

**Comhairle Chontae na Mí**

*Roim 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: Byron McMahon**

**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**

**Same as above**

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

**3. Location of Development and/or Subject Site: 85 Bru na hAbhainn, Slane Road, Navan, Co. Meath, C15EC9Y**

**4. Description of Development: Proposed installation of an Electric vehicle charging pillar alongside my vehicle, with associated works to bury the cables under the public foot path and to a location next to the vehicle, works to be carried out in ownership boundary and public footpath and grassed area.**

**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: 1.2m High Pillar**

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

**0.9m<sup>2</sup> (300mm x 300mm steel pillar)**

07 APR 2025

NSS25044

**9. List of plans / drawings etc. submitted: Proposed sketch plans and images to highlight the proposed routing of the underground cables for the electric charging pillar.**

**10. Please state applicants interest in this site: Owner of dwelling**

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

NA

**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:  DATE:**

## **NOTES**

**1. Application Fee of €80**

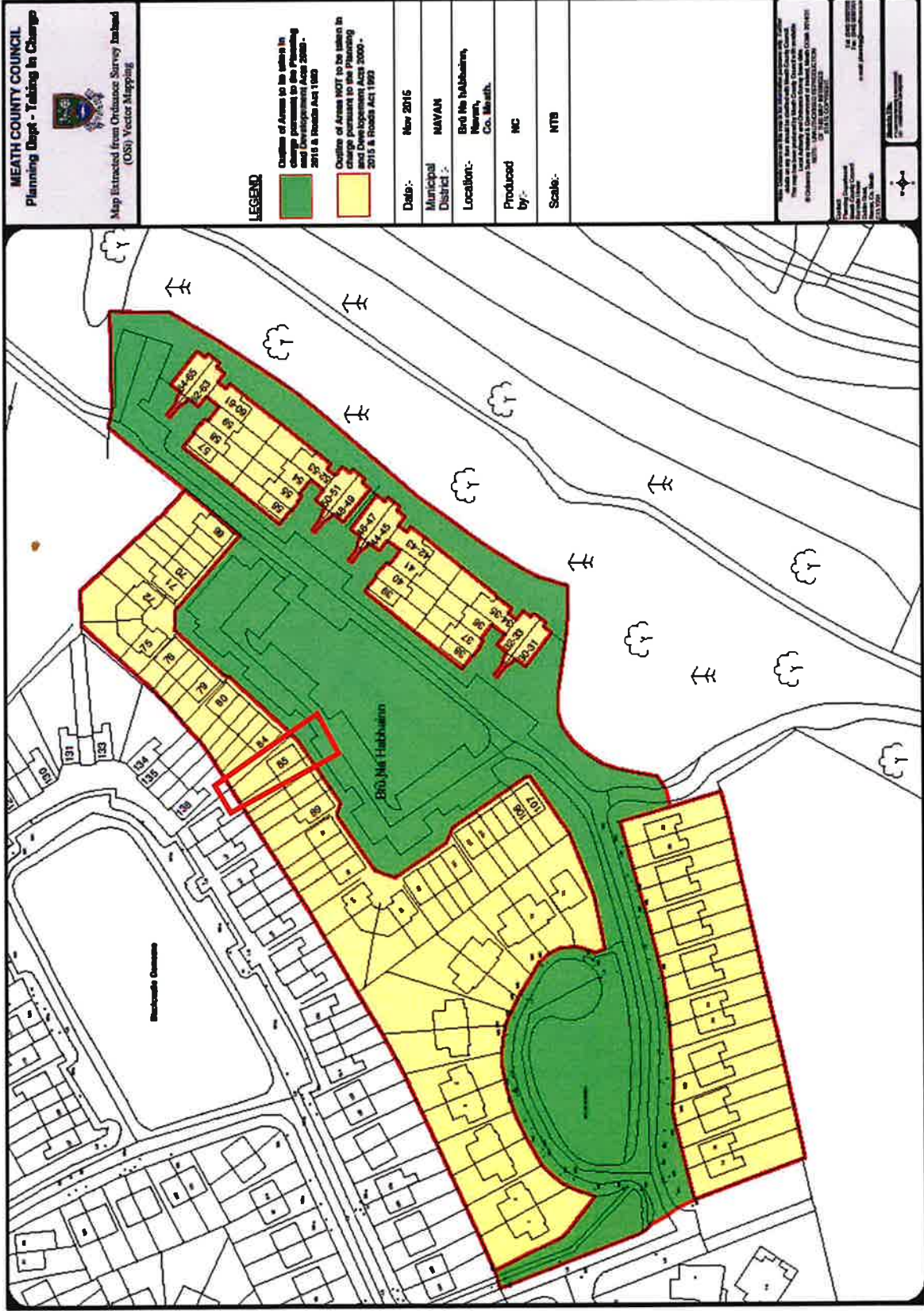
**2. Application shall be accompanied by:**

- **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)**



Proposed Home Charging port at  
85 Bru na hAbhainn,  
Slane Road,  
Navan,  
Co. Meath

RECEIVED  
PLANNING

07 APR 2025

NSS25044





RECEIVED  
07 APR 2025  
COUNCIL  
PLANNING NO. NS525044

**MEATH COUNTY COUNCIL**  
**CHIEF EXECUTIVE ORDER**

**Chief Executive Order Number:** 1085/25

**Reference Number:** NS525044

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

**Name of Applicant:** Bryon McMahon

**Address:** 85 Bru nah Abhainn  
Slane Road  
Navan  
Co Meath  
C15 EC9Y

**Nature of Application:** Proposed installation of an Electric vehicle charging pillar alongside my vehicle, with associated works to bury the cables under the public foot path and to location next to the vehicle, works to be carried out in ownership boundary and public footpath and grassed area.

**Location of Development:** 85 Bru nah Abhainn, Slane Road, Navan, Co Meath

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



**MEATH COUNTY COUNCIL**

**Planning Department**

**Buvinda House**

**Dublin Road**

**Navan**

**Co Meath**

**046 - 9097500**

**Planning & Development Act 2000- 2023**

**DECLARATION**

**To: Bryon McMahon**  
85 Bru nah Abhainn  
Slane Road  
Navan  
Co Meath  
C15 EC9Y

**PLANNING REFERENCE NUMBER:** NS525044

**APPLICATION RECEIPT DATE:** 07/04/2025

**FURTHER INFORMATION DATE:** 10/06/2025

In pursuance of the powers conferred upon them by the Planning and Development Act 2000-2023, Meath County Council has by order dated 26/06/2025 decided to Declare the proposed development is **NOT EXEMPTED DEVELOPMENT** therefore is **DEVELOPMENT REQUIRING PLANNING PERMISSION**, in accordance with the documents submitted namely: Proposed installation of an Electric vehicle charging pillar alongside my vehicle, with associated works to bury the cables under the public foot path and to location next to the vehicle, works to be carried out in ownership boundary and public footpath and grassed area 85 Bru nah Abhainn, Slane Road, Navan, Co Meath, C15 EC9Y

Date: 26.06.25



**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 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)



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*meath county council*

## Meath County Council

### Planning Report

**To:** Wendy Bagnall, Senior Executive Planner

**From:** Shoaib Khan, Executive Planner

**File Number:** NS5/25044

**Applicant:** Bryon McMahon

**Development Address:** 85 Bru Na hAbhainn, Slane Road, Navan C15 EC9Y.

**Application Type:** Section 5 of the Planning & Development Act 2000-2023, Declaration on Development/Exempted Development

**Date of Site Inspection:** Not applicable.

**Date of Report:** 25/06/2025

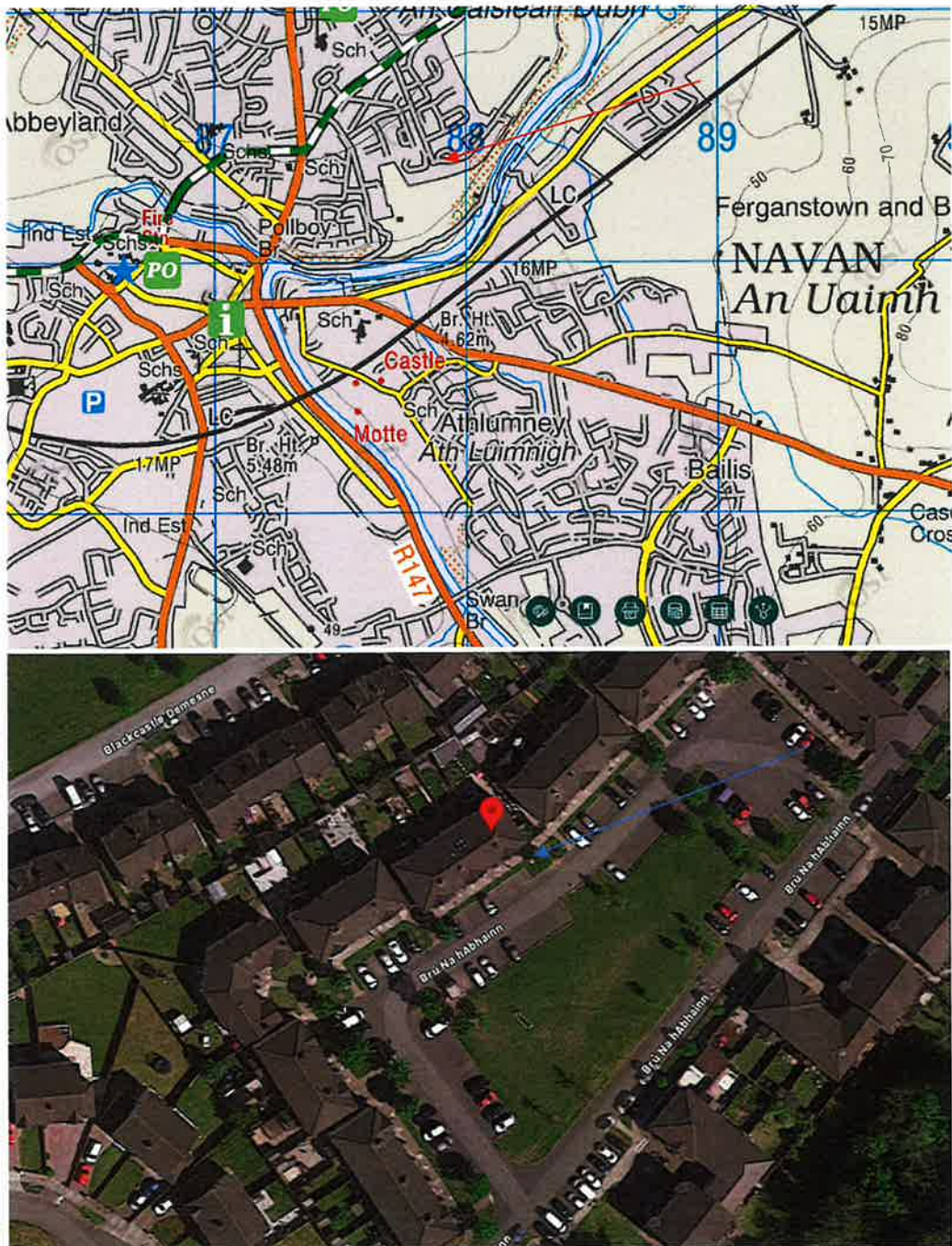
**Date Decision Due:** 29/06/2025

**Development Description:** Proposed installation of an Electric Vehicle charging pillar alongside my vehicle, with associated works to bury the cables under the public foot path and to a location next to the vehicle, works to be carried out in ownership boundary and public footpath and grassed area.



## 1.0 SITE LOCATION & DESCRIPTION

The application pertains to a dwelling within a multi-residential scheme close to the centre of Navan town. This site is among several semi-detached residential properties in the vicinity, designed as two-storey structures with a modest open space at the front. The area is zoned A1 Existing Residential Area.





## 1.2 Planning Policy

- Meath County Development Plan 2021-2027

### 11.14.6 Land Use Zoning Categories

*A1 Existing Residential - Objective: To protect and enhance the amenity and character of existing residential.*

Lands identified as 'Existing Residential' are established residential areas. Development proposals on these lands primarily consist of infill developments and the extension and refurbishment of existing properties. The principle of such proposals is normally acceptable subject to the amenities of surrounding properties being protected and the use, scale, character and design of any development respecting the character of the area.

## 2.0 PROPOSED DECLARATION

The referrer seeks a declaration as to whether the "Proposed installation of an Electric Vehicle charging pillar alongside my vehicle, with associated works to bury the cables under the public foot path and to a location next to the vehicle, works to be carried out in ownership boundary and public footpath and grassed area." **is or is not development and is or is not exempted development.**

## 3.0 PLANNING HISTORY

No relevant planning history in recent times.

## 4.0 LEGISLATIVE CONTEXT

### Planning and Development Act 2000 - 2023:

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(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)(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 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.*

**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 2001-2025****Article 6(3)**

*"Subject to article 9, in areas other than a city, a town or an area specified in section 19(1)(b) of the Act or the excluded areas as defined in section 9 of the Local Government (Reorganisation) Act, 1985 (No. 7 of 1985), development of a class specified in column 1 of Part 3 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 3 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 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 – Development within the curtilage of a house**

**Schedule 2, Part 1, Class 29 A of the Planning and Development Regulations 2001 - 2025 relate to:**

*Development consisting of –*

*(a) the construction of a charging point for electric vehicles that –*

*(i) in the case of a charging point situated on a public road, does not exceed 0.75 cubic metres by volume above ground, and*

*(ii) in all other cases, does not exceed 3.6 cubic metres by volume above ground,”*

### **Conditions and Limitations (Column 2)**

*Advertising signage or other advertising material shall not be affixed to, or placed at, a charging point situated on a public road other than for the purpose of –*

*(a) identifying the charging point,*

*(b) providing instructions in relation to fees and to the use of the charging point, or*

*(c) providing the contact details of the operator, manager or owner of the charging point.*

## **5.0 Details of Request for Further Information**

This report should be read in conjunction with the previous Planner's Report dated 29/04/2025, requesting further information about the point(s) below.

Further information was requested on 01/05/2025. A response to further information was received by the Planning Authority on 10/06/2025.

## **6.0 ASSESSMENT**

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

Having regard to the definition of 'development' within the Planning and Development Act 2000 - 2023, "*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*"; It is considered the proposal detailed would constitute development in accordance with Section 3(1) of the Planning and Development Act 2000-2023. Therefore, the focus, is on whether or not the proposed development constitutes exempted development.

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

Section 8 of the application form states that the proposed development will comprise 0.9 sqm (300mm x 300mm steel pillar). It will comprise a 1.2m high pillar. The works to bury the cables under the public footpath and connection to the electricity network require consents from ESB Networks and if it has been taken in charge, Meath County Council; and a road opening licence may be required from the Planning Authority (Transportation Dept.). The applicant refers to a



sketch plans/ image to highlight the proposed routing of the underground cables for the electric charging pillar, however, no elevation drawings were provided.

The applicant had not provided adequate information to ascertain the specific class and whether the proposed development qualifies as exempt development according to the aforementioned criteria. The applicant was asked to examine the nearest class related to the proposed development, as outlined under Class 29A.

### ***Other Considerations***

In the absence of definitions for the proposed development in the Planning and Development Act 2000-2023 and Planning and Development Regulations 2001-2025, the Definitions provided in the ZEV (Zero Emission Vehicles Ireland) Electric Vehicle Charging Infrastructure Universal Design Guidelines (Government of Ireland, June 2023<sup>1</sup>) are noted and state the following:

<b>Charging Bay</b>	A charging bay is a designated area or space where electric vehicles can be parked and connected to a charging station.
<b>Charging Point</b>	The electric energy is delivered through a charging point. A charging point may have one or several connectors to accommodate different connector types. Only one can be used at the same time.
<b>Charging Pool</b>	A charging pool consists of one or multiple charging stations and the accommodating charging bay(s).
<b>Charging Station</b>	A charging station is a device with one or more charging points that allows electric vehicles to charge. When there is only one charging point associated with a charging station, then these names can be used interchangeably. There are different types of charging stations with charging points ranging from slow to fast charging, varying power outputs, and different connector types. Connector A connector is the physical interface between the charging station and the electric vehicle through which the electric energy is delivered (e.g., plug on a cable).

## **7.0 Further Information Assessment**

### **Item 1**

1. The applicant is advised to examine the nearest classification pertinent to the aforementioned development, as outlined in Class 29A of Part 1 in Schedule 2 of the Planning and Development Regulations 2001-2025, which states the following:

*“Development consisting of –*

*(a) the construction of a charging point for electric vehicles that –*

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<sup>1</sup> <https://assets.gov.ie/262289/13716b9a-a09f-4ced-87f1-41fc3e6d92c1.pdf>

*(i) in the case of a charging point situated on a public road, does not exceed 0.75 cubic metres by volume above ground, and*

*(ii) in all other cases, does not exceed 3.6 cubic metres by volume above ground.*

**Conditions and Limitations (Column 2)**

*Advertising signage or other advertising material shall not be affixed to, or placed at, a charging point situated on a public road other than for the purpose of –*

*(a) identifying the charging point,*

*(b) providing instructions in relation to fees and to the use of the charging point, or*

*(c) providing the contact details of the operator, manager or owner of the charging point”.*

Should the applicant request a declaration regarding the works specified in the aforementioned class, it is imperative that the applicant reviews and submits all pertinent information for the Planning Authority's further evaluation to ascertain whether the proposal adheres to the conditions and limitations outlined in Class 29A of Part 1 of Schedule 2 of the Planning and Development Regulations 2001-2025.

**Applicant's Response**

The applicant has provided a brochure from the company (ABB terra wall box), which specializes in residential EV charging stations.

**Planner's Assessment**

The applicable class specified in the Planning and Development Regulations Exempted Development Schedule II (29A) outlines an exemption category for EV charging points, subject to certain limitations and conditions as previously mentioned. The application lacked adequate details to ascertain its eligibility under this category. The applicant has since provided a brochure from the vendor company, which outlines the proposed domestic EV charging unit. According to the exemption criteria, the total volume above ground must not exceed 0.7 cubic meters if the installation is to be situated on a public road, or 3.6 cubic meters in other scenarios. The submitted location map, along with an examination of aerial maps, indicates that the proposed charging unit is intended to be placed on a public green space adjacent to a road. Consequently, the 0.7 cubic meters limit is more applicable. The applicant has not provided any information to suggest otherwise. An analysis of the submitted brochure indicates that the proposed unit will be approximately 1.3-1.4 meters in height, 0.34 meters in width, and 0.24 meters in depth, which suggests that it exceeds the 0.7 cubic meters limit as stipulated in the aforementioned class. The

application does not include specific information to verify that the proposed charging unit will fully comply with the stated class, including the associated limitations and conditions.

## **Item 2**

A review of the land registry would indicate that the location of part of the proposed development/works is not under the applicant's control; therefore, the applicant is advised that, in addition to any Exemption Certificate, permission to carry out the development will be required from other landowners. The works to bury the cables under the public footpath and connect to the electricity network require consents from ESB Networks and if the housing estate has been taken in charge, Meath County Council. A road opening licence will be required from the Planning Authority (Transportation Dept.) and if there would be any impact on water services utilities, consent may also be required from Uisce Éireann. You are advised to consult with the relevant authorities.

### **Applicant's Response.**

No further information has been provided.

### **Planner's Assessment**

Another aspect to consider is the placement of the proposed charging point, which is intended to be situated outside the applicant's property on public green space. The installation of such a structure would necessitate modifications to the public footpath and may require approval from various utility providers. Nonetheless, the application seeks a declaration regarding the installation of a domestic EV charging point. Upon reviewing the relevant exemption criteria, it is determined that the proposed development for declaration does not meet the most applicable classification of exempted development as outlined in Schedule II of the Planning and Development Regulations 2001, as amended, and therefore does not qualify as exempted development.

### **8.0 Restrictions on Exemptions:**

The works are not restricted by virtue of Article 9(1)(a)(i) – (xii) (inclusive).

### **9.0 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 located within a Natura 2000 site. I am not aware of any source/pathway/receptor routes between the site and The River Boyne and River Blackwater SAC and SPA 002299 and 004232 c.80 metres to the east of the application site. Due to the nature of the works, limited duration, etc. contained within a housing estate and separated from the SAC/ SPA by other



housing, 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 (fully serviced urban area) 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.

#### **10.0 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 - 2025 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.

#### **11.0 Conclusion**

On the basis of the information provided, it is considered the Planning Authority is satisfied that the proposed development would constitute the carrying out of 'works' as indicated above and would therefore constitute development within the meaning given in the Planning and Development Act, 2000 -2023; and would not be exempted development under Class 29A of the Planning and Development Regulations, 2000-2025.

#### **12.0 Recommendation**

**WHEREAS** the question has arisen as to whether *"Proposed installation of an Electric Vehicle charging pillar alongside my vehicle, with associated works to bury the cables under the public foot path and to a location next to the vehicle, works to be carried out in ownership boundary and public footpath and grassed area"* at 85 Brú Na hAbhainn, Navan, Co. 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, Bryon McMahon.

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

- (a) Sections 2(1), 3(1), 4, & 32 of the Planning and Development Act 2000 – 2023,
- (b) The definition of "development" in section 3 of the Planning & Development Act 2000-2023
- (c) Article 6 & 9 of the Planning and Development Regulations, 2001-2025
- (d) Class 29A of Part 1 in Schedule 2 of the Planning and Development Regulations 2001-2025
- (e) Information provided.

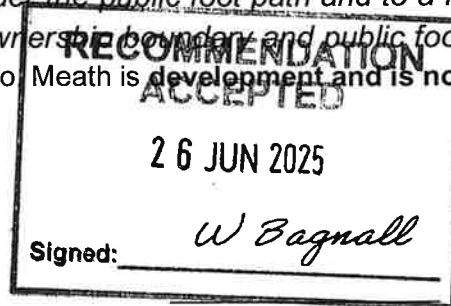
**AND WHEREAS** Meath County Council has concluded: -

- (a) *"Proposed installation of an Electric Vehicle charging pillar alongside my vehicle, with associated works to bury the cables under the public foot path and to a location next to the vehicle, works to be carried out in ownership boundary and public footpath and grassed area"* at 85 Brú Na hAbhainn, Navan, Co. Meath comprises works and is development under section 3(1) of the Planning & Development Act 2000-2023 that is not exempted 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 *"Proposed installation of an Electric Vehicle charging pillar alongside my vehicle, with associated works to bury the cables under the public foot path and to a location next to the vehicle, works to be carried out in ownership boundary and public footpath and grassed area"* at 85 Brú Na hAbhainn, Navan, Co. Meath is development and is not exempted development.



Shoaib Khan  
Executive Planner  
Date: 25/06/2025



Wendy Bagnall  
Senior Executive Planner  
Date: 25/06/25

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 Act 2000-2023 and Regulations 2001-2025.