

**MEATH COUNTY COUNCIL**

**Planning Department**

**Buvinda House**

**Dublin Road**

**Navan Co Meath**

**046 - 9097500**

**Planning & Development Act 2000- 2022**

**DECLARATION**

**To: Geraldine Wallace  
110A Pinebrook,  
Trim,  
Co. Meath**

**PLANNING REFERENCE NUMBER: TA/S52468**

**APPLICATION RECEIPT DATE: 19/09/2024**

**FURTHER INFORMATION DATE:**

In pursuance of the powers conferred upon them by the Planning and Development Act 2000-2022, Meath County Council has by order dated 13/11/2024 decided to Declare the proposed development is **DEVELOPMENT REQUIRING PLANNING PERMISSION**, in accordance with the documents submitted namely: **Proposed external insulation to front, side and rear elevations** at 110A Pinebrook, Trim, Co. Meath **AND is NOT EXEMPTED DEVELOPMENT.**

Date: 13/11/2024

Triona Keating  
**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 2000-2022 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](mailto:bord@pleanala.ie) Web: [www.pleanala.ie](http://www.pleanala.ie)


**MEATH COUNTY COUNCIL**

**CHIEF EXECUTIVE ORDER**

**Chief Executive Order Number:** 1581/24  
**Reference Number:** TAS52468  
**Subject:** Declaration under Part 1, Section 5, Planning and Development Act 2000-2022  
**Name of Applicant:** Geraldine Wallace  
**Address:** 110A Pinebrook, Trim. Co. Meath  
**Nature of Application:** Proposed external insulation to front, side and rear elevations  
**Location of Development:** 110A Pinebrook, Trim. Co. Meath  
**DECLARATION:** This development is **NOT 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 **NOT EXEMPTED DEVELOPMENT**.

**SIGNED:**   
**On Behalf of Meath County Council**

**DATE:** 12/11/2024

## Meath County Council

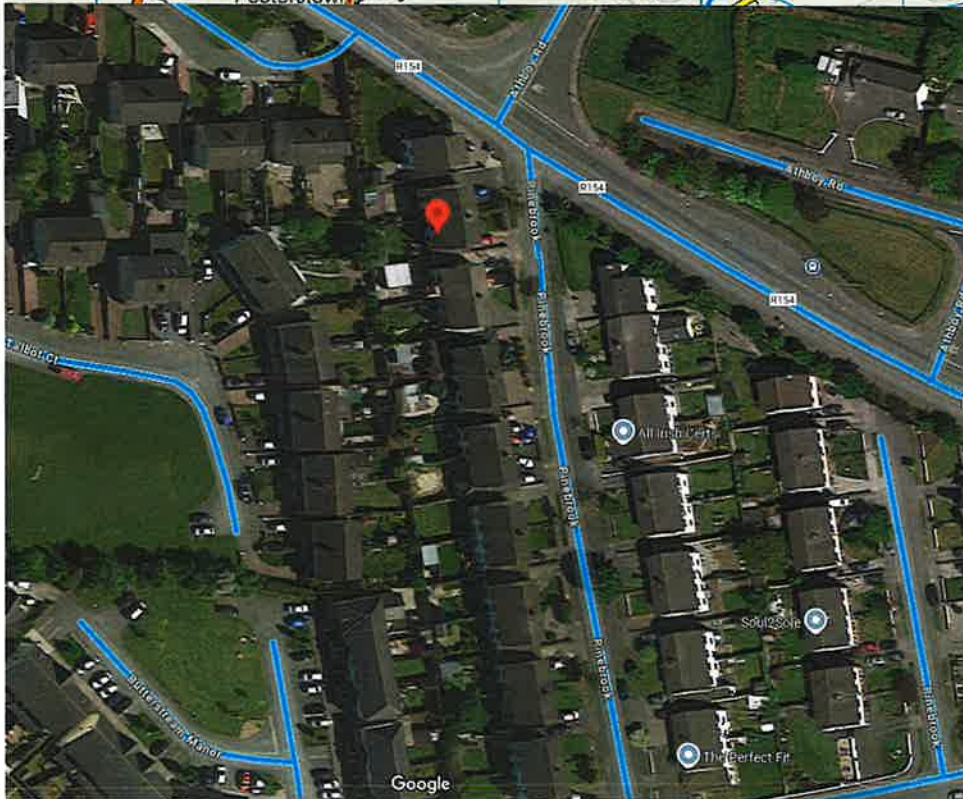


### Planning Report

<b>To:</b>	Teresa O'Reilly, Senior Executive Planner
<b>From:</b>	Shoaib Khan, Assistant Planner
<b>File Number:</b>	TA S5/2468
<b>Applicant Name(s):</b>	Geraldine Wallace
<b>Development Address:</b>	110A Pinebrook, Trim, Co. Meath
<b>Inspection Date:</b>	N/A
<b>Application Type:</b>	Section 5 of the Planning & Development Act 2000- 2022, Declaration on Development/Exempted Development
<b>Development Description:</b>	External Insulation to the exterior of the house.
<b>Report Date:</b>	11/11/2024
<b>Decision Due Date:</b>	12/11/2024

## 1.0 SITE LOCATION & DESCRIPTION

The subject site is located in a multi-residential scheme within Trim Town. The site is zoned as A1 existing residential as per Meath County Development Plan 2021-27. The site is located in the corner of the scheme and accessed by a regional road and internally laid-out access roads.



## 1.2 Planning Policy

- Meath County Development Plan 2021-27

### 11.14.6 Land Use Zoning Categories

#### A1 Existing Residential.

*Objective: To protect and enhance the amenity and character of existing residential communities.*

## 2.0 PROPOSED DECLARATION

The referrer seeks a declaration as to whether to *insulate the exterior of an existing house. is or is not development and is or is not exempted development.*

## 3.0 PLANNING HISTORY

None.

## 4.0 RELEVANT REFERRALS

An Bord Pleanála Reference RL06D.309407: This related to whether the installation of external insulation to the front of the dwelling house is or is not development or is or is not exempted development.

An Bord Pleanála, in considering this referral, had regard particularly to-

- (a) Sections 2,3 and 4(1)(h) of the Planning and Development Act,2000 as amended, and
- (b) The character and pattern of development in the area

An Bord Pleanála concluded that-

- (a) The installation of external insulation to the exterior of the dwelling house constitutes works which are development, as defined in section 3 of the Planning and Development Act, 2000, as amended,
- (b) The installation of external insulation to the exterior of the dwelling house constitutes "works for the maintenance, improvement or other alternation of any structure' as defined in section 4(1)(h) of the said Act,
- (c) The installation of external insulation to the exterior of the dwelling house constitutes works amount to the entire concealment of exterior details and finishes which are defining characteristics of the semi-detached housing along Beech Park Avenue and which, therefore, materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure and that of neighbouring structures, and

- (d) The installation of external insulation to the exterior of the dwelling house accordingly does not come within the scope of Section 4(1)(h) of the Planning and Development Act, 2000, as amended.

Therefore an Bord Pleanála, in exercise of the powers conferred on it by section 5(3)(a) of the 2000 Act, decided that the installation of external insulation to the exterior of the dwelling house at number 16 Beech Park, Avenue, Foxrock, Dublin is development and is not exempted development.

#### **4.0 Details of Further Information**

This report should be read in conjunction with the previous Planner's Report dated 08/10/2024 requesting further information about the point(s) below.

Further information was requested on 10/10/2024. A response to further information was received by the Planning Authority on 23/10/2024.

#### **5.0 Assessment of Further Information**

##### **Item 1**

The applicant is requested to provide details of the intended external finish of the dwelling following the completion of the insulation works.

##### **Applicants Response**

The applicant has submitted a response, confirming the external finish of the insulation works will result in a smooth render with cream paint.

##### **Planner's Assessment**

The applicant has requested clarification regarding whether insulating the exterior of the house with a smooth render finish qualifies as exempted development. Reference is made to precedents in the area surrounding the site. However, the planning status of these has not been clarified.

The previous planner's report established that the proposed works would be classified as development, necessitating an evaluation to determine if they fall under exempted development criteria. This inquiry was examined in light of the Planning and Development Regulations 2001, as amended. The proposed development does not fall within the categories of exempted development outlined in the Planning and Development Regulation 2001-2024.

Section 4(1)(h) of the Planning and Development Act 2000-2022 relates to the following category of exempted development as follows:

*(h) development consisting of the carrying out of works for the maintenance, improvement, or other alteration of any structure, being works which affect only the interior of the structure or which do not materially affect the external appearance of the structure so as*

*to render the appearance inconsistent with the character of the structure or of neighbouring structures;*

The front of the existing house is finished in part brick and partial pebble dash. The proposal would involve finishing the entire elevation with render. It is considered that the proposed insulation works would materially affect the external appearance of the existing house and the resulting appearance would be inconsistent with its existing character and that of neighbouring structures which are characterised by a mix of brick and pebble dash finish, and, as such, would not come within the scope of section 4(1)(h) of the Act.

## **6.0 Conclusion**

On the basis of the information provided, it is considered that the proposed development would constitute the carrying out of 'works' and would therefore constitute development within the meaning given in the Planning and Development Act, 2000 (as amended); and would not be exempted development as it would not come within the scope of Section 4(1) of the Planning and Development Act, 2000-2022.

## **7.0 Recommendation**

It is therefore recommended that the applicant be advised that the proposal would constitute development which is exempted development as follows:

**WHEREAS** the question has arisen as to whether to "*Exterior insulation with painted smooth render*" is or is not development and is or is not exempted development.

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

- (a) Sections 2(1), 3(1), 4, & 177U (9) of the Planning and Development Act 2000 – 2022,
- (b) Section 4(1)(h) of the Planning and Development Act 2000-2022
- (c) Information provided.

**AND WHEREAS** Meath County Council has concluded that:

- (a) The application of external insulation to the exterior of the house constitutes works which are development as per Section 3 of the Planning and Development Act 2000, as amended.
- (b) The installation of the external insulation constitutes "works for the maintenance, improvement or other alteration of any structure" as defined in section 4(1)(h) of the Planning and Development Act 2000, as amended,
- (c) the works would materially affect the external appearance of the structure so as to render it inconsistent with the character of the structure and adjoining structures and would therefore not come within the scope of Section 4(1)(h) of the Planning and Development Act 2000, as amended.

**NOW THEREFORE** Meath County Council, in exercise of the powers conferred on it by Section 5(2)(a) of the Planning and Development Act 2000-2022, hereby decides that the said proposal is development and is not exempted development.

**RECOMMENDATION  
ACCEPTED**  
12 NOV 2024  
*D Fallon*  
Signed: \_\_\_\_\_

*Shoaib*  
\_\_\_\_\_  
Shoaib Khan  
Assistant Planner

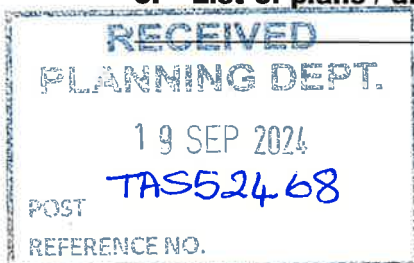
Deirdre Fallon  
Senior Executive Planner



**APPLICATION FORM - DECLARATION ON DEVELOPMENT & EXEMPTED DEVELOPMENT**

Part 1 Section 5 of Planning and Development Act 2000-2018, as amended.

1. Name: Geraldine Wallace  
Address: 110A Pinebrook, Trim, Co. Meath.  
Phone No: \_\_\_\_\_ E-mail: n/a.
2. Address for correspondence:  
Address: 110A Pinebrook, Trim, Co. Meath.  
Phone No: \_\_\_\_\_ Mail: n/a
3. Location of Development and/or Subject Site: 110A Pinebrook, Trim
4. Description of Development: proposed external insulation to front, side + rear elevations
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
7. State overall height of structure if applicable: 8.03m
8. State in square metres the floor area of the proposed development:  
n/a - external insulation only
9. List of plans / drawings etc. submitted:



Site layout Plan + Site location map - 24038/001  
Schedule of photos of existing elevations - 24038/002  
dwg. no.

**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:**

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

Please tick as appropriate: YES  NO

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

**SIGNED:**



**DATE:**

16/09/2024.

**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](mailto:planning@meathcoco.ie)**