

### **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:** Secure Accommodation Management Limited

**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**

MCK Consulting Engineers

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

**3. Location of Development and/or Subject Site:** Fairgreen, Summerhill Road, Trim, Co. Meath, C15 R22X

**4. Description of Development:** The applicant proposes to provide accommodation for up to a maximum of 180 persons seeking international protection. The proposal will provide indoor recreation, dining/kitchen rooms, reception area, toilets, showers and circulatory spaces. There will be office space and staff facilities.

**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:** 6.0m

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

1835m<sup>2</sup>





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

Dwg No. 222-069-001    Site Layout  
Dwg No. 222-069-002    Existing Ground Floor Plan  
Dwg No. 222-069-003    Existing Elevations and Section  
Dwg No. 222-069-004    Proposed Ground Floor Plan  
Dwg No. 222-069-005    Proposed Elevations and Section  
Planning Pack Map  
Site Location Map

---

**10. Please state applicants interest in this site**    Lessee

---

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

Katherine Duffy and Richard Thorpe, Lismullin, Garlow Cross, Navan, Co. Meath  
Letter of consent attached.

---

**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: 12/05/2025

**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.





UNIT 6 FARBILL HOUSE,  
ATHLONE RD, KINNEGAD, CO.  
WESTMEATH.

(044) 93 10287

info@mckc.ie

06<sup>th</sup> May 2025

Our Ref: 222-069

## SECTION 5 REPORT

May 2025

Property Address: **Fairgreen,  
Summerhill Road,  
Trim,  
Co. Meath,  
C15 R22X.**

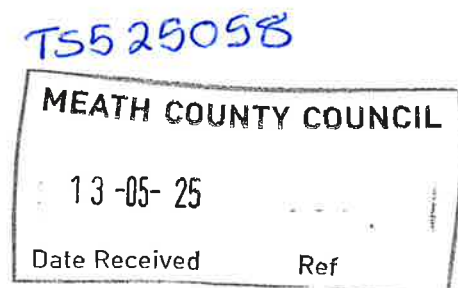
Report by: MCK Consulting

Dear Sir/Madam,

In the above regard please find attached the prescribed documents in support of the above application.

Enclosed find full list of drawings and documents submitted which includes:

Ordinance Survey maps 1:2500  
Site Plan,  
Existing Plans, Elevations and Section,  
Proposed Plans, Elevations and Section,  
Completed Application Form,  
Application Fee





### **The Application**

The applicant proposes to provide accommodation for up to a maximum of 180 persons seeking international protection. The proposal will provide indoor recreation, dining/kitchen rooms, reception area, toilets, showers and circulatory spaces. There will be office space and staff facilities.

There are no alterations proposed to the footprint of the building.  
The elevations will also remain unchanged.

The Applicant is: Secure Accommodation Management Limited.  
Address:

### **Site Location**

The site is located in Fairgreen, Summerhill Road, Trim, Co. Meath, C15 R22X.

### **Planning Assessment**

#### **Relevant Legislation:**

Planning and Development Act. 2000 - 2023

Section 2(1) "'works" includes any act or operation of construction, excavation, demolition, extension, alterations, repair or renewal and .... "

Section 3(1) '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 of use of any structures or other land.'

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 (I) 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.'

### 3.2. Planning and Development Regulations 2024

Article 6(1) 'Subject to article 9, development of a class specified in column 1 of Part 1 of Schedule 2 shall be exempted development for the purposes of the Act, provided that such development complies with the conditions and limitations specified in column 2 of the said Part 1 opposite the mention of that class in the said column 1.'

#### Schedule 2, Part 1, Class 20F:

Temporary use by or on behalf of the Minister for Children, Equality, Disability, Integration and Youth to accommodate or support displaced persons or persons seeking international protection of any structure or part of a structure used as a school, college, university, training centre, social centre, community centre, non-residential club, art gallery, museum, library, reading room, sports club or stadium, gymnasium, hotel, convention centre, conference centre, shop. Office, Defence Forces barracks, light industrial building, airport operational building, wholesale warehouse or repository, local authority administrative office, play centre, medical and other health and social care accommodation, event and exhibition space or any structure or part of structure normally used for public worship or religious instruction.

Subject to the following conditions and limitations

#### Conditions and Limitations (Column 2)

1. The temporary use shall only be for the purposed of accommodating displaced persons or for the purposed of accommodating persons seeking international protection.
2. The use for the purposes of accommodation persons seeking international protection shall be discontinued not later than 31st December 2028
3. Where the obligation to provide temporary protection is discontinued in accordance with paragraph 2 of this class, on a date that is earlier than 31st December 2028, the temporary use of any structure which has been used for the accommodation of displaced persons shall continue for the purposes of accommodating persons seeking international protection in accordance with paragraph 3 of this class.
4. The relevant local authority must be notified of locations where change of use is taking place prior to the commencement of the development.



### Planning Assessment

It is proposed to provide accommodation for up to a maximum of 180 persons seeking international protection. The proposal will provide indoor recreation, dining/kitchen rooms, reception area, toilets, showers and circulatory spaces. There will be office space and staff facilities.

The zoning objective for the application site is C1-Mixed Use with an objective to 'provide for and facilitate mixed residential and employment generating uses'.

Residential or accommodation such as that proposed is a permitted use and open for consideration on C1 zoning objective and is consistent with adjoining uses as per the Meath County Development Plan 2021-2027.

The Planning Authority must however consider whether the proposal accords with Class 20F(Schedule 2,Part1)(and other relevant aspects) of the Planning & Development Regulations 2001-2024.

There are two matters for determination in this assessment, whether the proposed works are development, and if so, if the development constitutes exempted development.

#### 4(i) Is or is not development

The proposed works involve the conversion of the existing industrial building into accommodation for use under SI605 for International Protection Applicants

The definition of development includes the carrying out of any works on, or over or under land. The proposal will require internal demolition of a wall and internal reconstruction of the building as indicated on the attached drawings. There are no alterations proposed to the external envelope of the building. Therefore, the building footprint will remain unchanged and the building elevations will remain unchanged. It is evident, by reference to the broad definition of works set out in Section 2(1) and 3(1) of the Act, that the proposal constitutes development for planning purposes.

#### 4(ii) Is or is not exempted development

Class 20F of the 2001-2024 Planning Regulations permits the temporary use of any structure including 'Light industrial buildings' to accommodate or support persons seeking international protection.

Based on the proposed works, it is our opinion that the works are exempted development as per the Planning and Development Act 2000-2023 and the Planning Development Regulations 2001-2024. Therefore, we consider the proposed development does constitute exempt development



## **Roads**

The site is located on R158 regional road.

The access will be via the existing entrance off the public road. The boundary lines along the public road provide for adequate sightlines.

## **Appropriate Assessment**

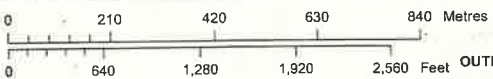
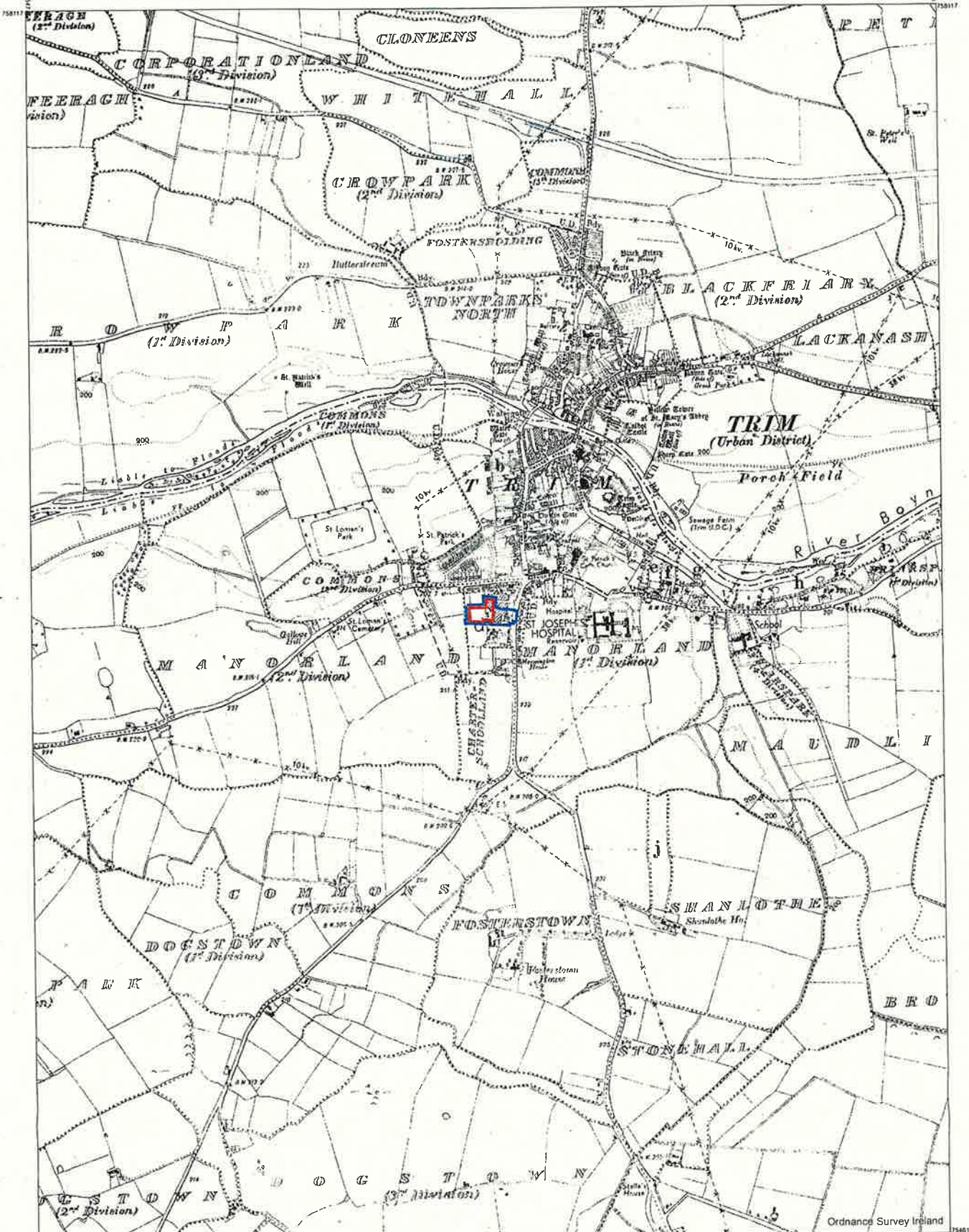
It is considered that the proposal will not give rise to any adverse direct, indirect or secondary impacts on the integrity of any Natura 2000 sites, and is therefore not deemed necessary.

## **Flood Risk**

The site is not located within a designated flood area as per the latest CFRAM's assessment.



# Site Location Map



OUTPUT SCALE: 1:10,560



CENTRE  
COORDINATES:  
ITM 679846,756365

ORDER NO.:  
50464906\_1

PUBLISHED:  
07/05/2025

MAP SERIES:  
8 Inch Maps

MAP SHEETS:  
MH036

**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.taitte.ie](http://www.taitte.ie); search 'Capture Resolution'

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

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

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.

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

© Taitte Éireann, 2025.  
All rights reserved.

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

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

Any unauthorised reproduction infringes Taitte Éireann copyright.

DUBLIN COUNTY COUNCIL

13-05-25

Date Received Ref



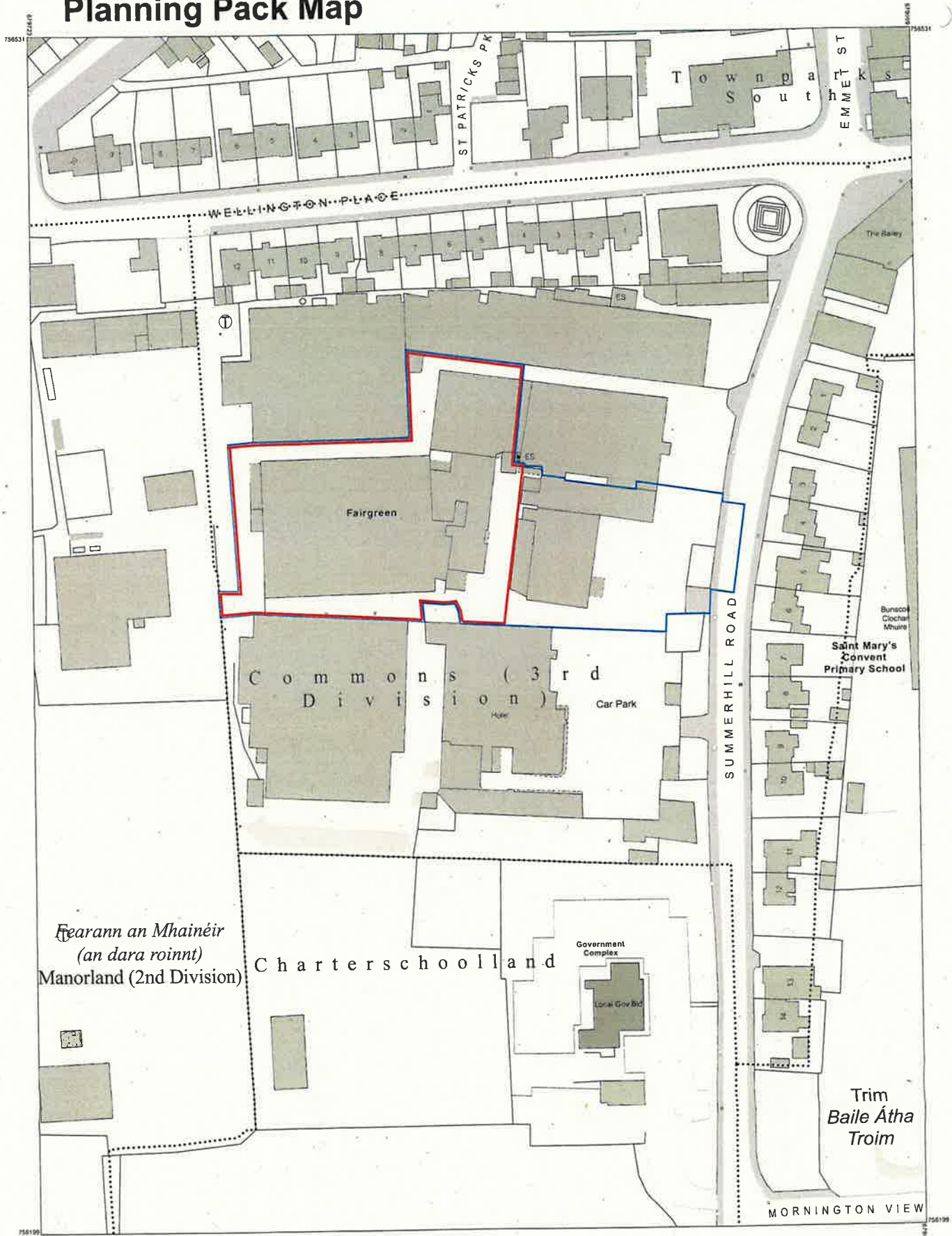
**Taitte  
Éireann**

T5525058





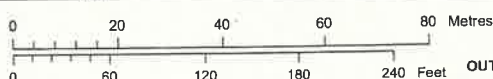
# Planning Pack Map



*Fearann an Mhainéir*  
(an dara roinnt)  
Manorland (2nd Division)

Charterschoolland

Trim  
Baile Átha  
Troim



OUTPUT SCALE: 1:1,000



CENTRE  
COORDINATES:  
ITM 679846,756365

ORDER NO.:  
50464906\_1

PUBLISHED:  
07/05/2025

**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'

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

**COMPILED AND PUBLISHED BY:**  
Tailte Éireann,  
Phoenix Park,  
Dublin 8,  
Ireland,  
D08F6E4  
  
[www.tailte.ie](http://www.tailte.ie)

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.

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

© Tailte Éireann, 2025.  
All rights reserved.

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

MEAD MAP SERIES: 1:1,000  
COUNTY CO. DUBLIN  
27/10-20  
1:1,000  
27/11-16  
13-05-25  
Date Received  
Re:



**Tailte  
Éireann**

Any unauthorised reproduction infringes Tailte Éireann copyright.

TSB 25058

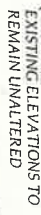








EXISTING RENDER TO BE  
REPAIRED WHERE DAMAGED

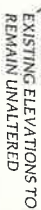


SCALE 1:200

Bedroom

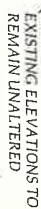


**SCALE 1:200**



**SCALE 1:200**

REPAIRED WHERE DAMAGED



**SCALE 1:200**

EXISTING RENDER TO BE  
REPAIRED WHERE DAMAGED



**SCALE 1:200**

Drawing No: 222-069-005

P0

13-05-25  
Date Received

Pre	By	Arithmetic	Date
Drawn By		DWICK	
Scale	As Shown @ A2		
Date	30/04/2025	Egg Quack	Approved

Owner	Secure Accommodation Management Ltd
Address	Falgreen, Summerhill Road, Trim, Co. Meath.
Project title	Proposed Elevations & Section



This drawing and any design herein is the copyright of the Consultant and shall remain the property of the Consultant. It is to be used only for the purposes for which it was prepared and shall not be reproduced, stored in a retrieval system or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written permission of the Consultant. All dimensions to be rounded up to the nearest millimetre. The Consultant is not responsible for any discrepancies between the drawings and the project.



# EXISTING GROUND FLOOR PLAN

AREA: 1835m<sup>2</sup>  
SCALE 1:200



MEATH COUNTY COUNCIL  
13-05-25  
Date Received Ref

Rev	By	Amendment	Date

Drawn by: DUCK	Task: Check
Scale: 1:200	Eng. Check:
Date: 30/04/2025	Approval:
Stage: Progress	

Client:	Secure Accommodation Management L
Site:	Esilgreen, Summerhill Road, Tinn, Co. Meath.
Drawing Title:	Existing Ground Floor Plan



UNIT 6 FARRILL HOUSE, ATHLONE RD., KINNEEGAD, CO. WESTMEATH

(044) 55 10287

Info@mek.ie

222-069-002

P0

TS525058







**PROPOSED GROUND FLOOR PLAN**  
 AREA: 1836m<sup>2</sup>  
 SCALE 1:200

MEATH COUNTY COUNCIL  
 13-05-25  
 Date Received Ref:

Rev	By	Amendment	Date
1	DMCK	Task Change	
2	DMCK	Task Change	
3	DMCK	Task Change	
4	DMCK	Task Change	
5	DMCK	Task Change	
6	DMCK	Task Change	
7	DMCK	Task Change	
8	DMCK	Task Change	
9	DMCK	Task Change	
10	DMCK	Task Change	
11	DMCK	Task Change	
12	DMCK	Task Change	
13	DMCK	Task Change	
14	DMCK	Task Change	
15	DMCK	Task Change	
16	DMCK	Task Change	
17	DMCK	Task Change	
18	DMCK	Task Change	
19	DMCK	Task Change	
20	DMCK	Task Change	
21	DMCK	Task Change	
22	DMCK	Task Change	
23	DMCK	Task Change	
24	DMCK	Task Change	
25	DMCK	Task Change	
26	DMCK	Task Change	
27	DMCK	Task Change	
28	DMCK	Task Change	
29	DMCK	Task Change	
30	DMCK	Task Change	
31	DMCK	Task Change	
32	DMCK	Task Change	
33	DMCK	Task Change	
34	DMCK	Task Change	
35	DMCK	Task Change	
36	DMCK	Task Change	
37	DMCK	Task Change	
38	DMCK	Task Change	
39	DMCK	Task Change	
40	DMCK	Task Change	
41	DMCK	Task Change	
42	DMCK	Task Change	
43	DMCK	Task Change	
44	DMCK	Task Change	
45	DMCK	Task Change	
46	DMCK	Task Change	
47	DMCK	Task Change	
48	DMCK	Task Change	
49	DMCK	Task Change	
50	DMCK	Task Change	
51	DMCK	Task Change	
52	DMCK	Task Change	
53	DMCK	Task Change	
54	DMCK	Task Change	
55	DMCK	Task Change	
56	DMCK	Task Change	
57	DMCK	Task Change	
58	DMCK	Task Change	
59	DMCK	Task Change	
60	DMCK	Task Change	
61	DMCK	Task Change	
62	DMCK	Task Change	
63	DMCK	Task Change	
64	DMCK	Task Change	
65	DMCK	Task Change	
66	DMCK	Task Change	
67	DMCK	Task Change	
68	DMCK	Task Change	
69	DMCK	Task Change	
70	DMCK	Task Change	
71	DMCK	Task Change	
72	DMCK	Task Change	
73	DMCK	Task Change	
74	DMCK	Task Change	
75	DMCK	Task Change	
76	DMCK	Task Change	
77	DMCK	Task Change	
78	DMCK	Task Change	
79	DMCK	Task Change	
80	DMCK	Task Change	
81	DMCK	Task Change	
82	DMCK	Task Change	
83	DMCK	Task Change	
84	DMCK	Task Change	
85	DMCK	Task Change	
86	DMCK	Task Change	
87	DMCK	Task Change	
88	DMCK	Task Change	
89	DMCK	Task Change	
90	DMCK	Task Change	
91	DMCK	Task Change	
92	DMCK	Task Change	
93	DMCK	Task Change	
94	DMCK	Task Change	
95	DMCK	Task Change	
96	DMCK	Task Change	
97	DMCK	Task Change	
98	DMCK	Task Change	
99	DMCK	Task Change	
100	DMCK	Task Change	

Client	Secure Accommodation Management L
Address	Fairgreen, Sunnyside Road, Tinn, Co. Meath.
Project Name	Proposed Ground Floor Plan



UNIT 6 FARRILL HOUSE, ATHONE RD,  
 KINNEAGAD, CO. WESTMEATH

(044) 93 10287

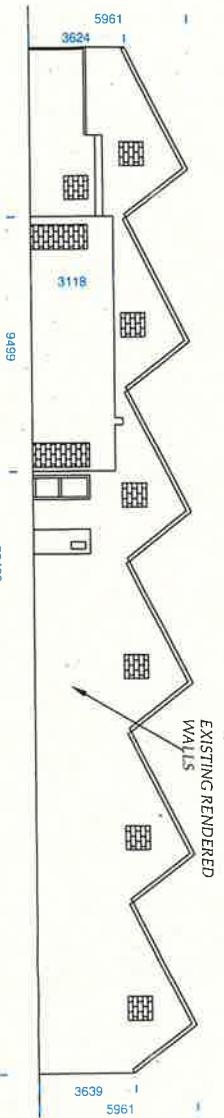
info@mck.ie

222-069-004

P0

75525058

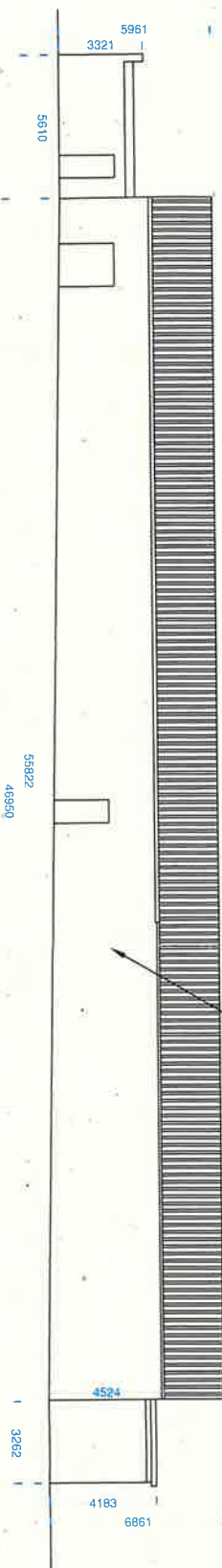




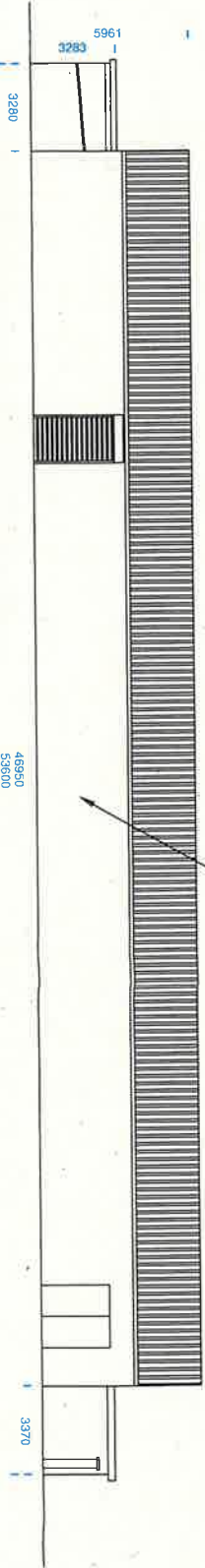
**EXISTING EASTERN ELEVATION**  
SCALE 1:200



**EXISTING WESTERN ELEVATION**  
SCALE 1:200



**EXISTING NORTHERN ELEVATION**  
SCALE 1:200



**EXISTING SOUTHERN ELEVATION**  
SCALE 1:200



**EXISTING SECTION**  
SCALE 1:200

MEATH COUNTY COUNCIL  
13-11-25  
Date Received Ref

Rev	By	Amendment	Date
1	DMK	Task Complete	
2	As Shown @ A2	Eng. Check	
3	30/04/2025	Approved	
4	Progress		

Client	Secure Accommodation Management Ltd
Site	Falgreen, Superhill Road, Tinn, Co. Meath.
Drawing Title	Existing Elevations & Section

**MCK CONSULTING**  
UNIT 6 FARBILL HOUSE, ATHLONE RD, KINNEGAD, CO. WESTMEATH  
(044) 93 10287  
info@mck.ie  
222-069-003  
P0

TS5525058



**MEATH COUNTY COUNCIL**

**Planning Department**

**Buvinda House**

**Dublin Road**

**Navan**

**Co Meath**

**046 - 9097500**

**Planning & Development Act 2000-2023**

**DECLARATION**

**To:** Secure Accommodation Management Ltd  
c/o McK Consulting  
Unit 6 Farbill House  
Athlone Road  
Kinnegad  
Co Westmeath

**PLANNING REFERENCE  
NUMBER:** TS525058

**APPLICATION RECEIPT DATE:** 13/05/2025

**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 09/06/2025 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: The applicant proposes to provide accommodation for up to a maximum of 180 persons seeking international protection. The proposal will provide indoor recreation, dining/kitchen rooms, reception area, toilets, showers and circulatory spaces. There will be office space and staff facilities at Fairgreen, Summerhill Road, Trim, Co Meath

Date: 09/06/2025 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](mailto:bord@pleanala.ie)

Web: [www.pleanala.ie](http://www.pleanala.ie)



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

**Chief Executive Order Number:** 987/25

**Reference Number:** TS525058

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

**Name of Applicant:** Secure Accommodation Management Ltd

**Address:** c/o McK Consulting  
Unit 6 Farbill House  
Athlone Road  
Kinnegad  
Co Westmeath

**Nature of Application:** The applicant proposes to provide accommodation for up to a maximum of 180 persons seeking international protection. The proposal will provide indoor recreation, dining/kitchen rooms, reception area, toilets, showers and circulatory spaces. There will be office space and staff facilities

**Location of Development:** Fairgreen, Summerhill Road, Trim, 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:** 09/06/2025





## Meath County Council



### Planning Report

<b>To:</b>	Wendy Bagnall, Senior Executive Planner
<b>From:</b>	Michael McKenna, Executive Planner
<b>Date:</b>	06/06/2025
<b>File Number:</b>	TS525058
<b>Declaration Applicant:</b>	Secure Accommodation Management Limited
<b>Location:</b>	Fairgreen, Summerhill Road, Trim Co. Meath
<b>Application Type:</b>	Section 5
<b>Declaration:</b>	Section 5 of the Planning & Development Acts 2000 (as amended): Declaration on Development/Exempted Development.
<b>Development Description:</b>	The applicant proposes to provide accommodation for up to a maximum of 180 persons seeking international protection. The proposal will provide indoor recreation, dining/kitchen rooms, reception area, toilet, showers and circulatory spaces. There will be office space and staff facilities.
<b>Date Decision Due:</b>	10/06/2025

## 1.0 Site Location & Description:



The applicant has applied for a Declaration of Exemption as to whether or not temporary accommodation for families seeking international protection within an commercial unit is exempted development. The applicant has provided a site layout maps and existing and proposed drawings of the structure. This site is located on lands zoned C1 Mixed Use which has an objective to 'To provide for and facilitate mixed residential and employment generating uses'. The site is located 0.6km to the west of the River Boyne and River Blackwater SPA (004232) and River Boyne and River Blackwater SAC (002299). There are no protected structures or national monuments on site.



## 2.0 Planning History

- No planning history recorded on site.

## 3.0 Relevant Legislation:

### 4.1 Planning and Development Act, 2000 - 2023

Section 2(1)

*““works” includes any act or operation of construction, excavation, demolition, extension, alterations, repair or renewal and ....”*

Section 3(1)

*‘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 of use of any structures or other land.’*

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.’*

4.2 Planning and Development Regulations 2025

Article 6(1)

*‘Subject to article 9, development of a class specified in column 1 of Part 1 of Schedule 2 shall be exempted development for the purposes of the Act, provided that such development complies with the conditions and limitations specified in column 2 of the said Part 1 opposite the mention of that class in the said column 1.’*

Article 9(1) Restrictions on Exemption

*“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. The most relevant restriction is considered includes:*

*“(viiB) comprise development in relation to which a planning authority or An Bord Pleanála is the competent authority in relation to appropriate assessment and the development would require an appropriate assessment because it would be likely to have a significant effect on the integrity of a European site,”*

**Schedule 2, Part 1, Class 20F:**

*Temporary use by or on behalf of the Minister for Children, Equality, Disability, Integration and Youth to accommodate or support displaced persons or persons seeking international*

*protection of any structure or part of a structure used as a school, college, university, training centre, social centre, community centre, non-residential club, art gallery, museum, library, reading room, sports club or stadium, gymnasium, hotel, convention centre, conference centre, shop, office, Defence Forces barracks, light industrial building, airport operational building, wholesale warehouse or repository, local authority administrative office, play centre, medical and other health and social care accommodation, event and exhibition space or any structure or part of structure normally used for public worship or religious instruction.*

Subject to the following conditions and limitations:

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

1. The temporary use shall only be for the purposes of accommodating displaced persons or for the purposes of accommodating persons seeking international protection.
2. Subject to paragraph 4 of this class, the use for the purposes of accommodating displaced persons shall be discontinued when the temporary protection introduced by the Council Implementing Decision (EU) 2022/382 of 4 March 2022<sup>1</sup> comes to an end in accordance with Article 6 of the Council Directive 2001/55/EC of 20 July 2001.
3. The use for the purposes of accommodating persons seeking international protection shall be discontinued not later than 31 December 2028.
4. Where the obligation to provide temporary protection is discontinued in accordance with paragraph 2 of this class, on a date that is earlier than 31 December 2028, the temporary use of any structure which has been used for the accommodation of displaced persons shall continue for the purposes of accommodating persons seeking international protection in accordance with paragraph 3 of this class.
5. The relevant local authority must be notified of locations where change of use is taking place prior the commencement of development.
6. 'displaced persons', for the purpose of this class, means persons to whom temporary protection applies in accordance with Article 2 of Council Implementing Decision (EU) 2022/382 of 4 March 2022.

#### **4.0 Planning Assessment**

The question has arisen as to *"to provide accommodation for up to a maximum of 180 persons seeking international protection. The proposal will provide indoor recreation, dining/kitchen rooms, reception area, toilet, showers and circulatory spaces. There will be office space and staff facilities"*, 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.

##### **4 (i) Is or is not development**

The applicant has submitted drawings of both the existing and proposed works. The applicant has outlined that the proposal does not include material amendments to the façade as part of

the the change of use from commercial to temporary accommodation for families seeking international protection. From a review of the development description, it is considered that the proposed development falls within the statutory interpretation of works and therefore within the section 3(1) PDA 2000 definition of development.

#### 4 (ii) Is or is not exempted development

Class 20F of the 2001-2025 Planning Regulations permits the temporary use of any structure or part of the structure including 'commercial' to accommodate or support displaced persons or persons seeking international protection. This is subject to the limitations listed above.

The applicant has failed to submit any detail relating to how the applicant will provide natural lighting, ventilation and fire safety features as part of the development. The Planning Authority are required to assess whether in the opinion of the Planning Authority any required changes to the façade in order to change the use from commercial to accommodate or support displaced persons or persons seeking international protection would constitute material changes. The Planning Authority consider that the proposed development would require additional windows, vents and potential fire safety precautions in order to convert the existing structure into a habitable space in terms of natural lighting, ventilation, fire safety etc. Therefore, it is considered that in order to successfully change the use of the structure to provide accommodation suitable for human habitation material changes to the external façade would be required.

For this reason, the Planning Authority considers that the proposal falls within the statutory interpretation of works and therefore within the section 3(1) PDA 2000 definition of development but is not exempted development.

#### 4 (iii) Restrictions on exempted development

As per Article 9(1) Restrictions on Exemption, *“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. The most relevant restriction is considered includes:

*(iii) endanger public safety by reason of traffic hazard or obstruction of road users”*

The applicant has not provided any detail relating to how the site shall be accessed both from a pedestrian standpoint and for the general running of the accommodation i.e. laundry and food services which shall be entering the site presumably multiple times per day. Given the likely increased traffic movement, the existing traffic movement associated with the existing commercial units on site and the increase of pedestrian foot traffic associated with the conversion into accommodation I am not satisfied that the applicant has provided any suitable detail on how the site shall be accessed and the road safety implications associated with the proposed development.

I consider the subject works fall under the restrictions provided for in article 9(1)(a)(iii) as the Planning Authority cannot rule out that no traffic hazard or obstruction of road users will arise from the proposed works.



No other restrictions on development set out in Article 9(1)(a) of these Regulations apply in this instance.

#### 4. (iv) Appropriate Assessment:

Article 6(3) of Council Directive 92/43/EEC (the Habitats Directive) compels competent authorities to undertake an appropriate assessment of any plan or project not directly connected with or necessary to the management of a Natura 2000 site but likely to have a significant effect thereon, either individually or in combination with other plans or projects.

'Appropriate Assessment of Plans and Projects, Guidance for Planning Authorities' (2009) provide advice to planning authorities on their obligations under the Habitats Directive. The document, "Appropriate Assessment of Plans and Projects in Ireland: Guidance for Planning Authorities", states that where, from the nature, size and location of the development, it is unclear if the proposal will have a significant effect on a Natura 2000 site(s), a Natura Impact Statement will be required. The following Natura 2000 sites are of relevance to the subject site:

- River Boyne and River Blackwater SAC (002299)
- River Boyne and River Blackwater SPA (004232)
- Girley Bog SAC (002203)

The Planning Authority considered the nature, 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.

#### 4. (v) Environmental Impact Assessment:

The works are not a development type listed under Part 1 or 2 of Schedule 5 of the Planning & Development Regulations 2001 - 2024 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.

## 5.0 Conclusion

Based on the information submitted, it is considered that the proposal is 'development' under Section 2(1), 3(1) of the Planning and Development Act 2000 - 2023 and that same is not exempted development as described in Class 20F, Part 1, Schedule 2 of the Planning and Development Regulations 2001 - 2025, as a result of definitions outlined in Section 2 of the Planning & Development Acts 2000-2023 and Section 3(1) of the Planning & Development Acts 2000-2023 and Section 4(1)(h) of the Planning & Development Acts 2000-2023.

## 6.0 Recommendation

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

**WHEREAS** the question has arisen, *"to provide accommodation for up to a maximum 180 persons seeking international protection. The proposal will provide indoor recreation, dining/kitchen rooms, reception area, toilet, showers and circulatory spaces. There will be office space and staff facilities"*.

**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) Schedule 2, Part 1, Class 20(F) (Exempted Development – General) of the Planning and Development Regulations 2001-2025
- (d) Information provided.

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

- (a) The applicant has failed to submit sufficient documentation to the Planning Authority in relation to the proposed works. The applicant has detailed that no works are proposed to the external walls of the structure, however, the applicant has provided no details relating to internal natural light provision or internal ventilation which would require changes to the external appearance of the structure.

The Planning Authority are required to assess whether in the opinion of the Planning Authority the required changes to the façade, in order to change the use from commercial to accommodate to support displaced persons or persons seeking international protection, would constitute material changes.

The Planning Authority consider that the proposed development would likely require additional windows, vents and potential fire safety precautions in order to convert the existing structure into a habitable space in terms of natural lighting, ventilation, fire safety etc. Therefore, it is considered that in order to successfully change the use of the structure to provide accommodation suitable for human habitation material changes to the external façade would be required. For this reason, the Planning Authority considers that the proposal falls within the statutory interpretation of works

and therefore within the section 3(1) PDA 2000 definition of development and is not exempted development.

- (b) The applicant has failed to submit sufficient documentation to the Planning Authority in relation to the proposed works to allow the Planning Authority to determine that the development shall not endanger public safety by reason of traffic hazard or obstruction of road users as per Article9(1)(a)(iii) of the Planning and 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 2023 hereby decides that the said development as detailed on plans and particulars submitted on 13<sup>th</sup> May 2025 is development and is **NOT EXEMPTED DEVELOPMENT**.



\_\_\_\_\_  
Michael McKenna  
Executive Planner  
Date: 06/06/2025

Wendy Bagnall  
Senior Executive Planner  
Date: