

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

**Part 1 Section 5 of Planning and Development Act 2000-2023, as amended.**

**1. Name:** Brian and Doreen Lambe

**Address:** 'Corona', Piltown Road, Painestown, Drogheda, Co. Meath, A92 Y2X8

**Phone No:**

**E-mail :** [REDACTED]

**2. Address for correspondence:**

**Address:** McKevitt King Architects, 50 North Road, Drogheda, Co. Louth, A92 W7255

**Phone No:** 041 9832950

**E-Mail:** info@mckevittking.ie

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

'Corona', Piltown Road, Painestown, Drogheda, Co. Meath A92 Y2X8

**4. Description of Development:**

The proposed development will consist of the following:

- a. Alterations to interior layout
- b. Alterations to East and West elevation
- c. All associated site works

**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 – 2018, 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:**

4.4m

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

0m2 proposed new development – alterations to 39.29m2 existing garden room

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

Cover Letter  
Letter from Applicant  
Site Location Map (PP-01)  
Site Layout Plan (PP-02)  
Plans/Sections/Elevations (PP-03)

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

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

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**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:**

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**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:**

Ref. no.: 92704 Received date: 05/06/1992  
Ref. no.: 93861 Received date: 23/08/1993  
Ref. no.: 2360291 Received date: 21/09/2023

**SIGNED:** 

**DATE:** 17/06/2025

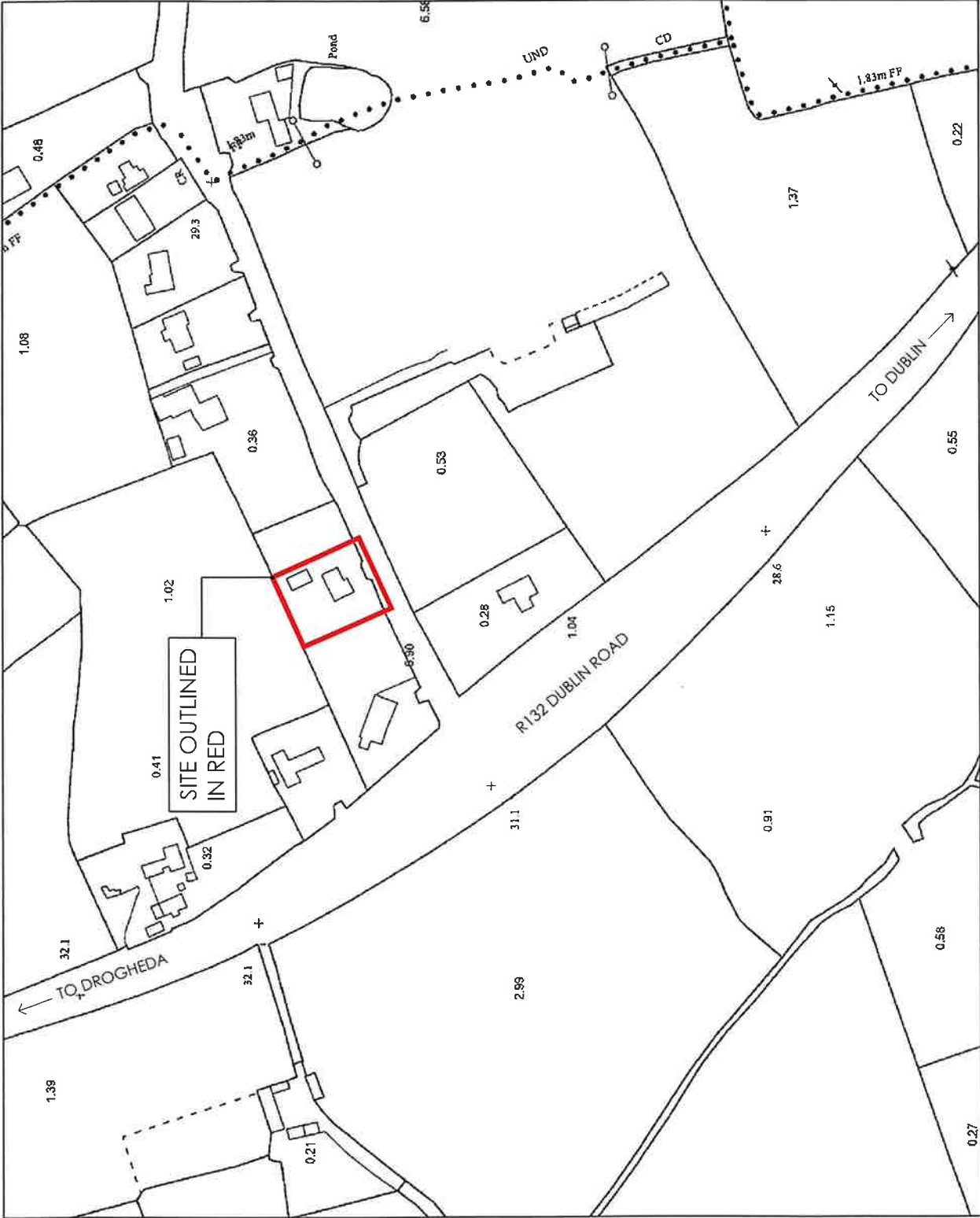
**NOTES**

- 1. Application Fee of €80**
- 2. Application shall be accompanied by:**
  - **2 copies of site location map to scale 1:2500** clearly showing the site outlined in red and the extent of the site boundaries, the position of existing structures, etc., and the proposed work.
  - **2 drawings to scale (1:200) of the proposed development** (including floor plan and elevations), if appropriate.

- **Two site layout plans to scale 1:500 if appropriate. Please submit 2 copies of any additional plans/reports etc. you may wish to include as part of the application.**

**Application shall be forwarded to: Meath County Council, Planning Department, Buvinda House, Dublin Road, Navan, Co. Meath.**  
**Contact Details: Phone: 046 9097500 Fax: 046 9097001**  
**Email: [planning@meathcoco.ie](mailto:planning@meathcoco.ie)**





NOTES

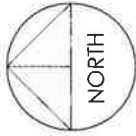
Figured dimensions only to be taken from drawings.

All dimensions to be checked on site before work commences and Architect to be alerted of any discrepancies.

All work is to comply with the current Building Regulations.

This drawing is copyright.

REV	REVISION	DATE



SITE OUTLINED IN RED

O.S. LICENCE NO. AR 00389725

O.S. REF. NO. 2382-B & 2383-A



50 NORTH ROAD  
DROGHEDA  
CO. LOUTH  
A92 W725

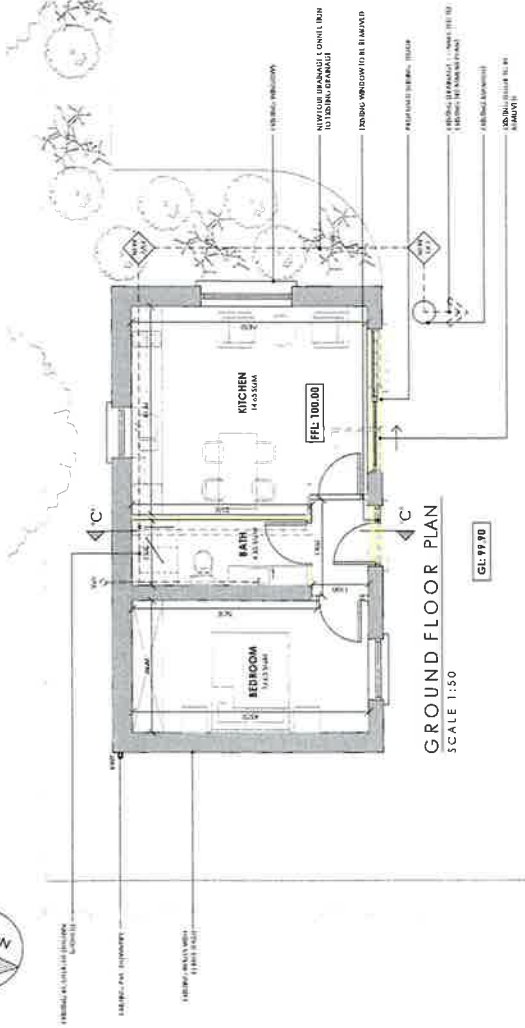
t: 011 9832350  
e: info@mckevittking.ie  
w: www.mckevittking.ie

PROJECT GARDEN ROOM @ CORONA, PILTOWN, TAINSTOWN, DROGHEDA, CO MEATH A92 12X8			
TITLE	SCALE	DATE	MO
ALTERATIONS TO EXISTING GARDEN ROOM	1:2000	JUNE 2025	
STAGE	DRAWN BY	PROJECT NO	
SECTION 5 DECLARATION		L 264	
CLIENT		DRAWN BY	
BRIAN & DOREEN LAMBE		PP-01	

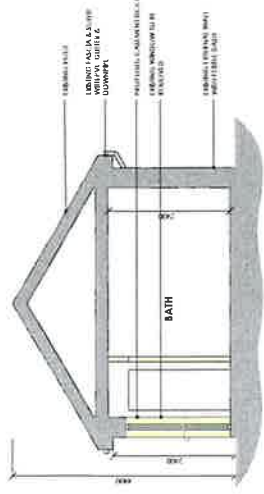
SITE LOCATION MAP

SCALE 1 : 2500



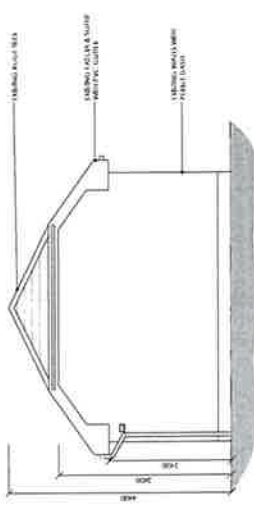


GROUND FLOOR PLAN  
SCALE 1:50

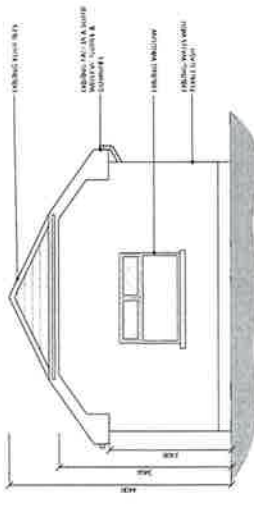


SECTION 'C' - 'C'

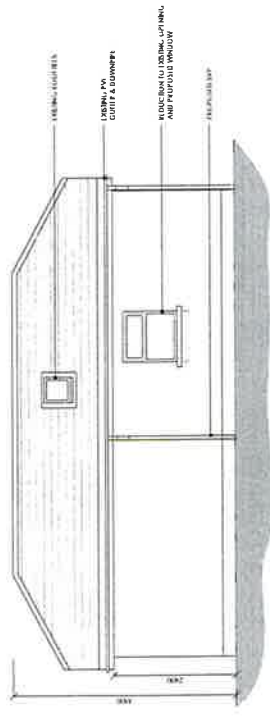
SCALE 1:50



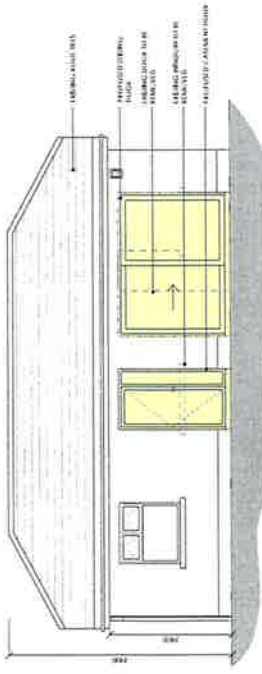
NORTH ELEVATION  
SCALE 1:50



**SOUTH ELEVATION**  
SCALE 1:50



**EAST ELEVATION**  
SCALE 1:50



WEST ELEVATION  
SCALE 1:50

The drawing is a copyright.

NAME		REF ID	A110
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50 NORTH ROAD  
DROGHEDA  
CO LOUISIANA  
A92 W7255

MCKEVITT KING  
ARCHITECTS[illegible]









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

**Chief Executive Order Number:** 1111/25

**Reference Number:** LS525070

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

**Name of Applicant:** Brian & Doreen Lambe

**Address:** c/o McKevitt King Architects  
50 North Road  
Drogheda  
Co Louth  
A92 W7255

**Nature of Application:** The proposed development will consist of the following: a. Alterations to interior layout. b. Alterations to East and West elevation. c. All associated site works

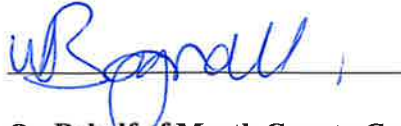
**Location of Development:** 'Corona', Piltown Road, Painestown, Drogheda, Co Meath, A92 Y2X8

**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:**

01.07.25

**SCANNED**



**MEATH COUNTY COUNCIL**

**Planning Department**

**Buvinda House**

**Dublin Road**

**Navan**

**Co Meath**

**046 - 9097500**

**Planning & Development Act 2000- 2022**

**DECLARATION**

**To:** Brian & Doreen Lambe  
c/o McKevitt King Architects  
50 North Road  
Drogheda  
Co Louth  
A92 W7255

**PLANNING REFERENCE** LS525070  
**NUMBER:**

**APPLICATION RECEIPT DATE:** 17/06/2025

**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 11/02/2025 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 proposed development will consist of the following: a. Alterations to interior layout. b. Alterations to East and West elevation. c. All associated site works at 'Corona', Piltown Road, Painestown, Drogheda, Co Meath, A92 Y2X8

Date: 01.07.25

  
**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)

**SCANNED**



# Meath County Council



## Planning Report

<b>To:</b>	Wendy Bagnall, Senior Executive Planner
<b>From:</b>	Gerard Kellett, Executive Planner
<b>File Number:</b>	<del>LS525070</del> <del>LS25070</del>
<b>Applicant Name(s):</b>	Brian & Doreen Lambe
<b>Development Address:</b>	Corona', Piltown Road, Painestown, Drogheda, Co Meath
<b>Inspection Date:</b>	N/A
<b>Application Type:</b>	Section 5 of the Planning & Development Act 2000 (as amended): Declaration on Development/Exempted Development
<b>Development Description:</b>	a. Alterations to interior layout b. Alterations to East and West elevation
<b>Date of Report:</b>	30/07/25
<b>Decision Due Date:</b>	15/07/25

SCANNED

# North County Council



## Planning Board

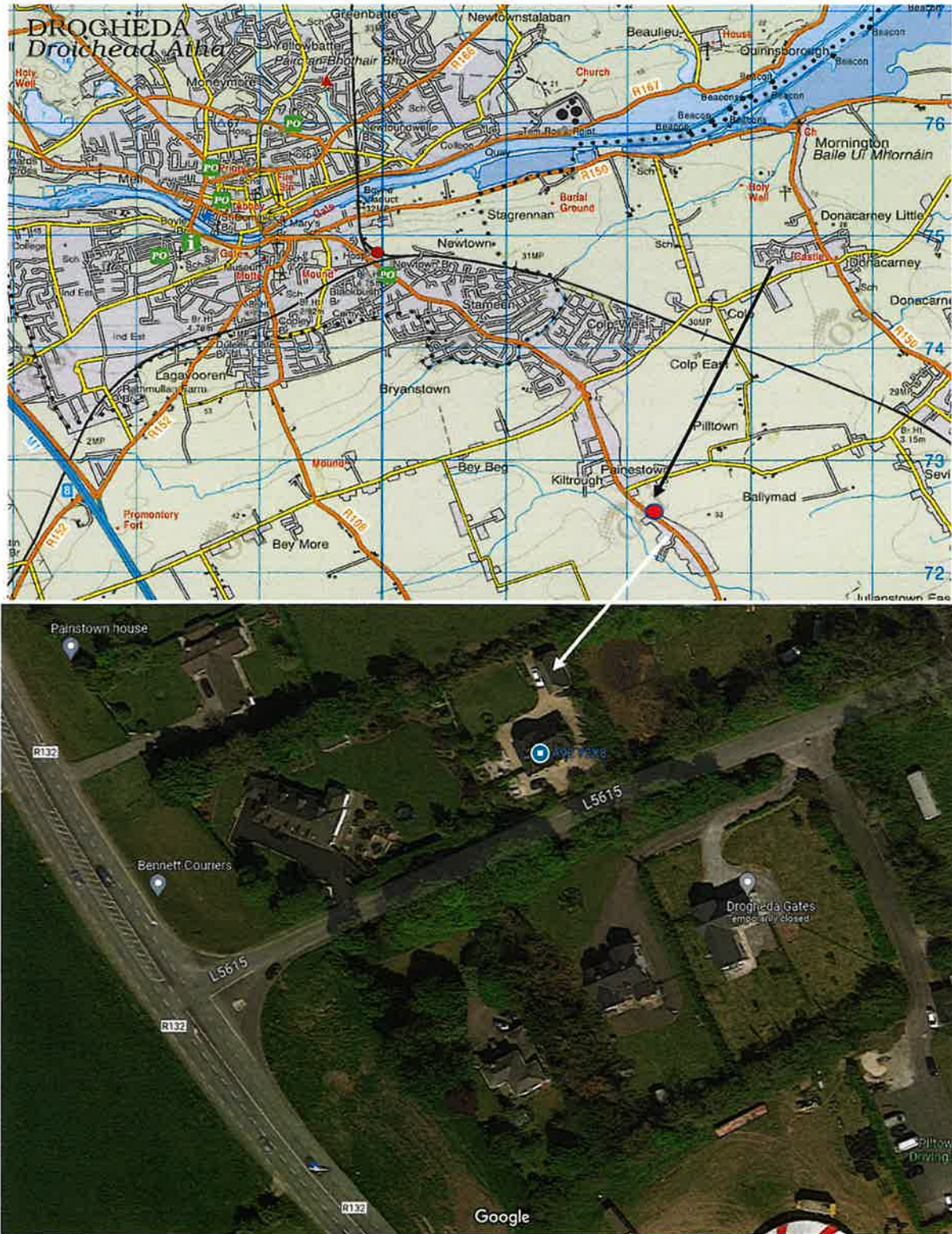
<p>1. Name of Applicant: <u>Mr. J. Smith</u></p> <p>2. Address of Applicant: <u>123 Main Street, London, W1A 1AA</u></p> <p>3. Name of Property: <u>123 Main Street</u></p> <p>4. Description of Proposed Development: <u>Conversion of existing office building into residential flats</u></p> <p>5. Date of Application: <u>15/01/2023</u></p> <p>6. Name of Planning Officer: <u>Mr. J. Smith</u></p> <p>7. Name of Planning Committee: <u>North County Council Planning Committee</u></p> <p>8. Name of Planning Board: <u>North County Council Planning Board</u></p> <p>9. Name of Planning Officer: <u>Mr. J. Smith</u></p> <p>10. Name of Planning Committee: <u>North County Council Planning Committee</u></p> <p>11. Name of Planning Board: <u>North County Council Planning Board</u></p> <p>12. Name of Planning Officer: <u>Mr. J. Smith</u></p> <p>13. Name of Planning Committee: <u>North County Council Planning Committee</u></p> <p>14. Name of Planning Board: <u>North County Council Planning Board</u></p> <p>15. Name of Planning Officer: <u>Mr. J. Smith</u></p> <p>16. Name of Planning Committee: <u>North County Council Planning Committee</u></p> <p>17. Name of Planning Board: <u>North County Council Planning Board</u></p> <p>18. Name of Planning Officer: <u>Mr. J. Smith</u></p> <p>19. Name of Planning Committee: <u>North County Council Planning Committee</u></p> <p>20. Name of Planning Board: <u>North County Council Planning Board</u></p>	
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SCANNED



## 1.0 SITE LOCATION & DESCRIPTION:

The proposed development relates to an existing residential dwelling on the outskirts of Drogheda town centre. The site is located in the townlands of Painstown c 1km south of Southgate shopping centre. The site comprises is a storey and half cottage type house with single storey hipped roofed garage to the north eastern corner of the site.











### 3.0 PLANNING HISTORY:

23/60291 – The development consists of the following: 1. Retention of existing porch to front (south) of existing dwelling. 2. Retention & completion of existing single storey detached garden building and for the proposed use as a home office and gym. 3. Construction of proposed sunroom to side (west) of existing dwelling. 4. All associated site works – CONDITIONAL – Notable conditions include:

3.The domestic structure shall not be used for human habitation, commercial use, industrial use or for any other purpose other than a purpose incidental to the enjoyment of the dwelling.

<u>001330</u>	APPLICATION FINALISED	C	27/06/2000 Tuesday	B. Lambe	Carrona Painstown, Dublin Drogheda, Meath	conservatory (circa 20sq.m)Velux windows Road to roof at side together with porch (c.2.5 sq.m) to front of house
<u>93861</u>	APPLICATION FINALISED	C	23/08/1993 Monday	Brian Lambe	Pilltown Road, Painestown Dublin Drogheda, Co. Meath.	Road, change of

### 4.0 LEGISLATIVE CONTEXT

The legislative framework regarding the proposal is set out in this section of the report.

#### Planning & 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 and, in relation to a protected structure or proposed protected structure, includes any act or operation involving the application or removal of plaster, paint, wallpaper, tiles or other material to or from the surfaces of the interior or exterior of a structure.*

*"use", in relation to land, does not include the use of the land by the carrying out of any works thereon.*

*"land" includes any structure and any land covered with water (whether inland or coastal).*

*"structure" means any building, structure, excavation, or other thing constructed or made on, in or under any land, or any part of a structure so defined, and—*

*(a) where the context so admits, includes the land on, in or under which the structure is situate, and*

*(b) in relation to a protected structure or proposed protected structure, includes—*



(i) the interior of the structure,

(ii) the land lying within the curtilage of the structure,

(iii) any other structures lying within that curtilage and their interiors, and

(iv) all fixtures and features which form part of the interior or exterior of any structure or structures referred to in subparagraph (i) or (iii).

"alteration" includes —

(a) plastering or painting or the removal of plaster or stucco, or

(b) the replacement of a door, window or roof, that materially alters the external appearance of a structure so as to render the appearance inconsistent with the character of the structure or neighbouring structures.

"unauthorised development" means, in relation to land, the carrying out of any unauthorised works (including the construction, erection or making of any unauthorised structure) or the making of any unauthorised use;

"unauthorised structure" means a structure other than—

(a) a structure which was in existence on 1 October 1964, or

(b) a structure, the construction, erection or making of which was the subject of a permission for development granted under Part IV of the Act of 1963 or deemed to be such under section 92 of that Act or under section 34, 37G or 37N or 293 of the 2000 Act, being a permission which has not been revoked, or which exists as a result of the carrying out of exempted development (within the meaning of section 4 of the Act of 1963 or section 4 of the 2000 Act).

"unauthorised use" means, in relation to land, use commenced on or after 1 October 1964, being a use which is a material change in use of any structure or other land and being development other than—

(a) exempted development (within the meaning of section 4 of the Act of 1963 or section 4 of the 2000 Act), or

(b) development which is the subject of a permission granted under Part IV of the Act of 1963 or under section 34, 37G, 37N or 293 of the 2000 Act, being a permission which has not been revoked, and which is carried out in compliance with that permission or any condition to which that permission is subject.

"unauthorised works" means any works on, in, over or under land commenced on or after 1 October 1964, being development other than—

(a) exempted development (within the meaning of section 4 of the Act of 1963 or section 4 of the 2000 Act), or

(b) development which is the subject of a permission granted under Part IV of the Act of 1963 or under section 34, 37G, 37N or 293 of the 2000 Act, being a





permission which has not been revoked, and which is carried out in compliance with that permission or any condition to which that permission is subject.

### **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(1)**

The following shall be exempted developments for the purposes of this Act (4)(1)(a)-(l).

Sub-section 4(1)(h) states that – development consisting of the carrying out of works for the maintenance, improvement or other alteration of any structure, being works which affect only the interior of the structure or which do not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure or of neighbouring structures;

### **Section 4(2)(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
- (ii) "the development is authorised, or is required to be authorised, by or under any enactment...."

### **Section 4(2)(b)**

"Regulations under paragraph (a) may be subject to conditions and be of general application or apply to such area or place as may be specified in the regulations."

### **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 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 (as amended):**

#### **Article 6(1) Exempted Development.**

"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)(a) 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) (inclusive) of the regulations.

Of relevance is, (i) contravene a condition attached to a permission under the Act or be inconsistent with any use specified in a permission under the Act,

## **5.0 ASSESSMENT:**

This section of the report provides an assessment of the proposal.

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

Having regard to the definition of ‘works’ & ‘development’ in the Planning and Development Act 2000 (as amended) it is considered the development as indicated on the application form and plans and particulars received is considered would constitute development. i.e. *“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”*.

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

The Section 5 Declaration relates to whether, *“The proposed (a) alterations to interior layout and (b). Alterations to East and West elevation”* of an existing domestic structure on the site is or is not development and is or is not exempted development.

I note Section 4(1)(h) of the Planning and Development Act 2000 (as amended) the refers, to *“development consisting of the carrying out of works for the maintenance, improvement or other alteration of any structure, being works which affect only the interior of the structure or which do not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure or of neighbouring structures”* shall be deemed exempted subject to Article 9(1)(a) (restrictions on exemptions).

Generally, works comprising the alterations to the interior layout and alterations to the exterior of a building would be deemed exempt under Section 4 (1)(h) of the Act. The submitted floor plan refers to proposed internal alterations comprising a bedroom, kitchen, bathroom. Furthermore, a letter from the applicant has been provided stating their intention to live in the domestic structure.

From review of the planning history, it is evident a notable condition (no.3) of a previous permission ref: 23/60291 was attached which restricts the use of the domestic structure to be incidental to the enjoyment of the dwelling and not to be used for human habitation.

In that context, 9(1)(a) of the Planning & Development Regulations 2001 (as amended) states, *“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...(i) contravene a condition attached to a permission under the Act or be inconsistent with any use specified in a permission under the Act”*. Therefore, having regard to the above it is considered the proposed work would not be deemed exempt in this instance.



**(iii) 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.

**(iv) 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 (as amended) 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.

## **6.0 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 (as amended); and would not be exempted development under Article 9(1)(a)(i) of the Planning and Development Regulations, 2001 (as amended).

## **7.0 RECOMMENDATION**

Accordingly, it is recommended an order along the following lines: -

**WHEREAS** a question has arisen as to whether

- *"The proposed (a) alterations to interior layout (b). Alterations to East and West elevation" at 'Corona', Piltown Road, Painestown, Drogheda, Co. Meath is or is not development and is or is not exempted development.*

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

- (a) Sections 2(1), 3(1), 4(1)(h) & 177U(9) of the Planning and Development Act 2000 (as amended),



- (b) Article 9 of the Planning and Development Regulations, 2001,  
(c) Information provided,

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

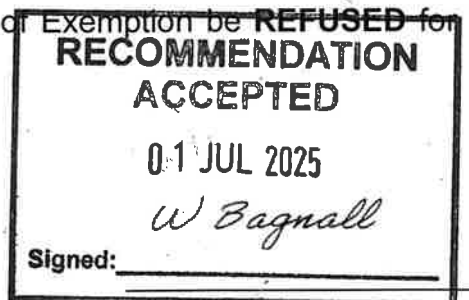
- (a) *"The proposed (a) alterations to interior layout (b). Alterations to East and West elevation"* at 'Corona', Piltown Road, Painestown, Drogheda, Co. Meath is not exempted development from the requirement to obtain planning permission, as from a review of the planning history of the site indicates the proposed works would *"contravene a condition attached to a permission under the Act"* most notably condition (no.3) of previous planning 23/60291 which states, *"The domestic structure shall not be used for human habitation, commercial use, industrial use or for any other purpose other than a purpose incidental to the enjoyment of the dwelling"*. Therefore, the proposed works would not be exempt as per Article 9(1)(a)(i) of the Planning and Development Regulations, 2001 (as amended).

**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 (as amended), hereby decides that the said development as detailed on particulars submitted 17<sup>th</sup> June 2025 is 'Development' but is 'Not Exempted Development'.

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

*Gerard Kellett*

Gerard Kellett  
Executive Planner



Wendy Bagnall  
Senior Executive Planner

