RECEIVED
PLANNING DEPT
02 OCT 2026
KS526147
Counter
Reference No

APPLICATION FORM – DECLARATION ON DEVELOPMENT & EXEMPTED DEVELOPMENT

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

1. **Name:** Jonathan Brewer

   Address: 4 Ardglassan, Crossakiel A82K598

   [redacted]

2. **Address for correspondence:**

   Address: 4 Ardglassan, Crossakiel A82K598

   [redacted]

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

4. **Description of Development:** 200 year old Stone 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** ___

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7. **State overall height of structure if applicable:** N/A

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

9. **List of plans / drawings etc. submitted:**
Existing Frontelevation, Existing Section A-A
Existing Section A-A, Existing Grand Floor plan,
Proposed Ground Floor plan, Existing First Floor plan,
Proposed First Floor plan, Proposed Section B-B
Existing back elevation, Proposed back elevation
Proposed Section A-A

10. Please state applicants interest in this site

I am the property owner.

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

N/A

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:

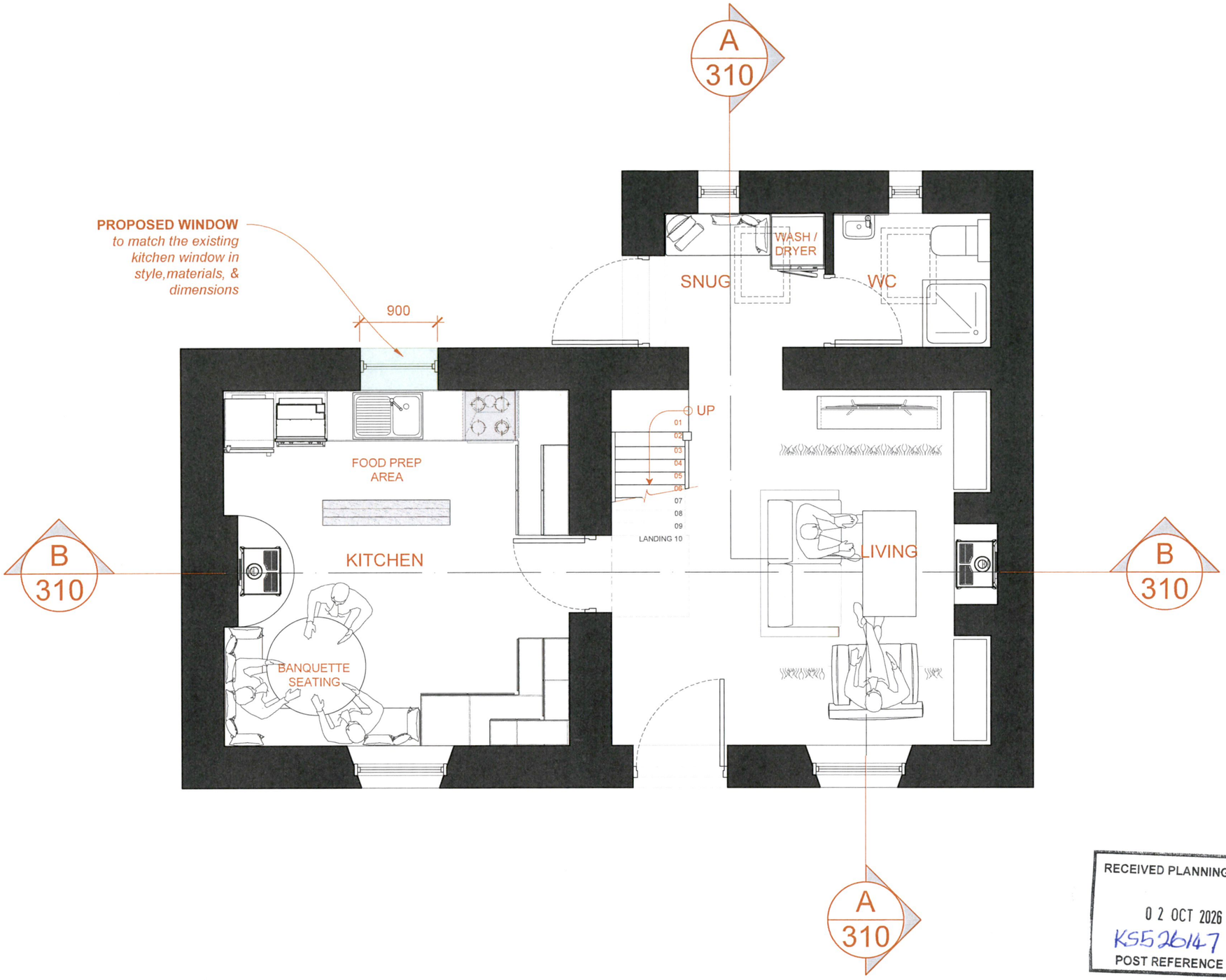
SIGNED: Jonathan Tyrrell **DATE:** 7/10/26

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



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PROPOSED GROUND FLOOR PLAN
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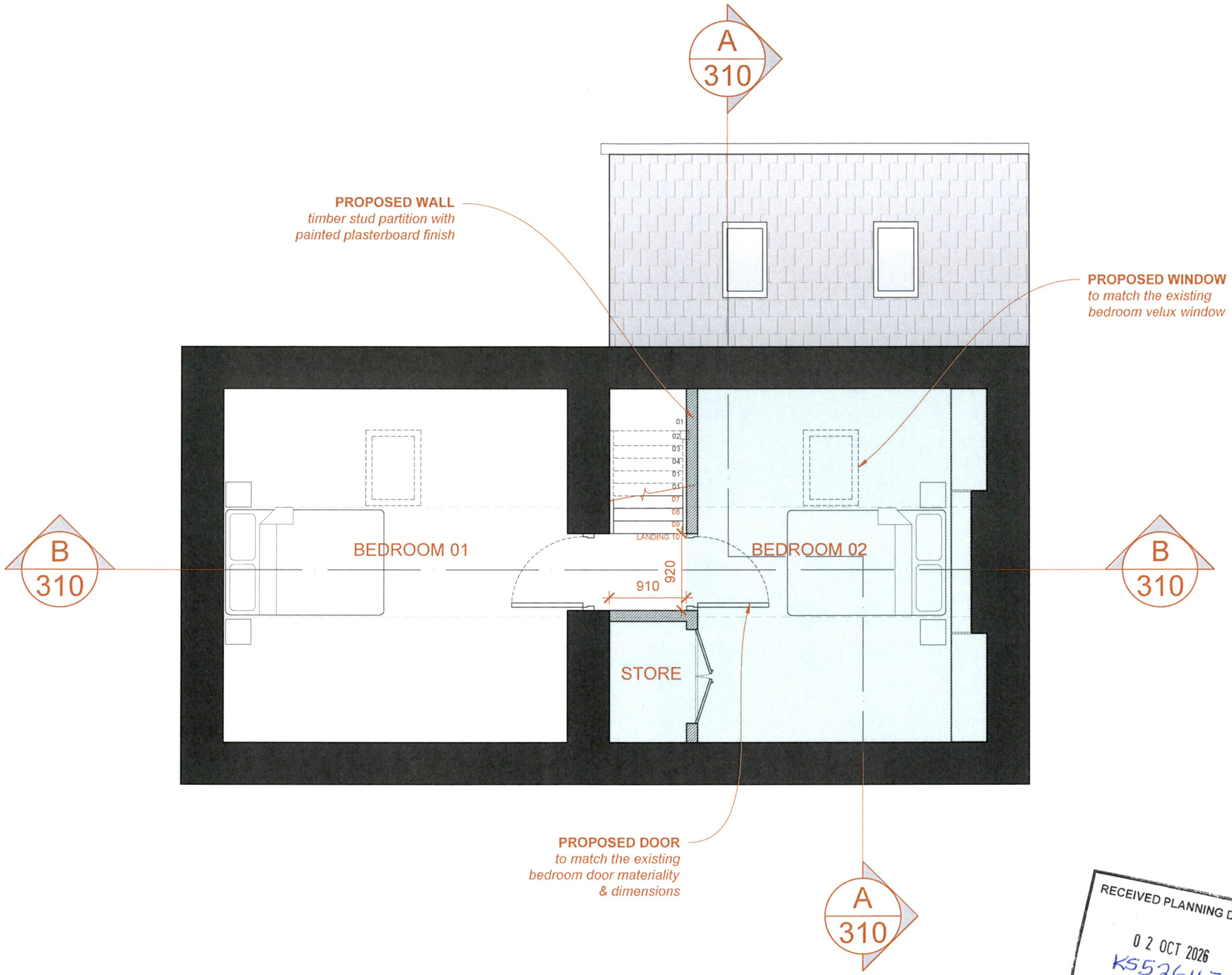
Project Management

Project	NO. 04 ARDGLASSAN COTTAGE
Drawing Title	PROPOSED GROUND FLOOR PLAN
Client	JOHNNY & AGGIE



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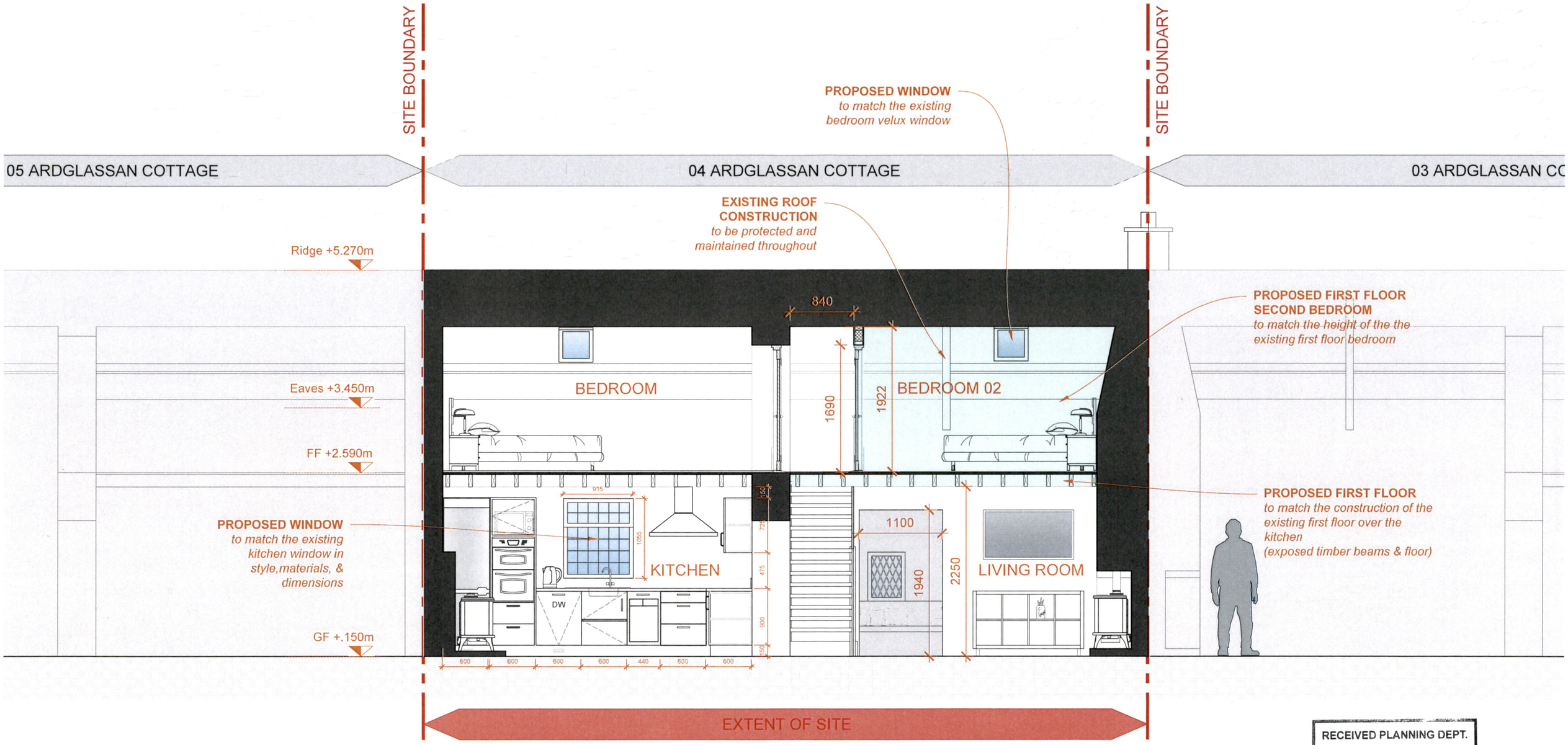

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PROPOSED SECTION B-B
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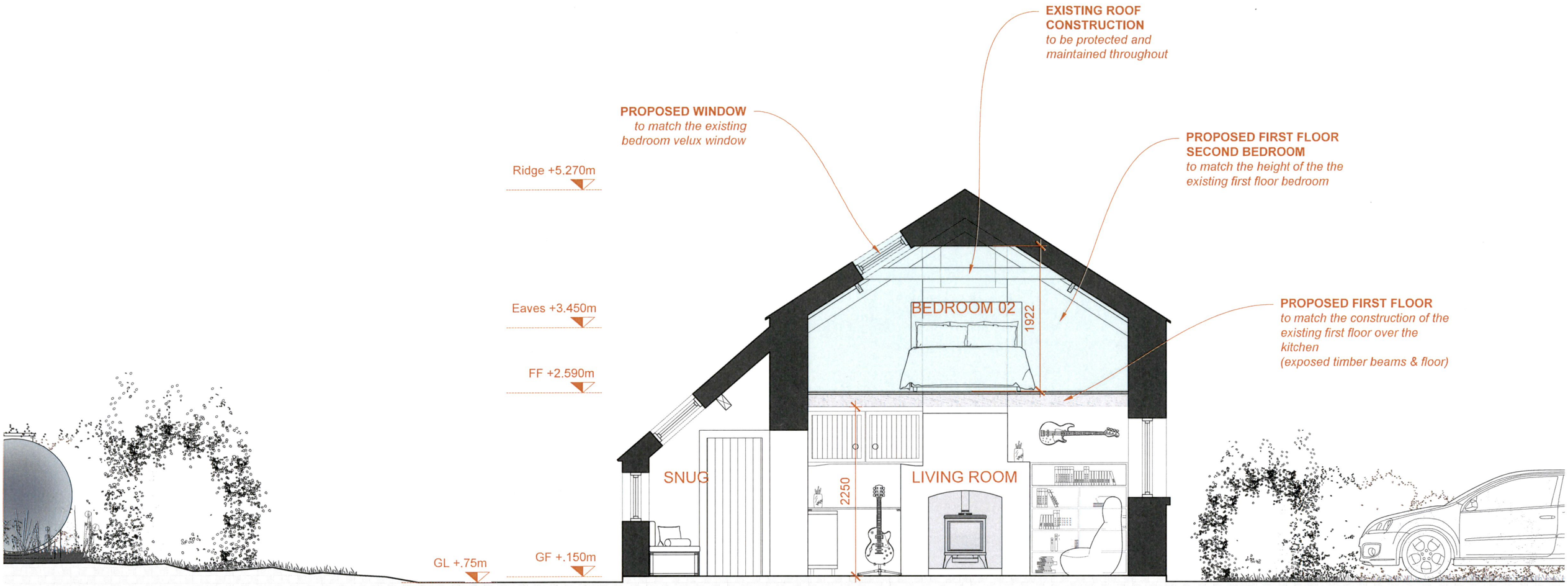

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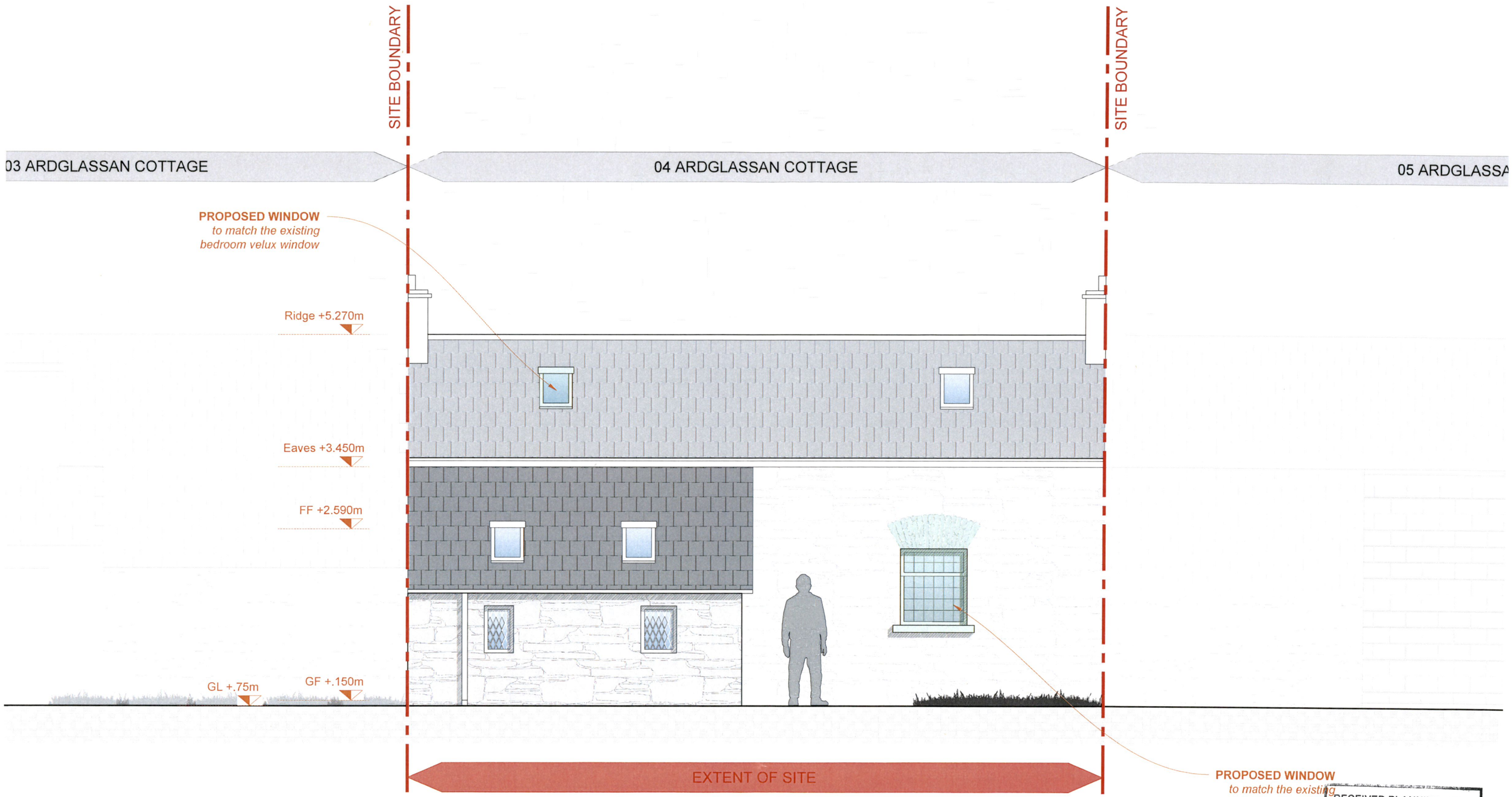

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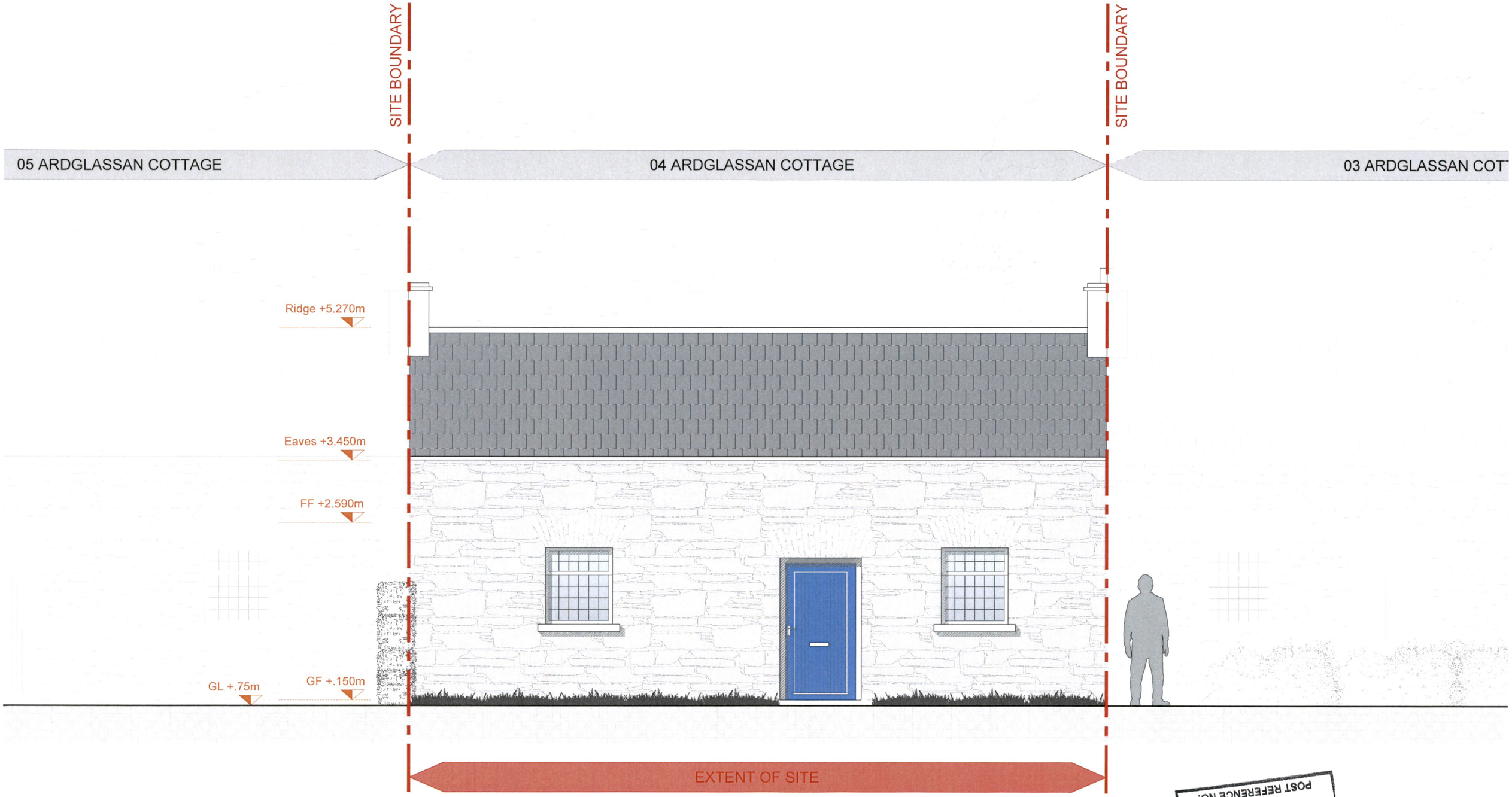

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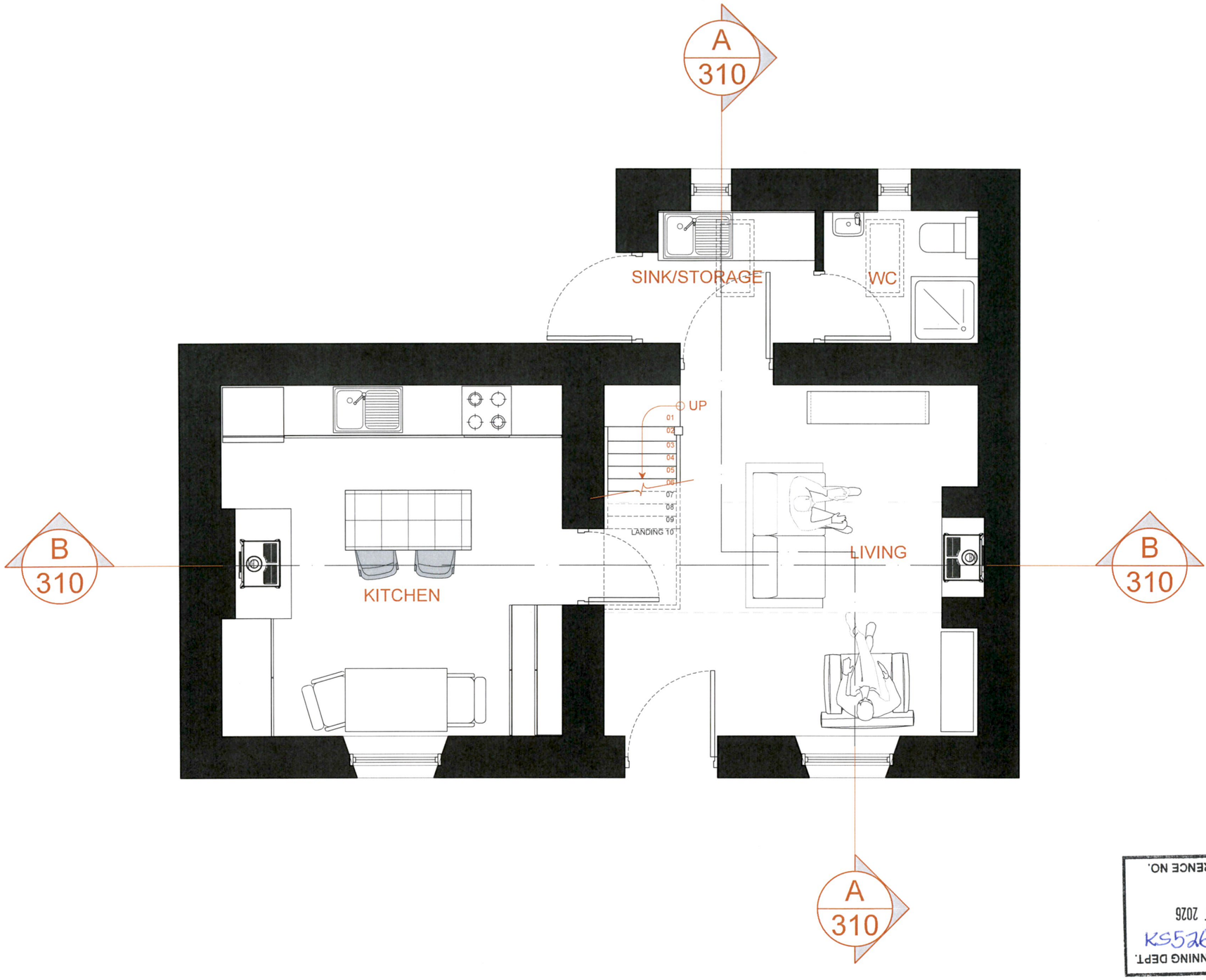

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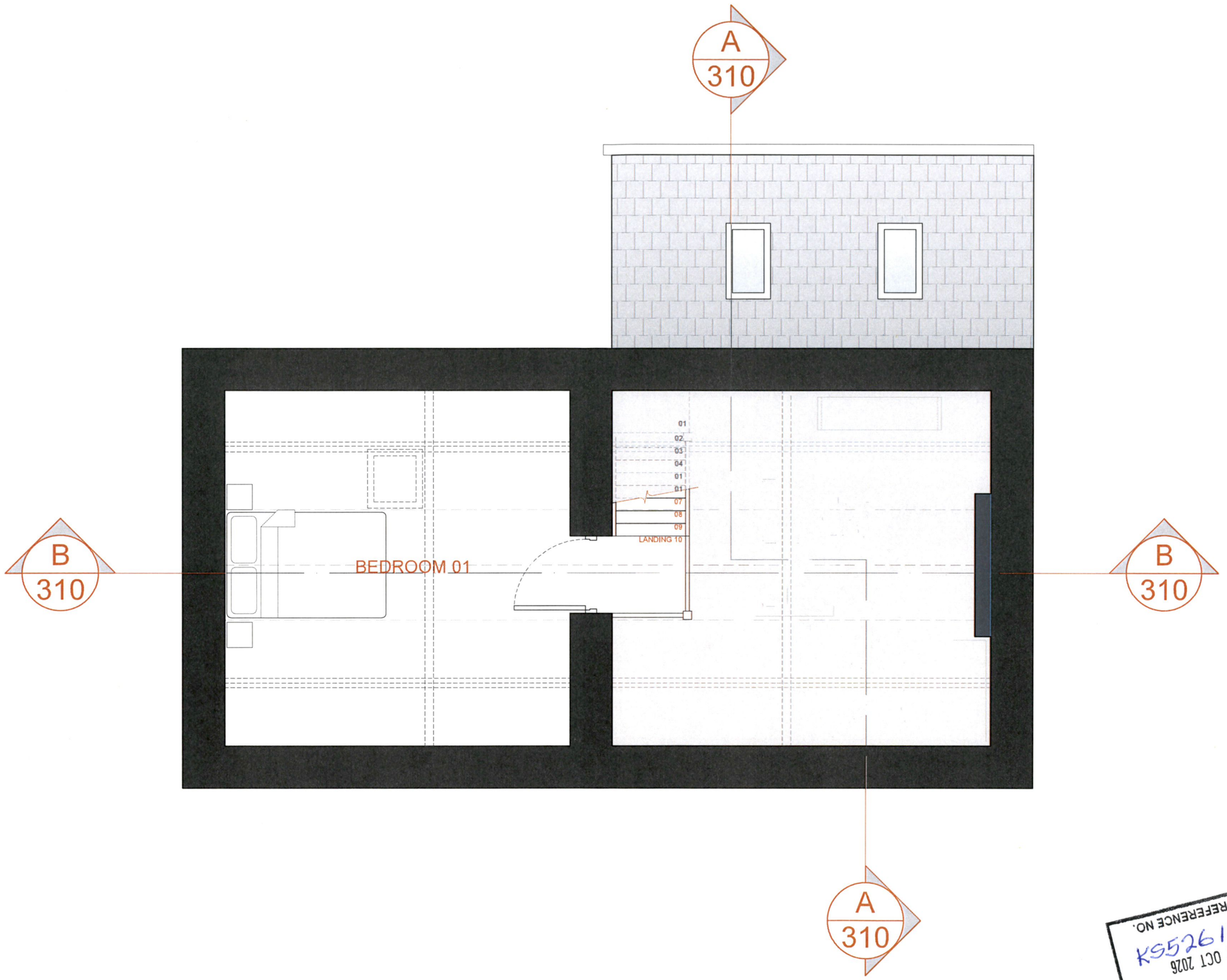

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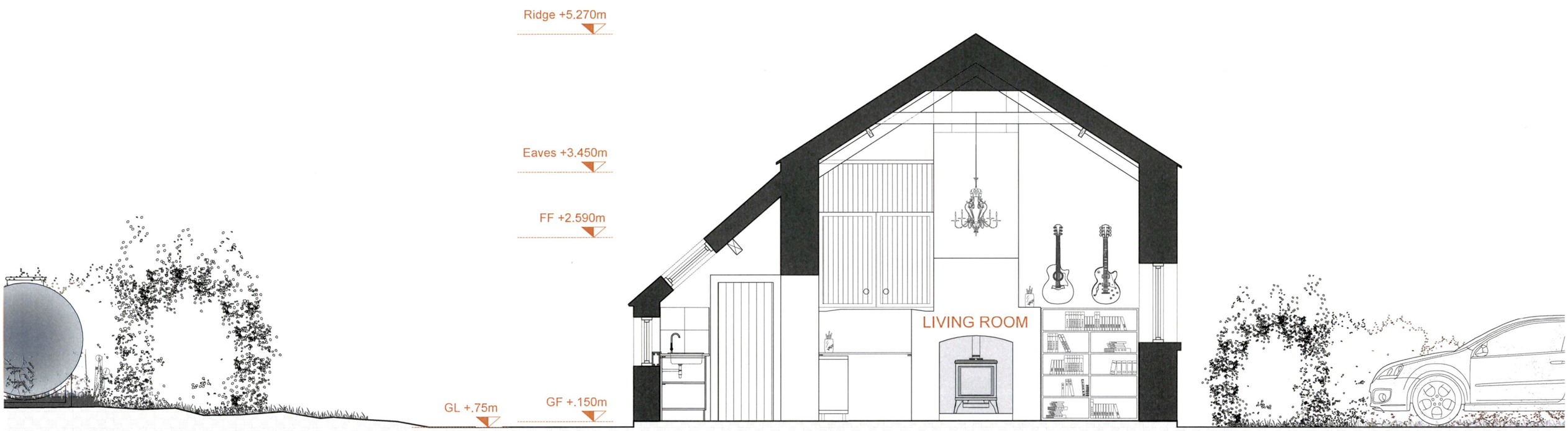

EXTENT OF SITE

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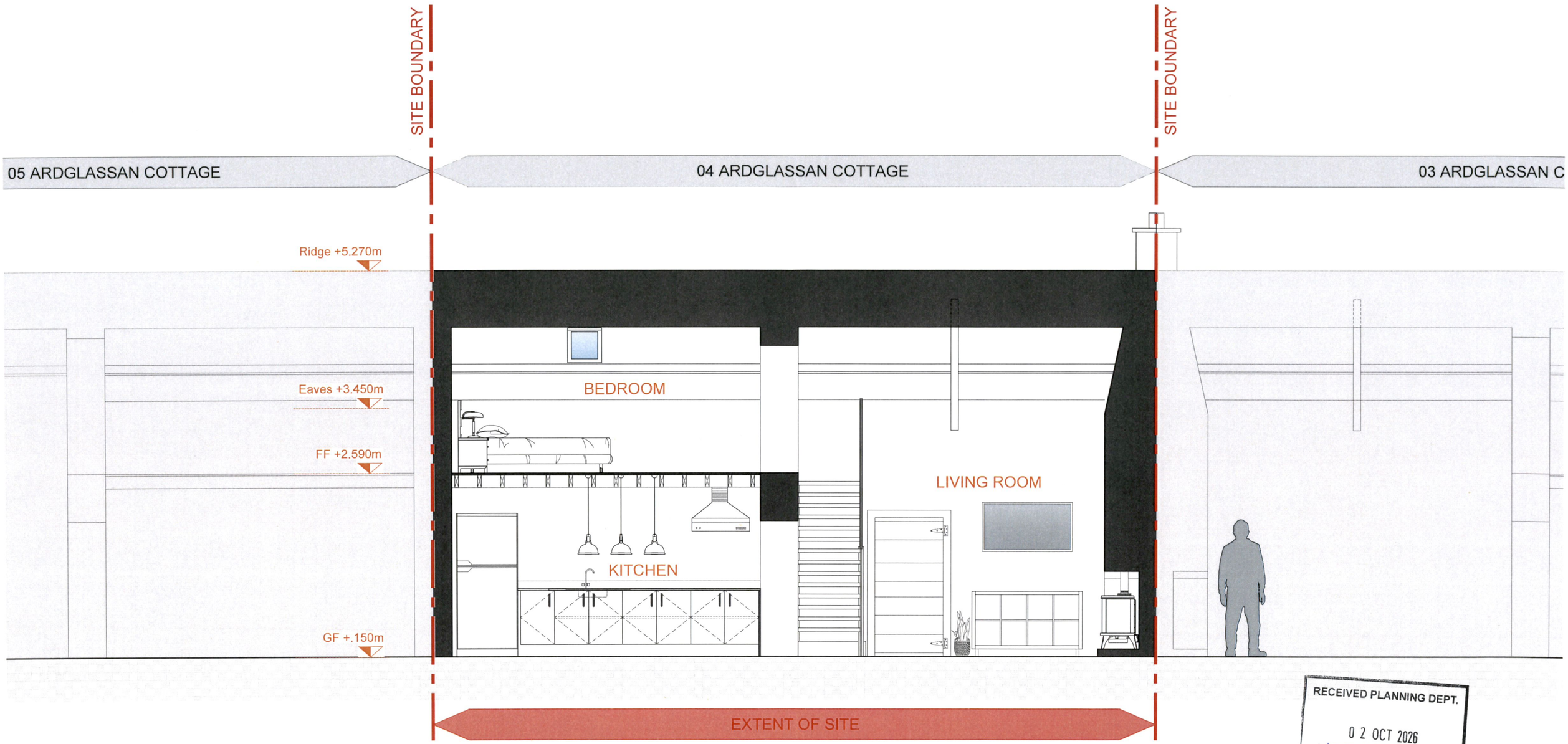

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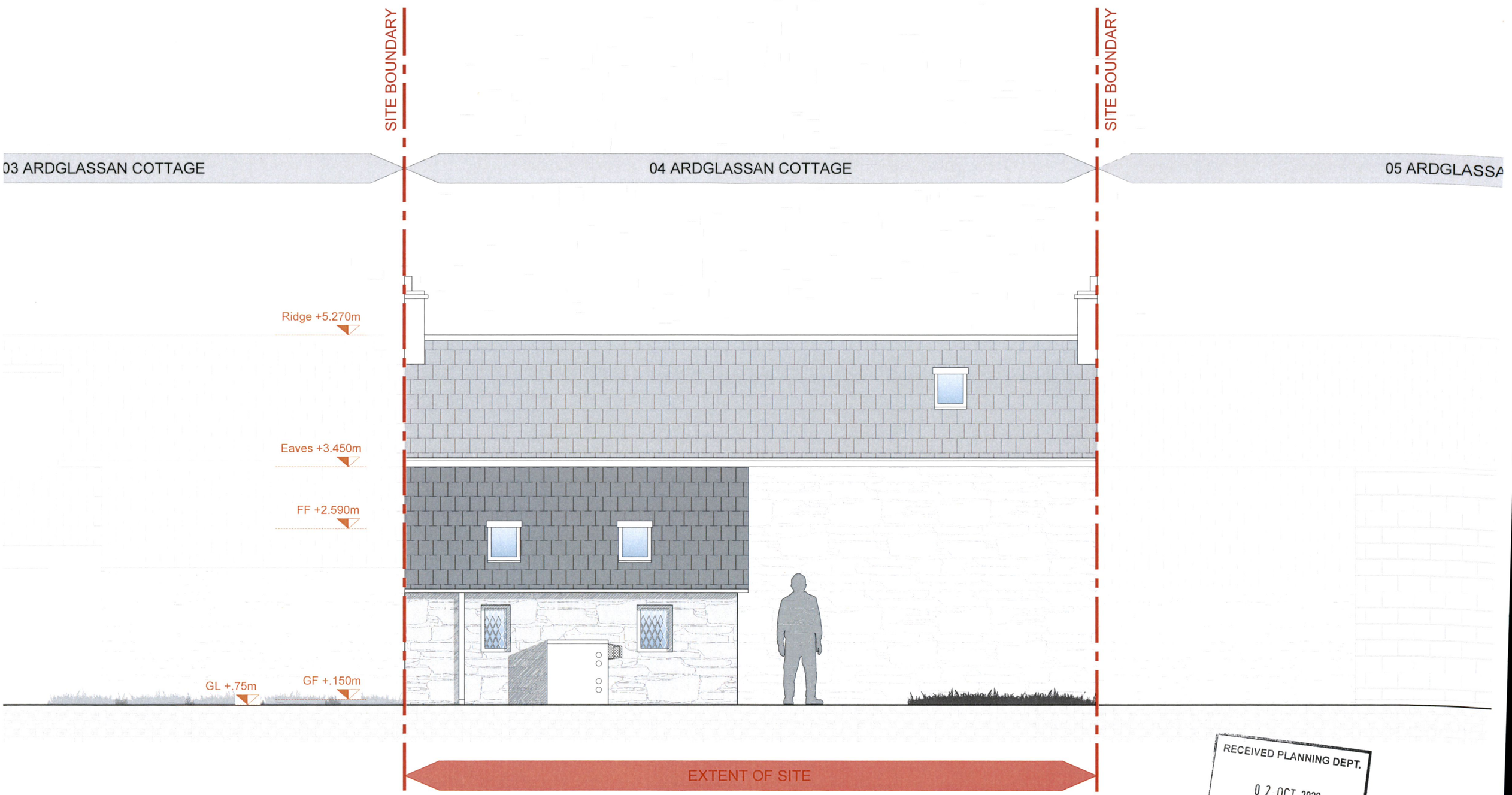

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Drawing Title	EXISTING BACK ELEVATION
Client	JOHNNY & AGGIE

MEATH COUNTY COUNCIL

CHIEF EXECUTIVE ORDER

Chief Executive Order Number:	1823/26
Reference Number:	KS526147
Subject:	Declaration under Part 1, Section 5, Planning and Development Act 2000-2023
Name of Applicant:	Jonathan Brewer
Address:	4 Ardglassan Crossakiel A82K598
Nature of Application:	Alterations to 200 year old stone cottage
Location of Development:	Ardglassan, Crossakiel A82K598
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: Gerard Valletta

On Behalf of Meath County Council

DATE: 28/10/2026

MEATH COUNTY COUNCIL
Planning Department
Buvinda House
Dublin Road
Navan, Co Meath
046 - 9097500

Planning & Development Act 2000- 2023

DECLARATION

To: Jonathan Brewer
4 Ardglassan
Crossakiel
A82K598

PLANNING REFERENCE NUMBER: KS5/26147
APPLICATION RECEIPT DATE: 02/10/2026
FURTHER INFORMATION DATE: N/A

In pursuance of the powers conferred upon them by the Planning and Development Act 2000-2023 Meath County Council has by order dated 28/10/2026 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: Alterations to 200 year old stone cottage at Ardglassan, Crossakiel A82K598.

Date: 28/10/2026

Chris Rowan

On Behalf of Meath County Council

NOTE:

1. Any appeal against a Declaration of a Planning Authority under Section 5, sub-section 3(a) of the Planning and Development Act 2000 may be made to An Bord Pleanala by the applicant WITHIN FOUR WEEKS beginning on the date of issue of the Declaration.

2. Appeals should be addressed to An Bord Pleanala, 64 Marlborough Street, Dublin 1. An appeal by the applicant should be accompanied by this form. The fee for an appeal against a Declaration of the Planning Authority is € 220.

For more information on Appeals you can contact An Bord Pleanala at:

Tel: 01 - 8588100 or LoCall: 1890 275 175

comhairle chontae na mí
meath county council

Meath County Council
Planning Report

1823

To:	Gerard Kellett, Senior Executive Planner
From:	Ryan Cowan, Assistant Planner
File Number:	KS526147
Applicant:	Jonathan Brewer
Development Address:	4 Ardglassan Cottages, Crossakiel, Co. Meath
Application Type:	Section 5 of the Planning & Development Act 2000-2023: Declaration on Development/Exempted Development.
Date of Report:	23/10/2026
Date Decision Due:	29/10/2026
Development Description:	200 Year old stone cottage

1.0 Site Location & Description

The subject site is located in the town land of Ardglassan that is situated 1.19 km south-west of the village of Crossakiel. There is a terraced dwelling on site that is part of 6 terraced houses and is a protected structure NIAH14312022 (former estate workers terraced house). There are a number of other terraced dwellings in the immediate vicinity of the application site that are also Protected Structures. The dwelling is single storey and is accessed from local road L689-23. The River Boyne SAC (site code 002299) is located 250 metres west of the site.

The site is zoned Rural area, with the objective 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: Site Location (Red Pin) (*Source: Google Maps, 2026*)



Figure 2: Aerial Photograph of the subject site. (*Source: Google Maps, 2026*)

2.0 Proposed Development
The applicant requested to know if the development at a *'200 Year old stone cottage'* is exempted development.

3.0 Planning History
UD19104 - Closed

UD19018 - Alleged unauthorised on site in relation to the removal of original stairs and replacement with new stairs. Status: Closed.

KA190499 - Retention planning permission granted to Sharon Plunkett for a wastewater treatment system, percolation area and ancillary site works.

NAS51956 - Replacement of stairs like the one that had to be removed due to word worm and dry rot. This dwelling is a Protected Structure NIAH 14312022 (former estate workers terraced houses). Exception cert issued.

In order to assess whether or not the structures and land is or is not development or is or is not exempted development regard must be had to the following legislation:

5.0 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.

5.1 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."

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

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 2001-2026 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.'

Section 4 (1) (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'.

Section 57

(1) 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.

5.3 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.

5.4 Article 9(1) Restrictions on Exemption

Development to which article 6 relates shall not be exempted development for the purposes of the Act,

(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,

(vii) consist of or comprise the excavation, alteration or demolition (other than peat extraction) of places, caves, sites, features or other objects of archaeological, geological, historical, scientific or ecological interest, the preservation, conservation or protection of which is an objective of a development plan or local area plan for the area in which the development is proposed or, pending the variation of a development plan or local area plan, or the making of a new development plan, or local area plan, in the draft variation of the development plan or the local area plan or the draft development plan or draft local area plan,

(viiA) consist of or comprise the excavation, alteration or demolition of any archaeological monument included in the Record of Monuments and Places, pursuant to section 12 (1) of the National Monuments (Amendment) Act 1994, save that this provision shall not apply to any excavation or any works, pursuant to and in accordance with a consent granted under section 14 or a licence granted under section 26 of the National Monuments Act, 1930 (No. 2 of 1930) as amended,

(viii) consist of or comprise the extension, alteration, repair or renewal of an unauthorised structure or a structure the use of which is an unauthorised use,

(xii) further to the provisions of section 82 of the Act, consist of or comprise the carrying out of works to the exterior of a structure, where the structure concerned is located within an architectural conservation area or an area specified as an architectural conservation area in a development plan for the area or, pending the variation of a development plan or the making of a new development plan, in the draft variation of the development plan or the draft development plan and the development would materially affect the character of the area.

6.0 Assessment

The existing property relates to a Protected Structure. The works proposed relate to the addition of additional bedroom to the existing first floor mezzanine.

6.1 "Development"

It is considered that the proposed development falls within the statutory interpretation of works and therefore within the section 3 (1) PDA 2000 definition of development

6.2 "Exempted Development"

The applicant is proposing works to a '200 Year old stone cottage'. The applicant has not detailed the proposed works.

From a review of the drawings provided, it appears as though the applicant is proposing first an additional first floor bedroom, proposing 2 bedrooms in place one the 1 bedroom mezzanine currently in place and an additional Velux window. The applicant also appears to be proposing a rear window at ground floor level.

Section 57 of the Act provides 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.* Therefore, the determinative question is therefore whether the replacement shopfront would materially affect the character of the protected structure.

The addition of a second bedroom in an estate workers terraced house would materially change the character of the building in that these cottages are traditionally one bedroom dwellings with a mezzanine and have been so for approximately 200 years. Additionally, the proposed rear window and Velux roof window would further affect the traditional character of the protected structure.

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 SAC (002299)
- River Boyne and River Blackwater SPA (004232)

The Planning Authority considered the nature, scale and location of the 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 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 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 proposed development is not a development type listed under Part 1 or 2 of Schedule 5 of the Planning & Development Regulations (PDR) 2001 - 2026 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 EIS/EIAR is not required.

9.0 Recommendation

It is therefore recommended that a declaration be issued;

WHEREAS a question has arisen as to whether the development of an additional bedroom, roof window and ground floor window at a *'200 Year old stone cottage'* on lands at 4 Ardglassan, Crossakiel, Co. Meath, is exempted development:

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

(a) Sections 2, 3, 4, 5, 57 & 177U (9) of the Planning and Development Act 2023,
(b) Articles 6 and 9 of the Planning and Development Regulations, 2001-2026
(c) Information provided.

AND WHEREAS Meath County Council has concluded: -

1) The works comprising the provision of an additional bedroom, roof window and ground-floor window constitute development within the meaning of the Planning and Development Acts.

2) The subject structure is a protected structure and the proposed works would materially affect its character, including elements of the structure which contribute to its special architectural and/or historic interest. Accordingly, the works do not come within the scope of the exemption provided for under Section 57 of the Planning and Development Act 2000–2023

3) The proposed development is therefore not exempted development and requires planning permission.

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 02nd October 2026 is **DEVELOPMENT** and is **NOT EXEMPTED DEVELOPMENT.**

RECOMMENDATION ACCEPTED
28 OCT 2026
Signed: Gerard Kellett

Ryan Cowan

Ryan Cowan
Assistant Planner
Date: 23/10/2026

Gerard Kellett
Senior Executive Planner
Date: 28/10/2026

