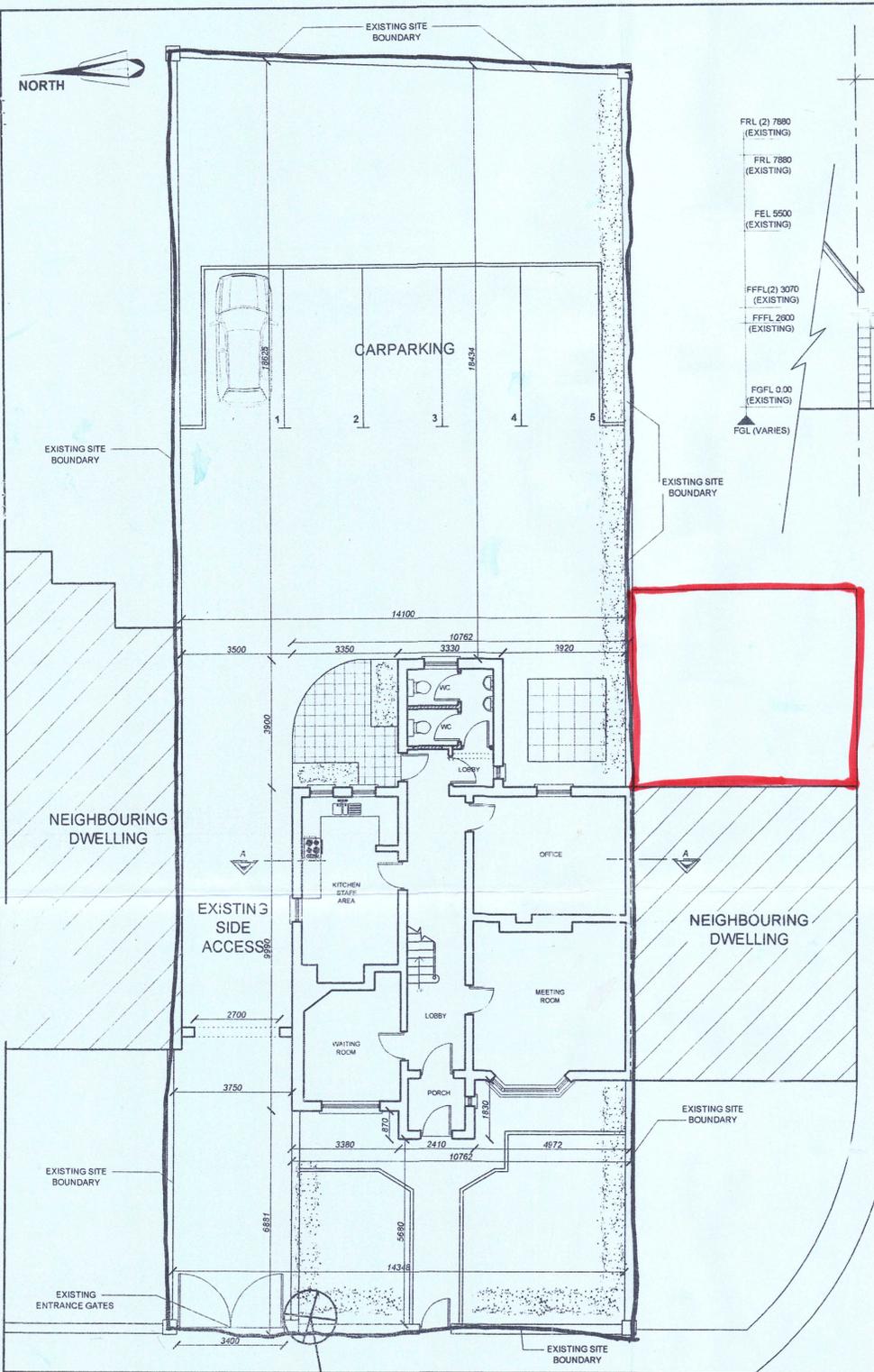
- Site layout plan showing location of structure and any adjoining farm structures and any dwellings within 100m of the farm structure.
- Gross floor area of the farm structure
- Floor plan and elevational details of Farm Structure and Full details of the gross floor area of the proposed structure.
-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

Additional Submissions

Both my property and the developed property are protected structures under the RPS.

The "works" undertaken by the development has had a material affect to the structure of both properties and its character in circumstances where the original drainage from adjoining rooves of the 1900 properties at the rear has been built over with no new drainage provision with potential for endangerment by way of damp and incursion of water into my property and roof damage in circumstances where it is also a protected structure.

The extension and materials used are not in keeping with the architectural heritage of the property, its build and character.



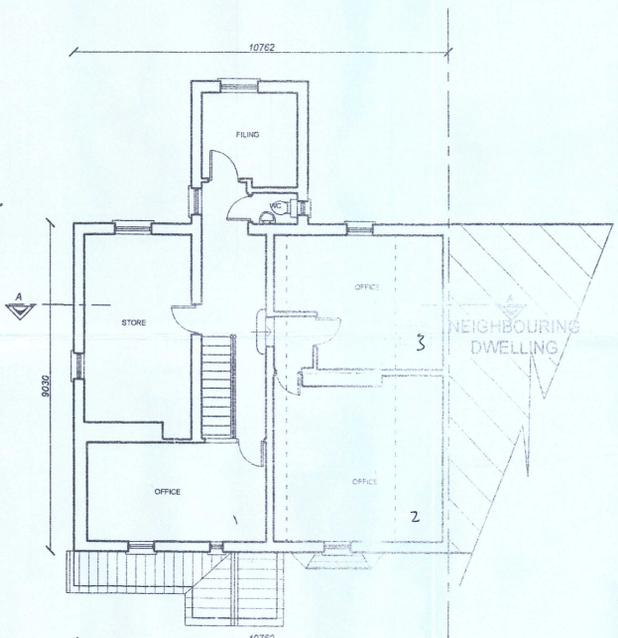
GROUND FLOOR PLAN
Scale 1:100



FRONT ELEVATION (WEST)
Scale 1:100



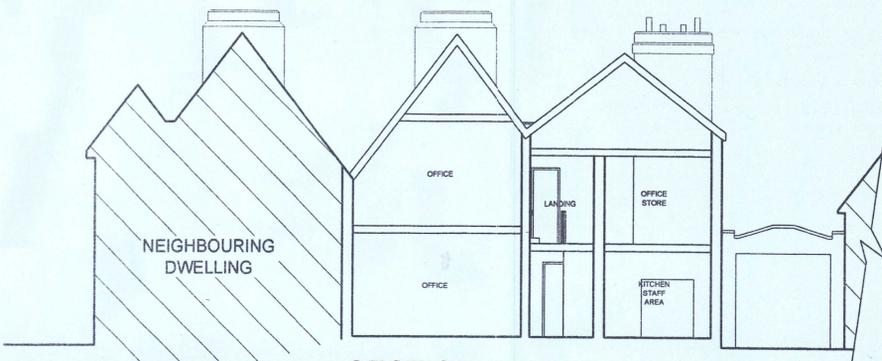
SIDE ELEVATION (NORTH)
Scale 1:100



FIRST FLOOR PLAN
Scale 1:100

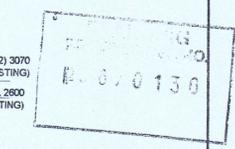


REAR ELEVATION (EAST)
Scale 1:100

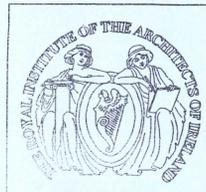


SECTION A~A
Scale 1:100

WICKLOW COUNTY COUNCIL
This document is provided for the purpose of inspection only, no other use of the material may be made without the licence of the copyright owner.



IMPORTANT NOTE:
THESE DRAWINGS HAVE BEEN PREPARED FOR PLANNING APPLICATION PURPOSES ONLY AND MAY NOT BE USED FOR ANY OTHER PURPOSE.



EMMET DUGGAN ARCHITECTS LTD
4 RIVERWALK ARKLOW CO. WICKLOW Tel. 0402 23944 Fax. 0402 23984

PROJECT: *Planning Application @ Ards, St Marys Road, Arklow, Co. Wicklow*

CLIENT: *Larry & Deirdre Burke*

DRAWING: *Planning Application ~ Plans, Elevations, Sections* SCALE:1:100

J. r No.
06 010
Drwg No.
06-2010
01
Date:
Nov 2006