APPLICATION FORM – DECLARATION ON DEVELOPMENT & EXEMPTED DEVELOPMENT

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

1. **Name:** Thomas Melia

   Address: _____

   Phone No: _____ **E-mail :** _____

2. **Address for correspondence:**

   Address: _____

   Phone No: _____ **E-Mail:** _____

3. **Location of Development and/or Subject Site:** Springhall, Oldcastle, Co. Meath

4. **Description of Development:** Proposed standalone effluent storage tank.

   No shed or structure to be erected above ground.

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

   Please tick as appropriate: **YES** ____ **NO** ✓

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

   Please tick as appropriate: **YES** ____ **NO** ✓

6(b) **If "YES", has a Declaration under Section 57 of the Planning & Development Act 2000 – 2018, as amended, been requested or issued for the property by the Planning Authority?**

   Please tick as appropriate: **YES** ____ **NO** ____ N/A

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

8. **State in square metres the floor area of the proposed development:**
44.69 M2

9. **List of plans / drawings etc. submitted:**
2000_SITE LOCATION MAP, 2001_ SITE LAYOUT PLAN, 2002_PROPOSED SLATTED TANK PLAN, ELEVATIONS, & SECTION

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10. Please state applicants interest in this site
Owner

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

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

Please tick as appropriate: YES ____ NO ✓

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

N/A

12. Are you aware of any previous planning application/s on this site?

Please tick as appropriate: YES ____ NO ✓

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

N/A

SIGNED: _____ **DATE:** 15/10/2026

NOTES

1. **Application Fee of €80**

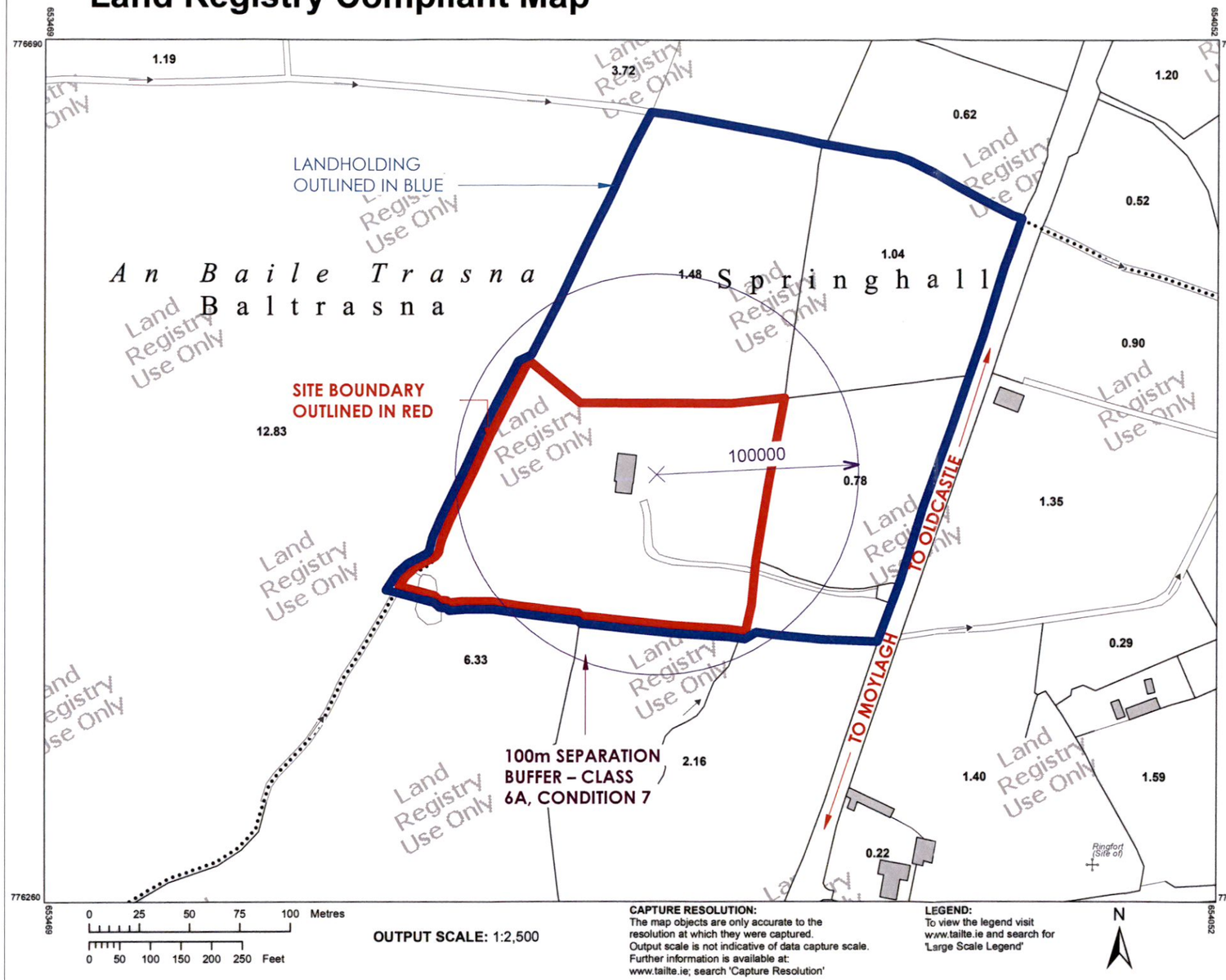
2. **Application shall be accompanied by:**
   - **2 copies of site location map to scale 1:2500 clearly showing the site outlined in red and the extent of the site boundaries, the position of existing structures, etc., and the proposed work.**
   - **2 drawings to scale (1:200) of the proposed development (including floor plan and elevations), if appropriate.**
   - **Two site layout plans to scale 1:500 if appropriate. Please submit 2 copies of any additional plans/reports etc. you may wish to include as part of the application.**

Application shall be forwarded to: Meath County Council, Planning Department, Buvinda House, Dublin Road, Navan, Co. Meath.
Contact Details: Phone: 046 9097500 Fax: 046 9097001
Email: planning@meathcoco.ie

A3

2000 - Site Location Map

Land Registry Compliant Map



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CENTRE COORDINATES:
ITM 653761,776475

PUBLISHED: 06/10/2026
ORDER NO.: 50563205_1

MAP SERIES: 1:5,000
MAP SHEETS: 2305

COMPILED AND PUBLISHED BY:
Tailte Éireann,
Phoenix Park,
Dublin 8,
Ireland.
D08F6E4

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N

OSI MAP REFERENCES = 2305
OSI REFERENCES = CYAL50336795

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REV	DESCRIPTION	DATE	BY

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1 SITE LOCATION MAP
1 : 2500

SITE OUTLINED IN RED
= 1.664 HA / 4.111 AC

LAND HOLDING OUTLINED IN BLUE
= 5.32 HA / 13.146 AC

SECTION 5 APPLICATION

Drawing Title:
Site Location Map

Project :
PROPOSED SLATTED EFFLUENT STORAGE TANK

Location : SPRINGHALL, OLDCASTLE, CO. MEATH

Client : THOMAS MELIA
Drawing No. : 2601 - HT - ZZ - ZZ - DR - AT - 2000
Scale : A3 @ 1 : 2500 **Project Lead :** CC
Date : 04.10.26 **Draw By** : CC

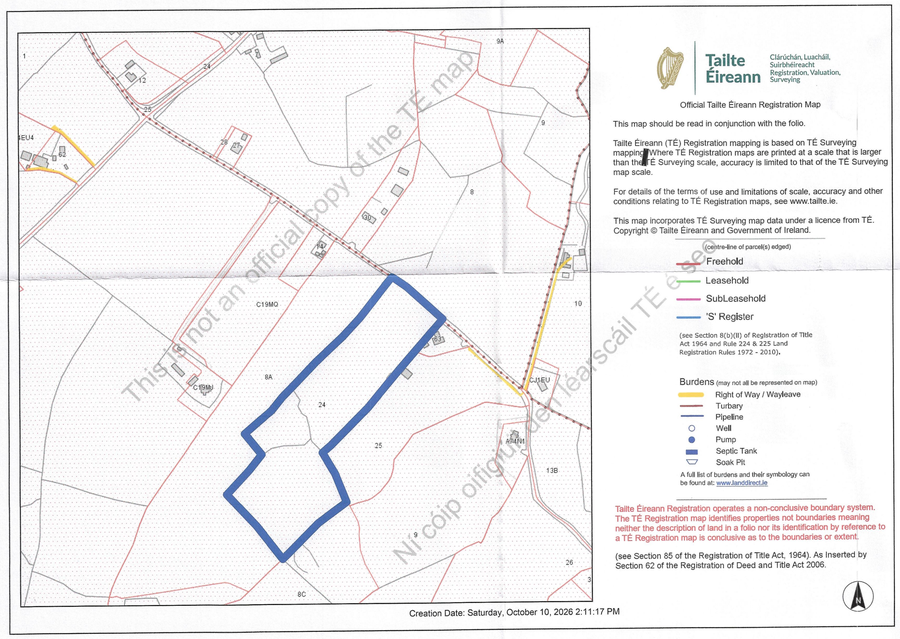
Project No.:	Purpose:	Sheet no. :	Revision. :
2601	PS	2000	

A1

2001 SITE LAYOUT PLAN



1 SITE LAYOUT PLAN
1 : 500



2 ADDITIONAL LAND HOLDING
N.T.S.

ADDITIONAL LANDS AT SPRINGHALL, COMPRISING OF 13.54 ACRES / 5.48 HECTARES

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SITE OUTLINED IN RED
= 1.664 HA / 4.111 AC

LAND HOLDING OUTLINED IN BLUE
= 5.32 HA / 13.146 AC

EXISTING FARMYARD EFFLUENT STORAGE = 110 M³
PROPOSED FARMYARD EFFLUENT STORAGE =98M³
TOTAL PROPOSED FARMYARD STORAGE = 208M³

REV	DESCRIPTION	DATE	BY

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SECTION 5 APPLICATION

Drawing Title:
SITE LAYOUT PLAN

Project :
PROPOSED SLATTED EFFLUENT STORAGE TANK

Location	: SPRINGHALL, OLDCASTLE, CO. MEATH		
Client	: THOMAS MELIA		
Drawing No. :	2601 - HT - ZZ - XX - DR - AT - 2001		
Scale	: A1 @ As indicated	**Project Lead :**	CC
Date	: 04.10.26	**Draw By**	: CC

Project No.:	Purpose:	Sheet no. :	Revision. :
2601	PS	2001	

A1

2002 PROPOSED SLATTED TANK PLAN, ELEVATIONS & SECTION

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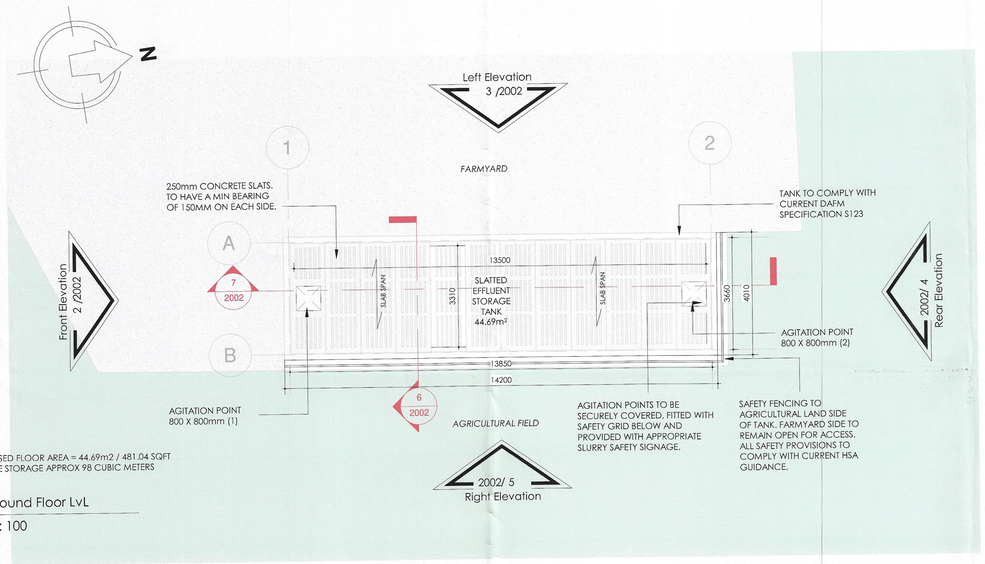
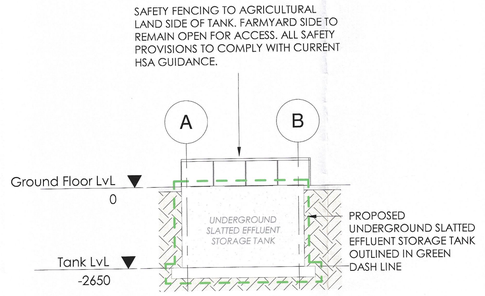
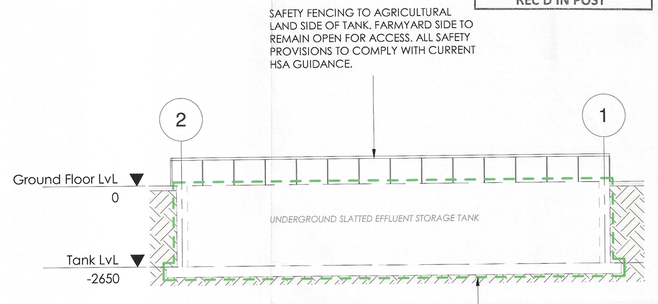


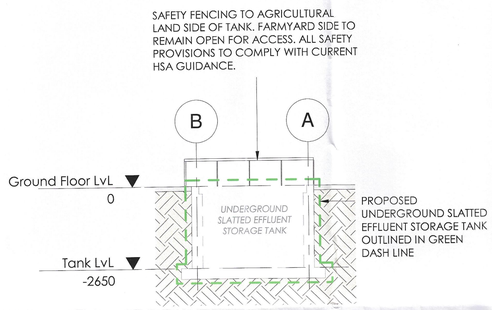
1 Ground Floor LvL
1 : 100



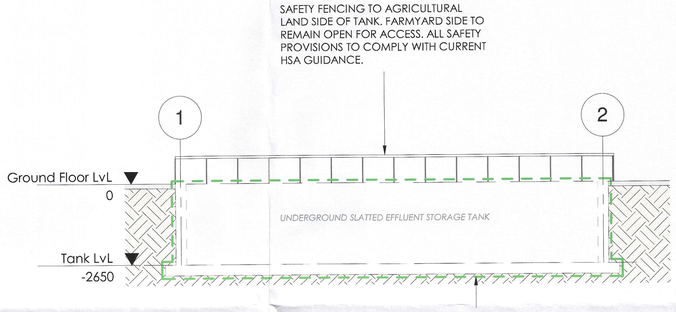
2 Front Elevation
1 : 100



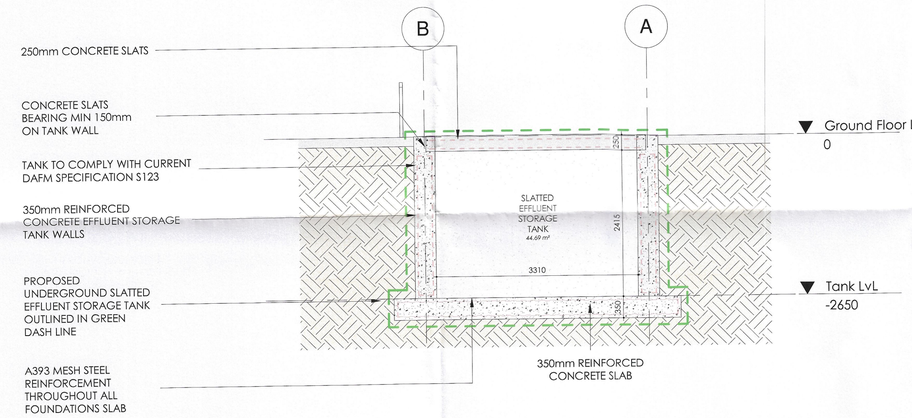
3 Left Elevation
1 : 100



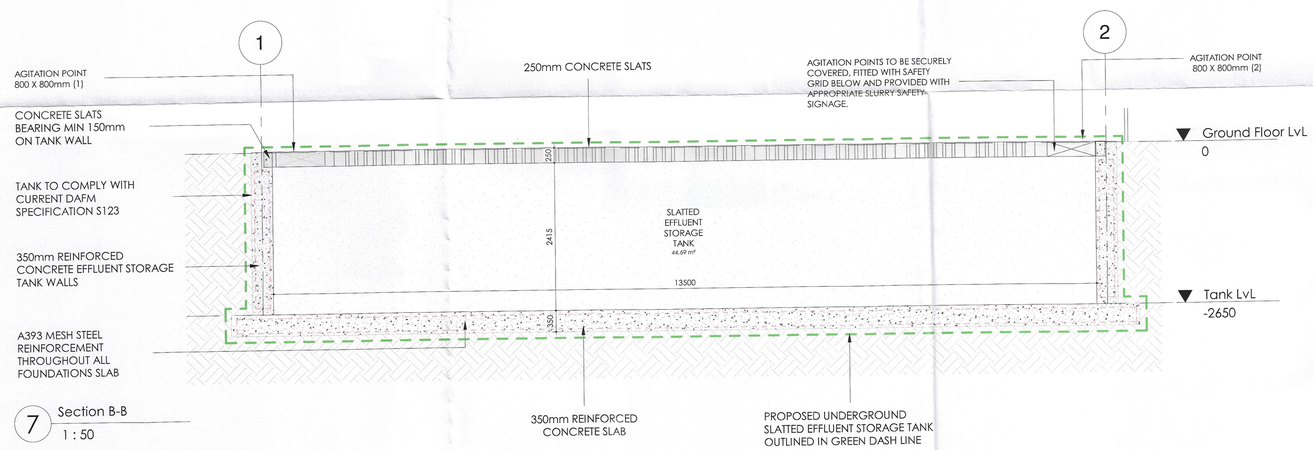
4 Rear Elevation
1 : 100



5 Right Elevation
1 : 100



6 Section A-A
1 : 50



7 Section B-B
1 : 50

REV	DESCRIPTION	DATE	BY

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SECTION 5 APPLICATION

Drawing Title:
PROPOSED SLATTED TANK PLAN, ELEVATIONS & SECTION

Project :
PROPOSED SLATTED EFFLUENT STORAGE TANK

Location : SPRINGHALL, OLDCASTLE, CO. MEATH

Client : THOMAS MELIA
Drawing No. : 2601 - HT - AT - 2002
Scale : A1 @ As indicated — **Project Lead** : CC
Date : 04.10.26 — **Draw By** : CC

Project No.:	Purpose:	Sheet no. :	Revision. :
2601	PS	2002	

MEATH COUNTY COUNCIL

CHIEF EXECUTIVE ORDER

Chief Executive Order Number:	1910/26
Reference Number:	KS5/26154
Subject:	Declaration under Part 1, Section 5, Planning and Development Act 2000-2023
Name of Applicant:	Thomas Melia
Address:	Chad Curran Greaghnadarragh Mullagh Co. Cavan A82 X720
Nature of Application:	Proposed standalone effluent storage tank. No shed or structure to be erected above ground
Location of Development:	Springhill, Oldcastle, 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. Carne

On Behalf of Meath County Council

DATE: 13.11.2026.

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

Planning & Development Act 2000- 2023

DECLARATION

To: Thomas Melia
C/O Chad Curran
Greaghnadarragh
Mullagh
Co. Cavan
A82 X720

PLANNING REFERENCE NUMBER: KS5/26154

APPLICATION RECEIPT DATE: 19/10/2026

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 **13/11/2026** decided to Declare the proposed development is **EXEMPT**, in accordance with the documents: **Proposed standalone effluent storage tank. No shed or structure to be erected above ground at Springhill, Oldcastle, Co Meath**.

Date: 13-11-2026

On Behalf of Meath County Council

NOTE:

1. Any appeal against a Declaration of a Planning Authority under Section 5, sub-section 3(a) of the Planning and Development Act 2000-2023 may be made to An Bord Pleanala by the applicant WITHIN FOUR WEEKS beginning on the date of issue of the Declaration.

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

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

Tel: 01 - 8588100 or LoCall: 1890 275 175
Fax: 01 - 8722684
E-mail: bord@pleanala.ie Web: www.pleanala.ie

comhairle chontae na mí
meath county council

Meath County Council

Planning Report

To:	Sandra Carrie, A/Senior Executive Planner
From:	Niall Togher, Executive Planner
Date:	12/11/2026
MCC File Number:	KS526154
Applicants:	Thomas Melia
Development Address:	Springhall, Oldcastle, Co. Meath
Application Type:	Section 5 of the Planning & Development Acts 2000 (as amended): Declaration on Development/Exempted Development.
Development Description:	A slatted tank effluent storage tank with no structure above ground.
Date Decision Due:	16/11/2026

1.0 Site Location & Description

The subject site is located at Springhall, Oldcastle, Co. Meath. The subject site consists of an existing farmyard that located to the centre of an agricultural field that comprises part of the property. There are no protected structures or national monuments on the subject site or within the vicinity. The site is not within Flood Zones A or B. The application form states that the applicant is the owner of the subject property.



Fig. 1.0: Aerial image of the subject lands to which the application relates (red star).

2.0 Proposed Declaration

The applicants describe the development in the completed application form as *'Exempt development for slatted tank effluent storage tank with no structure above ground'*

The Planning Authority is considering this question as:

Whether the development of installing 'a slatted tank effluent storage tank with no structure above ground' is or is not development and is or is not exempted development.

The completed application form and submitted documents indicate that the extent of works proposed.

3.0 Planning History

992232 Permission REFUSED to erect a dwelling, septic tank, entrance and entrance walls. Planning permission refused in 2000.

4.0 Internal, External and Prescribed Bodies

None.

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 2000-2024

Section 2 of the Planning & Development Acts 2000-2024 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 2000-2024

Section 3(1) of the Planning & Development Acts 2000-2024 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 2000-2024

Section 4(1) of the Planning & Development Acts 2000-2024 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 2000-2024 provides for the making of regulations relating to exempted development. The Planning & Development Regulations 2001-2024 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.'

5.4 Section 5 of the Planning & Development Acts 2000-2024

Section 5 of the Planning & Development Acts 2000-2024 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 2000-2024

Section 32 of the Planning & Development Acts 2000-2024 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.

5.6 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 6 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.

CLASS 6A	Conditions and Limitations
Works consisting of the provision of a structure for the storage of slurry, effluent or soiled water collected from agricultural buildings, agricultural farmyards and any ancillary provision to aid in the handling of the slurry, effluent or soiled water	1. No such structure shall be used for any purpose other than the purpose of agriculture. 2. The maximum storage capacity of any such storage facility shall not exceed 1000 cubic metres. 3. The aggregate capacity of tanks, situated within the same farmyard complex, shall not exceed 1,500 cubic metres. 4. The structure having regard to its size, use and location shall be constructed in accordance with Department of Agriculture, Food and the Marine and Department of Housing, Local Government and Heritage requirements and shall have regard to the need to avoid water pollution. The structure shall not be an earth lined Slurry/Effluent Store. 5. No such structure shall be situated, and no effluent from such structure shall be stored, within 10 metres of any public road. 6. No such structure within 100 metres of any public road shall exceed 8 metres in height. 7. No such structure shall be situated, and no effluent from such structure shall be stored, within 100 metres of any house (other than the house of the person providing the structure) or other residential building or school, hospital, church or building used for public assembly, save with the consent in writing of the owner and, as may be appropriate, the occupier or person in charge thereof. 8. No such structure shall be constructed within a flood zone identified in statutory land use plans as Flood Zone A or Flood Zone B or where the probability of flooding is moderate to high or erosion control zone. 9. No such structure shall be within 60 metres of a public or private water source.

	10. No such structure shall be situated, at the closest point, less than 50 metres from a water course or water body in the case of new farmyards, and not less than 10m in the case of extensions/modifications to an existing facility. 11. All such tanks shall be constructed in accordance with the relevant specification published by the Department of Agriculture, Food and the Marine in force at the time of construction of the tank. 12. No unpainted metal sheeting shall be used for roofing or on the external finish of the structure. 13. The use of this Class of exemption requires a declaration from the relevant Planning authority under section 5 of the Principal Act, declaring the exemption is applicable prior to commencement of construction.

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

Article 6 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 the development installing a plastic overground collecting tank and modifications to gutter and pipework to divert water from drainage system to fill subject tank 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.

6.1 "Development"

It is considered that the proposed works 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 is proposing to install a *'slatted tank effluent storage tank with no structure above ground.'* The submitted

documentation outlines that the tank is to be below the surface of the ground and would have a capacity of 89 cubic metres.

To benefit from an exemption under Class 6A, Part 3, Schedule 2 of the Planning & Development Regulations 2001-2026, the proposed structure must accord with the listed conditions/limitations.

1. No such structure shall be used for any purpose other than the purpose of agriculture.
2. The maximum storage capacity of any such storage facility shall not exceed 1000 cubic metres.
3. The aggregate capacity of tanks, situated within the same farmyard complex, shall not exceed 1,500 cubic metres.
4. The structure having regard to its size, use and location shall be constructed in accordance with Department of Agriculture, Food and the Marine and Department of Housing, Local Government and Heritage requirements and shall have regard to the need to avoid water pollution. The structure shall not be an earth lined Slurry/Effluent Store.
5. No such structure shall be situated, and no effluent from such structure shall be stored, within 10 metres of any public road.
6. No such structure within 100 metres of any public road shall exceed 8 metres in height.
7. No such structure shall be situated, and no effluent from such structure shall be stored, within 100 metres of any house (other than the house of the person providing the structure) or other residential building or school, hospital, church or building used for public assembly, save with the consent in writing of the owner and, as may be appropriate, the occupier or person in charge thereof.
8. No such structure shall be constructed within a flood zone identified in statutory land use plans as Flood Zone A or Flood Zone B or where the probability of flooding is moderate to high or erosion control zone.
9. No such structure shall be within 60 metres of a public or private water source.
10. No such structure shall be situated, at the closest point, less than 50 metres from a water course or water body in the case of new farmyards, and not less than 10m in the case of extensions/modifications to an existing facility. 11. All such tanks shall be constructed in accordance with the relevant specification published by the Department of Agriculture, Food and the Marine in force at the time of construction of the tank.
12. No unpainted metal sheeting shall be used for roofing or on the external finish of the structure.
13. The use of this Class of exemption requires a declaration from the relevant Planning authority under section 5 of the Principal Act, declaring the exemption is applicable prior to commencement of construction.

The applicant has submitted a cover detailing how the proposed development complies with no. 1 – no. 13 above.

7.0 Appropriate Assessment

Article 6(3) of Council Directive 92/43/EEC (as amended) on the conservation of natural habitats and of wild fauna and flora ('the Habitats Directive') requires that any plan or project that is not directly connected with or necessary to the management of the Natura 2000 site concerned but is likely to have a significant effect on it, on its own or in combination with other

plans and projects, is to be authorised only if it will not adversely affect the integrity of that site. The application site is not within any designated Natura 2000 site. The Natura 2000 sites are within 15km from the subject site;

- River Boyne and River Blackwater SPA (site code 004232)
- River Boyne and River Blackwater SAC (site code 002299)
- White Lough, Ben Loughs and Lough Doo SAC (site code:001810)

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.

8.0 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 to 2026.

The Planning Authority is required to determine if the proposed development requires an Environmental Impact Assessment (EIA). The proposed development does not equal or exceed a threshold or represent a category of project listed in Schedule 5 of the Planning and Development Regulations 2001 to 2026. Having regard to the small scale and nature of the development and the site location, the proposal would not require sub-threshold EIA under Schedule 7.

9.0 Conclusion and Recommendation

It is therefore recommended that a declaration of Exemption be **GRANTED** for a slatted tank effluent storage tank with no structure above ground'. It is considered that these works comply with the conditions/limitations set out under Class 6A, Part 3, Schedule 2 of the Planning & Development Regulations 2001-2026, and therefore do not require planning permission.

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 2000-2024
(b) Article 6 of the Planning and Development Regulations, 2001-2024
(c) Class 1 of Part 1 of Schedule 2 of the Planning & Development Regulations 2001-2026

AND WHEREAS Meath County Council has concluded: -

(a) The Planning Authority considers that 'a slatted tank effluent storage tank with no structure above ground', would comply with the conditions/limitations set out under

Class 6A, Part 3, Schedule 2 of the Planning & Development Regulations 2001-2026, and therefore do not require planning permission.

NOW THEREFORE Meath County Council, in exercise of the powers conferred on it by Section 5(2)(a) of the Planning and Development Act 2000-2024 hereby decides that the said development comprising the construction of a slatted tank effluent storage tank with no structure above ground, in accordance with the plans and particulars submitted on 19th October 2026 is considered development and is EXEMPTED development.

RECOMMENDATION
ACCEPTED
13 NOV 2026
Signed:

Niall Togher
Executive Planner
Date: 12/11/2026

Sandra Carrie
A/Senior Executive Planner
Date: 13/11/2026

