APPLICATION FORM – DECLARATION ON DEVELOPMENT & EXEMPTED DEVELOPMENT

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

1. **Name:** ALICE GARDNER

   Address: 65 TUDOR GROVE, ASHBOURNE, MEATH A84 TD92

   [redacted]

2. **Address for correspondence:**

   Address: 54 MEADOWBANK HILL, RATOATH, MEATH, A85 YX26

   [redacted]

3. **Location of Development and/or Subject Site:** 65 TUDOR GROVE

4. **Description of Development:** Extending kitchen into rear garden.
   The proposed works will be a single story flat roof extension,
   6m x 3.05m. Total of 18.22 m² extension.

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:** 3m

8. **State in square metres the floor area of the proposed development:** 18.22m²

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

2 x existing & proposed floor plan + elevation
2x Site location map
2x Site layout plans

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10. Please state applicants interest in this site

OWNER OF 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: _____ **DATE:** 01-10-2026

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

Planning Pack Map

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0 25 50 75 100 Metres
0 50 100 150 200 250 Feet

OUTPUT SCALE: 1:2,500

CAPTURE RESOLUTION:
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LEGEND:
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N

Tailte Éireann

CENTRE COORDINATES:
ITM 705929,752919

PUBLISHED: 01/10/2026

ORDER NO.: 50562528_1

MAP SERIES:	MAP SHEETS:
1:2,500	2786-C
1:2,500	2786-D
1:1,000	2854-03
1:2,500	2854-A
1:2,500	2854-B

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Site Location Map

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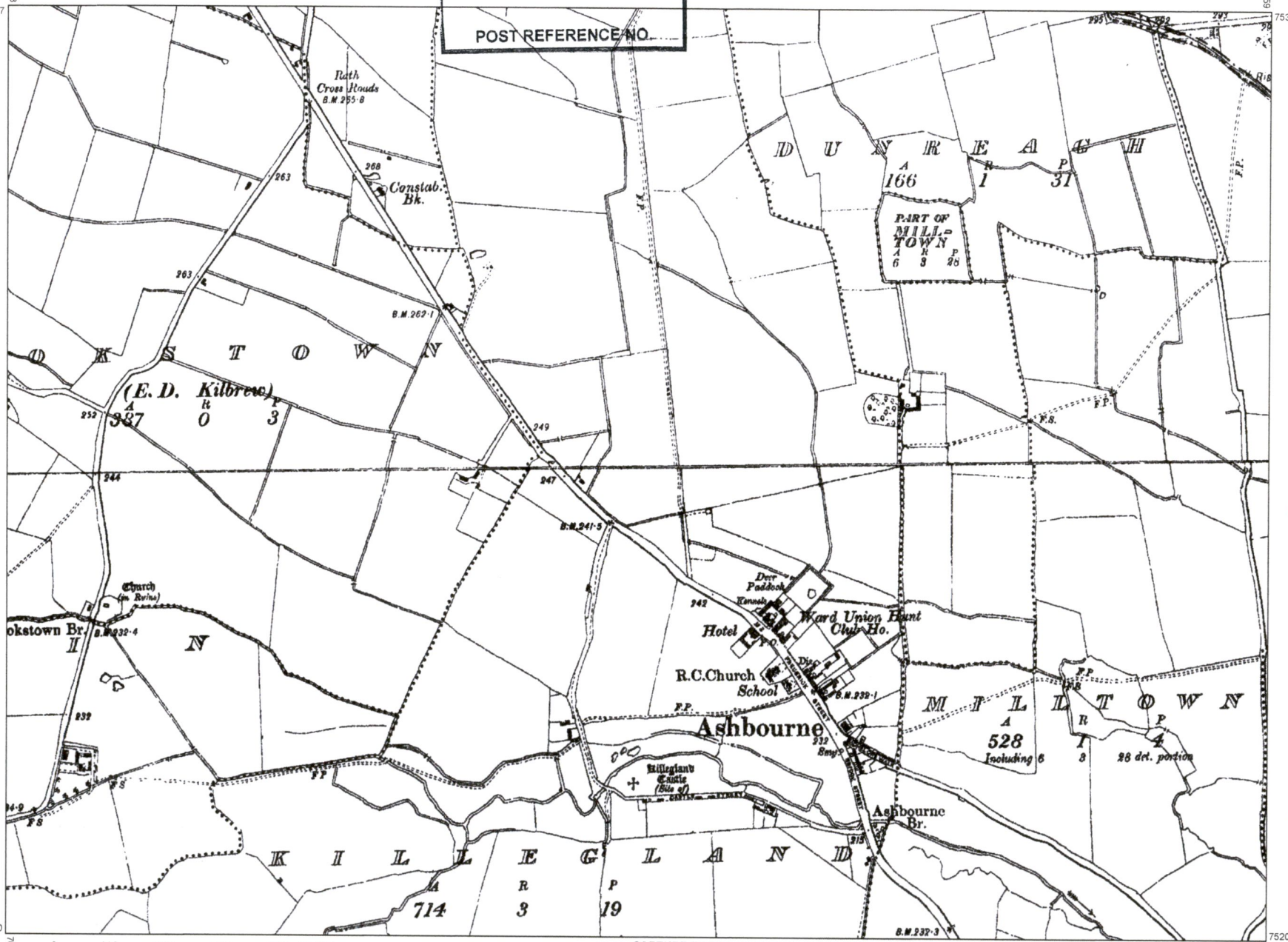

OUTPUT SCALE: 1:10,560

CAPTURE RESOLUTION:
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ORDER NO.: 50562528_1

MAP SERIES:	MAP SHEETS:
6 Inch Raster	DN006
6 Inch Raster	MH039
6 Inch Raster	MH045

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1ST FLOOR – PLANS & ELEVATIONS

Proposed rear extension, relocated bath, opened kitchen / dining / living area

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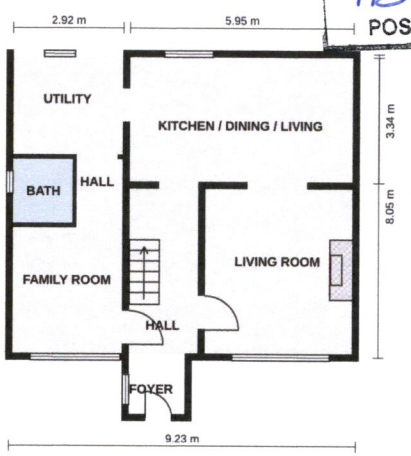
KEY

- New extension
- Blocked-up / infilled opening
- Existing wall removed
- Wall (cut)

OPENINGS

D1 Sliding door
W1 Kitchen window
D2 Utility door
W2 Utility window

N



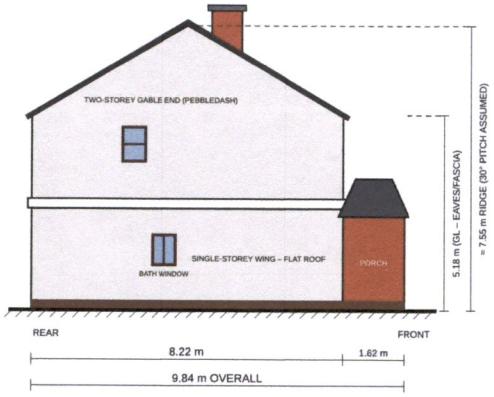
EXISTING 1ST FLOOR PLAN

SCALE 1:200



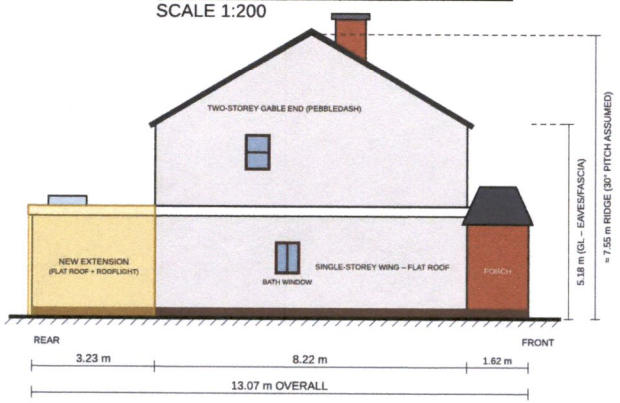
PROPOSED 1ST FLOOR PLAN

SCALE 1:200



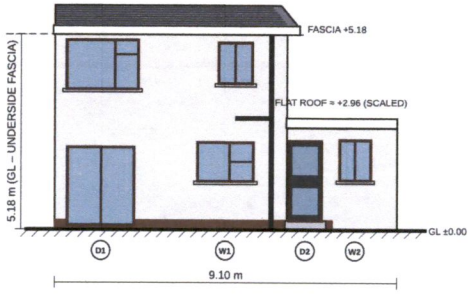
EXISTING SIDE (WEST) ELEVATION

SCALE 1:200



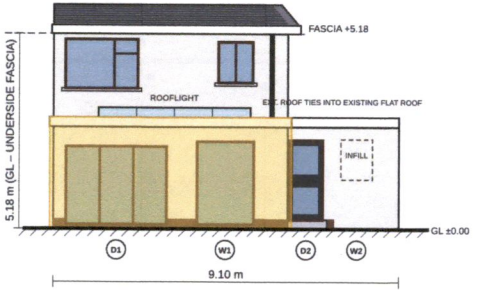
PROPOSED SIDE (WEST) ELEVATION

SCALE 1:200



EXISTING REAR ELEVATION

SCALE 1:200



PROPOSED REAR ELEVATION

SCALE 1:200

SCALE 1:200

0 2 4 6 8 10 m

NOTES

1. All dimensions in metres; work to figured dimensions only.
2. Wall thickness 0.17 m; extension 3.06 m deep, 18.22 sq m.
3. Proposed: single-storey flat-roof extension with rooflight.
4. Sliding door = existing + 1 pane; kitchen window one full-height pane.
5. Heights other than 5.18 m scaled from photos; indicative only.

PLANS & ELEVATIONS

Residential Dwelling – Rear Extension · Existing & Proposed

1 : 200 @ A4

DWG A-101 · REV P3 · 01/10/2026

PRELIMINARY – NOT FOR CONSTRUCTION

MEATH COUNTY COUNCIL

CHIEF EXECUTIVE ORDER

Chief Executive Order Number:	1813/26
Reference Number:	AS5/26146
Subject:	Declaration under Part 1, Section 5, Planning and Development Act 2000-2023
Name of Applicant:	Alice Gardener
Address:	54 Meadowbank Hill Ratoath Co Meath A85 YX26
Nature of Application:	**extending kitchen into rear garden. The proposed works will be a single storey flat roof extension, 6m x 3.05m. Total of 18.22 m2 extension.**
Location of Development:	**65 Tudor Grove,** **Ashbourne** **Co Meath** **A84 TD92**
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: Gerard Kellett

On Behalf of Meath County Council

DATE: 27/10/26

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

Planning & Development Act 2000- 2023

DECLARATION

To: Alice Gardener
54 Meadowbank Hill
Ratoath
Co Meath
A85 YX26

PLANNING REFERENCE NUMBER: AS5/26146

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 27/10/2026 decided to Declare the proposed development is EXEMPT, in accordance with the documents: extending kitchen into rear garden. The proposed works will be a single storey flat roof extension, 6m x 3.05m. Total of 18.22 m2 extension, at 65 Tudor Grove, Ashbourne, Co Meath , A84 TD92

Date: 27/10/26

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

Meath County Council

Planning Report

To:	Gerard Kellett Senior Executive Planner
	Shoaib Khan, Executive Planner
File Number:	AS5/26146
Applicant:	Alice Gardener
Development Address:	65 Tudor Grove
Application Type:	Section 5 of the Planning & Development Act 2000- (as amended), Declaration on Development/Exempted Development.
Date of Site Inspection:	Not applicable.
Date of Report:	27/10/2026
Date Decision Due:	29/10/2026
Development Description:	Extending kitchen into rear garden. The proposed works will be a single storey flat roof extension, 6m x 3.05m. Total of 18.22 m2 extension

1.0 SITE LOCATION & DESCRIPTION

The subject site is located at No. 65 Tudor Grove, a well-established residential development situated in centre of Ashbourne town centre, County Meath. It is zoned as A1 Existing Residential within Meath County Council Development Zoning Map. The site is not located

within the curtilage of a Protected Structure and is not subject to any Architectural Conservation Area designation.
There are no recorded National Monuments located within the curtilage of the site and no known archaeological features are affected by the proposed development except for its location being within Airport Noise Corridor.
Overall the site is not subject to any preservation order, conservation designation, or other statutory protection that would materially affect the assessment of this Section 5 application.





2.0 PROPOSED DECLARATION

Extending kitchen into rear garden. The proposed works will be a single storey flat roof extension, 6m x 3.05m. Total of 18.22 m2 extension." **Is or is not development and is or is not exempted development.**

3.0 PLANNING HISTORY

None on site and no relevant planning history nearby.

4.0 LEGISLATIVE CONTEXT

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.

Section 2 of the Planning & Development Acts 2000(as amended)

Section 2 of the Planning & Development Acts 2000(as amended) 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 situated; 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.

Section 4 of the Planning & Development Acts 2000(as amended)

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

"(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 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 –

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

"The development is authorised, or is required to be authorised, by or under any enactment...."

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 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 5 of the Planning & Development Acts 2000(as amended)

Section 5 of the Planning & Development Acts 2000(as amended) provides inter alia:

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.

(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 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.

Planning and Development Regulations 2001(as amended)
Article 6(3)

"Subject to article 9, in areas other than a city, a town or an area specified in section 19(1)(b) of the Act or the excluded areas as defined in section 9 of the Local Government (Reorganisation) Act, 1985 (No. 7 of 1985), development of a class specified in column 1 of Part 3 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 3 opposite the mention of that class in the said column 1".

Article 9(1)
"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) of the regulations.

Declared Information.

Review of the documentation concludes that the applicant is seeking a declaration of exemption for works as follows:

Extending kitchen into rear garden. The proposed works will be a single storey flat roof extension, 6m x 3.05m. Total of 18.22 m2 extension

Based on the information submitted, the proposal has been assessed against the following provisions;

S. I No. 338 of 2026 PLANNING AND DEVELOPMENT (EXEMPTED DEVELOPMENT (ACT OF 2000)) (NO. 3) REGULATIONS 2026.relate to:

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 (Column 2)

1. *1. (a) Where the house has not been extended previously, the floor area of any such extension shall not exceed 45 square metres. (b) Subject to paragraph (a), where the house is terraced or semidetached, 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.*

No other extension constructed to the house, single storey extension and is only 18.2 square meters.

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 45 square metres. (b) Subject to paragraph (a), where the house is terraced or semidetached 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.*

No other extension constructed to the house,

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

Single storey design.

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.*

The extension is 3.0 meters in height to an existing two storey house.

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

The remaining open space will exceed 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 8 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 8 metres from the boundary it faces.*

The extension is served with a patio door type to the rear elevation only. Floor plan submitted shows no windows to the side elevations.

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

Flat roof extension, no access is provided onto this extension.

8. *This exemption shall only be used on the principal house and not any additional detached house within the curtilage of the principal house.*

Extension to the principal house

This element of the declaration complies with the requirements of the relevant exemption classification.

5.0 ASSESSMENT

(i) Does the proposal constitute development:

Having regard to the definition of 'development' within the Planning and Development Act 2000 (as amended), "*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*"; It is considered the proposal detailed would constitute development in accordance with Section 3(1) of the Planning and Development Act 2000(as amended). Therefore, the focus, is on whether or not the proposed development constitutes exempted development.

(ii) Does the proposal constitute exempt development:

The proposed development comprises the extension to existing dwelling as detailed above, the proposed extension complies with the relevant conditions and limitations set out under the applicable exempted development provisions.

Accordingly, it is recommended that the application be declared exempted development.

6.0 RESTRICTIONS ON EXEMPTIONS

To be assessed if the works are or not restricted by virtue of Article 9(1)(a)(i) – (xii) (inclusive).

7.0 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 or near a water body that appears to be hydrologically connected with a Natura 2000 site. Having regard to the site characteristics of the proposed development and distance from the designated European site, it is considered that the proposal would not have a significant effect on the qualifying interests of that site.

8.0 CONCLUSION

On the basis of the information provided, I conclude that "the proposed single-storey extension works is deemed exempted development," At 65 Tudor Grove, Ashbourne Co. Meath.

9.0 RECOMMENDATION

It is therefore recommended that a Declaration of Exemption be GRANTED for the development set out hereunder'

WHEREAS the question has arisen as to whether "*Extending kitchen into rear garden. The proposed works will be a single storey flat roof extension, 6m x 3.05m. Total of 18.22 m2 extension*" At 65 Tudor Grove, Ashbourne Co. Meath is or is not development and is or is not exempted development.

AND WHEREAS Meath County Council, in considering this question, has had regard particularly to:

(a) Sections 2(1), 3(1), 4, & 177U (9) of the Planning and Development Act 2000(as amended),
(b) Article 6 & 9 of the Planning and Development Regulations, 2001(as amended)
(c) S.I no 338 of 2026 Class 1, (Exempted Development) of the Planning and Development Regulations 2001(as amended)
(d) Information provided.

AND WHEREAS Meath County Council hereby decides: -

a) *"Extending kitchen into rear garden. The proposed works will be a single storey flat roof extension, 6m x 3.05m. Total of 18.22 m2 extension"* constitutes **exempted development**, as the works fall within the scope of Schedule 2, Part 1, Class 1 of the Planning and Development Regulations 2001–2026 and comply with the relevant conditions and limitations therein.

RECOMMENDATION ACCEPTED
27 OCT 2026
Signed: Gerard Kellett

NOW THEREFORE Meath County Council, in exercise of the powers conferred on it by Section 5(2)(a) of the Planning and Development Act 2000(as amended) hereby decides that the said development is **Development** and is **Exempted Development**.

Shoaib Khan
Executive Planner
Date:27/10/2026

Gerard Kellett
Senior Executive Planner
Date: 27/10/2026