



COMHAIRLE CONTAE  
CHEATHARLACH  
CARLOW COUNTY COUNCIL

Oifigí an Chontae  
Bóthar Átha Í  
Ceatharlach, R93E7R7

County Buildings  
Athy Road  
Carlow R93E7R7

T: 059-9170346  
E: See [Carlow.ie/contact-us](http://Carlow.ie/contact-us)  
W: [carlow.ie](http://carlow.ie)

## APPLICATION FORM FOR SECTION 5 DECLARATION ON DEVELOPMENT & EXEMPTED DEVELOPMENT

1.	<b>Name of applicant:</b>		
		<i>Contact details to be provided in section 10 at the end of this application form</i>	
2.	<b>Name of person/agent acting on behalf of applicant (if any):</b>		
		<i>Contact details to be provided in section 11 at the end of this application form</i>	
3.	<b>Location of site in question (postal address or townland):</b>		
		<b>Tailte Éireann Map Ref. No. (and the Grid Reference where available):</b>	
4.	<b>Please state the applicant's interest in the site:</b>		

**5. 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 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 Planning Authority a declaration on that question.* In accordance with this provision, please set out below a clear description of the question for which you seek the Section 5 Declaration. (Additional details may be provided in supporting documentation)**

**6. To enable the Planning Authority to issue a declaration on the question asked in section 5 of this application form and within the prescribed period, please include the information referred to in parts (a) to (c) below:**

**(a) A comprehensive description of the existing or proposed works, development, or site/building use (as applicable) upon which your application and question is based (Additional details may be provided in supporting documentation)**

**(b) Details of the relevant exempt development provision under which your declaration is being sought (e.g. relevant section in the Planning and Development Act 2000 (as amended) or relevant article/exempt development class in the Planning and Development Regulations 2001 (as amended)).**

<b>(c)</b>	<b>Parts (a) and (b) should be supported by plans and particulars including:</b> <ul style="list-style-type: none"><li><b>i</b> A site location map (Scale 1:2500 for rural area and 1:1000 for an urban area), with the site/land in question clearly outlined in red.</li><li><b>ii</b> A site layout plan (Scale 1:500) prepared in accordance with Article 23 of the Planning and Development Regulations 2001 (as amended), with dimensions in metric scale and clearly detailing the existing or proposed works, development, or site/building use (as applicable) upon which your application and question is based.</li><li><b>iii</b> Floor plan and elevation drawings as applicable (Scale 1:200), prepared in accordance with Article 23 of the Planning and Development Regulations 2001 (as amended), with dimensions in metric scale and clearly detailing the existing or proposed works, development, or site/building use (as applicable) upon which your application and question is based.</li></ul>
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<b>7.</b>	<b>Do the proposed works, development, structure, or site/building use (as applicable) relate to a Protected Structure and/or its curtilage?</b>
<b>8.</b>	<b>List any previous planning application(s) relating to the site:</b>
<b>9.</b>	<b>Are you aware of aware of any enforcement proceedings relating to the site:</b>

**Signed:** \_\_\_\_\_ **Date:** \_\_\_\_\_

*(Signature of Applicant or Agent as appropriate)*

## ADVICE NOTES TO APPLICANT

Under Section 5 of the Planning and Development Act 2000 as amended any person may request in writing from the Planning Authority a declaration as to what, in any particular case, is or is not development or is or is not exempted development within the meaning of the Planning and Development Act 2000 (as amended).

The Planning Authority is required to make a decision within 4 weeks of receipt of an application under Section 5 of the Act. However, where insufficient information has been provided, the Planning Authority may require the submission of further information in order to enable the Authority to issue the declaration on the question asked. In this regard and in order to avoid any delay in the processing of your application please ensure a fully completed application form is submitted, along with all information, plans and particulars in response to Section 5 and parts (a) to (c) in section 6 of the application form.

If the existing or proposed works, development, or site/building use relate to a protected structure you are advised to liaise with the Planning Authority to establish whether the works will require submission of an Architectural Heritage Impact Assessment, to assess the impact of any proposed works on the character, setting and fabric of the protected structure. Where required, this report must be prepared by a suitably qualified Conservation Architect/Specialist.

- This application must be accompanied by the statutory fee of €80
- The application should be submitted to:

By Post:            Planning Department  
                         Carlow County Council  
                         Athy Road  
                         Carlow  
                         R93 E7R7

By Email:        [planningdevman@carlowcoco.ie](mailto:planningdevman@carlowcoco.ie)

### OFFICE USE ONLY

Date Received:	Decision Due Date:
Date of Decision:	Recommendation:

## ADDITIONAL CONTACT DETAILS – NOT TO BE PUBLISHED

Please note:

- The applicant's address and telephone number must be included on this page.
- These details must be submitted on this separate page as they will not form part of the public file.

<b>10.</b>	<b>Address of applicant:</b> <i>(person seeking the declaration and not an agent on their behalf)</i>		
		<b>Tel. No:</b>	<b>E-mail:</b>
<b>11.</b>	<b>Address of person/agent acting on behalf of applicant (if any):</b>		
		<b>Tel. No:</b>	<b>E-mail:</b>
<b>12.</b>	<b>Should all correspondence be sent to the agent's address where included in section 11 above?</b> (Please tick appropriate box)  Yes [ ]      No [ ]  <i>(Please note that if the answer is 'No', all correspondence will be sent to the applicant's address provided in section 10).</i>		