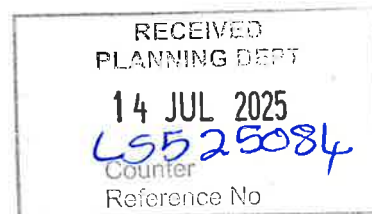


**APPLICATION FORM - DECLARATION ON DEVELOPMENT & EXEMPTED
DEVELOPMENT**

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

1. Name: GERARD & Barbara Brady
Address: MOORETOWN SLANE CO. MEATH C15 WN30
Phone No _____ E-mail : _____
2. Address for correspondence:
Address: As above
Phone No: _____ E-Mail: _____
3. Location of Development and/or Subject Site: Sheephouse Drogheda
4. Description of Development: LIVING Room Extension to rear 21.45m²
and Remodel of existing garage to make smaller to
14.56m² and put garage door to rear for access with new
windows to front to match existing cottage
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: 2.9 metres approx.
8. State in square metres the floor area of the proposed development:
21.45m² new
9. List of plans / drawings etc. submitted:
pictures of existing, sketch of drawings of existing and proposed
location map, Solicitors Letter



10. Please state applicants interest in this site

OWNER (currently with Solicitor) Refer to sol. letter (private)

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

In name of James & Anne Brady, deceased.

11. Are you aware of any enforcement proceedings connected to this site?

Please tick as appropriate: YES ☐ NO ☒ NONE

11 (b), If "YES" please supply details:

NONE

12. Are you aware of any previous planning application/s on this site?

Please tick as appropriate: YES ☐ NO ☒ pre 1963

12 (b), If "YES" please supply details:

NONE

SIGNED: Barbara Brady
Gerard Brady

DATE: 14.07.2025

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

CHYNEL PHELAN SOLICITORS

Distillery House
Dyer Street
Drogheda,
Co. Louth
A92 HD7V

Meath County Council,
Buvinda House,
Johnstown,
Navan,
CO. MEATH

Our Ref: BRB.CP.MM

Date: 10th July 2025

Re: Our clients: Gerard Brady and Barbara Brady,
Property: Sheephouse, Drogheda, Co. Louth

Dear Sir/Madam,

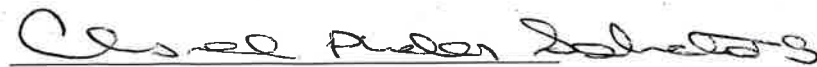
We confirm that we act on behalf of the above named Gerard and Barbara Brady of Mooretown, Slane, Co. Meath who are in the course of purchasing the property of the late mother of Gerard Brady, Anne Brady, at Sheephouse, Drogheda, Co. Louth, A92 NH9F. We further confirm that we are instructed that the Transfer of Title into the names of Gerard and Barbara Brady is in progress.

We confirm that this property was vacant since September, 2022 when the late Mrs. Anne Brady ceased living there.

We understand that our clients have applied for the Vacant House Grant and we confirm that Gerard and Barbara Brady will be the legal owners of the property when said Grant is being drawn down.

Should you require any further information please do not hesitate to contact us.

Yours faithfully,



CHYNEL PHELAN SOLICITORS

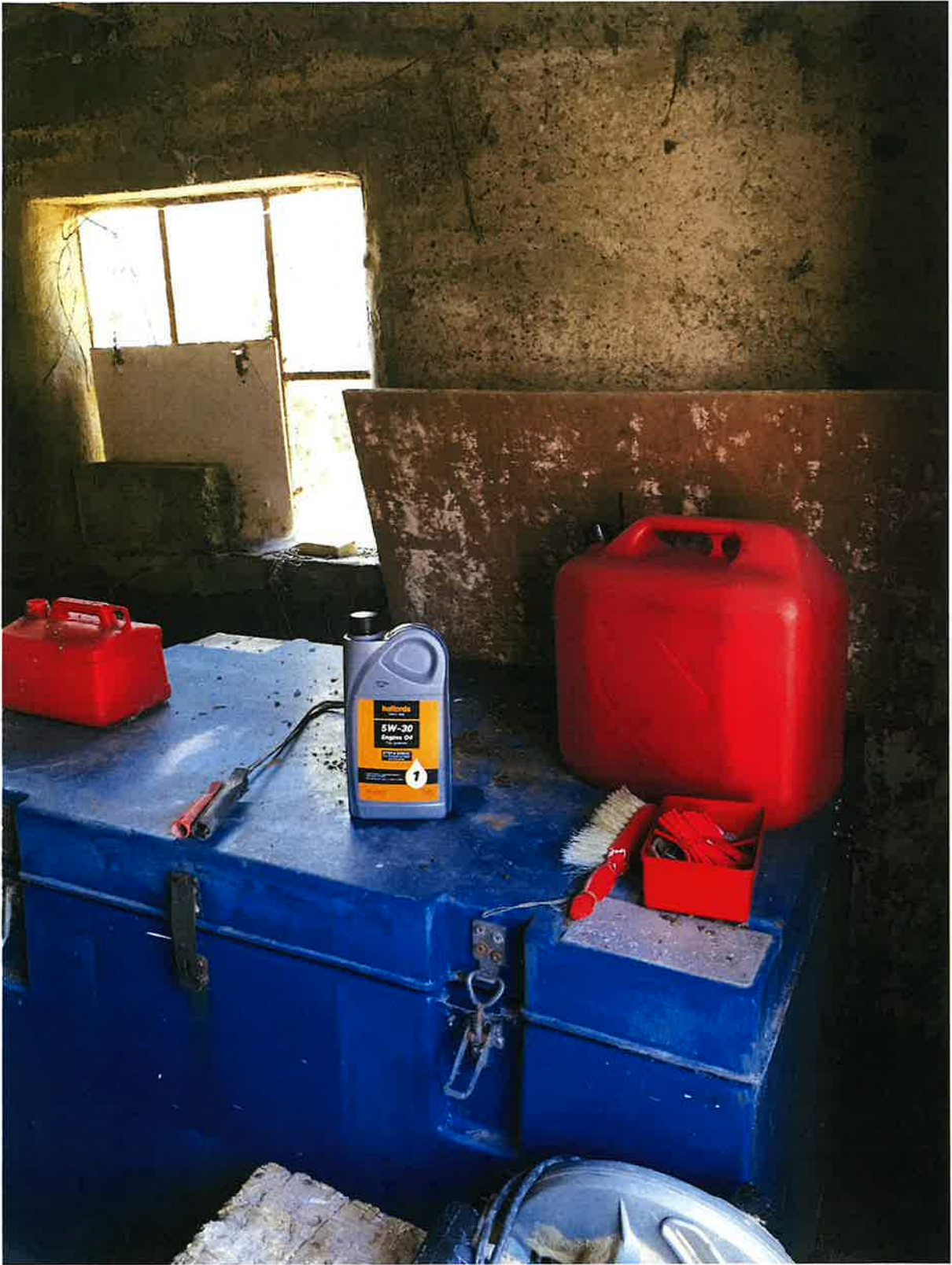
Chynel Phelan Principal

Maud Maguire Office Manager

LS525084



LS525084

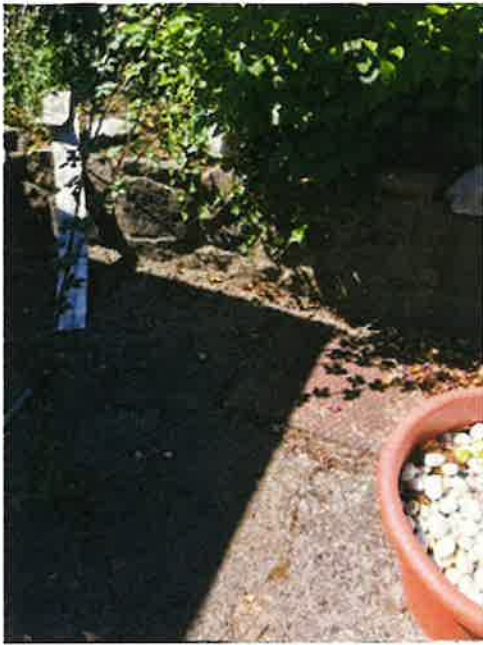


INSIDE OF GARAGE

LS5 25084



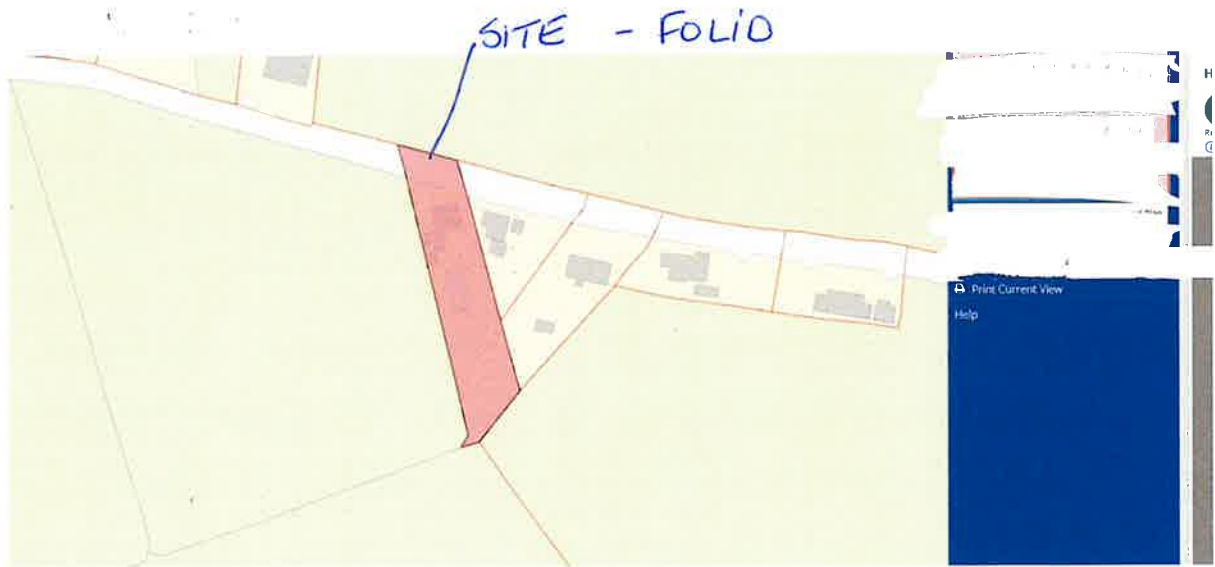
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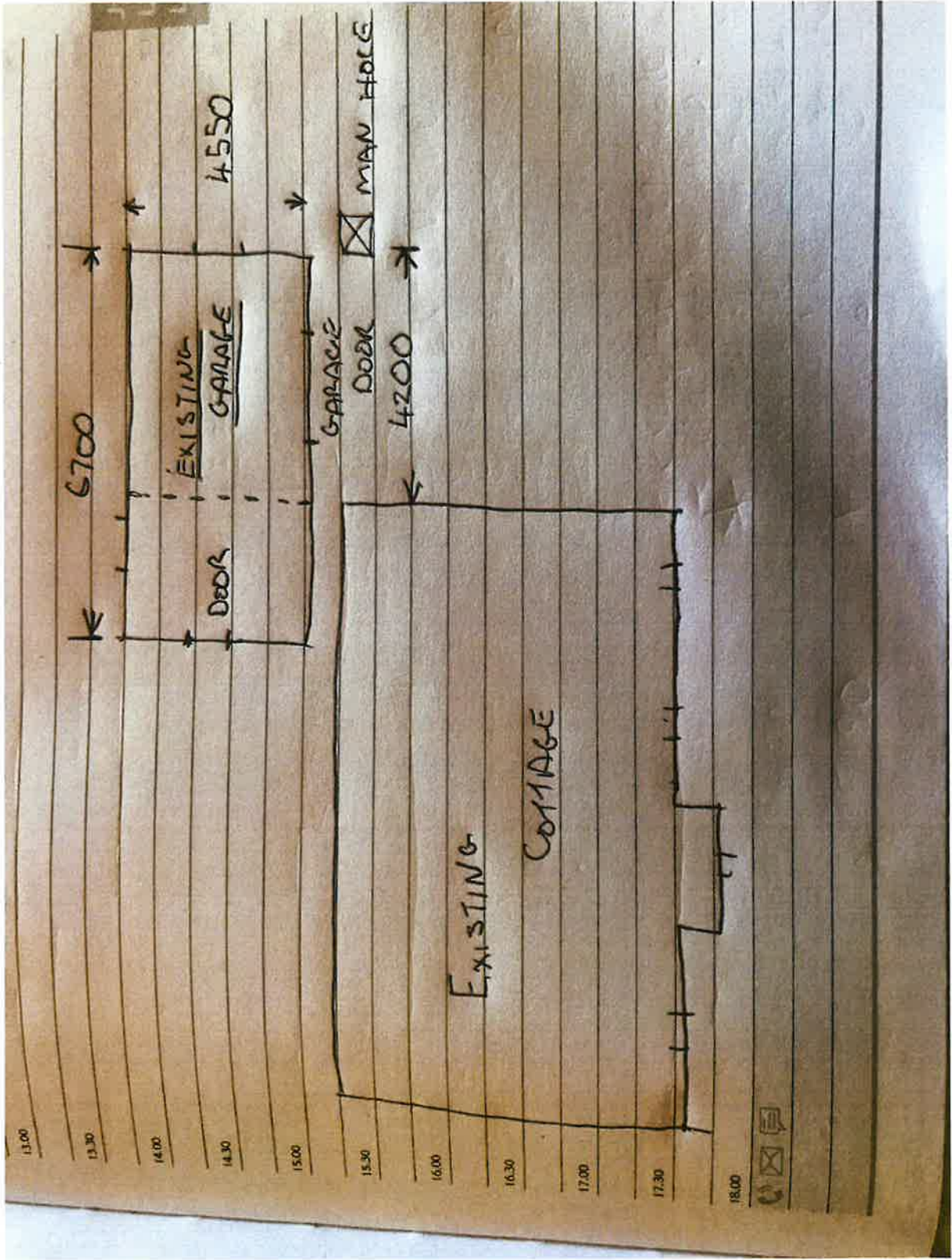
Site Shaded in Red

Scale 1:1000

Townland Sheephouse [Oldbridge, Duleek Lower]

SITE LOCATION MAP

LSB25084



EXISTING LAYOUT

LS525084

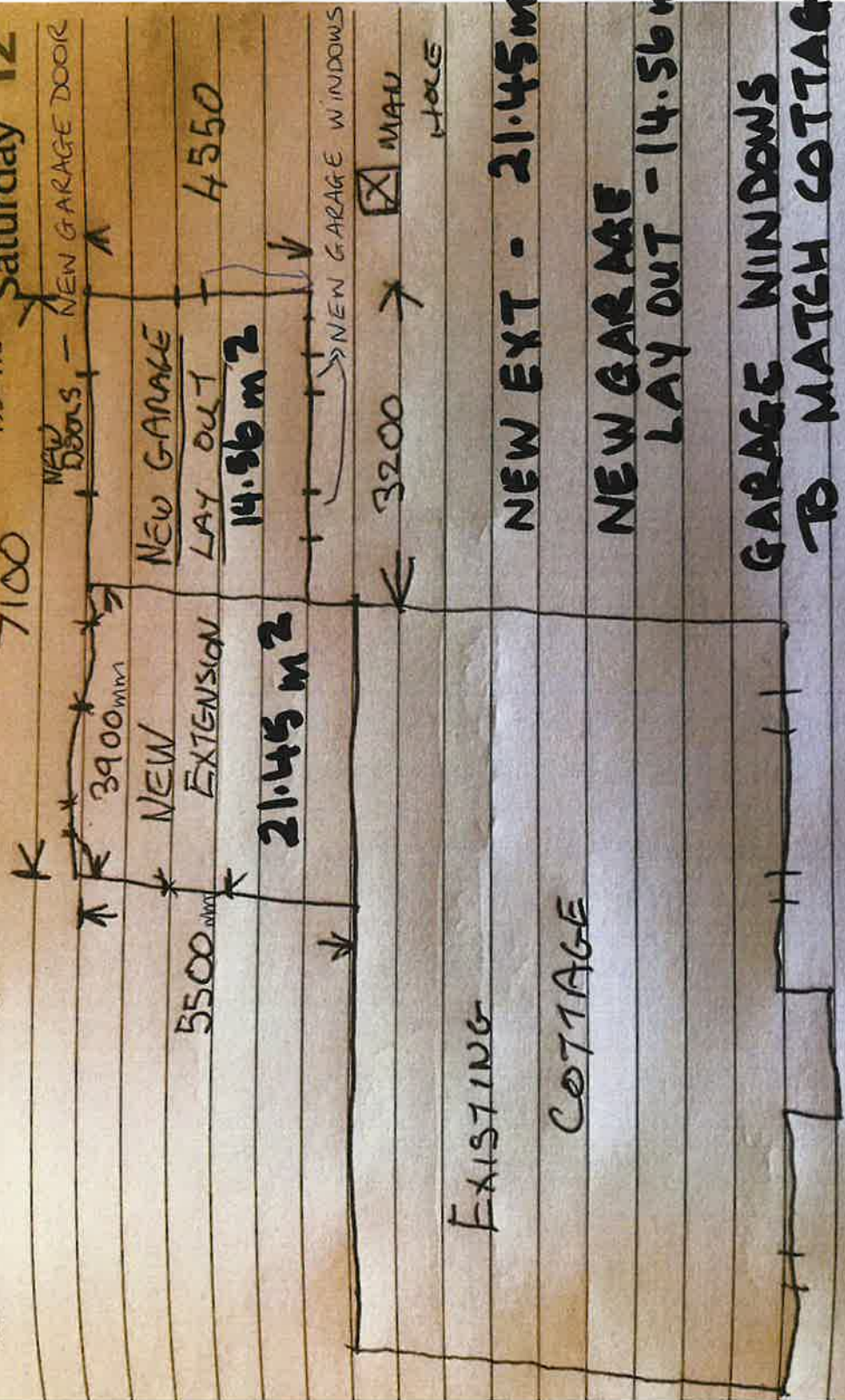
33 11 12 13 14 15 16 17
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Week 28

Satharn • Sábado • Sobota • Samstag • Samedì

193 - 172

Saturday 12



PROPOSED LAYOUT

LS525084

5m 30.15
5m 30.15

5m 30.15 - 1m 30.15
NEW BELL - 1m 30.15

5m 30.15 - 1m 30.15
NEW BELL - 1m 30.15

5m 30.15 - 1m 30.15
NEW BELL - 1m 30.15

MEATH COUNTY COUNCIL

CHIEF EXECUTIVE ORDER

Chief Executive Order Number: 1350/25

Reference Number: LS525084

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

Name of Applicant: Gerard & Barbara Brady

Address: Mooretown
Slane
Co Meath C15 WN30

Nature of Application: Living room extension to rear 21.45m2 and remodel of existing garage to make smaller to 14.56m2 and put garage door to rear for access with new windows to front to match existing cottage

Location of Development: Sheephouse, Drogheda, Co Meath

DECLARATION: This development is **EXEMPT** from 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 is **EXEMPTED DEVELOPMENT**.

SIGNED: Alan Russell
On Behalf of Meath County Council

DATE: 08.08.25

MEATH COUNTY COUNCIL

Planning Department

Buvinda House

Dublin Road

Navan Co Meath

046 - 9097500

Planning & Development Act 2000- 2023

DECLARATION

To:

Gerard & Barbara Brady

Mooretown

Slane

Co Meath C15 WN30

**PLANNING REFERENCE
NUMBER:**

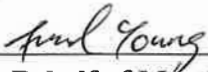
LS5/25084

APPLICATION RECEIPT DATE: 14/07/2025

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 08.08.25 decided to Declare the proposed development is EXEMPT, in accordance with the documents submitted namely: Living room extension to rear 21.45m² and remodel of existing garage to make smaller to 14.56m² and put garage door to rear for access with new windows to front to match existing cottage at Sheephouse, Drogheda, Co Meath

Date: 08.08.25


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.

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 Web: www.pleanala.ie

Meath County Council



1350

Planning Report

To:	Alan Russell, A/Senior Executive Planner
From:	Matthew Tully, Executive Planner
Date:	07 August 2025
MCC File Number:	LS525084
Applicant:	Gerard and Barbara Brady.
Development Address:	Sheephouse, Donore, County Meath.
Application Type:	Section 5 of the Planning & Development Acts 2000-2023: Declaration on Development/ Exempted Development.
Development Description:	'Living room extension to rear 21.45sq.m. and remodel of existing garage to make smaller to 14.56sq.m. and put garage door to rear for access with new windows to front to match existing cottage'.
Date Decision Due:	11 July 2025

1.0 Site Location & Description

The application site is located in the townland of Sheephouse, 2.3Km north of Donore village. The subject site is bounded generally by agricultural lands to the north beyond the L-16015 local road, neighbouring dwellings to the east, with further agricultural lands to the south and west. There are no National Monuments or Protected Structures within or adjoining the application site. The site is not within Flood Zone A or B. The Applicant is in the process of transferring the property to their name, from their mothers, as confirmed by the Applicant's solicitor.

The site is located in an area with a 'RA – Rural Area' land use zoning objective which states the following:

'To protect and promote in a balanced way, the development of agriculture, forestry and rural-related enterprise, biodiversity, the rural landscape, and the built and cultural heritage.'



Figure 1: Extract from Google Imagery showing subject site.

2.0 Proposed Declaration

The applicant describes the development in the completed application form as 'Living room extension to rear. 21.45sq.m. and remodel of existing garage to make smaller to 14.56sq.m. and put garage door to rear for access with new windows to front to match existing cottage'. The Planning Authority is considering this question as:

Whether the extension of the living room of the dwelling, amendments to existing garage including reduction in floor area, addition of windows to front elevation and door to rear elevation is or is not development and is or is not exempted development.

The completed application form and submitted documents indicate the extent of the works proposed.

3.0 Planning History

A review of Meath County Council's records indicates no planning history associated with the subject site.

4.0 Internal, External and Prescribed Body referrals

No referred.

5.0 Relevant National Legislation

In order to assess whether or not the structure 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;

“house” means a building or part of a building which is being or has been occupied as a dwelling or was provided for use as a dwelling but has not been occupied, and where appropriate, includes a building which was design for use as 2 or more dwellings or a flat, an apartment or other dwelling within such a building;

“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.

‘(h) 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;

(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 2001-2023 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 Class 1 of Article 6, Part 1 of Schedule 2 of the Planning & Development Regulations 2001-2025

Class 1 The extension of a house, by the construction or erection of an extension (including a conservatory) to the rear of the house or by the conversion for use

as part of the house of any garage, store, shed or other similar structure attached to the rear or to the side of the house.

Conditions and limitations attached thereto:

1. (a) Where the house has not been extended previously, the floor area of any such extension shall not exceed 40 square metres.

(b) Subject to paragraph (a), where the house is terraced or semi-detached, the floor area of any extension above ground level shall not exceed 12 square metres.

(c) Subject to paragraph (a), where the house is detached, the floor area of any extension above ground level shall not exceed 20 square metres.

2. (a) Where the house has been extended previously, the floor area of any such extension, taken together with the floor area of any previous extension or extensions constructed or erected after 1 October 1964, including those for which planning permission has been obtained, shall not exceed 40 square metres.

(b) Subject to paragraph (a), where the house is terraced or semi-detached and has been extended previously, the floor area of any extension above ground level taken together with the floor area of any previous extension or extensions above ground level constructed or erected after 1 October 1964, including those for which planning permission has been obtained, shall not exceed 12 square metres.

(c) Subject to paragraph (a), where the house is detached and has been extended previously, the floor area of any extension above ground level, taken together with the floor area of any previous extension or extensions above ground level constructed or erected after 1 October 1964, including those for which planning permission has been obtained, shall not exceed 20 square metres.

3. Any above ground floor extension shall be a distance of not less than 2 metres from any party boundary.

4. (a) Where the rear wall of the house does not include a gable, the height of the walls of any such extension shall not exceed the height of the rear wall of the house.

(b) Where the rear wall of the house includes a gable, the height of the walls of any such extension shall not exceed the height of the side walls of the house.

(c) The height of the highest part of the roof of any such extension shall not exceed, in the case of a flat roofed extension, the height of the eaves or parapet, as may be appropriate, or, in any other case, shall not exceed the height of the highest part of the roof of the dwelling.

5. *The construction or erection of any such extension to the rear of the house shall not reduce the area of private open space, reserved exclusively for the use of the occupants of the house, to the rear of the house to less than 25 square metres.*

6. (a) *Any window proposed at ground level in any such extension shall not be less than 1 metre from the boundary it faces.*

(b) *Any window proposed above ground level in any such extension shall not be less than 11 metres from the boundary it faces.*

(c) *Where the house is detached and the floor area of the extension above ground level exceeds 12 square metres, any window proposed at above ground level shall not be less than 11 metres from the boundary it faces.*

7. *The roof of any extension shall not be used as a balcony or roof garden.*

5.8 Article 9 of the Planning & Development Regulations 2001-2024

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.

6.0 Assessment

In essence, the question has arisen as to whether the extension of an existing dwelling by construction of new extension and partial use of existing garage, amendments to elevations and internal amendments to garage 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.

6.1 “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.

6.2 “Exempted Development”

The Applicant proposes to extend the existing dwelling by construction of a new rear extension and partial use of the existing garage for same. Further developments proposed comprise amendments to elevations of the dwelling and internal arrangement of the existing garage.

Class 1 of Article 6, Part 1 of Schedule 2 of the Planning and Development Regulations 2001-2025, which provides for *‘the extension of a house, by the construction or erection of an extension (including a conservatory) to the rear of the house or by the conversion for use as part of the house of any garage, store, shed or other similar structure attached to the rear or to the side of the house’* shall be exempted development. A number of conditions are attached to this class of exempted development.

The existing detached dwelling is to be extended by 21.45sq.m. to the rear. This extension will be constructed partially using a section of the existing domestic garage and by extension of the existing dwelling. The garage will be reduced to 14.56sq.m. in floor area. The dwelling has not been extended previously, a sizable rear garden (in excess of the minimum 25sq.m. required) will remain and the proposed extension shall be ground floor only.

Based on the foregoing, I believe that the extension of the existing dwelling by 21.45sq.m. at Sheephouse, Donore, is development and is exempted development pursuant to Class 1 of Article 6, Part 1 of Schedule 2 Planning and Development Regulations 2001-2025.

7.0 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:

- River Boyne and River Blackwater SPA (Site Code: 004232) ~ 750m,
- River Boyne and River Blackwater SAC (Site Code: 002299) ~ 750m.

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.

8.0 Environmental Impact Assessment

The Planning Authority is required to determine if the proposed development requires an Environmental Impact Assessment (EIA). This determination is based on the requirements set out in Schedule 5 of the Planning & Development Regulations, 2001-2025.

The Planning Authority is required to determine if the proposed development requires an Environmental Impact Assessment (EIA). The proposed development does not equal or exceed a threshold or represent a category of project listed in Schedule 5 of the Planning and Development Regulations 2001-2025. Having regard to the small scale and nature of the development and the site location, the proposal would not require sub-threshold EIA under Schedule 7.

9.0 Conclusion and Recommendation

Having regard to the development proposed, I conclude that the extension of the existing dwelling by 21.45sq.m. at Sheephouse, Donore, County Meath as proposed by Gerard and Barbara Brady is development and is exempted development.

WHEREAS the question has arisen as to whether *'the extension of the living room of the dwelling, amendments to existing garage including reduction in floor area, addition of windows to front elevation and door to rear elevation* at Sheephouse, Donore, County 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 Applicants, Gerard and Barbara Brady,

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

- (a) Sections 2, 3, 4, 5 and 32 of the Planning & Development Act 2000-2023 and articles 6 and 9 of the Planning & Development Regulations 2001-2025.
- (b) The definition of "development" in section 3 of the Planning & Development Act 2000-2023 and
- (c) The provisions under Class 1 of Article 6, Part 1 of Schedule 2 of the Planning & Development Regulations 2001-2025
- (d) Plans and particulars submitted.

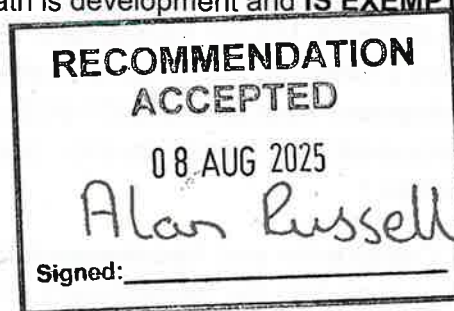
AND WHEREAS Meath County Council has concluded that:

- (a) *'The extension of the living room of the dwelling, amendments to existing garage including reduction in floor area, addition of windows to front elevation and door to rear elevation'* at Sheephouse, Donore, County Meath comprises works and is development under section 3(1) of the Planning & Development Act 2000-2023 and,
- (b) *'The extension of the living room of the dwelling, amendments to existing garage including reduction in floor area, addition of windows to front elevation and door to rear elevation'* at Sheephouse, Donore, County Meath is exempted development under the provisions of Class 1 of Article 6, Part 1 of Schedule 2 of the Planning & Development Regulations 2001-2025.

NOW THEREFORE Meath County Council in exercise of the powers conferred on it by Section 5(2)(a) of the Planning and Development Act 2000-2023 hereby decides that *'the extension of the living room of the dwelling, amendments to existing garage including reduction in floor area, addition of windows to front elevation and door to rear elevation'* at Sheephouse, Donore, County Meath is development and **IS EXEMPTED DEVELOPMENT**.



Matthew Tully
Executive Planner



Alan Russell
A/Senior Planner

07/08/2025

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.

