

WICKLOW COUNTY COUNCIL

**PLANNING & DEVELOPMENT ACTS 2000 (As Amended)
SECTION 5**

Director of Services Order No: 156/2023

Reference Number: EX 80/2022

Name of Applicant: Alistair Melliar

Nature of Application: Section 5 Referral as to whether "Installation of mini-hydroelectric an integrated system comprising a controlled water intake from Glendasan river & pipe/aqueduct from there to a turbine & electricity generator at Cloneen, Seven Churches, Glendalough" is or is not exempted development.

Location of Subject Site: Cloneen, Seven Churches, Glendalough

Report from Aisling McNamara EP & Edel Bermingham SEP

With respect to the query under Section 5 of the Planning & Development Act 2000 as to whether "Installation of mini-hydroelectric an integrated system comprising a controlled water intake from Glendasan river & pipe/aqueduct from there to a turbine & electricity generator at Cloneen, Seven Churches, Glendalough" is or is not exempted development within the meaning of the Planning & Development Act 2000 (as amended)

Having regard to:

- The details and drawings received with this section 5 application
- Sections 2, 3 and 4 of the Planning and Development Act 2000(as amended).
- The Planning and Development Regulations 2001 (as amended)

Main Reasons with respect to Section 5 Declaration:

The hydroelectric weir and associated intake are works, and therefore constitute development, having regard to Section 3 of the Planning and Development Act 2000 (as amended).

Having regard to the further information submitted, a new electrical level controller is to be fitted at the existing weir and intake. This would require works in the river.

There are no exemptions for works in the river to provide for the installation of a new electrical level controller.

Recommendation

The Planning Authority considers that "Installation of mini-hydroelectric an integrated system comprising a controlled water intake from Glendasan river & pipe/aqueduct from there to a turbine & electricity generator at Cloneen, Seven Churches, Glendalough" is development and is not exempted development as recommended in the planning reports.

Signed EdD. R. O. D. Dated 7th day of February 2023

ORDER:

That a declaration to issue stating:

That Installation of mini-hydroelectric an integrated system comprising a controlled water intake from Glendasan river & pipe/aqueduct from there to a turbine & electricity generator at Cloneen, Seven Churches, Glendalough is development and is not exempted development within the meaning of the Planning & Development Acts 2000 (as amended).

Signed: [Signature]
Director of Services
Planning Development & Environment

Dated 7th day of February 2023



Comhairle Contae Chill Mhantáin Wicklow County Council

Forbairt Pleanála agus Comhshaol Planning Development and Environment

Alistair Melliar

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

7th February 2023

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

I enclose herewith Declaration in accordance with Article 5 (2) (A) of the
Planning & Development Act 2000 in respect of the following:

Exemption Ref No: EX 80/2022

Applicant: Alistair Melliar

Nature of Application: "Installation of mini-hydroelectric an integrated
system comprising a controlled water intake from
Glendasan river & pipe/aqueduct from there to a
turbine & electricity generator at Cloneen, Seven
Churches, Glendalough"

Location: Cloneen, Seven Churches, Glendalough

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.



Comhairle Contae Chill Mhantáin Wicklow County Council

Forbairt Pleanála agus Comhshaol Planning Development and Environment

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

Applicant: Alistair Melliar

Location: Cloneen, Seven Churches, Glendalough

DIRECTOR OF SERVICES ORDER NO. 156/2023

A question has arisen as to whether "Installation of mini-hydroelectric an integrated system comprising a controlled water intake from Glendasan river & pipe/aqueduct from there to a turbine & electricity generator at Cloneen, Seven Churches, Glendalough" is or is not exempted development.

Having regard to:

- The details and drawings received with this section 5 application
- Sections 2, 3 and 4 of the Planning and Development Act 2000(as amended).
- The Planning and Development Regulations 2001 (as amended)

Main Reasons with respect to Section 5 Declaration:

The hydroelectric weir and associated intake are works, and are therefore constitute development, having regard to Section 3 of the Planning and Development Act 2000 (as amended).

Having regard to the further information submitted, a new electrical level controller is to be fitted at the existing weir and intake. This would require works in the river.

There are no exemptions for works in the river to provide for the installation of a new electrical level controller.

The Planning Authority considers that "Installation of mini-hydroelectric an integrated system comprising a controlled water intake from Glendasan river & pipe/aqueduct from there to a turbine & electricity generator at Cloneen, Seven Churches, Glendalough" is development and is not exempted development.

Signed: 

ADMINISTRATIVE OFFICER
PLANNING DEVELOPMENT & ENVIRONMENT

Dated 7th February 2023



**WICKLOW COUNTY COUNCIL
PLANNING DEPARTMENT**

Section 5 – Application for declaration of Exemption Certificate

REF: EX80/2022
NAME: ALISTAIR MELLIAR
DEVELOPMENT: MINI HYDROELECTRIC INSTALLATION
LOCATION: THE COTTAGE, SEVEN CHURCHES, GLENDALOUGH

Insufficient information was submitted to allow for an assessment and WCC requested in letter of 10th January 2023 additional information in relation to the existing and proposed works.

The applicant has submitted a response on 20th January 2023. Key points of the response are as follows:

- The question being asked in relation to the declaration sought is to obtain confirmation that the existing mini hydro scheme and modification in train do not require planning permission.
- The system is a historic system in place since the 1940s and supplies electricity to the applicants house and his neighbours house.
- The system comprises a water intake on weir from Glendasan river comprising a sluice gate, chamber and trash rack. Abstracted water travels c 160m along a concrete underground pipe to the turbine house. Within the turbine house is a generator and electrical control system. These are in need of replacement. New replacement works are required. The new equipment comprises a generator and an electronic control unit. This electronic control unit will connect to the grid and will control water volume intake into the turbine.
- The applicant states no new structures are necessary and that the system is essentially unchanged from the original.
- A document is submitted from Water Power Services. The document states that the new control scheme will have a level controller fitted at the existing weir and intake.

I have discussed with the Environment Section, WCC.

A new level controller is to be fitted at the existing weir and intake. Information is required in relation to the dimensions / specifications of the level controller and screen, details regarding how / when it is fitted, details on how it is operated and powered, and any additional associated new structures, new piping for ducting etc.

It would appear that works in the river would likely be required in order to allow for the installation of the new equipment.

There is no provision under the Act to allow for a second request of additional information. Further to discussion with the SEP it is considered the hydroelectric weir and associated intake are works and therefore development having regard to Section 3.

The installation of a new electrical level controller at the intake would require new works in the river. There is no exemption available for works in the river.

Recommendation

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

The installation of a mini hydroelectric installation comprising a controlled water intake from the Glendasan river and pipe /aqueduct from there to a turbine and electricity generator

At Cloneen, Seven Churches, Glendalough

Is or is not development or is or is not exempted development

The Planning Authority considers that :

The installation of a mini hydroelectric installation comprising a controlled water intake from the Glendasan river and pipe /aqueduct from there to a turbine and electricity generator

IS development and IS NOT exempted development

Main Considerations with respect to Section 5 Declaration:

- The details and drawings received with this section 5 application
- Sections 2, 3 and 4 of the Planning and Development Act 2000(as amended).
- The Planning and Development Regulations 2001 (as amended)

Main Reasons with respect to Section 5 Declaration:

The hydroelectric weir and associated intake are works, and are therefore constitute development, having regard to Section 3 of the Planning and Development Act 2000 (as amended).

Having regard to the further information submitted, a new electrical level controller is to be fitted at the existing weir and intake. This would require works in the river.

There are no exemptions for works in the river to provide for the installation of a new electrical level controller.

A MacGillivray
Ev PI.

02.02.2023

Edel Birmingham
Agreed .. SEP 02/02/2023



**WICKLOW COUNTY COUNCIL
PLANNING DEPARTMENT**

Section 5 – Application for declaration of Exemption Certificate

REF: EX80/2022
NAME: ALISTAIR MELLIAR
DEVELOPMENT: MINI HYDROELECTRIC INSTALLATION
LOCATION: THE COTTAGE, SEVEN CHURCHES, GLENDALOUGH

The site:

The Cottage, Seven Churches Glendalough

Site visit:

-

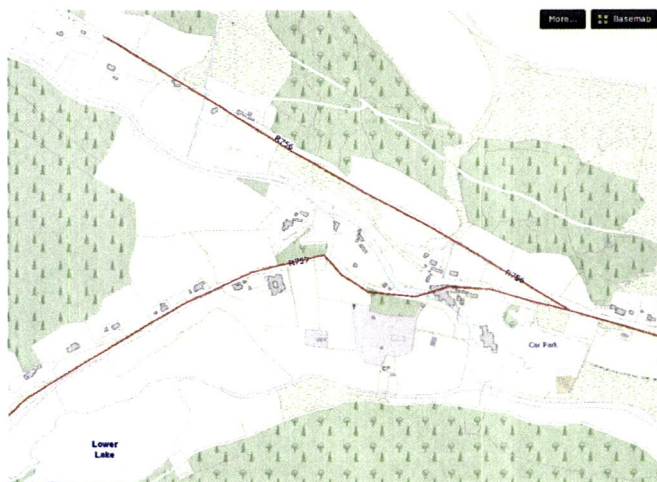
Planning History:

19/354 - Graham Wynne – granted – permission for wastewater treatment plant and associated site works

Heritage:

Wicklow County Development Plan 2022

1. Protected prospect no. 23 is from the R756 Wicklow Gap road – the prospect of the area around the Wicklow mountains extending from Laragh to Slievecorragh
Protected prospect no.24 is from R757 at Glendalough – the prospect of both sides of Glendalough Valley

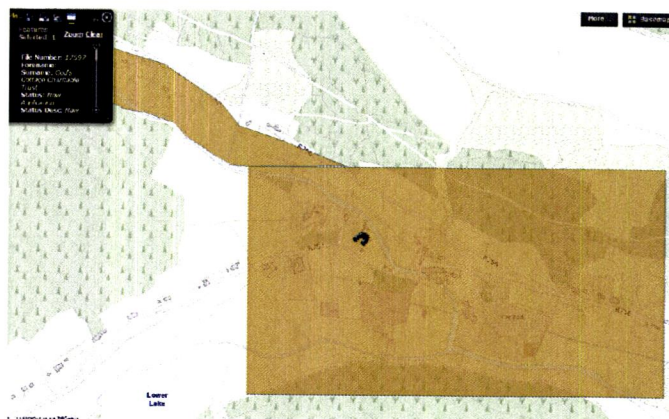


2. National monuments:

BH1 No development in the vicinity of a feature included in the Record of Monuments & Places (RMP) will be permitted which seriously detracts from the setting of the feature or which is seriously injurious to its cultural or educational value.



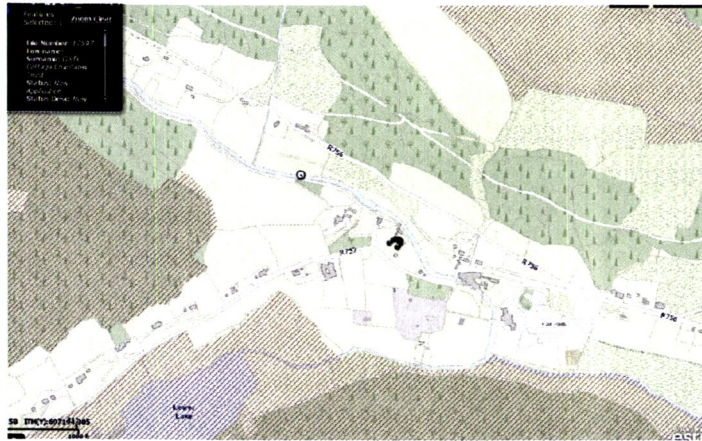
3. Areas of archaeological potential:



4. Protected structures: 23-10 letter box, Glendalough Hotel



7. Wicklow Mountains SAC:



8. Wicklow Mountains SPA:



Question:

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

- (1) The installation of a mini hydroelectric installation comprising a controlled water intake from the Glendasan river and pipe / aqueduct from there to a turbine and electricity generator.

The current system has been operational since at least 1947 when the existing turbine was installed

Legislative Context:

Definitions:

Planning and Development Act, 2000 (as amended):

Section 3 (1) defines development as: “The carrying out of works on, in, over or under land or the making of any material change in the use of structures or other land”;

Section 2 (1) defines works as including: “Any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal”;

Section 4(2) of the Planning Act specifies exempted development. In addition, section 4(2) of the Act 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.

Section 4(4) Notwithstanding *paragraphs (a), (i), (ia) and (l) of subsection (1)* and any regulations under *subsection (2)*, development shall not be exempted development if an environmental impact assessment or an appropriate assessment of the development is required.

Planning and Development Regulations 2001 (as amended):

Article 6 of the said Regulations relate to Exempted development

Assessment:

This is an application at Cloneen, Seven Churches, Glendalough.

From the information provided in the application form, it is unclear what question is being asked.

Discussed with SEP.

Further information required.

Recommendation:

Recommend that further information be sought under Section 5(2)(b) of the Planning and Development Act 2000 (as amended) as follows:

From the information provided in the application form, it is unclear what question is being asked in relation to the Section 5 Declaration. The information is wholly inadequate and therefore the planning authority is unable to fully assess the application. You are therefore requested to submit full details of all existing works and all proposed works. Any submission shall include the following information :

- Information on what structures are currently in place and full details and description of the nature of the current operation
- Information on what is being proposed including information on any proposed structures and works including a full description of how the proposed installation is to operate.

- Full details of any alterations being proposed to existing structures or river / lands or in the way the existing installation operates
- Outline if the use of the existing system was abandoned or if it is currently operating, including any historic information regarding the installation and any changes over the years etc.
- Details of amount of water abstracted, details on electricity generated etc (current and proposed etc)
- Provide details and drawings including any supplementary additional information, documentary evidence, product brochures and photographs as relevant.

You should note that any works, use or processes that may affect the river in terms of water abstraction, quality, works to river / bank etc may impact on the Wicklow Mountains SAC/ SPA. Impacts on the Wicklow Mountains SAC/SPA would require a Stage 2 Appropriate Assessment and in such instances you cannot avail of any exemptions under the Planning and Development Act 2000(as amended) and planning permission would be required.

H. McCann & Co

Ex 11.

EE - 01-2023

18 Jan 2023

RE: EX 80/2022

A Chara,

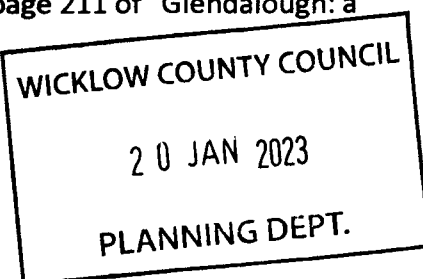
Further to the above application for a declaration in respect of Section 5 I acknowledge your response from 10th Jan 2023 and now address the requests for further information and clarification as contained in your letter.

The question being asked in relation to the declaration sought is to obtain confirmation that the existing mini-hydro scheme and modifications in train do not require planning permission. Although the scheme has been operational for many decades (further details below) without to my knowledge any evidence at any point that planning permission was required or of objections of any description, the question arose as to planning status when our neighbour, on whose property the weir is sited, requested that I, as joint owner of the property where the turbine and generator is located, apply for a Section 5 declaration. Concerned to maintain good relations with our new neighbour (who purchased the property the weir is on in 2021-22), I readily agreed to go ahead and apply for the declaration.

We bought the property called Cloneen in 2020 and will be living there as our sole residence from this year or next. The previous owner, who owned both our property and our neighbour's, had been operating the mini-hydro scheme as currently configured, supplying electricity to our house and our neighbour's (the latter house known as The Cottage). This was an installation that was operated also by the previous owner's father and grandfather, (at one time supplying electricity to other properties also, including a hotel), in the same configuration since the 1940's.

This system is as described in my original application (map enclosed). At the weir is the water intake from the Glendasan river. This comprises a sluice gate and chamber including a trash rack (for filtering out debris) from which the abstracted water commences its approx. 160m flow along a concrete pipe (underground, indicated in green on the map) to the turbine house (the red outline indicates the boundaries of our own property).

While the original Francis turbine from 1946 is functioning normally (with recent major cleanout and minor repairs ongoing), the generator and electrical control systems are in need of replacement. These are essentially the new works, all housed in the original turbine house (a 1960's photo of which is to be found incidentally on page 211 of "Glendalough: a pictorial history" ed by Joan Kavanagh 2003).



The new equipment comprises a generator, as mentioned above, and an electronic control unit to manage electricity export to and import from the grid, as well as controlling water volume intake into the turbine. With government legislation in 2021 permitting micro-generators a reasonable tariff for their exports to the grid this is an opportunity which we will be able to avail of using the new control unit. We are currently in communication with the ESB to enable our 3-phase electricity exports to the grid.

No new structures are necessary as the system is essentially unchanged from the original, tested for basic functioning with sluice gate open soon after we acquired the property in 2020. I have notes on the operation of the scheme over the years, kindly provided by the previous owner. Attached is a copy of the 1946 original invoice for the installed turbine. Prior to this, late 19th and early 20th century OS maps show an aqueduct, following the line of the current concrete pipe, which supplied power for a sawmill, remains of which are now incorporated into the current turbine house. The maps also show an earlier weir at the head of the aqueduct some 60m downstream from the present one, the latter probably constructed in the 1940's or before.

As to volumes of water abstracted and electricity generated, please refer to the technical report attached, provided by Water Power Services. As this report states, abstraction rates will never exceed 50% of the available flow and the maximum power generated will be 20 kW. I have also met onsite with a representative of Inland Fisheries and would like to emphasize that protection of fish habitats, welfare, and associated ecology are a priority in our operation of the scheme.

If there is any further information you require I will do my best to supply it.

Mise, le meas,



Alistair Melliar

Enclosures (4 pp): map; copy of invoice for turbine; WPS report

712320 mE, 697200 mN

The Property
Registration Authority
An tÚdarás
Clárúcháin Maoine



Folio: WW39001F

This map should be read in conjunction with the folio.

Registry maps are based on OSI topographic mapping. Where registry maps are printed at a scale that is larger than the OSI published scale, accuracy is limited to that of the original OSI map scale.

For details of the terms of use and limitations as to scale, accuracy and other conditions relating to Land Registry maps, see www.prai.ie.

This map incorporates Ordnance Survey Ireland (OSI) mapping data under a licence from OSI. Copyright © OSI and Government of Ireland.

(centre-line of parcel(s) edged)

Freehold

Leasehold

SubLeasehold

Burdens (may not all be represented on map)

Right of Way / Wayleave

Turbary

Pipeline

Well

Pump

Septic Tank

Soak Pit

A full list of burdens and their symbology can be found at:
www.landdirect.ie

The registry operates a non-conclusive boundary system. The Registry Map identifies properties not boundaries meaning neither the description of land in a register nor its identification by reference to a registry map is conclusive as to the boundaries or extent. (see Section 85 of the Registration of Title Act, 1964). As inserted by Section 62 of the Registration of Deed and Title Act 2006.

1:1000 Scale



Page 7 of 7

SEVENCHURCHES OR CAMADERRY

TURBINE HOUSE

DA4WY

BROCKAGH

WATER INTAKE

TELEPHONE NO. 28
TEL. ADDRESS: "GILKES, KENDAL."

MAKERS OF—
WATER TURBINES
CENTRIFUGAL PUMPS

TERMS: NETT CASH.

Canal Iron Works,

KENDAL 15th. August 1946.

Messrs. Wynne C.E.,
Glendalough,
BOUGHT OF Co. Wicklow,

Gilbert Gilkes & Gordon Ltd.

Turbine No 4585

1946.

Aug.

15 TO ONE 10½ Series. R Horizontal Shaft Spiral Cased Gilkes Francis Turbine designed for the following duty :-

Output..... 52 B.H.P.
Nett head..... 45 feet.
Quantity of water..... 765 cu. ft. per min.
Normal speed..... 885 r.p.m.
Max.run-away speed....1590 r.p.m.
complete with bearings, cast iron Suction Bend, Pin type Flexible Coupling, mild steel Suction Tube, cast steel Flywheel, 14" bore Sluice Valve and cast iron Taper Piece.

One 'A' size Oil Pressure Governor complete with necessary driving belt and pulleys
One 33 K.W. D.C. Generator complete with cast iron soleplates and Shunt Regulator.
Extra for stroke limiter for governor.

3% increase in price.

As per our specification and estimate of 21st. January 1944 and letter of 18th. June 1945.

Extra cost of carriage through to Dublin over Liverpool.

Marine Insurance.

845	-	-
5	5	-
850	5	-
42	10	-
892	15	-
20	1	6
3	4	9
2	916	1 3d

Your order dated 21st. May 1945.

Country of Origin ' ENGLAND. '

'We certify that this is the original invoice and that the value shown hereon includes all charges, including cost of carriage and freight to the Port of Entry, packing and Insurance. A separate invoice has not been and will not be furnished for any portion of such cost.'

For GILBERT GILKES & GORDON LTD.,

T. H. Allister for
Cashier.



WATER POWER SERVICES

SPECIALISTS IN DESIGN AND CONSTRUCTION OF WATER POWER SCHEMES

13 Marlborough Rd • Dublin D04 XV65 • Ireland

Phone +353 87 6699729 • Email fiaccobr@gmail.com

Water Flow and Electricity Generation at the Small Hydro Power Scheme on the Glendasan River at Glendalough

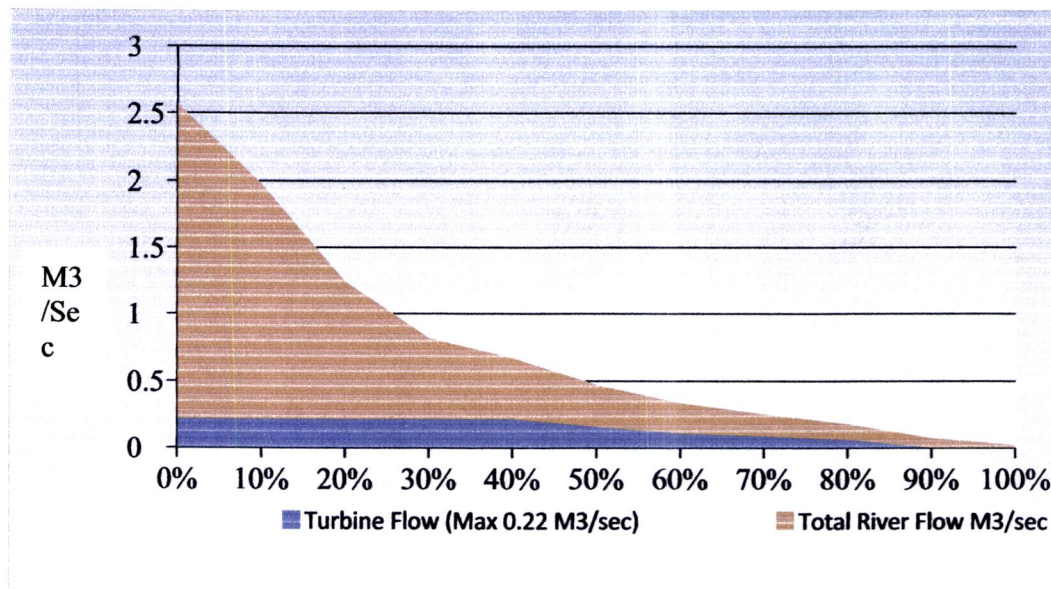
The small hydro power scheme at Cloneen, Glendalough was built c1947. While it has operated since then the current scheme will see the electrical output connected to the national grid. The maximum power of this scheme will be 20 Kilowatts (kW).

The head on the scheme is 13.7 metres (45') and the flow, for the output of 20kW, is 0.22 cubic metres per second (M³/S).

The Glendasan River catchment to the point where the water is diverted to the turbine is 14.322 Km². Rainfall at the site is 1,712mm per annum and the evapotranspiration is 496mm per annum. This gives a long term flow, the 35% rate as, 0.556 M³/S. (Source: EPA Hydrotool)

The new control scheme will have a level controller fitted at the existing weir and intake. The purpose of this is to ensure that the flow to the water turbine never exceeds the residual flow in the river. This means that the turbine will never use more than 50% of the available water. This is as recommended by the Inland Fisheries Ireland: *Guidelines on the Planning, Design, Construction and Operation of Small-Scale Hydro-Electric Schemes and Fisheries*.

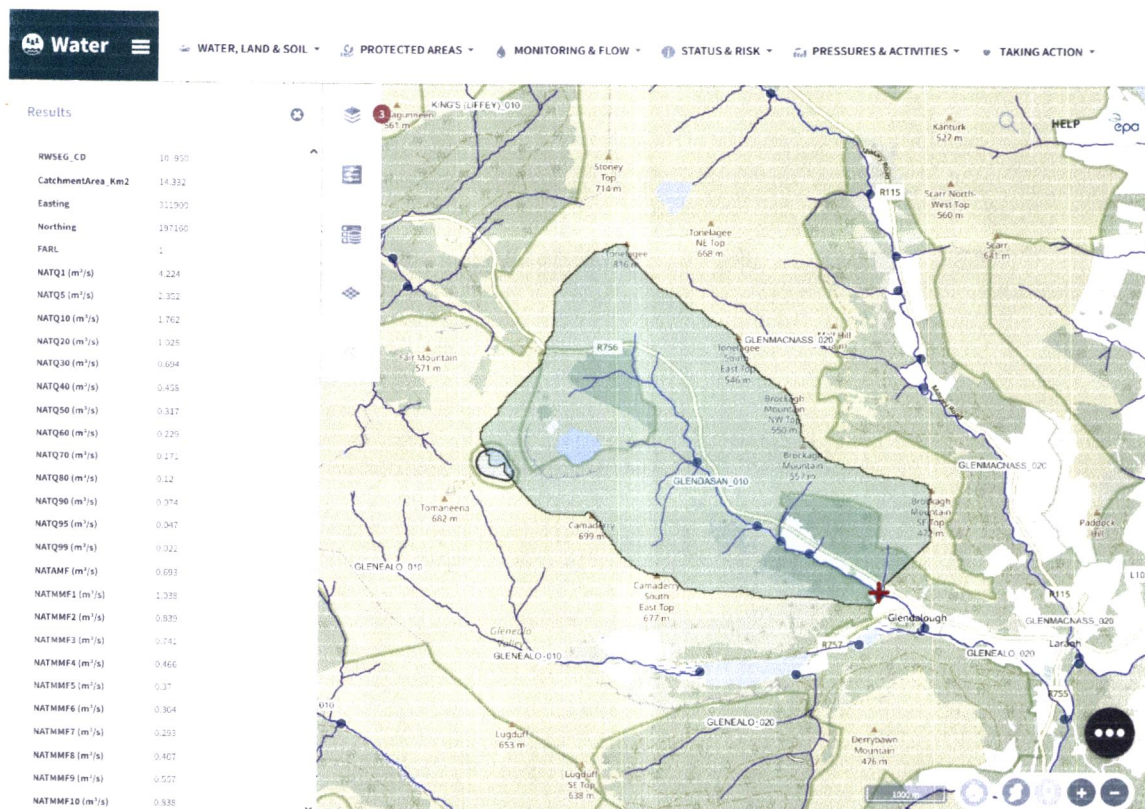
In practise this means that the turbine will run at 20kW 40% of the time and its output will reduce for the remainder of the time. About 15% of the time the turbine will shut down.



Graph showing total river flow and total turbine flow

Percentage of time	Total River Flow (M ³ /S)	Turbine Flow(M ³ /S)	Electrical Output (Kw)
1%	3.350	0.22	20kW
10%	1.762	0.22	20kW
20%	1.028	0.22	20kW
30%	0.604	0.22	20kW
40%	0.458	0.22	20kW
50%	0.317	0.16	14kW
60%	0.229	0.11	10kW
70%	0.171	0.08	7kW
80%	0.120	0.06	5kW
90%	0.074	0.00	0kW
100%	0.022	0.00	0kW

Output of Turbine and Percentage of River Flow



Map of Catchment Area and Table of Flows in the Glendasan River above Glendalough (EPA Hydrotool)



Comhairle Contae Chill Mhantáin Wicklow County Council

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

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Guthán / Tel: (0404) 20148
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Suíomh / Website: www.wicklow.ie

10/01/2023

Alistair Melliar

RE: EX 80/2022

'Installation of mini-hydroelectric an integrated system comprising a controlled water intake from Glendasan river & pipe/aqueduct from there to a turbine & electricity generator at Cloneen, Seven Churches, Glendalough.'

A Chara

I wish to acknowledge receipt of your application for a declaration in respect of Section 5 for the above proposal on 15th December 2022.

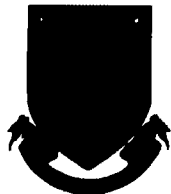
Further Information:

Recommend that further information be sought under Section 5(2)(b) of the Planning and Development Act 2000 (as amended) as follows:

From the information provided in the application form, it is unclear what question is being asked in relation to the Section 5 Declaration. The information is wholly inadequate and therefore the planning authority is unable to fully assess the application. You are therefore requested to submit full details of all existing works and all proposed works. Any submission shall include the following information:

- Information on what structures are currently in place and full details and description of the nature of the current operation
- Information on what is being proposed including information on any proposed structures and works including a full description of how the proposed installation is to operate.
- Full details of any alterations being proposed to existing structures or river / lands or in the way the existing installation operates
- Outline if the use of the existing system was abandoned or if it is currently operating, including any historic information regarding the installation and any changes over the years etc.
- Details of amount of water abstracted, details on electricity generated etc (current and proposed etc)





Comhairle Contae Chill Mhantáin Wicklow County Council

Forbairt Pleanála agus Comhshaol Planning Development and Environment

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- Provide details and drawings including any supplementary additional information, documentary evidence, product brochures and photographs as relevant.

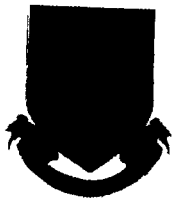
You should note that any works, use or processes that may affect the river in terms of water abstraction, quality, works to river / bank etc may impact on the Wicklow Mountains SAC/SPA. Impacts on the Wicklow Mountains SAC/SPA would require a Stage 2 Appropriate Assessment and in such instances you cannot avail of any exemptions under the Planning and Development Act 2000(as amended) and planning permission would be required.

Mise, le meas

SENIOR STAFF OFFICER

PLANNING DEVELOPMENT AND ENVIRONMENT





Comhairle Contae Chill Mhantáin
Wicklow County Council

Forbairt Pleanála agus Comhshaol
Planning Development and Environment

Áras An Chontae / County Buildings
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Faics / Fax: (0404) 69462
Rphost / Email: plandev@wicklowcoc
Suíomh / Website: www.wicklow.ie

21/12/2022

Alistair Melliar

RE: Application for Certificate of Exemption under Section 5 of the Planning and Development Acts 2000 (as amended). Ex 79/2022
Installation of mini-hydroelectric an integrated system comprising a controlled water intake from Glendasan river & pipe/aqueduct from there to a turbine & electricity generator at Cloneen, Seven Churches, Glendalough

A Chara

I wish to acknowledge receipt on the 15th of December 2022 details supplied by you in respect of the above section 5 application. A decision is due in respect of this application by 20/01/2023.

Mise, le meas

SENIOR EXECUTIVE OFFICER
PLANNING DEVELOPMENT AND ENVIRONMENT

MEMORANDUM

WICKLOW COUNTY COUNCIL

TO: Aisling McNamara
Executive Planner

FROM: Crystal White
Assistant Staff Officer

**RE:- EX 80/2022 - Declaration in accordance with Section 5 of the
Planning & Development Acts 2000 (as amended)
Installation of mini-hydroelectric an integrated system comprising a
controlled water intake from Glendasan river & pipe/aqueduct from there
to a turbine & electricity generator at Cloneen, Seven Churches,
Glendalough**

I enclose herewith for your attention application for Section 5 Declaration
received 15th of December 2022.

The due date on this declaration is the 20th of January 2023.



Senior Staff Officer
Planning Development & Environment

Wicklow County Council
County Buildings
Wicklow
0404 20100

12/12/2022 15:18:05

Receipt No L1/0/305991
***** REPRINT *****

A MELLIAR
THE BARN
NEWRATH BRIDGE
RATHNEW
CO WICKLOW

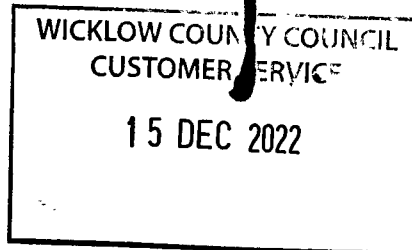
EXEMPTION CERTIFICATES	80.00
GOODS	80.00
VAT Exempt/Non-vatable	

Total	80.00 EUR
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Tendered
Credit Card 80.00
7 CHURCHVIEW, GLENDALOUGH

Change	0.00
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Issued By Cashier5MW
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: Alistair Melliar

Address: _____

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

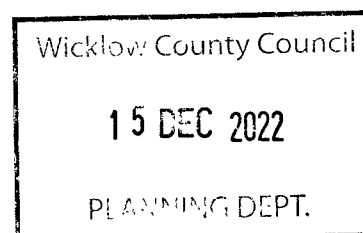
2. Agents Details (Where Applicable)

(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 : Cloneen, Seven churches, Glendalough A98XD65: turbine house containing turbine & generator, pipeline/aqueduct
- ii. Are you the owner and/or occupier of these lands at the location under i. above ?
Yes. See attached plan: sluice gate & water intake box from river & approx. 75m. of pipeline are on lands of owner below.
- iii. If 'No' to ii above, please supply the Name and Address of the Owner, and or occupier: Adrian O'Carroll, The Cottage, Seven churches, Glendalough A98HY67
- 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:
This is a mini-hydroelectric installation, an integrated system comprising a controlled water intake from the Glendasan river and pipe/aqueduct from there to a turbine and electricity generator. The current system has been operational since at least 1947, when the existing turbine was installed (documentary evidence available if necessary).
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:
Installation predates planning & development acts 1964
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 _____
Property Registration Authority map

viii. Fee of € 80 Attached ? Paid by phone 12 Dec 2022

Signed: [Signature] Dated: 12 Dec. 2022

Additional Notes :

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

A. Extension to dwelling - Class 1 Part 1 of Schedule 2

- Site Location Map
- Floor area of structure in question - whether proposed or existing.
- Floor area of all relevant structures e.g. previous extensions.
- Floor plans and elevations of relevant structures.
- Site Layout Plan showing distance to boundaries, rear garden area, adjoining dwellings/structures etc.

B. Land Reclamation -

The provisions of Article 8 of the Planning and Development Regulations 2001 (as amended) now applies to land reclamation, other than works to wetlands which are still governed by Schedule 2, Part 3, Class 11. Note in addition to confirmation of exemption status under the Planning and Development Act 2000(as amended) there is a certification process with respect to land reclamation works as set out under the European Communities (Environmental Impact Assessment) (Agriculture) Regulations 2011 S.I. 456 of 2011. You should therefore seek advice from the Department of Agriculture, Fisheries and Food.

Any Section 5 Declaration should include a location map delineating the location of and exact area of lands to be reclaimed, and an indication of the character of the land.

C. Farm Structures - Class 6 -Class 10 Part 3 of Schedule 2.

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

ADDITIONAL CONTACT INFORMATION
NOT TO BE MADE AVAILABLE WITH APPLICATION

712320 mE, 697200 mN

The Property
Registration Authority
An tÚdarás
Clárúcháin Maoine



Folio: WW39001F

This map should be read in conjunction with the folio.

Registry maps are based on OSI topographic mapping. Where registry maps are printed at a scale that is larger than the OSI published scale, accuracy is limited to that of the original OSI map scale.

For details of the terms of use and limitations as to scale, accuracy and other conditions relating to Land Registry maps, see www.pra.ie.

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(centre-line of parcel(s) edged)

Freehold

Leasehold

SubLeasehold

Burdens (may not all be represented on map)

Right of Way / Wayleave

Turbary
Pipeline

Well
Pump
Septic Tank
Soak Pit

A full list of burdens and their symbology can be found at:
www.landireg.ie

The registry operates a non-adversarial registration system. The Registry Map identifies property boundaries and boundaries meaning neither the description of land in a register nor its identification by reference to a registry map is conclusive as to the boundaries or extent. (see Section 85 of the Registration of Title Act, 1964). As inserted by Section 62 of the Registration of Deed and Title Act 2006.

1:1000 Scale



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