



# COMHAIRLE CONTAE CHILL Mhantáin Wicklow County Council

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

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

Jonathan Roberts Architects  
331 Redford Park  
Greystones  
Co. Wicklow  
A63 Y977

*JRM*  
Of May 2026

**RE: Declaration in accordance with Section 5 of the Planning & Development Acts  
2000 (As Amended) -EX57/2026 for Edyta Sciobor**

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,

*Orla Denny*  
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](mailto:plandev@wicklowcoco.ie)  
Suíomh / Website: [www.wicklow.ie](http://www.wicklow.ie)

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

**Applicant:** Edyta Sciobor

**Location:** Lisolman, Tullow, Co. Wicklow

**Reference Number:** EX 57/2026

### CHIEF EXECUTIVE ORDER NO. CE/PERD/2026/548

A question has arisen as to whether “*the removal of 2 chimney stacks, removal of existing entrance porch canopy and roof tiling in place of removed chimneys*” at Lisolman, Tullow, Co. Wicklow is or is not exempted development.

#### Having regard to:

- a) The details submitted with the Section 5 Declaration Application
- b) Sections 2, 3 and 4 of the Planning and Development Act 2000 (as amended)

#### Main Reasons with respect to Section 5 Declaration:

- i) The removal of 2 chimneys, porch canopy and tiling are operations of construction and demolition, and would be works having regard to meaning set out in Section 2 of the Planning and Development Act 2000(as amended).
- ii) 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).
- iii) The removal of the chimneys and porch canopy, and tiling of roof involve works for maintenance and improvement of the existing dwelling, and would impact on the exterior of the structure, but would not materially affect the external appearance such that it would be inconsistent with the character of the structure or neighbouring structures, and therefore these works would be exempted development having regard to Section 4(1)(h) of the Planning and Development Act 2000(as amended).

**The Planning Authority considers that “the removal of 2 chimney stacks, removal of existing entrance porch canopy and roof tiling in place of removed chimneys” at Lisolman, Tullow, Co. Wicklow is development and IS exempted development.**

Signed:   
ADMINISTRATIVE OFFICER  
PLANNING DEVELOPMENT & ENVIRONMENT

Date: 11/05/2026



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

CHIEF EXECUTIVE ORDER NO. CE/PERD/2026/548

Reference Number: EX 57/2026  
Name of Applicant: Edyta Sciobor  
Nature of Application: Section 5 Referral as to whether "the removal of 2 chimney stacks, removal of existing entrance porch canopy and roof tiling in place of removed chimneys" is or is not development and is or is not exempted development.  
Location of Subject Site: Lisolman, Tullow, 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 removal of 2 chimney stacks, removal of existing entrance porch canopy and roof tiling in place of removed chimneys" at Lisolman, Tullow, Co. Wicklow is or is not exempted development within the meaning of the Planning & Development Act 2000 (as amended)

Having regard to:

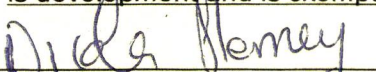
- a) The details submitted with the Section 5 Declaration Application
- b) Sections 2, 3 and 4 of the Planning and Development Act 2000 (as amended)

Main Reasons with respect to Section 5 Declaration:

- i) The removal of 2 chimneys, porch canopy and tiling are operations of construction and demolition, and would be works having regard to meaning set out in Section 2 of the Planning and Development Act 2000(as amended).
- ii) 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).
- iii) The removal of the chimneys and porch canopy, and tiling of roof involve works for maintenance and improvement of the existing dwelling, and would impact on the exterior of the structure, but would not materially affect the external appearance such that it would be inconsistent with the character of the structure or neighbouring structures, and therefore these works would be exempted development having regard to Section 4(1)(h) of the Planning and Development Act 2000(as amended).

Recommendation:

The Planning Authority considers that "the removal of 2 chimney stacks, removal of existing entrance porch canopy and roof tiling in place of removed chimneys" at Lisolman, Tullow, Co. Wicklow is development and is exempted development as recommended in the planning reports.


Signed: 

Date: 11/05/2026

ORDER:

I HEREBY DECLARE:

THAT "the removal of 2 chimney stacks, removal of existing entrance porch canopy and roof tiling in place of removed chimneys" at Lisolman, Tullow, Co. Wicklow is **development and is exempted development** within the meaning of the Planning & Development Acts 2000 (as amended).

Signed:   
T/Senior Planner  
Planning, Economic & Rural Development

Date: 11/05/2026

## Section 5 Application EX 57/2026

Date : 11/5/2026

Applicant : Edyta Sciobor

Address : Liscolman, Tullow Co. Wicklow.

Exemption Whether or not :

Removal of 2 chimney stacks, removal of existing entrance porch canopy and roof tiling in place of removed chimneys,

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

### Planning History :

EX 02/2026 The construction of a single storey detached cabin (approx 36ms) to be used for short-term residential accommodation while a permanent dwelling is under construction is not exempt development.

### 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;

### **Assessment**

The Section 5 application seeks a declaration as to whether the removal of 2 chimney stacks, removal of existing entrance porch canopy and roof tiling in place of removed chimneys or is not development or is or is not exempted development .

The first question to be asked is whether the identified works are or are not development. It is evident that the removal of 2 chimneys, canopy and roofing works involve operations of construction / demolition 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 4(1)(h) provides for the following exemption -

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

The works would be works for maintenance and improvement of the existing dwelling, and would impact on the exterior of the structure however they would not materially affect the external appearance such that it would be inconsistent with the character of the structure or neighbouring structures and the works would therefore be exempted development.

### **Recommendation :**

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

Removal of 2 chimney stacks, removal of existing entrance porch canopy and roof tiling in place of removed chimneys at Liscolman, Co. Wicklow R93 X085

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

The Planning Authority consider that the removal of 2 chimney stacks, removal of existing entrance porch canopy and roof tiling in place of removed chimneys **is Development and is Exempted development.**

Main Considerations with respect to Section 5 Declaration :

- a) The details submitted with the Section 5 Declaration Application
- b) Sections 2 , 3 and 4 of the Planning and Development Act 2000 (as amended)

Main Reasons with respect to Section 5 Declaration :

- i. The removal of 2 chimneys, porch canopy and tiling are operations of construction and demolition, and would be works having regard to meaning set out in Section 2 of the Planning and Development Act 2000(as amended).
- ii. 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).
- iii. The removal of the chimneys and porch canopy, and tiling of roof involve works for maintenance and improvement of the existing dwelling, and would impact on the exterior of the structure, but would not materially affect the external appearance such that it would be inconsistent with the character of the structure or neighbouring structures, and therefore these works would be exempted development having regard to Section 4(1)(h) of the Planning and Development Act 2000(as amended).

*Seamus Cunningham TCF*

11/5/2026

# MEMORANDUM

## WICKLOW COUNTY COUNCIL

---

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

**FROM: Nicola Fleming  
Staff Officer**

**RE:- EX57/2026 - 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 28/04/2026.

The due date on this declaration is the 25/05/2026.



---

**Staff Officer  
Planning Development & Environment**

## Nicola Fleming

---

**From:** Nicola Fleming  
**Sent:** Tuesday 5 May 2026 11:25  
**To:** 'Johnny Roberts'  
**Subject:** RE: Section 5 Application; Cottage at Liscolman

A Chara,

I wish acknowledge receipt of Section 5 application and to advise a decision is due 25/05/2026.

Is mise, le meas

*Nicola Fleming*

Oifigeach Foirne - Staff Officer

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

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

Ph☎: +353 (0404) 20148 |

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



Comhairle Chontae Chill Mhantáin  
Wicklow County Council

**From:** Johnny Roberts <jonathanrobertsarchitects@gmail.com>  
**Sent:** Tuesday 28 April 2026 13:32  
**To:** Planning - Planning and Development Secretariat <plandev@wicklowcoco.ie>  
**Subject:** Section 5 Application; Cottage at Liscolman

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

---

**External Sender - From: ("Johnny Roberts"**  
**<jonathanrobertsarchitects@gmail.com>)**  
This message came from outside your organisation.

[Learn More](#)

*CAUTION This email originated from outside Wicklow County Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.*

Hi there,

Please find attached completed section 5 application form for property at Liscolman, Tullow, Co. Wicklow, R93 X085; alongside OS Map & General Arrangement Drawings. The application relates to the removal of 2no. chimneys and an existing porch canopy.

Please contact me by phone for payment or send a payment link for the prescribed fee of €80.

Kind regards,

Johnny

*MRIAI, DipArch, MArch, BArchSc, PSDP, Cert IOSH*



mob: +353 86 229 6427

web: [jarchitecture.ie](http://jarchitecture.ie)

insta: [jarchitecture](https://www.instagram.com/jarchitecture)

This e-mail is for the use of the intended recipient(s) only. If you have received this e-mail in error, please notify the sender immediately and then delete the e-mail. The e-mail and any files transmitted with it are confidential and intended solely for the use of the individual or entity to which they are addressed. Any review, re-transmission, dissemination or other use of or taking of any action in reliance upon this information by person or entities other than the intended recipient is prohibited. E-mail is susceptible to interference. We have taken precautions to minimize the risk of transmitting software viruses, but we advise you to carry out your own virus checks on any attachment to this message. We cannot accept liability for any loss or damage caused by software viruses. Any figures quoted in this message are subject to verification. E. & O.E

## Nicola Fleming

---

**From:** Siobhan O'Brien  
**Sent:** Tuesday 28 April 2026 14:56  
**To:** Nicola Fleming  
**Subject:** FW: Section 5 Application; Cottage at Liscolman  
**Attachments:** 2623 - RevA - P100 - Section 5 GAs Drawings.pdf; 2623 - Section 5 application\_2018.pdf; 2623 - OS Map.pdf

**From:** Johnny Roberts <jonathanrobertsarchitects@gmail.com>  
**Sent:** Tuesday 28 April 2026 13:32  
**To:** Planning - Planning and Development Secretariat <plandev@wicklowcoco.ie>  
**Subject:** Section 5 Application; Cottage at Liscolman

---

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

---

**External Sender - From: ("Johnny Roberts"**  
**<jonathanrobertsarchitects@gmail.com>)**  
This message came from outside your organisation.

[Learn More](#)

*CAUTION This email originated from outside Wicklow County Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.*

Hi there,

Please find attached completed section 5 application form for property at Liscolman, Tullow, Co. Wicklow, R93 X085; alongside OS Map & General Arrangement Drawings. The application relates to the removal of 2no. chimneys and an existing porch canopy.

Please contact me by phone for payment or send a payment link for the prescribed fee of €80.

Kind regards,

Johnny

*MRIAI, DipArch, MArch, BArchSc, PSDP, Cert IOSH*



mob: +353 86 229 6427  
web: [jraichitecture.ie](http://jraichitecture.ie)

insta: jr\_architecture\_

This e-mail is for the use of the intended recipient(s) only. If you have received this e-mail in error, please notify the sender immediately and then delete the e-mail. The e-mail and any files transmitted with it are confidential and intended solely for the use of the individual or entity to which they are addressed. Any review, re-transmission, dissemination or other use of or taking of any action in reliance upon this information by person or entities other than the intended recipient is prohibited. E-mail is susceptible to interference. We have taken precautions to minimize the risk of transmitting software viruses, but we advise you to carry out your own virus checks on any attachment to this message. We cannot accept liability for any loss or damage caused by software viruses. Any figures quoted in this message are subject to verification. E. & O.E

Wick County Council  
Courthouse Buildings  
Wicklow  
0404-20100

29/04/2026 09:13:35

Receipt No L1/0/3627-48

Johnathan Roberts  
331 Redford Park  
Greystones  
Co Wicklow  
A63 Y977

PLANNING APPLICATION FEES	80.00
GOODS	80.00
VAT Exempt/Non vatable	

Total 80.00 EUR

Tendered  
Credit Card 80.00  
Lis Colman Tullow Co Wicklow

Change 0.00

Issued By VANESSA PORTER  
From Customer Service Hub  
Vat reg No 0015233H



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

**Office Use Only**

Date Received

Fee Received

**RECEIVED** 28 APR 2026

**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: Edyta Sciobor  
Address of applicant: 128 Crosneen Manor, Leighlin Road, Carlow, R93A9C5

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

**2. Agents Details**

- (b) Name of Agent (where applicable) Jonathan Roberts Architects  
Address of Agent : 331 Redford Park, Greystones, Wicklow, A63y977

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

**3. Declaration Details**

- i. Location of Development subject of Declaration : Liscolman, Tullow, Co. Wicklow, R93 X085

- ii. Are you the owner and/or occupier of these lands at the location under i. above ?  
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, on payment of the prescribed fee, request in writing from the relevant planning authority a declaration on that question. You should therefore set out the query for which you seek the Section 5 Declaration ;

The removal of 2no. existing chimney stacks & removal of existing entrance porch canopy to existing single story rural cottage. Proposed roof tiling, in place of removed chimneys, to match existing finishes.

*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:

Planning & Development Act, 200 – 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;

Exempted Development: Article 6, Part 1, SCHEDULE 2, Class 2 - The provision, as part of a central heating system of a house, of a chimney, boiler house or oil storage tank.

CLASS 50 (a) The demolition of a building or other structure, other than (i) a habitable house, (ii) a building which forms part of a terrace of buildings, or (iii) a building which abuts on another building in separate ownership. (b) The demolition of part of a habitable house in connection with the provision of an extension or porch in accordance with class 1 or 7, respectively, of this Part of this Schedule or in accordance with a permission for an extension or porch under the Act.

The building is located in a rural area, is not listed as a protected structure and is not located in an architectural conservation area (ACA).

*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; Ground floor plan, Roof Plan, Elevations , Site Plan, Aerial Photograph
- viii. Fee of € 80 Attached ? YES

Signed :



Dated : 28.04.2026

**Additional Notes :**

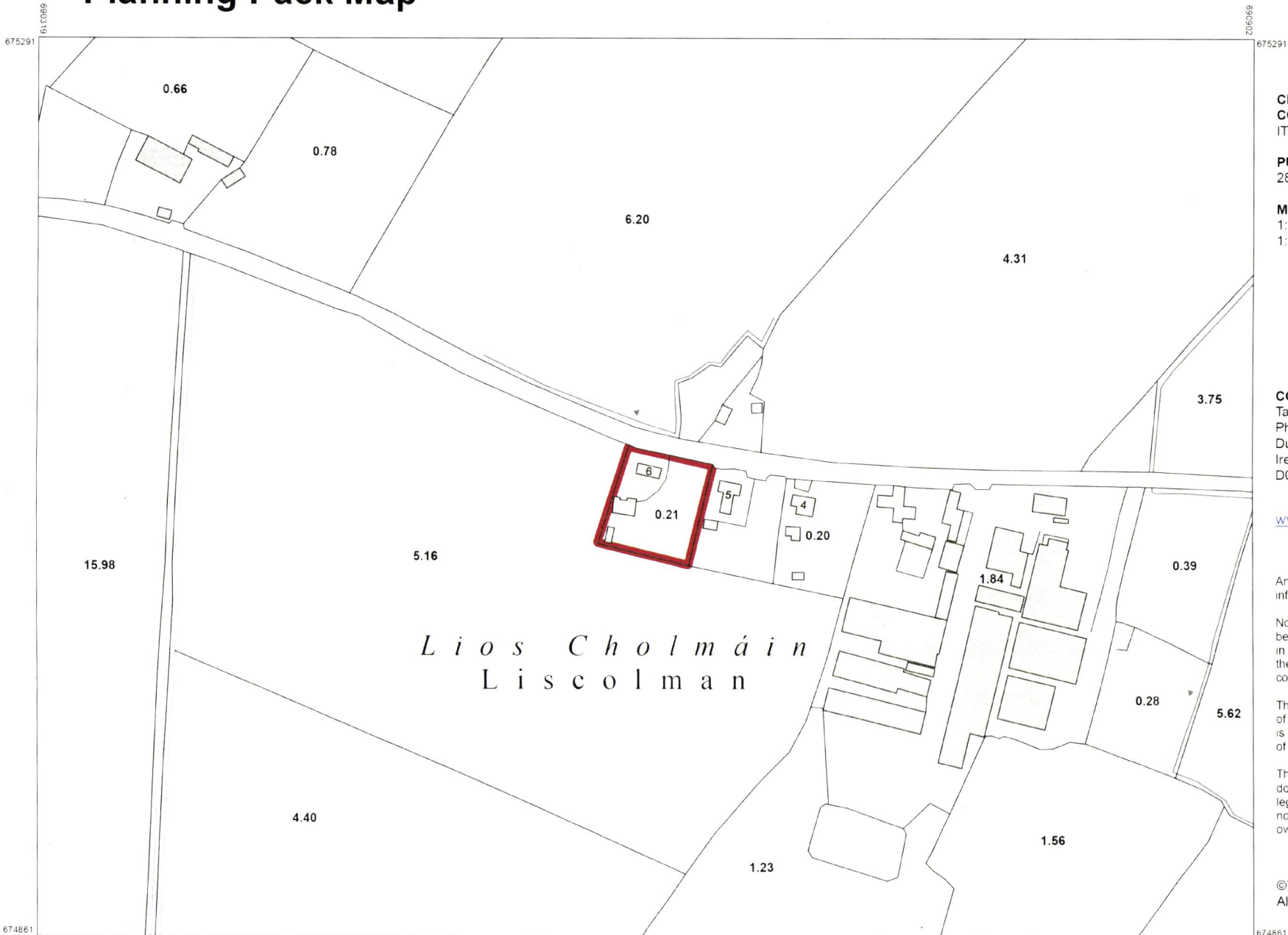
As a guide the minimum information requirements for the most common types of referrals under Section 5 are listed below :

- 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.

# Planning Pack Map



**Tailte Éireann**



**CENTRE COORDINATES:**  
ITM 690611,675076

**PUBLISHED:** 28/04/2026  
**ORDER NO.:** 50532599\_1

**MAP SERIES:** 1:5,000  
**MAP SHEETS:** 4361, 4419

**COMPILED AND PUBLISHED BY:**  
Tailte Éireann,  
Phoenix Park,  
Dublin 8,  
Ireland.  
D08F6E4

[www.tailte.ie](http://www.tailte.ie)

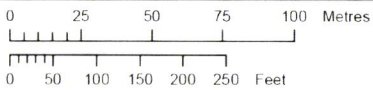
Any unauthorised reproduction infringes Tailte Éireann copyright.

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 owner.

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

This topographic map does not show legal property boundaries, nor does it show ownership of physical features.

©Tailte Éireann, 2026.  
All rights reserved.

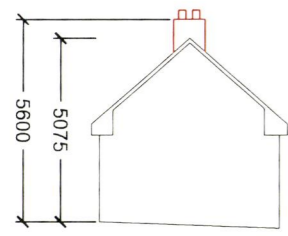


**OUTPUT SCALE: 1:2,500**

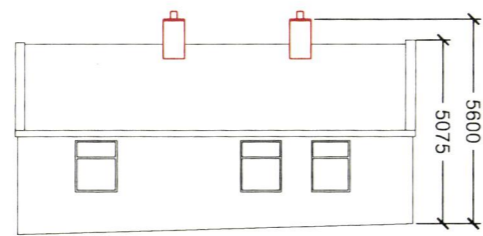
**CAPTURE RESOLUTION:**  
The map objects are only accurate to the resolution at which they were captured. Output scale is not indicative of data capture scale. Further information is available at [www.tailte.ie](http://www.tailte.ie) search 'Capture Resolution'

**LEGEND:**  
To view the legend visit [www.tailte.ie](http://www.tailte.ie) and search for 'Large Scale Legend'

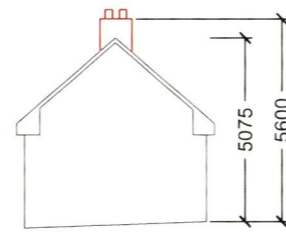




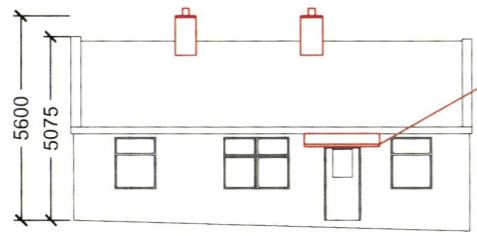
SIDE ELEVATION  
1:200 @ A3



REAR ELEVATION  
1:200 @ A3

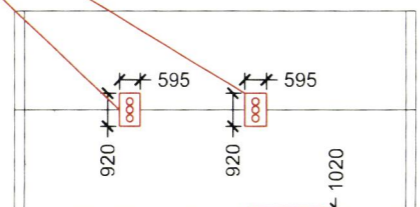


SIDE ELEVATION  
1:200 @ A3

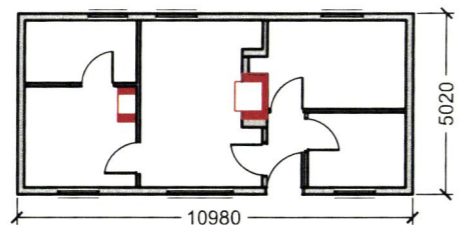


FRONT ELEVATION  
1:200 @ A3

Existing chimneys to be demolished



ROOF PLAN  
1:200 @ A3

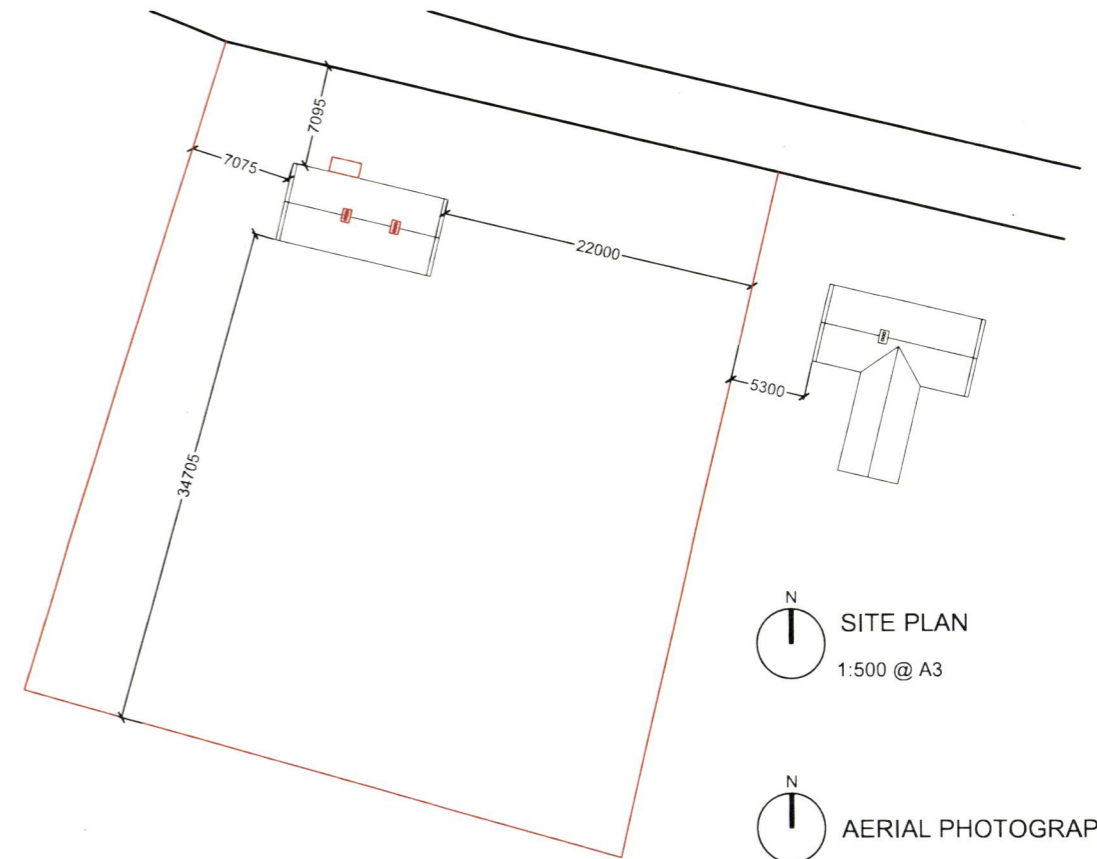


GROUND FLOOR PLAN  
1:200 @ A3

LEGEND  
Demolition

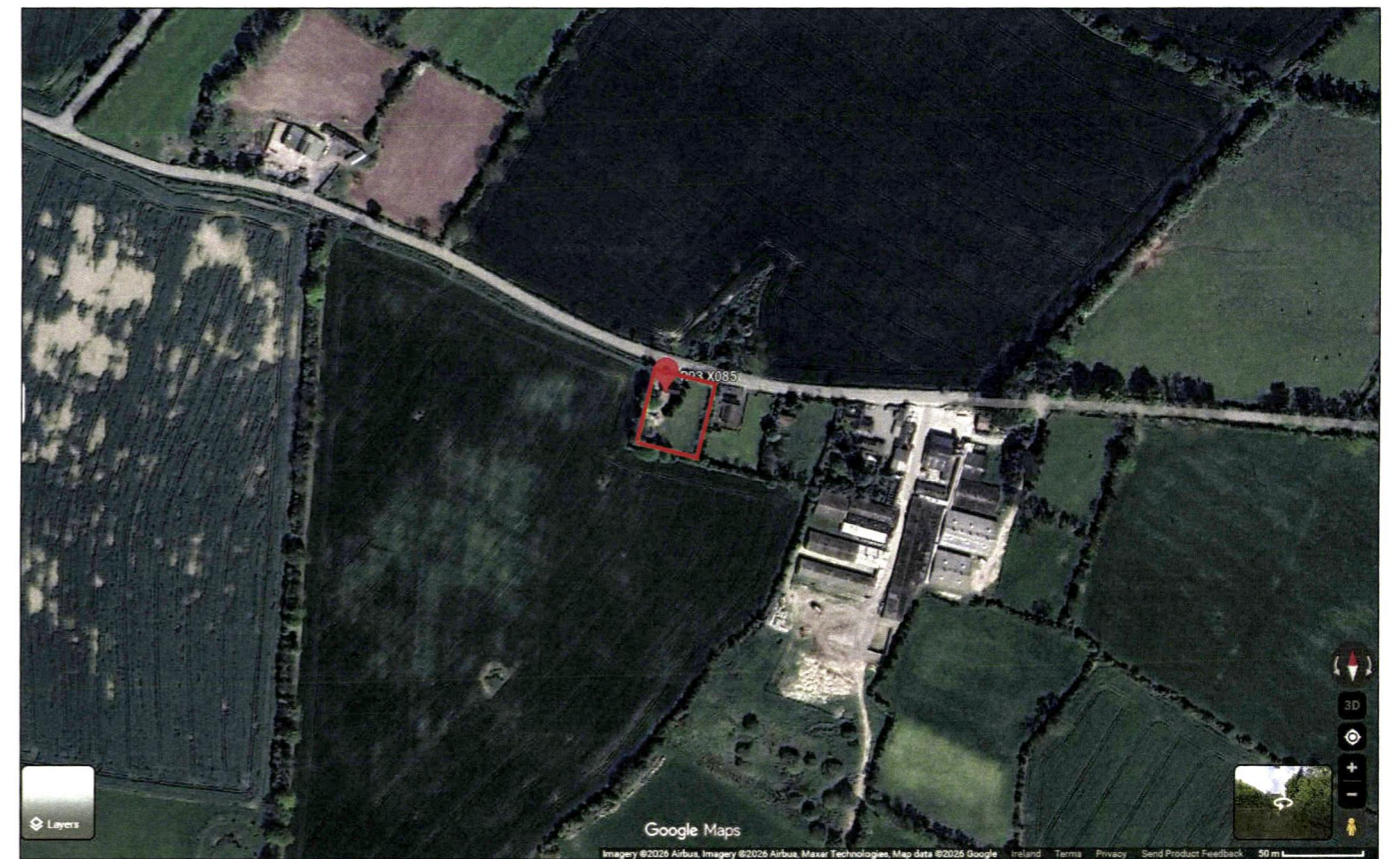


EXISTING PHOTOGRAPH



SITE PLAN  
1:500 @ A3

AERIAL PHOTOGRAPH



Do not scale. Figure dimensions only. Architect to be informed of any discrepancies.  
All drawings & specifications are issued solely for their stated issue purpose only. Drawings are not to be used for construction unless strictly issued for construction purposes

REV	DATE	DRN	DESCRIPTION
A	28.04.26	JR	Issue for Section 5 Application



Jonathan Roberts Architects

JOB TITLE:  
Cottage at Liscolman, Wicklow

CLIENT:  
Edyta Sciobor

DRAWINGS:  
General Arrangement Drawings

Scale: 1:200 @ A3  
Drawn: JR

Date: April 2026  
Checked: JR

Purpose of Issue: Section 5 Application

Job No:	Drawing No:	Revision:
2623	P100	A