



Comhairle Contae Chill Mhantáin Wicklow County Council

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

Áras An Chontae / County Buildings
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Carnew Town Team
C/O Secretary Carnew Town Team
Newline
Aughrim Road
Carnew
Co. Wicklow

29th of June 2026

RE: Application for Certificate of Exemption under Section 5 of the Planning & development Acts 2000 (as amended) – EX72/2026

A Chara

With respect to the query under Section 5 of the Planning and Development (P&D) Act 2000(as amended), the Planning Authority wishes to highlight the following:

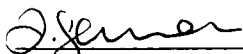
- i. From the information submitted it would appear that the Part 8 Consent PRR 25/59 has not been implemented.
- ii. The query submitted is not considered to come within the provisions of Section 5 of the P&D Act 2000 (as amended) as it relates to the interpretation of the consent issued under PRR 25/59, as opposed to a change of use. Notwithstanding you are advised that the use as set out in the site notice and newspaper notice was for a Remote working hub. The drawings clearly identify remote working spaces as the dominant use, and whilst a meeting room is provided this is presumed to be the room identified for meetings/ use for training elements , and where the hub spaces were now to be dedicated to classes/ drop in/ youth services this would not have formed part of the advertised development/document details.
- iii. Section 4 of the P& D Act 2000 (as amended) provides that the following shall be exempted developments for the purposes of this Act—
 - aa) development by a local authority in its functional area (other than, in the case of a local authority that is a coastal planning authority, its nearshore area);
 - (f) development carried out on behalf of, or jointly or in partnership with, a local authority, pursuant to a contract entered into by the local authority concerned, whether in its capacity as a planning authority or in any other capacity;The requirement for a Part 8 consent process arises where the development is one of the prescribed development set out under Article 80 of the Planning and Development Regulations 2000(as amended). In this regard where the works are being carried out by or on behalf of the Local Authority and would exceed €126,000 (one hundred and twenty-six thousand), then the consent process under Section 179 of the P&D Act 2000 (as amended) is triggered.

The Planning Authority does not in this instance intend to issue a Section 5 Declaration, as identified the query does not relate to the provisions of Section 5(1) the Planning and Development Act 2000(as amended).



Note under Section 5 (3)(b) (b) Without prejudice to subsection (2), in the event that no declaration is issued by the planning authority, any person who made a request under subsection (1) may, on payment to the Board of such fee as may be prescribed, refer the question for decision to the Board within 4 weeks of the date that a declaration was due to be issued under subsection (2).

Mise, le meas


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STAFF OFFICER
PLANNING DEVELOPMENT AND ENVIRONMENT.

Section 5 Application : EX 72/2026.

Date : 26/6/2026

Applicant : Carnew Town Team

Address : Former Bank of Ireland, Main Street, Carnew.

Query Whether or not :

The Part 8 permission granted for a community based remote working hub that the planning permission granted will permit use of the building as a multi-use community facility with meeting space, kitchen facilities and training space allowing for collaborations through local businesses and community groups.

PLANNING HISTORY:

25/59 Part 8 passed (9/6/2025) for change of use from the existing bank to a community-based remote working hub, and all associated refurbishment works to the existing building, and a new, single storey lean-to extension to the rear of the property connected to the existing building by a new pitched roof structure with a glazed entrance and enclosing the existing flat roofed vault, and the erection of a new shopfront and signage at the front of the building including an integrated decorative entrance gate. The aim of the development is to provide an active and vibrant working environment on Carnew Main Street and to promote well-being, inclusion, and community cohesion for those using and interaction with the building

02/6912 – permission granted for installation of ATM, canopy and construction of access ramp to front elevation

12/6012 – permission granted for installation of security bollards to the footpath in front of the existing ATM

Planning and Development Act 2000 (as amended)

Section 2 : (1) In this Act, except where the context otherwise requires—

“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,

“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, “development” means, except where the context otherwise requires,

(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

Section 4(2) provides that the Minister may by regulations provide any class of development to be exempted development. The Regulations which are applicable in this case are the Planning and Development Regulations 2001 (as amended).

Section 4

(1): The following shall be exempted developments for the purposes of this Act—

(aa) development by a local authority in its functional area (other than, in the case of a local authority that is a coastal planning authority, its nearshore area);

(f) development carried out on behalf of, or jointly or in partnership with, a local authority, pursuant to a contract entered into by the local authority concerned, whether in its capacity as a planning authority or in any other capacity;

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

(a) any of the developments specified in *subsection (1)*, or

(b) development which, having regard to any regulations under *subsection (2)*, is exempted development for the purposes of this Act.

Section 179

Planning and Development Regulations 2001 (as amended)

Article 10

Development which consists of a change of use within any one of the classes of use specified in Part 4 of Schedule 2, shall be exempted development for the purposes of the Act, provided that the development, if carried out would not—

(a) involve the carrying out of any works other than works which are exempted development,

(b) contravene a condition attached to a permission under the Act,

(c) be inconsistent with any use specified or included in such a permission, or

(d) be a development where the existing use is an unauthorised use, save where such change of use consists of the resumption of a use which is not unauthorised and which has not been abandoned.

(2)

(a) A use which is ordinarily incidental to any use specified in Part 4 of Schedule 2 is not excluded from that use as an incident thereto merely by reason of its being specified in the said Part of the said Schedule as a separate use.

(b) Nothing in any class in Part 4 of the Schedule 2 shall include any use—

(i) as an amusement arcade,

(ii) as a motor service station,

(iii) for the sale or leasing, or display for sale or leasing, of motor vehicles,

(iv) for a taxi or hackney business or for the hire of motor vehicles,

(v) as a scrap yard, or a yard for the breaking of motor vehicles,

- (vi) for the storage or distribution of minerals,
- (vii) as a supermarket, the total net retail sales space of which exceeds 3,500 square metres in the greater Dublin Area and 3,000 square metres in the remainder of the State,
- (viii) as a retail warehouse, the total gross retail sales space of which exceeds 6,000 square metres (including any ancillary garden centre), or
- (ix) as a shop, associated with a petrol station, the total net retail sales space of which exceeds 100 square metres.

(4) Development consisting of the use of not more than 4 bedrooms in a house, where each bedroom is used for the accommodation of not more than 4 persons as overnight guest accommodation, shall be exempted development for the purposes of the Act, provided that such development would not contravene a condition attached to a permission under the Act or be inconsistent with any use specified or included in such a permission.

Schedule 2 :Part 1

Submission :

It is the Carnew Town Team's understanding that the Community Based Remote Working Hub would also double up as a facility for wider community uses and that the building was designed to be adaptable to facilitate multi use applications for various community groups and activities. The Town Team would like to confirm that this was conveyed to them, during the planning process, by Cllr. Peter Stapleton in response to questions on the remote working hub and the overwhelming desire of the community at a public meeting in May 2025, to have a building to facilitate use by various groups, to be the focal point for the community, a drop in centre, a venue for the Town Team, for Working Group meetings, Arts & Crafts classes and Youth Services, etc.

The Town Team were further comforted that this was the case by the details provided in the Part 8 document submissions, including page 2 of the Chief Executives Report:

"The end use of the building will be a community based remote working hub which will also serve the surrounding rural hinterland. The facility will also include community infrastructure such as meeting space, kitchen facilities, and training space aiming to generate revenue through collaborations through local businesses and community groups."

and on page 8 section 4.3 Building Design, Response to the submission :

"The building's potential for community use is acknowledged. The design allows for adaptability to meet a range of community needs specifically intended to cater to meetings, classes and other similar activities for use by various community groups/organisations."

There is no condition in the planning documentation restricting the hours of operation nor the traffic movements to be within a certain timeframe or travel pattern and therefore the building's planning permission did not preclude its use outside of normal business hours. The closest working hub to Carnew is based in Gorey, Co Wexford and it is open 24 hours per day to facilitate persons working with international companies and different time zones.

It is contended that Part 8 planning granted for the Community Based Remote Working Hub also incorporated permission for the use of the building for various community groups/organisations to cater for meetings, classes and other similar activities.

While a community based remote work hub is not specifically referenced in Part 4 Schedule 2 of the Planning and Development Regulations, it would be a reasonable interpretation that the community based remote working hub could be deemed a Class 10 use and this class would broadly cover the potential uses for the Community Hub in Carnew.

Based on these points, a formal exemption is sought to confirm the building is permitted to operate as a community hub on the basis of the Part 8 permission already granted.

Carnew Town Team are submitting a Section 5 Declaration of Exemption formally for the Planning Authorities consideration to ensure that the former bank of Ireland property can be used as a Community Hub under the Part 8 planning permission granted for the Community Based Remote Working Hub.

Assessment :

The querist seeks confirmation as to whether the part 8 permission granted for a community based remote working hub that the planning permission granted will permit use of the building as a multi-use community facility with meeting space, kitchen facilities and training space allowing for collaborations through local businesses and community groups.

The query relates to consent received under Section 179 of the Planning and Development Act 2000(as amended), and is not a permission under Section 34 of the Act. In this regard development by a local authority in its own functional area is exempt development by reference to Section 4(1) (aa) and (f) of the Act i.e.

- aa) development by a local authority in its functional area (other than, in the case of a local authority that is a coastal planning authority, its nearshore area);
- (f) development carried out on behalf of, or jointly or in partnership with, a local authority, pursuant to a contract entered into by the local authority concerned, whether in its capacity as a planning authority or in any other capacity;

Where development comes within certain prescribed development or exceeds a cost of €126,000 it requires to be subject to approval by the Elected Members as set out in Section 179 of the Act.

The consent process for works to the bank structure PRR 25/59 were ratified at the Baltinglass Municipal District meeting on the 9/6/ 2025. The consent was for

The change of use from the existing bank to a community-based remote working hub, and all associated refurbishment works to the existing building, and a new, single storey lean-to extension to the rear of the property connected to the existing building by a new pitched roof structure with a glazed entrance and enclosing the existing flat roofed vault, and the erection of a new shopfront and signage at the front of the building including an integrated decorative entrance gate.

It is noted that this Part 8 has not been implemented to date, and no works have taken place.

Section 5 of the Planning and Development Act 2000(as amended) provides that-

If any question arises as to what, in any particular case, is or is not development or 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, and that person shall provide to the planning authority any information necessary to enable the authority to make its decision on the matter.

As no development has taken place, the change of use query would relate to the current usage as a bank to change to community use as identified in the submission. It appears the query essentially relates to an interpretation of the Part 8 development approval.

The Part 8 approval was for a community-based remote working hub. The submitted layout identifies open plan office areas laid out with individual working hub spaces. A meeting room is provided and a canteen. However, the Town Team query whether its use as multi use applications for various community groups and activities, including a drop in centre, a venue for the Town Team, for Working Group meetings, Arts & Crafts classes and Youth Services, etc.

The predominant use is for a Remote working hub whilst meeting room is provided this is presumed to be the room identified for meetings/ use for training elements, and it would not have been clear to third parties that the overall use of the building was for classes etc. the hub use was to be the dominant usage and the meeting room was ancillary to this use.

It is considered that the Planning Authority cannot issue a Section 5 declaration on the query as it amounts to an interpretation of a permission and the applicant should be informed of same.

Recommendation :

No declaration to issue.

Issue following letter to applicants -

With respect to the query under Section 5 of the Planning and Development (P&D) Act 2000(as amended), the Planning Authority wishes to highlight the following :

- i. From the information submitted it would appear that the Part 8 Consent PRR 25/59 has not been implemented.
- ii. The query submitted is not considered to come within the provisions of Section 5 of the P&D Act 2000 (as amended) as it relates to the interpretation of the consent issued under PRR 25/59, as opposed to a change of use. Notwithstanding you are advised that the use as set out in the site notice and newspaper notice was for a Remote working hub. The drawings clearly identify remote working spaces as the dominant use, and whilst a meeting room is provided this is presumed to be the room identified for meetings/ use for training elements, and where the hub spaces were now to be dedicated to classes/ drop in/ youth services this would not have formed part of the advertised development/document details.
- iii. Section 4 of the P& D Act 2000 (as amended) provides that the following shall be exempted developments for the purposes of this Act—
 - aa) development by a local authority in its functional area (other than, in the case of a local authority that is a coastal planning authority, its nearshore area);
 - (f) development carried out on behalf of, or jointly or in partnership with, a local authority, pursuant to a contract entered into by the local authority concerned, whether in its capacity as a planning authority or in any other capacity;

The requirement for a Part 8 consent process arises where the development is one of the prescribed development set out under Article 80 of the Planning and Development Regulations 2000(as amended). In this regard where the works are being carried out by or on behalf of the Local Authority and would exceed €126,000, then the consent process under Section 179 of the P&D Act 2000 (as amended) is triggered.

The Planning Authority does not in this instance intend to issue a Section 5 Declaration,as identified the query does not relate to the provisions of Section 5(1) the Planning and Development Act 2000(as amended).

Note under Section 5 (3)(b) (b) Without prejudice to subsection (2), in the event that no declaration is issued by the planning authority, any person who made a request under subsection (1) may, on payment to the Board of such fee as may be prescribed, refer the question for decision to the Board within 4 weeks of the date that a declaration was due to be issued under subsection (2).

John Cunningham

26/6/2026

MEMORANDUM

WICKLOW COUNTY COUNCIL

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

**FROM: Katie Finn
Clerical Officer**

RE: Declaration in accordance with Section 5 of the Planning & Development Acts 2000 (as amended) -EX72/2026

I enclose herewith for your attention application for Section 5 Declaration received 12/06/2026.

The due date on this declaration is the 09/07/2026.



**Clerical 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
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Carnew Town Team
C/O Secretary Carnew Town Team
Newline
Aughrim Road
Carnew
Co. Wicklow

16^h of June 2026

RE: Application for Certificate of Exemption under Section 5 of the Planning and Development Acts 2000 (as amended). – EX72/2026

A Chara

I wish to acknowledge receipt on 12/06/2026 full details supplied by you in respect of the above Section 5 application. A decision is due in respect of this application by 09/07/2026.

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Katie Finn
Clerical Officer
Planning, Economic & Rural Development



Wicklow County Council
County Buildings
Wicklow
0404-20100

12/06/2026 12 09 24

Receipt No L1/0/365126
***** REPRINT *****

CARNEW TOWN TEAM
C/O SECRETARY CARNEW TOWN TEAM
NEWLINE
AUGHRIM ROAD
CARNEW
CO WICKLOW

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

Total 80 00 EUR

Tendered
Credit Card 80 00

Change 0 00

Issued By VANESSA PORTER
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County Buildings
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Date Received _____

Fee Received _____

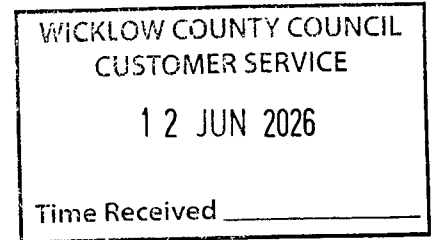
**APPLICATION FORM FOR A
DECLARATION IN ACCORDANCE WITH SECTION 5 OF THE PLANNING &
DEVELOPMENT ACTS 2000 (AS AMENDED) AS TO WHAT IS OR IS NOT
DEVELOPMENT OR IS OR IS NOT EXEMPTED DEVELOPMENT**

1. Applicant Details

(a) Name of applicant: _____ Carnew Town Team _____

Address of applicant: _____ C/O Secretary Carnew Town Team
Newline, Aughrim Road, Carnew, Co. Wicklow _____

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



2. Agents Details (Where Applicable)

(b) Name of Agent (where applicable) _____ n/a _____

Address of Agent : _____

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

3. Declaration Details

i. Location of Development subject of Declaration _____
_____ Former Bank of Ireland Building, Main Street, Carnew, Co. Wicklow

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

iii. If 'No' to ii above, please supply the Name and Address of the Owner, and or occupier _____
Community, Cultural & Social Development Directorate, Wicklow Co. Co.

iv. Section 5 of the Planning and Development Act provides that : If any question arises as to what, in any particular case, is or is not development and is or is not exempted development, within the meaning of this act, any person may, an payment of the prescribed fee, request in writing from the relevant planning authority a declaration on that question. You should therefore set out the query for which you seek the Section 5 Declaration Confirmation from the planning authority that the Part 8 permission granted for a Community Based Remote Working Hub The planning permission granted will permit the use of the building as a multi-use community facility with meeting space, kitchen facilities, and training space allowing for collaborations through local businesses and community groups. That the operating times of the community facility and the associated traffic movements and parking requirements are not restricted under the Part 8 planning granted. Please see attached sheet with additional details.

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 _____
Part 4 Schedule 2 of the Planning and Development Regulations
While a remote work hub is not specifically referenced in this schedule, it would be a reasonable interpretation that the community based remote working hub could be deemed a Class 10 use and this class would broadly cover the potential uses for the community hub in Carnew. Please see attached sheet with additional details.

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 _____

Please refer to Wicklow Co. Co. Planning Register Ref. No.25/59

Please see site location map and site layout plan attached. For all drawings, planning report appropriate assessment, Chief Executives Report and the Baltinglass MD Members Resolution and the subsequent grant of planning under grant Part 8 of the Planning and Development Act.

viii. Fee of € 80 Attached ? _____ Yes

Signed : _____ James O'Toole & Denise Behan _____ Dated : _____ 09/06/2026

James O'Toole, Chairperson and Denise Behan, Secretary, Carnew Town Team.

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.

Separate Submission in support of Section 5 Application to Wicklow Co. Co.

It is the Carnew Town Team's understanding that the Community Based Remote Working Hub would also double up as a facility for wider community uses and that the building was designed to be adaptable to facilitate multi use applications for various community groups and activities. The Town Team would like to confirm that this was conveyed to them, during the planning process, by Cllr. Peter Stapleton in response to questions on the remote working hub and the overwhelming desire of the community at a public meeting in May 2025, to have a building to facilitate use by various groups, to be the focal point for the community, a drop in centre, a venue for the Town Team, for Working Group meetings, Arts & Crafts classes and Youth Services, etc.

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and on page 8 section 4.3 Building Design, Response to the submission :

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KEY PLAN



1 1002 Site Location Map
1:1000

REVISIONS

REV. NO.	DATE	DRN	DESCRIPTION	CHK
01	17/02/25	SM	Issued for Review	

KAVANAGH TUITE ARCHITECTS

TERMINUS HILLS CLONSILLA ROAD DUNG VERT IRELAND
T: +353 1 2148200 MAIL@KAVANAGHTUITE.IE

FILE NAME

WCCARN-KTA-XX-XX-DR-A-1002

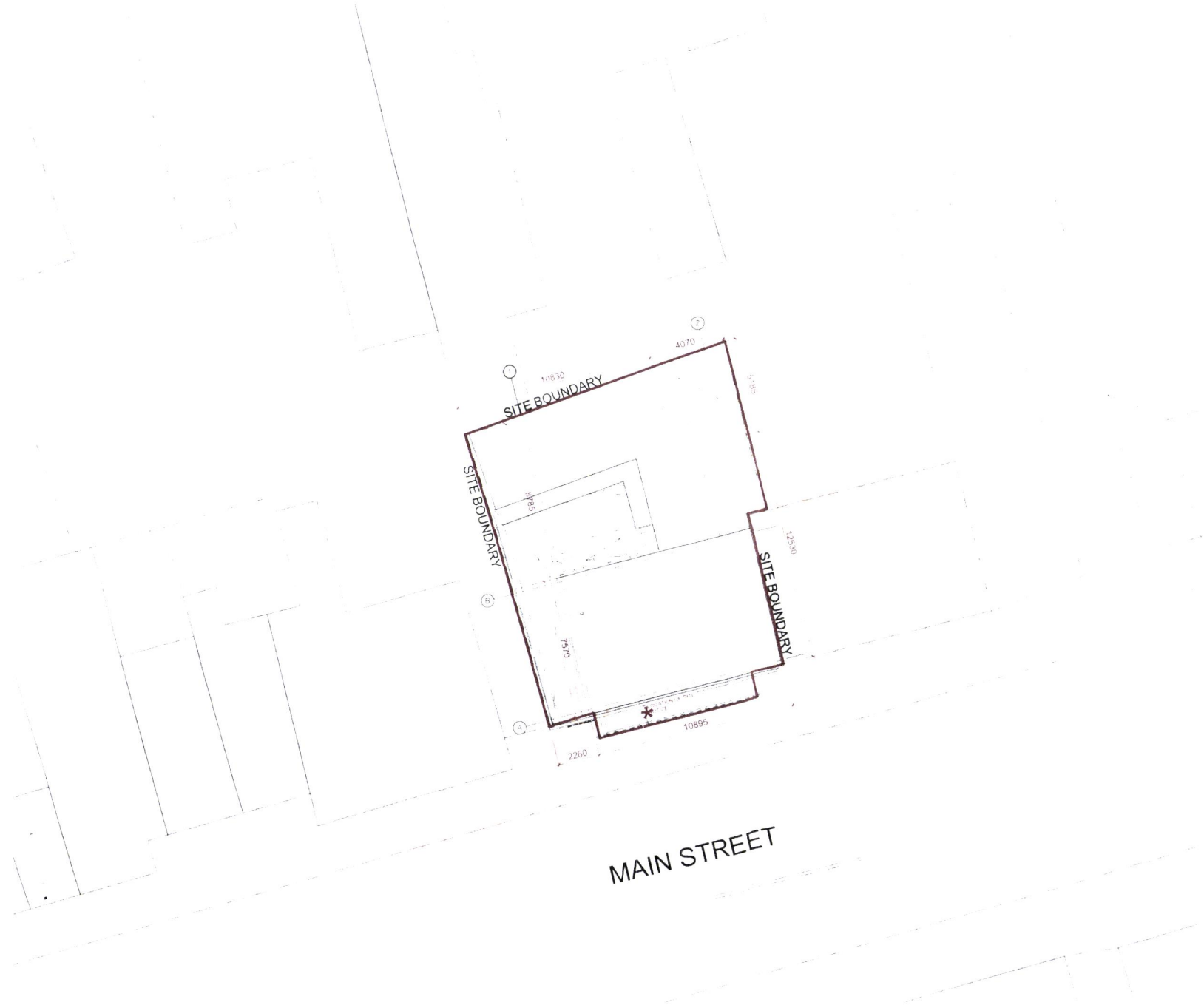
PROJECT
CARNEW REMOTE WORKING HUB

PROJECT NO. J2167 STATUS

TITLE
Site Location Map

SCALE 1:1000

DWG NO. **1002** REV. **P1**



MAIN STREET

REVNO	DATE	DRN	DESCRIPTION	CHK
01	10/02/24	DR	ISSUE FOR REVIEW	
02	11/02/24	SM	ISSUE FOR REVIEW	

KAVANAGH TUITE ARCHITECTS

TERMINUS MILLS ELONSKEAGH ROAD DOOR 1037 IRLAND
 T: +353 1 2748400 MAIL@KAVANAGHTUITE.IE

FILE NAME
 WCCARN-KTA-XX-XX-DR-A-1000

PROJECT
 CARNEW REMOTE WORKING HUB

PROJECT NO
 J2167

TITLE
 Master Site Plan

SCALE
 1:100

DWG NO
 1000

REV
 P2

1 1000 1000-Site Plan
 1 100

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