

**Comhairle Chontae na Mí**

Roinn Pleanáil,  
Teach Bivinda, Bóthar Átha Cliath,  
An Uaimh, Contae na Mí, C15 Y291  
Fón: 046 – 9097500/Fax: 046 – 9097001  
R-phost: [planning@meathcoco.ie](mailto:planning@meathcoco.ie)  
Web: [www.meath.ie](http://www.meath.ie)



**Meath County Council**

Planning Department  
Bivinda House, Dublin Road,  
Navan, Co. Meath, C15 Y291  
Tel: 046 – 9097500/Fax: 046 – 9097001  
E-mail: [planning@meathcoco.ie](mailto:planning@meathcoco.ie)  
Web: [www.meath.ie](http://www.meath.ie)

**APPLICATION FORM – DECLARATION ON DEVELOPMENT & EXEMPTED DEVELOPMENT**

**Part 1 Section 5 of Planning and Development Act 2000-2021, as amended**

1. **Name:** \_\_\_\_\_ Paul Dunne \_\_\_\_\_

**Contact details: to be supplied at the end of this form (Question 13)**

2. **Name of person/ agent acting on behalf of the applicant, if applicable**

\_\_\_\_\_ John Anderson Building Surveyor \_\_\_\_\_

**Contact details: to be supplied at the end of this form (Question 14)**

3. **Location of Development and/or Subject Site:** \_\_\_\_\_  
5 ST COLUMBAS TERRACE, BALLIVOR, CO. MEATH, C15N271

4. **Description of Development:** \_\_\_\_\_

38m2 Extension to rear of existing dwelling, demolition of domestic storage shed to accommodate same  
(Applicant seeking confirmation as part of an application for derelict properties grant)

5. **Will the development take place within the curtilage of a dwelling house?**

Please tick as appropriate: YES  NO

6. **Will / does development take place in / on a Protected Structure or within the curtilage of a Protected Structure?**

Please tick as appropriate: YES  NO

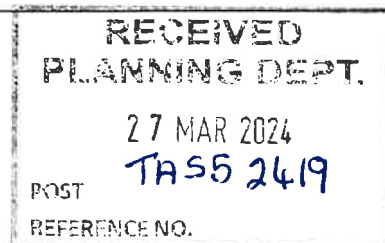
6(b) **If "YES", has a Declaration under Section 57 of the Planning & Development Act 2000 – 2014, as amended, been requested or issued for the property by the Planning Authority?**

Please tick as appropriate: YES  NO

7. **State overall height of structure if applicable:** 5.36m

8. **State in square metres the floor area of the proposed development:**

Floor area 32m2 / Structure area 38.2m2



**9. List of plans / drawings etc. submitted: \_\_\_\_\_**

Drawing A3\_01 Location Map

Drawing A3\_02 Site layout; Existing and Proposed

Drawing A3\_03 Elevations; Existing and Proposed

Drawing A3\_04 Elevations; Existing and Proposed

Drawing A3\_05 Plans; Existing and Proposed

Drawing A3\_06 Shed to be demolished

**10. Please state applicants interest in this site \_\_\_\_\_ Owner \_\_\_\_\_**

**If applicant is not the owner of site, please provide name & address of owner:**

\_\_\_\_\_

**11. Are you aware of any enforcement proceedings connected to this site?**

**Please tick as appropriate: YES \_\_\_\_\_ NO x\_\_\_\_\_**

**11 (b), If "YES" please supply details:**

\_\_\_\_\_

**12. Are you aware of any previous planning application/s on this site?**

**Please tick as appropriate: YES \_\_\_\_\_ NO x\_\_\_\_\_**

**12 (b), If "YES" please supply details:**

\_\_\_\_\_



**SIGNED: \_\_\_\_\_**

**DATE: \_\_\_\_\_ 25.03.2024 \_\_\_\_\_**

TAS62419



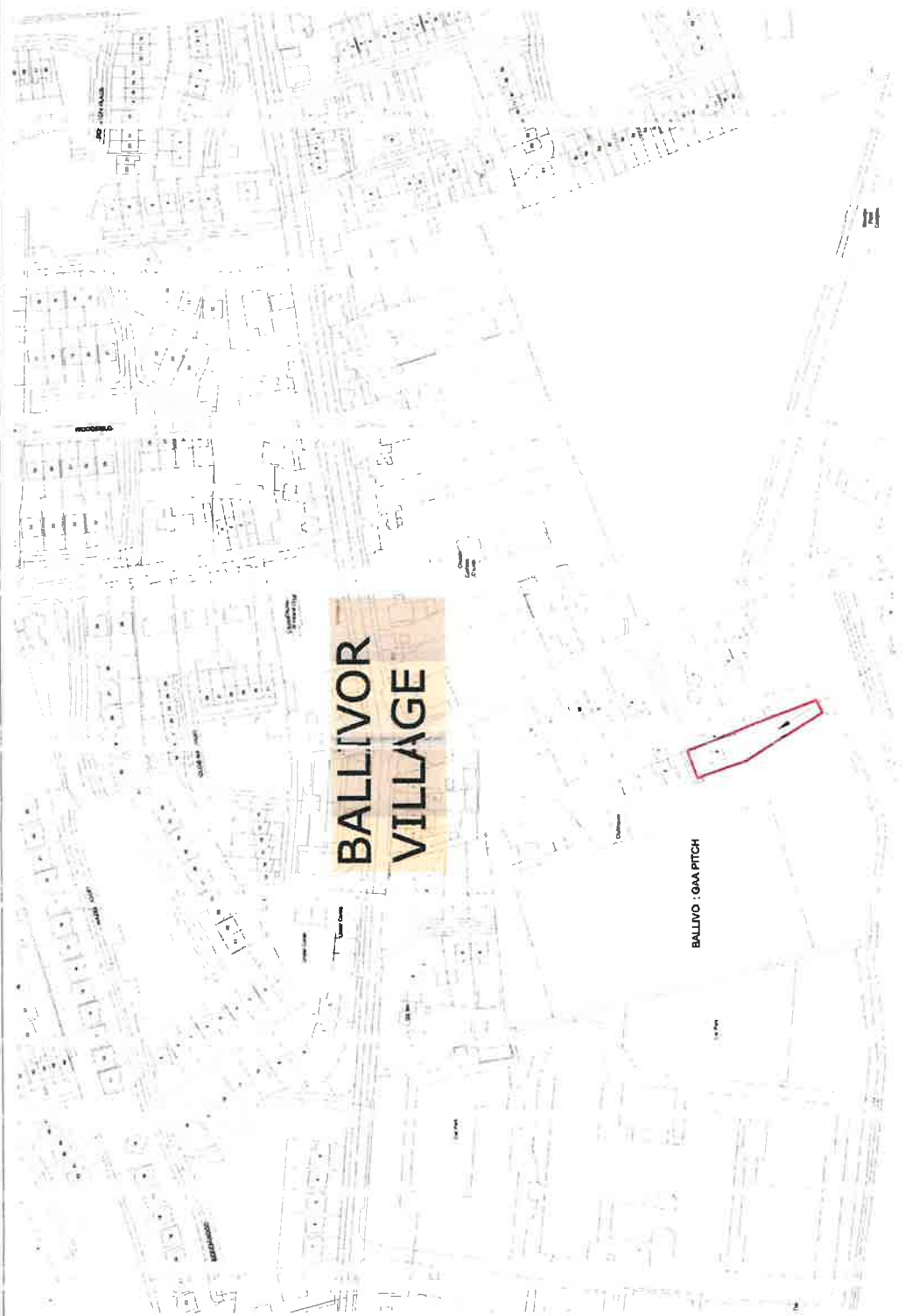
SECTION 5 APPLICATION

- 1. All drawings and documents are the property of the Client and shall remain confidential and shall not be used for any other purpose without the written consent of the Client.
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- 4. All drawings and documents are the property of the Client and shall remain confidential and shall not be used for any other purpose without the written consent of the Client.

Author: John Anderson  
 Designer: John Anderson  
 T: (866) 123-4567  
 E: johnanderson@jag.com

Paul Dume  
 Project: Proposed new residential development  
 5 ST COLUMBAS TERRACE  
 BALLIVOR, CO. MEATH, C15N271

A3\_001  
 OSI MAP  
 1:2500@A3



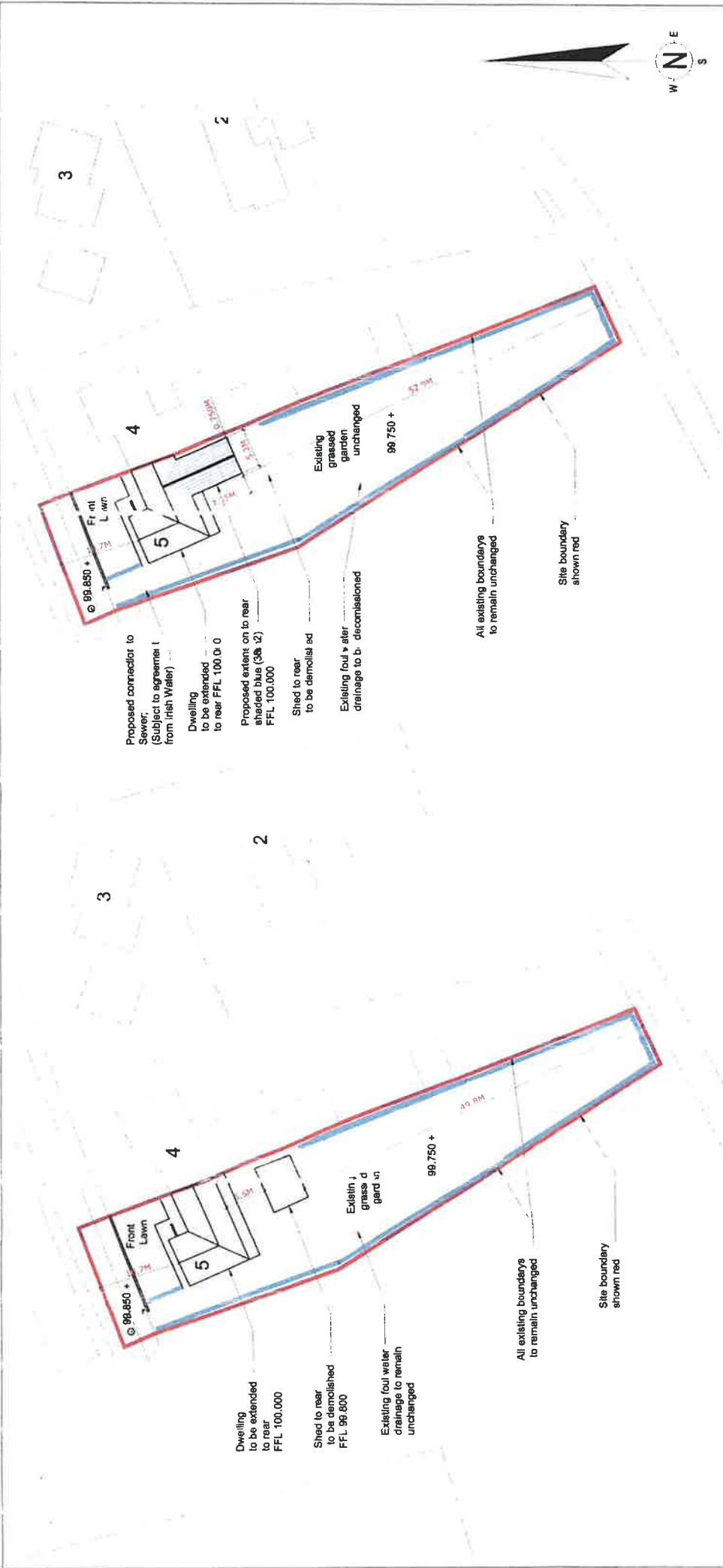
**SITE**  
**5 ST COLUMBAS TERRACE,**  
**BALLIVOR, CO. MEATH.**  
**C15 N271**

**SITE LOCATION MAP**  
 Scale 1:2500

SITE AREA  
 0.27 ACRES OR 1.1 HECTARES

Site boundary shown **RED**





**SECTION 5 APPLICATION:**

1. Used in accordance with the provisions of the Planning and Development Act 2000 and the Planning and Development Regulations 2001.
2. This is a site plan for the purpose of the Act.
3. Any information contained in this site plan is true and correct.
4. The information contained in this site plan is true and correct.
5. The information contained in this site plan is true and correct.
6. The information contained in this site plan is true and correct.
7. The information contained in this site plan is true and correct.
8. The information contained in this site plan is true and correct.

**COMPONENTS:** The plan shows the site boundaries and the proposed and existing structures. The plan also shows the proposed and existing boundaries and the proposed and existing site boundaries.

**ADAPT:** John Anderson  
Building Surveyor  
T: (086) 162 88 82  
E: johnanderson@gail.com

**PAUL DUNNE**

Project:	Proposed new rear extension	Date:	22.03.2024
Client:	5 ST COLUMBA STREET, CLIFTON, DUBLIN 15	Drawn by:	John Anderson
Scale:	1:500	Checked by:	Paul Dunne

**A3\_02**

**EXISTING AND PROPOSED SITE LAYOUT**

**PROPOSED SITE LAYOUT PLAN**  
Scale 1:500

**EXISTING SITE LAYOUT PLAN**  
Scale 1:500

TA552419

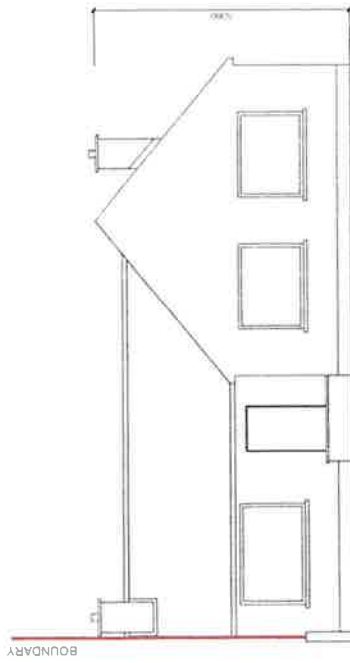


**SECTION APPLICATION**

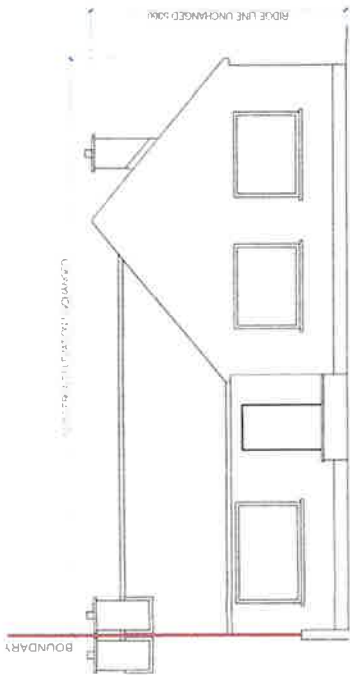
1. Used to indicate all heights and elevations shown and to indicate any proposed changes to the existing elevations.
2. Used to indicate any proposed changes to the existing elevations.
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8. Used to indicate any proposed changes to the existing elevations.

**PROFESSIONAL SEAL**  
 JOHN A. DUNNE  
 Building Surveyor  
 (086) 167 89 82  
 jay@hahartone.com

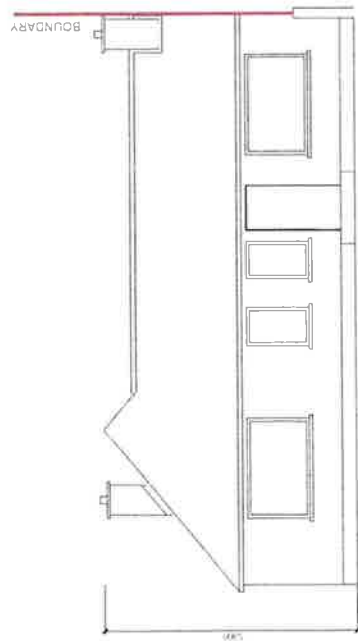
**PAUL DUNNE**  
 PROJECT NO. 19/00000000000000000000  
 BALUNOR, CO. MEATH, C15N073  
 A3\_03  
 ELEVATIONS EXISTING AND PROPOSED  
 22 01 2024



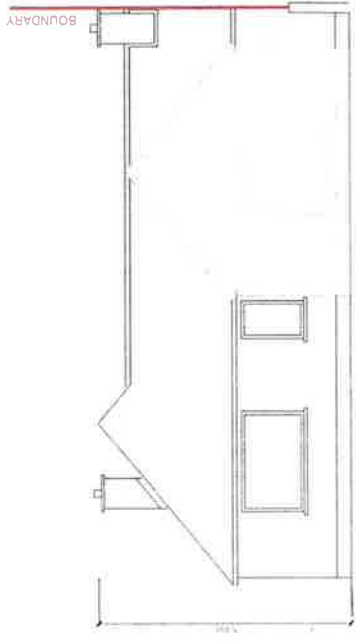
EXISTING FRONT NORTH FACING ELEVATION  
 SCALE 1:100



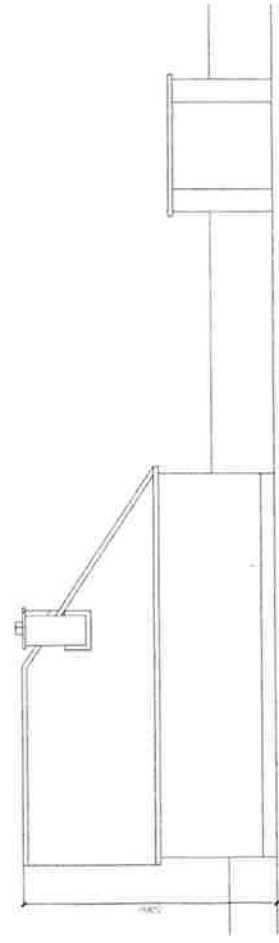
PROPOSED FRONT NORTH FACING ELEVATION  
 SCALE 1:100



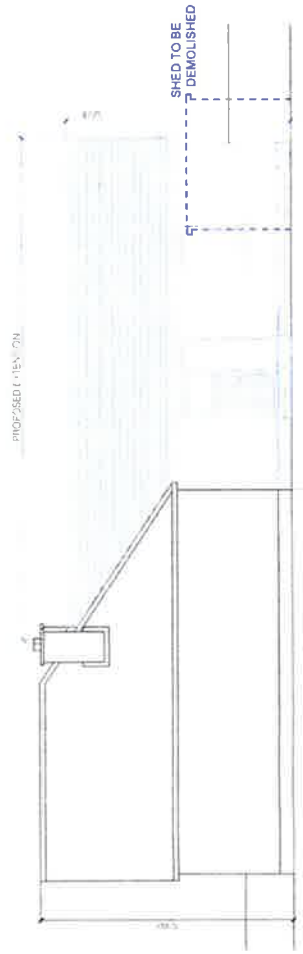
EXISTING REAR SOUTH FACING ELEVATION  
 SCALE 1:100



PROPOSED REAR SOUTH FACING ELEVATION  
 SCALE 1:100



EXISTING SIDE WEST FACING ELEVATION  
 SCALE 1:100



PROPOSED SIDE WEST FACING ELEVATION  
 SCALE 1:100

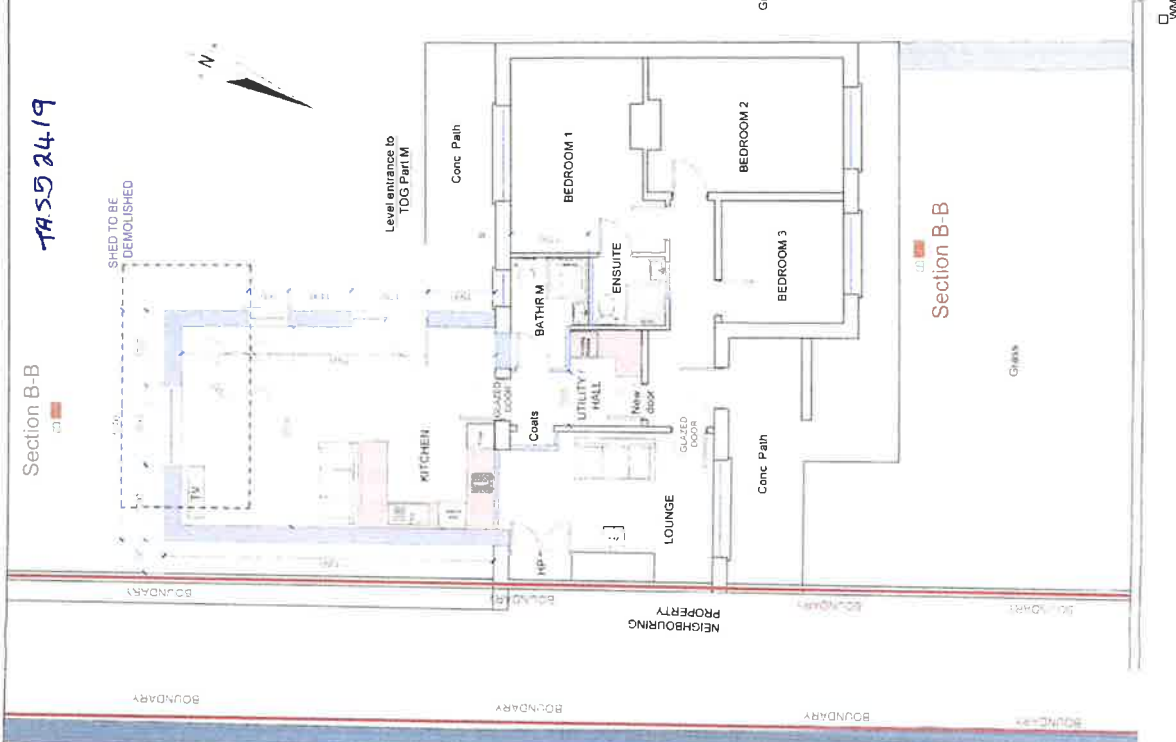
PROPOSED EXTENSION SHOWN BLUE

TASS2419

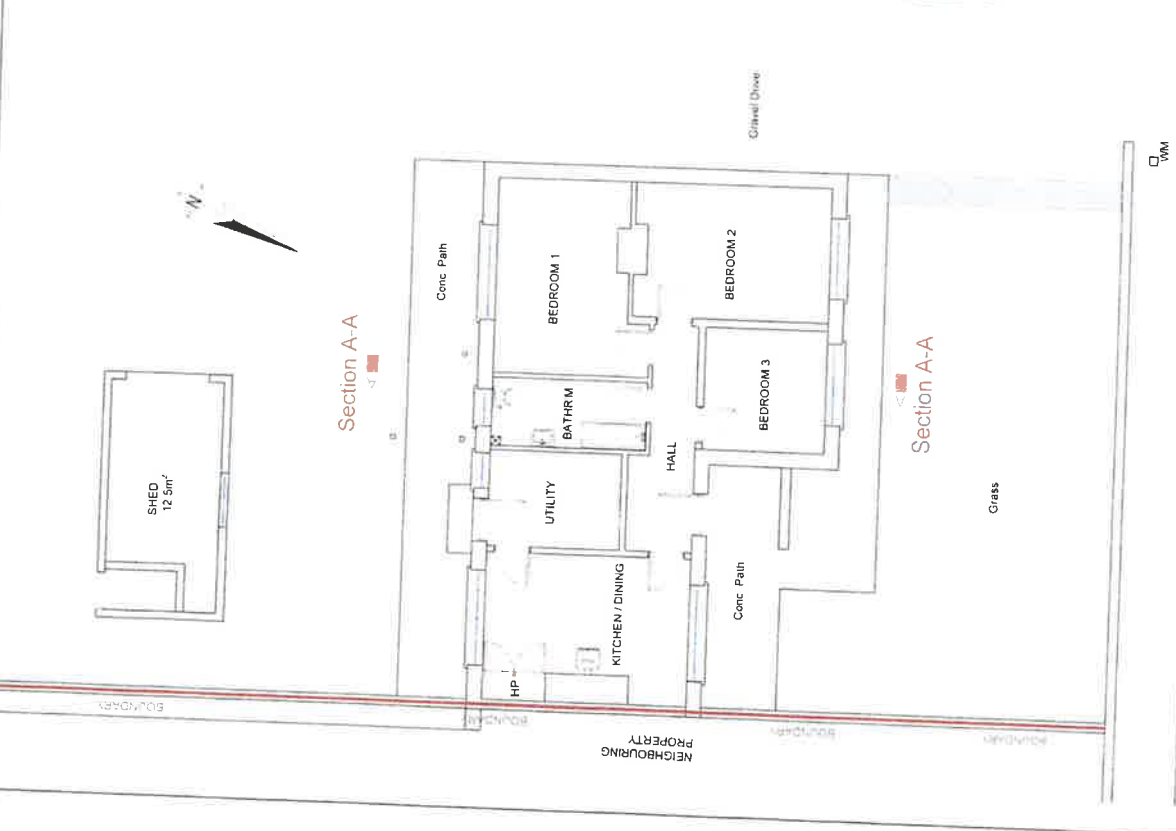




SECTION APPLICATION	
<p>I hereby certify that the information contained in this application is true and correct to the best of my knowledge and belief, and that I am a duly qualified and registered professional engineer in the State of Queensland.</p>	
NAME OF ENGINEER	Paul Dunne
REGISTERED NUMBER	1963 12 45 17
REGISTERED ADDRESS	11/11 BULLOCK CO MEAR, C15N271
DATE OF APPLICATION	21.03.2024
PROJECT NAME	A3_05
EXISTING AND PROPOSED PLANS	EXISTING AND PROPOSED PLANS



PROPOSED GROUND FLOOR PLAN  
 Scale 1:100  
 Existing Structure Area 80 7m<sup>2</sup>  
 Proposed Extension Structure Area 29 2m<sup>2</sup>



EXISTING GROUND FLOOR PLAN  
 Scale 1:100  
 Existing Structure Area 80 7m<sup>2</sup>

TA 50 2419









**MEATH COUNTY COUNCIL**

**CHIEF EXECUTIVE ORDER**

**Chief Executive Order Number:** 568/24

**Reference Number:** TA/S52419

**Subject:** Declaration under Part 1, Section 5, Planning and Development Act 2000-2022

**Name of Applicant:** Paul Dunne

**Address:** C/O John Anderson Building Surveyor,  
Oristown,  
Kells,  
Co. Meath.  
A82 A318

**Nature of Application:** 38m<sup>2</sup> Extension to rear of existing dwelling, demolition of domestic storage shed to accommodate same.

**Location of Development:** 5 St Columbas Terrace, Ballivor, Co Meath.

**DECLARATION:** This development is **EXEMPT** from Planning Permission.

**ORDER:**

Being satisfied that all requirements relating to the Application have been complied with and to consider the proper Planning and Development of the County Meath Health District, IT IS HEREBY DECIDED, in pursuance of the above Act to declare that this is **EXEMPTED DEVELOPMENT**.

**SIGNED:** W Bagnall  
**On Behalf of Meath County Council**

**DATE:** 24.04.24



**MEATH COUNTY COUNCIL**

**Planning Department**

**Buvinda House**

**Dublin Road**

**Navan Co Meath**

**046 - 9097500**

**Planning & Development Act 2000- 2022**

**DECLARATION**

**To:** Paul Dunne,  
C/O John Anderson Building Surveyor.  
Oristown,  
Kells,  
Co. Meath.  
A82 A318

**PLANNING REFERENCE NUMBER:** TA/S52419

**APPLICATION RECEIPT DATE:** 27/03/24

**FURTHER INFORMATION DATE:** N/A

In pursuance of the powers conferred upon them by the Planning and Development Act 2000-2022, Meath County Council has by order dated 24-04-24 decided to Declare the proposed development is **EXEMPT**, in accordance with the documents submitted namely: **38m<sup>2</sup> Extension to rear of existing dwelling, demolition of domestic storage shed to accommodate same. at 5 St Columbas Terrace, Ballivor, Co Meath**, is development and is exempted development.

Date: 24-04-24

  
**On Behalf of Meath County Council**

**NOTE:**

1. Any appeal against a Declaration of a Planning Authority under Section 5, sub-section 3(a) of the Planning and Development Act 2000-2022 may be made to An Bord Pleanala by the applicant **WITHIN FOUR WEEKS** beginning on the date of issue of the Declaration.
2. Appeals should be addressed to An Bord Pleanala, 64 Marlborough Street, Dublin 1. An appeal by the applicant should be accompanied by this form. The fee for an appeal against a Declaration of the Planning Authority is € 220.

**For more information on Appeals you can contact An Bord Pleanala at:**

Tel: 01 - 8588100 or LoCall: 1890 275 175

Fax: 01 - 8722684

E-mail: [bord@pleanala.ie](mailto:bord@pleanala.ie) Web: [www.pleanala.ie](http://www.pleanala.ie)





# Meath County Council



## Planning Report

<b>To:</b>	Wendy Bagnall, Senior Executive Planner
<b>From:</b>	Michael McKenna
<b>Report Date:</b>	23/04/2024
<b>File Number:</b>	TA/S52419
<b>Applicant Name(s):</b>	Paul Dunne
<b>Development Address:</b>	No. 5 St Columba's Terrace, Ballivor, Co. Meath C15N271
<b>Inspection Date(s):</b>	N/a
<b>Application Type:</b>	Section 5 Exemption Certificate
<b>Development Description:</b>	38sq.m extension to the rear of an existing dwelling, demolition of domestic storage shed to accommodate same
<b>Date Decision Due:</b>	24/04/2024

### 1.0 Site Location and Description



The application is located in the urban townland of Kilballivor within the settlement of Ballivor. The site contains a semidetached bungalow with a large garden which extends to the south of the site.



## 2.0 Proposed Declaration

The referrer seeks a declaration as to whether a “38sq.m extension to the rear of an existing dwelling, demolition of domestic storage shed to accommodate same”, **is or is not development and is or is not exempted development.**

## 3.0 Planning History

No planning history on site.

## 4.0 Legislative Context

### Planning and Development Act 2000-2022:

In this Act, except where the context otherwise requires –

#### Section 2(1)

*“Works” includes any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal...*

#### Section 3(1)

*“Development” in this Act 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 4(1)

*The following shall be exempted developments for the purposes of this Act (4)(1)(a)-(l).*

*Sub-section 4(1)(h) states that – “development consisting of the carrying out of works for the maintenance, improvement or other alteration of any structure, being works which affect only the interior of the structure or which do not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure or of neighbouring structures;*

#### Section 4(2)(a)

*“The Minister may by regulations provide for any class of development to be exempted development for the purposes of this Act where he or she is of the opinion that –*

- (i) by reason of the size, nature or limited effect on its surroundings, of development belonging to that class, the carrying out of such development would not offend against principles of proper planning and sustainable development, or*

- (i) *“the development is authorised, or is required to be authorised, by or under any enactment....”*

**Section 4(2)(b)**

*“Regulations under paragraph (a) may be subject to conditions and be of general application or apply to such area or place as may be specified in the regulations.”*

**Section 4(2)(c)**

*“Regulations under this subsection may, in particular and without prejudice to the generality of paragraph (a) provide, in the case of structures or other land used for a purpose of any specified class, for the use thereof for any other purposes being exempted development for the purposes of this Act”.*

**Section 177U(9)**

*“In deciding upon a declaration for the purposes of Section 5 of this Act a planning authority or the Board, as the case maybe, shall where appropriate, conduct a screening for appropriate assessment in accordance with the provisions of this Section.”*

**Planning and Development Regulations 2001-2023**

**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)**

*“Development to which Article 6 relates shall not be exempted development for the purposes of  
of  
the Act – 9(1)(a) – if the carrying out of such development would” conflict with the restriction on exemptions as outlined between (i) – (xii) of the regulations.*

**Schedule 2, Part 1 Exempted Development – General**

Schedule 2, Part 1, Class 1 of the Planning and Development Regulations 2001 (as amended) relates to:

*“The extension of a house, by the construction or erection of an extension (including a conservatory) to the rear of a house or by the conversion for use as part of the house of a garage, store, shed or other similar structure attached to the rear or to the side of the house” subject to the following conditions and limitations.*

**Conditions and Limitations (Column 2)**

*1. (a) Where the house has not been extended previously, the floor area of any such extension shall not exceed 40 square metres.*

*(b) Subject to paragraph (a), where the house is terraced or semi-detached, the floor area of any extension above ground level shall not exceed 12 square metres.*

*(c) Subject to paragraph (a), where the house is detached, the floor area of any extension above ground level shall not exceed 20 square metres.*

2. (a) *Where the house has been extended previously, the floor area of any such extension, taken together with the floor area of any previous extension or extensions constructed or erected after 1 October 1964, including those for which planning permission has been obtained, shall not exceed 40 square metres.*

(b) *Subject to paragraph (a), where the house is terraced or semi-detached and has been extended previously, the floor area of any extension above ground level taken together with the floor area of any previous extension or extensions above ground level constructed or erected after 1 October 1964, including those for which planning permission has been obtained, shall not exceed 12 square metres.*

3. *Any above ground floor extension shall be a distance of not less than 2 metres from any party boundary.*

4. (a) *Where the rear wall of the house does not include a gable, the height of the walls of any such extension shall not exceed the height of the rear wall of the house.*

(b) *Where the rear wall of the house includes a gable, the height of the walls of any such extension shall not exceed the height of the side walls of the house.*

(c) *The height of the highest part of the roof of any such extension shall not exceed, in the case of a flat roofed extension, the height of the eaves or parapet, as may be appropriate, or, in any other case, shall not exceed the height of the highest part of the roof of the dwelling.*

5. *The construction or erection of any such extension to the rear of the house shall not reduce the area of private open space, reserved exclusively for the use of the occupants of the house, to the rear of the house to less than 25 square metres.*

6. (a) *Any window proposed at ground level in any such extension shall not be less than 1 metre from the boundary it faces.*

(b) *Any window proposed above ground level in any such extension shall not be less than 11 metres from the boundary it faces.*

(c) *Where the house is detached and the floor area of the extension above ground level exceeds 12 square metres, any window proposed at above ground level shall not be less than 11 metres from the boundary it faces.*

7. *The roof of any extension shall not be used as a balcony or roof garden.*

## **5.0 Assessment**

### **(i) Does the proposal constitute development:**

Having regard to the definition of 'development' within the Planning and Development Act 2000 (as amended) it is considered the works detailed would constitute development i.e. "the carrying out of works on, in, over or under lands or the making of any material change in the use of any structures or other land".

### **(ii) Does the proposal constitute exempt development:**

Based on the drawings submitted the proposal would be assessed against the conditions and limitations of Schedule 2, Part 1, Class 1 of the Planning & Development Regulations 2001 (as amended) as outlined below:

The referrer seeks a declaration as to whether a 25.7 sq. m flat roof rear extension", **is or is not development and is or is not exempted development.**

#### CLASS 1

The extension of a house, by the construction or erection of an extension (including a conservatory) to the rear of the house or by the conversion for use as part of the house of any garage, store, shed or other similar structure attached to the rear or to the side of the house.

*1. (a) Where the house has not been extended previously, the floor area of any such extension shall not exceed 40 square metres.*

- The works have a stated floor area equating to 38.sq. m and therefore would be compliant with the above.

*(b) Subject to paragraph (a), where the house is terraced or semi-detached, the floor area of any extension above ground level shall not exceed 12 square metres.*

- The dwelling is semi-detached. The extension is single storey and therefore the extension would be compliant with this section.

*(c) Subject to paragraph (a), where the house is detached, the floor area of any extension above ground level shall not exceed 20 square metres.*

- The section is not applicable.

*2. (a) Where the house has been extended previously, the floor area of any such extension, taken together with the floor area of any previous extension or extensions constructed or erected after 1 October 1964, including those for which planning permission has been obtained, shall not exceed 40 square metres.*

- The dwelling does not appear to have been extended. This section is not applicable.

*(b) Subject to paragraph (a), where the house is terraced or semi-detached and has been extended previously, the floor area of any extension above ground level taken together with the floor area of any previous extension or extensions above ground level constructed or erected after 1 October 1964, including those for which planning permission has been obtained, shall not exceed 12 square metres.*

- This section is not applicable.

*3. Any above ground floor extension shall be a distance of not less than 2 metres from any party boundary.*

- The extension is single storey and therefore the extension would be compliant with this section.

4. (a) *Where the rear wall of the house does not include a gable, the height of the walls of any such extension shall not exceed the height of the rear wall of the house.*

- The extension does not exceed the height of the rear wall of the house.

(b) *Where the rear wall of the house includes a gable, the height of the walls of any such extension shall not exceed the height of the side walls of the house.*

- The rear of the dwelling is a single-story hipped roof; the extension is compliant with this section.

(c) *The height of the highest part of the roof of any such extension shall not exceed, in the case of a flat roofed extension, the height of the eaves or parapet, as may be appropriate, or, in any other case, shall not exceed the height of the highest part of the roof of the dwelling.*

- The proposed roof does not exceed the height of the highest part of the roof.

5. *The construction or erection of any such extension to the rear of the house shall not reduce the area of private open space, reserved exclusively for the use of the occupants of the house, to the rear of the house to less than 25 square metres.*

- A usable garden space is retained to the rear and is therefore would be compliant with the above.

6. (a) *Any window proposed at ground level in any such extension shall not be less than 1 metre from the boundary it faces.*

- No windows at ground level facing the boundary wall are proposed. All other windows are well in excess of 1-metre from any party boundary.

(b) *Any window proposed above ground level in any such extension shall not be less than 11 metres from the boundary it faces.*

- This section is not applicable.

7. *The roof of any extension shall not be used as a balcony or roof garden.*

- There would be no balcony or roof garden with the proposed development and therefore this section is not applicable.

**(i) Restrictions on Exemptions:**

The restriction on exemptions under Article 9(1)(a)(i) – (xii) (inclusive) are not considered applicable in this instance.

**(iv) Appropriate assessment:**

Article 9(1)(a)(viiB) sets out that where a planning authority, as the competent authority in relation to appropriate assessment, considers that a development would be likely to have significant effect on the integrity of a European site then there is a restriction on exemption.

The site is not within or directly adjoining any Natura 2000 site. A number of sites are within a 15-kilometre (approximate) distance of the site:

- River Boyne and River Blackwater SAC (Site Code: IE0002299)
- River Boyne and River Blackwater SPA (Site Code: IE0004232)
- Mount Hevey Bog SAC (SiteCode: IE0002342)

The site is not located within a Natura 2000 site. I am not aware of any source/pathway/receptor routes between the site and these sites and so I consider that the current proposal would not have a significant effect upon any Natura sites.

Therefore, it is concluded that having regard to the nature and scale of the proposed development and the nature of the receiving environment no appropriate assessment issues arise and it is not considered that the proposed development would be likely to have a significant effect individually or in combination with other plans or projects on a European site.

**(v) Environmental Impact Assessment:**

The works are not a development type listed under Part 1 or 2 of Schedule 5 of the Planning & Development Regulations (PDR) 2001-2022 nor is it considered a sub-threshold development for the purposes of Schedule 7 PDR and would not on its own or cumulatively with other projects result in significant effects on the environment. As such there is no real likelihood of significant effects on the environment arising from the relevant development and therefore an EIAR (Environmental Impact Assessment Report) is not required.

**(vi) Conclusion:**

In conclusion, based on the information provided, “38sq.m extension to the rear of an existing dwelling, demolition of domestic storage shed to accommodate same”, is development and is exempted development as stated under Schedule 2, Part 1, Class 1 Exempted Development of the Planning and Development Regulations 2001-2023.

**6.0 Recommendation**

It is therefore recommended that a declaration of Exemption be **GRANTED** for the development set out hereunder.

**WHEREAS** the question has arisen as to whether the alterations is or is not exempt development.

**AND WHEREAS** Meath County Council in consideration of this question has had regard particularly to:

- (a) Sections 2(1), 3(1), 4(1)(h) & 177U of the Planning and Development Act 2000-2022
- (b) Article 6 & 9 of the Planning and Development Regulations, 2001-2023
- (c) Schedule 2, Part 1, Class 1 (Exempted Development – General) of the Planning and Development Regulations, 2001-2023.

**AND WHEREAS** Meath County Council has concluded: -

- (a) The construction of a, “38sq.m extension to the rear of an existing dwelling, demolition of domestic storage shed to accommodate same”, to an existing dwelling at No. 5 St Columba’s Terrace, Ballivor, Co. Meath C15N271 is exempted from the requirement to obtain planning permission under the Planning and Development Act 2000-2022 and the Planning and Development Regulations 2001-2023 as it comes within the scope of the conditions & limitations of Schedule 2, Part 1, Class 1 (Exempted Development – General) of the Planning and Development Regulations, 2001-2023.

**NOW THEREFORE** Meath County Council, in exercise of the powers conferred on it by Section 5(2)(a) of the Planning and Development Act 2000-2022 (as amended), hereby decides that the said development as detailed on plans and particulars submitted on 27<sup>th</sup> March 2024 is development and is exempted development



---

Michael McKenna  
Assistant Planner

**RECOMMENDATION  
ACCEPTED**  
24 APR 2024  
*W Bagnall*  
Signed: \_\_\_\_\_

---

Wendy Bagnall  
Senior Executive Planner