

MEATH COUNTY COUNCIL
CHIEF EXECUTIVE ORDER

Chief Executive Order Number: 1225/25

Reference Number: LS525074

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

Name of Applicant: IMAC Group

Address: c/o Tom Phillips & Associates
80 Harcourt Street
Dublin 2
D02 F449

Nature of Application: Installation of a water tank for the purposes of servicing Gormanston Park

Location of Development: Gormanston Park, Gormanston, 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:

18.07.25

Meath County Council



comhairle chontae na mí
meath county council

Planning Report

To:	Wendy Bagnall, Senior Executive Planner
From:	Stephen O' Brien, Assistant Planner
Date:	17 th July 2025
MCC File Number:	LS525074
Applicant:	IMAC Group
Development Address:	Gormanston Park, Gormanston, Co. Meath
Application Type:	Section 5 of the Planning & Development Acts 2000-2023: Declaration on Development/Exempted Development.
Development Description:	Installation of a water tank for the purposes of servicing Gormanston Park
Date Decision Due:	18 th July 2025.

1. Site Location & Description:

The application site is located in the settlement of Gormanston and is zoned Community Infrastructure. This is the site of Franciscan College Gormanston. Vehicular access to the site is existing off the L-1616 Flemington Road, which leads onto the R-132 Regional Road which is the old Dublin-Belfast Road. The Delvin River is situated along the western boundary of the grounds of Gormanston College, in which Gormanston Park is situated. The wider area consists of lands largely subject to agricultural use, with a number of one-off dwellings and minor commercial establishments. The subject site straddles the Co. Dublin border along the western boundary. The subject site is approximately 900m to the east of the M1 Motorway.

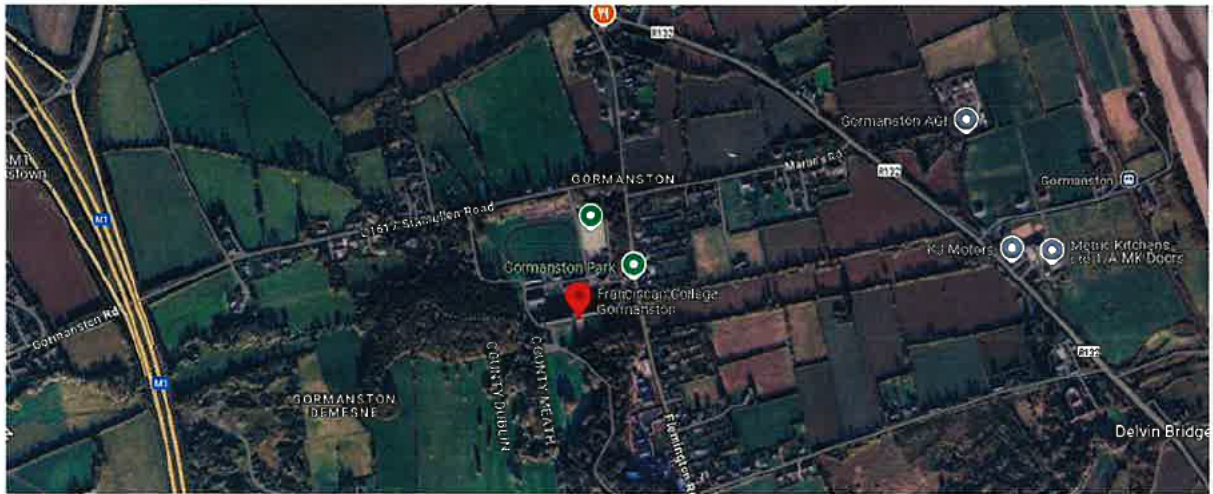


Figure 1: Extract from Google Imagery showing subject site.



Figure 2: Extract from Google Imagery showing subject site.

2. Proposed Declaration:

The Planning Authority is considering this question as:

Whether the existing water tank within the disused handball alley at Gormanston Park constitutes of an existing dwelling is or is not development and is or is not exempted development.

The completed application form and submitted documents indicate that the extent of works proposed indicate the height of the structure is 2.55m and the with a floor area of 50.2sqm.

3. Planning History:

Pl. Ref. AA151380 Permission **granted** to Gormanston Park Ltd. The development will consist of work to a protect structure & its curtilage structures & site. Sports Pavillion: Alterations to existing swimming pool including new single storey extension to accommodate new plant room, jacuzzi, sauna, steam room & shower facility. Internal alterations to create children's pool & viewing area, alterations to existing changing facilities & new reception area/office. Alterations to existing changing facilities to create children's soft play centre. Existing assembly hall reduced in size to create gymnasium at ground & mezzanine level with remaining floor space of assembly hall used for community drama groups and as bingo hall during weekdays and weekends. New floor space created to North aspect of building by installing floor to ceiling glazing between existing concrete piers. Internal alterations to create new cafe facility ancillary to swimming pool, soft play centre, gymnasium & assembly hall/Bingo Hall. External alterations including the replacing of all existing windows & doors, replacement of existing flat roofs coverings, replacing all metal railings to viewing gallery, new glazing between existing concrete piers to make external covered space internal creating additional floor space. New Cedar cladding facade to north & south entrance including the removal of existing concrete canopy to south entrance with new steps & ramped access to both. Further cedar cladding to single storey areas on north, west & east elevations, existing pebbledash rendered walls to be re-rendered. Four Storey school Building: Alterations to school building two number offices at ground floor level converted into cafe/reception area, & single storey extension to create additional floor space. New passenger lift provided in proposed reception area including all associated works at mezzanine, first & second floor level. Existing wash up area converted to additional seating area for proposed cafe. Internal alterations to Dining hall & alterations to existing kitchen & staff areas/toilets. Change of use for all dormitories at mezzanine, first & second floor level previously used in association with the school changed for commercial use, including alterations at first & second floor to create accessible sleeping accommodation & en-suite facilities. Extension to existing 2-storey building to accommodate new stairs & lift located on the East wing of the school building & internal alterations to same to create toilet & shower facilities to etc. (2016).

4. Internal, External and Prescribed Body Referrals:

None referred.

5. Relevant National Legislation:

In order to assess whether or not the works described in Section 2.0 of this report is or is not development or is or is not exempted development regard must be had to the following national legislation set out below.

5.1 Section 2 of the Planning & Development Acts 2000-2023

Section 2 of the Planning & Development Acts 2000-2023 provides the following interpretations which are relevant:

“development” has the meaning assigned to it by section 3, and “develop” shall be construed accordingly;

“exempted development” has the meaning specified in section 4;

“structure” means *inter alia* any building, structure, excavation, or other thing constructed or made on, in or under any land, or any part of a structure so defined, and where the context so admits, includes the land on, in or under which the structure is situate; and

“works” includes any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal and, in relation to a protected structure or proposed protected structure, includes any act or operation involving the application or removal of plaster, paint, wallpaper, tiles or other material to or from the surfaces of the interior or exterior of a structure.

5.2 Section 3 of the Planning & Development Acts 2000-2023

Section 3(1) of the Planning & Development Acts 2000-2023 defines “development” as follows:

“Development means except where the context otherwise requires, the carrying out of any works on, in over or under land or the making of any material change in the use of any structures or other land.”

5.3 Section 4 of the Planning & Development Acts 2000-2023

Section 4(1) of the Planning & Development Acts 2000-2023 provides a list of statutory exempted development including:

“(j) development consisting of the use of any structure or other land within the curtilage of a house for any purpose incidental to the enjoyment of the house as such;”

Section 4(2) of the Planning and Development Acts 2000-2023 provides for the making of regulations relating to exempted development. The Planning & Development Regulations 2001-2025 give effect to section 4(2).

Section 4 (2) (a) (i)

‘The Minister may by regulations provide for any class of development to be exempted development for the purposes of this Act where he or she is of the opinion that—

(i) by reason of the size, nature or limited effect on its surroundings, of development belonging to that class, the carrying out of such development would not offend against principles of proper planning and sustainable development, or..’

Section 4 (4)

'Notwithstanding paragraphs (a), (i), (ia) and (l) of subsection (1) and any regulations under subsection (2), development shall not be exempted development if an environmental impact assessment or an appropriate assessment of the development is required.'

5.4 Section 5 of the Planning & Development Acts 2000-2023

Section 5 of the Planning & Development Acts 2000-2023 provides *inter alia*.

- (1) If any question arises as to what, in any particular case, is or is not development or is or is not exempted development within the meaning of this Act, any person may, on payment of the prescribed fee, request in writing from the relevant planning authority a declaration on that question, and that person shall provide to the planning authority any information necessary to enable the authority to make its decision on the matter.
- (2) (a) Subject to *paragraph (b)*, a planning authority shall issue the declaration on the question that has arisen and the main reasons and considerations on which its decision is based to the person who made the request under *subsection (1)*, and, where appropriate, the owner and occupier of the land in question, within 4 weeks of the receipt of the request.
(b) A planning authority may require any person who made a request under *subsection (1)* to submit further information with regard to the request in order to enable the authority to issue the declaration on the question and, where further information is received under this paragraph, the planning authority shall issue the declaration within 3 weeks of the date of the receipt of the further information.
(c) A planning authority may also request persons in addition to those referred to in *paragraph (b)* to submit information in order to enable the authority to issue the declaration on the question.

5.5 Section 32 of the Planning & Development Acts 2000-2023

Section 32 of the Planning & Development Acts 2000-2023 sets out a general obligation to obtain planning permission in respect of any development of land, not being exempted development, and in the case of development, which is unauthorised, for the retention of that unauthorised development.

5.6 Article 6 of the Planning & Development Regulations 2001-2025

Article 6 of the Planning & Development Regulations 2001-2025 provides (subject to the restrictions in article 9 of the Planning & Development Regulations 2001-2025) for the classes of exempted development under column 1 of Parts 1, 2 and 3 of Schedule 2, subject, where applicable, to the conditions and limitations imposed upon such classes as set out in column 2.

5.7 Article 9 of the Planning & Development Regulations 2001-2025

Article 9 of the Planning & Development Regulations 2001-2025 imposes specific restrictions on development of classes specified in Parts 1, 2 and 3 of Schedule 2 and in effect de-exempts certain classes of development that would be exempt under normal circumstances.

6. Assessment:

In essence, the question has arisen as to whether the existing water tank within the disused handball alley for the purposes of serving Gormanston Park 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.

a. "Development"

It is considered that the subject proposal, as outlined above, falls within the statutory interpretation of "works" within the section 3(1) Planning & Development Acts 2000-2023 definition of development. Whether the works are development and exempted development or development and not exempted development requires an assessment of each of the component elements against the provisions of Class 1 of Part 1 of Schedule 2 of the Planning & Development Regulations 2001-2025 respectively.

b. "Exempted Development"

In terms of whether the development is exempted development, the Applicant is inquiring whether the existing water tank within the disused handball alley for the purposes of serving Gormanston Park is exempt or not exempt. The height of said structure is 2.55m with a floor area of 50.2sqm. This water tank was installed between February and March 2025 for the purpose of servicing Gormanston Park. The old high-water tank has been decommissioned on site. The handball courts are listed on the National Inventory of Architectural Heritage (14322008) which has the following description, *"Pair of concrete ball alleys-built c.1950 with steel railings, steel net supports and nets. Octagonal water tower on a concrete pier set in centre of northwest wall, with plant room to northwest"*.

It is noted that a Section 57 was completed by the Architectural Conservation Officer in May 2025. There is a Protected Structure in close proximity to the site (RPS ID No. 91041). The water tower is a notable feature constructed from reinforced concrete and stands approximately 20m tall. It was built around the same time as the nearby school, back in 1945, giving it a historic charm and is part of the attendant grounds that are protected by the same Recorded Protected Structure status. The tank itself is octagonal, about 2.4 meters in height, and is perched atop a single, X-shaped reinforced concrete support column. At the lower level, this column connects to a concrete wall that forms part of a partially unused two-storey building on one side, and two disused handball courts on the other.

Part A Point 2 of the Section 57 states that, *'Changes to internal layout which would affect the original or early surviving layout or section, such as - the removal of structural elements, breaking new openings alterations of floor levels, alteration to the layout or form of the stairwells'*, and Point 3 states, *'Changes to internal finishes, fixtures and fittings, that would involve loss or damage to original or early surviving material'*. It is stated clearly that these works would materially affect the character of the protected structure and as a result require planning permission.

From a review of the Planning and Development Regulations 2001-2025, Part 2 and Schedule 2, it is noted that the proposed development does not fall within any exempt development category listed. The installation is not considered exempted development subject to conditions/limitations based

Based on the foregoing, the planning authority believes that the existing water tank within the disused handball alley for the purposes of serving Gormanston Park is development and is not exempted development.

7. Appropriate Assessment:

Article 6(3) of Council Directive 92/43/EEC (as amended) on the conservation of natural habitats and of wild fauna and flora ('the Habitats Directive') requires that any plan or project that is not directly connected with or necessary to the management of the Natura 2000 site concerned but is likely to have a significant effect on it, on its own or in combination with other plans and projects, is to be authorised only if it will not adversely affect the integrity of that site. The application site is not within any designated Natura 2000 site. The nearest sites located within 15km of the subject site are as follows:

- North-West Irish SPA (Site Code 004236) c.1.45m to the east of the site
- River Nanny Estuary and Shore SPA (Site Code 004158) c. 1.9km to the north of the site
- Boyne Coast and Estuary SAC (Site Code 001957) c. 7.35km north of the site.

It is noted that both the River Boyne Blackwater SPA and River Boyne and Blackwater SAC are located approximately 140m to the north of the site.

The Planning Authority considered the nature **(existing water tank within the disused handball alley for the purposes of serving Gormanston Park)**, 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.

8. Environmental Impact Assessment:

The proposed development is not a development type listed under Part 1 or 2 of Schedule 5 of the Planning & Development Regulations (PDR) 2001 - 2025 nor is it considered a sub-threshold development for the purposes of Schedule 7 PDR. Based on information provided and having considered the nature, size and location of the development, there is no real likelihood of significant effects on the environment and as such as EIAR is not required.

9. Conclusion and Recommendation:

It is therefore recommended that a declaration be issued for the existing water tank within the disused handball alley for the purposes of serving Gormanston Park as indicated on the submitted plans and particulars stating that the proposal represents development which is **not exempted development** as follows:

WHEREAS a question has arisen as to whether, *"the existing water tank within the disused handball alley for the purposes of serving Gormanston Park"* on lands at Gormanston, Co. Meath is or is not exempted development:

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

- (a) Sections 2, 3, 4 & 177U(9) of the Planning and Development Act 2023,
- (b) Articles 6, 8 and 9 of the Planning and Development Regulations, 2001-2025
- (c) Information provided.

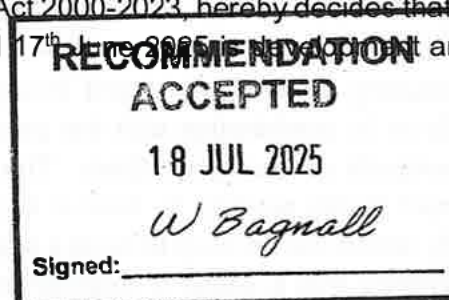
AND WHEREAS Meath County Council has concluded: -

- (a) The proposal represents works and constitutes development having regard to Section 2 and 3 of the Planning and Development Act 2000-2023.
- (b) There is no provision for exemption within any of the classes as set out in Part 2 or Schedule 2 of the Planning and Development Regulations 2001 as amended for the proposed development.

NOW THEREFORE Meath County Council, in exercise of the powers conferred on it by Section 5(2)(a) of the Planning and Development Act 2000-2023, hereby decides that the said development as detailed on particulars submitted 17th June 2025 is development and is not exempted development.

Stephen O'Brien

Stephen O'Brien
Assistant Planner
17/07/2025



Wendy Bagnall
Senior Executive Planner
17/07/2025

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 Regulations 2001-2025.

MEATH COUNTY COUNCIL

Planning Department

Buvinda House

Dublin Road

Navan

Co Meath

046 - 9097500

Planning & Development Act 2000-2023

DECLARATION

To: IMAC Group
c/o Tom Phillips & Associates
80 Harcourt Street
Dublin 2
D02 F449

PLANNING REFERENCE LS525074
NUMBER:

APPLICATION RECEIPT DATE: 20/06/2025

FURTHER INFORMATION
DATE:

In pursuance of the powers conferred upon them by the Planning and Development Act 2000-2023, Meath County Council has by order dated 18/07/2025 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:
Installation of a water tank for the purposes of servicing Gormanston Park at Gormanston Park, Gormanston, Co Meath

Date: 18.07.25



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 2000-2023 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

Web: www.pleanala.ie

Planning Department
Meath County Council
Buvinda House
Navan,
Co. Meath
C15 Y291

20th June 2025
[By Email]

Dear Sir/Madam,

RE: SECTION 5 DECLARATION REQUEST IN RELATION TO WATER TANK AT GORMANSTON PARK, GORMANSTON, CO. MEATH.

1.0 INTRODUCTION

1.1 Purpose of this Request

IMAC Group¹ acting on behalf of Gormanston Park², have retained Tom Phillips + Associates Town Planning Consultants³, to seek a Declaration from Meath County Council (MCC) as per the provisions of Section 5(2)(a) of the *Planning and Development Act, 2000* (as amended).

The question to be determined by Meath County Council is as follows:

“Whether the existing water tank within the disused handball alley at Gormanston Park constitute exempted development?”

This Declaration is sought in writing, supported by the provision of the considered requisite information and the appropriate fee of €80 as described under Schedule 10 of the *Planning and Development Regulations, 2001* (as amended) (*‘the Regulations’*).

2.0 PARTICULARS SUBMITTED

The following documents are enclosed with this request for a Section 5 Declaration:

- A completed Meath County Council Section 5 Declaration Application Form, dated 20th June 2025;
- Decca Tanks Cold Water Storage Tank Schedule;
- The following drawings prepared by McGirr Architects Ltd:

¹ Unit 7 Block 9, Burnell Court, Northern Cross, Malahide Road, Dublin 17.

² Cantor Fitzgerald House, 23 St. Stephens Green, Dublin, D02 AR55.

³ 80 Harcourt Street, Dublin 2, D02 F449.

TOWN PLANNING CONSULTANTS

LS5 25074



Drawing No.	Drawing Title	Scale
L01	Site Location Plan	@1:2500 (A3)
L02	Existing Site Layout Plan	@1:500 (A3)
L03	Existing Floor Plans and Elevations	@1:200 (A2)
L04	Existing Floor Plans and Elevations	@1:200 (A2)

- Internal and external borehole photographs;
- Proof of EFT payment for appropriate fee of €80.

3.0 RATIONALE FOR THIS SECTION 5 DECLARATION REQUEST

The declaration relates to the water tank installed between February and March 2025 for the purpose of servicing Gormanston Park, within a disused handball court following the decommissioning of the historic water tank previously in use onsite.

The decommissioned tank, as pictured in Figure 3.1 below, is situated within a disused handball alley previously associated with Gormanston College (Franciscan College Gormanston). We note that the handball courts are listed on the National Inventory of Architectural Heritage (Reg. No. 14322008) with the following description,

"Pair of concrete ball alleys built c.1950, with steel railings, steel net supports and nets. Octagonal water tower on a concrete pier set in centre of north-west wall, with plant room to the north-west."

The handball alleys and associated water tank and plant room are not however listed on Meath County Council's Record of Protected Structures. In addition, the decommissioned water tank does not form part of this Declaration request. It is understood that while the historic tank was in recent use whilst testing of the new tank was carried out, it is to be demolished in the future subject to all necessary approvals, given its poor condition overall.



Figure 3.1: Disused handball alley and historic water tank. (Source: IMAC Group, 2025).

The replacement tank is located inside the former handball court building to the rear of the disused handball alley, as indicated in Figure 3.2 below. We note that the handball courts have not been in use for the past 19 years and have remained vacant during this time.

As visible in Figure 3.2 below, the tank is fully enclosed within the confines of the walls of the building and is not visible from the exterior of the building. The tank was assembled in sections within the courts from flat pack, with two holes bored into the wall of the court for pipework and connections purposes. As visible in the photographs accompanying this request, these are not visible from the building's exterior.



Figure 3.2: Water tank located within former handball court. (Source: IMAC Group, 2025).



Figure 3.3 and Figure 3.4: Holes cored into walls of former handball courts. (Source: IMAC Group, 2025).

We note the presence of hoarding in Figure 3.5 below. This hoarding has been in place for c.16 years as a preventative measure against health and safety issues arising as a result of children and other members of the public gaining unlawful access to the old handball courts. This hoarding has no connection to the installation of the current tank.



Figure 3.5: Exterior of former handball court. (Source: IMAC Group, 2025).

In summary, it is our professional planning opinion that this Section 5 Declaration request demonstrates that the installation of the water tank constitutes development, and furthermore constitutes exempted development. In addition, we consider that the installation of the tank does not constitute a material change in use.

In this regard, we respectfully request that Meath County Council make a Declaration that the existing water tank situated within the confines of the disused handball court constitutes exempted development.

4.0 BACKGROUND INFORMATION

4.1 Site Location and Context

Gormanston Park is located on lands within the townland of Gormanston, which is noted as being a dispersed rural settlement within the *Meath County Development Plan 2021-2027*, located in proximity to the Dublin/Meath border.

The site is accessed via the L1616 Flemington Road, which leads onto the R132 regional road, and the Delvin River is situated along the western boundary of the grounds of Gormanston College (Franciscan College Gormanston) site, in which Gormanston Park is situated. The

wider area is characterised by lands largely subject to agricultural use, with a number of one-off dwellings and minor commercial establishments.



Figure 4.1: Aerial view of site location. (Source: Google Maps, cropped and annotated by TPA (2025)).

4.2 Planning History

Gormanston Park Ltd. submitted an application to Meath County Council for planning permission on 18th December 2015 (Planning Reg. Ref. AA151380), which was subsequently granted on 16th July 2016.

The development description, as per the statutory notices, read as follows:

"The development will consist of work to a protected structure and its curtilage structures and site.

Sports Pavillion: Alterations to existing swimming pool including new single storey extension to accommodate new plant room, jacuzzi, sauna, steam room and shower facility. Internal alterations to create children's pool and viewing area, alterations to existing changing facilities and new reception area/office. Alterations to existing changing facilities to create children's soft play centre. Existing assembly hall reduced in size to create gymnasium at ground and mezzanine level with remaining floor space used for community drama groups and as bingo hall during week days and weekends. New floor space created to North aspect of building by installing floor to ceiling glazing between existing concrete piers. Internal alterations to create new café facility ancillary to swimming pool, soft play centre, gymnasium and assembly hall/Bingo hall. External alterations including the replacing of all existing windows and doors, replacement of existing flat roofs coverings, replacing all metal railings to viewing gallery, new glazing between existing concrete piers to make external covered space internal creating additional floor space. New Cedar cladding façade to north and south



entrance including the removal of existing concrete canopy to south entrance with new steps and ramped access to both. Further cedar cladding to single storey areas on north, west and east elevations, existing pebbledash rendered walls to be re-rendered.

Four Storey School Building: Alterations to school building two number offices at ground floor level converted into café/reception area, and single storey extension to create additional floor space. New passenger lift provided in proposed reception areas including all associated works at mezzanine, first and second floor level. Existing wash up area converted to additional seating area for proposed café. Internal alterations to dining hall and alterations to existing kitchen and staff areas/toilets. Change of use for all dormitories at mezzanine, first and second floor level previously used in association with the school changed for commercial use, including alterations at first and second floor to create accessible sleeping accommodation and en-suite facilities. Extension to existing 2 storey building to accommodate new stairs and lift located on the East wing of the school building and internal alterations to same to create toilet and shower facilities to existing dorms. External alterations including the lowering of existing windows at ground floor level in the proposed café area and replacing all windows with like for like replacements in the proposed café, reception, seating areas, and dining hall. The creation of a new cedar clad entrance area to new reception/café area and new steps and ramped access. As part of the application there will be new signage provided over entrances to North and South of the sports pavilion, East facing side of the assembly hall and over the main entrance to the café/reception area in the school building. Site works including additional car parking spaces, bus parking spaces, bike spaces and new external soft play area to North side of sports pavilion and all ancillary site works.

All items proposed in this applications are for a change of use from educational to commercial leisure."

There are a number of previous planning applications relating to Gormanston College (Franciscan College Gormanston); however, none are considered relevant with regard to this Declaration request.

5.0 LEGISLATIVE CONTEXT

Under Section 3(1) of the *Planning and Development Act, 2000* (as amended),

"Development means, except where the context otherwise requires, the carrying out of any works on, in over or under land or the making of any material change in the use of any structures or other land."

[Our emphasis]

We consider that the installation of the new water tank constitutes 'development' as the process of erecting and installing this tank falls under the legal definition of 'works', which under the Act 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."

[Our emphasis]

Therefore, the question is whether the construction of the water tank constitutes 'exempted development'. Section 4(1) of the *Planning and Development Act, 2000* (as amended), defines certain types of development as being 'exempted development'. In the context of this Declaration request, we consider Section 4(1)(h) of the *Planning and Development Act, 2000* (as amended) to be appropriate.

Section 4(1)(h) states that the following shall be exempted development:

"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."

[Our emphasis]

We consider that the installation of the tank is consistent with the parameters set out in Section 4(1)(h) of the *Act* for the following reasons.

Works

The water tank has been installed within the handball court building without altering the existing structure, and without causing any external visual impact. The tank does not "materially affect" the external appearance of the building to any extent and does not change the character of the existing building or any neighbouring structures. Importantly, it is noted that the installation of the water tanks had no impact on the adjacent protected structures. For this reason we consider that works to install the water tank constitute "exempted development" under Section 4(1)(h).

Use

A material change of use that requires planning permission arises when a new use is substantially different from that of the previous use, such that it would have an impact on the proper planning and sustainable development of the area.

In this context, the handball court has been vacant for a significant period of time and is therefore not in active use. The installation of the water tank inside the handball court building does not introduce a conflicting or intensified use to the site, and does not pose issues to its immediate surrounds by means of traffic, noise, etc. Therefore, we consider that the use of this vacant space for the storage of the water tank, does not represent a material change that requires planning permission.

Section 57 of the Planning and Development Act, 2000 (as amended)

Section 57 of the *Act* refers to works affecting the character of protected structures or proposed protected structure. Section 57 states that,



"Notwithstanding Section 4(1)(h), the carrying out of works to a protected structure, or a proposed protected structure, shall be exempted development only if those works would not materially affect the character of –

(a) The structure, or

(b) Any element of the structure which contributes to its special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest."

As we have highlighted previously in this Declaration Request, the handball courts are not listed on the Record of Protected Structures for Meath County Council, and no request is therefore required under Section 57 of the Planning and Development Act, 2000 (as amended).

6.0 CONCLUSION

In our professional planning opinion:

- The installation of a water tank within the confines of a disused handball court building as outlined within this request constitutes *exempted development* under Section 4(1)(h) of the *Planning and Development Act, 2000* (as amended).
- The handball court in which the tank is located has been disused for a period of 19 years, such that the water tank does not constitute a material change in use as there are no, and have been no active uses on the site for a significant period of time.

The development consisting of the construction of a new water tank is not visible from the exterior of the now vacant court and will not therefore, materially affect the external appearance of the court. In this way, the external appearance of the building will not be rendered inconsistent with the character of the structure or of neighbouring structures. We hereby request that Meath County Council agree with our opinion and confirm that *"the installation of the existing water tank within the disused handball alley at Gormanston Park constitutes exempted development."*

We look forward to a positive determination on this case from Meath County Council in the near future. In the meantime, if you require any further information, please do not hesitate to contact the undersigned.

Yours Sincerely,

Brian Minogue
Associate Director
Tom Phillips + Associates.



McGIRR ARCHITECTS LTD

L5525074

Project:	0
Customer:	0

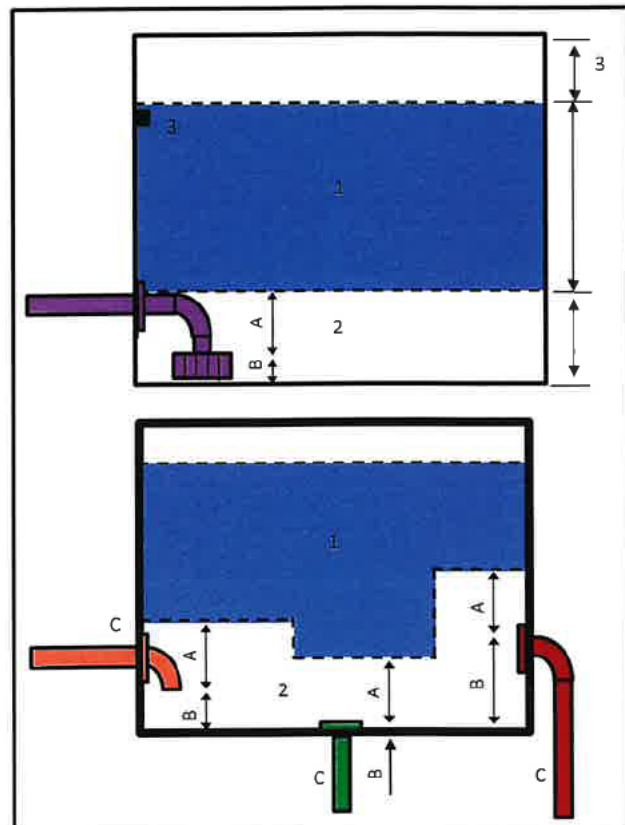
Tank Details		
Type of the Tank:	Sectional Sprinkler Tank	
Supplier:	Decca Plastics Ltd	
Nominal Capacity:	120000	L
Shape of the Tank:	Rectangular	
Height (H):	2500	mm
Length:	8000	mm
Width:	6000	mm
Dimension '3':	375	mm
Suction pipe ID:	65	mm
Actual capacity:	102000	L
Outlet figures		
Side entry calculation:		
Dimension 'A':	163	mm
Dimension 'B':	183	mm
Dimension '1':	1780	mm
Dimension '2':	16560	L
Effective capacity:	85440	L
Elbowed entry calculation:		
Dimension 'A':	163	mm
Dimension 'B':	66	mm
Dimension '1':	1897	mm
Dimension '2':	10968	L
Effective capacity:	91032	L
Base entry calculation:		
Dimension 'A':	163	mm
Dimension 'B':	40	mm
Dimension '1':	1923	mm
Dimension '2':	9720	L
Effective capacity:	92280	L
Vortex calculation:		
Dimension 'A':	100	mm
Dimension 'B':	170	mm
Dimension '1':	1855	mm
Dimension '2':	12960	L
Effective capacity:	89040	L

*Dead Space

*Dead Space

*Dead Space

*Dead Space




Key

- 1 Effective capacity
- 2 Unusable capacity
- 3 Overflow connections space
- 4 Low level alarm
- A Distance from suction outlet to lowest level of effective capacity
- B Distance from suction outlet to base of water supply
- C Suction pipe to pump

Note - Depth of unusable water is calculated as measurement A + measurement B, and varies depending on:

- a) The diameter of the suction outlet;
- b) The location and type of suction outlet.

COLD WATER STORAGE TANK SCHEDULE					
PROJECT: Project: Gormanston college					
COMPANY: Beggs					
QUOATE: Quote Ref: BD2309123 rev4 IR					
PURPOSE		Potable	CWS		
LOCATION			Plantroom		
PRODUCT			DECCATANK		
Air Gap Requirement		Type AG - Cat 3	Yes		
Colour		(10A05)	Light Gray		
Nominal Capacity		Litres	120,000		
Actual Capacity		Litres	102,000		
QTY			1		
EXTERNAL DIMENSIONS	Length	mm	8150		
	Width	mm	6150		
	Height	mm	2575		
INTERNAL DIMENSIONS	Length	mm	8000		
	Width	mm	6000		
	Height	mm	2500		
CONNECTIONS	Ball valve/inlet	1	no	40 mm EQ	
	Outlet	1	no	65	
	Overflow	1	no	80	
	Warning Pipe	1	no	20	
	Drain	1	no	25	
	Level Switch	0	no	No	
	Contents Gauge	0	no	No	
	Temperature Gauge	0	no	No	
	Immersion Heater	0	no	No	
	Boss Connection	0	no	No	
	Sparge Pipe			No	
	Balance Pipe Connection	0	no	No	
	Vortex Connection	0	no	No	
	Test Return Pipe	0	no	80 mm	
	Drain Valve	0	no	No	
ACCESS	Manhole		Hinged	Yes - 1 No	
	Inspection Hatch			None	
	Internal Ladders		GRP	Yes - 1 No	
	External Ladders		Galvanized	Yes - 1 No (c/w Cage)	
	Handrailing	0	no	None	
CONSTRUCTION	Sectional/One Piece/Two Piece	Sectional		Internally Flanged Base	
	Material	IFB		Externally Flanged Sides	
	Ball Valve Chamber	1	GRP	Yes	
	Internal Divider	No	no	N/A	
	Insulation (inc base)			Yes - 50mm	
	Low Level Manway	0	no	No	
	Screened Breather	1	no - 76mm	Yes	
	Catchment Tray			0	
	Steel/ Plywood Base			LPS Box Section - 100x50mm H	
REGULATIONS	Comply with Water Byelaw 30	Yes/No		Yes	
	Comply with BS EN:13280:2001	Yes/No		Yes	
NOTES:					
1. TANKS TO BE WRAS APPROVED					
2. TANKS SHALL COMPLETE WITH CERTIFICATION					
3. TANKS TO BE DESIGN AND MANUFACTURED BY DECCA PLASTICS LIMITED .SALES DEPARTMENT . 01772 825757 OR EMAIL SALES@DECCATANKS.CO.UK					
ISSUE/REVISION	1				
DATE	May-25				
SIGNED	SD				
CHECKED	SP				

LS525074

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

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

1. Name: IMAC Group _____

Address: _____

Phone No: _____

E-mail: _____

2. Address for correspondence:

Address: _____

Phone No: _____

E-Mail: _____

3. Location of Development and/or Subject Site:

Gormanston Park, Gormanston, Co. Meath _____

4. Description of Development:

Installation of a water tank for the purposes of servicing Gormanston
Park. _____

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:

2.55m _____

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

50.2m² _____

9. List of plans / drawings etc. submitted:

L01 - Site Location Plan @1:2500 (A3)
L02 - Existing Site Layout Plan @1:500 (A3)
L04 - Existing Floor Plans and Elevations @1:200 (A2)
L05 - Existing Floor Plans and Elevations @1:200 (A2)
Bore Hole Photographs
External Bore Hole Photographs

10. Please state applicants interest in this site

Occupier _____

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

SF Trust, 23 St. Stephens Green, Dublin, D02 AR55 _____

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:

N/A _____

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:

Meath County Council Planning Reg. Ref. AA151380 _____

SIGNED: 

DATE: 20/06/2025

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

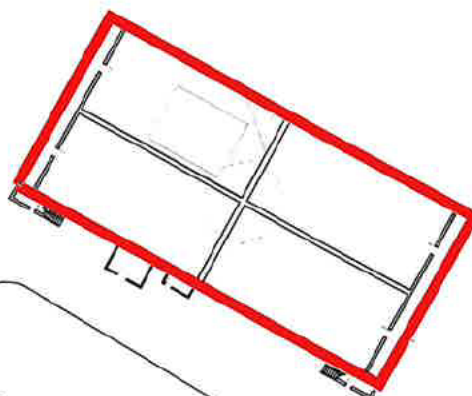




<small>Rev:</small> <small>Rev 1:</small> Additional detail added regarding the river water level. <small>18.05.2016</small>	<small>client:</small> S F TRUST COMPANY LIMITED	<small>project no:</small> 25/16	<small>date:</small> JUNE 25	<small>scale:</small> 1-2500 AT A3	McGIRR ARCHITECTS LTD <small>ARCHITECTS • INTERIORS</small> 670 Ravenhill Road BELFAST BT6 0BZ T 028 9064 8880 F 028 9064 8881 E info@mcgirrarchitects.com
 SITE BOUNDARY	<small>project:</small> GORMANSTON PARK (WATER TOWER & HANDBALL ALLEYS)	<small>drawing no:</small> L01	<small>permit no:</small> -	<small>revision:</small> A	
<small>drawing title:</small> SITE LOCATION PLAN		<small>All rights reserved. No drawings are without copyright. These drawings are unauthorised work of the architect and may not be distributed, used or reproduced without written consent of the architect.</small> <small>drawn by:</small> RMC <small>(checked by):</small> CMcG <small>approved by:</small> CMcG			

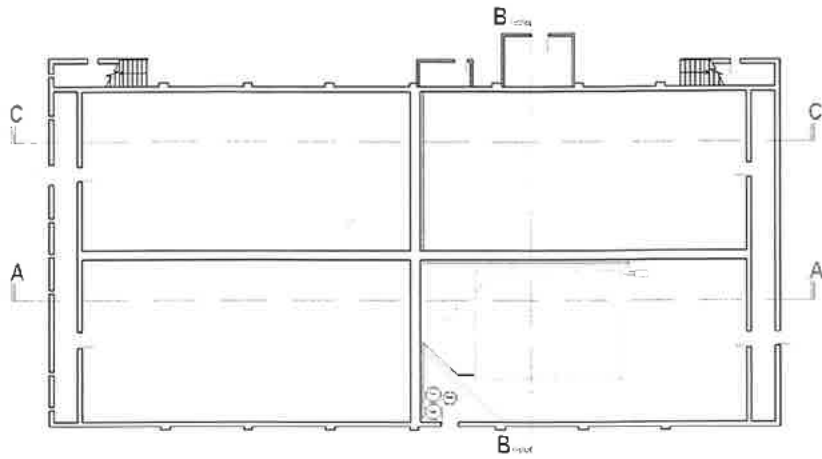
PLANNING DRAWING

LS5 25074



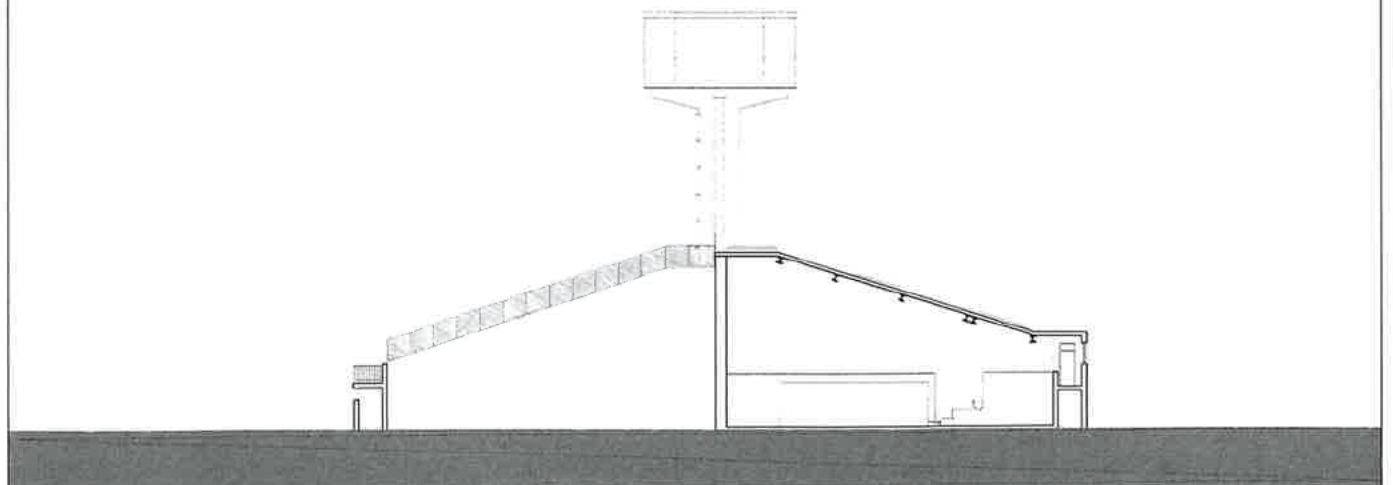
Rev:	client:	S F TRUST COMPANY LIMITED	project no:	25/16	date:	JUNE 25	scale:	1-500 AT A3	<div>McGIRR ARCHITECTS LTD</div> <div>STRUCTURE • INTERIOR</div> <div>670 Ravenhill Road BELFAST BT6 0BZ</div> <div>T 028 9064 8880</div> <div>F 028 9064 8881</div> <div>E info@mcgirrarchitects.com</div>
	project:	GORMANSTOWN PARK (WATER TOWER & HANDSALL ALLEYS)	drawing no.:	L02	permit no.:	-	revision:	-	
	drawing title:	EXISTING SITE LAYOUT PLAN	<div><div><div></div></div><div>All rights reserved. All drawings and written material herein constitute intellectual property and are the sole property of McGirr Architects Ltd. Any reproduction, use or disclosure without written consent of the architect is strictly prohibited.</div></div>						
PLANNING DRAWING			drawn by:	RMC	checked by:	CMcG	approved by:	CMcG	

LS529074



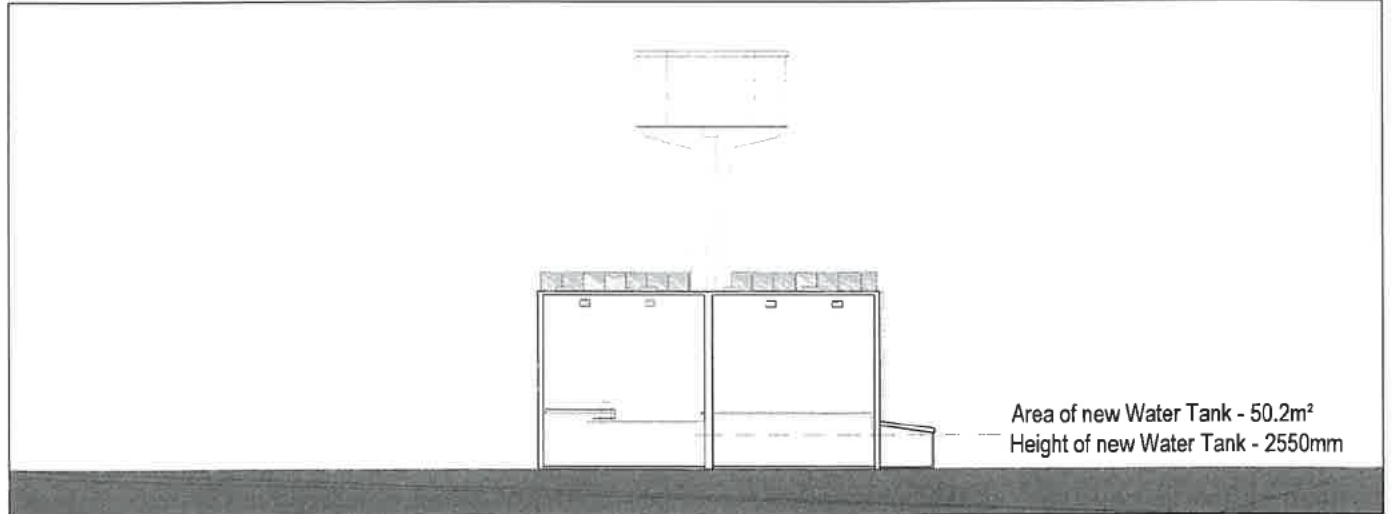
GROUND FLOOR PLAN

1:200



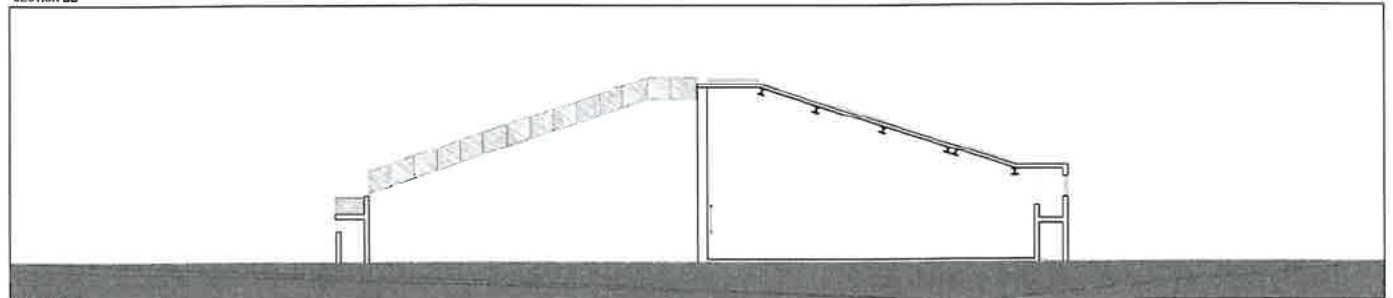
SECTION AA

1:200



SECTION BB

1:200



SECTION CC

1:200

EXISTING SECTIONS

SCALE 1:200

	<p>PROJ: 25/16</p> <p>DATE: 25/16</p> <p>CLIENT: G.F. TRUST COMPANY LIMITED</p> <p>PROJECT: GORMISTON PARK (WATER TOWER & HANDBALL ALLEYS)</p> <p>DRAWING: EXISTING PLAN AND SECTIONS</p>	<p>DATE: 25/16</p> <p>DATE: JUNE 2025</p> <p>SCALE: 1:200 @ A2</p> <p>DRAWING NO: L05</p> <p>REVISION: A</p> <p>McGIR ARCHITECTS LTD</p> <p>670 Ravenhill Road BELFAST BT6 0BZ</p> <p>T 028 9064 8880</p> <p>F 028 9064 8881</p> <p>E info@mcgirrarchitects.com</p>	<p>McGIR ARCHITECTS LTD</p> <p>670 Ravenhill Road BELFAST BT6 0BZ</p> <p>T 028 9064 8880</p> <p>F 028 9064 8881</p> <p>E info@mcgirrarchitects.com</p>	<p>McGIR ARCHITECTS LTD</p> <p>670 Ravenhill Road BELFAST BT6 0BZ</p> <p>T 028 9064 8880</p> <p>F 028 9064 8881</p> <p>E info@mcgirrarchitects.com</p>
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L5525074

GROUND FLOOR PLAN

FIRST FLOOR PLAN

EXISTING FLOOR PLANS

SCALE 1:200

FRONT ELEVATION

SIDE ELEVATION

REAR ELEVATION

SIDE ELEVATION

EXISTING ELEVATIONS

SCALE 1:200

prepared by: checked by: date: 15.06.2025	client: SP TRUST COMPANY LIMITED project: CORMACKSON PARK (WATER TOWER & HANDBALL ALLEYS) drawing title: EXISTING FLOOR PLANS AND ELEVATIONS	project no: 2516 drawing no: L04 date: JUNE 2025 scale: 1:200 @ A2 revision: A	McGIRR ARCHITECTS LTD 670 Ravenhill Road BELFAST BT6 0BZ T 028 9064 8880 F 028 0054 8881 E info@mcgirrarchitects.com
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