APPLICATION FORM – DECLARATION ON DEVELOPMENT & EXEMPTED DEVELOPMENT

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

1. **Name:** Headfort Arms Hotel

   Address: Headfort Place

   [redacted] **E-mail** [redacted]

2. **Address for correspondence:**

   Address: Headfort Place, Kells, A82 D2C1

   Phone [redacted] **E-Mail:** [redacted]

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

4. **Description of Development:** Replacement of shopfront in traditional hardwood (by Kells Windows) for Kelltic Bar & Vanilla Pod

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** N/A **NO** ___

7. **State overall height of structure if applicable:** 12 metres wide (width) & 3.5 metres high (height)

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

9. **List of plans / drawings etc. submitted:** See attached submitted by Crafted by Kells

RECEIVED
PLANNING DEPT
25 SEP 2026
KS526144
Counter Reference No

10. Please state applicants interest in this site Hotel

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

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? N/A.

Please tick as appropriate: YES ____ NO "

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

SIGNED: Anna Duff **DATE:** 25.09.26

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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Reference No

Existing Shopfront at Headford Arms



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25 SEP 2026
POST REFERENCE NO.
KS526144

Proposed Shopfront by Kells Windows



RECEIVED PLANNING DEPT.
25 SEP 2026
KS526144
POST REFERENCE NO.

MEATH COUNTY COUNCIL

CHIEF EXECUTIVE ORDER

Chief Executive Order Number:	1774/26
Reference Number:	KS5/26144
Subject:	Declaration under Part 1, Section 5, Planning and Development Act 2000-2023
Name of Applicant:	Headfort Arms Hotel
Address:	Headfort Place Kells Co. Meath A82 D2C1
Nature of Application:	Replacement of shopfront in traditional hardwood (by Kells Windows) for Kelltic Bar & Vanilla Pod
Location of Development:	Headfort Place, Kells, Co. Meath, A82 D2C1
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 Kellett

On Behalf of Meath County Council

DATE: 20/10/2026

MEATH COUNTY COUNCIL

Planning Department

Buvinda House

Dublin Road

Navan, Co Meath

046 - 9097500

Planning & Development Act 2000- 2023

DECLARATION

To: Headfort Arms Hotel
Headfort Place
Kells
Co. Meath
A82 D2C1

PLANNING REFERENCE NUMBER: KS5/26144
APPLICATION RECEIPT DATE: 25/09/2026
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 20/10/2026 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: Replacement of shopfront in traditional hardwood (by Kells Windows) for Kelltic Bar & Vanilla Pod at Headfort Place, Kells, Co. Meath, A82 D2C1

Date: 20/10/2026

Chris Rourke

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

To:	Gerard Kellett, Senior Executive Planner
From:	Lucie Heasley, Assistant Planner
File Number:	KS526144
Applicant:	Headfort Arms Hotel
Development Address:	Headfort Place, Townparks, Kells, Co.Meath, A82D2C1
Application Type:	Section 5 of the Planning & Development Acts 2000 (as amended): Declaration on Development/ Exempted Development.
Date of Report:	19/10/2026
Date Decision Due:	22/10/2026
Development Description:	Replacement of shopfront in traditional hardwood (by kells windows) for Kelltic Bar & Vanilla Pod.

1.0 Site Location & Description

The application site is located at Headfort Place, Townparks, Kells. the building on which it is proposed to erect the new signage is subject of the Headfort arms hotel is a listed protected structure registered with RPS ID 90526 (and NIAH Registration No. 14313011 and is located within the Headfort Place Architectural Conservation Area (ACA) in Kells.

The site is not within flood zone A or B the applicant owns the subjects lands as verified by land registry. The site is located in an area with a 'B1 – Commercial Town or Village Centre' land use zoning objective which states the following: *'To protect, provide for and/ or improve town and village centre facilities and uses.'*



Figure. 1.0: Extract from Google Imagery showing subject lands with approximate application site outlined in red.



Figure 2.0: Extract from Google Imagery showing the subject site.

2.0 Proposed Declaration

The applicants describe the development in the completed application form as the "Replacement of shopfront in traditional hardwood (by kells windows) for Kelltic Bar & Vanilla Pod.'"

The Planning Authority is considering this question as:

Whether the replacement of shopfront in traditional hardwood from the existing shopfront is or is not development, and is or is not exempted development.

The completed application form and submitted documents, received on 25th September 2026, indicate that the extent of works proposed, replacement of shopfront in traditional hardwood for Keltic Bar & Vanilla Pod shall comprise a total width of 12 metres and height of 3.5metres.

3.0 Planning History

A review of the Meath County Council Planning Register indicates the following planning history associated with the subject site:

KT30008 | the demolition of the existing first floor bedroom block extension, toilet and conservatory to the rear and the construction of a new two storey rear extension comprising of 25 bedrooms, 2 ancillary offices and 1 meeting room, incorporating a new escape and access staircase including the installation of a passenger lift and all associated sure works | Headfort Arms Hotel Headfort Place Kells Co Meath | Conditional 19/11/2003

KT40010 | removal of the existing ground floor wall and chimney breast between the reception lobby and TV room. This application will impact upon a protected structure | Headfort Arms Hotel Headfort Place Kells, Co. Meath | Conditional 24/06/2004

KT60033 | the retention of the relocation of two no. 6819 litre calor gas tanks | Headfort Arms Hotel Headfort Place Kells, Co. Meath | Conditional 04/05/2007

KT100004 | a single storey extension of side of existing hotel building comprising of bar area, pay desk, alterations to existing toilets & associated site works. The development is within the curtilage of a protected structure I.D. No. KT017/060 & NIAH Reg 14313011, listed under Appendix 1, Record of Protected Structures of the Kells Development Plan 2007 to 2013 | Headfort Arms Hotel Headfort Place Kells Co Meath | Conditional 20/04/2010

4.0 Internal, External and Prescribed Bodies

Not referred.

5.0 Relevant National Legislation

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

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

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

"development" has the meaning assigned to it by Section 3, and "develop" shall be construed accordingly;

"exempted development" has the meaning specified in Section 4;

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

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

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

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

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

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

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

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

Section 4(2) of the Planning and Development Acts 2000-2023 provides for the making of regulations relating to exempted development. The Planning & Development Regulations 2001-2026 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—

(9) *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 unauthorized, for the retention of that unauthorized development.

5.6 Section 82 of the Planning & Development Acts 2000-2023

82 - (1) Notwithstanding section 4(1)(h), the carrying out of works to the exterior of a structure located in an architectural conservation area shall be exempted development only if those works would not materially affect the character of the area.

(2) In considering an application for permission for development in relation to land situated in an architectural conservation area, a planning authority, or the Board on appeal, shall take into account the material effect (if any) that the proposed development would be likely to have on the character of the architectural conservation area."

5.7 Article 6 of the Planning & Development Regulations 2001-2026

Article 6(1)

"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 6(2)(b)(iv)

Article 6(2)(b) provides that, subject to article 9, the erection of an advertisement structure for the exhibition of an advertisement of a class specified in Part 2 of Schedule 2 is exempted development, provided inter alia that, further to section 82 of the Act, the advertisement structure is not located on the exterior of a structure within an architectural conservation area so as to materially affect the character of the area

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,

(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

In essence, the question has arisen as to whether "Replacement of shopfront in traditional hardwood (by kells windows) for Kelltic Bar & Vanilla Pod.", 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.

The applicant Is seeking a Section 5 (Exempted Development) for the following:

"Replacement of shopfront in traditional hardwood (by kells windows) for Kelltic Bar & Vanilla Pod" located at Headfort Place, Townparks, Kells, Co.Meath, A82D2C1.

The proposed works are considered a material change to the existing structure, the signage on the subject structure which is identified as a protected structure within the Kells Architectural conservation Area and would constitute development. The proposed image submitted does not show detailed dimensions of the signage or the materials and finishes to be used were unstated.

The proposed works are considered to contravene Section 4 (1) (h) of the Planning and Development Act 2000- 2025. Section 4(1)(h) outlines as follows:
(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;

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 2001-2026 respectively.

6.2 "Exempted Development"

The applicant is proposing 'Replacement of shopfront in traditional hardwood (by kells windows) for Kelltic Bar & Vanilla Pod. The changes include the extension of the existing sign that reads 'Kelltic Bar; and the omission of the Vanilla Pod sign on the neighbouring structure. These are to be erected as one where the Kelltic Bar signage is currently. The dimensions and finishes are not stated nor are the lettering typefaces or fixing methods.

The site is located within the Headford Place Architectural Conservation Area. Section 82(1) of the Act provides that, notwithstanding section 4(1)(h), works to the exterior of a structure in an ACA are exempted development only if they would not materially affect the character of the area. The determinative question is therefore whether the replacement shopfront would materially affect the character of the Kells Headford Place Architectural Conservation Area.

A replacement sign is proposed which from the proposed image looks to be of similar finishes to the existing 'Kelltic Bar' signage however is extended across the front façade of the existing protected structure and involves the removal of the current 'Village Pod' signage. On the basis of the information submitted, the Planning Authority considers the proposed development is **NOT** Exempted Development as it would materially affect or change the external appearance of the structure and the character of the ACA.

6.3 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.

6.4 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 - 2026 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.

7.0 RECOMMENDATION

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

WHEREAS a question has arisen as to whether to 'Replacement of shopfront in traditional hardwood (by kells windows) for Kelltic Bar & Vanilla Pod" on lands at Headfort Place, Townparks, Kells, Co. Meath, A82D2C1, is or is not development or is or is not exempted development,

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

a) Sections 2, 3, 4, 82 & 177U (9) of the Planning and Development Act 2023,
b) Articles 6 and 9 of the Planning and Development Regulations, 2001-2026; and
c) the information and particulars submitted with the application;

AND WHEREAS Meath County Council has concluded: -

1. The proposed replacement shopfront constitutes development within the meaning of Section 3 of the Planning and Development Acts 2000–2023

2. The building is a Protected Structure (MH017-060) and is also located within the Kells Headford Place Architectural Conservation Area.

3. While Section 4(1)(h) of the Act provides an exemption in respect of works for the maintenance, improvement or other alteration of a structure, that exemption applies only where the works affect only the interior of the structure or do not materially affect the external appearance of the structure so as to render its appearance inconsistent with the character of the structure or of neighbouring structures.

4. Having regard to the status of the building as a Protected Structure, its location within the Kells Headford Place Architectural Conservation Area, the nature and extent of the proposed replacement shopfront and additional works, and the absence of sufficient details in relation to its dimensions, design, materials and finishes, the Planning Authority is not satisfied that the proposed works would not materially affect the external appearance or character of the Protected Structure or the character of the surrounding Architectural Conservation Area.

5. Accordingly, having regard to Sections 4(1)(h) and 82(1) of the Planning and Development Acts 2000–2023, the proposed works are 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 Acts 2000–2023, hereby decides that the development, as detailed in the particulars submitted on 25 September 2026, is **DEVELOPMENT** and is **NOT EXEMPTED DEVELOPMENT.**

RECOMMENDATION ACCEPTED

20 OCT 2026

Signed: Gerard Kellett

L Heasley

Lucie Heasley

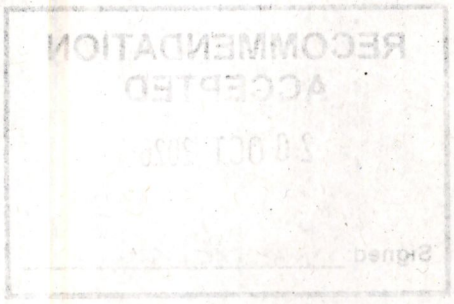
Assistant Planner

Date: 19/10/2026

Gerard Kellett

Senior Executive Planner

Date: 20/10/2026


RECOMMENDATION
ACCEPTED