

MEATH COUNTY COUNCIL

CHIEF EXECUTIVE ORDER

Chief Executive Order Number: 301/25

Reference Number: NS525006

Subject: Declaration under Part 1, Section 5, Planning and Development Act 2000-2023

Name of Applicant: St Columban's Retirement Home, c/o Paddy McDonnell, Phoenix STS

Address: Dalgan Park, Navan, Co Meath, C15 AY2Y

Nature of Application: Minor elevational changes to replace 2 windows with escape fire door and the third door is a new insert into a wall to provide fire escape routes

Location of Development: Dalgan Park, Navan, Co Meath, C15 AY2Y

This development is **EXEMPT** from Planning Permission.

DECLARATION:

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:



On Behalf of Meath County Council

DATE:

14/02/2024

MEATH COUNTY COUNCIL

Planning Department

Buvinda House

Dublin Road

Navan Co Meath

046 - 9097500

Planning & Development Act 2000- 2022

DECLARATION

To:

St Columban's Retirement Home

C/O Paddy McDonnell

Phoenix STS

Unit 11 Leader House

Leader Park

Dublin Road

Longford

Co Longford N39 T6P0

PLANNING REFERENCE NS525006

NUMBER:

APPLICATION RECEIPT DATE: 20/01/2025

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 14/02/2025 decided to Declare the proposed development is **EXEMPT**, in accordance with the documents submitted namely: Minor elevational changes to replace 2 windows with escape fire door and the third door is a new insert into a wall to provide fire escape routes at **Dalgan Park, Navan, Co Meath, C15 AY2Y**

Date: 14/02/2025

Terona 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 2000-2023 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

Meath County Council



Planning Report

To:	Teresa O' Reilly, Senior Executive Planner
From:	Shoaib Khan, Exec. Planner
File Number:	NS525006
Applicant Name(s):	St Columban's Retirement Home
Development Address:	St Columban's, Dalgan Park Co. Meath
Application Type:	Section 5 of the Planning & Development Act 2000- 2023, Declaration on Development/Exempted Development
Development Description:	Minor elevational changes to replace 2 windows with escape fire door and one additional door to provide fire escape routes.
Report Date:	13/02/2025
Decision Due Date:	17/02/2025

1.0 SITE LOCATION & DESCRIPTION

The application pertains to an established nursing home situated in Dalgan Park, approximately 3 kilometers southeast of Navan. The subject lands are classified as rural areas under significant urban influence and are accessible from a regional road. Adjacent properties are developed for park and agricultural purposes. Dowdstown House and Gate Lodge is a Protected Structure on the RPS. It is a 'detached house of two-storeys, built c.1870 with Elizabethan style tower, steep gabled roof and round turret room. Attached to south end of early C19 office buildings' which is of architectural, artistic, social and technical interest with a regional rating. The application form indicates that the proposed works take place in the curtilage of the Protected Structure.



1.2 Planning Policy

- Meath County Development Plan 2021-2027

11.14.6 Land Use Zoning Categories

RA Rural Areas

Objective: To protect and promote in a balanced way, the development of agriculture, forestry and sustainable rural-related enterprise, community facilities, biodiversity, the rural landscape, and the built and cultural heritage.

The primary objective is to protect and promote the value and future sustainability of rural areas. Agriculture, forestry, tourism and rural related resource enterprises will be employed for the benefit of the local and wider population. A balanced approach involving the protection and promotion of rural biodiversity, promotion of the integrity of the landscape, and enhancement of the built and cultural heritage will be adopted.

2.0 PLANNING HISTORY

212421: (a) Demolition of two existing derelict buildings previously used to house calves, young stock and straw. (b) Construction of an extension to existing meal store in place of demolition, consisting of straw bedded pens for calving and calf rearing, feeding area for cows and underground slatted storage tank. (c) Change of use of existing meal store to calf shed to include infill of straw bedded pens, addition of 3 no. roller doors on the North face and new reception tank and all associated site works. Please note: This site lies within the curtilage of a protected structure, namely Dowdstown House and Gate Lodge (MH031-119). Significant further information/revised plans submitted on this application. **Permission Granted.**

NA30108: an extension at ground floor level comprising of 10 no bedrooms, site works and all ancillary site services. **Permission Granted.**

9625: to develop rooms at Dalgan Park for use as a Mission Awareness Visitor Centre and to erect road signs on the N3 and to indicate correct entrances for this Centre. **Permission Granted.**

95691: to erect an advertising structure and approach signs on the Navan-Dublin Road. **Permission Granted.**

931169: alterations to previously approved extension (ref.P93/784) to incorporate 23 room retirement. **Permission Granted.**

93784: 24 room infirmary. **Permission Granted.**

90951: first floor extension to east wing. **Permission Granted.**

85982: construction of a cowshed. **Permission Granted.**

3.0 PROPOSED DECLARATION

The referrer seeks a declaration as to whether a *“Minor elevational changes to replace 2 windows with escape fire door and one additional door to provide fire escape routes”* **is or is not development and is or is not exempted development.**

The drawings submitted illustrate the subject unit situated within the grounds of Dalgan Park, adjacent to the building utilized by St. Columban’s Missionaries. This building serves as an existing retirement home, characterised by its single-storey structure, which features a variety of roof profiles and numerous windows, likely corresponding to each room.

The application seeks to introduce additional fire escape windows and a door at two designated locations within the building, resulting in the installation of extra windows and one door. The submitted elevational drawings indicate that the proposed treatments will align with the existing window designs. A site visit was conducted on February 13, 2025, to verify the building’s usage and to perform a visual inspection of its exterior. It was observed that the subject building is a single-storey structure with standard roof tiles and a plastered exterior, lacking significant architectural merit that would necessitate conservation protection orders.



4.0 LEGISLATIVE CONTEXT

Planning and Development Act 2000- 2023

In this Act, except where the context otherwise requires –

Section 2(1)

"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.

Section 3(1)

"Development" in this Act 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.

Section 4(1) (Exempted Development) *The following shall be exempted development 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;*

Section 4(2)(a)

"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*
- (i) "the development is authorised, or is required to be authorised, by or under any enactment...."*

Section 4(2)(b)

"Regulations under paragraph (a) may be subject to conditions and be of general application or apply to such area or place as may be specified in the regulations."

Section 4(2)(c)

"Regulations under this subsection may, in particular and without prejudice to the generality of paragraph (a) provide, in the case of structures or other land used for a purpose of any specified class, for the use thereof for any other purposes being exempted development for the purposes of this Act".

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."

Planning and Development Regulations 2001-2024

Article 6(3)

"Subject to article 9, in areas other than a city, a town or an area specified in section 19(1)(b) of the Act or the excluded areas as defined in section 9 of the Local Government (Reorganisation) Act, 1985 (No. 7 of 1985), development of a class specified in column 1 of Part 3 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 3 opposite the mention of that class in the said column 1".

Article 9(1)

"Development to which Article 6 relates shall not be exempted development for the purposes of the Act – 9(1)(a) – if the carrying out of such development would" conflict with the restriction on exemptions as outlined between (i) – (xii) of the regulations.

5.0 ASSESSMENT

(i) Does the proposal constitute development:

Having regard to the definition(s) of 'development' within the Planning and Development Act 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"*; and

It is considered the works detailed would constitute development for planning purposes.

Therefore, the focus, is on whether or not the proposed development constitutes exempted development.

1. Elevational Treatment for Fire Escape

Section 4 of the Planning and Development Act, 2000-2023, sets out certain forms of development which shall be exempted development. Additionally, Schedule 2 of the Planning and Development Regulations, 2001-2024 set out forms of development which are exempted development within a specific context.

Based on the information submitted it is assessed that no applicable exemption exists in the Planning and Development Regulations 2001-2024 that would render this development exempt development.

In considering the applicability of Section 4(1)(h) to the proposal it is first necessary to consider whether the proposal comprises '*works for the maintenance, improvement or other alteration of any structure*'. Having regard to the nature of the proposal, specifically noting that it is intended to improve the existing fire escape route within an existing building to be located within the part of the building owned by the referrer, whereas it is currently partially located with the adjoining property (St Columban's Missionaries), and given that the proposed system, consisting of a new fire escape route, would represent an improvement compared to the existing arrangement, I consider that in principle, Section 4(1)(h) would confer an exemption for the proposal and as such the proposal in my opinion comes within Section 4(1)(h).

The second consideration in relation to the applicability Section 4 (1) (h) is whether the proposal would '*consist of works which only affect the interior of the structure, or which do not materially affect the appearance of the structure such as to render it inconsistent with itself or with neighbouring structures*'. From inspecting the drawings and particulars submitted with the referral and based on my site inspection, I note that the new fire escape system is to be located in the existing corridor and would therefore be mainly internal works. Similarly, the only external elements of the proposal would be the provision of an escape exit.

Having regard to the size of this element and to its position alongside several windows which are of a similar shape, I do not consider the new fire escapes would materially affect the appearance of the structure such as to render it inconsistent with itself or with neighbouring structures.

(ii) Restrictions on Exemptions:

The works are not restricted by virtue of Article 9(1)(a)(i) – (xii) (inclusive).

(iv) Appropriate Assessment:

Article 9(1)(a)(viiB) sets out that where a planning authority, as the competent authority in relation to appropriate assessment, considers that a development would be likely to have significant effect on the integrity of a European site then there is a restriction on exemption.

The site is not located within a Natura 2000 site, however the River Boyne and River Blackwater SAC 002299 and SPA 004232 are located c.520m from the area of the proposed works/development. In the context of the nature and type of proposal, it is considered that a source/pathway/ receptor route does not exist between the sites so I consider that the current proposal would not have a significant effect upon the Natura sites.

Therefore, it is concluded that having regard to the nature and scale of the proposed development and the nature of the receiving environment no appropriate assessment and need for NIS arise and it is not considered that the proposed development would be likely to have a significant effect individually or in combination with other plans or projects on a European site.

(v) Environmental Impact Assessment:

The works are not a development type listed under Part 1 or 2 of Schedule 5 of the Planning & Development Regulations (PDR) 2001-2024 nor is it considered a sub-threshold development for the purposes of Schedule 7 PDR and would not on its own or cumulatively with other projects result in significant effects on the environment. As such there is no real likelihood of significant effects on the environment arising from the relevant development and therefore an EIAR (Environmental Impact Assessment Report) is not required.

(v) Conclusion

On the basis of the information provided, it is considered the Planning Authority is satisfied that the proposed development would constitute the carrying out of 'works' as indicated above and would therefore constitute development within the meaning given in the Planning and Development Act, 2000-2023; and would be exempted development under Section 4(1) of the Planning and Development Act, 2000-2023.

6.0 RECOMMENDATION

It is therefore recommended that a **Declaration of Exemption be GRANTED** for the development set out hereunder.

WHEREAS the question has arisen as to whether "*Minor elevational changes to replace 2 windows with escape fire door and one additional door to provide fire escape routes*" at Dalgan park, Navan, Co. Meath" is or is not development and is or is not exempted development.

AND WHEREAS the said question was referred to Meath County Council by the applicant, St Columban's Retirement Home.

AND WHEREAS Meath County Council, in considering this reference, had particular regard to:

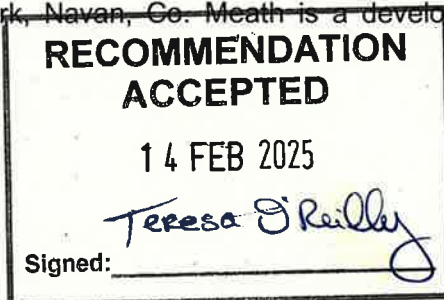
- (a) Sections 2(1), 3(1), 4, & 32 of the Planning and Development Act 2000 – 2023,
- (b) The definition of "development" in section 3 of the Planning & Development Act 2000-2023
- (c) Article 6 & 9 of the Planning and Development Regulations, 2001-2024
- (d) Information provided.

AND WHEREAS Meath County Council has concluded: -

- (a) "*Minor elevational changes to replace 2 windows with escape fire door and one additional door to provide fire escape routes*" at Dalgan park, Navan, Co. Meath comprises works and is development under section 3(1) of the Planning & Development Act 2000-2023 and

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 "*Minor elevational*

changes to replace 2 windows with escape fire door and one additional door to provide fire escape routes" at Dalgan park, Navan, Co. Meath is a development and is exempted development.



Shoaib Khan
Assistant Planner
Date: 13/02/2025

Teresa O'Reilly
Senior Executive Planner
Date: 13/02/2025

Note: Declaration is made strictly on the information submitted with this application and the Case Officer's interpretation of the thresholds for exempted development as set out in the Planning & Development Act 2000-2023 and Regulations 2001-2024.

Comhairle Chontae na Mí

Boimne Pleanáil
Teach Bunsíoda, Bóthar dílis Cliaith,
An Chinnik, Navan, Co. Meath, C15 Y201
Fón: 046 - 9097500/Facs: 046 - 9097001
E-mail: planning@meathcoco.ie
Web: www.meath.ie



Meath County Council

Boimne Pleanáil
Bywinda House, Dublin Road,
Navan, Co. Meath, C15 Y201
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: _____ St Columban's Retirement Home _____
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
_____ Phoenix STS _____
Contact details: to be supplied at the end of this form (Question 14)
3. Location of Development and/or Subject Site: _____ Dalgan Park, Navan, C15 AY2Y _____
4. Description of Development: _____ Minor Elevational changes to replace 2 window with escape fire door and the third door is a new insert into a wall to provide fire escape routes _____
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 – 2014, as amended, been requested or issued for the property by the Planning Authority? - N/A
Please tick as appropriate: YES _____ NO _____
7. State overall height of structure if applicable: _____ 8.0m existing _____
8. State in square metres the floor area of the proposed development:
_____ 108.31sqm _____
9. List of plans / drawings etc. submitted: - Ground floor plans & Elevations _____
10. Please state applicants interest in this site _____ on in Charge of Nursing home. _____
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? _____

RECEIVED
PLANNING DEPT.
20 JAN 2025
POST NSS 25006
REFERENCE NO.

Please tick as appropriate: YES NO

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

12. Are you aware of any previous planning applications on this site?

Please tick as appropriate: YES NO

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

_____ 93784 _____

SIGNED:  DATE: 18.12.24



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, Buihnda House, Dublin Road, Navan, Co. Meath.
Contact Details: Phone: 046 9097500 Fax: 046 9097001
Email: planning@meathco.ie



Comhairle Chontae na Mí
Roinn Pleanála,
Teach Bivinda, Bóthar Átha Cliath,
An Uaimh, Contae na Mí, C15 Y2P1
Fón: 046 - 9075002/Fax: 046 - 9079001
E-phost: planning@meathcoco.ie
Web: www.meath.ie

Meath County Council
Planning Department
Bivinda House, Duality Road,
Navan, Co. Meath, C15 Y2P1
Tel: 046 - 9075002/Fax: 046 - 9079001
E-mail: planning@meathcoco.ie
Web: www.meath.ie

CONTACT DETAILS – NOT TO BE PUBLISHED

13. Name of applicant: St Columban's Retirement Home
Address: Dalغان Park, Navan, C15 AY2Y

Phone No: 1

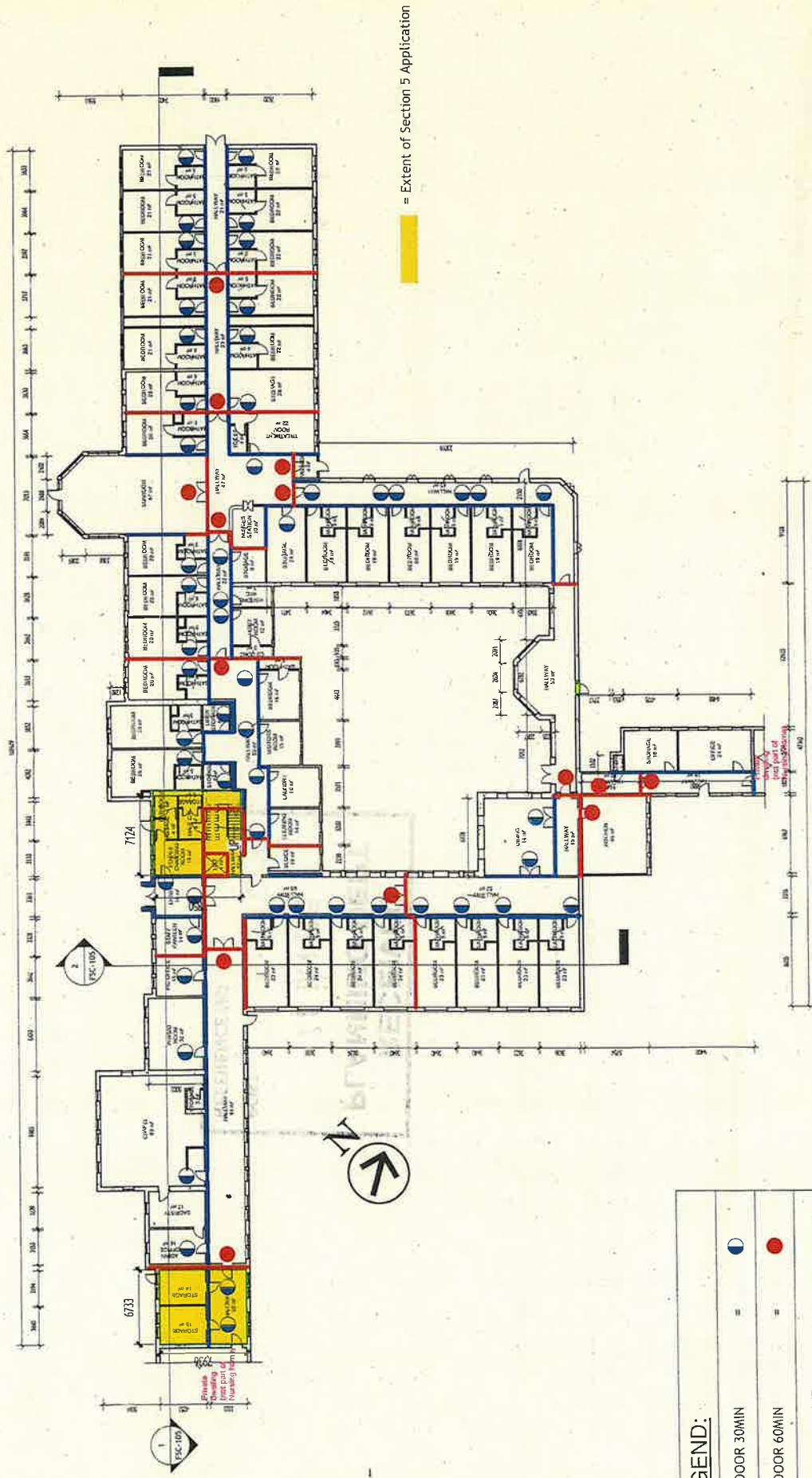
14. Name of person/ agent acting on behalf of the applicant, if applicable
Paddy McDonnell - PhoneixSTS

Address for correspondence:

Unit 11 Leader House, Leader Park, Dublin Road, Longford. Co. Longford. N39 T6P0

Phone No: _____

**RECEIVED
PLANNING DEPT.**
20 JAN 2025
POST **NS525006**
REFERENCE NO.

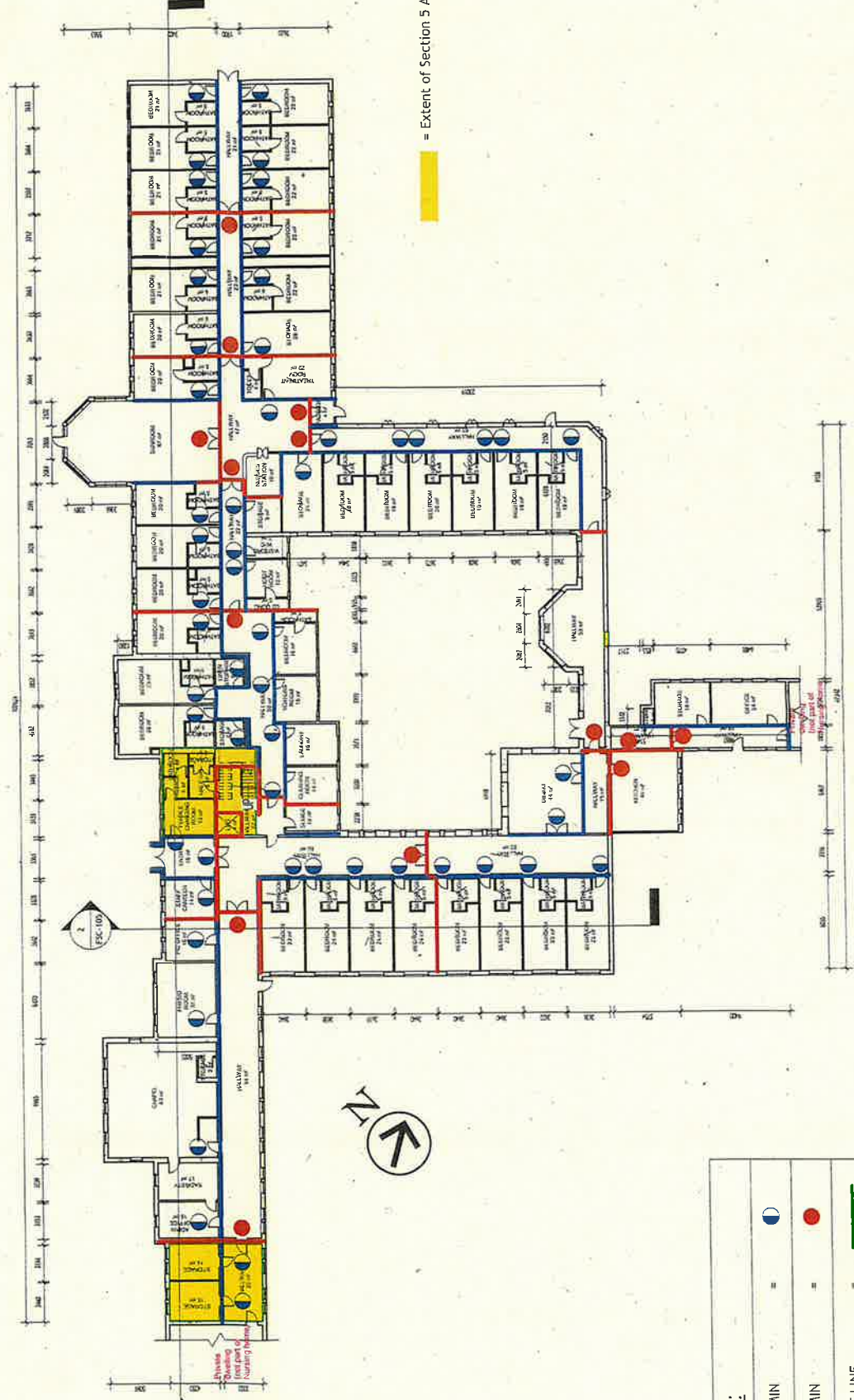


Ground Floor Plan

1 : 350

LEGEND:	
FIRE DOOR 30MIN	●
FIRE DOOR 60MIN	●
COMPARTMENT LINE	—
30MIN FIRE RATED WALL	—
60MIN FIRE RATED WALL	—
TRAVEL DISTANCE	—

	Project Title: Dalgan Park Fire Safety Cert Application	Sheet Content: Ground Floor Plan	Project Address: Dalgan Park, Garlowin Cross, Co. Meath, Ireland	Sheet No.: S5-10
	Project Scale: As indicated Drawn by: DR Checked by:			



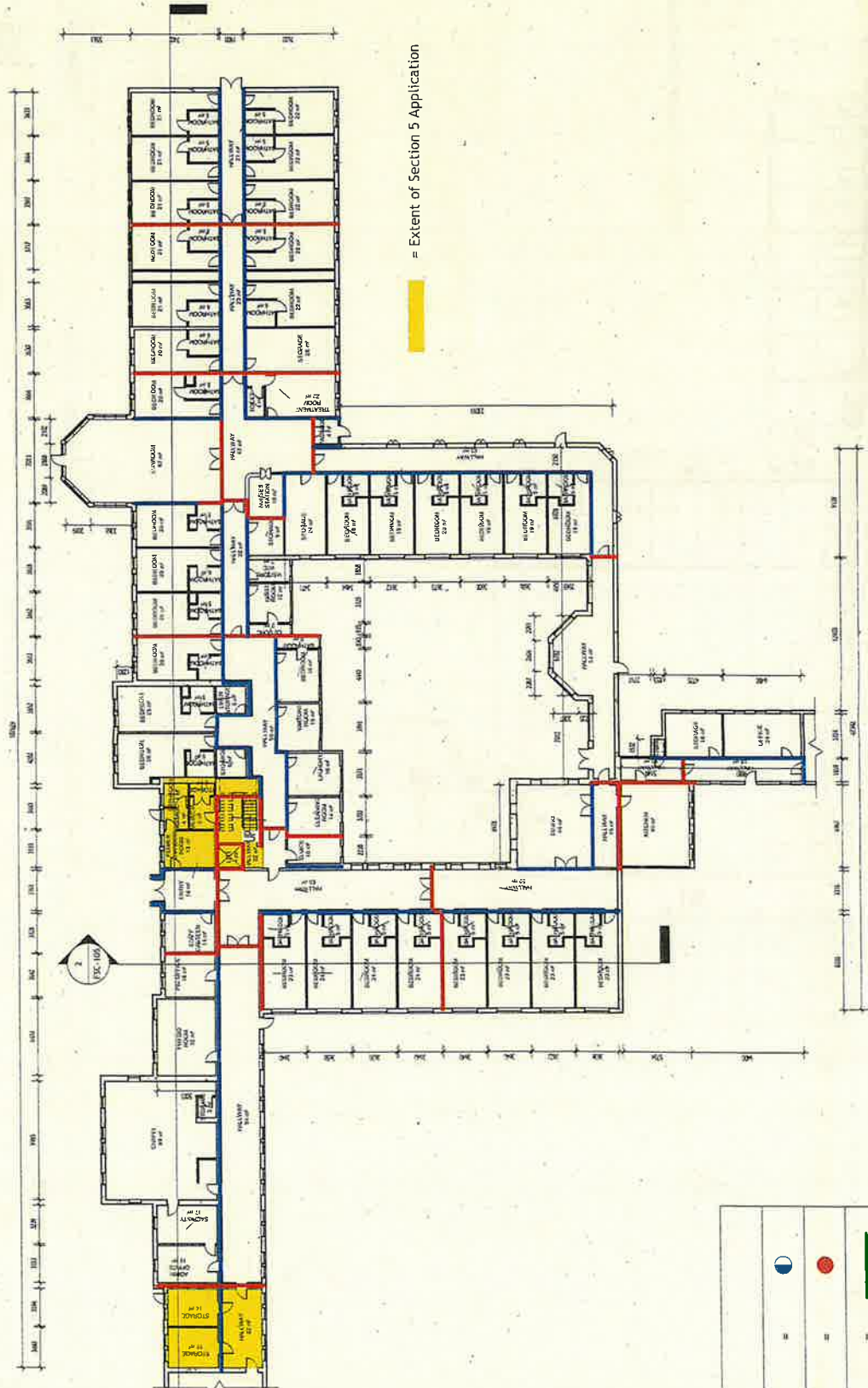
= Extent of Section 5 Application

LEGEND:	
FIRE DOOR 30MIN	●
FIRE DOOR 60MIN	●
COMPARTMENT LINE	—
30MIN FIRE RATED WALL	—
60MIN FIRE RATED WALL	—
TRAVEL DISTANCE	—

1 Ground Floor Plan
1 : 350



	Project Title: Dalgan Park Fire Safety Cert Application	Sheet Content: Ground Floor Plan	Project Address: Dalgan Park, Garlowin Cross, Co. Meath, Ireland	Sheet No.: S5-101
	Project Scale: As indicated Drawn by: DR Checked by:			



= Extent of Section 5 Application

LEGEND:	
FIRE DOOR 30MIN	●
FIRE DOOR 60MIN	●
COMPARTMENT LINE	—
30MIN FIRE RATED WALL	—
60MIN FIRE RATED WALL	—
TRAVEL DISTANCE	—

Ground Floor - Travel Distances

1 : 350



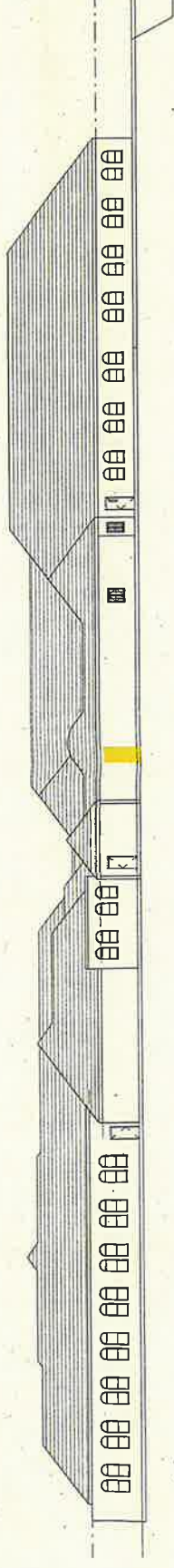
Project Title: Dalgan Park Fire Safety Cert Application
Project Scale: As indicated
Drawn by: DR
Checked by:

Sheet Content: Ground Floor - Existing

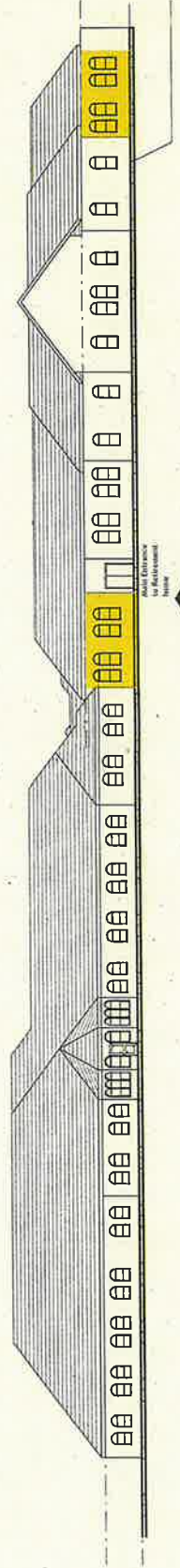
Project Address: Dalgan Park, Garlowan Cross, Co. Meath, Ireland

Sheet No.: S5-10

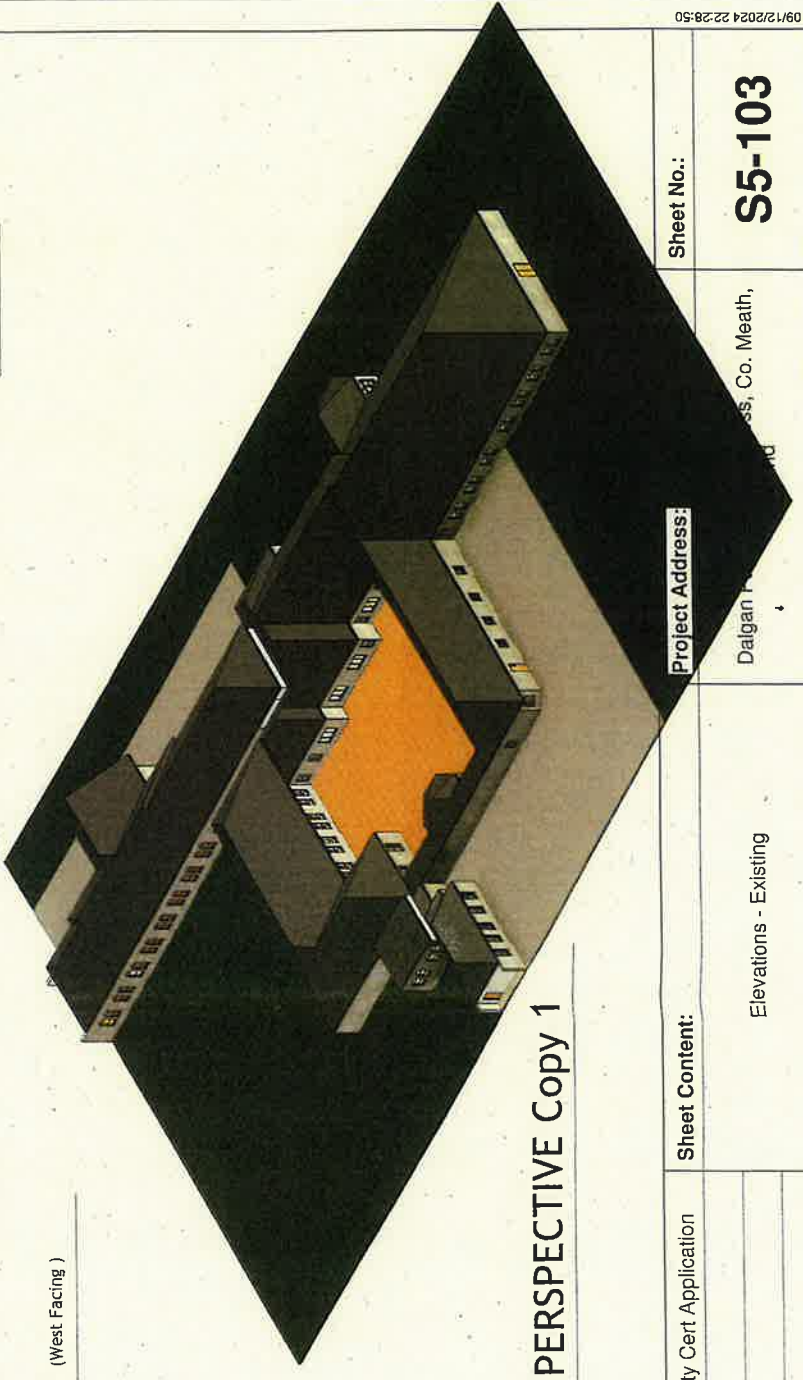




1 Front Elevation (East Facing)
1 : 350



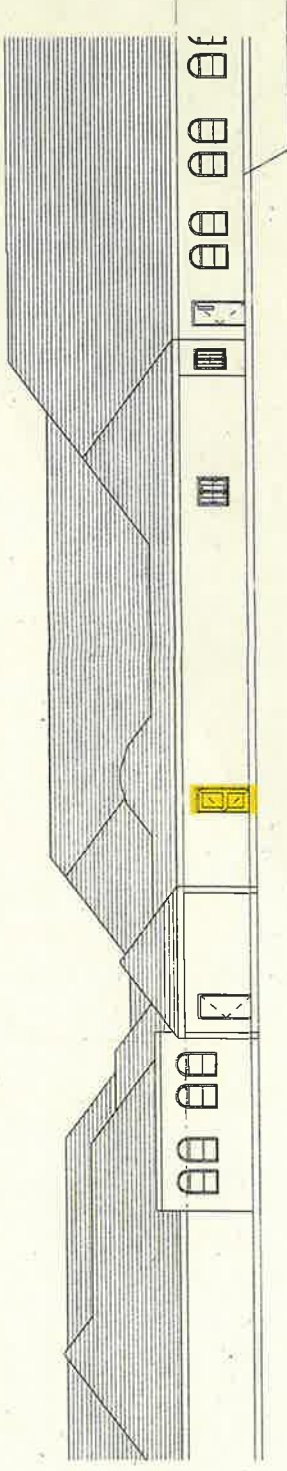
2 Rear Elevation (West Facing)
1 : 350



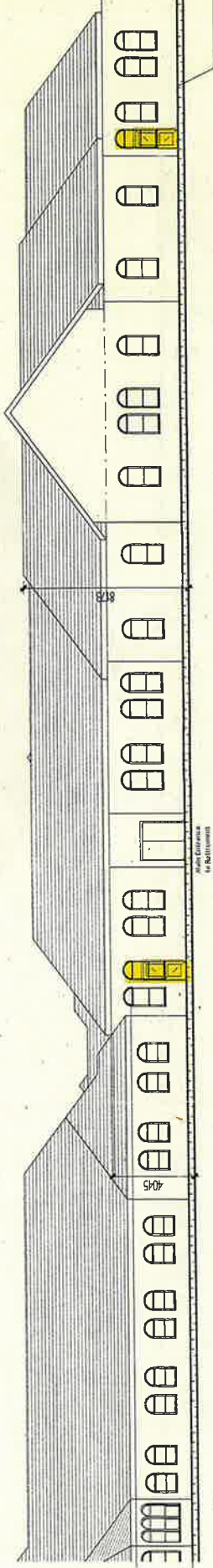
3 3D PERSPECTIVE Copy 1

	Project Title: Dalgan Park Fire Safety Cert Application	Sheet Content: Elevations - Existing	Project Address: Dalgan Park, Co. Meath, Ireland	Sheet No.: S5-103
	Project Scale: 1 : 350 Drawn by: DR Checked by:			

22-103



1 Front Elevation (East Facing)
1 : 200

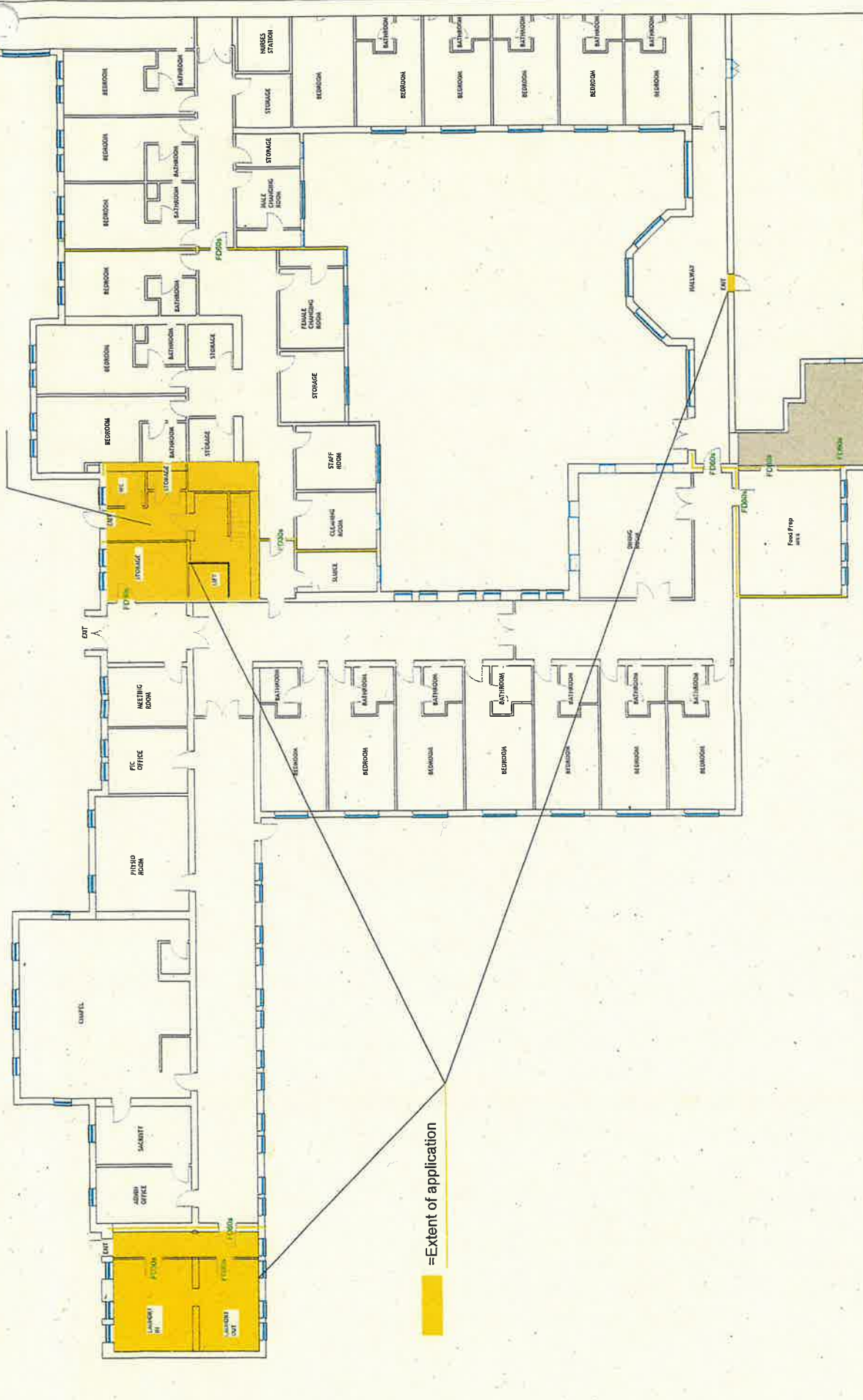


2 Rear Elevation (West Facing)
1 : 200

10/12/2024 00:20:36

	Project Title: Dalgan Park Fire Safety Cert Application	Sheet Content: Elevations - Existing	Project Address: Dalgan Park, Garlowan Cross, Co. Meath, Ireland	Sheet No.: S5-10
	Project Scale: 1 : 200	Drawn by: DR	Checked by:	

NOT PART OF THE NURSING HOME



=Extent of application

Project: Dagan Park Nursing Home		Stage: Section 5		Drawn By: SAR		 PHOENIX YSTS your safety first		www.phoenixysts.ie info@phoenixysts.ie 045-588811 01-5886722 021-5426001	
Title: Proposed Ground Floor Plans - internal alteration & elevational changes		Date: November 2024		Issue		S5-104			
Drg. No. 1/200									

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Planning Pack Map



Tailte Éireann

CENTRE COORDINATES:
ITM 800554,783021

PUBLISHED:
09/12/2024

ORDER NO.:
50438578_1

MAP SERIES:
1:2,500

MAP SHEETS:
2876-D

PP - 100

CLIENT:
ST. COLUMBA'S RETIREMENT HOME

COMPILED AND PUBLISHED BY:

Tailte Éireann,
Phoenix Park,
Dublin 6,
Ireland,
D08P9E4

www.tailte.ie

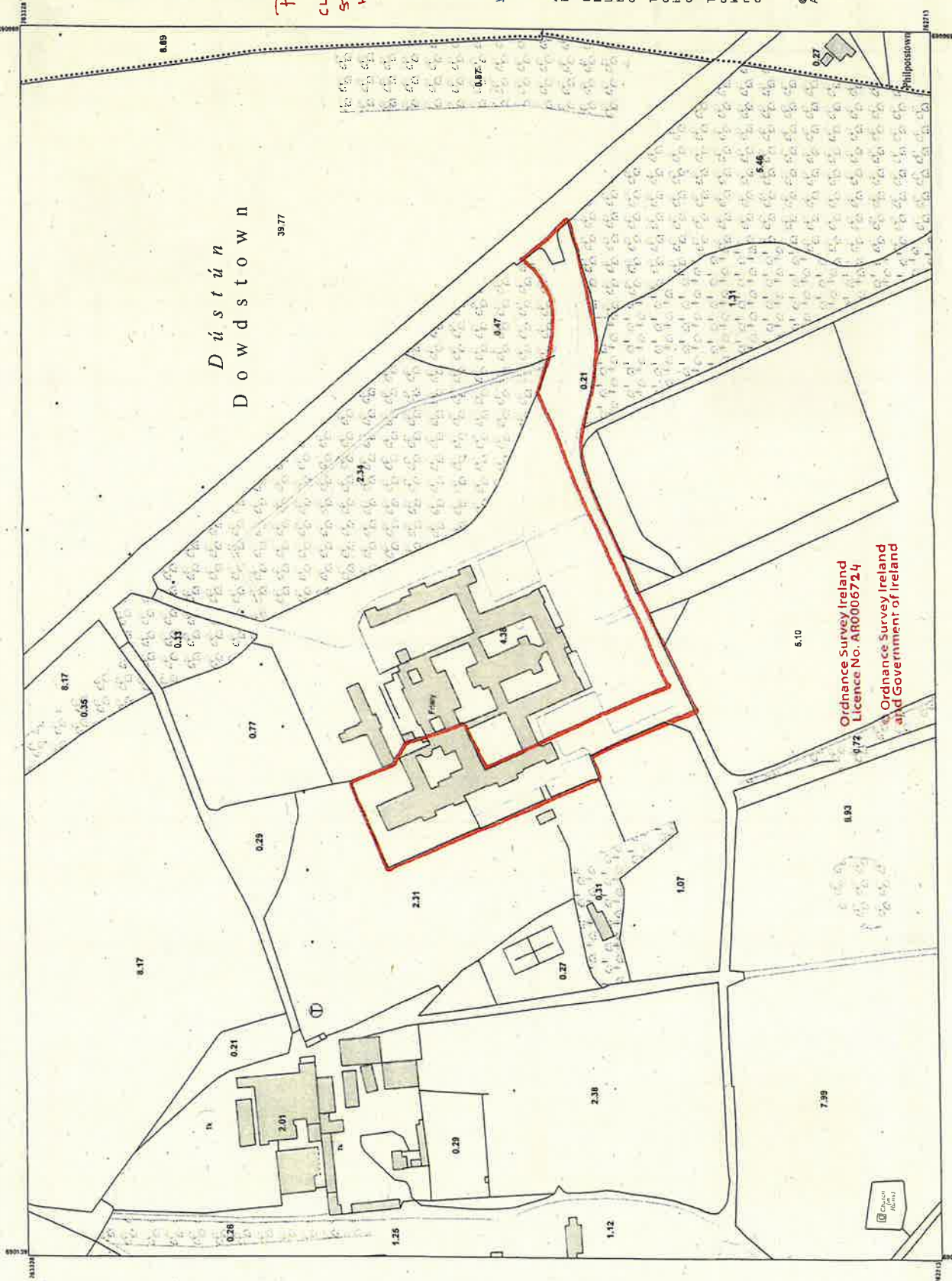
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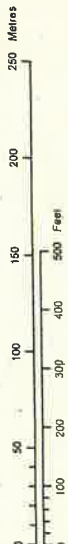
Dowdstown

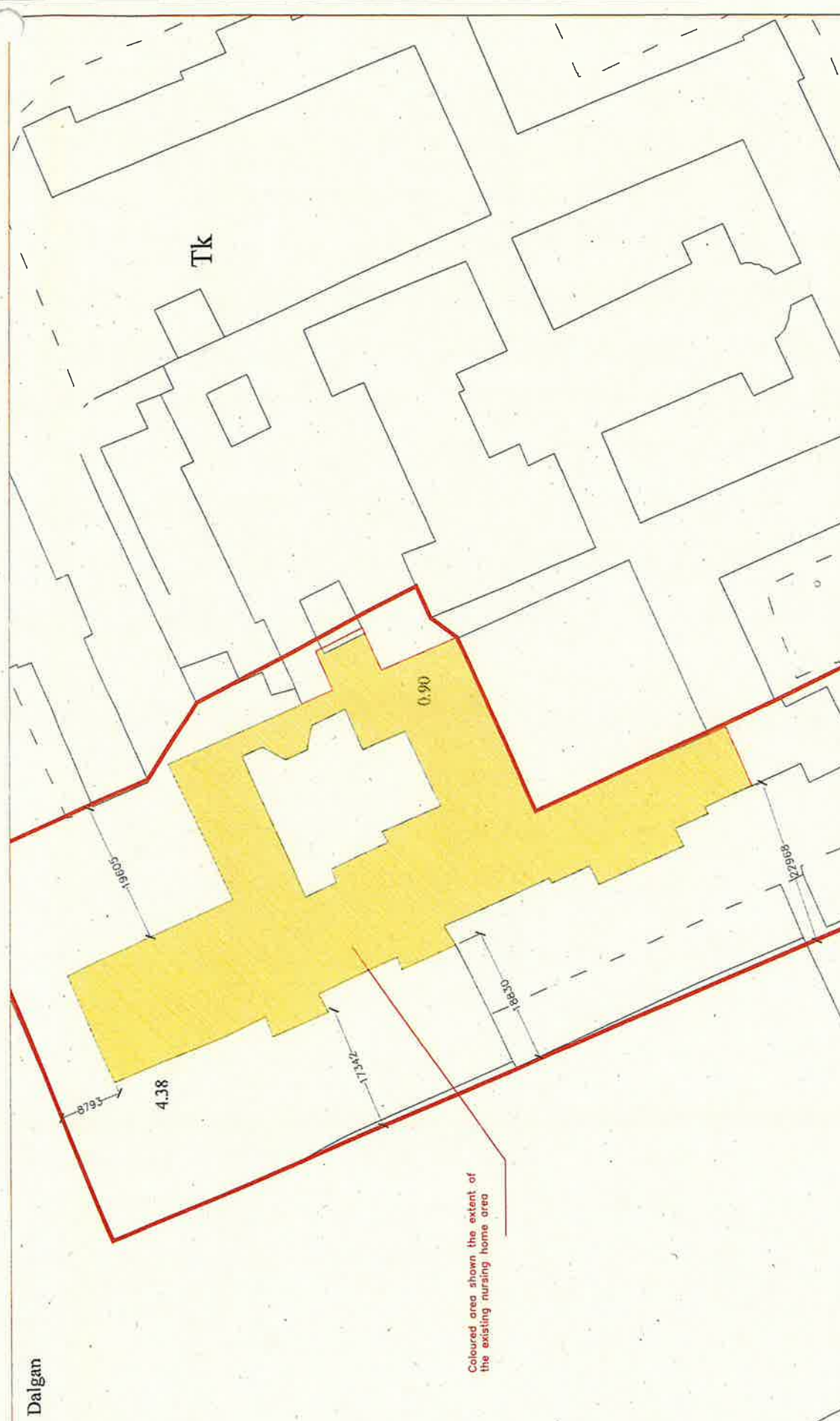
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and Government of Ireland

CAPTURE RESOLUTION:
The map objects are only accurate to the resolution of the data used in the map. Output scale is not indicative of data capture scale. Further information is available at www.tailte.ie/search/CaptureResolution

LEGEND:
To view the legend visit www.tailte.ie and search for 'Legend'.

OUTPUT SCALE: 1:2,500





Coloured area shown the extent of the existing nursing home area

www.phoenixsts.ie
info@phoenixsts.ie
043-338611
01-906722
021-242001



Drawn By: **SAP**
Issue: **55-105**

Stage: **Section A**
Date: **November 2023**

Dwg. No.:
Scale: **1/500**

Project: **Dalgan Park Nursing Home**

Title: **Proposed Site Plan layout - internal alteration & elevational changes**

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