



# Comhairle Contae Chill Mhantáin Wicklow County Council

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

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

John Adamson

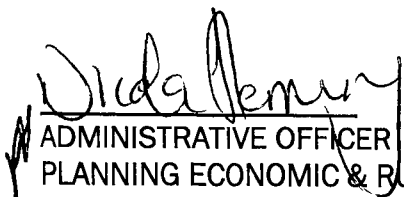
6<sup>th</sup> March 2024

RE: Declaration in accordance with Section 5 of the Planning & Development Acts 2000 (As Amended) – EX01/2024

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





# Comhairle Contae Chill Mhantáin Wicklow County Council

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

Applicant: John Adamson

Location: 194 Charlesland Wood, Greystones, Co. Wicklow A63 R762

CHIEF EXECUTIVE ORDER NO. CE/PERD/309/2024

A question has arisen as to whether “the use of 9sqm shed in the rear garden to make and sell leather goods online” at 194 Charlesland Wood, Greystones, Co. Wicklow A63 R762 is development and is or is not exempted development.

### Having regard to:


- The details submitted with this section 5 application (EX01/2024) on the 18<sup>th</sup> January 2024 and 15<sup>th</sup> February 2024; and
- Sections 2 and 3 of the Planning and Development Act 2000(as amended).

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

Based on the information submitted with this section 5 application (EX01/2024) on the 18<sup>th</sup> January 2024 and 15<sup>th</sup> February 2024 (which was used to determine that there would be no adverse planning implications as a result of the proposed use) it is considered that: The use of the shed in association with an online business to make leather goods, does not constitute a material change of use and therefore is not development.

The Planning Authority considers that “the use of 9sqm shed in the rear garden to make and sell leather goods online” at 194 Charlesland Wood, Greystones, Co. Wicklow A63 R762 is not development.

Signed:

  
ADMINISTRATIVE OFFICER  
PLANNING ECONOMIC & RURAL DEVELOPMENT

Dated  March 2024



WICKLOW COUNTY COUNCIL

PLANNING & DEVELOPMENT ACTS 2000 (As Amended)  
SECTION 5

CHIEF EXECUTIVE ORDER NO. CE/PERD/309/2024

Reference Number: EX01/2024

Name of Applicant: John Adamson

Nature of Application: Section 5 Referral as to whether or not "the use of 9sqm shed in the rear garden to make and sell leather goods online" is development and is or is not exempted development.

Location of Subject Site: 194 Charlesland Wood, Greystones, Co. Wicklow A63 R762

Report from Keara Kennedy, Executive Planner & Suzanne White SEP

With respect to the query under section 5 of the Planning & Development Act 2000 as to whether "the use of 9sqm shed in the rear garden to make and sell leather goods online" at 194 Charlesland Wood, Greystones, Co. Wicklow A63 R762 is development and is or is not exempted development within the meaning of the Planning & Development Acts 2000 (as amended).

Having regard to:

- The details submitted with this section 5 application (EX01/2024) on the 18<sup>th</sup> January 2024 and 15<sup>th</sup> February 2024; and
- Sections 2 and 3 of the Planning and Development Act 2000(as amended).

Main Reason with respect to Section 5 Declaration:

Based on the information submitted with this section 5 application (EX01/2024) on the 18<sup>th</sup> January 2024 and 15<sup>th</sup> February 2024 (which was used to determine that there would be no adverse planning implications as a result of the proposed use) it is considered that: The use of the shed in association with an online business to make leather goods, does not constitute a material change of use and therefore is not development.

Recommendation:

The Planning Authority considers that the use of 9sqm shed in the rear garden to make and sell leather goods online" at 194 Charlesland Wood, Greystones, Co. Wicklow A63 R762 is not development as recommended in the report by the SEP.

Signed: 

Dated 6<sup>th</sup> day of March 2024

ORDER:

I HEREBY DECLARE:

That "the use of 9sqm shed in the rear garden to make and sell leather goods online" at 194 Charlesland Wood, Greystones, Co. Wicklow A63 R762 is not development within the meaning of the Planning & Development Act 2000 (as amended).

Signed: 

Director of Services  
Planning, Economic & Rural Development

Dated 6<sup>th</sup> day of March 2024



**WICKLOW COUNTY COUNCIL**  
**Planning Department**

**Section 5 – Application for declaration of Exemption Certificate**

<b>Ref:</b>	<b>EX 01/2024</b>
<b>Name:</b>	<b>John Adamson</b>
<b>Development:</b>	<b>Home Business</b>
<b>Location:</b>	<b>194 Charlesland Wood, Greystones, Co. Wicklow. A63 R762</b>

See previous report dated the 7<sup>th</sup> February 2024; a request for the submission of further information issued on the 14<sup>th</sup> February 2024, and a response was received on the 15<sup>th</sup> February 2024.

**Further Information was sought as follows:**

In respect of your query under Section 5 of the Planning and Development Act 2000 (as amended), received on 18/01/2024 the following information should be submitted to fully assess the query i.e.

1. Further details in relation to how the leather goods will be manufactured,
2. Detail any machinery or tools used, the level of noise created from the tools and machinery and their frequency of use.

**Response:**

The applicant responded as follows:

**Question 1:**

My small leather goods will be made and stitched by hand which is my unique selling point. I will cut all leather by hand the traditional way and not with machines.

**Question 2:**

All tools I use are hand tools like stitching awls, leather knife, rotary band punches, stitching irons (hand tools to put stitching holes in leather before you start stitching). Steel rules for cutting, stitching needles (for hand use). Hand held die punch for setting clasps etc. (makes no noise as is not mechanical). Any punches I use to make holes in leather are done on a soft pvc punching matt to not damage tools and also has a secondary use for significantly reducing any noise. The proportion of use of the tools are minimal when making leather items and its all mostly done by hand so noise pollution is absolutely not an issue. All work is to be done on a 1meter high work bench and the surface will be covered with a 1 ¼ inch thick self healing cutting mat which also dampes any noise pollution.

**ASSESSMENT**

From the further information received, it can be determined that the proposed home business will not result in any impacts to adversely impact on neighbouring properties, considering that the business should not generate any noise and there will also be no customers visiting the property.

Therefore it is considered that the proposed change of use would not constitute a material change of use and therefore is not development.

A handwritten signature in black ink, consisting of a stylized 'A' followed by a flourish.

## RECOMMENDATION

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

The use of a 9sq.m shed in the rear garden for an online business to make and sell leather goods online constitutes a material change of use, for which planning permission is required

### The Planning Authority considers that:

The use of the shed for use in association with the online business does not constitute a material change of use.

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

- The details submitted with this section 5 application (EX01/2024) on the 18<sup>th</sup> January 2024 and 15<sup>th</sup> February 2024; and
- Sections 2 and 3 of the Planning and Development Act 2000(as amended).

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

- Based on the information submitted with this section 5 application (EX01/2024) on the 18<sup>th</sup> January 2024 and 15<sup>th</sup> February 2024 (which was used to determine that there would be no adverse planning implications as a result of the proposed use) it is considered that:

The use of the shed in association with an online business to make leather goods, does not constitute a material change of use and therefore is not development.

*Keara Kennedy*

Keara Kennedy  
Executive Planner  
19/02/2024

*Agreed  
8/White SP  
19/2/24*

*Noted  
J. Kearney  
6/3/24*

# **MEMORANDUM**

## **WICKLOW COUNTY COUNCIL**

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**TO: Keara Kennedy  
Executive Planner**

**FROM: Nicola Fleming  
Staff Officer**

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**RE:- Application for Certificate of Exemption under Section 5 of the  
Planning and Development Acts 2000 (as amended).  
EX01/2024 – John Adamson – 194 Charlesland Wood,  
Greystones, Co. Wicklow**

I enclose herewith application for Section 5 Declaration received 18<sup>th</sup> January 2024 and further information received 15<sup>th</sup> February 2024.

The due date on this declaration is 6<sup>th</sup> March 2024.



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**Staff Officer  
Planning Development & Environment**

## Nicola Fleming

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**From:** Johnj Adamson  
**Sent:** Thursday 15 February 2024 11:39  
**To:** Nicola Fleming  
**Subject:** Re: Section 5 Application for John Adamson  
**Attachments:** 20240215\_113800.jpg

Hello Nicola,

I received your registered letter today.

Please see below the answers to your questions as requested.

Question 1 answer:

My small leather goods will be made and stitched by hand which is my unique selling point. I will cut all leather by hand the traditional way and not with machines.

Question 2 answer:

All tools I use are hand tools like stitching awls, leather knife, rotary band punches, stitching irons (hand tools to put stitching holes in leather before you start stitching). steel rules for cutting, stitching needles (for hand use). Hand held die punch for setting clasps etc ( makes no noise as is not mechanical). Any punches I use to make holes in leather are done on a Soft Pvc punching Matt to not damage tools and also has a secondary use for significant reducing any noise. The proportion of use of the tools are minimal when making leather items and it's all mostly done by hand so noise pollution is absolutely not an issue. All work is to be done on a 1 MTR high workbench and the surface will be covered with a 1/4 inch thick self healing cutting Matt which also dampens any noise pollution.

I hope this answers your question,

Kind regards

John Adamson

On Thu 18 Jan 2024, 09:47 Nicola Fleming, <[NFleming@wicklowcoco.ie](mailto:NFleming@wicklowcoco.ie)> wrote:

John you will have a reply within 4 weeks that will either be a refusal grant and a further information request.

**From:** Johnj Adamsor  
**Sent:** Thursday 18 January 2024 09:44  
**To:** Nicola Fleming  
**Subject:** Re: Section 5 Application for John Adamson

Good morning Nicola,



I will ring this morning and pay the fee. Once I do that how long does the process take?

Kind regards

John

On Thu 18 Jan 2024, 09:10 Nicola Fleming, <[NFleming@wicklowcoco.ie](mailto:NFleming@wicklowcoco.ie)> wrote:

Ok so you wish to proceed with the application that is not problem.

You can call our customer care team on 0404-20100 and pay the fee over the phone.

Regards,

*Nicola Fleming*

Staff Officer

Planning Department

WICKLOW COUNTY COUNCIL, COUNTY BUILDINGS, WICKLOW TOWN, A67 FW96

Ph☎: +353 (0404) 20148 | ✉: [nfleming@wicklowcoco.ie](mailto:nfleming@wicklowcoco.ie)

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

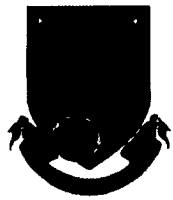
**From:** Johnj Adamson [<mailto:johnjadamson1@gmail.com>]

**Sent:** Wednesday 17 January 2024 17:11

**To:** Nicola Fleming

**Subject:** Re: Section 5 Application for John Adamson





# Comhairle Contae Chill Mhantáin Wicklow County Council

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Suíomh / Website: [www.wicklow.ie](http://www.wicklow.ie)

14<sup>th</sup> February 2024

John Adamson

**RE: Applicant for Certificate of Exemption under the Section 5 of the Planning & Development Act 2000 (as amended) EX 01/2024**

A Chara

In respect of your query under Section 5 of the Planning and Development Act 2000 (as amended), received on 18/01/2024 the following information should be submitted to fully assess the query i.e.

1. Further details in relation to how the leather goods will be manufactured
2. Details any machinery or tools used, the level of noise created from the tools and machinery and their frequency of use.

Mise, le meas

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





WICKLOW COUNTY COUNCIL  
Planning Department

Section 5 – Application for declaration of Exemption Certificate

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Ref:	EX 01/2024
Name:	John Adamson
Development:	Home Business
Location:	194 Charlesland Wood, Greystones, Co. Wicklow. A63 R762

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**Application Site**

The site comprises a terraced dwelling in the Charlesland Wood housing estate.

**Planning History**

None relating to the subject site

**Enforcement:** None found in relation to the application site.

**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 use of 9sq.m shed in the rear garden at 194 Charlesland Wood, Greystones to make and sell leather goods online.

**Legislative Context:**

**Planning and Development Act 2000 (as amended)**

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

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

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

'Works' includes,

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

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

A handwritten signature in blue ink, consisting of a stylized 'A' followed by a flourish.

**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.”*

**Section 4(1) (j):** *“Development consisting of the use of any structure or other land within the curtilage of a house for any purpose incidental to the enjoyment of the house as such”;*

**Case Law:**

An Bord Pleanála (ABP 311946-21) determined that the change of use of part of a residential dwelling house to use by a part-time beautician by appointment only was not development. In their decision, they had regard to the following:

- (a) sections 2(1), 3(1), and 4(1)(j) of the Planning and Development Act, 2000, as amended,
- (b) Part 4 of the Second Schedule to the Planning and Development Regulations, 2001, as amended,
- (c) the pattern of development in the area,
- (d) the scale, nature and layout of the house and integrated room used for the intermittent and limited provision of beauty treatment, the nature of the use carried on therein, including the sole operation by a single resident, absence of employees, absence of machinery or nuisance, the restricted and controlled access to the premises by visiting clients, and
- (e) the absence of signage at the property and any external works as observed by the Inspector during the site visit.

**Details of Current Proposal:**

The applicant John Adamson wishes to determine whether the use of a circa 9sq.m shed in his rear garden for the making of homemade leather goods to be sold online or at markets in the summer is exempt from requiring planning permission. No customers will be visiting the dwelling and there are no other employees. The business is being set up with the aid of INTREO and Bray Partnership.

**Assessment:**

The Section 5 declaration application seeks an answer with respect to the following question i.e. whether or not:

*‘The change of use of a shed in the rear garden to be used for selling leather goods online by the occupant of the dwelling only 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.

The applicant wishes to use a 9sq.m shed in the rear garden for the purpose of making and selling leather goods online. While the primary use of the main dwelling for residential purposes will be retained, it is considered that the use of part of a residential building for commercial purposes would constitute a change of use. In relation to whether or not the use is material, it is considered necessary to consider the planning implications of the use.

In accordance with the information submitted, there will be no staff other than the applicant himself and no customers will be visiting the property in relation to the business.

No details have been provided in relation to the manufacturing process of the leather goods and therefore the potential impact on the neighbouring properties cannot be fully determined. I recommend that the applicant be advised to submit further details in relation to how the leather goods are manufactured detailing any machinery or



tools used, their frequency of use and the level of noise created, to ensure that the business will not adversely impact on the amenity of neighbouring properties.

#### RECOMMENDATION

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

The use of 9sq.m shed in the rear garden for an online business to make and sell leather goods online, constitutes a material change of use, for which planning permission is required

**The Planning Authority considers that:**

There is insufficient information provided in the application to determine whether the proposed works will constitute a material change of use.

Therefore, I recommend that the applicant be advised to submit further details in relation to how the leather goods will be manufactured, detailing any machinery or tools used, the level of noise created from the tools and machinery and their frequency of use.

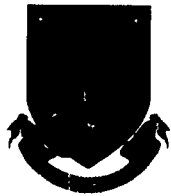
*Keara Kennedy*

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Keara Kennedy  
Executive Planner  
07/02/2024

*Agreed  
White SP  
14/2/24*

*R.  
6/3/24*



# Comhairle Contae Chill Mhantáin Wicklow County Council

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## MEMORANDUM

### WICKLOW COUNTY COUNCIL

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**TO: Keara Kennedy**  
**Executive Planner**

**FROM: Nicola Fleming**  
**Staff Officer**

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**RE:- Application for Certificate of Exemption under Section 5 of the  
Planning and Development Acts 2000 (as amended).  
EX01/2024 – John Adamson – 194 Charlesland Wood,  
Greystones, Co. Wicklow**

I enclose herewith application for Section 5 Declaration received 18<sup>th</sup> January 2024.

The due date on this declaration is 14<sup>th</sup> February 2024.

---

**Staff Officer**  
**Planning Development & Environment**





# Comhairle Contae Chill Mhantáin Wicklow County Council

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Suíomh / Website: [www.wicklow.ie](http://www.wicklow.ie)

18<sup>th</sup> January 2024

John Adamson

**RE: Application for Certificate of Exemption under Section 5 of the Planning and Development Acts 2000 (as amended). – EX01/2024**

A Chara

I wish to acknowledge receipt on 18/01/2024 details supplied by you in respect of the above Section 5 application. A decision is due in respect of this application by 14/02/2024.

Mise, le meas

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



## Nicola Fleming

---

**From:** Johnj Adamson <  
**Sent:** Wednesday 17 January 2024 17:11  
**To:** Nicola Fleming  
**Subject:** Re: Section 5 Application for John Adamson  
**Attachments:** image003.jpg; Screenshot\_20240117\_155608\_Maps.jpg; capture\_1\_8\_1\_1.png; monaco\_28\_1-ireland\_2\_1.jpg; monaco\_28\_5-ireland\_2\_1.jpg; monaco\_28\_4-ireland\_2\_1.jpg

Hello Nicola

Thank you for getting back to me.

I have attached pictures of the garden shed and also a map of my property.

I have outlined in yellow the boundary of the property (194 Charlesland Wood, greystones, A63R762) and also I have highlighted in red the location of the shed which is at the end of the garden.

The shed is a wooden structure as indicated in the pictures.

I hope this is what you require.

I can pay via visa card for the 80 euro fee if you wish.

I look forward to hearing from you.

On Wed 17 Jan 2024, 15:30 Nicola Fleming, <[NFleming@wicklowcoco.ie](mailto:NFleming@wicklowcoco.ie)> wrote:

Hi John,

There is no exemption to start a commercial business from your home. I have attached a copy of our leaflet from our website as an ease of reference.

If you still wish to proceed with you application please forward a site location map and drawings of the structure you wish to work from. Also a fee of €80 is required.

Regards,

Nicola Fleming

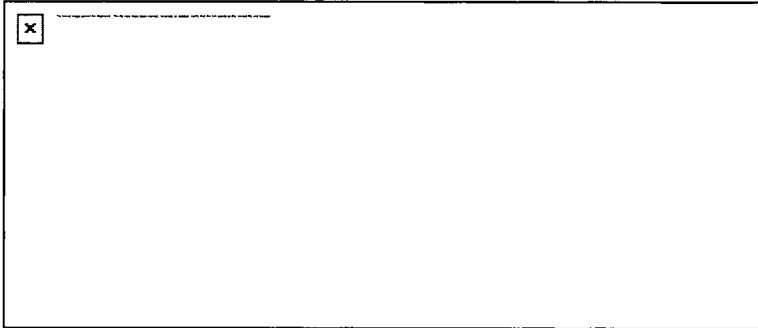
Staff Officer

Planning Department

WICKLOW COUNTY COUNCIL, COUNTY BUILDINGS, WICKLOW TOWN, A67 FW96

Ph ☎: +353 (0404) 20148 | ✉: [nfleming@wicklowcoco.ie](mailto:nfleming@wicklowcoco.ie)

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



[Planning-Leaflet-10-A-Guide-to-Planning-for-the-Business-Person.pdf \(wicklow.ie\)](#)

**From:** Johnj Adamson [  
**Sent:** Tuesday 16 January 2024 15:30  
**To:** Wicklow CoCo Customer Service  
**Subject:** Section 5 Application for John Adamson

To whom it may concern,

I was talking with one of your colleagues this morning who asked I send on this form to you.

I am looking to see if I am exempt from planning permission to setup a micro online business from my home.



I am currently unemployed but looking to setup a Homemade leather Goods micro business with the aid of INTREO and Bray Partnership. Before I start to get a business plan ready etc I was asked by Bray Partnership to contact you in relation to seeing if my idea is exempt from planning permission as it will be online.

I propose to work from my existing garden shed (3mtrs x 3Mtrs) and sell my goods online only and at local craft markets. No customers will be calling to my personal premises and everything will be sent out and returned to me via post only.

I have filled out (attached) the form as best I can but I am not sure if I have sufficient information for you.

If you have any questions please do not hesitate to contact me via phone or email.

I look forward to hearing from you.

Kind regards

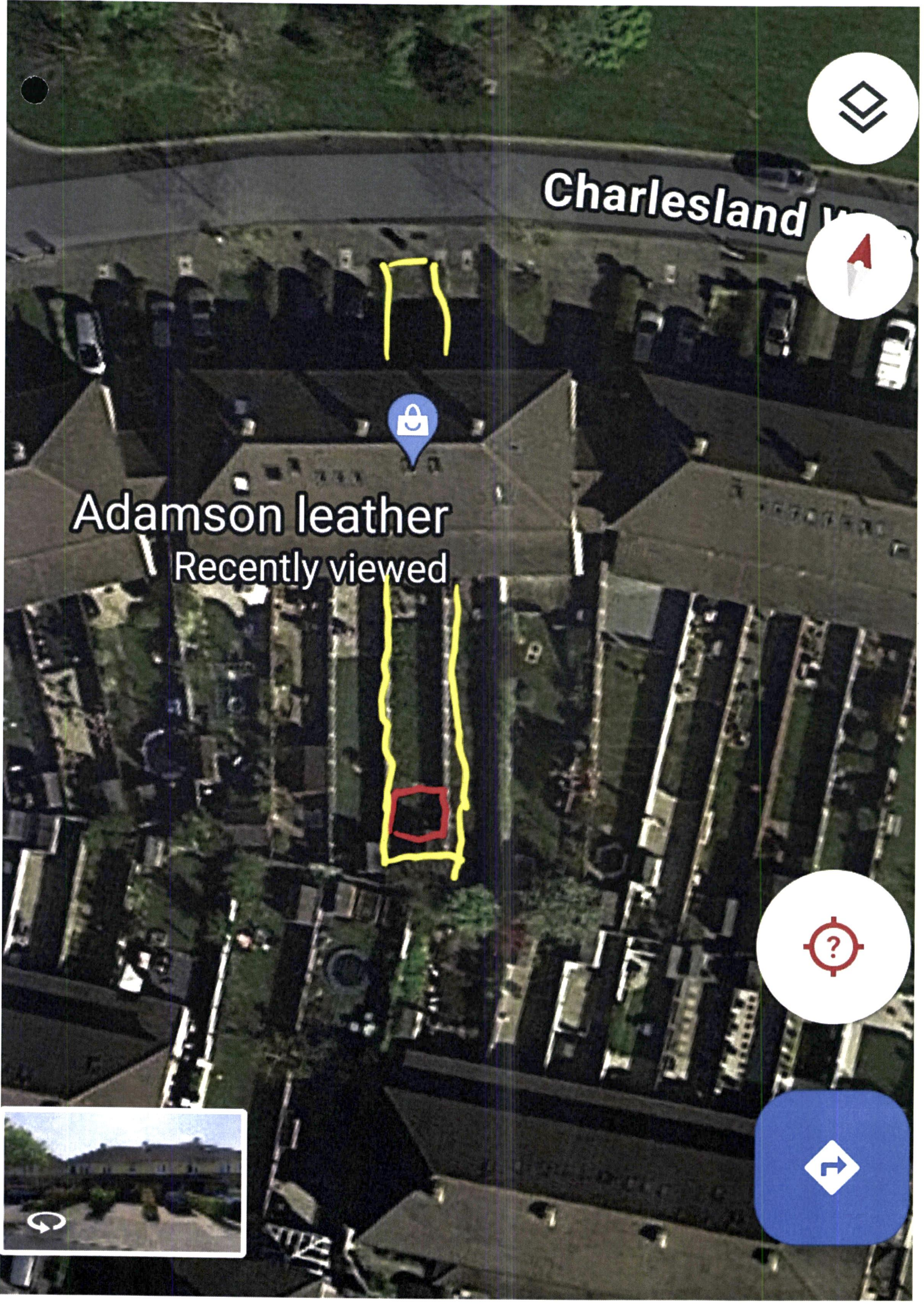
JohnnAdamson

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*John Adamson*





Charlesland W

Adamson leather  
Recently viewed





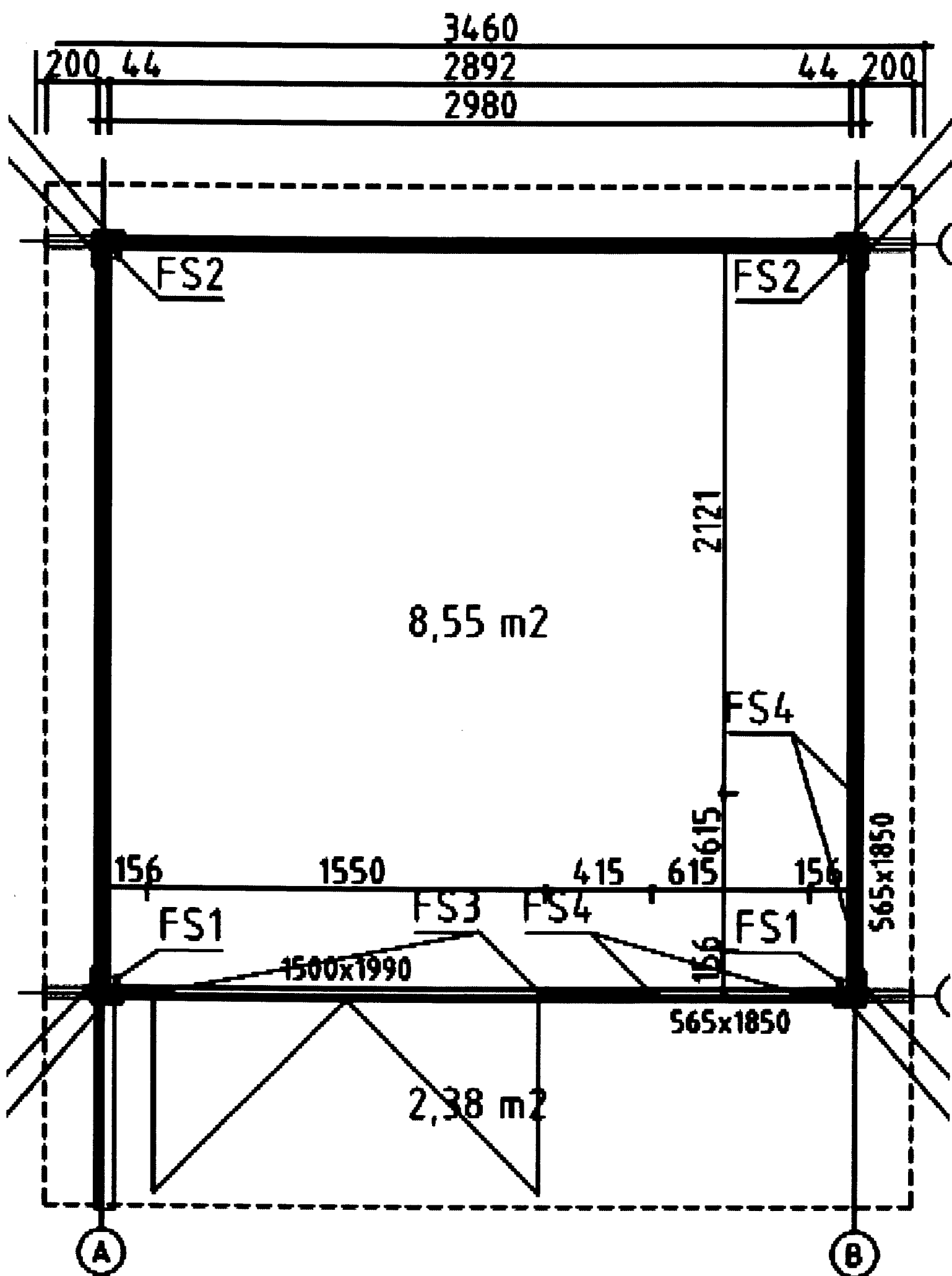












## Nicola Fleming

---

**From:** Nicola Fleming  
**Sent:** Wednesday 17 January 2024 15:26  
**To:**  
**Subject:** RE: Section 5 Application for John Adamson

Hi John,

There is no exemption to start a commercial business from your home. I have attached a copy of our leaflet from our website as an ease of reference.

If you still wish to proceed with you application please forward a site location map and drawings of the structure you wish to work from. Also a fee of €80 is required.

Regards,

*Nicola Fleming*

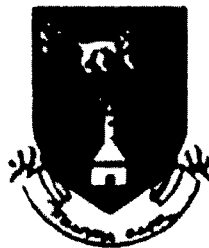
Staff Officer

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**From:** Johnj Adamson  
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To whom it may concern,

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I have filled out (attached) the form as best I can but I am not sure if I have sufficient information for you.

If you have any questions please do not hesitate to contact me via phone or email.

I look forward to hearing from you.

Kind regards

JohnnAdamson

--

*John Adamson*



Wicklow County Council  
County Buildings  
Wicklow  
0404-20100

18/01/2024 10:39:17

Receipt No L1/0/324036  
\*\*\*\*\* REPRINT \*\*\*\*\*

Mr John Adamson  
194 Charlesland Woods  
Greystones  
A63 R762  
Co Wicklow

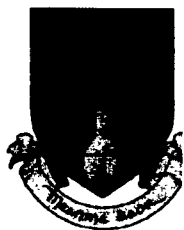
PLANNING APPLICATION FEES	80.00
GOODS	80.00
VAT Exempt/Non taxable	

Total	80.00 EUR
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Tendered	
Credit Card	80.00
As per Nicola Fleming	

Change	0.00
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Issued By Katie Finn  
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 16 JAN 2024

**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: \_\_\_\_\_ John Adamson \_\_\_\_\_

Address of applicant: \_\_\_\_\_  
\_\_\_\_\_

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

**2. Agents Details (Where Applicable)**

(b) Name of Agent (where applicable) \_\_\_\_\_ N/A \_\_\_\_\_

Address of Agent : \_\_\_\_\_ N/A \_\_\_\_\_  
\_\_\_\_\_

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

### **3. Declaration Details**

i. Location of Development subject of Declaration\_\_\_\_

In the shed at the bottom of of my garden. Garden Shed is an existing room measuring 3mtrs x 3mtrs. Garden is 21 mtrs in Length.

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

YES It is my self and my wife's house

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

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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 looking to Setup and online micro business to make and sell leather goods online only and at local markets during the summer months. I do not intend to sell from my premises directly. Any sales will be posted out to clients when ordered from my website (no customers will be coming to my premises).. Any other goods will be sold at local markets when I attend them. I will intend to work (alone) from my existing garden shed which is 3 mtrs x 3 mtrs in size. I am looking to see if I am exempt from planning permission from Wicklow Council before I setup my proposed micro business with the help of BRay Partnership (whom asked that I seek this exemption request).

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*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 \_\_\_\_\_

\_\_\_\_\_ I am unsure how to answer this question as I don't understand it. \_\_\_\_\_

\_\_\_\_\_  
*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 it does not

- vii. List of Plans, Drawings submitted with this Declaration Application \_\_\_\_\_

- viii. Fee of € 80 Attached ? No

Signed : John Adamson Dated : 16-1-2024

**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.