

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
Web: 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
Web: 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: Scoil Ui Ghramhnaigh , Ráth Chairn

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

Mahoney Architecture

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

3. Location of Development and/or Subject Site: Scoil Ui Ghramhnaigh, Ráth Chairn,
Co. Meath

4. Description of Development: Provision of an LPG tank and air source heat pump
with associated enclosures

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: Height of enclosure to heat pump
is 2.4m Height of enclosure to LPG tank is 1.8m

PLANNING DEPT

28 FEB 2025

Counter

R

KSS25032

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

_____ No internal floor area – area of fenced enclosures is 47m2

9. List of plans / drawings etc. submitted: _____ OS Map 1:2500
Site Layout Map 1:500 , Plan 1:200, elevations 1:200 _____

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 ☒

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 _____

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

SIGNED: _____ *Paul Hickey* DATE: _____ 27.02.2025 _____

NOTES

1. Application Fee of €80

2. Application shall be accompanied by:

- 2 copies of site location map to scale 1:2500 clearly showing the site outlined in red and the extent of the site boundaries, the position of existing structures, etc., and the proposed work.
- 2 drawings to scale (1:200) of the proposed development (including floor plan and elevations), if appropriate.
- Two site layout plans to scale 1:500 if appropriate. Please submit 2 copies of any additional plans/reports etc. you may wish to include as part of the application.

Application shall be forwarded to: Meath County Council, Planning Department, Buvinda House, Dublin Road, Navan, Co. Meath.

Contact Details: Phone: 046 9097500 Fax: 046 9097001

Email: planning@meathcoco.ie

PLEASE Map

Rath Chairn

LOCATION OF PROPOSED WORKS

0 25 50 75 100 Metres

CAPTURE RESOLUTION:
The map elements are only accurate to the

LEGEND:
to view (the legend view)

N



**CENTRE
COORDINATES:**
ITM 675378.763367

PUBLISHED: 28/02/2025 **ORDER NO.:** 50451412 1

MAP SERIES: 1:5,000 MAP SHEETS: 2572

COMPILED AND PUBLISHED BY:
 Taité Eibmann,
 Phoenix Park,
 Dublin 8,
 Ireland
 D08F6E4

www.laite.ie

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does not show
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CAPTURE RESOLUTION:
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Output scale is not indicative of data capture scale.
Further information is available at:
www.landsat.gov search 'Capture Resolution'

LEGEND:
To view the legend visit
www.toledo.ia.gov and search for
Large Scale Legend.

A

28 FEB 2025

KS525032

A3

WORKS RELATIVE TO THIS APPLICATION

INSTALLATION OF A NEW LPG TANK WITH 1.8M HIGH OPEN MESH FENCE ENCLOSURE

INSTALLATION OF NEW HEAT PUMP WITH 2.4M HIGH ACOUSTIC SCREEN

| Rev | Date | Description |
|-----|------------|-------------------------------|
| 1 | 20/01/2025 | ISSUED FOR PLANNING SECTION 5 |
| 2 | 20/01/2025 | AMENDMENT |

NOTES:

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CLIENT

Department of Education

PROJECT

Scott Uí Ghriainnigh, Rath Cairn

PROJ. NO.

2412

DISCIPLINE

XX

VOLUME

L00

TYPE

DR

REVISION

AR

DRAWING NO.

1100

PURPOSE CODE

P3

REVISION

0

DRAWING TITLE

Floor Plan

SCALE

1:100

DATE

28 Feb 2025

CHECKED

PM

APPROVED

PM

21 DENELLE LANE, D02 EYTH, DUBLIN 2, IRELAND

08 1 353 1 672 5766

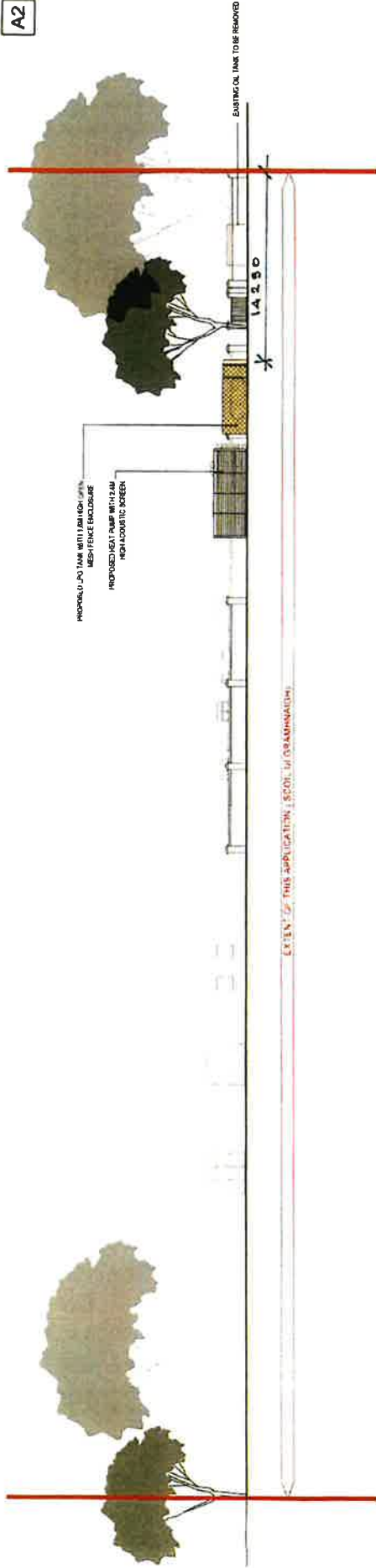
www.marchionniarchitecture.com

08 1 353 1 672 5766

1 FLOOR PLAN
Scale: 1:100

28 FEB 2025

K5525032



1 **SOUTH ELEVATION**
Scale: 1:200

[illegible]

NOTES:
Do not scale from this drawing. Work to approved dimensions only. All dimensions to be checked on site. Arching to be notified of any discrepancies. If no adjustments required on-site, the drawing is for REFERENCE ONLY. This drawing is NOT for construction unless marked "CONTRACT".

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| | |
|---------------|-----------------------------------|
| CLIENT | Department of Education |
| PROJECT | Scott UI Ghrattimnigh, Rath Cairn |
| PROJ. NO. | 2412 |
| ORIGINATOR | MA |
| VOLUME | XX |
| TYPE | DR |
| DISCIPLINE | AR |
| REVISION | 0 |
| PURPOSE CODE | P3 |
| DRAWING NO. | 2000 |
| DRAWING TITLE | Elevations |

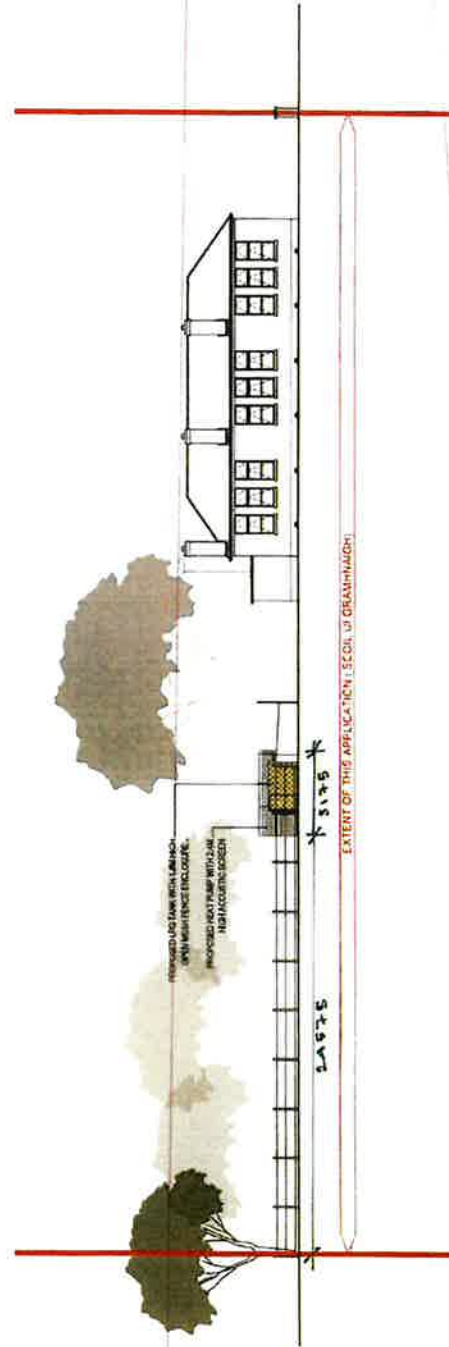
| | | | | |
|--------------------|-------------|---------|----------|-------|
| PURPOSE | DATE | CHECKED | APPROVED | SCALE |
| Planning Section 5 | 28 Feb 2025 | PM | PM | 1:200 |
| DRAWN | | | | |
| Jack Woodruff | | | | |

P.T.

31 DUNZALE LAKE, DOZ EYIN OURLIN 2, IRELAND ☎ +353 1 672 5766
✉ www.majorspecialtiesltd.com ✉ info@majorspecialtiesltd.com

28 FEB 2025

KS525032



2 EAST ELEVATION
Scale: 1:200

MEATH COUNTY COUNCIL
CHIEF EXECUTIVE ORDER

Chief Executive Order Number: 559/25

Reference Number: KS525032

Subject: Declaration under Part 1, Section 5, Planning and Development Act 2000-2023

Name of Applicant: Scoil Ui Ghramhnaigh Rath Cairn

Address: c/o Mahoney Architecture
21 Denzille Lane
Dublin 2
D02 EY19


Nature of Application: Provision of an LPG tank and air source heat pump with associated enclosures

Location of Development: Scoil Ui Ghramhnaigh Rath Cairn

DECLARATION: This development is not exempted development and therefore is development requiring 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 development is not exempted development and therefore is DEVELOPMENT REQUIRING PLANNING PERMISSION.**



SIGNED:
On Behalf of Meath County Council

DATE: 27/03/2025

MEATH COUNTY COUNCIL

Planning Department

Buvinda House

Dublin Road

Navan

Co Meath

046 - 9097500

Planning & Development Act 2000-2023

DECLARATION

To: Scoil Ui Ghramhnaigh Rath Cairn
c/o Mahoney Architecture
21 Denzille Lane
Dublin 2
D02 EY19

**PLANNING REFERENCE
NUMBER:** KS525032

APPLICATION RECEIPT DATE: 28/02/2025

**FURTHER INFORMATION
DATE:** N/A

In pursuance of the powers conferred upon them by the Planning and Development Act 2000-2023, Meath County Council has by order dated 27/03/2025 decided to Declare the proposed development is **development and is NOT EXEMPTED DEVELOPMENT** therefore is **DEVELOPMENT REQUIRING PLANNING PERMISSION**, in accordance with the documents submitted namely: Provision of an LPG tank and air source heat pump with associated enclosures at Scoil Ui Ghramhnaigh Rath Cairn.

Date: 27/03/2025 Triona Keating
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 2000-2023 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.

or 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

Web: www.pleanala.ie

Meath County Council



Planning Report

| | |
|---------------------------------|----------------------------------------------------------------------------------------------------------|
| To: | Peadar McQuaid, A/Senior Executive Planner |
| From: | Stephen O' Brien, Assistant Planner |
| Date: | 26 th March 2025 |
| MCC File Number: | TS525032 |
| Applicant: | Scoil Uí Ghramhnaigh |
| Development Address: | Scoil Uí Ghramhnaigh, Rath Chairn, Co. na Mí |
| Application Type: | Section 5 of the Planning & Development Acts 2000-2023: Declaration on Development/Exempted Development. |
| Development Description: | Provision of an LPG tank and air source heat pump with associated enclosures. |
| Date Decision Due: | 28 th March 2025. |

1.0 Site Location & Description

The application site is located in the settlement of Rath Cairn. The subject site currently comprises of an existing National School (Scoil Uí Ghramhnaigh). Vehicular access to the site is formed off the local road L-40022-10 that is located to the north of the site and the L-40035-0 that is located to the east of the site. *Ceola Creche* is located to the south of the site, the local road is located to the east and north while there is an existing single storey dwelling house located to the west.

There are no National Monuments within or adjoining the application site. The site is located within a settlement boundary (namely Rath Cairn and is zoned G1 – Community Infrastructure). The site is not located within an Architectural Conservation Area (ACA). The site is designated a Strong Rural Area, according to the Meath County Development Plan 2021-2027. There are no Protected Structures, National Monuments or Protected Views within the application site. The site is located in the West Navan Lowlands which has a moderate value and moderate sensitivity.

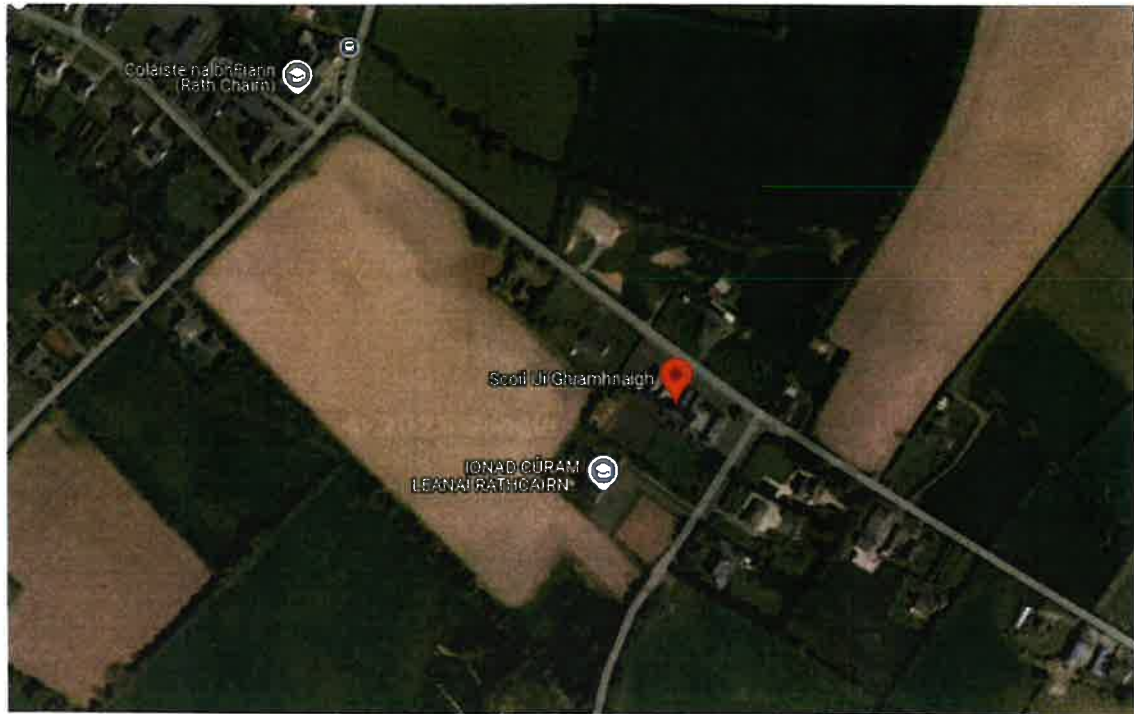


Figure 1: Extract from Google Imagery showing subject site.



Figure 2: Google Street View (August 2024) of front of school



Figure 3: Google Street View (August 2024) of side of school

2.0 Proposed Declaration

The applicant describes the development in the completed application form as '*Provision of an LPG tank and air source heat pump with associated enclosures*'. The Planning Authority is considering this question as:

Whether the extension of an existing dwelling is or is not development and is or is not exempted development.

The completed application form and submitted documents indicate that the extent of works proposed indicate the height of the enclosure to heat pump is 2.4m and the height of enclosure to LPG tank is 1.8m.

3.0 Planning History

- | | |
|------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 96142 | Permission granted chun seomra reamhdheanta (1996) |
| 97207 | Permission granted chun fana an dín a athrú ón fhana 50 céim a bhí ceadatihe go fana 35 céim (1997) |
| KA/60407 | Permission granted chun seomra reamhdheanta agus ceangal a dhéanamh leis an gcóras searachais agus siothlaith (2006) |
| KA/300392 | Permission granted for a single storey classroom, learning support room and link corridor extension to rear of existing school together with decommissioning existing septic tank and percolation area and installing new proprietary waste water treatment system and percolation area and all associated site works. (2013) |

4.0 Internal, External and Prescribed Body Referrals

None referred.

5.0 Relevant National Legislation

In order to assess whether or not the works described in Section 2.0 of this report is or is not development or is or is not exempted development regard must be had to the following national legislation set out below.

5.1 Section 2 of the Planning & Development Acts 2000-2023

Section 2 of the Planning & Development Acts 2000-2023 provides the following interpretations which are relevant:

"development" has the meaning assigned to it by section 3, and "develop" shall be construed accordingly;

"exempted development" has the meaning specified in section 4;

"structure" means *inter alia* 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 where the context so admits, includes the land on, in or under which the structure is situate; and

"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.

5.2 Section 3 of the Planning & Development Acts 2000-2023

Section 3(1) of the Planning & Development Acts 2000-2023 defines "development" as follows:

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

5.3 Section 4 of the Planning & Development Acts 2000-2023

Section 4(1) of the Planning & Development Acts 2000-2023 provides a list of statutory exempted development including:

"(j) development consisting of the use of any structure or other land within the curtilage of a house for any purpose incidental to the enjoyment of the house as such;"

Section 4(2) of the Planning and Development Acts 2000-2023 provides for the making of regulations relating to exempted development. The Planning & Development Regulations 2001-2025 give effect to section 4(2).

Section 4 (2) (a) (i)

'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..'

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.'

5.4 Section 5 of the Planning & Development Acts 2000-2023

Section 5 of the Planning & Development Acts 2000-2023 provides *inter alia*:

- (1) 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.
- (2) (a) Subject to *paragraph (b)*, a planning authority shall issue the declaration on the question that has arisen and the main reasons and considerations on which its decision is based to the person who made the request under *subsection (1)*, and, where appropriate, the owner and occupier of the land in question, within 4 weeks of the receipt of the request.

(b) A planning authority may require any person who made a request under *subsection (1)* to submit further information with regard to the request in order to enable the authority to issue the declaration on the question and, where further information is received under this paragraph, the planning authority shall issue the declaration within 3 weeks of the date of the receipt of the further information.

(c) A planning authority may also request persons in addition to those referred to in *paragraph (b)* to submit information in order to enable the authority to issue the declaration on the question.

5.5 Section 32 of the Planning & Development Acts 2000-2023

Section 32 of the Planning & Development Acts 2000-2023 sets out a general obligation to obtain planning permission in respect of any development of land, not being exempted development, and in the case of development which is unauthorised, for the retention of that unauthorised development.

5.6 Article 6 of the Planning & Development Regulations 2001-2025

Article 6 of the Planning & Development Regulations 2001-2025 provides (subject to the restrictions in article 9 of the Planning & Development Regulations 2001-2025) for the classes of exempted development under column 1 of Parts 1, 2 and 3 of Schedule 2, subject, where applicable, to the conditions and limitations imposed upon such classes as set out in column 2.

5.9 Article 9 of the Planning & Development Regulations 2001-2025

Article 9 of the Planning & Development Regulations 2001-2025 imposes specific restrictions on development of classes specified in Parts 1, 2 and 3 of Schedule 2 and in effect de-exempts certain classes of development that would be exempt under normal circumstances.

6.0 Assessment

In essence, the question has arisen as to whether the provision of an LPG tank and air source heat pump with associated enclosures, is or is not development and is or is not exempted development. In this regard, it is necessary to consider the question of "development" and "exempted development" as provided for in statute and summarised above.

6.1 "Development"

It is considered that the subject proposal, as outlined above, falls within the statutory interpretation of "works" within the section 3(1) Planning & Development Acts 2000-2023 definition of development. Whether the works are development and exempted development or development and not exempted development requires an assessment of each of the component elements against the provisions of Class 1 of Part 1 of Schedule 2 of the Planning & Development Regulations 2001-2025 respectively.

6.2 "Exempted Development"

In terms of whether the development is exempted development, the Applicant is looking for the provision of an LPG tank and air source heat pump with associated enclosures. The height of the enclosure to heat pump is 2.4m and the height of enclosure to LPG tank is 1.8m. Based on the attached drawings, the proposed LPG tank and air source heat pump will be located to the rear (south) of the existing primary school. The proposed heat pump will have a 2.4m high acoustic screen and the proposed LPG tank will have a 1.8m high open mesh open enclosure.

From a review of the Planning and Development Regulations 2001-2025, Part 2 and Schedule 2, it is noted that the proposed development does not fall within any exempt development category listed. The installation of an air source heat pump is considered exempted development subject to conditions/limitations at domestic dwellings, industrial buildings, business premises and agricultural holdings but not for educational/school facilities.

Based on the foregoing, I believe that the provision of an LPG tank and air source heat pump with associated enclosures is development and is not exempted development.

7.0 Appropriate Assessment

Article 6(3) of Council Directive 92/43/EEC (as amended) on the conservation of natural habitats and of wild fauna and flora ('the Habitats Directive') requires that any plan or project that is not directly connected with or necessary to the management of the Natura 2000 site concerned but is likely to have a significant effect on it, on its own or in combination with other plans and projects, is to be authorised only if it will not adversely affect the integrity of that site. The application site is not within any designated Natura 2000 site. The nearest sites located within 15km of the subject site are as follows:

- River Boyne and River Blackwater SPA (Site Code: 004232) ~ 2.7km,
- River Boyne and River Blackwater SAC (Site Code: 002299) ~ 2.7km.

It is noted that both the River Boyne Blackwater SPA and River Boyne and Blackwater SAC are located approximately 140m to the north of the site.

The Planning Authority considered the nature (**provision of an LPG tank and air source heat pump with associated enclosures**), scale and location of the proposed development and other plans and projects (where there could be potential for cumulative or in-combination effects), the conservation objectives/ qualifying interests of European Sites within the vicinity of the site and the distance to European Sites, any protected habitats or species, the WFD catchment location, the underlying aquifer type and vulnerability and the excavation works, emissions, transportation requirements and duration of construction and operation and cumulative impacts associated with the proposal.

The Planning Authority's Screening for Appropriate Assessment has considered the potential effects including direct, indirect and in-combination effects of the proposed development, individually or in combination with the permitted developments and cumulatively with other plans or projects on European Sites. The Planning Authority concludes that the proposed development (entire project), by itself or in combination with other plans and developments in the vicinity, would not be likely to have a significant effect on European Site(s). In light of this, it is considered that a Stage 2 Appropriate Assessment (Natura Impact Statement) is not required in this instance.

8.0 Environmental Impact Assessment

The proposed development is not a development type listed under Part 1 or 2 of Schedule 5 of the Planning & Development Regulations (PDR) 2001 - 2025 nor is it considered a sub-threshold development for the purposes of Schedule 7 PDR. Based on information provided and having considered the nature, size and location of the development, there is no real likelihood of significant effects on the environment and as such as EIAR is not required.

9.0 Conclusion and Recommendation

It is therefore recommended that a declaration be issued for the provision of an external heat pump unit with an acoustic enclosure and the provision of an LPG tank within an open fence enclosure as indicated on the submitted plans and particulars stating that the proposal represents development which is **not exempted development** as follows:

WHEREAS a question has arisen as to whether, *"the provision of an external heat pump unit with an acoustic enclosure and the provision of an LPG tank within an open fence enclosure"* on lands at Rath Cairn, Co. Meath is or is not exempted development:

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

- (a) Sections 2, 3, 4 & 177U(9) of the Planning and Development Act 2023,
- (b) Articles 6, 8 and 9 of the Planning and Development Regulations, 2001-2025
- (c) Information provided.

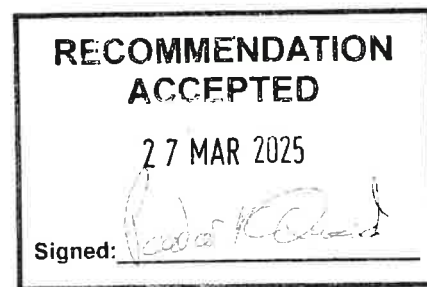
AND WHEREAS Meath County Council has concluded: -

- (a) The proposal represents works and constitutes development having regard to Section 2 and 3 of the Planning and Development Act 2000-2023.
- (b) There is no provision for exemption within any of the classes as set out in Part 2 or Schedule 2 of the Planning and Development Regulations 2001 as amended for the proposed development.

NOW THEREFORE Meath County Council, in exercise of the powers conferred on it by Section 5(2)(a) of the Planning and Development Act 2000-2023, hereby decides that the said development as detailed on particulars submitted 28th February 2025 is development and is not exempted development.

Stephen O'Brien

Stephen O' Brien
Assistant Planner
26/03/2025



Peadar McQuaid
A/Senior Executive Planner
27/03/2025

Note: Declaration is made strictly on the information submitted with this application and the Case Officer's interpretation of the thresholds for exempted development as set out in the Planning & Development Regulations 2001-2025.