Comhairle Chontae na Mí
Roinn Pleanáil,
Teach Buvinda, Bóthar Átha Cliath,
An Uaimh, Contae na Mí, C15 Y291
Fón: 046 – 9097500/Fax: 046 – 9097001
R-phost: planning@meathcoco.ie
Web: www.meath.ie

Meath County Council
Planning Department
Buvinda House, Dublin Road,
Navan, Co. Meath, C15 Y291
Tel: 046 – 9097500/Fax: 046 – 9097001
E-mail: planning@meathcoco.ie
Web: www.meath.ie

APPLICATION FORM – DECLARATION ON DEVELOPMENT & EXEMPTED DEVELOPMENT

Part 1 Section 5 of Planning and Development Act 2000-2021, as amended

1. **Name:** _____ Michael McGroary _____

   Contact details: to be supplied at the end of this form (Question 13)

2. **Name of person/ agent acting on behalf of the applicant, if applicable**

   _____ **N/A** _____

   Contact details: to be supplied at the end of this form (Question 14)

3. **Location of Development and/or Subject Site:** ____ Coolfore, Ashbourne, Co. Meath _____

4. **Description of Development:**

   The placing and temporary use of one proprietary single-storey mobile home, within a maximum external envelope of approximately 12.2m long x 4.2m wide x 3.5m high, as temporary on-site accommodation for Michael McGroary during the carrying out of the dwelling development authorised under Planning Ref. 25/60126. Michael McGroary is the applicant/self-builder, is identified as Builder in the BCMS Notice of Assignment of Builder, and is personally and actively engaged in carrying out the permitted development. The proposal includes temporary foul, water and electricity arrangements and removal of the mobile home and temporary connections when the construction-related need ends and, in any event, following first occupation of the permitted dwelling. Michael McGroary will occupy the unit during that temporary period, with his immediate family residing with him.

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

   Please tick as appropriate: NO

6. **Will / does development take place in / on a Protected Structure or within the curtilage of a Protected Structure?**

   Please tick as appropriate: NO

6(b) If "YES", has a Declaration under Section 57 of the Planning & Development Act 2000 – 2014, as amended, been requested or issued for the property by the Planning Authority?

Please tick as appropriate: YES ____ NO ____

RECEIVED PLANNING DEPT.
29 SEP 2026
POST REFERENCE NO.

RECEIVED PLANNING DEPT
29 SEP 2026
AS5 26145
Counter Reference No

7. State overall height of structure if applicable: 3.5m maximum.

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

Maximum external footprint/envelope 51.24 m2. The exact internal floor area will depend on the selected proprietary unit and will be below the maximum external footprint.

9. List of plans / drawings etc. submitted:

- Site Location Map 1:2,500;
- Drawing Mc657 T-01 Temporary Mobile Home Site Layout;
- Drawing MHM-01 Mobile Home Plan & Elevations;
- supporting documents listed in Document 07.

10. Please state applicants interest in this site

Applicant/self-builder for Planning Ref. 25/60126; formally assigned as Builder on BCMS and personally engaged in the carrying out of the permitted development. Current landowner: Neil McGroary; written consent/support enclosed.

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

Neil McGroary; (written consent/support enclosed.)
Address; Coolfore Ashbourne Co Meath

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

Please tick as appropriate: 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

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

Planning Ref. 25/60126, permitted dwelling and associated works.

Ref. 26/61144, temporary mobile-home application declared invalid on validation/documentation grounds; no merits determination.

SIGNED: Michael McGroary **DATE:** 25/02/2026

NOTES

1. **Application Fee of €80**

2. **Application shall be accompanied by:**

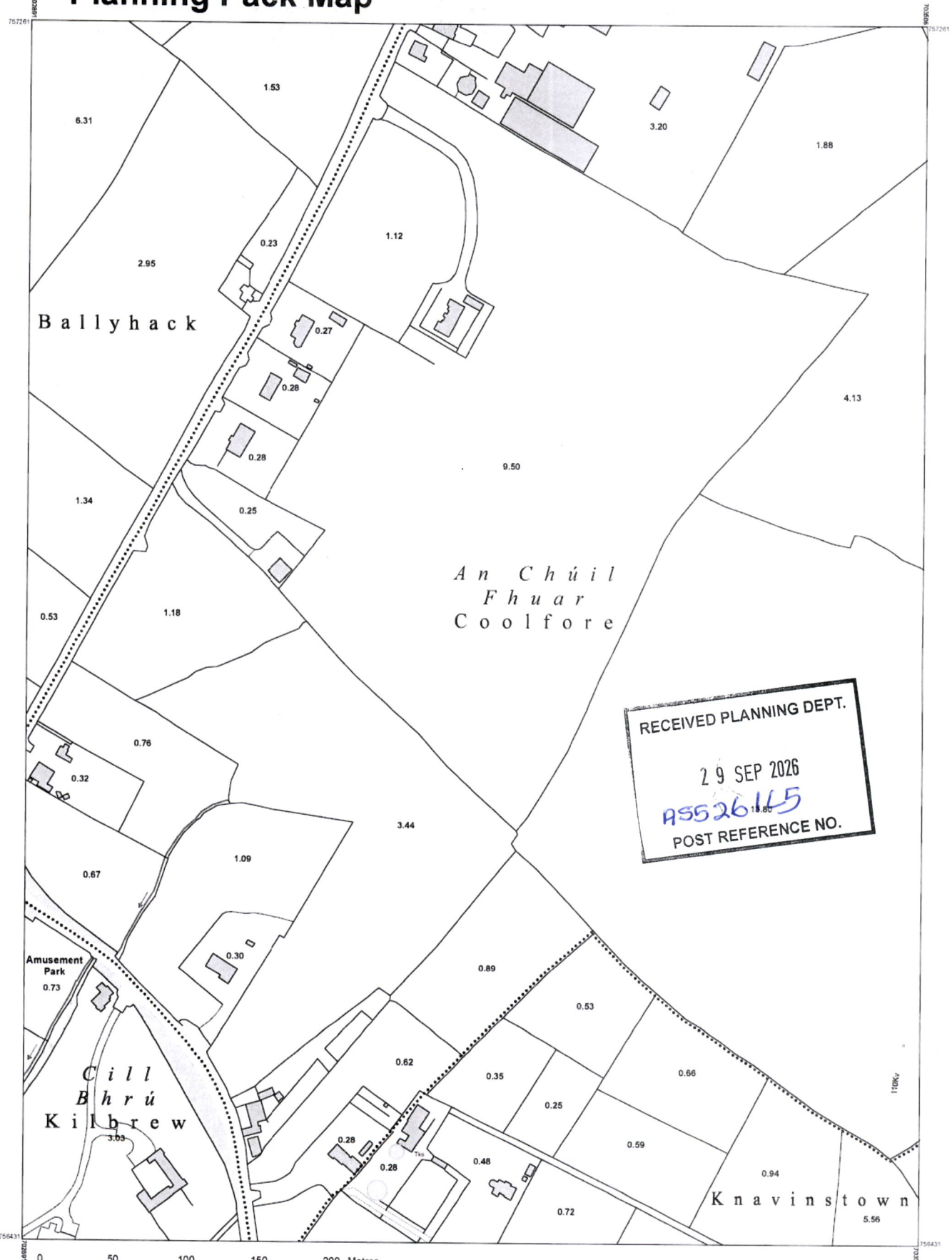
Comhairle Chontae na Mí
Roinn Pleanáil,
Teach Buvinda, Bóthar Átha Cliath,
An Uaimh, Contae na Mí, C15 Y291
Fón: 046 – 9097500/Fax: 046 – 9097001
R-phost: planning@meathcoco.ie
Web: www.meath.ie

Meath County Council
Planning Department
Buvinda House, Dublin Road,
Navan, Co. Meath, C15 Y291
Tel: 046 – 9097500/Fax: 046 – 9097001
E-mail: planning@meathcoco.ie
Web: www.meath.ie

- **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



RECEIVED PLANNING DEPT.
29 SEP 2026
AS526165
POST REFERENCE NO.

OUTPUT SCALE: 1:2,500

CENTRE COORDINATES:
ITM 703199,756846

ORDER NO.: 50343048_1

PUBLISHED: 28/06/2023

MAP SERIES: 1:2,500

MAP SHEETS: 2716-D

CAPTURE RESOLUTION:
The map objects are only accurate to the resolution at which they were captured. Output scale is not indicative of data capture scale. Further information is available at www.osi.ie; search 'Capture Resolution'

LEGEND:
To view the legend visit www.osi.ie and search for 'Large Scale Legend'

COMPILED AND PUBLISHED BY:
National Mapping Division of Tailte Éireann,
Phoenix Park,
Dublin 8,
Ireland.
D08F6E4

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Tailte Éireann

1-TEMPORARY MOBILE HOME

Proposed temporary mobile home within a maximum envelope of 12.2m long × 4.2m wide × 3.5m high. The final model and exact dimensions may vary but shall not exceed the envelope shown. The mobile home shall be occupied solely by the applicant and immediate family during construction of the dwelling permitted under Planning Ref. 25/60126, for which Commencement Notice CN0147344MH has been validated. It shall not be separately let and shall be removed following first occupation of the permitted dwelling or within the period permitted by the Planning Authority, whichever occurs first.

2- POTABLE WATER SUPPLY

Temporary potable water supply to be taken from the existing field water service, with an isolation valve and suitably protected pipework. The installation shall be completed and tested before occupation.

3-TEMPORARY ELECTRICITY SUPPLY

Electricity shall initially be provided by a self-contained solar photovoltaic and battery system. If required, an alternative temporary construction supply may be provided in accordance with the relevant utility-provider and electrical-safety requirements.

4-TEMPORARY FOUL DRAINAGE

Foul drainage from the mobile home shall discharge through a 110mm gravity pipe to a sealed pumping chamber fitted with a non-return valve and high-level alarm. A temporary rising main shall convey foul effluent to the inlet of the permitted on-site wastewater treatment system. Final pump capacity, storage volume and rising-main specification shall be confirmed by the specialist supplier before installation. The permitted treatment system and soil-polishing filter shall remain in the approved locations under Planning Ref. 25/60126.

5-SURFACE-WATER MANAGEMENT

The mobile home shall be located on the existing free-draining stoned area. Roof water shall disperse locally over the adjoining permeable ground.

6-VEHICLE ACCESS AND TURNING

The approved vehicular entrance shall be used. The internal arrangement provides sufficient turning space, including an approximately 14.6m turning diameter, allowing construction and service vehicles to enter, turn and leave the site in forward gear.

7-LANDSCAPING AND SCREENING

The mobile home has been positioned to make effective use of the existing mature hedgerows, trees and boundary planting. Existing vegetation shall be retained and protected, with supplementary native planting undertaken where required in accordance with the landscaping principles established by the approved Landscape Plan, Drawing Ref. Mc657-FI08. Any planting failures shall be replaced during the following planting season.

8-SITING RATIONALE

The proposed location represents a balanced and practical temporary arrangement that makes effective use of existing screening, the stoned area, the approved entrance, existing infrastructure and internal vehicle circulation. It minimises additional site works, maintains separation from construction activity and allows the remaining lands to continue in use. The proposal is temporary, reversible and directly associated with the construction of the permitted dwelling.

GENERAL NOTES
1. Do not scale off this drawing - figured dimensions only to be taken from drawings.
2. All dimensions and/or levels to be checked on site before work commences..
3. Drawings to be read in conjunction with all relevant architectural, structural, civil, environmental, energy, fire safety, mechanical and/or electrical drawings/specifications.
4. All work is to comply with the current Building Regulations.
5. SITE LAYOUT BASED ON THE APPROVED PLANNING DRAWINGS UNDER PLANNING REF. 25/60126. TEMPORARY ACCOMMODATION INFORMATION ADDED BY THE APPLICANT.

A	TEMPORARY MOBILE HOME PLANNING APPLICATION	04/09/2026

NORTH

PROPOSED NATIVE TREE PLANTING AS APPROVED UNDER PLANNING REF. 25/60126 – REFER TO APPROVED LANDSCAPE PLAN, DWG. REF. Mc657-FI08.

ROADSIDE BOUNDARY SET BACK 1.0 METRE TO INSIDE OF VISIBILITY SPLAY ENVELOPE

EXISTING MATURE DENSE HEDGEROWS AND TREES TO BE RETAINED, PROTECTED AND SUPPLEMENTED WITH NATIVE HEDGEROW PLANTING IN ACCORDANCE WITH THE APPROVED LANDSCAPE PLAN, DWG. REF. Mc657-FI08.

PLANNING REF. NO 221382

EXISTING HEDGEROW BOUNDARY

EXISTING 3M HIGH WALL 1

EXISTING 2.4M HIGH WALL 2

LOCATION OF SITE NOTICE

EXISTING ENTRANCE

PROPOSED TEMPORARY MOBILE HOME, APPROXIMATELY 12.2 M × 4.2 M X 3.5M FOR OCCUPATION BY THE APPLICANT AND IMMEDIATE FAMILY DURING CONSTRUCTION OF THE DWELLING PERMITTED UNDER PLANNING REF. 25/60126.

APPROVED VEHICULAR ENTRANCE WITH APPROVED GATES AND PIERS

SEALED FOUL CHAMBER

APPROVED MIN 120m2 SOIL POLISHING FILTER BED AREA WITH 32mm DIA LATERAL DISTRIBUTION PIPES AT 1000mm CENTRES AS PER HYDROCARE ENVIRONMENTAL LTD. AND EPA COP 2021

EXISTING HEDGEROW TO BE CUT BACK 1 METRE BEHIND SIGHTLINE

SIGHT LINE OF 160m TAKEN FROM A DISTANCE OF 3m IN FROM EDGE OF ROADWAY AT A HEIGHT OF 1.05m

INDICATIVE 14.6m DIAMETER CONSTRUCTION AND DELIVERY VEHICLE TURNING AREA – VEHICLES TO ENTER AND EXIT THE SITE IN FORWARD GEAR

PROPOSED GRAVEL DRIVEWAY

APPROVED 8 PE O'REILLY OAKSTOWN BAF WWTP (OR SIMILAR APPROVED - PER EN-12566-3 & SR:66) WITH 50mm DIA PRESSURISED POLISHING FILTER FEED PIPE

LANDHOLDING OUTLINED IN BLUE

TEMPORARY FOUL RISING MAIN TO INLET OF PERMITTED WASTEWATER TREATMENT SYSTEM

EXISTING HEDGEROW BOUNDARY

PROPOSED NEW GARAGE

BRE TEST HOLE

FLOW CONTROL DEVICE LIMITED TO 2.63L/S

225mm DIA PIPE AT 1:200 FALL TO THE DITCH DRAIN

PROPOSED NEW DWELLING

SILT TRAP AND 25m (L) x 3.7m (W) x 0.8 (D) GRAVEL ATTENUATION TANK

PROPOSED PAVED AREA AND PLANTING

SITE OUTLINED IN RED

NEIGHBOURING STABLES

SITE LAYOUT PLAN
SCALE 1:500

RECEIVED PLANNING DEPT.
29 SEP 2026
AS526145
POST REFERENCE NO.

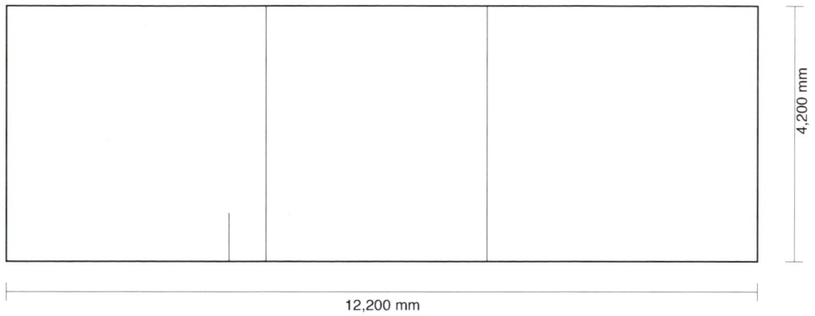
Proposed Temporary Mobile Home Accommodation During Construction of Approved Dwelling

PROJECT: TEMPORARY MOBILE HOME ACCOMMODATION DURING CONSTRUCTION OF APPROVED DWELLING	
SITE ADDRESS: COOLFORE, ASHBOURNE, CO. MEATH	
CLIENT: MICHAEL McGROARY	
STAGE: PLANNING APPLICATION	DRAWING TITLE: PROPOSED TEMPORARY MOBILE HOME ACCOMMODATION – SITE LAYOUT PLAN
DATE: 04/09/2026	SCALE: 1:500/ 1:50 @ A2
PLOT DATE: 04/09/2026	REVISION: -
DRAWN BY: MM	PROJECT NO.: Mc 657
CHECKED BY: PB	DRAWING NO.: T-01

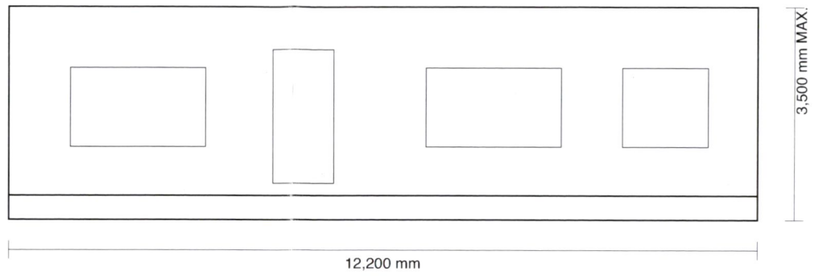
PROPOSED TEMPORARY MOBILE HOME - PLAN & ELEVATIONS

Planning envelope drawing for resubmission following invalidation Ref. 26/61144

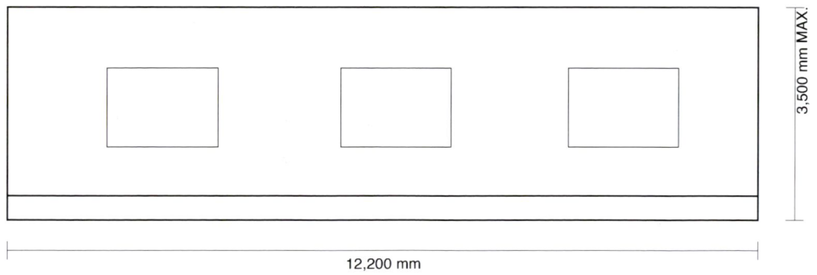
FLOOR PLAN - 1:100 @ A3



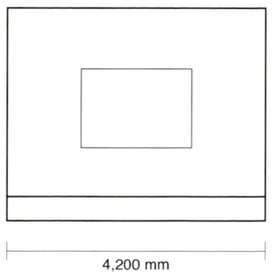
FRONT ELEVATION - 1:100 @ A3



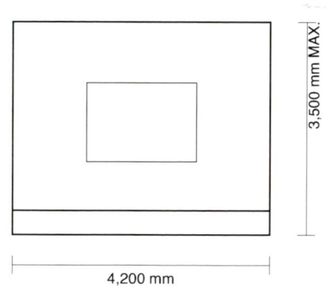
REAR ELEVATION - 1:100 @ A3



LEFT END ELEVATION - 1:100



RIGHT END ELEVATION - 1:100



PLANNING NOTES

1. Maximum planning envelope: 12.2m long x 4.2m wide x 3.5m high.
2. Maximum gross floor area for application purposes: 51.24 m2.
3. Drawing represents the external planning envelope of a proprietary single-storey mobile home. Final manufacturer/model may vary but shall not exceed the dimensions shown.
4. Window/door positions shown are representative only and may vary with the selected proprietary unit without increasing the envelope.
5. Unit for temporary occupation by applicant and immediate family during construction of dwelling permitted under Ref. 25/60126.
6. Unit to be removed following first occupation of the permitted dwelling or within the period permitted by the Planning Authority, whichever occurs first.
7. Site position and temporary service arrangements: refer to site layout drawing Mc657 T-01 / current resubmission site layout.
8. Do not scale. Figured dimensions govern.

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29 SEP 2026
A5526145
POST REFERENCE NO.

PURPOSE OF THIS DRAWING

This sheet is provided to satisfy the planning-validation requirement for plans and elevations of the proposed mobile home.

It defines the maximum external envelope assessed by the application. It is not a manufacturer construction drawing.

The selected proprietary mobile home must remain within this envelope and be positioned within the approved siting area.

PROJECT	Temporary mobile home during construction of approved dwelling
SITE	Coolfore, Ashbourne, Co. Meath
APPLICANT	Michael McGroary
HOUSE REF.	25/60126
DRAWING	MHM-01
STAGE	Planning application - resubmission
DATE	23/09/2026
SCALE	1:100 @ A3

MEATH COUNTY COUNCIL

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

Planning & Development Act 2000- 2023

DECLARATION

To: Michael McGroary
Coolfore
Ashbourne
Co Meath

PLANNING REFERENCE NUMBER: AS5/26145

APPLICATION RECEIPT DATE: 29/09/2026

FURTHER INFORMATION DATE:

In pursuance of the powers conferred upon them by the Planning and Development Act 2000-2023, Meath County Council has by order dated 23/10/2026 decided to Declare the proposed development is EXEMPT, in accordance with the documents: the placing and temporary use of one proprietary single-storey mobile home, within a maximum external envelope of approximately 12.2m long x 4.2m wide x 3.5m high, as temporary on-site accommodation for Michael McGroary during the carrying out of the dwelling development authorised under Planning Ref. 25/60126. Michael McGroary is the applicant/self-builder, is identified as Builder in the BCMS Notice of Assignment of Builder, and is personally and actively engaged in carrying out the permitted development. The proposal includes temporary foul, water and electricity arrangements and removal of the mobile home and temporary connections when the construction-related need ends and, in any event, following first occupation of the permitted dwelling, Michael McGroary will occupy the unit during that temporary period, with his immediate family residing with him at Coolfore, Ashbourne Co Meath.

Date: 23/10/26

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

Advice Notes

1. Such exemption relates only to the time period associated with the permitted parent planning permission on the site (25/60126).

MEATH COUNTY COUNCIL

CHIEF EXECUTIVE ORDER

Chief Executive Order Number:	1805/26
Reference Number:	AS5/26145
Subject:	Declaration under Part 1, Section 5, Planning and Development Act 2000-2023
Name of Applicant:	Michael McGroary
Address:	Coolfore Ashbourne Co Meath
Nature of Application:	**the placing and temporary use of one proprietary single-storey mobile home, within a maximum external envelope of approximately 12.2m long x 4.2m wide x 3.5m high, as temporary on-site accommodation for Michael McGroary during the carrying out of the dwelling development authorised under Planning Ref. 25/60126. Michael McGroary is the applicant/self-builder, is identified as Builder in the BCMS Notice of Assignment of Builder, and is personally and actively engaged in carrying out the permitted development. The proposal includes temporary foul, water and electricity arrangements and removal of the mobile home and temporary connections when the construction-related need ends and, in any event, following first occupation of the permitted dwelling, Michael McGroary will occupy the unit during that temporary period, with his immediate family residing with him**
Location of Development:	Coolfore, Ashbourne, Co. Meath
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: J. Carroll

On Behalf of Meath County Council

DATE: 23/10/26

Advice Notes

1. Such exemption relates only to the time period associated with the permitted parent planning permission on the site (25/60126).

comhairle chontae na mí
meath county council

Meath County Council
Planning Report

To:	Lisa Carroll, A/Senior Executive Planner
From:	Ryan Keleghan, Assistant Planner
File Number:	AS526145
Applicant:	Michael McGroary
Development Address:	Coolfore, Ashbourne, Co. Meath.
Application Type:	Section 5 of the Planning & Development Act 2000-2023: Declaration on Development/Exempted Development.
Date of Report:	22/10/2026
Date Decision Due:	26/10/2026
Development Description:	The placing and temporary use of one proprietary single-storey mobile home, within a maximum external envelope of approximately 12.2m long x 4.2m wide x 3.5m high, as temporary on-site accommodation for Michael McGroary during the carrying out of the dwelling development authorised under Planning Ref. 25/60126. Michael McGroary is the applicant/self-builder, is identified as Builder in the BCMS Notice of Assignment of Builder, and is personally and actively engaged in carrying out the permitted development. The proposal includes temporary foul, water and electricity arrangements and removal of the mobile home and temporary connections when the construction-related need ends and, in any event, following first occupation of the permitted dwelling, Michael McGroary will occupy the unit during that temporary period, with his immediate family residing with him.

1. Site Location & Description

The site measures approximately 0.73ha and is located within the townland of Coolfore. The subject site is not located within a settlement boundary. The site is located off the regional road R-155-0. The subject site is located approximately 7km northwest of Ashbourne. There is a permitted residential detached dwelling located on the site, under Plan Ref No. 2560126. The site is adjacent to residential dwellings, agricultural lands and agricultural structures.

The area is zoned RA as an 'Rural Area'. The site is not located within an Architectural Conservation Area (ACA). There are no Protected Structures, National Monuments or Protected Views within the application site. The subject site is located within the referral corridor for the N2 Rath to Kilmoon pathway.

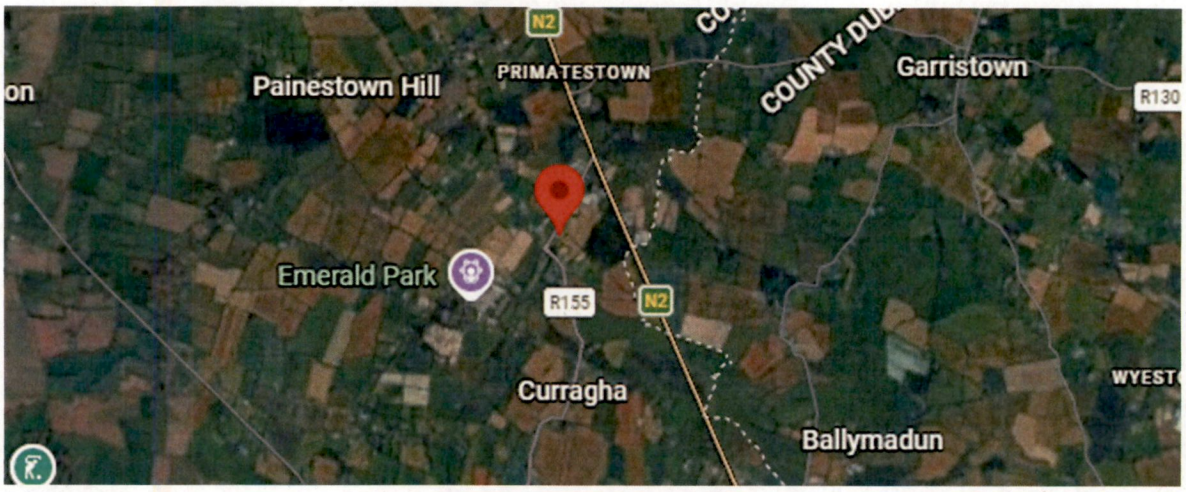

Figure 1: Site Location (Red Pin) (*Source: Google Maps, 2026*)



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

2. Proposed Development

The applicant describes the development in the completed application form as "*the placing and temporary use of one proprietary single-storey mobile home, within a maximum external envelope of approximately 12.2m long x 4.2m wide x 3.5m high, as temporary on-site accommodation for Michael McGroary during the carrying out of the dwelling development authorised under Planning Ref. 25/60126. Michael McGroary is the applicant/self-builder, is identified as Builder in the BCMS Notice of Assignment of Builder, and is personally and actively engaged in carrying out the permitted development. The proposal includes temporary foul, water and electricity arrangements and removal of the mobile home and temporary connections when the construction-related need ends and, in any event, following first occupation of the permitted dwelling, Michael McGroary will occupy the unit during that temporary period, with his immediate family residing with him*" is or is not development and is or is not exempted development.

3. Planning History

A review of the Meath County Council Planning Register indicates that there is a recent and relevant planning history at the subject site. The following is noted:

- **Plan Ref No. 2661186**: Planning permission is sought for "*the development will consist of the temporary placement and occupation of one mobile home, within an approximate maximum envelope of 12.2m long by 4.2m wide by 3.5m high, for use solely by the applicant and immediate family during construction of the dwelling permitted under Planning Ref. 25/60126; the installation of a temporary sealed foul pumping chamber and rising main connecting to the inlet of the permitted on-site wastewater treatment system; temporary water and electricity arrangements; associated siting works; and removal of the mobile home and temporary service connections following first occupation of the permitted dwelling or within the period permitted by the Planning Authority, whichever occurs first*". This decision is due to be decided on the 18/11/2026.
- **Plan Ref No. 2560126**: Planning permission was granted for a "*the development will consist of the following: 1. Construction of a new detached, 2-storey dwelling. 2. Construction of a new 1.5-storey garage & carport. 3. Existing agricultural entrance to be relocated and construction of proposed new vehicular entrance gates and piers. 4. New proprietary wastewater treatment system & percolation area. 5. All associated site works. Significant further information/revised plans submitted on this application*".

4. Relevant Legislation

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:

4.1. Section 2 of the Planning & Development Act 2000-2023

"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;

"unauthorised development" means, in relation to land, the carrying out of any unauthorised works (including the construction, erection or making of any unauthorised structure) or the making of any unauthorised use;

"unauthorised works" means any works on, in, over or under land commenced on or after 1st October 1964, being development other than—

(a) exempted development (within the meaning of section 4 of the Act of 1963 or section 4 PDA), or
(b) development which is the subject of a permission granted under Part IV of the Act of 1963 [or under section 34, 37G or 37N PDA], being a permission which has not been revoked, and which is carried out in compliance with that permission or any condition to which that permission is subject; and

"use", in relation to land, does not include the use of the land by the carrying out of any works thereon;

"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.

4.2. Section 3 of the Planning & Development Act 2000-2023

Section 3(1) PDA 2000-2023 defines "development" as follows:

"In this Act, except where the context otherwise requires, "development" means—

(a) the carrying out of any works in, on, over or under land, or the making of any material change in the use of any land or structures situated on land".

4.3. Section 4 of the Planning & Development Act 2000-2023

Section 4(1) – "The following shall be exempted developments for the purposes of this Act—

(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;

(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) provides for the making of regulations relating to exempted development. The Planning & Development Regulations (PDR) 2001-2026 give effect to section 4(2).

4.4. Section 5 of the Planning & Development Act 2000-2023

Section 5 PDA 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.

4.5. Section 32 of the Planning & Development Act 2000-2023

Section 32 PDA 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 unauthorised, for the retention of that unauthorised development.

4.6. Section 177U(9) of the Planning & Development Act 2000-2023

"In deciding upon a declaration or a referral under section 5 of this Act a planning authority or the Board, as the case may be, shall where appropriate, conduct a screening for appropriate assessment in accordance with the provisions of this section."

4.7. Article 6(1) of the Planning & Development Regulations 2001-2026

'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.'

4.8. Article 22(4) of the Planning & Development Regulations 2001-2026

"(4) Subject to articles 24 and 25 –

(b) a planning application for any development consisting of or mainly consisting of the making of any material change in the use of any structure or other land, or for the retention of any such material change of use, shall be accompanied by-

(i) a statement of the existing use and of the use proposed together with particulars of the nature and extent of any such proposed use,

(ii) where the development to which the application relates comprises the carrying out of works on, in, over or under the structure or other land, 6 copies of such plans (including a site or layout plan and drawings of floor plans, elevations and sections which comply with the requirements of article 23), and such other particulars, as are necessary to describe the works proposed, and

(iii) such plans and such other particulars as are necessary to identify the area to which the application relates."

4.9. Schedule 2, Part 1 of the Planning & Development Regulations 2001-2026

The following sections have been considered:

Temporary Structures and Uses

Class 17

"The erection, construction or placing on land on, in, over or under which, or on land adjoining which, development (other than mining) is being, or is about to be carried out, pursuant to any permission, consent, approval or confirmation granted under the Act or any other enactment or as exempted development, of temporary on-site accommodation for persons employed, or otherwise engaged, in connection with the carrying out of the development, during the period in which it is being carried out."

Conditions and Limitations:

Such accommodation shall be removed at the expiration of the period and the land shall be reinstated save to such extent as may be authorised or required by the permission, consent, approval or confirmation granted under the Act or any other enactment.

4.10. Article 9(1) of the Planning & Development Regulations 2001-2026

Restrictions on exemptions '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,

(ii) consist of or comprise the formation, laying out or material widening of a means of access to a public road the surfaced carriageway of which exceeds 4 metres in width,

(iii) endanger public safety by reason of traffic hazard or obstruction of road users,

(iiia) endanger public safety by reason of hazardous glint and/or glare for the operation of airports, aerodromes or aircraft,

(iv) except in the case of a porch to which class 7 specified in column 1 of Part 1 of Schedule 2 applies and which 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, comprise the construction, erection, extension or renewal of a building on any street so as to bring forward the building, or any part of the building, beyond the front wall of the building on either side thereof or beyond a line determined as the building line 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,

(v) consist of or comprise the carrying out under a public road of works other than a connection to a wired broadcast relay service, sewer, water main, gas main or electricity supply line or cable, or any works to which class 25, 26 or 31 (a) specified in column 1 of Part 1 of Schedule 2 applies,

(vi) interfere with the character of a landscape, or a view or prospect of special amenity value or special interest, the preservation of which is an objective of a development plan for the area in which the development is proposed 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,

...

(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,

(c) if it is development to which Part 10 applies, unless the development is required by or under any statutory provision (other than the Act or these regulations) to comply with the procedures for the purposes of giving effect to the Council Directive."

5. Assessment

The question has arisen as to whether or not the construction of a *"the placing and temporary use of one proprietary single-storey mobile home, within a maximum external envelope of approximately 12.2m long x 4.2m wide x 3.5m high, as temporary on-site accommodation for Michael McGroary during the carrying out of the dwelling development authorised under Planning Ref. 25/60126. Michael McGroary is the applicant/self-builder, is identified as Builder in the BCMS Notice of Assignment of Builder, and is personally and actively engaged in carrying out the permitted development. The proposal includes temporary foul, water and electricity arrangements and removal of the mobile home and temporary connections when the construction-related need ends and, in any event, following first occupation of the permitted dwelling, Michael McGroary will occupy the unit during that temporary period, with his immediate family residing with him"* at Coolfore, Ashbourne, 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.

Development:

Having regard to the definition of 'development' within the Planning and Development Act (PDA) 2000-2023, "*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 PDA 2000-2023.

Exempted Development:

In order for the proposed development to benefit from an exemption under Class 17, Part 1, Schedule 2 of the Planning & Development Regulations 2001-2026, the proposed development must accord with the listed condition/limitation.

The proposed development is a described as a mobile home in the application form and detailed as such on the submitted plans and particulars. The development is temporary but the length in which is it proposed has not been detailed. The mobile home is proposed to be a located to the side of the permitted dwelling and in connection with a permitted application. The floor area is greater than $45m^2$. Therefore, the development would adhere to the conditions and limitations of Class 17, Part 1, Schedule 2 of the Planning & Development Regulations 2001-2026.

6. 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.

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 1 Appropriate Assessment would not likely be required in this instance.

7. 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 2001-

2026. Having regard to the small scale and nature of the development and the site location, the proposal would not require sub-threshold EIA.

8. Conclusion & Recommendations

It is therefore recommended that a declaration with respect as to whether or not the *"the placing and temporary use of one proprietary single-storey mobile home, within a maximum external envelope of approximately 12.2m long x 4.2m wide x 3.5m high, as temporary on-site accommodation for Michael McGroary during the carrying out of the dwelling development authorised under Planning Ref. 25/60126. Michael McGroary is the applicant/self-builder, is identified as Builder in the BCMS Notice of Assignment of Builder, and is personally and actively engaged in carrying out the permitted development. The proposal includes temporary foul, water and electricity arrangements and removal of the mobile home and temporary connections when the construction-related need ends and, in any event, following first occupation of the permitted dwelling, Michael McGroary will occupy the unit during that temporary period, with his immediate family residing with him"* at Coolfore, Ashbourne, Co. Meath be issued to state that the proposal is development which is considered EXEMPTED DEVELOPMENT.

Having regard to-

WHEREAS a question has arisen as to;

> *The placing and temporary use of one proprietary single-storey mobile home, within a maximum external envelope of approximately 12.2m long x 4.2m wide x 3.5m high, as temporary on-site accommodation for Michael McGroary during the carrying out of the dwelling development authorised under Planning Ref. 25/60126. Michael McGroary is the applicant/self-builder, is identified as Builder in the BCMS Notice of Assignment of Builder, and is personally and actively engaged in carrying out the permitted development. The proposal includes temporary foul, water and electricity arrangements and removal of the mobile home and temporary connections when the construction-related need ends and, in any event, following first occupation of the permitted dwelling, Michael McGroary will occupy the unit during that temporary period, with his immediate family residing with him.*

at Coolfore, Ashborune, Co. Meath, is or is not development or is or is not exempted development:

AND WHEREAS the Planning Authority in consideration of this question has had regard particularly to:

1) Section 2, 3, 4, 5, 32 and 177U of the Planning and Development Act 2000-2023
2) Articles 6 and 9 of the Planning and Development Regulations 2001-2026
3) Part 1, Schedule 2, Class 17 of the Planning and Development Regulations 2001-2026
4) Plans and particulars of the Section 5 application submitted

AND WHEREAS the Planning Authority has concluded: -

1) The *"the placing and temporary use of one proprietary single-storey mobile home, within a maximum external envelope of approximately 12.2m long x 4.2m wide x 3.5m high, as temporary on-site accommodation for Michael McGroary during the carrying*

out of the dwelling development authorised under Planning Ref. 25/60126. Michael McGroary is the applicant/self-builder, is identified as Builder in the BCMS Notice of Assignment of Builder, and is personally and actively engaged in carrying out the permitted development. The proposal includes temporary foul, water and electricity arrangements and removal of the mobile home and temporary connections when the construction-related need ends and, in any event, following first occupation of the permitted dwelling, Michael McGroary will occupy the unit during that temporary period, with his immediate family residing with him" would not be in accordance with the conditions and limitations of Class 3A, Part 1, Schedule 2 of the Planning & Development Regulations 2001-2026, due to the floor area, use, and temporary nature.

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 plans and particulars submitted on 29/09/2026 is development and is considered **EXEMPTED DEVELOPMENT**.

RECOMMENDATION ACCEPTED
23 OCT 2026
Signed: LCarroll

Ryan Keleghan
Assistant Planner
Date: 22/10/2026

Lisa Carroll
A/Senior Executive Planner
Date: 23/10/2026

Advice Notes

1. Such exemption relates only to the time period associated with the permitted parent planning permission on the site (25/60126).