



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@wicklowcoc
Suíomh / Website: www.wicklow.ie

Michael Dowling

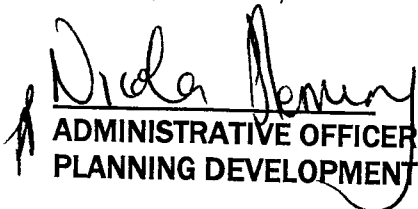
15th September 2023

**RE: Declaration in accordance with Section 5 of the Planning & Development Acts
2000 (As Amended) – EX42/2023**

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 DEVELOPMENT & ENVIRONMENT.

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

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





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

Applicant: Michael Dowling

Location: Glenmalure Lodge, Glenmalure, Rathdrum, Co. Wicklow

CHIEF EXECUTIVE ORDER NO. CE/PDE/1607/2023

A question has arisen as to whether "Biomass boiler in agricultural shed" at Glenmalure Lodge, Glenmalure, Rathdrum, Co. Wicklow is or is not exempted development.

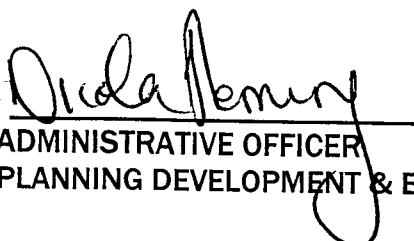
Having regard to:

- a) The details submitted with the Section 5 Declaration and further information received on the 22nd August 2023, and the 25th August 2023
- b) Sections 2, 3 and 4 of the Planning and Development Act 2000 (as amended)
- c) Article 6, 9 and Schedule 2 : Part 1 : Class 56(i) of the Planning and Development Regulations 2001 (as amended).

Main Reasons with respect to Section 5 Declaration:

- The housing of a biomass boiler in an agricultural shed involves works and would therefore constitute development having regard to the provisions of Section 3 of the Planning and Development Act 2000(as amended).
- The provision of a biomass boiler for Glenmalure Lodge business would come within the exemption provisions of Class 56(i): Part 1 : Schedule 2 of the Planning and Development Regulations 2001(as amended).

The Planning Authority considers that "Biomass boiler in agricultural shed" at Glenmalure Lodge, Glenmalure, Rathdrum, Co. Wicklow is development and is exempted development.

Signed: 
ADMINISTRATIVE OFFICER
PLANNING DEVELOPMENT & ENVIRONMENT

Dated 3rd September 2023



WICKLOW COUNTY COUNCIL

PLANNING & DEVELOPMENT ACTS 2000 (As Amended)
SECTION 5

CHIEF EXECUTIVE ORDER NO. CE/PDE/1607/2023

Reference Number: EX 42/2023
Name of Applicant: Michael Dowling
Nature of Application: Section 5 Referral as to whether "Biomass boiler in agricultural shed" is or is not exempted development
Location of Subject Site: Glenmalure Lodge, Glenmalure, Rathdrum, Co. Wicklow

Report from Andrew Spencer, AP & Edel Bermingham, SEP

With respect to the query under Section 5 of the Planning & Development Act 2000 as to whether "Biomass boiler in agricultural shed" at Glenmalure Lodge, Glenmalure, Rathdrum, 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 and further information received on the 22nd August 2023, and the 25th August 2023
- b) Sections 2, 3 and 4 of the Planning and Development Act 2000 (as amended)
- c) Article 6, 9 and Schedule 2 : Part 1 : Class 56(i) of the Planning and Development Regulations 2001 (as amended).

Main Reason with respect to Section 5 Declaration:

- The housing of a biomass boiler in an agricultural shed involves works and would therefore constitute development having regard to the provisions of Section 3 of the Planning and Development Act 2000(as amended).
- The provision of a biomass boiler for Glenmalure Lodge business would come within the exemption provisions of Class 56(i): Part 1 : Schedule 2 of the Planning and Development Regulations 2001(as amended).

Recommendation

The Planning Authority considers that "Biomass boiler in agricultural shed" at Glenmalure Lodge, Glenmalure, Rathdrum, Co. Wicklow is development and is exempted development as recommended in the report by the SEP.

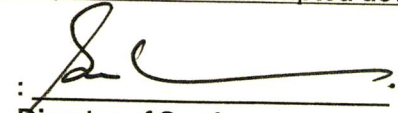
Signed  Dated 13th day of September 2023

ORDER:

I HEREBY DECLARE:

That "Biomass boiler in agricultural shed" at Glenmalure Lodge, Glenmalure, Rathdrum, Co. Wicklow is development and is exempted development

Signed


Director of Services
Planning Development & Environment

Dated 13th day of September 2023

Exemption Report Register Reference EX 42/2023.

Date : 6th September 2023.

See previous report dated the 19th July 2023, a request for further information issued on the 19th July 2023.

Assessment of Further Information :

The Planning Authority requires further information respecting the following items in order to properly assess the Section 5 application:

1. Please submit evidence that noise levels from the biomass boiler do not exceed 43db(A) during normal operation, as measured at the nearest party boundary.

Submission :

Letter from Woodco indicating that the biomass boiler is compliant with the requirements of EN 303-5 (Class 5) and is registered on the SEAI triple E register.

Assessment :

In light of confirmation that the unit is noise compliant the submission is acceptable.

2. Please confirm that the agricultural shed housing the biomass boiler is part of the Glenmalure Lodge business premises

Submission :

Agricultural shed is part of the Glenmalure Lodge business

Assessment :

Details noted and are acceptable.

In light of previous report and submitted details the Biomass boiler would be development and would be exempted development as it would come within the provisions of Class 56(i).

Recommendation :

With respect to the query under Section 5 of the Planning and Development Act 2000(as amended), as to whether the Biomass boiler in agricultural shed at Glenmalure Lodge, Glenmalure, Rathdrum, Co. Wicklow constitutes exempted development within the meaning of the Planning and Development Acts, 2000(as amended).

The Planning Authority consider that the Biomass Boiler in an agricultural shed at Glenmalure Lodge, Glenmalure , **is development and is exempted development.**

Main Considerations with respect to Section 5 Declaration :

- a) The details submitted with the Section 5 Declaration and further information received on the 22nd August 2023, and the 25th August 2023

- b) Sections 2, 3 and 4 of the Planning and Development Act 2000 (as amended)
- c) Article 6, 9 and Schedule 2 : Part 1 : Class 56(i) of the Planning and Development Regulations 2001 (as amended).

Main Reasons with respect to Section 5 Declaration :

- The housing of a biomass boiler in an agricultural shed involves works and would therefore constitute development having regard to the provisions of Section 3 of the Planning and Development Act 2000(as amended).
- The provision of a biomass boiler for Glenmalure Lodge business would come within the exemption provisions of Class 56(i): Part 1 : Schedule 2 of the Planning and Development Regulations 2001(as amended).

Seán Donoghue SEP.

6/9/2023

*Agreed
by
DOS.
13/9/23.*



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MEMORANDUM

WICKLOW COUNTY COUNCIL

TO: Andrew Spencer
Assistant Planner

FROM: Nicola Fleming
Staff Officer

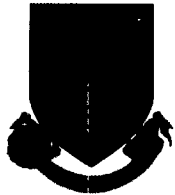
**RE:- Application for Certificate of Exemption under Section 5 of the
Planning and Development Acts 2000 (as amended).
Ex 42/2023 – Biomass boiler in agricultural shed**

I enclose herewith Further Information for your attention in relation to application for Section 5 Declaration received on 25th August 2023

The due date on this declaration is 14th September 2023.

Staff Officer
Planning Development & Environment





Comhairle Contae Chill Mhantáin
Wicklow County Council

Forbairt Pleanála agus Comhshaol
Planning Development and Environment

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30th August 2023

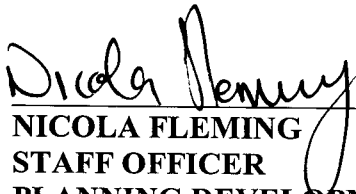
Michael Dowling

RE: Application for Certificate of Exemption under Section 5 of the Planning and Development Acts 2000 (as amended). Ex 42/2023
Biomass boiler in an agricultural shed owned by Glenmalure Lodge

A Chara

I wish to acknowledge receipt of Further Information on 25/08/2023 in respect of the above Section 5 application. A decision is due in respect of this application by 14/09/2023.

Mise, le meas



NICOLA FLEMING
STAFF OFFICER
PLANNING DEVELOPMENT AND ENVIRONMENT

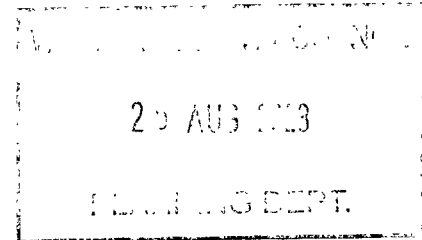




The Glenmalure Lodge, Rathdrum, Co. Wicklow, Ireland

24TH August, 2023

The County Secretary,
Wicklow County Council,
Planning Development & Environment Dept.,
County Buildings,
Wicklow,
Co. Wicklow.



RE: EX 42/2023

Application for Certificate of Exemption under Section 5 of the Planning & Development Acts
2000 (as amended)

Biomass boiler in an agricultural shed owned by Glenmalure Lodge

Dear Nicola,

With reference to your letter to us dated 19/07/2023, and in relation to Item 1 of the letter, please find attached letter from John Frister, Design Engineer with Woodco Renewable Energy Ltd, as evidence to the noise levels from the Biomass Boiler.

I hope all is in order and look forward to hearing from you in relation to this application.

Kind Regards,

PP Bernie Dowling

Michael Dowling

Director





Woodco Renewable Energy Ltd.
Donaskeigh, Tipperary,
Co. Tipperary,
Ireland, E34 RX89
t: +353 62 74007

Date: 23/08/2023

To whom it may concern,

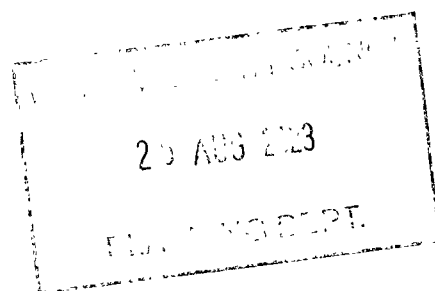
I, John Frister, hereby declare that the biomass boiler in question namely, Woodco E-Compact Twist 100kW, installed at Glenmalure Lodge, Carriglinneen, Glenmalure, Co. Wicklow A67 WF65 is fully compliant with all stipulations (including noise levels) of EN 303-5 (Class 5), Ecodesign, and is registered on the SEAI's triple E register.

Sincerely,

A handwritten signature in black ink, appearing to be "John Frister", written over a horizontal line.

John Frister

Design Engineer for and on behalf of Woodco





The Glenmalure Lodge, Rathdrum, Co. Wicklow, Ireland

16TH August, 2023

The County Secretary,
Wicklow County Council,
Planning Development & Environment Dept.,
County Buildings,
Wicklow,
Co. Wicklow.

WICKLOW COUNTY COUNCIL

22 AUG 2023

PLANNING DEPT.

RE: EX 42/2023

Application for Certificate of Exemption under Section 5 of the Planning & Development Acts
2000 (as amended)

Biomass boiler in an agricultural shed owned by Glenmalure Lodge

Dear Nicola,

With reference to your letter to us dated 19/07/2023, and in relation to Item 2 of the letter, please find attached letter from our Solicitors confirming that the agricultural shed housing the biomass boiler is part of the Glenmalure Lodge business premises.

We will forward on the requested information in relation to part 1 of your letter in due course.

Kind Regards,

Michael Dowling

Director

WICKLOW COUNTY COUNCIL
CUSTOMER SERVICE

22 AUG 2023

GILLICK & ASSOCIATES SOLICITORS

(incorporating Karl M. Carney & Co. Solicitors)

Unit 8,
Riverside Business Centre,
Tinahely,
Co. Wicklow.
Tinahely: Ph: (0402) 28759
Rathdrum: Ph: (0404) 46336
Email: Info@gillicksolicitors.com

OUR REF: KC/D0A/004/001

YOUR REF

11/8/2023

The County Secretary,
Wicklow County Council,
Planning Development & Environment Dept.,
County Buildings,
Wicklow,
Co. Wicklow.

RE: EX42/2023

APPLICATION FOR CERTIFICATE OF EXEMPTION UNDER SECTION 5 OF THE
PLANNING & DEVELOPMENT ACTS 2005 (AS AMENDED)
BIOMASS BOILER IN AN AGRICULTURAL SHED OWNED BY GLENMALURE LODGE
OUR CLIENT – MICHAEL DOWLING, GLENMALURE LODGE, GLENMALURE,
RATHDRUM, CO. WICKLOW.

Dear Sirs

We confirm that we act for Michael Dowling in relation to the above application and refer to your letter of the 19/7/2023 to our Client.

We confirm that the agricultural shed housing the biomass boiler, the subject of the above application, forms part of The Glenamalure Lodge business premises.

Yours faithfully,



GILICK & ASSOCIATES

Gillick & Associates
Solicitors

Unit 8,
Riverside Business Centre.
Tinahely, Co. Wicklow

Principal: Lorraine Gillick
Consultant: Karl M. Carney
A67W602

Branch Office:
Rathdrum: 1, Avonlea, Main Street, Rathdrum, Co. Wicklow

VAT No: IE 7138527W



Comhairle Contae Chill Mhantáin Wicklow County Council

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19/07/2023

Michael Dowling

RE: EX 42/2023

Application for Certificate of Exemption under Section 5 of the Planning & Development Acts 2000 (as amended)
Biomass boiler in an agricultural shed owned by Glenmalure Lodge

A Chara

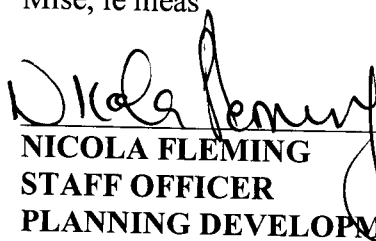
With respect the to the query under Section 5 of the Planning and Development Act 2000(as amended), as to whether

The placing of a Biomass boiler in the agricultural shed (180sqm) which is owned by the Glenmalure Lodge constitutes exempted development within the meaning of the Planning and Development Acts, 2000(as amended).

The Planning Authority requires further information respecting the following items in order to properly assess the Section 5 application:

1. Please submit evidence that noise levels from the biomass boiler do not exceed 43db(A) during normal operation, as measured at the nearest party boundary.
2. Please confirm that the agricultural shed housing the biomass boiler is part of the Glenmalure Lodge business premises.

Mise, le meas


NICOLA FLEMING
STAFF OFFICER
PLANNING DEVELOPMENT AND ENVIRONMENT





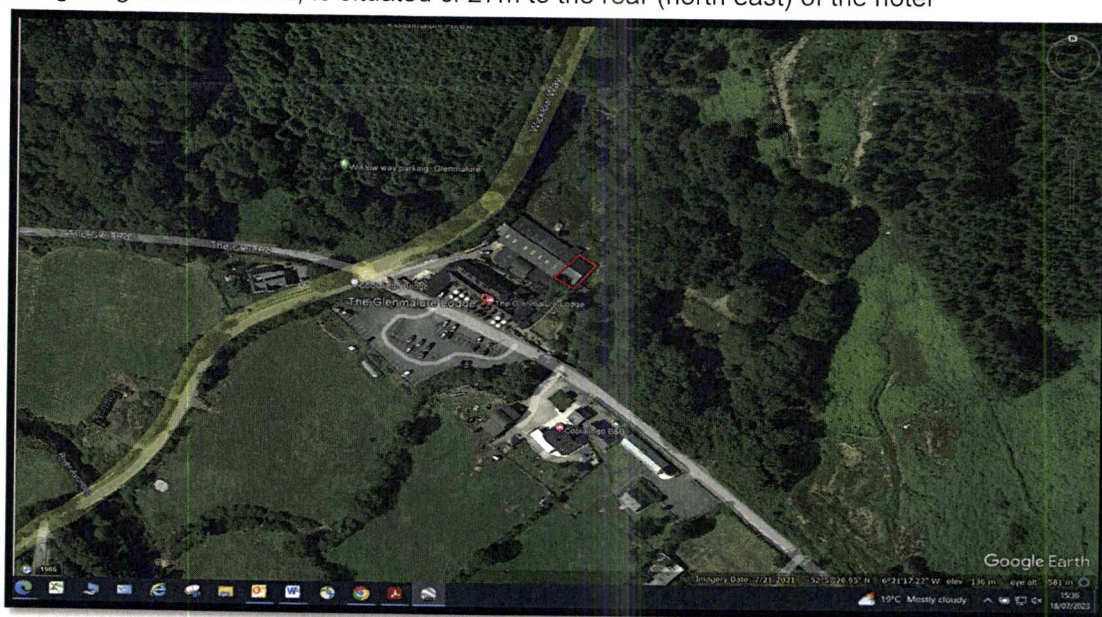
**WICKLOW COUNTY COUNCIL
PLANNING DEPARTMENT**

Section 5 – Application for declaration of Exemption Certificate

REF: EX 42/2023
NAME: MICHAEL DOWLING
DEVELOPMENT: BIOMASS BOILER IN AN AGRICULTURAL SHED OWNED BY GLENMALURE LODGE.
LOCATION: BALLYBOY CO. WICKLOW.

The Site:

The subject site which takes in, the Glenmalure Lodge Hotel is located along the Wicklow Way at the crossroads of Military Road and the Glenmalure road adjoining the Wicklow Mountains National Park. The building is an old attractive two storey dormer style inn with courtyard to front, farmyard to rear and car-park across the road set within the designated boundary of Glenmalure. The agricultural shed in question, which is an extension attached to a larger agricultural shed, is situated c. 27m to the rear (north east) of the hotel



Planning History (subject site):

18/149 – Patrick and Anne Dowling - Alterations and extensions incorporating alterations and extensions to ground floor lounge at rear (North East) including covered smoking area, and laundry, additional staff toilets, guest / staff accommodation suite to north west of building, retention of alterations to 2 no existing porches as previously granted under Planning Reg Ref 97/6453 and PRR 93/587 to front (south west) elevation to ensure current Building Regulations (part M) compliance, planning permission for proposed covered walkway and new porch at reception entrance, all together with miscellaneous internal alterations including all ancillary miscellaneous contingent works and site works associated with the completion / regularisation of works as granted under previous planning applications 01/4188, 97/6453 and 93/587 including revisions to existing car park layout, all together with associated site works – Granted.

01/4188 -Patrick Dowling - alteration & extensions to Glenmalure Hotel, incorporating one new bedroom & conversion of out building to provide two additional bedrooms, hotel stores

and craft display, day room extension & residents lounge, together with associated site works - granted

9716453 - Patrick Dowling - revisions to existing planning permission granted, reg. ref 93/587, & miscellaneous alterations to site works - granted

93/587 - Patrick Dowling - alterations & extension to Glenmalure Lodge Hotel including conversion of outbuilding to manager's residence - granted

Question:

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

- 1) Placing of a Biomass boiler in the agricultural shed (180sqm) which is owned by the Glenmalure Lodge.

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' include *"Any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal..."*

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

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—

(vi) interfere with the character of a landscape, or a view or prospect of special amenity value or special interest,

(viiB) comprise development in relation to which a planning authority or An Bord Pleanála is the competent authority in relation to appropriate assessment and the development would require an appropriate assessment because it would be likely to have a significant effect on the integrity of a European site,

Schedule 2 : Part 1

Part 1 (Classes 1-20) of Schedule 2 describes classes of development, general which are exempted development, provided that such development complies with the associated conditions and limitations.

CLASS 56 (i)

The provision as part of a heating system for an industrial building or light industrial building or business premises of a biomass boiler, including a boiler house, flues mounted on the boiler house, and over-ground fuel storage tank or structure.

1. The gross floor area of the boiler house shall not exceed 20 square metres.
2. The capacity of such a fuel storage tank or structure shall not exceed 75 cubic metres.
3. The height of a boiler house or such a fuel storage tank or structure shall not exceed 3 metres.
4. The height of a flue mounted on a biomass unit shall not exceed 16 metres, measured from ground level.
5. No more than 2 flues shall be erected.
6. Not more than one such structure shall be erected within the curtilage of the site.
7. The diameter of any flue shall not exceed 1 metre.
8. The boiler house shall not be located within:
 - (a) 10 metres of any public road.
 - (b) 100 metres of the nearest habitable house or residential building or school, hospital, church or building used for public assembly (other than the house or building of the person providing the structure), save with the consent in writing of the owner, and, as appropriate, the occupier or person in charge thereof.
9. Noise levels must not exceed 43db(A) during normal operation, as measured from the nearest party boundary.
10. The fuel shall not include products derived from animal wastes or from wood containing dangerous substances.

Assessment:

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

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

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

"works" 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.

I am satisfied that the housing of a biomass boiler in an agricultural shed of 180sqm involves works and therefore constitutes development.

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

The Planning and Development Act provides under Section 4 that the Minister may by regulations provide any class of development to be exempted development. To this end Part 1 Schedule 2 of the Planning and Development Regulations 2001 (as amended), provides for Exempted Development Classes with respect to General development. Class 56(i) is the relevant class in this instance.

Schedule 2, Pt.1 Class 56(i) checklist

The provision as part of a heating system for an industrial building or light industrial building or business premises of a biomass boiler, including a boiler house, flues mounted on the boiler house, and over-ground fuel storage tank or structure.	Biomass boiler, part of heating system.
1. The gross floor area of the boiler house shall not exceed 20 square metres.	N/a. Housing structure already exists.
2. The capacity of such a fuel storage tank or structure shall not exceed 75 cubic metres.	Yes
3. The height of a boiler house or such a fuel storage tank or structure shall not exceed 3 metres.	N/A. Housing structure existing.
4. The height of a flue mounted on a biomass unit shall not exceed 16 metres, measured from ground level.	Yes. Complies.
5. No more than 2 flues shall be erected.	Yes. 1 flue.
6. Not more than one such structure shall be erected within the curtilage of the site	N/A. Housing structure existing.
7. The diameter of any flue shall not exceed 1 metre.	Yes. L
8. The boiler house shall not be located within: (a) 10 metres of any public road. (b) 100 metres of the nearest habitable house or residential building or school, hospital, church or building used for public assembly (other than the house or building of the person providing the structure), save with the consent in writing of the owner, and, as appropriate, the occupier or person in charge thereof.	N/A. Boiler system installation only. Housing structure existing.
9. Noise levels must not exceed 43db(A) during normal operation, as measured from the nearest party boundary.	No information given. FI required.
10. The fuel shall not include products derived from animal wastes or from wood containing dangerous substances.	Yes. Complies.

Article 9 provides a number of restrictions to the exemptions set out under Schedule 2, and the relevant restrictions are examined below:

(vi) interfere with the character of a landscape, or a view or prospect of special amenity value or special interest,

Development is well screened, and does not interfere with the character of the area.

(viiB) comprise development in relation to which a planning authority or An Bord Pleanála is the competent authority in relation to appropriate assessment and the development would require an appropriate assessment because it would be likely to have a significant effect on the integrity of a European site.

The nearest Natura 2000 site is the Wicklow Mountains SAC, located c. 182m to the west of the subject site. Given the nature and scale of the existing activity on site it is unlikely the biomass boiler will give rise to any negative impacts on the Wicklow Mountains SAC or any other Natura 2000 site, and therefore the need for a Stage 2 Appropriate Assessment can be screened out.

Recommendation: Further Information

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


The placing of a Biomass boiler in the agricultural shed (180sqm) which is owned by the Glenmalur Lodge

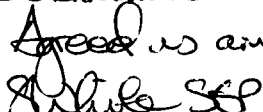
constitutes exempted development within the meaning of the Planning and Development Acts, 2000(as amended).

The Planning Authority requires further information respecting the following items in order to properly assess the Section 5 application:

1. Please submit evidence that noise levels from the biomass boiler do not exceed 43dB(A) during normal operation, as measured at the nearest party boundary.

2. Please confirm that the agricultural shed housing the biomass boiler is part of the Glenmalur Lodge business premises.


Andrew Spencer AP
19/7/2023

Agreed as amended.

19/7/23



Comhairle Contae Chill Mhantáin Wicklow County Council

Forbairt Pleanála agus Comhshaol
Planning Development and Environment
MEMORANDUM

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WICKLOW COUNTY COUNCIL

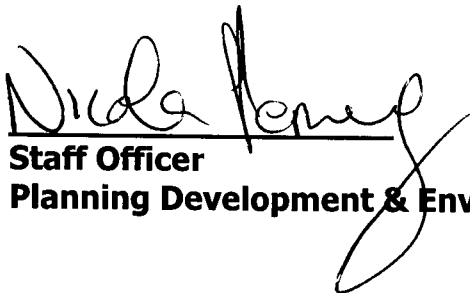
**TO: Andrew Spencer
Planner**

**FROM: Nicola Fleming
Staff Officer**

**RE:- Application for Certificate of Exemption under Section 5 of the Planning and Development Acts 2000 (as amended). Ex 42/2023
Biomass boiler in agricultural shed**

I enclose herewith for your attention application for Section 5 Declaration received 28th June 2023.

The due date on this declaration is the 25th July 2023


**Staff Officer
Planning Development & Environment**





Comhairle Contae Chill Mhantáin
Wicklow County Council

Forbairt Pleanála agus Comhshaol
Planning Development and Environment

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Suíomh / Website: www.wicklow.ie

5th July 2023

Michael Dowling

RE: Application for Certificate of Exemption under Section 5 of the Planning and Development Acts 2000 (as amended). Ex 42/2023
Biomass Boiler in agricultural shed

A Chara

I wish to acknowledge receipt on 28th June 2023 details supplied by you in respect of the above Section 5 application. A decision is due in respect of this application by 25th July 2023.

Mise, le meas

NICOLA FLEMING

STAFF OFFICER

PLANNING DEVELOPMENT AND ENVIRONMENT



Dear Mr Dowling,

Reference number: SSRH50091

Our records indicate that your biomass heating system at Glenmalure Lodge, Arklow, Co. Wicklow, was last inspected on the 24th of January 2022, and you or your nominated representative received a report outlining any reworks identified. Specifically in your case as follows.

Issue 1: Severity 1; Biomass Boiler house required planning permission or evidence of exemption.

Status: Awaiting Planning Permission or Exemption status from local Authority and any conditions resulting.

Resolution: Secure final grant of planning permission or section 5 declaration of exempted development

It is a requirement of participation in the SSRH that Severity 1 issues listed in the inspection report are resolved in advance of entering the payment cycle. However, SEAI recognise that the specific regulatory requirements can be complex and the processes to obtain approval from the relevant agency can be time consuming.

A small number of applicants may have, in good faith, completed the installation of the new heating system in advance of having the required regulatory requirements in place. For this small number of applicants who are working to resolve the issue with the relevant authority SEAI is prepared to progress the application onto the payment cycle (all other eligibility conditions listed as reworks being satisfied) and subject to ultimate successful resolution of the issue within one year.

SEAI will allow a period of 12 months from the date of receipt of this letter for you to resolve the issue with the relevant authority and to submit documentary evidence to SEAI.

If there has **not** been satisfactory* progress at the end of this 12-month period, SEAI will immediately cease payments and a refund of monies paid will be requested and pursued.

If you wish to proceed on this basis, please confirm by return email that you wish to enter the payment cycle and that you will resolve the issues without delay.

**The expectation is that the issue is resolved at the earliest possible date. In exceptional circumstances the applicant must, at a minimum, demonstrate satisfactory progress, which means that evidence has been provided to SEAI that the application has been submitted to the relevant authority including all appropriate documentation and answers to all queries or clarifications raised by the authority. With a decision from the authority awaited.*

Responsibility for regulatory compliance at all times rests with the applicant and payment from SEAI does not in any way alter the ongoing obligation of the applicant to ensure compliance with all regulatory requirements.

Kind regards,

SSRH Team

Wicklow County Council
County Buildings
Wicklow
0404-20100

28/06/2023 15:27:53

Receipt No L1/0/315242
***** REPRINT *****

MICHAEL DOWLING
GLENMALURE LODGE
RATHDRUM
CO WICKLOW

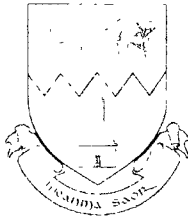
EXEMPTION CERTIFICATES	80.00
GOODS	80.00
VAT Exempt/Non-vatable	

Total	80.00 EUR
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Tendered	
Cash	80.00

Change	0.00
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Issued By Charlie Redmond
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 _____

**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: MICHAEL DOWLING

Address of applicant: _____

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

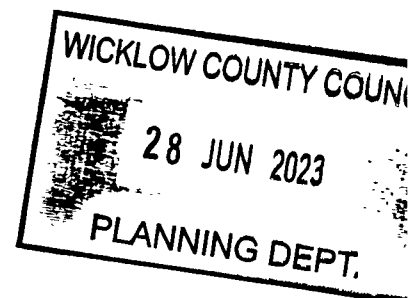
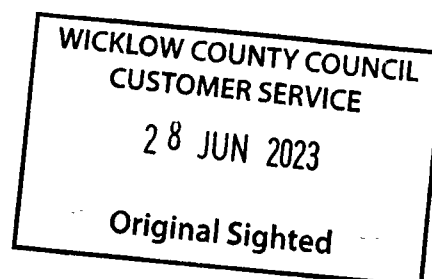
2. Agents Details (Where Applicable)

(b) Name of Agent (where applicable) _____

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 _____
GLENMAGUIRE, RATHFRY
CO. DUBLIN

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

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

iv. Section 5 of the Planning and Development Act provides that : If any question arises as to what, in any particular case, is or is not development and is or is not exempted development, within the meaning of this act, any person may, on payment of the prescribed fee, request in writing from the relevant planning authority a declaration on that question. You should therefore set out the query for which you seek the Section 5 Declaration _____
I HAVE PLACED A BIOMASS BOILER IN THE
AGRICULTURAL SHED WHICH IS OWNED BY THE
GLENMAGUIRE LODGE - WE ARE SEEKING EXEMPTION
STATUS FROM THE LOCAL AUTHORITY.

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 5.

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 _____

viii. Fee of € 80 Attached ? YES

Signed : M. Dowling Dated : 27-6-23

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

PLANNING APPLICATION DRAWINGS

FOR: ALTERATIONS AND EXTENSIONS TO
GLENMALURE LODGE HOTEL

AT: GLENMALURE, CO. WICKLOW

CLIENT: P. & A. DOWLING



DATE: DECEMBER 2017

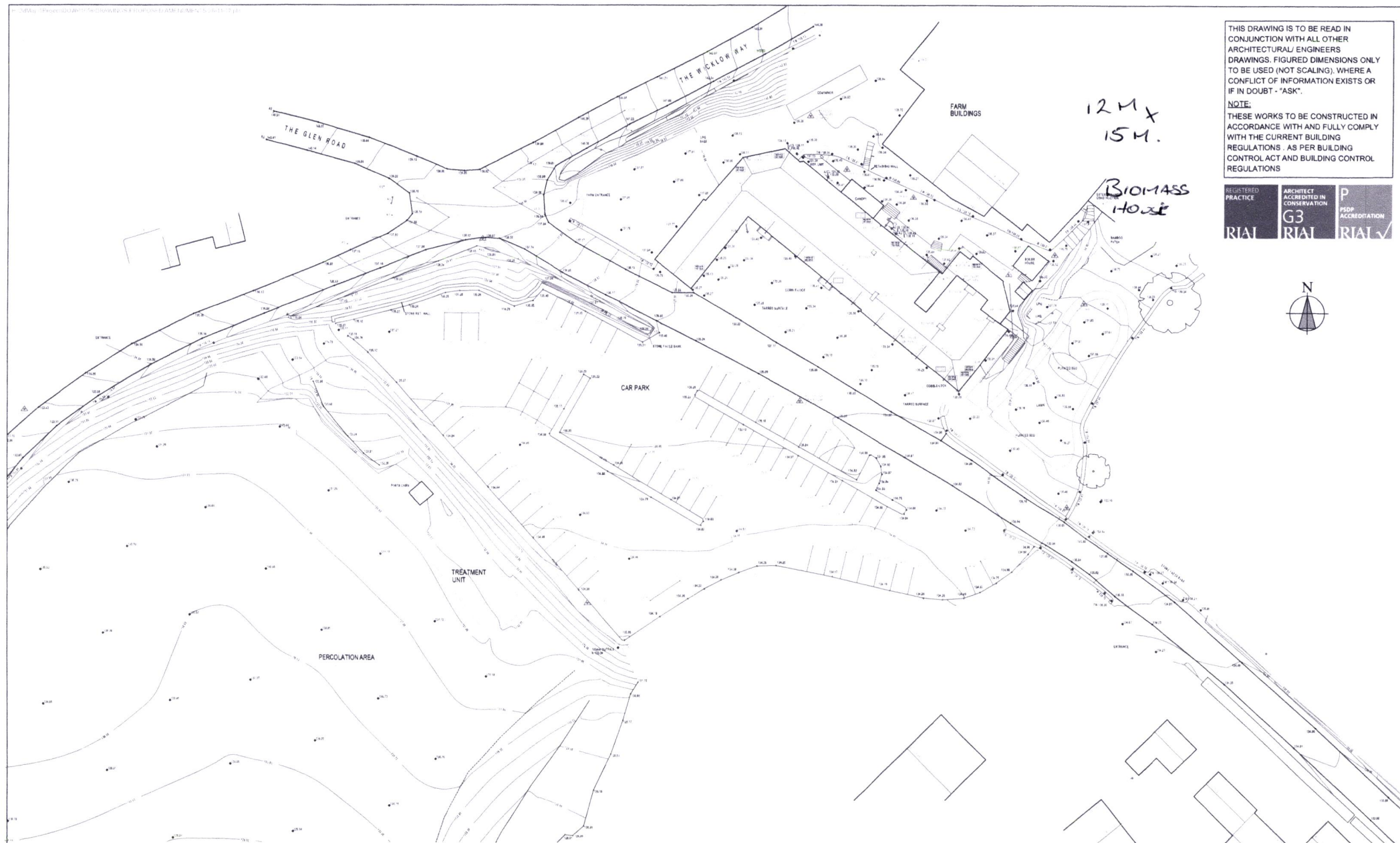


THE PADRAIG SMITH PARTNERSHIP

ARCHITECTS PLANNERS DESIGNERS
PROJECT MANAGEMENT CONSULTANTS

The Redhouse,
Market Square,
Wicklow Town, Ireland.
Phone: 0404-69478
Fax: 0404-66584





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NOTE:
THESE WORKS TO BE CONSTRUCTED IN ACCORDANCE WITH AND FULLY COMPLY WITH THE CURRENT BUILDING REGULATIONS. AS PER BUILDING CONTROL CONTRACT AND BUILDING CONTROL REGULATIONS



THE PADRAIG SMITH PARTNERSHIP
ARCHITECTS PLANNERS DESIGNERS

Market Square
Wicklow
Ireland
Phone 0404-69478
Fax 0404-66584



PROJECT:

GLENMALURE LODGE HOTEL

TITLE:

EXISTING SITE SURVEY

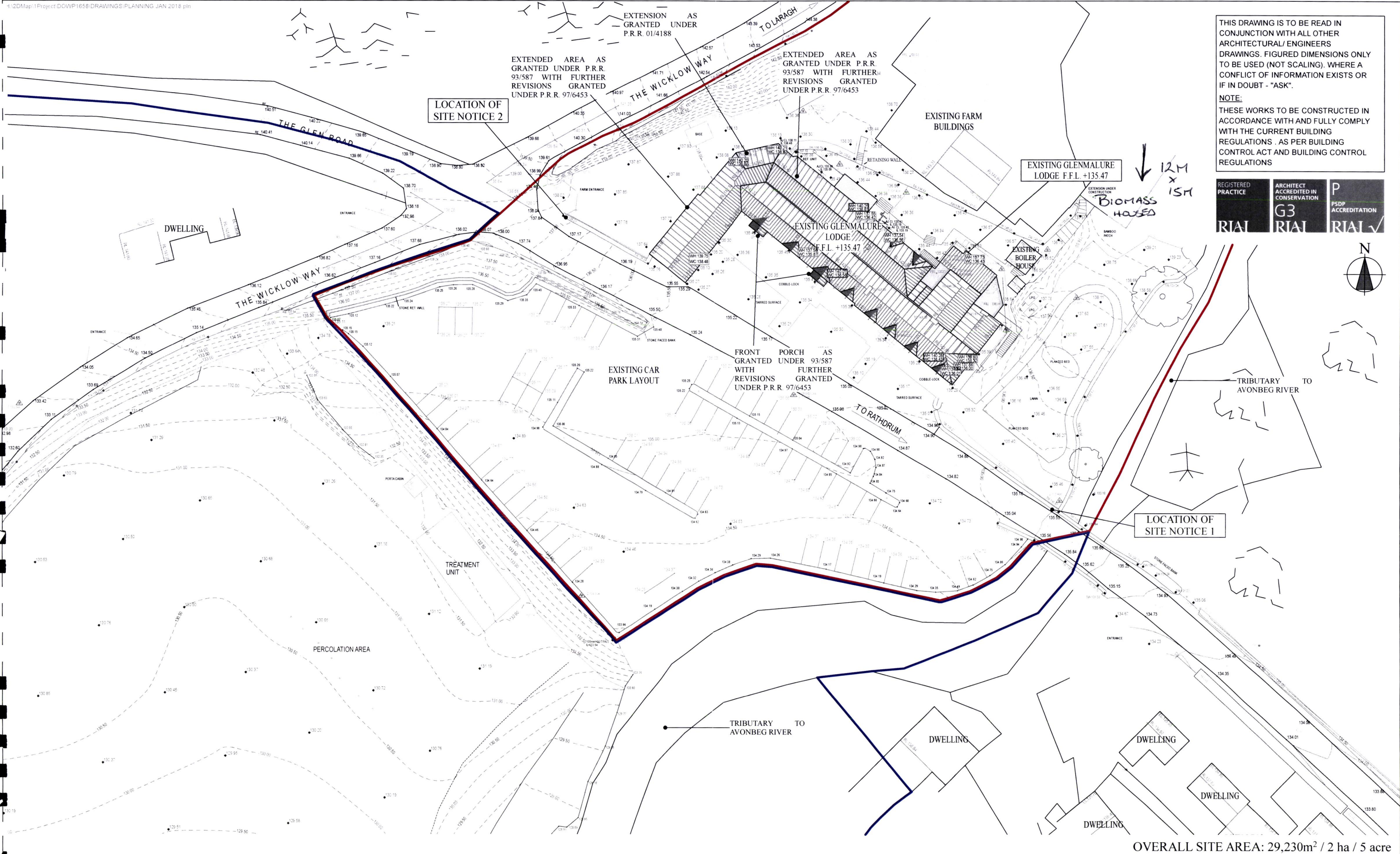
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DATE: APRIL 2017

OUR REF: DOWP1658

NO: PP/03-01

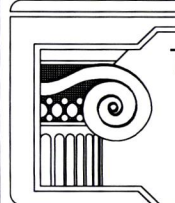
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THE PADRAIG SMITH PARTNERSHIP

ARCHITECTS PLANNERS DESIGNERS

Market Square
Wicklow
Ireland
Phone 0404-69478
Fax 0404-66584



PROJECT:

GLENMALURE LODGE HOTEL

TITLE:

EXISTING SITE SURVEY

SCALE:

1:500

DATE:

JANUARY 2018

OUR REF:

DWP1658

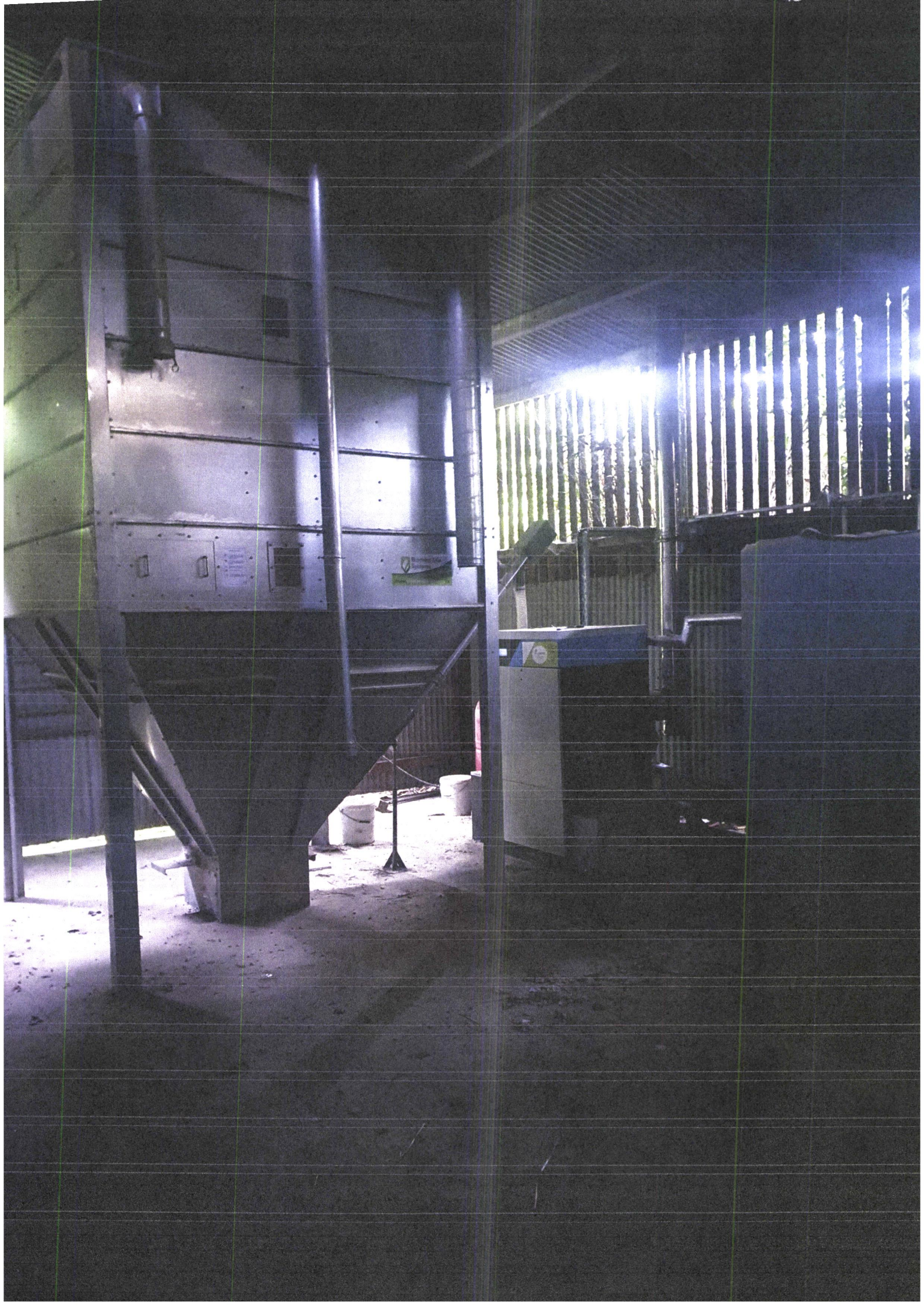
NO:

PP/03-01

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Google Earth

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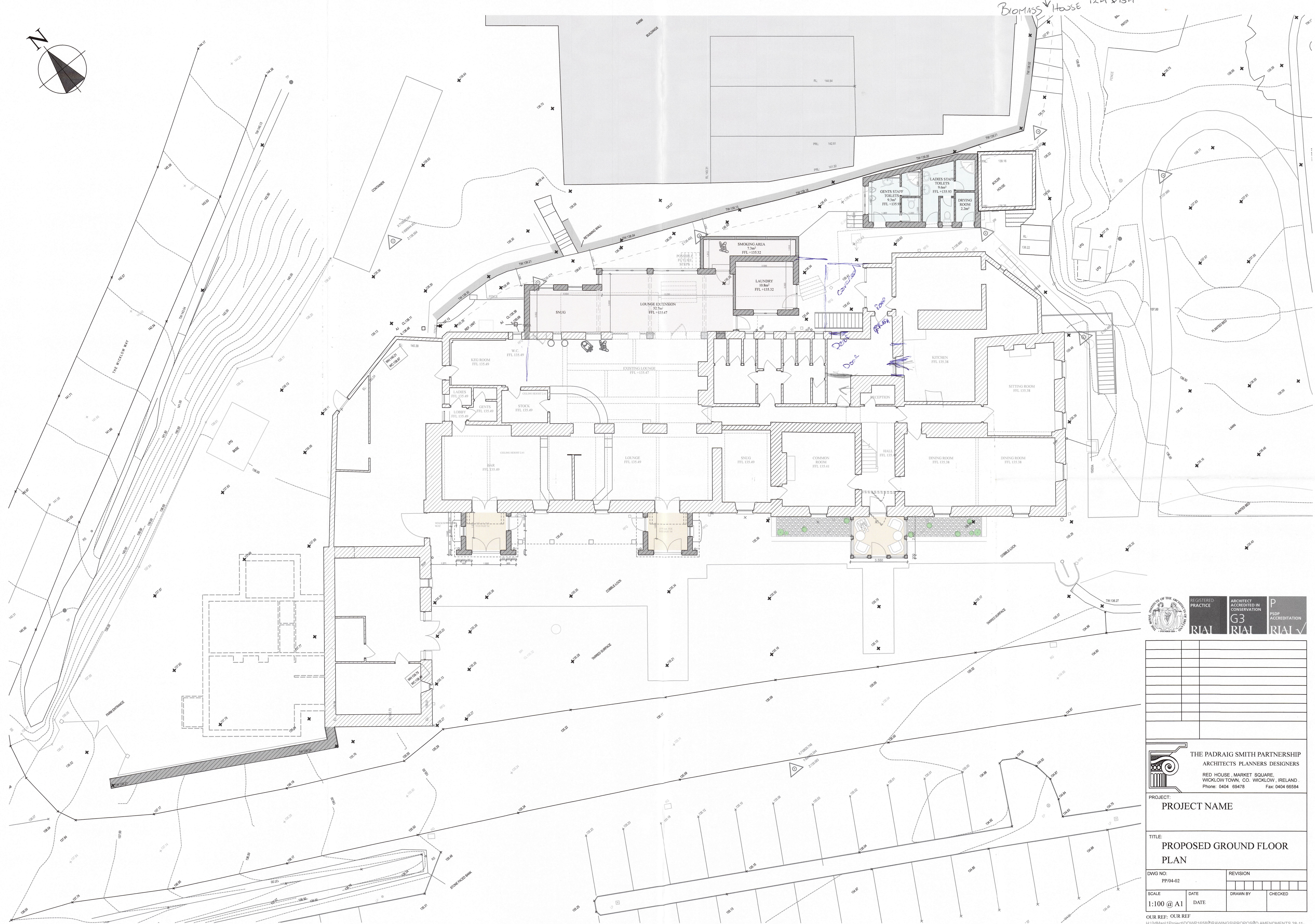
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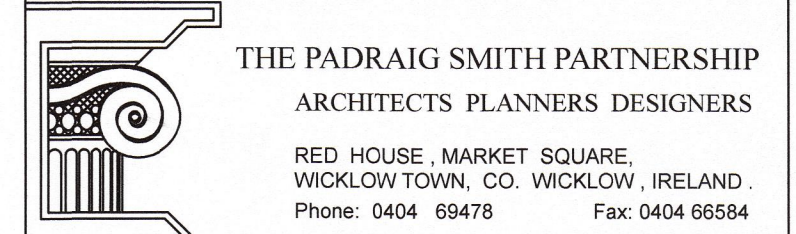









 REGISTERED PRACTICE
 ARCHITECT ACCREDITED IN CONSERVATION
 G3
 PSDP ACCREDITATION
 RIAI ✓

[illegible]

PROJECT: PROJECT NAME

TITLE:
PROPOSED GROUND FLOOR
PLAN

DWG NO: PP/04-02		REVISION									
SCALE 1:100 @ A1	DATE DATE	DRAWN BY					CHECKED				

OUR REF: OUR REF
H:\2dMap1\Project\DOWP1658\DRAWINGS\PROPOSED AMENDMENTS 28-11-