

**Comhairle Chontae na Mí**

Roinn Pleanáil,  
Teach Buvinda, 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  
Buvinda 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:** JOEY STENSON AND CAROLINE STENSON *Walsh*

**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**

\_\_\_\_\_

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

3. **Location of Development and/or Subject Site:** MOYFIN, LONGWOOD, CO. MEATH A83 W270

4. **Description of Development:** 40 SQM EXTENSION TO REAR OF EXISTING COTTAGE

\_\_\_\_\_

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?**

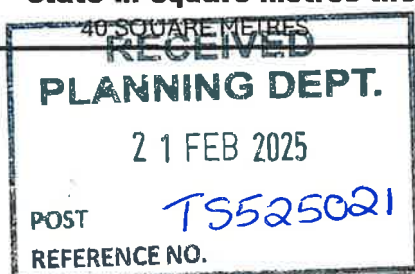
Please tick as appropriate: YES ☐ NO ☒

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:** 2.6M

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



**9. List of plans / drawings etc. submitted:** SCALED DRAWINGS OF PROPOSED DEVELOPMENT, SITE LOCATION MAP.

**10. Please state applicants interest in this site** HOUSE/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:**

*[Signature]*

**DATE:**

*19/2/25*  
*19-2-25*

**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](mailto:planning@meathcoco.ie)

# Land Registry Compliant Map



**Tailte Éireann**

**CENTRE**  
**COORDINATES:**  
ITM 669355,748343

**PUBLISHED:**  
12/02/2025  
**ORDER NO.:**  
50448387\_1

**MAP SERIES:** 5000  
**MAP SHEETS:** 2913

RECEIVED  
PLANNING DEPT.

21 FEB 2025

POST  
REFERENCE NO.  
T5525021

**COMPILED AND PUBLISHED BY:**  
Tailte Éireann,  
Phoenix Park,  
Dublin 8,  
Ireland.  
D08F6E4

[www.tailte.ie](http://www.tailte.ie)

Any unauthorised reproduction  
infringes Tailte Éireann copyright.

No part of this publication may  
be copied, reproduced or transmitted  
in any form or by any means without  
the prior written permission of the  
copyright owner.

The representation on this map  
of a road, track or footpath  
is not evidence of the existence  
of a right of way.

This topographic map  
does not show  
legal property boundaries,  
nor does it show  
ownership of physical features.

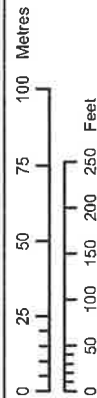
©Tailte Éireann, 2025.  
All rights reserved.



**LEGEND:**  
To view the legend visit  
[www.tailte.ie](http://www.tailte.ie) and search for  
'Large Scale Legend'

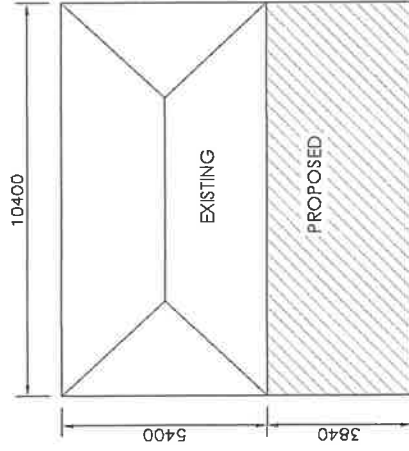
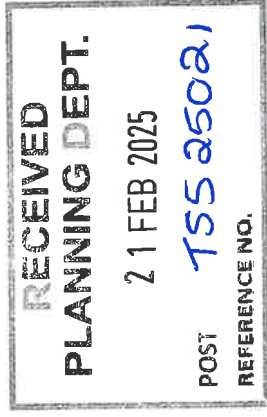
**CAPTURE RESOLUTION:**  
The map objects are only accurate to the  
resolution at which they were captured.  
Output scale is not indicative of data capture scale.  
Further information is available at:  
[www.tailte.ie](http://www.tailte.ie); search 'Capture Resolution'

**OUTPUT SCALE:** 1:2,500

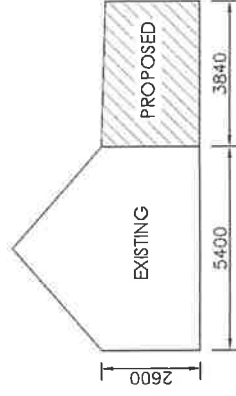


RECEIVED  
PLANNING DEPT.  
21 FEB 2025  
POST TS525021  
REFERENCE NO.





PLAN OF HOUSE



SIDE ELEVATION

PROPOSED EXTENSION HATCHED IN GREY  
SCALE 1:200 @ A4



**MEATH COUNTY COUNCIL**

**CHIEF EXECUTIVE ORDER**

**Chief Executive Order Number:** 512/25

**Reference Number:** TS525021

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

**Name of Applicant:** Joey Stenson & Caroline Walsh

**Address:** Borderview, Ribbontail, Longwood, Co Meath

**Nature of Application:** 40 sqm extension to rear of existing cottage

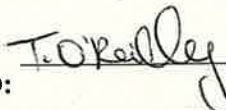
**Location of Development:** Moyfin, Longwood, Co Meath, A83 W270

**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:**

\_\_\_\_\_

**On Behalf of Meath County Council**

**DATE:** 18/03/2025

**MEATH COUNTY COUNCIL**

**Planning Department**

**Buvinda House**

**Dublin Road**

**Navan Co Meath**

**046 - 9097500**

**Planning & Development Act 2000- 2023**

**DECLARATION**

**To:**

**Joey Stenson & Caroline Walsh  
Borderview  
Ribbontail  
Longwood  
Co Meath**

**PLANNING REFERENCE** TS525021

**NUMBER:**

**APPLICATION RECEIPT DATE:** 21/02/2025

**FURTHER INFORMATION DATE:**

In pursuance of the powers conferred upon them by the Planning and Development Act 2000-2023, Meath County Council has by order dated 18/03/2025 decided to Declare the proposed development is **EXEMPT**, in accordance with the documents submitted namely: **40 sqm extension to rear of existing cottage at Moyfin, Longwood, Co Meath A83 W270.**

Date: 18/03/2025

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.

**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>	Teresa O' Reilly, Senior Executive Planner
<b>From:</b>	Stephen O' Brien, Assistant Planner
<b>Date:</b>	14 March 2025
<b>MCC File Number:</b>	TS525021
<b>Applicant:</b>	Joey Stenson & Caroline Walsh
<b>Development Address:</b>	Moyfin, Longwood, Co. Meath (A83 W270).
<b>Application Type:</b>	Section 5 of the Planning & Development Acts 2000-2023: Declaration on Development/Exempted Development.
<b>Development Description:</b>	40 sqm extension to rear of existing cottage
<b>Date Decision Due:</b>	21 <sup>st</sup> March 2025.

### 1.0 Site Location & Description

The application site is located in the townland of Moyfin, approximately 3km north of the settlement of Longwood and 3.85km east of the Hill of Down. The subject site currently comprises of an existing cottage and associated lands and is bounded by the local road L-8031-12 to the south with an entrance gate and a wall while all the other boundaries comprise of hedging. The site has a sizeable back garden. The settlement pattern in the area is generally dispersed and there appears to be a quarry located to the southwest of the site according to Satellite Imagery.

There are no National Monuments within or adjoining the application site. The site is not within Flood Zone A or B. However, it is noted that the River Boyne is located approximately 130m to the rear (north) of the site. It is noted that part of the quarry and lands to the west/southwest of the site are located within Flood Zone A. The area is zoned RA as Rural Area and is not located within a settlement boundary. 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 Central Lowlands which has a high value and moderate sensitivity.



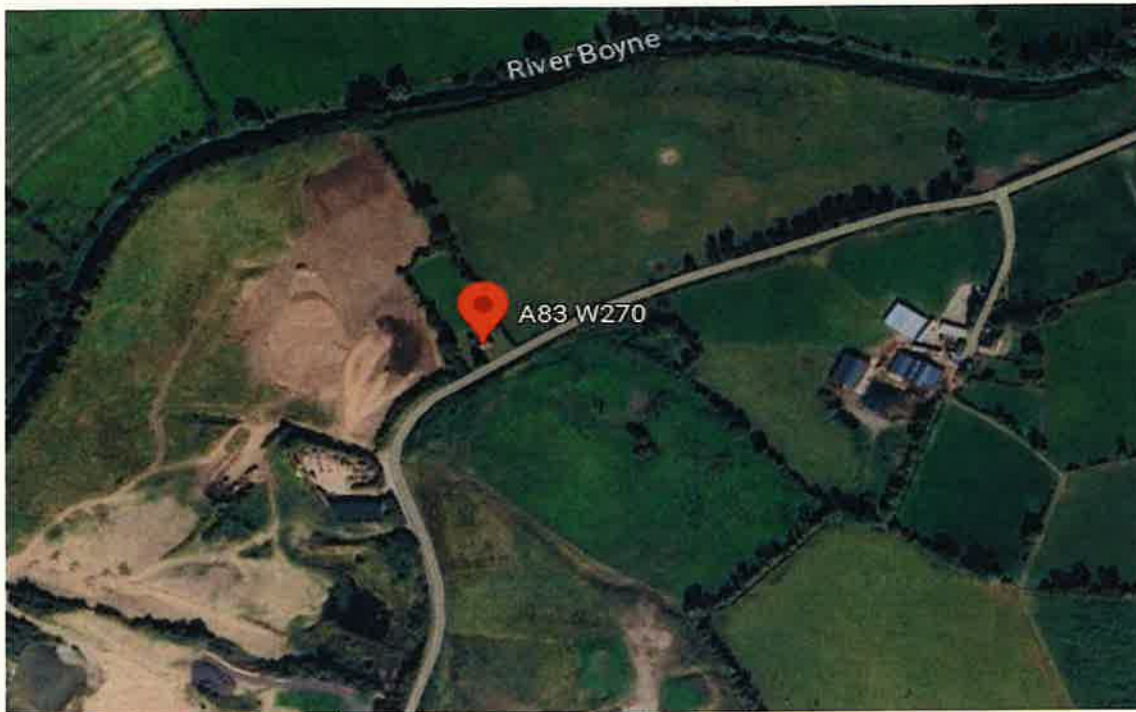


Figure 1: Extract from Google Imagery showing subject site.

## 2.0 Proposed Declaration

The applicant describes the development in the completed application form as '40sqm extension to rear of existing cottage'. 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 shall comprise 40sqm with a ridge height of 2.6m.

## 3.0 Planning History

A review of Meath County Council's historical planning data and mapping systems indicates no planning history with the subject site.

## 4.0 Internal, External and Prescribed Body Referrals

No 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.

## **5.7 Class 1 of Article 6, Part 1 of Schedule 2 of the Planning & Development Regulations 2001-2025**

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.*

Conditions and Limitations attached thereto:

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.

(c) Subject to paragraph (a), where the house is 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 20 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.*

## **5.9 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 40sqm extension to rear of existing cottage, 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 proposes to extend an existing dwelling by 40sqm. The extension as per the plans will occur to the rear of the existing cottage, the ridge height will not increase above the gable and will have a maximum ridge height of 2.6m. Based on the attached drawings, the proposed extension will not jut out from the side of the house and will be solely to the rear of the existing cottage.

To benefit from an exemption under Class 1 of Article 6, Part 1 of Schedule 2 of the Planning and Development Regulations 2001-2025, which provides for 'the extension to rear of existing cottage' must accord with the listed conditions/limitations. In this regard, the proposed extension (40sqm) falls within the listed conditions/limitations. Furthermore, from a review of the submitted drawings the Planning Officer considers that the proposed development would comply with all relevant conditions and limitations set out under Class 1, Part 1, Schedule 2 of the Planning & Development Regulations 2001-2025.

On the basis of the details submitted with the application, the Planning Officer considers that the extension proposed meets the Conditions and Limitations set out under Column 2 of Class 1 of Part 1 of Schedule 2 of the Planning & Development Regulations 2001-2025 and is therefore exempted development.

Based on the foregoing, I believe that the extension to rear of existing cottage by 40sq.m. at Moyfin, Longwood is development and is exempted development pursuant Class 1 of Article 6, Part 1 of Schedule 2 Planning and Development Regulations 2001-2025.



## 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) ~ 140m,
- River Boyne and River Blackwater SAC (Site Code: 002299) ~ 140m.

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 (**extension to a dwelling**), 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 EIS/EIAR is not required.

## 9.0 Conclusion and Recommendation

Having regard to the development proposed, I conclude that the extension of a cottage by 40sq.m. at Moyfin, Longwood County Meath proposed by Joey Stenson and Caroline Walsh is development and is exempted development.

**I recommend** that the application for an exempted development certificate is **GRANTED** for the following reason:

**WHEREAS** the question has arisen as to whether *'the extension to the rear of an existing cottage by 40sqm.'* at Moyfin, Longwood County Meath is or is not development and is or is not exempted development.

**AND WHEREAS** the said question was referred to Meath County Council by the Applicant, Joey Stenson and Caroline Walsh

**AND WHEREAS** Meath County Council, in considering this reference, had particular regard to:

- (a) Sections 2, 3, 4, 5 and 32 of the Planning & Development Act 2000-2023 and articles 6 and 9 of the Planning & Development Regulations 2001-2025.
- (b) The definition of "development" in section 3 of the Planning & Development Act 2000-2023 and
- (c) The provisions under Class 1 of Article 6, Part 1 of Schedule 2 of the Planning & Development Regulations 2001-2025

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

- (a) *'The extension of an existing cottage by 40sqm to the rear'* at Moyfin, Longwood County Meath comprises works and is development under section 3(1) of the Planning & Development Act 2000-2023 and
- (b) *'The extension of an existing cottage by 40sqm to the rear'* at Moyfin, Longwood, County Meath is exempted development under the provisions of Class 1 of Article 6, Part 1 of Schedule 2 of the Planning & Development Regulations 2001-2025.

**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 40 sqm extension to rear of existing cottage.'* At Moyfin, Longwood, County Meath is development and is **EXEMPTED DEVELOPMENT**.

*Stephen O'Brien*

Stephen O' Brien  
Assistant Planner  
14/03/2025



Teresa O' Reilly  
Senior Executive Planner  
18/03/2025

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.