

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

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

1. Name: Lisa Ryan

Address: Charlottes Garden, Bettystown

Phone No: _____ E-mail: _____

2. Address for correspondence:

Address: As Above - A92 N260

Phone No: _____ E-Mail: _____

3. Location of Development and/or Subject Site: Charlottes Garden, Bettystown

4. Description of Development: Detached garage beside family home to be used as living space for my elderly parents. 1 Bedroom and bathroom.

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: _____

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

49 Sqm

9. List of plans / drawings etc. submitted:

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PLANNING DEPT.

17 JUL 2025

POST

REFERENCE NO.

L5525086

10. Please state applicants interest in this site

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

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

Please tick as appropriate: YES _____ NO ☒

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

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

Please tick as appropriate: YES _____ NO _____

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

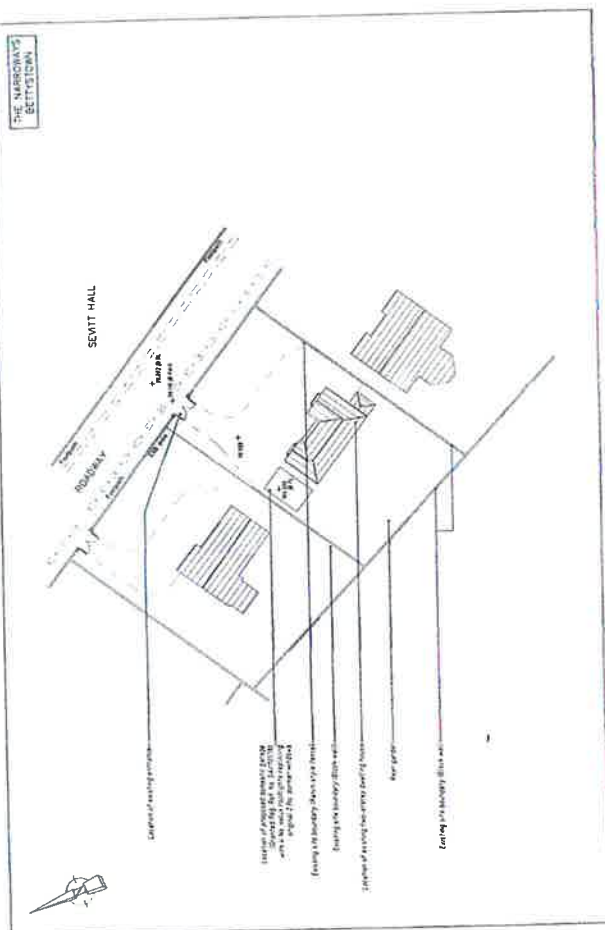
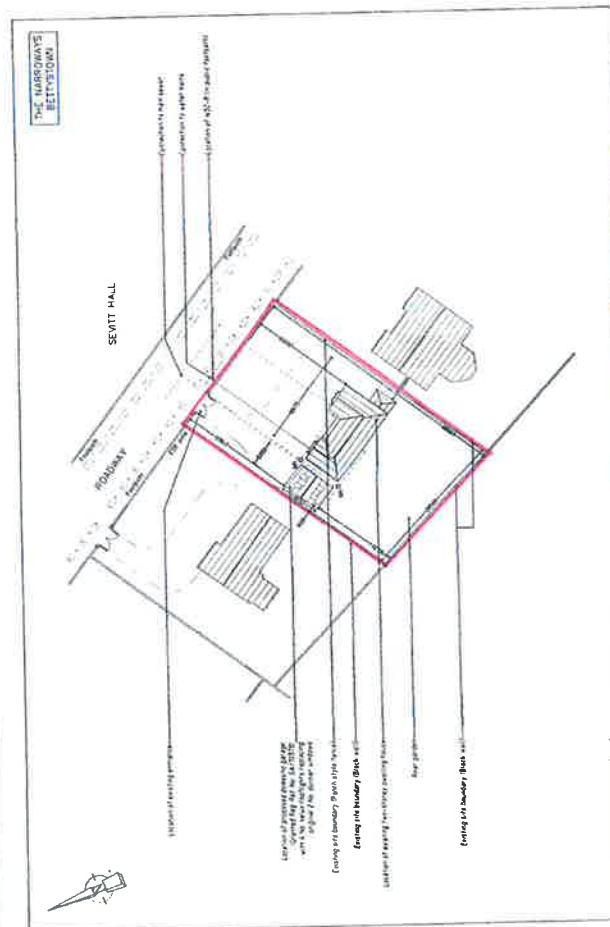
SIGNED: *Lisa Ryan*

DATE: _____

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



SPECIFICATION

[illegible][illegible]

INTERNAL WALLS :-
 100 mm thick walls plastered with 10 mm G.C.S. and 10 mm thick plaster.
 100 mm thick walls.

VENTILATION :-
 100 mm thick walls plastered with 10 mm G.C.S. and 10 mm thick plaster.
 100 mm thick walls.

FOOTPATH :-
 100 mm thick walls plastered with 10 mm G.C.S. and 10 mm thick plaster.
 100 mm thick walls.

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 100-443886-100

[illegible]

GROUND FLOOR :-

EXTERNAL WALLS :-

FOOTPATH $\frac{1}{2}$ "
 340 x 100mm (14 1/2" x 4") CONCRETE DRAIN
 100mm (4") COMPACTED MANHOLE

[illegible]

CONCRETE UNITS WITH 700mm BEADING AT EACH END

NOTE: ALL BUILDINGS WORKS TO COMPLY FULLY WITH THE 1997 BUILDING REGULATIONS

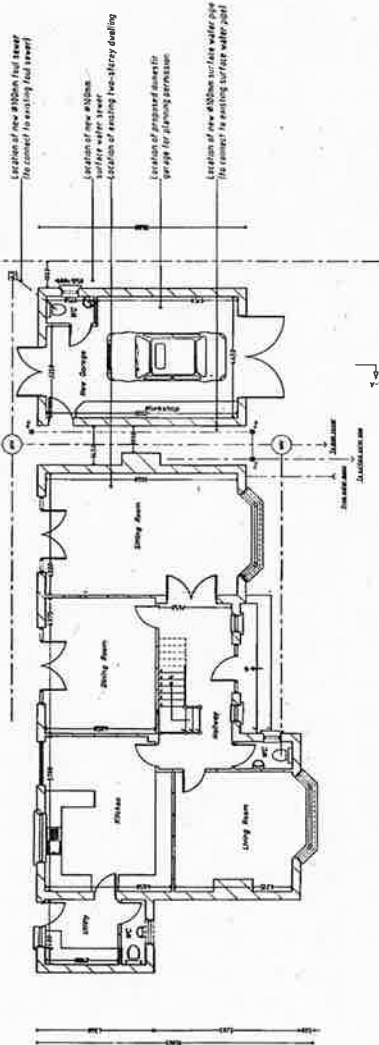
ALL DRAWINGS ARE COPYRIGHT OF THE INDIVIDUAL NAMED BELOW AND MAY NOT BE USED IN WHOLE OR PART WITHOUT THEIR EXPRESS PERMISSION IN WRITING

COLMAN P. CARROLL
SURVEYORS & PLANNING CONSULTANTS
9 Palace Street, Drogheda, Co. Louth.
Tel: 041-8838240/8837828 Fax: 041-8837806

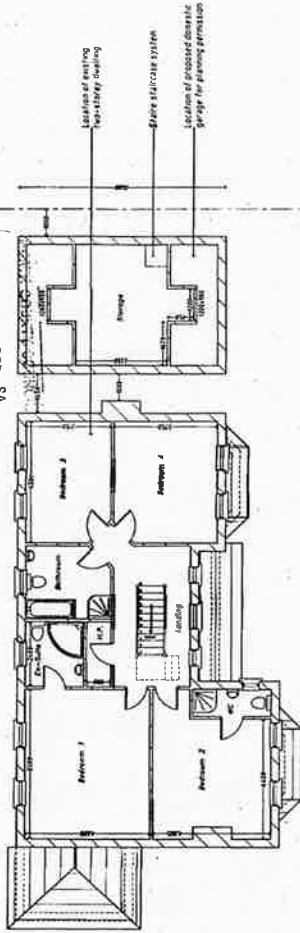
Client:	MR. JAMES FLANKLEY "THE GARDEN" BETHSTOWN, COUNTY MEAD	Scale:	1:800
Project:	DISCOVERED GARDEN 2 "THE GARDEN" BETHSTOWN, COUNTY MEAD	Date:	JAN 2008
Title:	SITE LAYOUT PLAN, 500' LEVEL LAYOUT PLAN & SPECIFICATIONS MEAD COUNTY ZONING PAPERS, INC.	Drawn:	
		Job Number:	07-044
		Drawing Number:	007



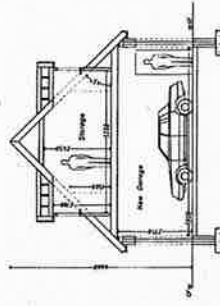
DATE: 31-10-2007
REF: SA
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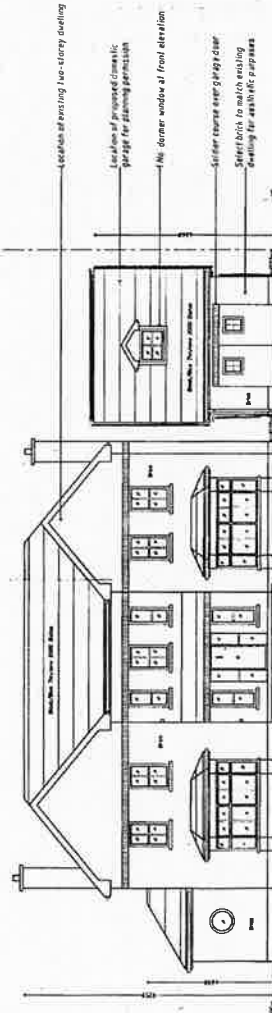
GROUND FLOOR NEW
SCALE 1:100



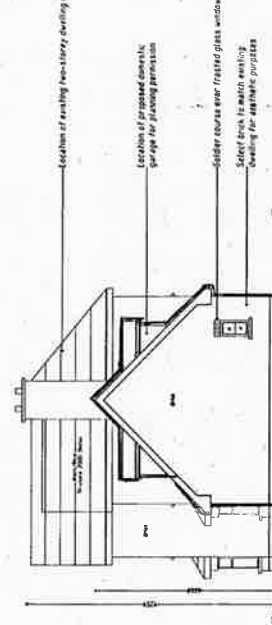
FIRST FLOOR NEW
SCALE 1:100



SECTION A-A
SCALE 1:100



FRONT ELEVATION ALL
SCALE 1:100



SIDE ELEVATION ALL
SCALE 1:100

Proposed garage

(C)

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DRAWING AND NOT BE USED IN WHOLE OR PART WITHOUT
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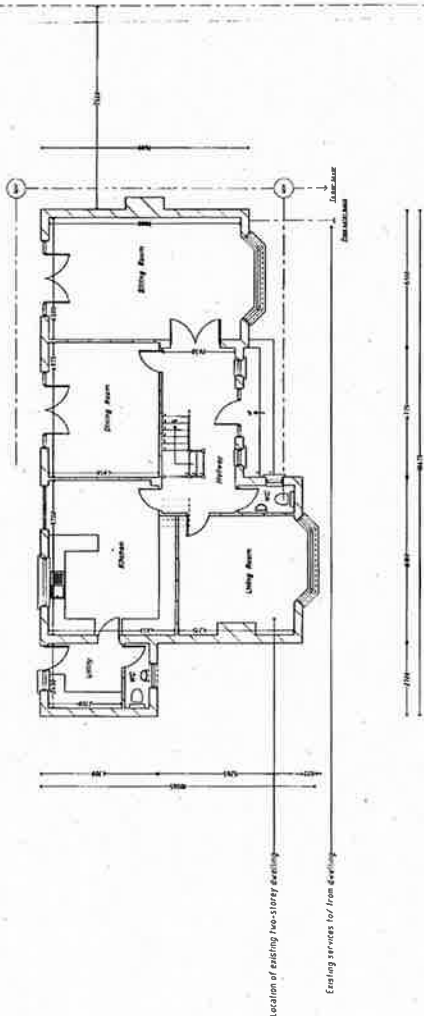
COLMAN P. CARROLL
SURVEYORS & PLANNING CONSULTANTS
9 Palace Street, Drogheda, Co. Louth.
Tel: 041-8838240/8837528 Fax: 041-8837588

Client:	M. JAMES FLANNERY CHARLOTTE'S GARDEN BETTS TOWN, COUNTY MEATH	Scale:	1:100
Date:	OCT 2007	Drawn:	V. Dwyer
Project:	PROPOSED GARAGE BE TADGISTOWN, THE NARROWWAYS BETTS TOWN, COUNTY MEATH	Job Number:	07-044
Title:	FLOOR PLANS NEW, FRONT AND SIDE ELEVATIONS A-A PLANNING PURPOSES ONLY	Drawing Number:	001

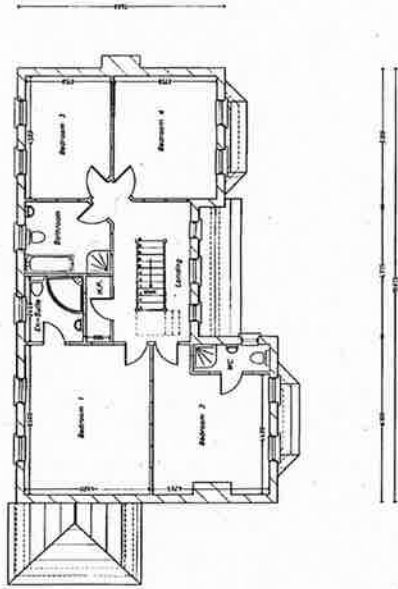
Floor area of proposed garages: 48.50m² (522 sq. ft.)

LS525086

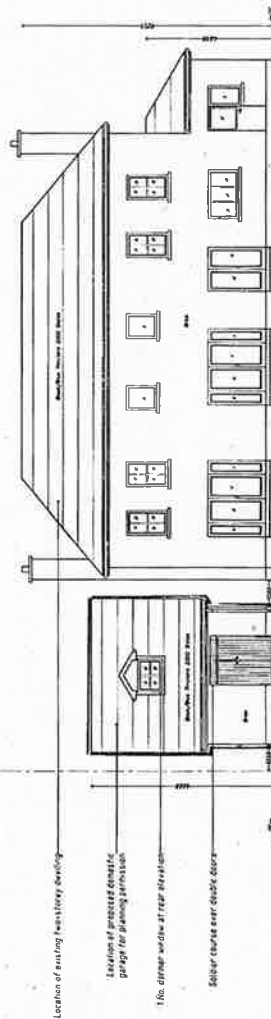
FLOOR PLANS EXISTING
SCALE 1:100



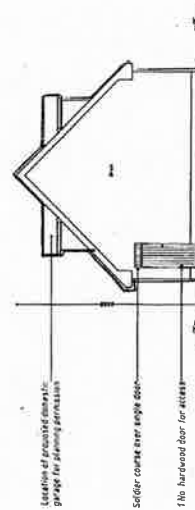
GROUND FLOOR EXISTING
SCALE 1:100



FIRST FLOOR EXISTING
SCALE 1:100



REAR ELEVATION ALL
SCALE 1:100



SIDE ELEVATION
(GARAGE ONLY)
SCALE 1:100

Proposed garage

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THEIR EXPRESS PERMISSION IN WRITING

COLMAN P. CARROLL
SURVEYORS & PLANNING CONSULTANTS
9 Palace Street, Drogheda, Co. Louth.
Tel:041-9838240/9837528 Fax:041-9837566

Client:	M. JAMES FLANNERY CHARLOTTE'S GARDEN BETYSTOWN, COUNTY MEATH	Scale:	1:100
Project:	PROPOSED GARAGE CHARLOTTE'S GARDEN BETYSTOWN, COUNTY MEATH	Date:	OCT 2007
Drawn:	✓ 2007	Drawn:	✓ 2007
Job Number:	07-044	Job Number:	07-044
Title:	EXISTING PLANS, REAR ELEVATION AND GARAGE SIDE ELEVATION PLANNING PURPOSES ONLY	Drawing Number:	002

LS925086

MEATH COUNTY COUNCIL

CHIEF EXECUTIVE ORDER

Chief Executive Order Number: 1368/25

Reference Number: LS525086

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

Name of Applicant: Lisa Ryan

Address: Charlottes Garden,
Bettystown,
Co. Meath

Nature of Application: Convert existing detached garage to living space for elderly parents comprising a 1no. bedroom unit with bathroom

Location of Development: Charlottes Garden, Bettystown, Co. Meath

DECLARATION: This development is **NOT 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 **NOT EXEMPTED DEVELOPMENT**.

SIGNED: 
On Behalf of Meath County Council

DATE: 12/08/2025

MEATH COUNTY COUNCIL

Planning Department

Buvinda House

Dublin Road

Navan Co Meath

046 - 9097500

Planning & Development Act 2000- 2023

DECLARATION

**To: Lisa Ryan
Charlottes Garden,
Bettystown,
Co. Meath**

PLANNING REFERENCE LS5/25086
NUMBER:

APPLICATION RECEIPT DATE: 17/07/2025

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 12/08/2025 decided to Declare the proposed development is **NOT EXEMPT**, in accordance with the documents submitted namely: **Convert existing detached garage to living space for elderly parents comprising a 1no. bedroom unit with bathroom at Charlottes Garden, Bettystown, Co. Meath**

Date: 12/08/2025

Triona Keating
On Behalf of Meath County Council

NOTE:

1. Any appeal against a Declaration of a Planning Authority under Section 5, sub-section 3(a) of the Planning and Development Act 2000-2023 may be made to An Bord Pleanala by the applicant **WITHIN FOUR WEEKS** beginning on the date of issue of the Declaration.
2. Appeals should be addressed to An Bord Pleanala, 64 Marlborough Street, Dublin 1. An appeal by the applicant should be accompanied by this form. The fee for an appeal against a Declaration of the Planning Authority is € 220.

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



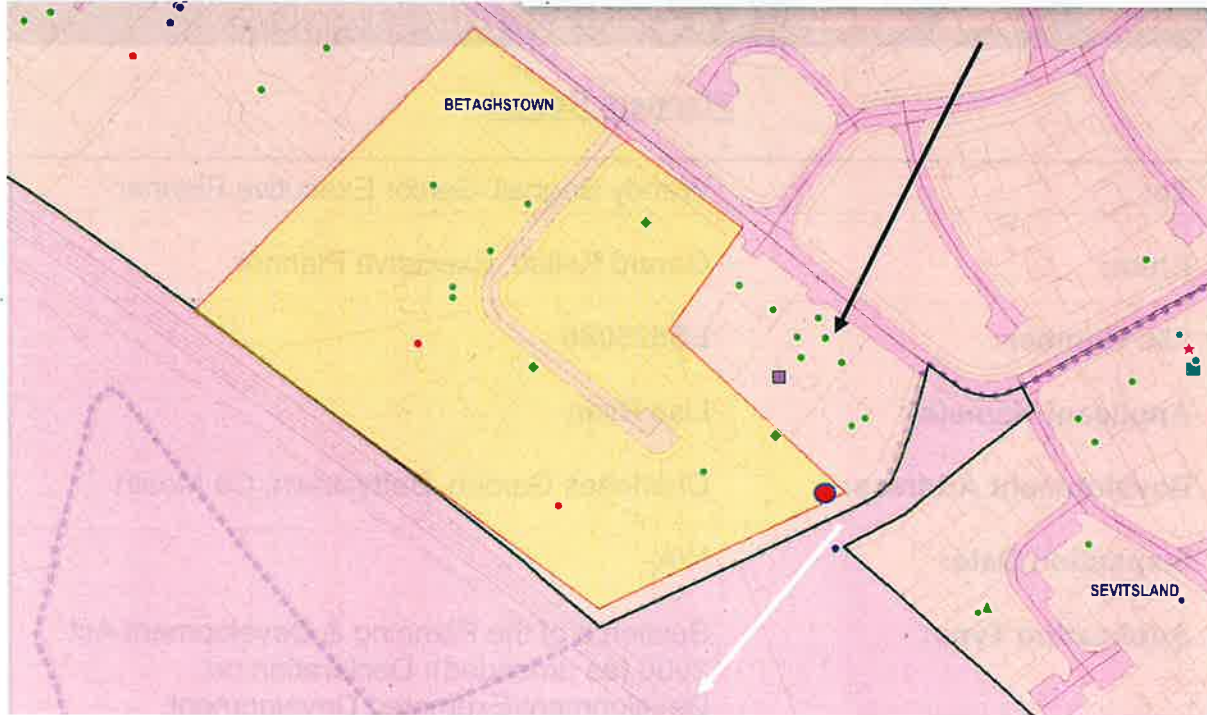
comhairle chontae na mí
meath county council

Planners Report

To:	Wendy Bagnall, Senior Executive Planner
From:	Gerard Kellett, Executive Planner
File Number:	LS525086
Applicant Name(s):	Lisa Ryan
Development Address:	Charlottes Garden, Bettystown, Co Meath
Inspection Date:	N/A
Application Type:	Section 5 of the Planning & Development Act 2000 (as amended): Declaration on Development/Exempted Development
Development Description:	Convert existing detached garage to living space for elderly parents comprising a 1no. bedroom unit with bathroom.
Date of Report:	11/08/25
Decision Due Date:	14/08/25

1.0 SITE LOCATION & DESCRIPTION:

The proposed development relates to an existing brick built detached dwelling with garage to the side the subject of this section 5 declaration. The site is located in Charlottes Garden, Bettystown. The site access onto Narrowways Rd.



2.0 PROPOSED DEVELOPMENT/ DECLARATION SOUGHT:

The Section 5 Declaration relates to whether, *"To convert existing detached garage to living space for elderly parents comprising a 1no. bedroom unit with bathroom"* at 'Charlottes Garden, Bettystown, Co. Meath **is or is not development and is or is not exempted development.**

3.0 PLANNING HISTORY:

SA/70578 – Planning permission to construct garage at side garden – Conditional – Notable conditions include:

5. The proposed development shall not be used for human habitation or for any other purpose other than a purpose incidental to the enjoyment of the garage.

Reason: In the interest of development control.

4.0 LEGISLATIVE CONTEXT

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

Planning & Development Act 2000 – 2023:

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 – 2023:

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.

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, *"To convert existing detached garage to living space for elderly parents comprising a 1no. bedroom unit with bathroom"* is or is not development and is or is not exempted development.

From review of the planning history, it is evident a notable condition (no.5) of a previous permission ref: SA/70578 (for the detached garage to the side) 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.

5. The proposed development shall not be used for human habitation or for any other purpose other than a purpose incidental to the enjoyment of the garage.

Reason: In the interest of development control.

(iii) Restrictions on Exemptions:

In the context of above, 9(1)(a) (Restriction on exemptions) of the Planning & Development Regulations 2001 – 2025 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 – 2023; and would not be exempted development under Article 9(1)(a)(i) of the Planning and Development Regulations, 2001–2025.

7.0 RECOMMENDATION

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

WHEREAS a question has arisen as to whether

- *"To convert existing detached garage to living space for elderly parents comprising a 1no. bedroom unit with bathroom"* at 'Charlottes Garden, Bettystown, Co. Meath is or is not development and is or is not exempted development.

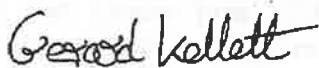
AND WHEREAS Meath County Council in consideration of this question has had regard particularly to:

- (a) Sections 2(1), 3(1), 4(1)(h) & 177U(9) of the Planning and Development Act 2000-2023
- (b) Article 9 of the Planning and Development Regulations, 2001-2025
- (c) Information provided,

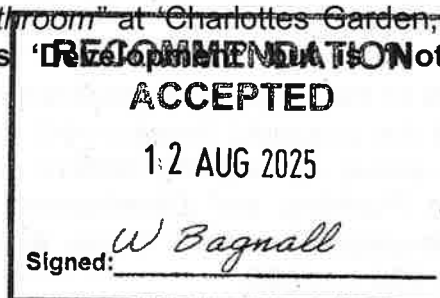
AND WHEREAS Meath County Council has concluded: -

- (a) From a review of the planning history of the site the proposed works would *"contravene a condition attached to a permission under the Act"* condition (no.5) of previous planning SA/70578 which states, *"The proposed development shall not be used for human habitation or for any other purpose other than a purpose incidental to the enjoyment of the garage"*, therefore *"To convert existing detached garage to living space for elderly parents comprising a 1no. bedroom unit with bathroom"* at 'Charlottes Garden, Bettystown, Co. Meath comprises works and is development under section 3(1) of the Planning & Development Act 2000-2023,
- (b) *"To convert existing detached garage to living space for elderly parents comprising a 1no. bedroom unit with bathroom"* at 'Charlottes Garden, Bettystown, Co. Meath is not exempted 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 *"To convert existing detached garage to living space for elderly parents comprising a 1no. bedroom unit with bathroom"* at 'Charlottes Garden, Bettystown, Co. Meath submitted 17th July 2025 is **RECOMMENDATION Not Exempted Development**'.



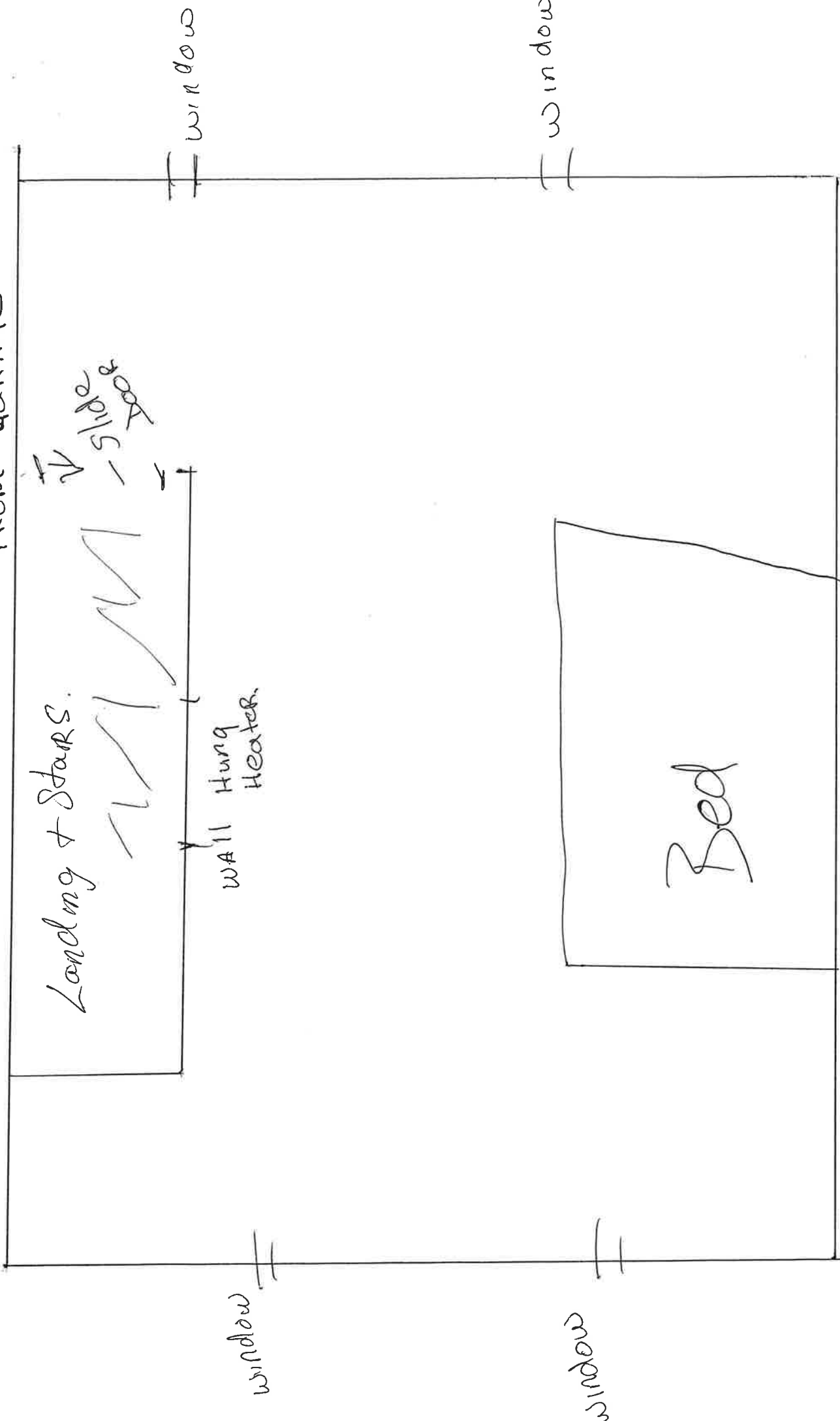
Gerard Kellett
Executive Planner



Wendy Bagnall
Senior Executive Planner

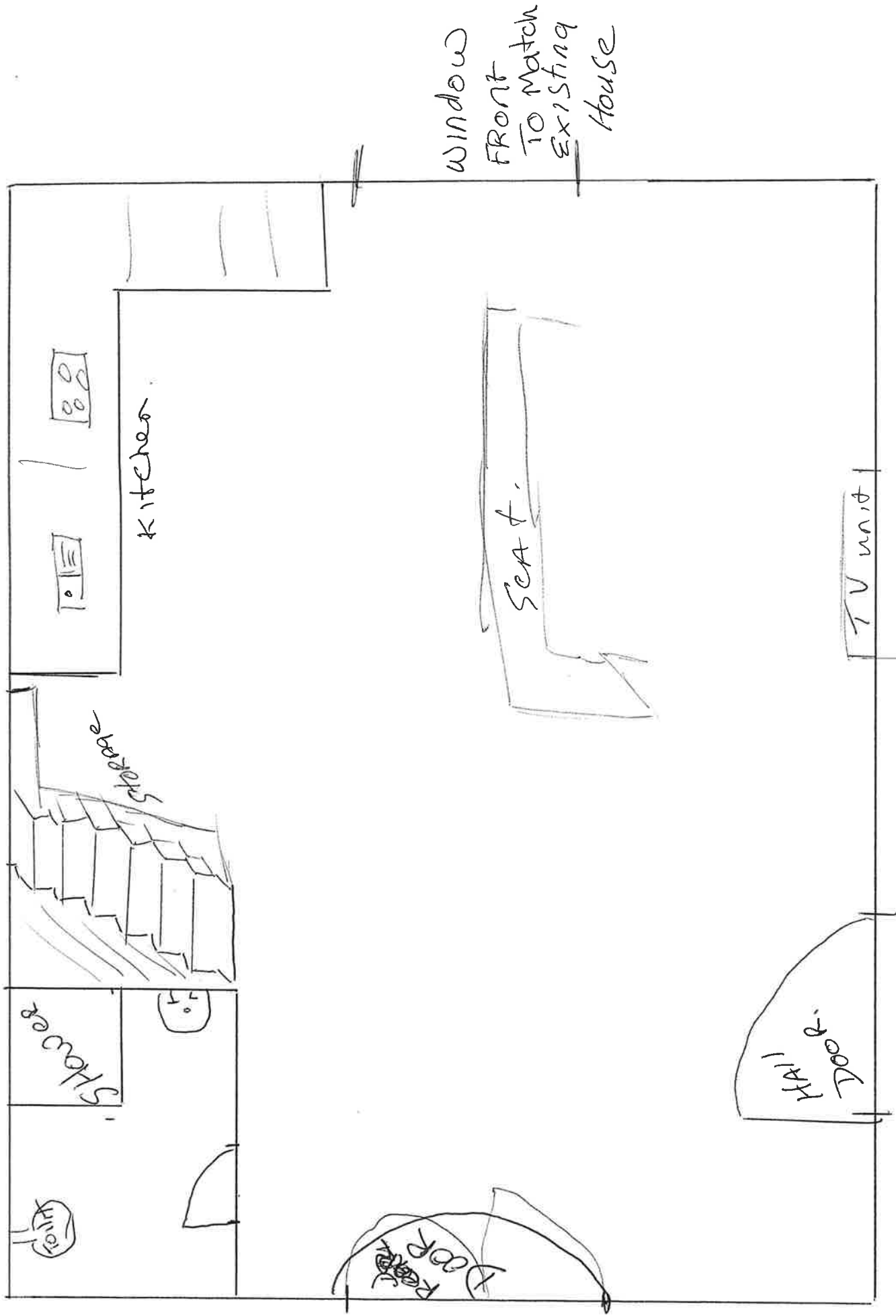
UPPER FLOOR

All windows are
Existing as in ORIGINAL Plans
FROM GARAGE



LS529086

Downstairs



To Side of Dwelling 45525086



15525086

