

APPLICATION FORM – DECLARATION ON DEVELOPMENT & EXEMPTED DEVELOPMENT

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

1. Name: Board of Management Scoil Naomh Bride

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

Richard McMichael (Carlin Planning)

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

3. Location of Development and/or Subject Site: Scoil Naomh Bride, Batterstown, Trim, County Meath, C15TP62

4. Description of Development: Erection of 1.1m high safety railing along roof edge of school building

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 ☒

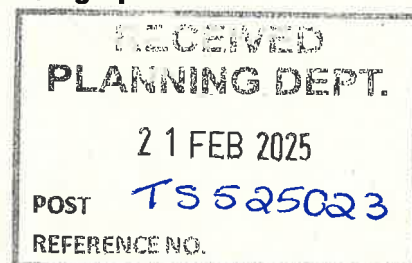
6(b) If "YES", has a Declaration under Section 57 of the Planning & Development Act 2000 – 2014, as amended, been requested or issued for the property by the Planning Authority?

Please tick as appropriate: YES _____ NO ☒

7. State overall height of structure if applicable: 1.1m

8. State in square metres the floor area of the proposed development: 0 sqm

9. List of plans / drawings etc. submitted: Site Location Plan, Site Plan, Existing and Proposed Elevations and Roof Plans, Specification, Sales Brochure, Photographs 1-5



10. Please state applicant's 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 applications on this site?

Please tick as appropriate: YES _____ NO ☒

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

SIGNED: 

DATE: 20/02/2025

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

Land Registry Compliant Map



CENTRE COORDINATES:
ITM 674545 731951

PUBLISHED: 07/02/2025 **ORDER NO.:** 50447529_1

MAP SERIES: 1:5 000 **MAP SHEETS:** 2848

COMPILED AND PUBLISHED BY:
Tailte Éireann,
Phoenix Park,
Dublin 8,
Ireland
D08F8E4

www.tailte.ie

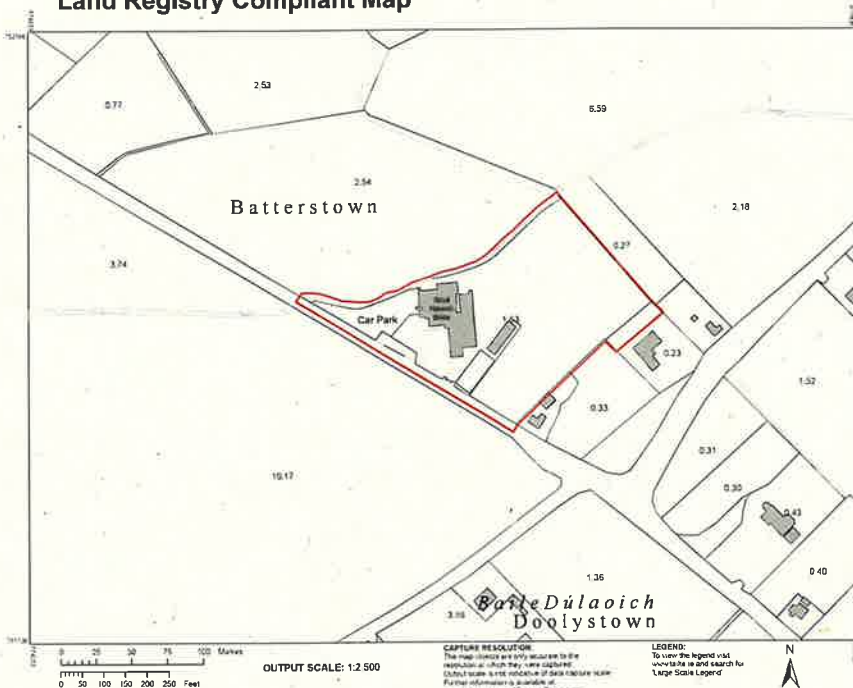
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The representation on the map
of a road track or footpath
is not evidence of the existence
of a right of way

The topographic map
does not show
legal property boundaries
nor does it show
ownership of physical features

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OUTPUT SCALE: 1:2 500

CAPTURE RESOLUTION
The map is not a true scale map. It is a
representation of the land as it appears
on the ground. It is not a true scale map.
Further information is available at
www.tailte.ie search 'Capture Resolution'

LEGEND:
To view the legend visit
www.tailte.ie and search for
Large Scale Legend

1 Site Location Map Copy 2
Scale 1: 2500

Rev	Date	Description	Name
Project Status	ISSUED FOR PLANNING		
Client	Department of Education		
Project	Scoil Naomh Bride		
Drawing	Site Location Map Copy 1		
Scale at A3	1: 2500		
0.5	0	0.5	1 1.5 2 2.5
SCALE 1: 50			
		10 Montgomery House 478 Castleknock Road Dublin 15 T: 019 9540 0000 F: 019 9579 4144 www.mcadamsurvey.co.uk	
McAdam Design Project Number A2240			
Drawn	Author	Checked	Checker
Date	Date	Date	Date
Drawing No.	NBDM-MCD-XX-00-DR-A-1005		Rev. S2
All dimensions are in millimetres. Figured dimensions to be taken in preference to scale dimensions. Dimensions to be checked onsite.			
© 2025 McAdam Design Ltd.			
Plot Date: 18/02/2025 16:37:51			

**RECEIVED
PLANNING DEPT.**

21 FEB 2025

POST TS525023
REFERENCE NO.



Site Area
4.473 Acres
1.871 Hectares

Existing school
building

80.555

80.445

80.135

80.735

80.815

80.405

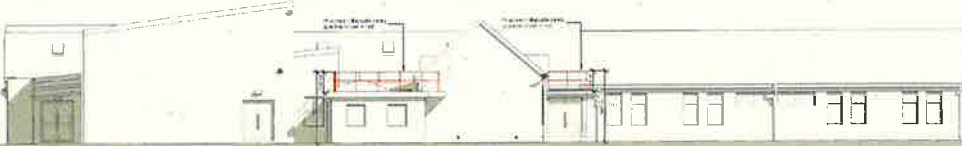
80.845

1 Site Layout Plan Copy 1
Scale: 1:500

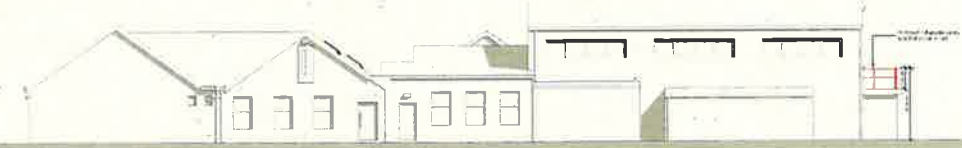
Drawn By	Drawn Date	Checked By	Checked Date	Approved By	Approved Date
ISSUED FOR PLANNING					
Client Department of Education					
Project Scoil Naomh Bride					
Drawing Site Layout Plan Copy 1					
Scale: 1:500		Scale: 1:500			
		13 Management Place, 475 Cradock Road, Limerick, T23 8B7 T: 020 8647 2000 info@mcadamdesign.co.uk www.mcadamdesign.co.uk			
McAdam Design Project Number: A2240					
Drawn	Author	Checked	Checked	Approved	Approved
Date	Date	Date	Date	Date	Date
Drawing No. NBM-MCA-XX-00-DR-A-1005					Sheet S2
All dimensions are in millimetres. If not otherwise stated, dimensions are to the centre of the element. Dimensions to be checked on site. © 2008 McAdam Design Ltd.					
Rev: 001 08/05/08 16:17:45					



Proposed Elevation East



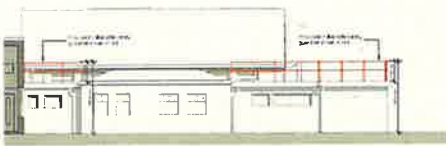
Proposed Elevation West



Proposed Elevation North



Proposed Elevation South



Proposed Elevation 1



Proposed Elevation 2

FOR INFORMATION

Department of Education
Scribble House
Proposed Elevations

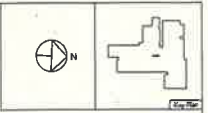
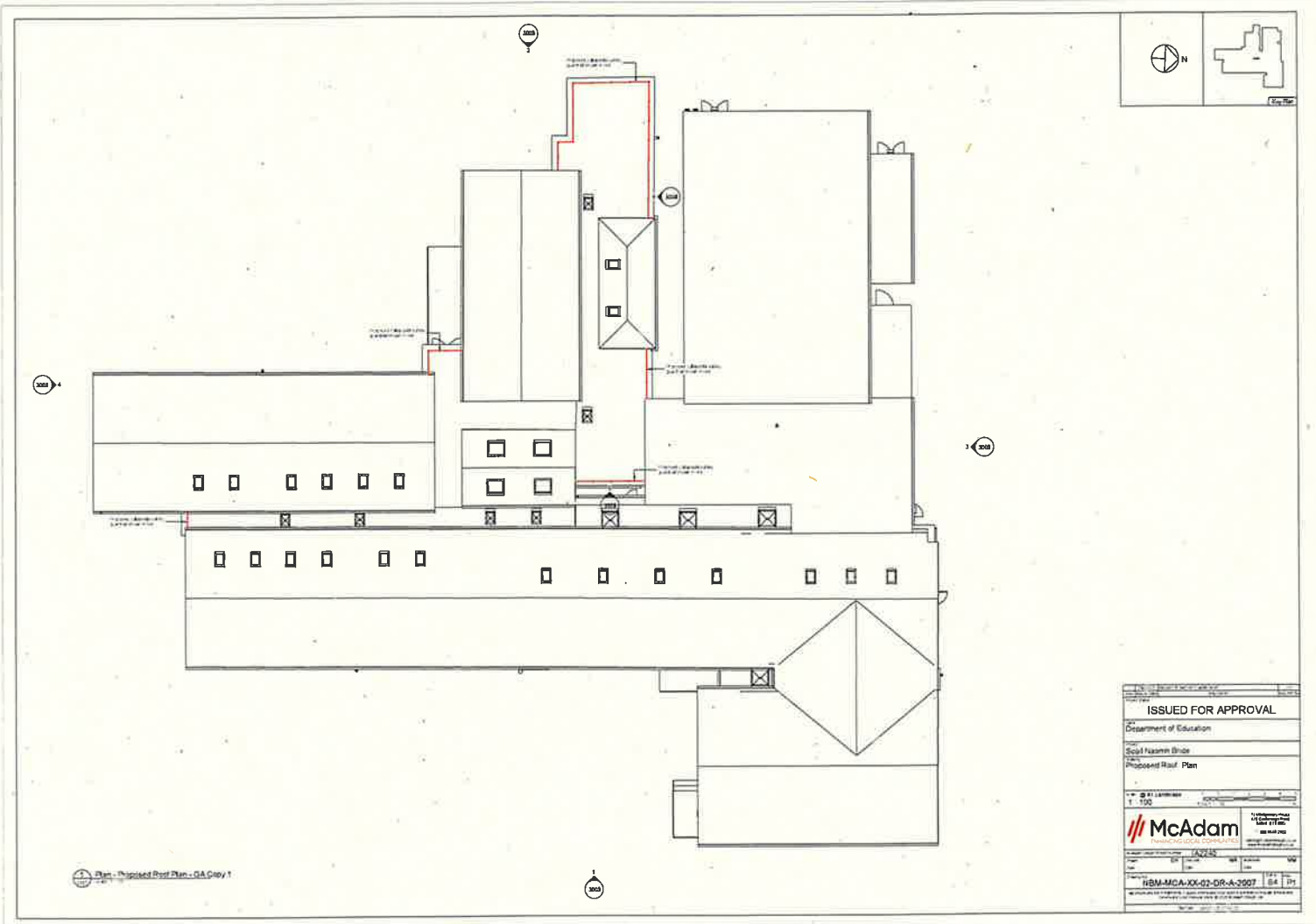
1:100

McAdam

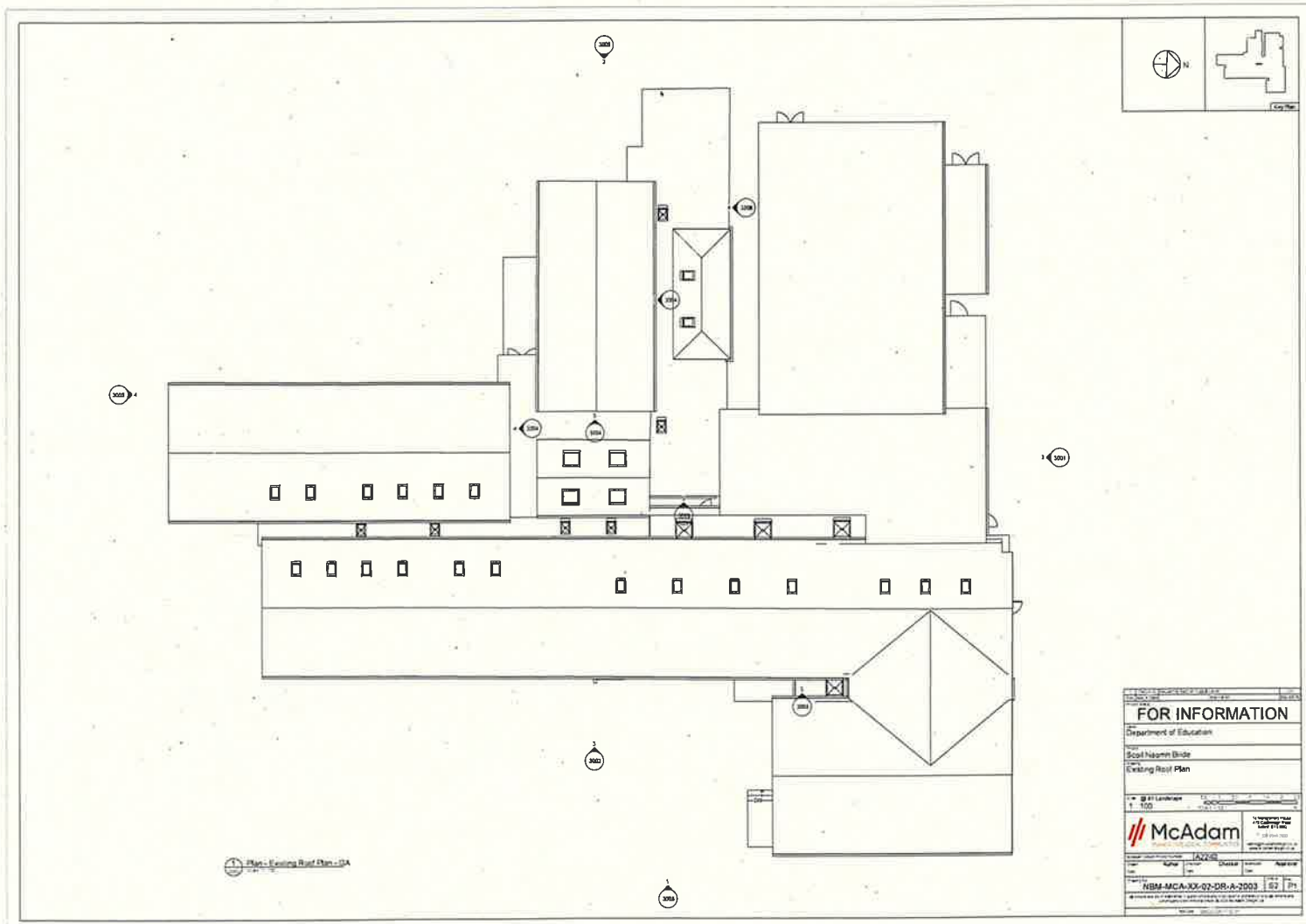
18/03/2020

NSW-MCA-XX-ZZ-OR-V-2005

1/21



ISSUED FOR APPROVAL	
Department of Education	
School: South Nazareth Bridge	
Project: Proposed Roof Plan	
Scale: 1/8" = 1'-0"	
McAdam	
RBM-MCA-XX-02-OR-6-2007	
Date: 06/06/07	
By: [Signature]	
Check: [Signature]	
Approved: [Signature]	



FOR INFORMATION			
Department of Education			
Scoti High School			
Existing Roof Plan			
1" = 31' Landscape	1" = 100'	1" = 100'	1" = 100'
McAdam			
Project Number	12228	Checked	Approved
Drawn	12228	12228	12228
NSM-MCA-XX-92-DB-A-2003			
22			

MEATH COUNTY COUNCIL

CHIEF EXECUTIVE ORDER

Chief Executive Order Number: 524/25

Reference Number: TS525023

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

Name of Applicant: **Board of Management Scoil Naomh Bride**

Address: c/o Richard McMichael, Carlin Planning, Suite 1, Bamford House, 91-93 Saintfield Road, Belfast BT8 7HL

Nature of Application: Erection of 1.1m high safety railing along roof edge of school building

Location of Development: Scoil Naomh Bride, Batterstown, Trim, Co. Meath C15 TP62

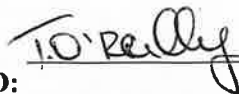
DECLARATION: This development is **EXEMPT** from Planning Permission.

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**.

Please Note: The above decision is based on the use of a grey, dull metal finish on the protection railing, rather than any colour coating varieties.

SIGNED:



On Behalf of Meath County Council

DATE:

20/03/2025

MEATH COUNTY COUNCIL

Planning Department

Buvinda House

Dublin Road

Navan Co Meath

046 - 9097500

Planning & Development Act 2000- 2023

DECLARATION

To:

Board of Management Scoil Naomh Bride

c/o Richard McMichael

Carlin Planning

Suite 1

Bamford House

91-93 Saintfield Road

Belfast BT8 7HL

PLANNING REFERENCE

TS525023

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 20/03/2025 decided to Declare the proposed development is **EXEMPT**, in accordance with the documents submitted namely: Erection of 1.1m high safety railing along roof edge of school building at Scoil Naomh Bride, Batterstown, Trim, Co. Meath C15 TP62.

Please Note: The above decision is based on the use of a grey, dull metal finish on the protection railing, rather than any colour coating varieties.

Date: 20/03/2025

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 Web: www.pleanala.ie

Meath County Council



Planning Report

To:	Teresa O' Reilly, Senior Executive Planner
From:	Stephen O' Brien, Assistant Planner
Date:	19/03/2025
MCC File Number:	TS525023
Applicants:	Board of Management Scoil Naomh Bríde
Development Address:	Scoil Naomh Bríde, Batterstown, Trim, Co. Meath C15 TP62
Application Type:	Section 5 of the Planning & Development Acts 2000 - 2023: Declaration on Development/Exempted Development.
Development Description:	Erection of 1.1m high safety railing along roof edge of school building
Date Decision Due:	21/03/2025

1.0 Site Location & Description

The subject is located within the townland of Batterstown 6.2km southeast of Ballivor and 7.3km northeast of Longwood. Vehicular access to the site is formed along the Regional Road (R150-52). There is an existing primary school located on the site.

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 Low Development Pressure 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 Lowland Landscape which has a high value and moderate sensitivity.

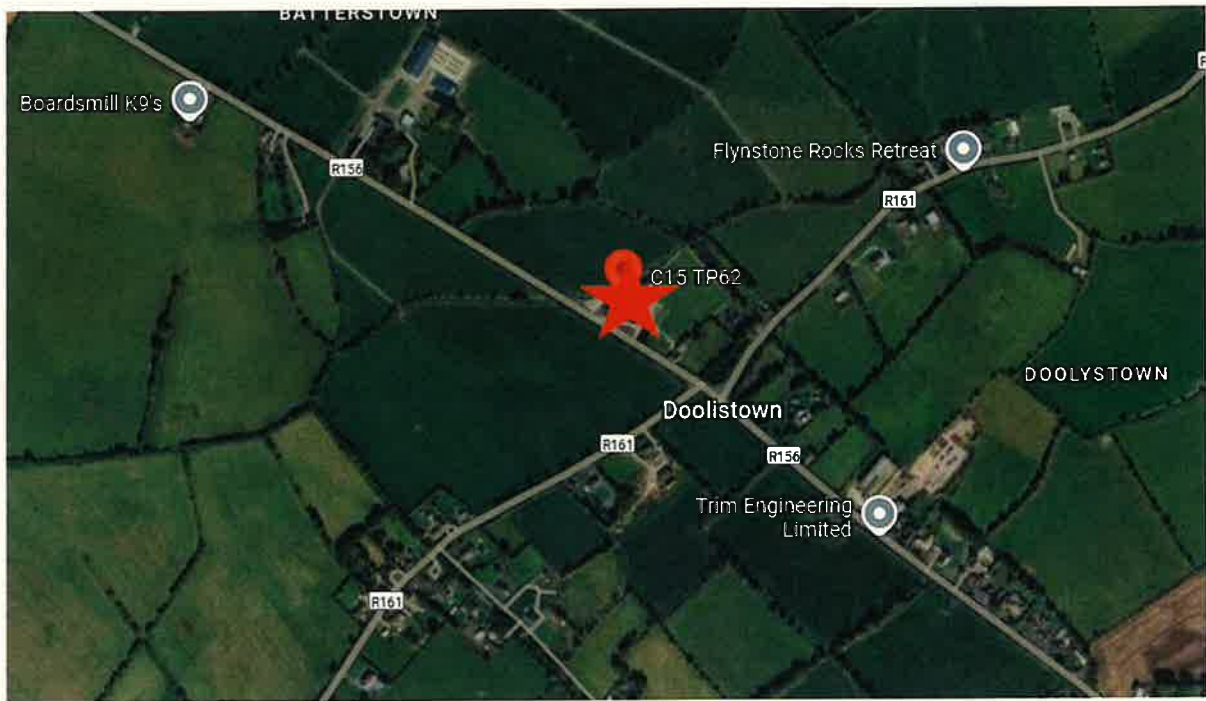


Fig. 1.0: Aerial image of the subject lands to which the application relates (red star).



Fig. 2.0: Google Street View (Sept. 2024) of the School Building

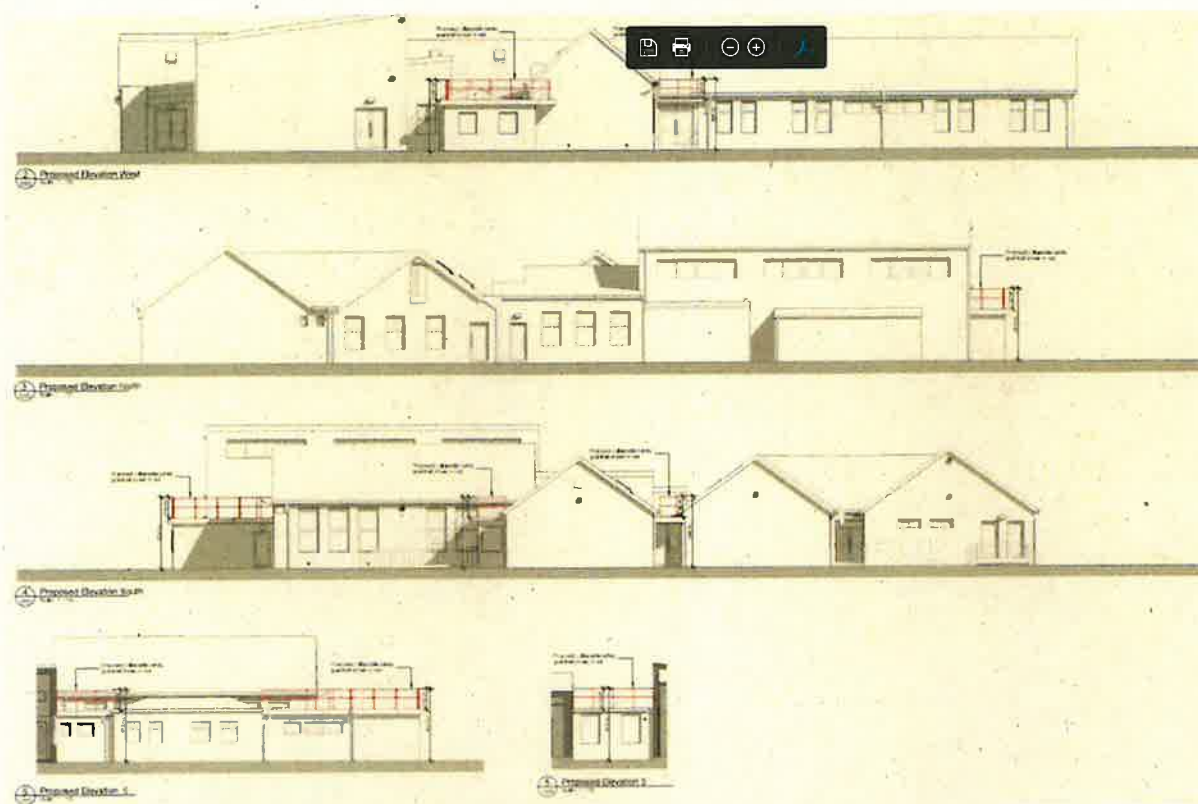


Fig. 3.0: Proposed elevational treatment

2.0 Proposed Declaration

The applicants describe the development in the completed application form as *'the erection of 1.1m high safety railing along roof edge of school building'*. The Planning Authority is considering this question as:

Whether the erection of a 1.1m high safety railing is or is not development and is or is not exempted development.

3.0 Planning History

- TA/70261** Permission **granted** for a carpark, entrance and associated site works ancillary to Boardsmill School. Revisions to that previously submitted under current ref. TA/70261 include revised Site Layout Plan showing proposed in-out entrance and also revised parking layout. (2007)
- TA/801017** Permission **granted** for 2 no. temporary prefab classrooms on block work base at side of existing school with all services connected to existing. The development also includes partial demolition of existing boundary wall together with general site works. (2008)
- TA/121048** 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)

TA/130079 Permission **granted** for a single storey classroom extension, new g.p., hall, extension to existing staff room and ancillary rooms to rear of existing school, modifications to existing plans and elevations together with the decommissioning of the existing septic tank and percolation area and installing new proprietary waste water treatment system and percolation area and all associated site works. The development also includes the retention of 2 no. prefabs for a library and learning support facility. (2013)

22876 Permission **granted** for amendments to set down area. Works consist of realignment and extension of set down area, provision of internal bus set down area, internal car set down area, traffic management signage and pedestrian crossings all within set down area, new staff car parking area and all associated infrastructure. (2022)

4.0 Internal, External and Prescribed Bodies

None.

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:

“(h) 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) 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 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

The question has arisen as to whether the erection of 1.1m high safety railing along roof edge, 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.

The proposed safety railing would be considered “works” to an existing school building and therefore the proposal is “development” within the definition of Section 3(1) of the Planning &

Development Acts 2000-2023. The proposal does not fall within any of the following Classes in Part 1 - Class 15, 20B, 20C, 20D, 57 of Schedule 2 of the Planning and Development Regulations 2001-2025.

Class 40 refers to “works incidental to the use or maintenance of any burial ground, churchyard, monument, fairgreen, market, **schoolgrounds** or showground except— (a) the erection or construction of any wall, fence or gate bounding or abutting on a public road, (b) the erection or construction of any building, other than a stall or store which is wholly enclosed within a market building, or (c) the reconstruction or alteration of any building, other than a stall or store which is wholly enclosed within a market building”.

However, the above Class is not considered to be relevant in the context of this proposal.

The proposal is considered in the context of **Section 4(1)(h)** of the Planning and Development Act 2000-2023 “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”.

The purpose of the railing is as a safety solution, described as a ‘free standing roof edge protection’. It would appear to be for the safety of maintenance personnel who may access the existing flat roofs and pitched roofs on site. Having regard, to the nature of the existing school development on the application site, its layout and several additions over the years, including the intended positioning of the safety rails on the edges of flat roofs, which are lower than adjoining roof heights, it is generally considered that the proposed development, would 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. This is on the basis of the use of a grey, dull metal finish on the protection railing, rather than colour coating varieties.

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 SAC (Site Code 002299) – c.0.6km to the north
- River Boyne and River Blackwater SPA (Site Code 004232) – 0.6km to the north

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

It is therefore recommended that a Declaration of Exemption be issued for *'the erection of 1.1m high safety railing along roof edge of school building'*.

WHEREAS the question has arisen as to whether

- *"Whether the erection of a 1.1m high safety railing along roof edge of school building, is or is not development and is or is not exempted development"*.

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

- (a) Sections 2(1), 3(1), 4, & 177U (9) of the Planning and Development Act 2000 – 2023,
- (b) Article 6 & 9 of the Planning and Development Regulations, 2001-2025
- (c) Information provided.

AND WHEREAS Meath County Council has concluded: -

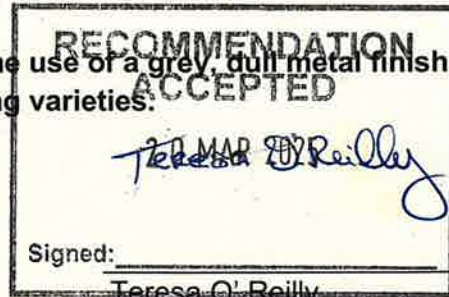
- (a) The erection of a 1.1m high safety railing along roof edge of school, would be classified as development, and exempt from the requirement to obtain planning permission under Section 4(1) of the Planning and Development Act 2000-2023.

NOW THEREFORE Meath County Council, in exercise of the powers conferred on it by Section 5(2)(a) of the Planning and Development Act 2000-2023, hereby decides that the said provision of the erection of 1.1m high safety railing along roof edge of school as detailed on plans and particulars submitted with TS525023, and on plans and particulars submitted on 21st February 2025 is development and is **EXEMPTED DEVELOPMENT**.

Please Note: The above decision is based on the use of a grey, dull metal finish on the protection railing, rather than any colour coating varieties.

Stephen O'Brien

Stephen O'Brien
Assistant Planner
Date: 19/03/2025



Teresa O'Reilly
Senior Executive Planner
Date: 19/03/2025