APPLICATION FORM – DECLARATION ON DEVELOPMENT & EXEMPTED DEVELOPMENT

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

1. **Name:** Terry McDonagh

   Address:

   Phone No: **E-mail :**

2. **Address for correspondence:**

   Address:

   Phone No: **E-Mail:**

3. **Location of Development and/or Subject Site:** Lambay, Kilbride, Trim, Co. Meath C15CH72

4. **Description of Development:** Proposed single storey extension to rear of existing dwelling & minor alterations to existing dwelling

5. **Will the development take place within the curtilage of a dwelling house?**

   Please tick as appropriate: **YES** X **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** X

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:** 4510mm (Proposed extension)

8. **State in square metres the floor area of the proposed development:** 45 sq.m.

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20 OCT 2026
Counter Reference No TS526155

9. List of plans / drawings etc. submitted: Proposed Plans/Elevations of Extension, Site Layout Plan & Site Location Map

10. Please state applicants interest in this site: Owner

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 __X__

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 __X__

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

_____

SIGNED: _____ **DATE: 16TH Oct. 2026**

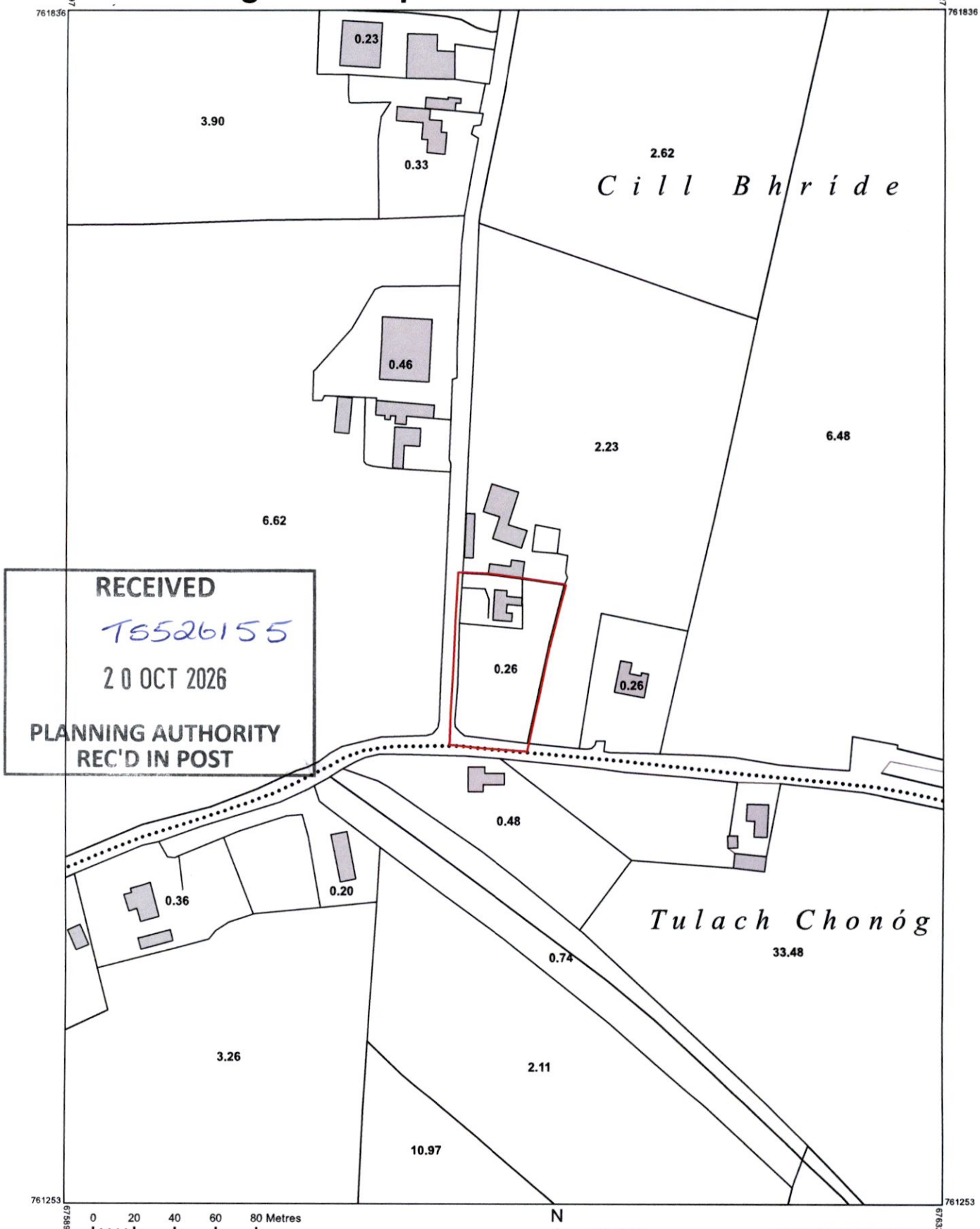
NOTES

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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OUTPUT SCALE: 1:2,500

CENTRE COORDINATES:
ITM 676112,761545

PUBLISHED: 20/10/2026
ORDER NO.: 50565914_1

MAP SERIES: 1:5,000 1:5,000
MAP SHEETS: 2639 2640

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Tailte Éireann

Neighbouring Dwelling

-Agricultural Lands-

-Public Road-

Existing Outbuildings

Existing Outbuildings

Existing Outbuildings

-Agricultural Lands-

Existing Outbuildings

Existing entrance on to public road

Location of existing dwelling

8600

900

16500

18900

Approx location of existing septic tank

Proposed extension to existing dwelling shown yellow

N

Site Area: 4065 sq.m/.4 Hec.

Key:

Site Boundary:

-Public Road-

-Agricultural Lands-

60100

Neighbouring Dwelling

-Public Road-

-Public Road-

-Agricultural Lands-

Neighbouring Dwelling

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Site Layout Plan

Scale 1/500

Job: Proposed extension & alterations to existing dwelling house at Kilbride, Trim Co. Meath	
Drawing: Site Layout Plan	
Client: Terry McDonagh	
Scale: 1:500	**Drawn by:** JM
Date: Oct 2026	**Drawing No.:** 08D-822
Revision No.:	**O.S. Sheet:**

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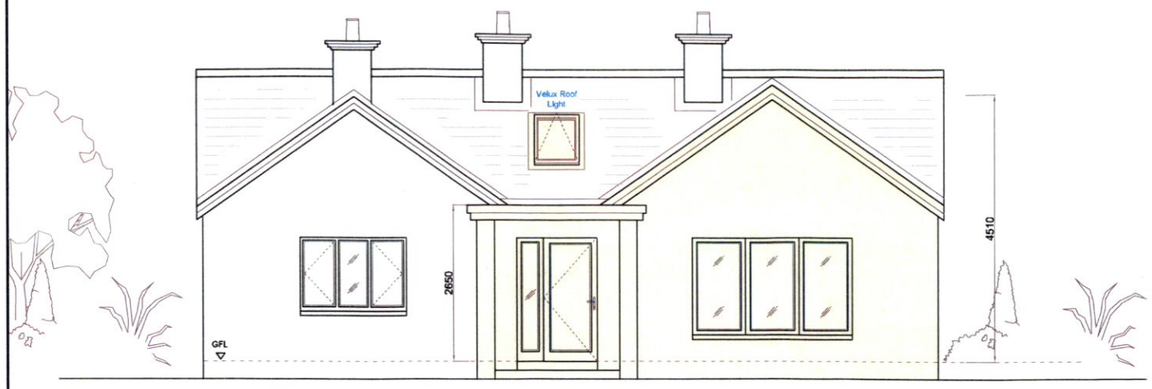
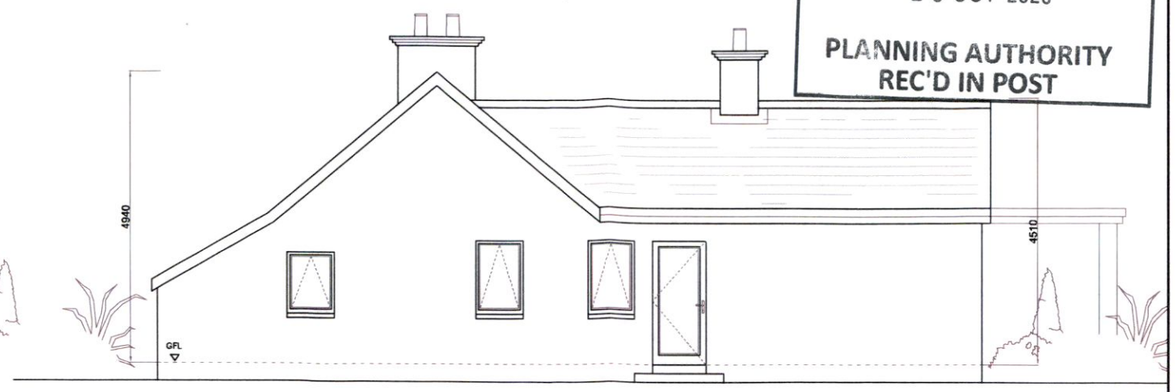
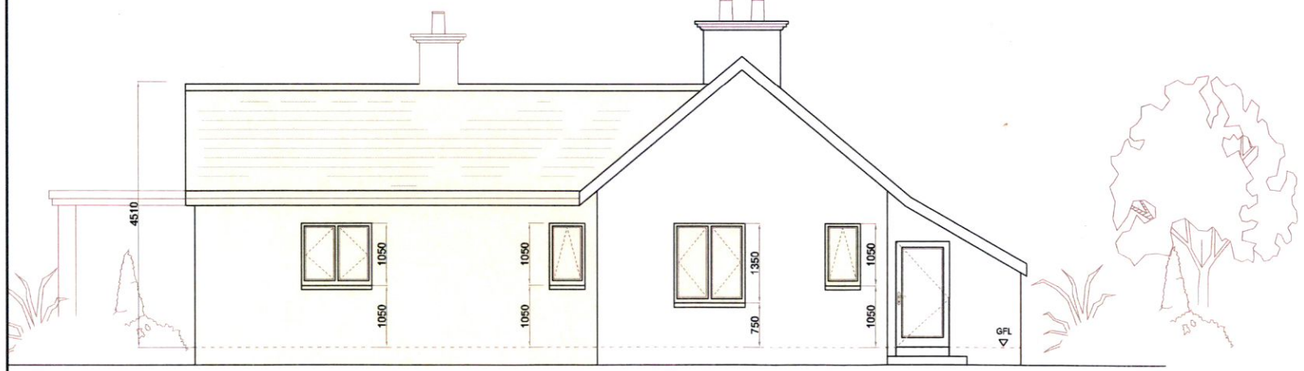


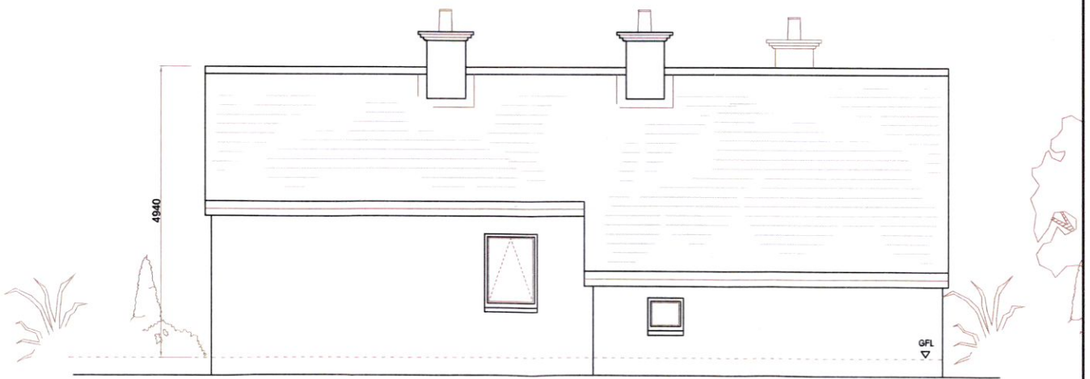
Side Elevation
(Scale 1:100)



Front Elevation
(Scale 1:100)



Rear Elevation
(Scale 1:100)

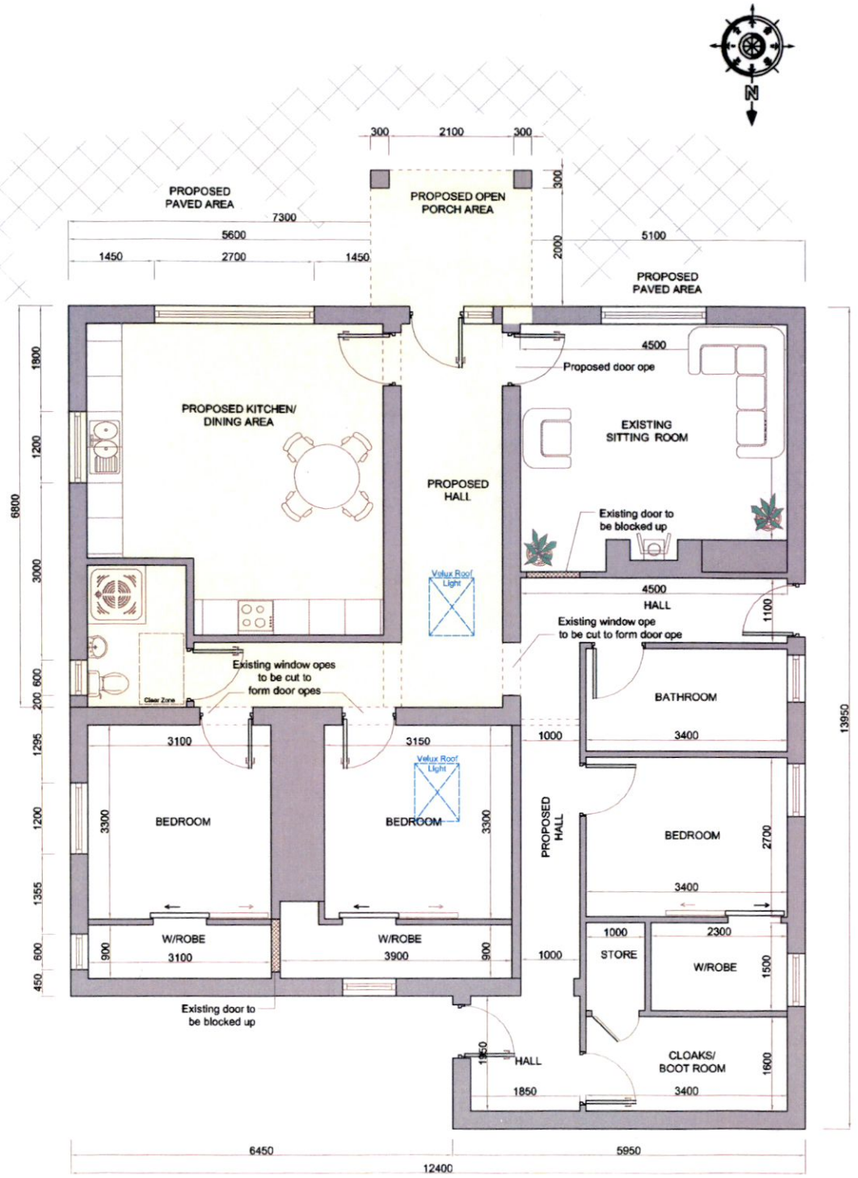


Side Elevation
(Scale 1:100)

Job:
Proposed extension & alterations to existing dwelling house at Kilbride, Trim Co. Meath

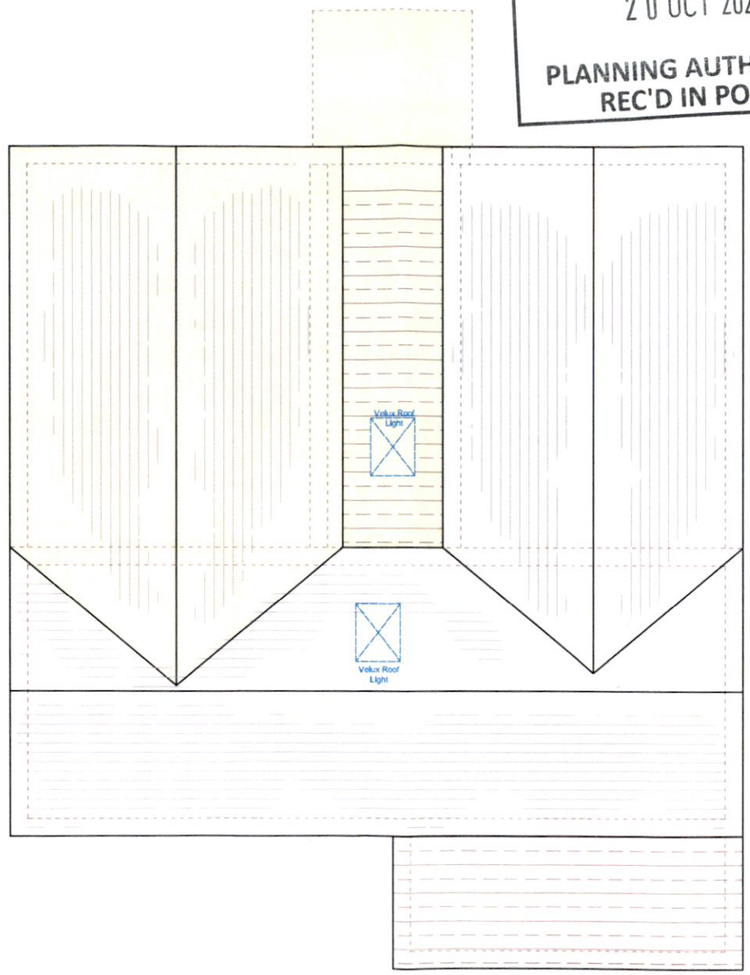
Drawing:
Proposed plans & elevations

Client: Terry McDonagh	
Scale: 1:500	**Drawn by:** JM
Date: Oct 2026	**Drawing No.:** 08D-822 - 02
Revision No.:	**O.S. Sheet:**



Ground Floor Plan
(Scale 1:100)

Floor Area:	(Sq. m.)
Existing Floor Area:	90
Proposed Floor Area:	45



Roof Plan
(Scale 1:100)

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Job:
Proposed extension & alterations to existing dwelling house at Kilbride, Trim Co. Meath

Drawing:
Proposed plans & elevations

Client: Terry McDonagh

Scale: 1:500	**Drawn by:** JM
Date: Oct 2026	**Drawing No.:** 08D-822 - 01
Revision No.:	**O.S. Sheet:**

MEATH COUNTY COUNCIL

CHIEF EXECUTIVE ORDER

Chief Executive Order Number:	1901/26
Reference Number:	TS5/26155
Subject:	Declaration under Part 1, Section 5, Planning and Development Act 2000-2023
Name of Applicant:	Terry McDonagh
Address:	Lambay, Kilbride Trim Co. Meath C15 CH72
Nature of Application:	Proposed single storey extension to rear of existing dwelling & minor alterations to existing dwelling.
Location of Development:	Lambay, Kilbride, Trim, Co. Meath, C15 CH72
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: 11.11.26

MEATH COUNTY COUNCIL

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

Planning & Development Act 2000- 2023

DECLARATION

To: Terry McDonagh
Lambay,
Kilbride
Trim
Co. Meath
C15 CH72

PLANNING REFERENCE NUMBER: TS5/26155

APPLICATION RECEIPT DATE: 20/10/2026

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 **11/11/2026** 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: proposed single storey extension to rear of existing dwelling & minor alterations to existing dwelling at Lambay, Kilbride, Trim, Co Meath C15 CH72.

Date: 11-11-26

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 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:	TS526155
Applicant:	Terry McDonagh
Development Address:	Lambay, Kilbride, Trim, Co.Meath C15CH72
Application Type:	Section 5 of the Planning & Development Acts 2000 (as amended): Declaration on Development/ Exempted Development.
Date of Report:	10/11/2026
Date Decision Due:	16/11/2026
Development Description:	Proposed single storey extension to rear of existing dwelling & minor alterations to existing dwelling.

1.0 Site Location & Description

The site measures approximately 0.26ha and is located within the townlands of Lambay, approximately 2Km from Kilbride. The site is surrounded by low density agricultural and rural residential lands and is accessed via the L40021.

The area is zoned 'RA' Rural Area and is designated a Low Development Pressure Area, according to the Meath County Development Plan 2021-2027. The site is not located within an Architectural Conservation Area (ACA).There are no protected structures, National Monuments or ProtectedViews within the application site.



Fig. 1.0: Aerial image of the subject lands to which the application relates.

2.0 Proposed Declaration

The applicants describe the development in the completed application form as the 'Proposed single storey extension to rear of existing dwelling & minor alterations to existing dwelling."

The applicant has provided a site location plan, site layout plan, plans sections and elevations of the proposed development.

3.0 Planning History

Reg. Ref. 86289

86289 | Extension to dwelling | 2 Lambay, Kilbride, Trim | Conditional 28/04/1986

4.0 Internal, External and Prescribed Bodies

None.

5.0 Relevant National Legislation

Section 2 of the Planning & Development Acts 2000-2025 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 2000-2025

Section 3(1) of the Planning & Development Acts 2000-2025 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 2000-2025

Section 4(1) of the Planning & Development Acts 2000-2025 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) of the Planning and Development Acts 2000-2025 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.'

5.3 Section 5 of the Planning & Development Acts 2000-2025

Section 5 of the Planning & Development Acts 2000-2025 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 Section 32 of the Planning & Development Acts 2000-2025

Section 32 of the Planning & Development Acts 2000-2025 sets out a general obligation to obtain planning permission in respect of any development of land, not being exempted development, and in the case of development which is unauthorised, for the retention of that unauthorised development.

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

Article 6 of the Planning & Development Regulations 2001-2026 provides (subject to the restrictions in article 9 of the Planning & Development Regulations 2001-2026) for the classes of exempted development under column 1 of Parts 1, 2 and 3 of Schedule 2, subject, where applicable, to the conditions and limitations imposed upon such classes as set out in column 2.

From a review of the submitted documentation with this application, the Planning Authority considers that the proposal should be assessed under Class 1 of PART 1 Article 6 Exempted Development - General.

CLASS 1	Conditions and Limitations
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.	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 semi detached, the floor area of any extension above ground level shall not exceed 12 square metres. (c) Subject to paragraph (a), where the house is detached, the floor area of any extension above ground level shall not exceed 20 square metres. 2. (a) Where the house has been extended previously, the floor area of any such extension, taken together with the floor area of any previous extension or extensions constructed or erected after 1 October 1964, including those for which 6 [338] planning permission has been obtained, shall not exceed 45 square metres.

	(b) Subject to paragraph (a), where the house is terraced or semi detached and has been extended previously, the floor area of any extension above ground level taken together with the floor area of any previous extension or extensions above ground level constructed or erected after 1 October 1964, including those for which planning permission has been obtained, shall not exceed 12 square metres. (c) Subject to paragraph (a), where the house is detached and has been extended previously, the floor area of any extension above ground level, taken together with the floor area of any previous extension or extensions above ground level constructed or erected after 1 October 1964, including those for which planning permission has been obtained, shall not exceed 20 square metres. 3. Any above ground floor extension shall be a distance of not less than 2 metres from any party boundary. 4. (a) Where the rear wall of the house does not include a gable, the height of the walls of any such extension shall not exceed the height of the rear wall of the house. (b) Where the rear wall of the house includes a gable, the height of the walls of any such extension shall not exceed the height of the side walls of the house. (c) The height of the highest part of the roof of any such extension shall not exceed, in the case of a flat roofed extension, the height of the eaves or parapet, as may [338] 7 be appropriate,

	or, in any other case, shall not exceed the height of the highest part of the roof of the dwelling. 5. The construction or erection of any such extension to the rear of the house shall not reduce the 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. 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. 7. The roof of any extension shall not be used as a balcony or terrace. 8. This exemption shall only be used on the principal house and not any additional detached house within the curtilage of the principal house.

5.7 Article 9 of the Planning & Development Regulations 2001-2026

Article 9 of the Planning & Development Regulations 2001-2026 imposes specific restrictions on development of classes specified in Parts 1, 2 and 3 of Schedule 2 and in effect de-exempts certain classes of development that would be exempt under normal circumstances.

6.0 Assessment

The question has arisen as to whether or not the " Proposed single storey extension to rear of existing dwelling & minor alterations to existing dwelling.' at Lambay, Kilbride, Co. Meath comprises development or is exempted development. In this regard it is necessary to consider the question of "development", and "exempted development" as provided for in statute and summarised above.

6.1"Development"

It is considered that the proposed " Proposed single storey extension to rear of existing dwelling & minor alterations to existing dwelling" falls within the statutory interpretation of works and therefore within the section 3(1) PDA 2000 definition of development.

6.2"Exempted Development"

In terms of whether the development is exempted development, the applicant has proposed a single storey extension. In order for the proposed development to benefit from an exemption under Class 3, Part 1, Schedule 2 of the Planning and Development Regulations 2001-2026, the proposed development must accord with the listed conditions/ limitations.

From a review of the submitted drawings and a review of the planning history and a review of the satellite imagery of the site, there appears to be an existing extension on the site located to the rear (east) elevation of the dwelling Pi.Ref.86289. The dimensions of the existing extension are not noted on the previous application form nor the drawings but appear to be approximately 30sqm.

The floor area of the proposed extension measures 45sqm and includes a proposed kitchen/dining area. The extension will have a max ridge height of 4.51m marginally below the existing max ridge height of 4.94m.

The combined floor area measures 75m² of the proposed and existing extension and would appear outside of the threshold of conditions (1), (2) & (3) of Class 3, Part 1, Schedule 2 of the Planning & Development Regulations 2001-2026. Therefore, the development is **NOT** Exempted Development.

7.0 Appropriate Assessment

Article 6(3) of Council Directive 92/43/EEC (the Habitats Directive) compels competent authorities to undertake an appropriate assessment of any plan or project not directly connected with or necessary to the management of a Natura 2000 site but likely to have a significant effect thereon, either individually or in combination with other plans or projects.

'Appropriate Assessment of Plans and Projects, Guidance for Planning Authorities' (2009) provide advice to planning authorities on their obligations under the Habitats Directive. The document, "Appropriate Assessment of Plans and Projects in Ireland: Guidance for Planning Authorities", states that where, from the nature, size, and location of the development, it is unclear if the proposal will have a significant effect on a Natura 2000 site(s), a Natura Impact Statement will be required.

The site is not within or directly adjoining any Natura 2000 site. There are several Natura 2000 sites situated within a 15-kilometre (approximate) distance of the application site as set

out below. There are no apparent direct hydrological links from the subject site to a Natura 2000 site.

- River Boyne and River Blackwater SAC (002299) 1.7Km
- River Boyne and River Blackwater SPA (004232) 1.7Km

The Planning Authority considered the nature, scale and location of the proposed 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 proposed development, individually or in combination with the permitted developments and cumulatively with other plans or projects on European Sites. The Planning Authority concludes that the proposed development (entire project), by itself or in combination with other plans and developments in the vicinity, would not be likely to have a significant effect on European Site(s). In light of this, it is considered that a Stage 2 Appropriate Assessment (Natura Impact Statement) is not required in this instance.

8. Environmental Impact Assessment

The Planning Authority is required to determine if the proposed development requires an Environmental Impact Assessment (EIA). This determination is based on the requirements set out in Schedule 5 of the Planning & Development Regulations, 2001-2026, Schedule 5 requirements.

The Planning Authority is required to determine if the proposed development requires an EIA. The proposed development which involves the permission for the development does not equal or exceed a threshold or represent a category of project listed in Schedule 5 of the PDR 20012026. Having regard to the small scale and nature of the development and the site location, the proposal would not require sub-threshold EIÅ.

9. <u>Conclusion and Recommendation</u>

It is therefore recommended that a declaration be issued

WHEREAS the question has arisen as to whether the proposal is or is not exempt development.

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

particularly to:

(a) Sections 2(1), 3(1), 4 & 177U of the Planning and Development Act 2000-2025
(b) Article 6 & 9 of the Planning and Development Regulations, 2001-2026
(c) Class 3 of Part 1 of Schedule 2 of the Planning & Development Regulations 2001-2026
(d) Plans and Particulars subject with this application.

AND WHEREAS Meath County Council has concluded: -

The proposal to 'Proposed single storey extension to rear of existing dwelling & minor alterations to existing dwelling.' on lands at Lambay, Kilbride, Trim, Co.Meath C15CH72 is not exempted from the requirement to obtain planning permission under the Planning and Development Acts 2000-2025 and the Planning and Development Regulations 2001-2026 as it does not come within the scope of Schedule 2, Part 1, Class 1, (Exempted Development – General) of the Planning and Development Regulations, 2001-2026 in that the extension, when considered with previous extensions constructed or erected after 1 October 1964, including those for which planning permission has been obtained, the proposal exceeds 45 square metres.

NOW THEREFORE Meath County Council, in exercise of the powers conferred on it by Section 5(2)(a) of the Planning and Development Act 2000-2025, hereby decides that the said development as detailed on particulars submitted 20th October 2026 is **DEVELOPMENT** and is **NOT EXEMPTED DEVELOPMENT.**

RECOMMENDATION ACCEPTED

11 NOV 2026

Signed: Gerard Kellett

L Heasley

Lucie Heasley

Assistant Planner

Date: 10/11/2026

Gerard Kellett

Senior Executive Planner

Date: 11/11/2026