

Comhairle Chontae na Mí

*Roimh Pleanáil,
Teach Buvinda, Bóthar Atha Cliath,
An Uaimh, Contae na Mí, C15 Y291
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Meath County Council

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Navan, Co. Meath, C15 Y291
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APPLICATION FORM - DECLARATION ON DEVELOPMENT & EXEMPTED DEVELOPMENT

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

1. **Name: Berta Lazarovici**

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**

Farry Town Planning Ltd.

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

3. **Location of Development and/or Subject Site: Lougher Duleek Co. Meath**

4. **Description of Development: Whether or not the use of certain land and stables at Lougher Duleek Co. Meath as an equestrian livery centre catering primarily for the horses of the applicant's children and of other schoolchildren, including special needs children, comprises development or is exempted development.**

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

Please tick as appropriate: YES

NO (near a house but not within its actual curtilage).

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 - 2014, as amended, been requested or issued for the property by the Planning Authority?**

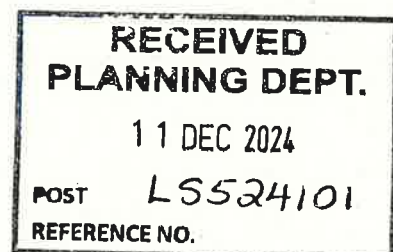
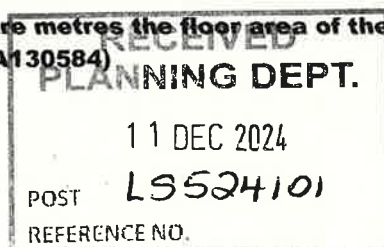
Please tick as appropriate: YES

NO

N/A

7. **State overall height of structure if applicable: (Buildings approved under reg. SA130584)**

8. **State in square metres the floor area of the proposed development: (Buildings approved under reg. SA130584)**



9. List of plans / drawings etc. submitted: site location map; drawings of existing equestrian structures. See attached architectural plans.

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: N/A

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

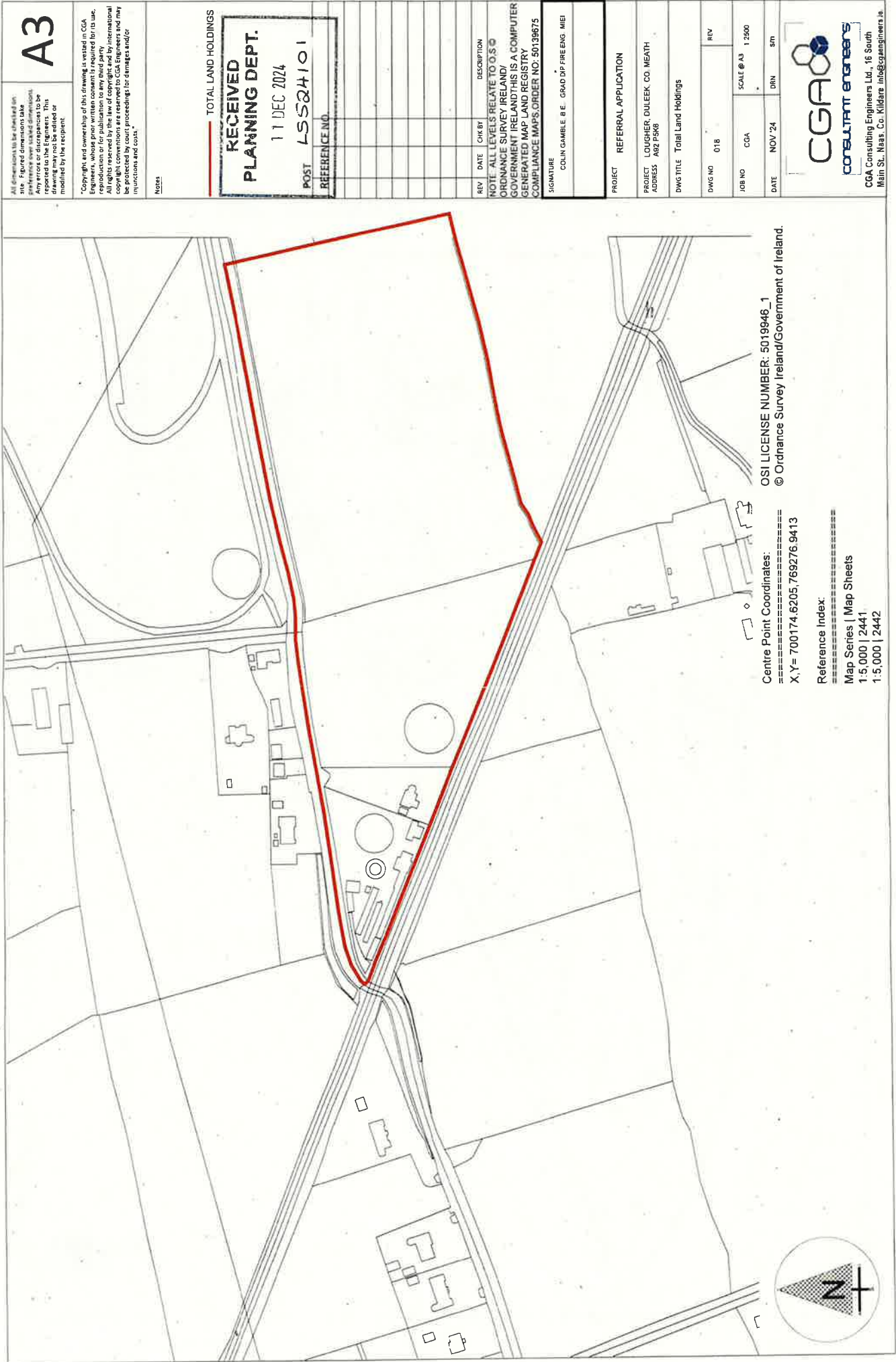
Please tick as appropriate: YES X NO

12 (b), If "YES" please supply details: Reg. SA130584

SIGNED: 

DATE: 10 Dec '24

L552H101 Lougher, Duleek, Co Meath



A3

All dimensions to be checked in situ. Figured dimensions take precedence over unfigured dimensions. Any errors or discrepancies to be reported to the Engineers. This drawing may not be added or modified by the recipient.

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Notes

TOTAL LAND HOLDINGS

RECEIVED
 PLANNING DEPT.
 11 DEC 2024
 POST L552H101
 REFERENCE NO.

REV	DATE	CHK BY	DESCRIPTION
			NOTE: ALL LEVELS RELATE TO O.S. © ORDNANCE SURVEY IRELAND/ GOVERNMENT IRELAND/ THIS IS A COMPUTER GENERATED MAP LAND REGISTRY COMPLIANCE MAPS ORDER NO: 5019875
SIGNATURE			COLIN GAMBLE B.E. GRAD DIP FIRE ENG. M.E.I.

PROJECT REFERRAL APPLICATION
 PROJECT LOUGHER, DULEEK, CO. MEATH
 ADDRESS A82 P5K8

DWG TITLE Total Land Holdings

DWG NO	REV
01B	

JOB NO	SCALE
CGA	A3 1:2500

DATE	DRN	SM
NOV '24		



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Centre Point Coordinates:
 X, Y = 700174.6205, 769276.9413

Reference Index:
 Map Series | Map Sheets
 1:5,000 | 2441
 1:5,000 | 2442

A3

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NOTES

SITE BOUNDARY OF RECEIVED 11 DEC 2024 PLANNING DEPT. POST L5524101 REFERENCE NO.

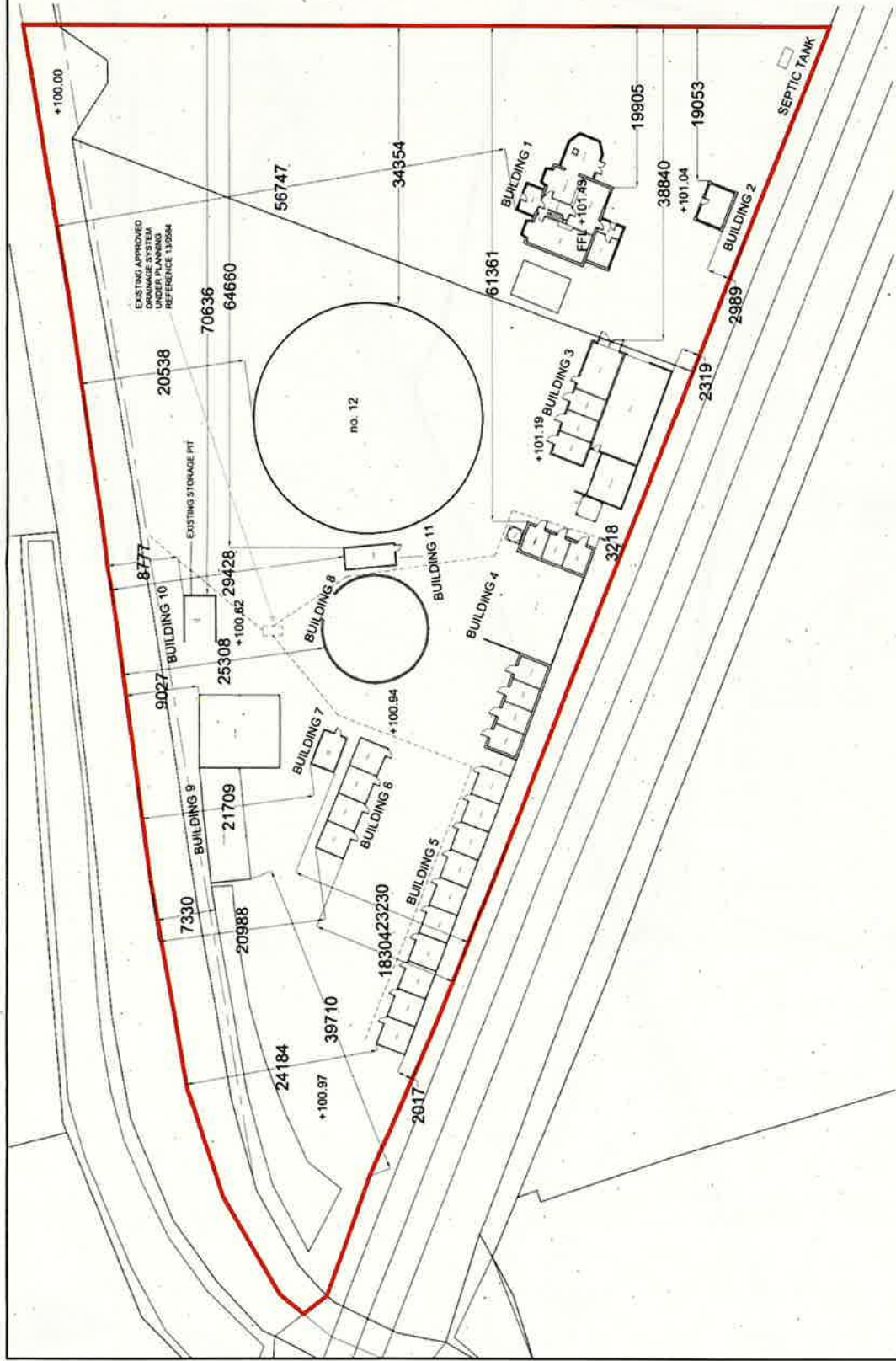
REV	DATE	CHK BY	DESCRIPTION
			NOTE: ALL LEVELS RELATE TO O.S.D ORDNANCE SURVEY IRELAND/ GOVERNMENT OF IRELAND THIS IS A COMPUTER GENERATED MAP LAND REGISTRY COMPLIANCE MAPS ORDER NO. 50135675

SIGNATURE: COLIN GAMBLE B.E., GRAD DIP FIRE ENG, MIEI

PROJECT: REFERRAL APPLICATION
PROJECT ADDRESS: LOUGHER, DULEEK, CO MEATH A82 P506

DWG TITLE: Site Layout Map

DWG NO	002	REV	
JOB NO	CGA	SCALE @ A3	1:500
DATE	NOV '24	DRN	RM



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Reference Index:
Map Series | Map Sheets
1:5,000 | 2441
1:5,000 | 2442

SITE LAYOUT MAP



MEATH COUNTY COUNCIL

CHIEF EXECUTIVE ORDER

Chief Executive Order Number: 68/25
Reference Number: LS524101
Subject: Declaration under Part 1, Section 5, Planning and Development Act 2000-2022
Name of Applicant: Berta Lazarovici


Nature of Application: Whether or not the use of certain land and stable at Lougher, Duleek, Co. Meath as an equestrian centre catering primarily for the horses of the applicant's children and of other schoolchildren, including special needs children, comprises development or is exempted development.

Location of Development: Lougher, Duleek, 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: 16.01.2025

MEATH COUNTY COUNCIL

Planning Department

Buvinda House

Dublin Road

Navan Co Meath

046 - 9097500

Planning & Development Act 2000- 2022

DECLARATION

To: Berta Lazarovici
c/o Farry Town Panning Ltd.,
180/28 South Frederick Street,
Dublin 2

PLANNING REFERENCE NUMBER: LS524101

APPLICATION RECEIPT DATE: 11/12/2024

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 16/01/2025 decided to Declare the proposed development is **NOT EXEMPT**, in accordance with the documents submitted namely: Whether or not the use of certain land and stable at Lougher, Duleek, Co. Meath as an equestrian livery centre catering primarily for the horses of the applicant's children and of other schoolchildren, including special needs children at Lougher, Duleek, Co. Meath is development requiring permission.

Date: 16/01/2025

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 Web: www.pleanala.ie

Meath County Council



Planning Report

To:	Teresa O'Reilly, Senior Executive Planner
From:	Ryan Keleghan, Assistant Planner
File Number:	LS524101
Applicant:	Berta Lazarovici
Development Address:	Lougher, Duleek, Co. Meath.
Application Type:	Section 5 of the Planning & Development Act 2000-2022: Declaration on Development/Exempted Development.
Date of Report:	13/01/2025
Date Decision Due:	17/01/2025
Development Description:	Whether or not the use of certain land and stables at Lougher, Duleek, Co. Meath as an equestrian livery centre catering primarily for the horses of the applicant's children and of other school children, including special needs children, comprises development or is exempted development.

Section 5 Exemption Certificate



1. Site Location & Description

The site measures approximately 6.8378ha and is located within the townlands of Lougher, approximately 4.3 km northwest of Duleek and approximately east 13.6km of Navan. The site is located along the local road L-5609-0. Site co-ordinates as per submitted drawings is (x,y) 700174.6205,769276.9413. There is a residential dwelling and horse stable equipment located on the site. The site is bounded by a rail line on its southern border. The planning application associated with the site is SA130584.

The area is zoned RA as Rural Area and is not located within a settlement boundary. The site is not located within an Architectural Conservation Area (ACA). The site is designated a Rural Area under Strong Urban Influence, according to the Meath County Development Plan 2021-2027. There are no Protected Structures, National Monuments or Protected Views within the application site. The site is located within a 'Lowland Landscape' area, namely the 'Central Lowlands', which has a high landscape character value and a moderate landscape character sensitivity.



Figure 1: Site Location (Red Square) (Source: Google Maps, 2025)

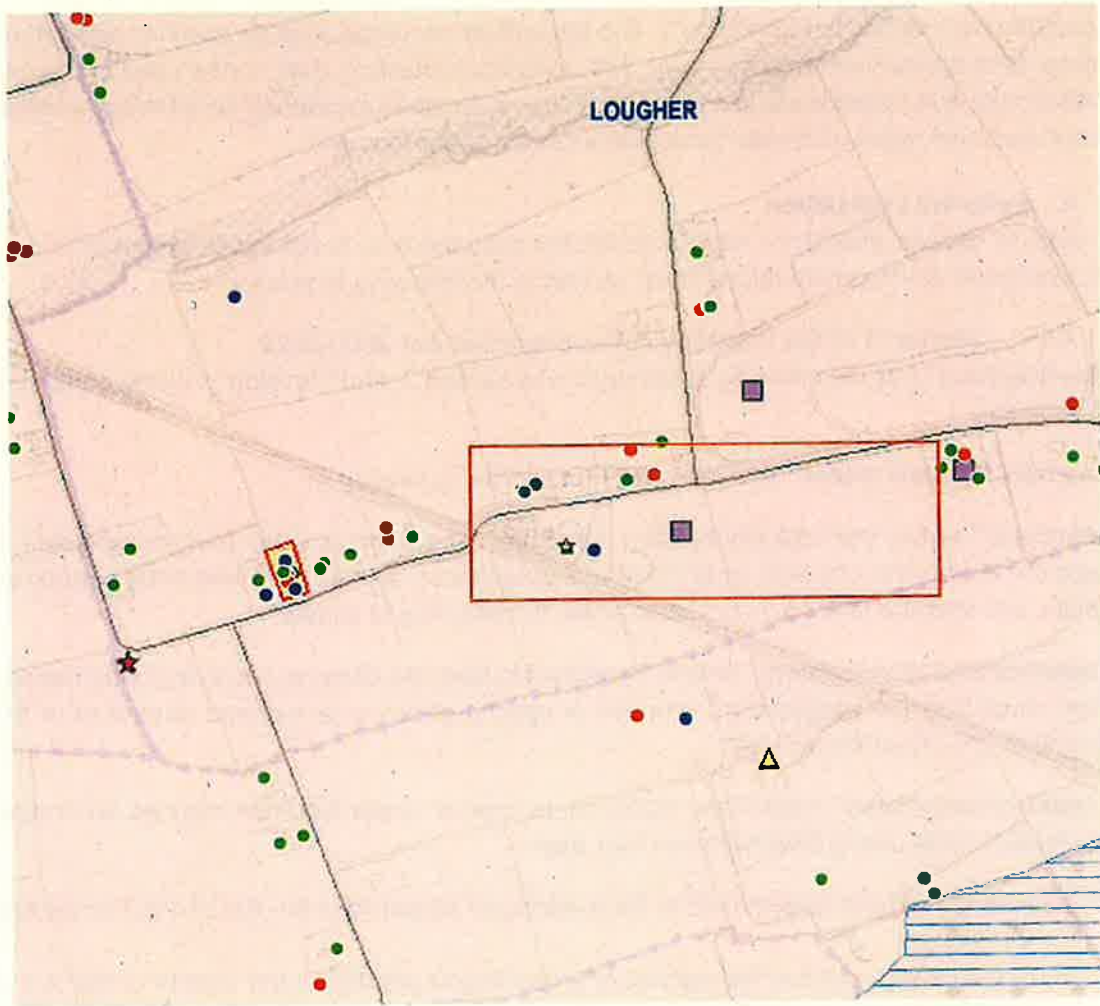


Figure 2: Site Zoning as per Meath County Council Development Plan 2021-2027.

2. Proposed Development

The applicant describes the development in the completed application form as *“Whether or not the use of certain land and stables at Lougher, Duleek, Co. Meath as an equestrian livery centre catering primarily for the horses of the applicant’s children and of other school children, including special needs children, comprises development or is exempted development”*.

3. Planning History

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

Plan Ref. SA130584: The applicant, John Gallagher, requested permission of retention of development for the *“retention of front, side and rear extensions to dwelling house, detached sun room, agricultural buildings consisting of 1. Store, stables and tack room. 2. Hay Shed, stables and feed silo. 3. Four separate stable blocks. 4. Detached tack room. 5. Horse walker. 6. Hay shed and machinery store. 7. Storage pit. 8. Two separate detached stores. 9. Exercise arena. 10. Entrance gates to dwelling and stable yard and all associated site works”*. The applicant was granted permission to a number of conditions.

Section 5 Exemption Certificate



A condition of mention is: *“Condition 3. The agricultural buildings shall be used for agricultural storage and agricultural purposes only. The agricultural building shall not be used for human habitation or any commercial purpose other than a purpose incidental to farming, whether or not such use might otherwise constitute exempted development”.*

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 2000-2022

“**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.

“**agriculture**” includes horticulture, fruit growing, seed growing, dairy farming, the breeding and keeping of livestock (including any creature kept for the production of food, wool, skins or fur, or for the purpose of its use in the farming of land), the training of horses and the rearing of bloodstock, the use of land as grazing land, meadow land, osier land, market gardens and nursery grounds, and “agricultural” shall be construed accordingly;



Section 5 Exemption Certificate

4.2. Section 3 of the Planning & Development Act 2000-2022

Section 3(1) PDA 2000-2022 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".

4.3. Section 4 of the Planning & Development Act 2000-2022

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

(a) development consisting of the use of any land for the purpose of agriculture and development consisting of the use for that purpose of any building occupied together with land so used;"

Section 4(2) provides for the making of regulations relating to exempted development. The Planning & Development Regulations (PDR) 2001-2024 give effect to section 4(2).

4.4. Section 5 of the Planning & Development Act 2000-2022

Section 5 PDA 2000-2022 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 2000-2022

Section 32 PDA 2000-2022 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. Article 6(1) of the Planning & Development Regulations 2001-2024

'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.'

Section 5 Exemption Certificate



4.7. Schedule 2, Part 3 of the Planning & Development Regulations 2001-2024

The following sections have been considered:

CLASS 6 AGRICULTURAL STRUCTURES

"Works consisting of the provision of a roofed structure for the housing of cattle, sheep, goats, donkeys, horses, deer or rabbits, having a gross floor space not exceeding 200 square metres (whether or not by extension of an existing structure), and any ancillary provision for effluent storage."

Conditions and Limitations:

- 1) No such structure shall be used for any purpose other than the purpose of agriculture.
- 2) The gross floor space of such structure together with any other such structures situated within the same farmyard complex or within 100 metres of that complex shall not exceed 300 square metres gross floor space in aggregate.
- 3) Effluent storage facilities adequate to serve the structure having regard to its size, use and location shall be constructed in line with Department of Agriculture, Food and Rural Development and Department of the Environment and Local Government requirements and shall have regard to the need to avoid water pollution.
- 4) No such structure shall be situated, and no effluent from such structure shall be stored, within 10 metres of any public road.
- 5) No such structure within 100 metres of any public road shall exceed 8 metres in height.
- 6) 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.
- 7) No unpainted metal sheeting shall be used for roofing or on the external finish of the structure.

CLASS 9

"Works consisting of the provision of any store, barn, shed, glass-house or other structure, not being of a type specified in class 6, 7 or 8 of this Part of this Schedule, and having a gross floor space not exceeding 300 square metres."

Conditions & Limitations:

- 1) No such structure shall be used for any purpose other than the purpose of agriculture or forestry, but excluding the housing of animals or the storing of effluent.
- 2) The gross floor space of such structures together with any other such structures situated within the same farmyard complex or complex of such structures or within 100 metres of that complex shall not exceed 900 square metres gross floor space in aggregate.
- 3) No such structure shall be situated within 10 metres of any public road.
- 4) No such structure within 100 metres of any public road shall exceed 8 metres in height.



Section 5 Exemption Certificate

- 5) No such structure shall be situated 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.
- 6) No unpainted metal sheeting shall be used for roofing or on the external finish of the structure.

CLASS 10

"The erection of an unroofed fenced area for the exercising or training of horses or ponies, together with a drainage bed or soft surface material to provide an all-weather surface."

Conditions and Limitations:

- 1) No such structure shall be used for any purpose other than the exercising or training of horses or ponies.
- 2) No such area shall be used for the staging of public events.
- 3) No such structure shall be situated within 10 metres of any public road, and no entrance to such area shall be directly off any public road.
- 4) The height of any such structure shall not exceed 2 metres.

4.8. Section 177U(9)

"In deciding upon a declaration for the purposes of Section 5 of this Act a planning authority or the Board, as the case maybe, shall where appropriate, conduct a screening for appropriate assessment in accordance with the provisions of this Section."

4.9. Article 9(1) of the Planning & Development Regulations 2001-2024

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,

Section 5 Exemption Certificate



- (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,
- (b) 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 use of certain land and stables at Lougher, Duleek, Co. Meath as an equestrian livery centre catering primarily for the horses of the applicant's children and of other school children, including special needs children, 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.



Section 5 Exemption Certificate

Development:

Having regard to the definition of 'development' within the Planning and Development Act (PDA) 2000-2022, "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 not constitute development in accordance with Section 3(1) of the PDA 2000-2022.

The existing development and use of the land has been regularised under Section 32 of the PDA 2000-2022 under Plan Ref. SA130584. Retention permission was granted for "*retention of front, side and rear extensions to dwelling house, detached sun room, agricultural buildings consisting of 1. Store, stables and tack room. 2. Hay Shed, stables and feed silo. 3. Four separate stable blocks. 4. Detached tack room. 5. Horse walker. 6. Hay shed and machinery store. 7. Storage pit. 8. Two separate detached stores. 9. Exercise arena. 10. Entrance gates to dwelling and stable yard and all associated site works*".

Condition 3 states:

"The agricultural buildings shall be used for agricultural storage and agricultural purposes only. The agricultural building shall not be used for human habitation or any commercial purpose other than a purpose incidental to farming, whether or not such use might constitute exempted development. Reason: In the interest of orderly development and the amenities of the area."

Under Section 3 (1) of the Planning and Development Act 2000-2022, for a change of use to be considered development it must be a material change of use. Material in this context refers to material in planning terms and materiality can be identified where, under a planning application scenario, the planning authority would take into account matters that would differ from those taken into account when the original use was assessed (Monaghan County Council v Brogan, 1987 I. R. 333).

The use of the existing development as proposed is considered to be a *material change of use* from a permitted agricultural use to a commercial use as a livery (e.g. where horse owners pay a fee to keep their horses) and catering primarily for the horses of the applicant's children and of other school children, including special needs children. The proposal for use of the lands gives rise to considerations in respect of a number of issues including traffic movements associated with the use, the intensity of use of the lands, public access, wastewater management, whether staff would be based at the site and whether there is a required for car parking to serve the development.

Exempted Development:

Based on the permitted development on the site, under the Planning Reference: SA130584, the material change of use contravenes Condition 3: "*The agricultural buildings shall be used for agricultural storage and agricultural purposes only. The agricultural building shall not be used for human habitation or **any commercial purpose** other than a **purpose incidental to farming**, whether or not such use might otherwise constitute exempted development*".



Section 5 Exemption Certificate

Article 9(1) of the PDR 2001-2024, outlines that "*Development under Article 6 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*". The use of the site has a commercial purpose other than agricultural purposes and therefore would contravene the condition of this permission and de-exempt the development.

There are no specific exemptions provided in the Planning and Development Act 2000-2022 or the Planning and Development Regulations 2001-2024 which would relate to the specific proposal. Therefore, the proposed is not considered to constitute exempted development.

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. 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) (c.2.4km)
- River Boyne and River Blackwater SPA (004232) (c.2.4km)
- Boyne Coast and Estuary SAC (001957)
- Boyne Estuary SPA (004080)
- River Nanny Estuary and Shore SPA (004158)

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.



Section 5 Exemption Certificate

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.

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, 2001-2024, 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 2001-2024. 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 use of certain land and stables at Lougher, Duleek Co. Meath as an equestrian livery centre catering primarily for the horses of the applicants' children and of other school children, including special needs children*", be issued to state that the proposal is development which is **Not Exempted Development**.

Having regard to-

WHEREAS a question has arisen as to whether

Whether or not the use of certain land and stables at Lougher, Duleek, Co. Meath as an equestrian livery centre catering primarily for the horses of the applicant's children and of other school children, including special needs children, comprises development or is exempted development.

at Lougher, Duleek, 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) The provisions of Section 3 and 4(1) of the Planning and Development Act, 2000-2022.
- 2) Schedule 2, Part 3, Class 6, Class 9 and Class 10 of the Planning and Development Regulations 2001-2024.
- 3) Condition no. 3 of Pl. Ref. SA130584.

Section 5 Exemption Certificate



AND WHEREAS the Planning Authority has concluded: -

- 1) The proposal constitutes a material change of use which represents development in accordance with Section 3(1) of the Planning and Development Act 2000-2022.
- 2) There are no provisions in the Planning and Development Act 2000-2022 or Planning and Development Regulations 2001-2024 by which the material change of use is exempted.
- 3) The proposal would contravene Article 9(1) (i) of the Planning and Development Regulations 2001-2024.

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 development as detailed on plans and particulars submitted on 11th December 2024 is development and is **not exempted development**.

Ryan Keleghan
Assistant Planner
Date: 13/01/2025



Teresa O'Reilly
Senior Executive Planner
Date: 15/01/2025