

## MEATH COUNTY COUNCIL

### APPLICATION FORM – DECLARATION ON DEVELOPMENT & EXEMPTED DEVELOPMENT

**Section 5 of Planning and Development Act 2000-2023**



comhairle chontae na mí  
meath county council

#### Part 1

**1. Name of Applicant**

**Whitepark Farm Ltd**

**Note: Address to be provided in Part 2 of this form.**

**2. Name of Person/Agent acting on behalf of applicant (if any):**

**Sean Boyle, Boyle Planning Consultants Ltd.**

**Note: Address to be provided in Part 2 of this form.**

**3. Location of Development and/or Subject Site**

**Forde de Fyne, Naul, Co. Meath.**

**4. Applicant's Interest in Site**

**Owner**

RECEIVED  
PLANNING DEPT

11 APR 2025

A5525049

Reference No



**5. Description of Proposed Development**

**Two Existing Agricultural Sheds:**  
**Shed A 274 sq metres straw and feed store**  
**Shed B 277 sq metres machinery store.**

<b>Floor area of proposed development (sq.m.)(if applicable)</b>	<b>274 sq metre</b> <b>277 sq metre</b>
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**6. Protected Structure**

<b>Will / does development take place in / on a Protected Structure or within the curtilage of a Protected Structure?</b>	<b>Yes</b>		<b>No</b>	✓
<b>If "YES", has a Declaration under Section 57 of the Planning &amp; Development Act 2000 – 2022 been requested or issued for the property by the Planning Authority?</b>	<b>Yes</b>		<b>No</b>	<b>N/A</b>

**7. Section/Article of Planning and Development Act 2000-2023/Planning and Development Regulations 2001-2024 under which exemption is claimed (if known)**

**Agricultural Exemption for sheds in existing farm yard**

**8. Development within the curtilage of a house**

	<b>SQ. M.</b>
<b>Floor area of any existing extension (where application relates to an extension)</b>	<b>N/A</b>
<b>Floor area of proposed development</b>	<b>N/A</b>
<b>Area of rear garden space remaining</b>	<b>N/A</b>



**9. Agricultural development**

<b>Are there any other similar structures within the same farmyard complex or within 100m of that complex?</b>	<b>Yes</b>	√	<b>No</b>	
<b>If, yes please state the type and total floor area of these structures?</b>				
<b>Another straw and feed store = 274 sq metres. (Shed C) Existing cattle sheds</b>				

**10. Change of Use Applications**

<b>Existing use of structure/land</b>	<b>N/A</b>
<b>Proposed use of structure/land</b>	<b>N/A</b>

**11. List of plans, drawings etc submitted with this application**

	<b>Tick where submitted</b>
<b>Site location map (must be submitted with all applications)(scale of 1:1000 in urban area, 1:2500 in rural area)</b>	√
<b>Site layout plan (must be submitted with all applications which relate to a structure)(scale not greater than 1:500)</b>	√
<b>Floor plans (must be submitted for all buildings) (scale not greater than 1:200)</b>	√
<b>Elevations (must be submitted for all buildings/structures) (scale not greater than 1:200)</b>	√
<b>Section drawings (scale not greater than 1:200)</b>	√


**Note: All drawings must be to scale.****12. Planning History**

<b>Are you aware of any previous planning application/s on this site?</b>	<b>Yes</b>	√	<b>No</b>	
---	------------	---	-----------	--



<b>If, yes please provide details</b> <b>2541</b>			

### 13. Signature

<b>Signed</b> (applicant / agent as appropriate)	 <b>Sean Boyle, Boyle Planning Consultants.</b>
<b>Date:</b>	<b>01<sup>st</sup> April, 2025</b>

### NOTES

1. Application Fee of €80 must accompany all applications.
2. Application shall be accompanied by 2 copies of all drawings and documentation.

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

**Phone: 046 9097500 Fax: 046 9097001**  
**Email: [planning@meathcoco.ie](mailto:planning@meathcoco.ie)**





Site Location Map Scale: 1:2500  
O.S. Sheet 2648B

**SITE AREA: 54496m<sup>2</sup>**  
**ACRES: 13.4**  
**HECTARES: 5.4**

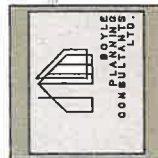
SITE EDGED RED

11 JUN 2025

AS 32505

**LOCATION OF  
SITE NOTICE**

# NAUL



BOYLE  
PLANNING  
CONSULTANTS  
LTD.

Architects  
Surveyors  
Planning consultants

Unit 3

Unit 3  
Floor

Centre  
11/11/00

Bulldog  
Road

1453

Meath  
E3797

1615  
13700

side

100

1



Site Location Map Scale: 1:2500  
O.S. Sheet 2648B

**SITE AREA: 54496m<sup>2</sup>**  
**ACRES: 13.4**  
**HECTARES: 5.4**

LANDHOLDING EDGED BLUE

SITE EDGED RED

LOCATION OF  
SITE NOTICE

# NAUL

ASS 25049

**PROJECT**

The development and construction of the extension of agricultural markets in an existing farm yard at Foz de Fyns, Namibia.

1

Wayne Park Farm Ltd

700

PLANNING STACK DATA  
WITH LOCATION TAGS

FOUNDED CONDITIONS TO BE USED IN ALL CASES

DATE	12-01-2025	DATE	12

[illegible]

THIS DOCUMENT IS CONFIDENTIAL  
CAB FILE REF: 15-16

FOCUS ON

Journal of Management Education 35(1)

REVISION	DATE	BY	DESCRIPTION
1	09/29/2011	AS	Initial Design

0930 (A3)

100

1100



**SITE AREA: 54496m<sup>2</sup>**  
**ACRES : 13.4**  
**HECTARES: 5.4**

Site Layout Map Scale: 1:500  
O.S. Sheet 2648B

ROAD

EXISTING ENTRANCE

LOCATION OF  
SITE NOTICE

SHED "C"  
FOR RETENTION  
UNDER  
PLANNING REF No. 2541

SHED "A"  
STRAW + FEED STORE

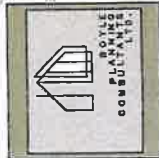
SHED A

SHED C

SHS

SHED "B"  
MACHINERY STORE

EXISTING SLATTED CATTLE SHED  
UNDER PLANNING REF. No. 89/768



The development will consist of the exemption of agricultural sheds in an existing farm yard at  
 Fords de Fyne  
 Naul  
 Co Meath

White Park Farm Ltd

PLANNING  
CONSULTANTS  
LTD.

AN AUDIO TRACE DRAWING

PROHIBED ORIGINATIONS TO BE USED IN ALL COUNTRIES

DATE 12-31-2025	SCALE 1540
DEM 0.0	060320

THIS DOCUMENT IS CONFIDENTIAL  
CAG FILE #027135-16  
PAGE THREE

[illegible]

8937 (A3)

AS525049



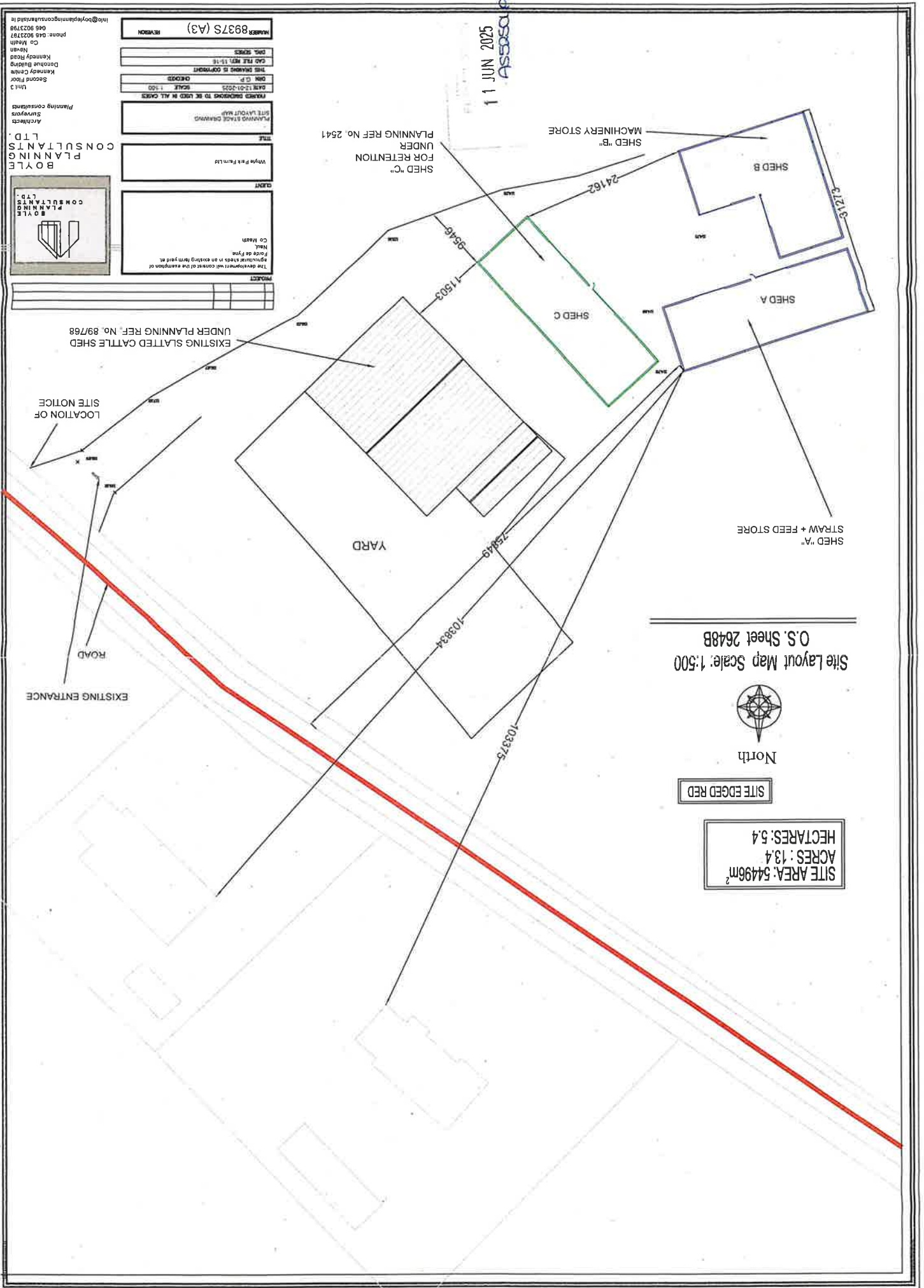
Site Layout Map Scale: 1:500  
O.S. Sheet 2648B



North

SITE EDGED RED

SITE AREA: 54496m<sup>2</sup>  
ACRES: 13.4  
HECTARES: 5.4



NUMBER 89375 (A3)	
REVISION	
DATE 12-01-2025	SCALE 1:500
THIS DRAWING IS COMPART	
DRAWN BY P	
CHECKED BY	
PLANNING DRAWINGS TO BE USED IN ALL CASES	
SITE LAYOUT MAP	
PLANNING AND DESIGN	
THE DEVELOPMENT WILL CONSIST OF THE REPLACEMENT OF	
EXISTING SHEDS IN AN EXISTING FARM YARD AT	
FORD OF FINE	
CO. WASH	
WOLFE PARK FARM LTD	
ARCHITECT	
PLANNING CONSULTANTS	
BOYLE CONSULTANTS LTD.	



Unit 3  
Second Floor  
Kennedy Centre  
Kennedy Road  
CO. WASH  
Phone: 046 9023787  
info@boyleplanningconsultantsltd.ie





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EXISTING ENTRANCE  
LOCATION OF  
SITE NOTICE

EXISTING SLATED CATTLE SHED  
UNDER PLANNING REF. NO. 89766

POA SECTION  
UNDER  
PLANNING REF. NO. 2541

YARD

103215

103634

75649

121281

SHED 'B'  
MACHINERY STORE

SHED 'A'  
STRAW + FEED STORE

SHED 'C'

SHED 'D'



Site Location Map Scale: 1:1000  
O.S. Sheet 2648B

SITE AREA: 54496m<sup>2</sup>  
ACRES: 13.4  
HECTARES: 5.4

11 JUN 2025  
AS25269

The development will consist of the erection of  
agricultural sheds in an existing farm yard at  
Foidé de Fyne  
Co. Mayo

CLIENT

White Park Farm Ltd

TITLE

PLANNING STAGE DRAWING

SITE LOCATION MAP

PROPOSED DIMENSIONS TO BE USED IN ALL CASES

DATE 12-01-2025

SCALE 1:1000

DRAWN BY

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CAD FILE REF: 13-16

DWG. NUMBER

NUMBER 8939 (A3)

REVISION



BOYLE  
PLANNING  
CONSULTANTS  
LTD.

Architect

Planning consultants

Surveyors

Second Floor

Kennedy Centre

Donohue Building

Maroon

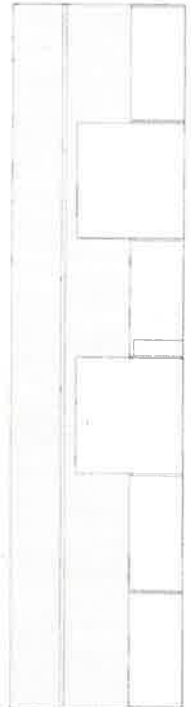
Co. Mayo

phone 046 8023797

info@boyleplanningconsultants.ie



ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.  
 ALL WALLS ARE 12" THICK UNLESS OTHERWISE SPECIFIED.  
 ALL ROOFS ARE 12" THICK UNLESS OTHERWISE SPECIFIED.



Front Elevation Scale 1:100



Rear Elevation Scale 1:100



Side Elevation Scale 1:100




Side Elevation Scale 1:100



GROUND FLOOR AREA: 274sqm  
 (7348 sq ft)

AS9150-9

 <b>BOYLE PLANNING CONSULTANTS LTD</b>	
<b>PROJECT NAME</b> SHED A - STRAW + FEED STORE	<b>CLIENT</b> Mr. & Mrs. J. Smith
<b>PROJECT ADDRESS</b> 123 Main Street, London, UK	<b>DATE</b> 15/05/2024
<b>PROJECT TYPE</b> Agricultural Building	<b>PROJECT NO.</b> 8935 (A1)
<b>PROJECT STATUS</b> Approved	<b>PROJECT VALUE</b> £15,000
<b>PROJECT DESCRIPTION</b> Construction of a new straw and feed store.	<b>PROJECT LOCATION</b> Rural, near village
<b>PROJECT CONTACT</b> John Smith, 01234 567890	<b>PROJECT EMAIL</b> john.smith@example.com



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SHED "A"  
STRAW + FEED STORE

SHED "A"  
SHED "B"

SHED "B"  
MACHINERY STORE

103315

103334

YARD

127791

EXISTING SLATTED CATTLE SHED  
UNDER PLANNING REF. No. 98768

SHED "C"  
FOR RETENTION  
UNDER  
PLANNING REF No. 2541

EXISTING ENTRANCE  
LOCATION OF  
SITE NOTICE

North



Site Location Map Scale: 1:1000  
O.S. Sheet 2648B

SITE AREA: 54496m<sup>2</sup>  
ACRES: 13.4  
HECTARES: 5.4

A5525049

<b>PROJECT</b> The development will consist of the extension of agricultural sheds in an existing farm yard at Fords de Fyne, Neul, Co. Meath.		
<b>CLIENT</b> Whyte Park Farm Ltd		
<b>TITLE</b> PLANNING STAGE DRAWING SITE LOCATION MAP		
<b>PLANNED DIMENSIONS TO BE USED IN ALL CASES</b> DATE 12-01-2023 SCALE 1:1000 DWN G.P. CHECKED THIS DRAWING IS COPYRIGHT CAD FILE REF: 15-16 DWS SCDS		
<b>NUMBER</b> 8939 (A3) <b>REVISION</b>		BOYLE PLANNING CONSULTANTS LTD. Architects Surveyors Planning consultants Unit 3 Second Floor Kennedy Castle Donohue Building Kennedy Road Neven Co. Meath phone: 046 9023797 046 9023798 info@boyleplanningconsultantsltd.ie



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

**Chief Executive Order Number:** 1095/25

**Reference Number:** A/S525049

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

**Name of Applicant:** Whitepark Farm Ltd

**Address:** c/o Sean Boyle  
Boyle Planning Consultants Ltd  
Unit 3, 2<sup>nd</sup> Floor Donohoe Building  
Kennedy Centre  
Kennedy Road  
Navan  
Co Meath

**Nature of Application:** Two existing Agricultural Sheds : Shed A - 274 sq metres straw & feed store , Shed B -277 sq metres machinery store

**Location of Development:** Forde de Fyne, Naul, 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: 27/06/2025





**MEATH COUNTY COUNCIL**

**Planning Department**

**Buvinda House**

**Dublin Road**

**Navan, Co Meath**

**046 - 9097500**

**Planning & Development Act 2000- 2023**

**DECLARATION**

**To: Whitepark Farm Ltd  
c/o Sean Boyle  
Boyle Planning Consultants Ltd  
Unit 3, 2<sup>nd</sup> Floor, Donohoe Building  
Kennedy Centre  
Kennedy Road  
Navan  
Co Meath**

**PLANNING REFERENCE  
NUMBER:** A/S525049

**APPLICATION RECEIPT DATE:** 11/04/2025

**FURTHER INFORMATION DATE:** 11/06/2025

In pursuance of the powers conferred upon them by the Planning and Development Act 2000-2023 Meath County Council has by order dated 27/06/2025 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: Two existing Agricultural Sheds : Shed A - 274 sq metres straw & feed store , Shed B -277 sq metres machinery store at Forde de Fyne, Naul, Co Meath.

Date: 27/06/2025

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 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





comhairle chontae na mí  
*meath county council*

1095

## Meath County Council

### Planning Report

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

**From:** Shoaib Khan, Executive Planner

**File Number:** AS5/25049

**Applicant:** Whitepark Farm

**Development Address:** Forde de Fyne Co Meath .

**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

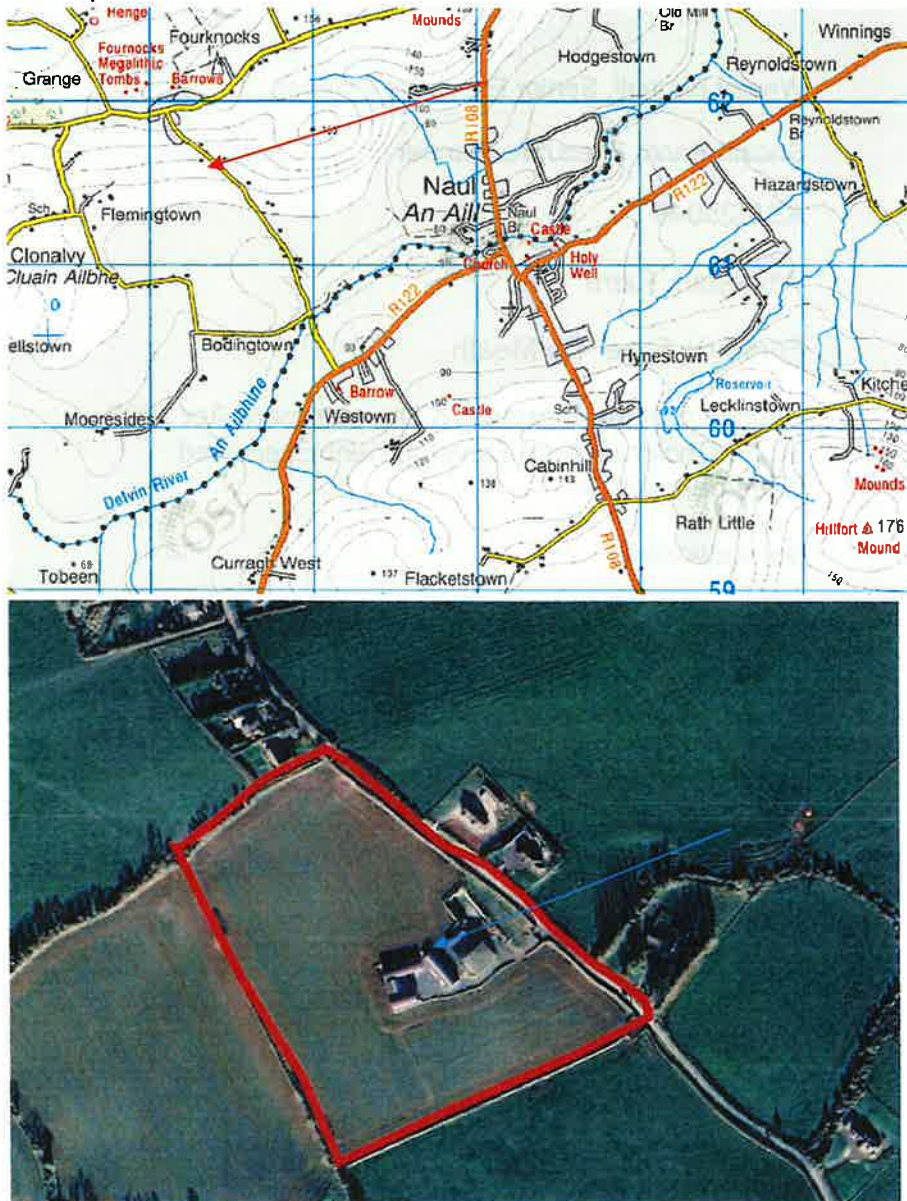
**Date Decision Due:** 01/07/2025

**Development Description:** two existing agricultural sheds. 274 sqm and 277 sqm.

## 1.0 SITE LOCATION & DESCRIPTION

The application is situated to the northwest of the village of Naul and can be accessed via the L50111. The proposed declaration pertains to an existing farmyard that contains several shed structures. Adjacent to the site, there are two residential dwellings developed along the road and directly opposite the site. The overall area is defined as rural, exhibiting a strong urban influence.

There are no protected structures or national monuments in the vicinity of the subject site. The lands are designated as 'RA' — Rural Area in the Meath County Development Plan for the years 2021 to 2027. The site is positioned within the Bellewstown Hills - Hills and Uplands landscape character area, which is recognized for its very high value and moderate sensitivity to changes in development.



## 1.2 Planning Policy

- Meath County Development Plan 2021-2027

### 11.14.6 Land Use Zoning Categories

#### RA Rural Areas

*Objective: To protect and promote in a balanced way, the development of agriculture, forestry and sustainable rural-related enterprise, community facilities, biodiversity, the rural landscape, and the built and cultural heritage.*

The primary objective is to protect and promote the value and future sustainability of rural areas. Agriculture, forestry, tourism and rural related resource enterprises will be employed for the benefit of the local and wider population. A balanced approach involving the protection and promotion of rural biodiversity, promotion of the integrity of the landscape, and enhancement of the built and cultural heritage will be adopted.

## 2.0 PROPOSED DECLARATION

The referrer seeks a declaration as to whether “Retention of two existing agricultural sheds” **is or is not development and is or is not exempted development.**

## 3.0 PLANNING HISTORY

2541                      Whyte Park Farm Ltd                      under consideration/ Further information requested.  
the retention of an agricultural shed in an existing farmyard.

89786

Permission GRANTED for erection of silage slab and slatted tank.

UD24/107              Enforcement Notice: The construction of 3 no. shed structures.

## 4.0 LEGISLATIVE CONTEXT

### Planning and Development Act 2000 (as amended):

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 2001-2024**

#### **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 3 Exempted Development Rural**

**Schedule 2, Part 3, Class 9 of the Planning and Development Regulations 2001 - 2025 relate to:**

*Works consisting of the provision of any store, barn, shed, glass-house or other structure, not being of a type specified in class 6, 7 or 8 of this Part of this.*

**Conditions and Limitations (Column 2)**

- 1. No such structure shall be used for any purpose other than the purpose of agriculture or forestry, but excluding the housing of animals or the storing of effluent.*
- 2. The gross floor space of such structures together with any other such structures situated within the same farmyard complex or complex of such structures or within 100 metres of that complex shall not exceed 900 square metres gross floor space in aggregate.*
- 3. No such structure shall be situated within 10 metres of any public road.*
- 3. No such structure within 100 metres of any public road shall exceed 8 metres in height.*
- 5. No such structure shall be situated within 100 metres of any house (other than the house of the person providing the structure) or other residential building or school, hospital, church or building used for public assembly, save with the consent in writing of the owner and, as may be appropriate, the occupier or person in charge thereof.*
- 6. No unpainted metal sheeting shall be used for roofing or on the external finish of the structure.*

**5.0 Details of Request for Further Information**

This report should be read in conjunction with the previous Planner's Report dated 07/05/2025, requesting further information about the point(s) below.

Further information was requested on 08/05/2025. A response to further information was received by the Planning Authority on 11/06/2025

**6.0 ASSESSMENT**

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

Having regard to the definition of 'development' within the Planning and Development Act 2000 (as amended), "*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:**

Based on the drawings submitted the proposal would be assessed against the conditions and limitations of Schedule 2, Part 3 Rural, Class 9 of the Planning & Development Regulations 2001 - 2025 as outlined below:

*Works consisting of the provision of any store, barn, shed, glass-house or other structure, not being of a type specified in class 6, 7 or 8 of this Part of this The applicant has stated that the ground shall be raised by 1 meters only around the curtilage of the house.*

**Conditions and Limitations (Column 2)**

- *No such structure shall be used for any purpose other than the purpose of agriculture or forestry but excluding the housing of animals or the storing of effluent.*

The applicant has provided a cover letter indicating that the intended use is solely for storage purposes related to agriculture.

- *The gross floor space of such structures together with any other such structures situated within the same farmyard complex or complex of such structures or within 100 metres of that complex shall not exceed 900 square metres gross floor space in aggregate.*

The farmyard contains various structures, and the applicant was asked to supply additional information detailing each one, including their structural specifications. This information is not provided through a floor plan or elevation plan.

- *No such structure shall be situated within 10 metres of any public road.*

The suggested structures for declaration seem to be located more than 10 meters away from the road.

- *No such structure within 100 metres of any public road shall exceed 8 metres in height.*

The proposed structures for declaration have an unknown height.

- *No such structure shall be situated within 100 metres of any house (other than the house of the person providing the structure) or other residential building or school, hospital, church or building used for public assembly, save with the consent in writing of the owner and, as may be appropriate, the occupier or person in charge thereof.*



The submitted layout plan indicates that the distance from the nearest houses, which are situated across the farmyard, is approximately 103 meters. This measurement appears to be accurate, as confirmed by online aerial maps.

- *No unpainted metal sheeting shall be used for roofing or on the external finish of the structure.*

The finalized details have not been submitted; however, they seem to meet the aforementioned requirements following an examination of the Google Street View from October 2022.

## **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 9 of Part 3 in Schedule 2 of the Planning and Development Regulations 2001-2025.

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 9 of Part 3 of Schedule 2 of the Planning and Development Regulations 2001-2025. The applicant shall address all conditions and limitations.

### **Applicant's Response**

1. *In regard to Item No. 1 we confirm that we are in compliance with Class 9 of Part 3 of Schedule 2 of the Planning and Development Regulations 2001-2025. We have addressed all conditions and limitations as follows:*
  - (a). The structure use only for the purposes of agriculture and machinery shed for storage of farm machinery and shed for storage of hay and straw.*
  - (b). The structures are in the same farm complex and do not exceed more the 200 square metres.*
  - (c). No effluent storage is proposed as no effluent will be generated in these buildings d. We confirm that the buildings are more than 10m from any public road.*
  - (d). We also confirm that the buildings are less than 8 metres in height.*
  - (e). These buildings are not located within 100 metres of any house*

### **Planner's Assessment**

Section 5 application form outlines that the proposed development will encompass two existing agricultural sheds: one measuring 274 square meters, designated for the storage of straw and feed, and the other, with a floor area of 277 square meters, intended for machinery storage. However, insufficient details were provided to illustrate compliance with the relevant class,

including the necessary limitations and conditions such as height specifications and the total floor area of all existing structures, as well as their current usage within the farmyard.

A review of the planning history reveals that the farmyard is only permitted for a silage slab and slatted tank, thereby subjecting the site to enforcement actions under 24/107 concerning three agricultural sheds. Furthermore, there is an active section 34 planning application reference 2541 currently under consideration, which aims to retain an agricultural shed. The planner's report concludes with a request for further information to elucidate details regarding the floor space, elevations, usage, and several other aspects that require additional clarification. A third-party submission has been made regarding this file, opposing the placement of the agricultural shed due to its closeness to a third-party residential dwelling.

Nonetheless, the applicant has not provided a comprehensive breakdown of each structure, including their usage and floor area within the farmyard. The applicant is required to submit evidence demonstrating compliance with each point referenced in the relevant exemption class, along with the associated conditions and limitations for the proposed development to be deemed exempt. The applicant has not met this obligation.

## **Item 2**

2. The applicant is requested to submit the following revised drawings.
  - (a) 2 copies of Site Location map to a scale of 1:2500 and site layout plan to a scale of 1:500 clearly identifying the site in red and distances to the nearest public road & any house (other than the house of the person providing the structure) or other residential building or school, hospital, church or building used for public assembly.
  - (b) 2 copies of Plans, Elevations & Sections of the existing agricultural sheds in metric to scale of 1:200, including structure height.
  - (c) The drawings submitted shall comply with Articles 22 & 23 of the Planning & Development Regulations 2001 as amended.

## **Applicant's Response.**

2. *In regard to Item No. 2 we submit the following revised drawings as requested:-*
  - (a) *2 copies of the Site Location Map to a scale of 1 :2500 and Site Layout Plan to a scale of 1:500 which clearly identified the site in red and distances to the nearest public road and any house and all other residential building or school, hospital, church or building used for public assembly.*
  - (b) *2 copies of Plans, Elevations & Sections of the existing agricultural sheds in metric scale of 1 :200, including structure height.*

(c) *The drawings submitted comply with Articles 22 & 23 of the Planning and Development Regulations 2001 as amended*

### **Planner's Assessment**

The applicant has not supplied elevational details for the structures in question; the site location map shows that three residential dwellings are located near the agricultural sheds, which appear to be slightly beyond the 100-meter distance. Given the planning history and the applicant's failure to provide a detailed breakdown of each structure to ascertain whether the proposed structures for declaration fall below the threshold.

The proposed development for declaration cannot be classified as exempt under Class 9 Schedule II of the Exempted Development Planning and Development Regulations 2001-2025.

#### **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 these sites and so 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 9 of the Planning and Development Regulations, 2001-2025.

## 12.0 RECOMMENDATION

**WHEREAS** the question has arisen as to whether "*two existing agricultural sheds. 274 sqm and 277 sqm.*" at Forde de Fyne 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, Whytefarm Ltd.

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

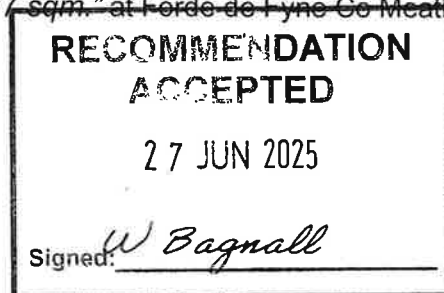
- (a) Sections 2(1), 3(1), 4, & 32 of the Planning and Development Act 2000 – 2023,
- (b) The definition of "development" in section 3 of the Planning & Development Act 2000-2023
- (c) Article 6 & 9 of the Planning and Development Regulations, 2001-2025
- (d) Class 9 of Part 3, Schedule 2 of the Planning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

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

- (a) "*two existing agricultural sheds. 274 sqm and 277 sqm.*" at, Forde de Fyne Co Meath comprises works and a development under section 3(1) of the Planning & 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 "*two existing agricultural sheds. 274 sqm and 277 sqm.*" at Forde de Fyne Co Meath **is development and is NOT exempted development.**

Shoaib Khan  
Executive Planner  
Date: 25/06/2025



Wendy Bagnall  
Senior Executive Planner  
Date:

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

