



Comhairle Contae Chill Dara

Kildare County Council

Date: 7th May 2025.
Our Ref: ED/1187.

Rob White,
Scoil Ide Naofa,
Building Design Partnership (BDP),
Blackhall Green,
Dublin 7
D07 V0RF.

RE: Application for a Declaration of Exempted Development under Section 5 of Planning and Development Act 2000 (as amended) for development at Scoil Ide Naofa, Kilmeade, Athy, Co. Kildare.

Dear Sir/Madam,

I refer to your correspondence received on 27th January 2025 and 22nd April 2025 in connection with the above.

Please find attached declaration made under Section 5 of Planning and Development Acts 2000 (as amended) in this regard.

Yours sincerely,

PP 
Senior Executive Officer,
Planning Department.



Comhairle Contae Chill Dara

Kildare County Council

Declaration of Development & Exempted Development under Section 5 of the Planning and Development Act 2000 (as amended).

ED/1187.

WHEREAS a question has arisen as to whether the replacement of existing external windows, doors and glazed screens with similar, repainting of the existing façade, installation of a new replacement flat roof to parts of the existing school, installation of external insulated render system to selected walls, installation of ventilation hoods onto the external facade to serve internal classroom MVHR units, installation of an LPG tank, installation of an air source heat pump and installation of a vandal resistant EVC car charging local electrical enclosure, distribution board and dual car charging outlet at Scoil Ide Naofa, Kilmeade, Athy, Co. Kildare, is exempted development,

AS INDICATED on the plans and particulars received by the Planning Authority on 27th January 2025 and 22nd April 2025

AND WHEREAS Rob White, Scoil Ide Naofa requested a declaration on the said question from Kildare County Council,

AND WHEREAS Kildare County Council as the Planning Authority, in considering this application for a declaration under Section 5 of the Planning and Development Act 2000 (as amended), had regard to;

- (a) Planning and Development Act 2000 (as amended) and
- (b) Planning and Development Regulations 2001 (as amended); and
- (c) Documentation received with the application

AND WHEREAS Kildare County Council has concluded that the development comprises works to which the provisions of the following applies:

- (a) Sections 2, 3, 4 of the Planning and Development Act 2000 (as amended);
- (b) Article 6 and 9 of the Planning and Development Regulations 2001 (as amended)
- (c) The nature, extent and purpose of the works,

NOW THEREFORE Kildare County Council, in exercise of the powers conferred on it by Section 5(2)(a) of the Planning and Development Act 2000 (as amended), hereby decides that the replacement of existing external windows, doors and glazed screens with similar, repainting of the existing façade, installation of a new replacement flat roof to parts of the existing school, installation of external insulated render system to selected walls and the installation of ventilation hoods onto the external facade to serve internal classroom MVHR units at Scoil Ide Naofa, Kilmeade, Athy, Co. Kildare ***IS development and IS EXEMPTED development pursuant to Section 4 1(h) of the Planning and Development Act as amended and of Article 6, Article 9 of the Planning and Development Regulations as amended.***



Comhairle Contae Chill Dara

Kildare County Council

AND

The installation of an LPG Tank, installation of an air source heat pump, installation of a vandal resistant EVC car charging local electrical enclosure, distribution board and dual car charging outlet at Scoil Ide Naofa, Kilmeade, Athy, Co. Kildare ***IS development and IS NOT EXEMPTED development pursuant to Article 6 and 9 of the Planning and Development Regulations 2001 as amended.***

Please note that any person issued with a declaration under subsection 2(a) of the Planning and Development Act 2000 (as amended) may on payment to the Board of the prescribed fee, refer a declaration to An Bord Pleanála within 4 weeks of the issuing of the decision.

7th May 2025.

PP 
Senior Executive Officer,
Planning Department.



KILDARE COUNTY COUNCIL



PLANNING & STRATEGIC DEVELOPMENT DEPARTMENT

Section 5 referral & declaration on development & exempted development

Planning & Development Act 2000 (as amended)

Reference No. ED/1187

Name Of Applicant(s):	Scoil Ide Naofa
Address Of Development:	Scoil Ide Naofa, Kilmeade, Athy, Co. Kildare
Development Description:	Repair and maintenance works to existing school building associated with energy reduction programme
Due date	24 th February 2025

Introduction

This is a request for a **DECLARATION** under Section 5(1) of the Planning and Development Act 2000 (as amended) to establish whether under Section 5 of the Act the works to replace the existing fenestration, to repaint the existing facade, to install an external insulated render system, ventilation hoods, an air source heat pump and an LPG tank at Kilmeade National School, is or is not exempted development.

Site Location

Scoil Ide Naofa is located in the centre of the village of Kilmeade which is 6.57km northeast of the town of Athy. The school is composed of mostly single storey buildings and prefabs and is situated on the L80221 local tertiary road.

Description of Proposed Development

The proposed development comprises of;

- The replacement of existing external windows, doors and glazed screens with similar.
- The repainting of the existing facade.
- The installation of a new replacement flat roof to parts of the existing school.
- The installation of external insulated render system to selected walls.
- The installation of ventilation hoods onto the external facade to serve internal classroom MVHR units.
- The installation of an LPG tank.
- The installation of an air source heat pump.



Fig 1: Site Location and context (site denoted with red star)



Fig 2: Aerial view of subject site (GIS)

Planning History

Planning reference **08/1522**: Planning permission granted to Edward Kirwan for the change of use of store to special needs classroom.

Planning reference **04/2039**: Planning permission granted to Ed Kirwan for the provision of a prefabricated classroom.

Planning reference **96/1266**: Planning permission granted to the Board of Management of Kilmead NS, Kilmead, Athy for the relocation of existing temporary

accommodation and erect new temporary school accommodation consisting of 2 prefabricated units during extension of existing school.

Planning reference **95/1644**: Planning permission granted to V. Dempsey for the erection of 3 classrooms, general purpose room and septic tank to the existing National School.

Relevant Legislative Background

Planning and Development Act 2000 (as amended)

Section 2(1)

“alteration” includes—

(a) plastering or painting or the removal of plaster or stucco, or

(b) the replacement of a door, window or roof,

that materially alters the external appearance of a structure so as to render the appearance inconsistent with the character of the structure or neighbouring structures;

‘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)

In this Act, ‘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.

Section 4(1)

The following shall be exempted development for the purposes of the 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 5(7) EIA Screening

The proposed development is not specified in Part 2 of Schedule 5 of the Planning and Development Regulations 2001(as amended). In any event, it is considered, having regard to nature, size and location, the proposed development would not be likely to have significant effects on the environment. Therefore, EIA is not required.

Planning and Development Regulations 2001 (as amended)

Article 6(1)

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.

Article 9 (1)(a)(i)

Restrictions on exemption.

9. (1) 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 or be inconsistent with a use of permission
- (ii) material widening of a means of access to a public road
- (iii) traffic hazard or obstruction of road user.....
- (iiia) hazardous glint and/or glare....
- (iv) infringes building line
- (v) works under a public road (other than certain infrastructural works) ...
- (vi) interfere with the character of a landscape/view of special interest
- (vii) excavation/alteration/demolition of features/places/caves.....
- (viiA) excavation, alteration or demolition of any archaeological monument ...
- (viiB) likely to have a significant effect on the integrity of a European site
- (viiC) likely to have an adverse impact on a natural heritage area ..
- (viii) extension, alteration, repair or renewal of an unauthorised structure or use....
- (ix) demolition/alteration of building/structure, precluding a use where it is an objective for the structure to remain available for that use....
- (x) consist of the fencing/enclosure of any land habitually used by the public
- (xi) obstruct any public right of way...
- (xii) exterior works materially affecting the character of an ACA...

The full criteria laid out under Article 9 must be considered as part of the assessment of this application.

Class 57

The extension of a school, where the school has not been previously extended under a CLASS 57 exemption, by the construction or erection of an extension to the side or rear of the school.

- 1. The floor area of any such extension shall not exceed 210 square metres.*
- 2. No such structure shall be above the ground floor.*
- 3. Any extension shall be a distance of not less than 2 metres from any party boundary.*
- 4. An exemption under this class shall only be availed of once.*
- 5. Such structure shall comply with the Department of Education Primary and Post Primary Technical Guidance Documents for the time being in force.*

Assessment

The Applicant seeks to conduct **repair, and maintenance works** to the existing school for purposes of energy reduction. The proposed development comprises of;

- The replacement of existing external windows, doors and glazed screens with similar.

- The repainting of the existing facade.
- The installation of external insulated render system to selected walls.
- The installation of ventilation hoods onto the external facade to serve internal classroom MVHR units.
- The installation of an LPG tank.
- The installation of an air source heat pump.

Section 2(1) of the Planning and Development Act 2000 defines ‘works’ as ‘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 of the Planning and Development Act 2000 defines ‘development’ as ‘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.’

1. The replacement of existing external windows, doors and glazed screens with similar.

*In Section 2(1) of the Planning and Development Act 2000 “alteration” includes— ,
(a) plastering or painting or the removal of plaster or stucco, or
(b) the replacement of a door, window or roof.
that **materially alters the external appearance of a structure** so as to render the appearance inconsistent with the character of the structure or neighbouring structures;*

Under this definition the replacement of the existing external windows, doors and glazed screens with similar would not materially alter the external appearance of the structure so as to render the appearance inconsistent with the remainder of the structure or any surrounding structures. Therefore, these items are not deemed to be works as defined in **Section 2(1)** of the Planning and Development Act 2000 and as a result are not deemed to be development.

2. The repainting of the existing facade.

It would appear as though few details as to the extent of repainting of the existing facade have been submitted. It is noted that the façade of the existing school encompasses a large surface area. It is unclear if the entire structure is the subject of the ‘repainting of existing façade’. The repainting (alteration) may or may not be works – this depends on whether or not the painting would materially alter the external appearance. It cannot be determined if this item is ‘Works’ or ‘Development’. For this part of the declaration **further information** will be required.

3. The installation of external insulated render system to selected walls.

It is noted that the façade of the existing main school building comprises of a pebbledash render. The installation of external insulated render will alter the external appearance of the front elevation of the school structure. The installation of this system are considered to be ‘works’. These works *‘that materially alters the external*

appearance of a structure' are not listed as any Class of exempted development in the Planning and Development Regulations. As a result, the installation of external insulated render system to selected walls can be considered to be works which are not exempted development.

Fig 3: Proposed Plan showing proposed external wall insulation to front of school (in green).

The proposed ventilation hoods do not appear to be illustrated on the documents submitted to the Planning Authority. It is unclear as to the quantity or size of the units proposed and their proposed position(s) on the building. As a result, a determination as to whether the *installation of ventilation hoods onto the external facade to serve the internal classroom MVHR* units cannot yet be made. For this part of the declaration **further information** will be required.

The LPG tank proposed will be situated in the front corner of the site to the northeast of the main school building. This shall be enclosed behind a 1.8m high screen. Aside from this information no further details of the size, height and form of the structure have been supplied, therefore it is not possible to decipher if this item constitutes 'works' or 'exempted development'. **Further information** is required for this point.

In parallel to the LPG tank the proposed heat pump will be situated in the front corner of the site to the northeast of the main school building. This shall be enclosed behind a 2.8m high screen. Again, no further details of the size, height and form of the structure have been supplied, therefore it is not possible to decipher if this item constitutes 'works' or 'exempted development'. **Further information** is required for this point.

Note:

The Site Layout Plan appears to indicate an additional item on top of that described in the description which is the subject of this declaration request. This is a proposed vandal resistant EVC car charging local electrical enclosure, distribution board and dual car charging outlet.

Conclusion

There are some outstanding issues to clarify regarding the repainting of the existing facade and the installation of the ventilation hoods, an LPG tank and an air source heat pump.

Recommendation

It is recommended that further information be requested as follows:

1. The applicant is requested to fully clarify the full extent of the items under which a declaration of exemption is being sought. In the absence of a clear question being sought it is impossible for a determination to be made. The applicant is therefore requested to set out a series of questions, such as:

‘is the construction of a [insert here the item you are seeking a declaration on] development and is it or is it not exempted development’
2. There are discrepancies between the details noted in the application form and the site layout plan:
 - a. Very little detail has been submitted to support the determination for the ‘*repainting of existing façade*’. It is unclear if the entire school building is the subject of the ‘repainting of existing façade’. The applicant is requested to detail the extent of the repainting of the existing façade.
 - b. Very little detail has been submitted to support the determination for the ‘*installation of ventilation hoods onto the external façade to serve internal classroom MVHR units*’. It is noted that no information has been submitted to show either the size of the units or their location on the building. For a determination to be made the applicant is requested to submit elevational drawings of these items, with dimensions.
 - c. Very little detail has been submitted to support the determination for the ‘*installation of an LPG tank or the air source heat pump*’. It is noted that no information has been submitted to show either the size, height or length of these items (elevational drawings). For a determination to be made the applicant is requested to submit elevational drawings of these items, with dimensions.

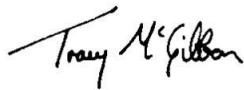
The applicant is therefore requested to submit all documentation required to make a determination. Details of the nature, size and location of the proposed development should be submitted and appropriate plans and elevations.

3. The Site Layout Plan appears to indicate an additional item on top of that described in the description which is the subject of this declaration request. This is a proposed vandal resistant EVC car charging local electrical enclosure, distribution board and dual car charging outlet. This is located outside of the red line boundary. The Applicant is requested to clarify as to why this item has been included in the site layout plan submitted with the Section 5 Declaration.

Signed:

Planner: Cian Buckley

Date: 07/04/2025



Senior Executive Planner

11/04/2025

KILDARE COUNTY COUNCIL



PLANNING & STRATEGIC DEVELOPMENT DEPARTMENT

Section 5 referral & declaration on development & exempted development

Planning & Development Act 2000 (as amended)

Reference No. ED/1187 (REPORT 2)

Name Of Applicant(s):	Scoil Ide Naofa
Address Of Development:	Scoil Ide Naofa, Kilmeade, Athy, Co. Kildare
Development Description:	Repair and maintenance works to existing school building associated with energy reduction programme.
Due date	19 th May 2025

Further Information was requested as follows:

1. *The Applicant is requested to fully clarify the full extent of the items under which a declaration of exemption is being sought. In the absence of a clear question being sought it is impossible for a determination to be made. The applicant is therefore requested to set out a series of questions, such as:*

'is the construction of a [insert here the item you are seeking a declaration on] development and is it or is it not exempted development'

Applicant's Response

The Applicant has raised a series of questions as requested.

-Is the **replacement of existing external windows, doors and glazed screens** development and is it or is it not exempted development?

-Is the **repainting of the existing facade** development and is it or is it not exempted development?

-Is the **installation of a new replacement flat roof to parts of the existing school** development and is it or is it not exempted development?

-Is the **installation of external insulated render system to selected walls** development and is it or is it not exempted development?

-Is the **installation of ventilation hoods onto the external façade to serve internal classroom MHVR units** development and is it or is it not exempted development?

-Is the **installation of an LPG tank located on existing hardstanding with a 1.8m high perimeter screen** development and is it or is it not exempted development?

-Is the **installation of a Heat Pump located on existing hardstanding with a 2.8m high perimeter screen** development and is it or is it not exempted development?

-Is the **installation of a vandal resistant EVC car charging local electrical enclosure, distribution board and dual car charging outlet** development and is it or is it not exempted development?

2. *There are discrepancies between the details noted in the application form and the site layout plan:*

- a. *Very little detail has been submitted to support the determination for the 'repainting of existing façade'. It is unclear if the entire school building is the subject of the 'repainting of existing façade'. The applicant is requested to detail the extent of the repainting of the existing façade.*
- b. *Very little detail has been submitted to support the determination for the 'installation of ventilation hoods onto the external façade to serve internal classroom MVHR units. It is noted that no information has been submitted to show either the size of the units or their location on the building. For a determination to be made the applicant is requested to submit elevational drawings of these items, with dimensions.*
- c. *Very little detail has been submitted to support the determination for the 'installation of an LPG tank or the air source heat pump'. It is noted that no information has been submitted to show either the size, height or length of these items (elevational drawings). For a determination to be made the applicant is requested to submit elevational drawings of these items, with dimensions.*

The applicant is therefore requested to submit all documentation required to make a determination. Details of the nature, size and location of the proposed development should be submitted and appropriate plans and elevations.

Applicant's Response

In response to point (a) the Applicant stated the extent of the 'repainting of the existing façade'. The repainting is limited to only the areas of which external wall insulation to and/or over the existing façade. The paint finish is proposed to match the existing school appearance.

In response to point (b) It is stated that the MVHR units are 300mm (height) x 500mm (width) x 100mm (diameter) and are to be grey powder aluminium in appearance. There are to be 2x hoods on the eastern elevation.

In response to point (c) the LPG tank is 1.6m wide x 3.6m in length. This is within an enclosure which is 3m x 5m in area. The enclosure shall be 1.8m in height and will screen the tank. The heat pump shall be behind a 2.8m high composite acoustic screen (incorporating mineral wool and a galvanized steel frame).

3. The Site Layout Plan appears to indicate an additional item on top of that described in the description which is the subject of this declaration request. This is a proposed vandal resistant

EVC car charging local electrical enclosure, distribution board and dual car charging outlet. This is located outside of the red line boundary. The Applicant is requested to clarify as to why this item has been included in the site layout plan submitted with the Section 5 Declaration.

Applicant's Response

In the response submitted the Applicant has stated that the proposed vandal resistant car charging local electrical enclosure, distribution board and dual car charging outlet are to be considered as part of this Section 5 Declaration. A revised site layout plan has been submitted which amends the red site application boundary previously shown so that these proposed works are now included within it.

Assessment

The Applicant has posed a series of questions as part of the Section 5 Declaration. The Planning Authority has provided comment on each question below.

Question 1

-Is the **replacement of existing external windows, doors and glazed screens** development and is it or is it not exempted development?

The replacement of external windows, doors and glazed screens is considered to be works of alteration of the structure. Section 4(1)(h) of the PD Act 2000 as amended, provides for exemptions in cases where development would not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure.

It is considered that the replacement of the windows, doors and glazed screens with similar is development and is exempted development.

Question 2

-Is the **repainting of the existing facade** development and is it or is it not exempted development?

Class 12 of Schedule 2 Part 1 of the Planning and Development Regulations 2001 (as amended) provides an exemption for *the painting of any external part of any building or other structure*.

-Such painting may not, except in the case of a hoarding or other temporary structure bounding land on which development consisting of works is being or will be carried out in pursuance of a permission granted under Part III of the Act or as exempted development, be for the purposes of creating a mural.

It is considered that the repainting of the façade over the specified areas of the exterior of the building is development and is exempted development.

Question 3

-Is the **installation of a new replacement flat roof to parts of the existing school** development and is it or is it not exempted development?

In Section 2(1) of the Planning and Development Act 2000 (as amended) “alteration” includes (b) the replacement of a door, window or roof, that materially alters the external appearance of a structure so as to render the appearance inconsistent with the character of the structure or neighbouring structures.

There is one area where a replacement slate roof will be installed, there are five areas where flat roofs are to be replaced. These will not materially alter the external appearance of the structure so as to **render it inconsistent with the character of the school or surrounding area.**

It is considered therefore that the **installation of a new replacement flat roof to parts of the existing school** is development and is exempted development.

Question 4

-Is the **installation of external insulated render system to selected walls** development and is it or is it not exempted development?

The thickness of the external insulated render system is submitted to be 100mm. As this area is then scheduled to be repainted match the school appearance, it is not considered that the provision of the external insulated render system will render the appearance of the school inconsistent with the character of both the structure itself or the surrounding area (Section 4(1)(h) of the Planning and Development Act 2000 (as amended)).

Therefore it is considered that the **installation of external insulated render system to selected walls** is development and is exempted development.

Question 5

-Is the **installation of ventilation hoods onto the external façade to serve internal classroom MHVR units** development and is it or is it not exempted development?

It is considered that the installation of ventilation hoods onto the external façade of the structure to the side (eastern) elevations constitute development and is considered to be works of construction, extension, alteration, repair of the structure and, having regard to the side-facing location and scale of the structure, and is considered to fall within the provisions of Section 4(1)(h) of the Planning and Development Act 2000 (as amended) as such works would not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure.

It is considered therefore that the installation of ventilation hoods onto the external façade is development and is exempted development.

Question 6

-Is the installation of an LPG tank located on existing hardstanding with a 1.8m high perimeter screen development and is it or is it not exempted development?

The proposed LPG tank within a 3m x 5m enclosure is located on plinth to the east of the school and at a front corner of the site. There would not appear to be any exemptions in the Planning and Development Regulations 2001 (as amended), for fuel storage tanks within the curtilage of a school.

It is considered that the provision of an LPG tank and associated works is development and is NOT exempted development.

Question 7

-Is the installation of a Heat Pump located on existing hardstanding with a 2.8m high perimeter screen development and is it or is it not exempted development?

The site layout plan indicates the location of a proposed Heat Pump and associated works located on existing hardstanding. There is no provision in the Planning and Development Regulations 2001 (as amended) for the provision of a heat pump within the curtilage of a school. To this end, it is considered that the provision of the heat pump and associated landscaping/screening is development and is NOT exempted development.

Question 8

-Is the installation of a vandal resistant EVC car charging local electrical enclosure, distribution board and dual car charging outlet development and is it or is it not exempted development?

Class 29A of Schedule 2 Part 1 of the PD Regulations 2001 as amended provides for exemptions for the construction of a charging point for electric vehicles that does not exceed 3.6 cubic metres by volume above ground. The Class also provides for the construction of bollards not exceeding 1.2m in height and 0.2 cubic metres by volume above ground for the purposes of protecting such charging point.

Class 29B of the same Schedule provides for an exemption for development consisting of – (a) the construction of a charging hub for electric vehicles that contain – (i) not more than one substation or mini pillar to which Class 29 applies, and (ii) not more than 4 charging points to which Class 29A applies, or (b) the construction of bollards not exceeding – (i) 1.2 metres in height, and (ii) 0.2 cubic metres by volume above ground, for the purpose of protecting each such charging point.

Insufficient detail has been submitted with regard to the EVC car charging local electrical enclosure distribution board and dual car charging outlet to enable an assessment of same with regard to Class 29A and 29B of the Regulations.

The installation of EVC car charging local electrical enclosure, distribution board and dual car charging outlet is development and at this stage, given the lack of detail submitted with the application, is NOT exempted development.

Recommendation

See Declaration attached.

Declaration of Development & Exempted Development under**Section 5 of the Planning and Development Act 2000 (as amended)**

WHEREAS a question has arisen as to whether

- The replacement of existing external windows, doors and glazed screens with similar.
- The repainting of the existing facade.
- The installation of a new replacement flat roof to parts of the existing school.
- The installation of external insulated render system to selected walls.
- The installation of ventilation hoods onto the external facade to serve internal classroom MVHR units.
- The installation of an LPG tank.
- The installation of an air source heat pump.
- The installation of a vandal resistant EVC car charging local electrical enclosure, distribution board and dual car charging outlet.

Is development and whether such development is or is not exempted development.

AS INDICATED on the plans and particulars received by the Planning Authority on 22/04/2025

AND WHEREAS the Applicant Rob White, Scoil Ide Naofa, Kilmeade has requested a declaration on the said question from Kildare County Council,

AND WHEREAS Kildare County Council as the Planning Authority, in considering this application for a declaration under Section 5 of the Planning and Development Act 2000 (as amended), had regard to;

1. Planning and Development Act 2000 (as amended); and
2. Planning and Development Regulations 2001 (as amended);

AND WHEREAS Kildare County Council has concluded that the proposal comprises of development to which the provisions of the following applies:

1. Sections 2, 3, 4 of the Planning and Development Act 2000 (as amended);
2. Article 6 and 9 of the Planning and Development Regulations 2001 (as amended)
3. The nature, extent and purpose of the works,

NOW THEREFORE Kildare County Council, in exercise of the powers conferred on it by Section 5(2)(a) of the Planning and Development Act 2000 (as amended),

hereby decides that -

- The replacement of existing external windows, doors and glazed screens with similar.
- The repainting of the existing facade.
- The installation of a new replacement flat roof to parts of the existing school.
- The installation of external insulated render system to selected walls.
- The installation of ventilation hoods onto the external facade to serve internal classroom MVHR units.

IS development and IS EXEMPTED development pursuant to Section 4 1(h) of the Planning and Development Act as amended and of Article 6, Article 9 of the Planning and Development Regulations as amended.

And

- The installation of an LPG tank.
- The installation of an air source heat pump.
- The installation of a vandal resistant EVC car charging local electrical enclosure, distribution board and dual car charging outlet.

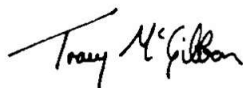
IS development and IS NOT EXEMPTED development pursuant to Article 6 and 9 of the Planning and Development Regulations 2001 as amended.

Please note that any person issued with a declaration under Section 5 of the Planning and Development Act 2000 (as amended) may on payment to the Board of the prescribed fee, refer a declaration to An Bord Pleanála within 4 weeks of the issuing of the decision.

Signed:


Planner: Cian Buckley

Date: 01/05/2025



Tracy McGibbon
Senior Executive Planner
06/05/2025

Appendix 1: Appropriate Assessment Screening

	APPROPRIATE ASSESSMENT SCREENING REPORT AND DETERMINATION
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(A) Project Details	
Planning File Ref	ED1187
Applicant name	Rob White
Development Location	Scoil Ide Naofa, Kilmeade, Athy, Co. Kildare
Site size	0.68ha
Application accompanied by an EIS (Yes/NO)	No
Distance from Natura 2000 site in km	Approximately 4.1km from the River Barrow and River Nore Special Area of Conservation to the north.
Description of the project/proposed development – The proposed development comprises of; <ul style="list-style-type: none"> • The replacement of existing external windows, doors and glazed screens with similar. • The repainting of the existing facade. • The installation of external insulated render system to selected walls. • The installation of ventilation hoods onto the external facade to serve internal classroom MVHR units. • The installation of an LPG tank. • The installation of an air source heat pump.. 	

(B) Identification of Natura 2000 sites which may be impacted by the proposed development			
			Yes/No If answer is yes, identify list name of Natura 2000 site likely to be impacted.
1	Impacts on sites designated for freshwater habitats or species.	<i>Is the development within a Special Area of Conservation whose</i>	No

	<u>Sites to consider:</u> River Barrow and Nore, Rye Water/Carton Valley, Pollardstown Fen, Ballynafagh lake	<i>qualifying interests include freshwater habitats and/or species, or in the catchment (upstream or downstream) of same?</i>	
2	Impacts on sites designated for wetland habitats - bogs, fens, marshes and heath. <u>Sites to consider:</u> River Barrow and Nore, Rye Water/Carton Valley, Pollardstown Fen, Mouds Bog, Ballynafagh Bog, Red Bog, Ballynafagh Lake	<i>Is the development within a Special Area of Conservation whose qualifying interests include wetland habitats (bog, marsh, fen or heath), or within 1 km of same?</i>	No
3	Impacts on designated terrestrial habitats. <u>Sites to consider:</u> River Barrow and Nore, Rye Water/Carton Valley, Pollardstown Fen, Ballynafagh Lake	<i>Is the development within a Special Area of Conservation whose qualifying interests include woodlands, dunes or grasslands, or within 100m of same?</i>	No
4	Impacts on birds in SPAs <u>Sites to consider:</u> Poulaphouca Reservoir	<i>Is the development within a Special Protection Area, or within 5 km of same?</i>	No

Conclusion:

If the answer to all of the above is **No**, significant impacts can be ruled out for habitats and bird species.

No further assessment in relation to habitats or birds is required.

If the answer is **Yes** refer to the relevant sections of **C**.

(G) SCREENING CONCLUSION STATEMENT		
<i>Selected relevant category for project assessed by ticking box.</i>		
1	AA is not required because the project is directly connected with/necessary to the conservation management of the site	
2	No potential significant affects/AA is not required	X
3	Significant effects are certain, likely or uncertain. Seek a Natura Impact Statement Reject proposal. (Reject if potentially damaging/inappropriate)	
Justify why it falls into relevant category above (based on information in above tables)		

Having regard to the scale and nature of the proposed works, it is not considered that there will be any impact on the nearest SAC.	
Name:	Cian Buckley
Position:	Graduate Planner
Date:	30/04/2025

COMHAIRLE CONTAE CHILL DARA

KILDARE COUNTY COUNCIL



Director of Services Order

I, Alan Dunney, Director of Services, am duly authorised and delegated by Chief Executive's Order number: CE48043 to make the following Order in accordance with Section 154 of the Local Government Act, 2001, as amended.

ORDER NO: DO58368 **Section:** Planning

SUBJECT: ED1187 Rob White, Scoil Ide Naofa, c/o Building Design Partnership (BDP), Blackhall Green, Dublin 7. Exempt Development Application for The replacement of existing external windows, doors and glazed screens with similar, repainting of the existing façade, installation of a new replacement flat roof to parts of the existing school, installation of external insulated render system to selected walls, installation of ventilation hoods onto the external facade to serve internal classroom MVHR units, installation of an LPG tank, installation of an air source heat pump and the installation of a vandal resistant EVC car charging local electrical enclosure, distribution board and dual car charging outlet

SUBMITTED: ED1187 with recommendation from the Senior Executive Planner and reports from the Council's Technical Officers

ORDER: **I hereby order the following** Kildare County Council, in exercise of the powers conferred on it by Section 5(2)(a) of the Planning and Development Act 2000 (as amended) hereby decides that the replacement of existing external windows, doors and glazed screens with similar, repainting of the existing facade, installation of a new replacement flat roof to parts of the existing school, installation of external insulated render system to selected walls and the installation of ventilation hoods onto the external facade to serve internal classroom MVHR units only is development and is exempted development.

MADE THIS 7TH DAY
OF MAY YEAR 2025

SIGNED: Alan Dunney
DIRECTOR OF SERVICES

Ref: ED/1187



22 April 2025

Kildare CoCo Planning Department
Devoy Park, Naas,
Co. Kildare
W91 X77F

BDP, Blackhall Green, Dublin 7
Ireland, D07 V0RF
T +353 [0]1 474 0600
bdp.com

RE: Further Information Response pertaining to our Application for a Declaration for Exempted Development under Section 5 of the Planning and Development Act 2000 (as amended) at Scoil Ide Naofa, Kilmeade, Athy, Co. Kildare (ED/1187)

Dear Sir/Madam

We acknowledge receipt of your letter (ref: ED/1187) received on the 11th April 2025 outlining that further information is required in order for Kildare CoCo to properly assess our Section 5 Declaration Application for Scoil Ide Naofa (application dated 27th January 2025).

We must note that this request has been received eleven weeks following our submission, significantly outside the statutory four-week response period, and given the absence of any timely response, we proceeded to tender and now have a valid tender in place, ready to proceed to contract.

Nonetheless, we hereby provide said further information, and outline below our detailed responses to the items raised within the letter received:

I refer to your application for a Section 5 Declaration received on 27th January 2025. The following further information is required to properly assess your application.

1. The Applicant is requested to fully clarify the full extent of the items under which a declaration of exemption is being sought. In the absence of a clear question being sought it is impossible for a determination to be made. The Applicant is therefore requested to set out a series of questions, such as 'is the construction of a [insert here the item you are seeking a declaration on] development and is it or is it not exempted development'

BDP Comment: To address any discrepancies between the details noted in the application form and that shown on the site layout plan, the full extent of the proposed works which a declaration of exemption is being sought can be noted as follows:

- replacement of existing external windows, doors and glazed screens with similar,
- repainting of existing facade,
- installation of a new replacement flat roof to parts of the existing school,

- installation of external insulated render system to selected walls,
- installation of ventilation hoods onto the external facade to serve internal classroom MVHR units,
- Installation of an LPG tank located on existing hardstanding with a 1.8m high perimeter screen,
- Installation of a Heat Pump located on existing hardstanding with a 2.8m high perimeter screen,
- Installation of a vandal resistant EVC car charging local electrical enclosure, distribution board and dual car charging outlet.

With this in mind, please be in receipt of a series of questions as requested:

- Is the **replacement of existing external windows, doors and glazed screens** development and is it or is it not exempted development?
- Is the **repainting of the existing facade** development and is it or is it not exempted development?
- Is the **installation of a new replacement flat roof to parts of the existing school** development and is it or is it not exempted development?
- Is the **installation of external insulated render system to selected walls** development and is it or is it not exempted development?
- Is the **installation of ventilation hoods onto the external facade to serve internal classroom MVHR units** development and is it or is it not exempted development?
- Is the **installation of an LPG tank located on existing hardstanding with a 1.8m high perimeter screen** development and is it or is it not exempted development?
- Is the **installation of a Heat Pump located on existing hardstanding with a 2.8m high perimeter screen** development and is it or is it not exempted development?
- Is the **installation of a vandal resistant EVC car charging local electrical enclosure, distribution board and dual car charging outlet** development and is it or is it not exempted development?

2. There are discrepancies between the details noted in the application form and the site layout plan:

(a) Very little detail has been submitted to support the determination for the '*repainting of existing façade*'. It is unclear if the entire school building is the subject of the '*repainting of existing façade*'. The Applicant is requested to detail the extent of the repainting of the existing façade.

BDP Comment: The detailed extent of repainting of the existing façade can be noted as being limited to only the areas of which external wall insulation is being installed to/over the existing facade. The paint finish is to match existing school appearance.

The extent of these areas are denoted in a green diagonal hatch on the Proposed Building Fabric Upgrade Elevations.

Please refer to Drawing: "07SIN-BDP-XX-XX-EL-A-PP0002 (REV_P02)"

(b) Very little detail has been submitted to support the determination for the *'installation of ventilation hoods onto the external façade to serve internal classroom MVHR units'*. It is noted that no information has been submitted to show either the size of the units or their location on the building. The Applicant is requested to submit elevational drawings of these items, with dimensions.

BDP Comment: A revised version of the "Proposed Building Fabric Upgrade Elevations" Drawing is appended to this correspondence which provides greater detail regarding the size and location of the MVHR units on the existing buildings. It can be noted that there are 2no. ventilation hoods located on the East Elevation, which are 300mm (H) x 500mm (W) x 100mm (D) in size, and are to be grey powder coated aluminium in appearance.

Please refer to Drawing: "07SIN-BDP-XX-XX-EL-A-PP0002 (REV_P02)"

(c) Very little detail has been submitted to support the determination for the *'installation of an LPG tank or the air source heat pump'*. It is noted that no information has been submitted to show either the size, height or length of these items (elevational drawings). The Applicant is requested to submit elevational drawings of these items, with dimensions.

BDP Comment: A revised version of the "Site Layout Plan" Drawing is appended to this correspondence which provides greater detail regarding the size, height and length of the proposed LPG Tank and Air Source Heat Pump. In addition, dimensions have also been provided for their associated enclosures. It can be noted that the dimensions for the LPG tank and enclosure are in accordance with the FloGas 1x1 Tonne Installation Guidance document also enclosed within this response.

As requested, a new "Proposed North & East Elevations indicating LPG Tanks and ASHP Enclosures" Drawing is appended to this correspondence which provides elevational drawings of these items within the context of the existing school. These elevational drawings capture the 1.8m high metal mesh fence to the LPG Tank and 2.8m high acoustic screen to the Air Source Heat Pump as previously noted on the Site Layout Plan (REV_P02).

Please refer to Drawing(s): "07SIN-BDP-XX-XX-PL-A-PP0002 (REV_P03)" and "07SIN-BDP-XX-XX-EL-A-PP0003 (REV_P01)"

3. The Site Layout Plan appears to indicate an additional item on top of that described in the description which is the subject of this declaration request. This is a proposed vandal resistant EVC car charging local electrical enclosure, distribution board and dual car charging outlet. This is located outside of the red line boundary. The Applicant is requested to clarify as to why this item has been included in the site layout plan submitted with the Section 5 Declaration.

BDP Comment: The proposed vandal resistant EVC car charging local electrical enclosure, distribution board and dual car charging outlet are to be considered as part of this Section 5 Declaration.

A revised version of the "Site Layout Plan" Drawing is appended to this correspondence which amends the Site Application Boundary previously shown so that these proposed works are located inside of the red line boundary.

Please refer to Drawing: "07SIN-BDP-XX-XX-PL-A-PP0002 (REV_P03)"

We trust that the commentary contained within this letter and the appended drawings (listed below) provides the sufficient further information required in order for our Section 5 Declaration to be assessed.

- 07SIN-BDP-XX-XX-EL-A-PP0002 Proposed Building Fabric Upgrade Elevations (REV_P02)
- 07SIN-BDP-XX-XX-EL-A-PP0002 Proposed North & East Elevations indicating LPG Tanks and ASHP Enclosures (REV_P01)
- 07SIN-BDP-XX-XX-PL-A-PP0002 Site Layout Plan (REV_P03)

Please be advised that this project is part of a RePowerEU Programme with a one-off funding opportunity that must be delivered this summer 2025 in order to meet the programme requirements. Any further delays to the commencement of works will result in the project not being available to proceed in the timeframe required thus losing a significant deep retrofit and investment opportunity for Scoil Ide Naofa.

Given the requirement for these works to be carried out during this upcoming summer and the delays already experienced in this Section 5 process, we kindly request that a response is provided in a timely manner. Please note that ourselves and the Department of Education (cc'd) are available to meet to discuss and expedite this process.

Should you have any queries please do not hesitate to contact me otherwise we welcome timely receipt of the Council's determination.

Yours sincerely



Elliott Ballam

Associate Architect

BDP

Direct Line: +353 [0]1 474 0644

E-Mail: elliott.ballam@bdp.com

Cc Scott Geoghan (BDP)

Cc Shane Fleming (KSN)

Cc Diarmuid Waters (RRPM)

Cc Maeve Harney (DoE)

Cc David Beagon (DoE)

Building Design Partnership

Blackhall Green, Dublin 7 Ireland

Tel: +353 (0)1 474 0600

BDP.

Drawing/Document Register –

Section 5 Application

Project: RePowerEU Pathfinders Programme – Lot 7.2
Scoil Ide Naofa or Kilmead National School (Kildare)

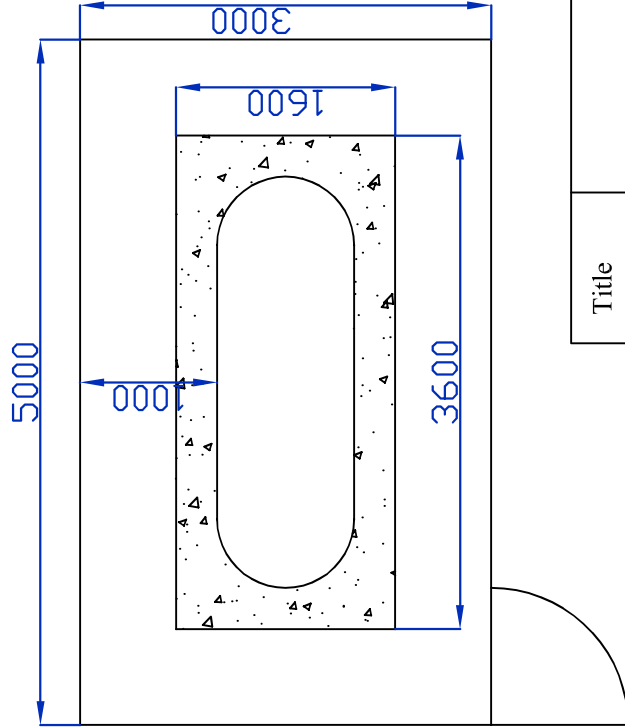
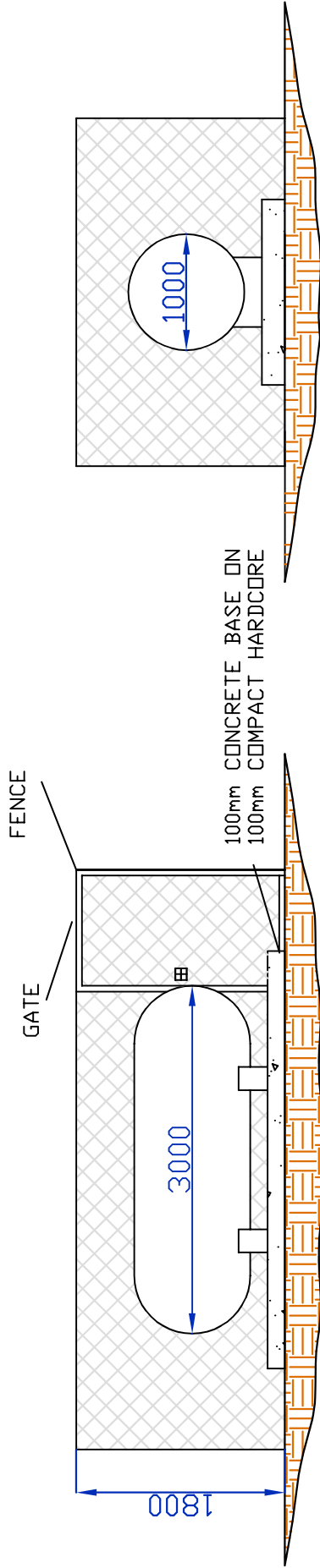
Project No: P3004467

Date: 22nd April 2025

Sender: Elliott Ballam

Drawing Series	Drawing Title	Scale	Rev	Date of Issue
	SITE LOCATION PLAN			
07SIN-BDP-XX-XX-PL-A-PP0001	SITE LOCATION PLAN	1:2500@A3	P01	27.01.25
07SIN-BDP-XX-XX-PL-A-PP0002	SITE LAYOUT PLAN	1:500@A3	P03	22.04.25
	EXISTING BUILDING			
07SIN-BDP-XX-00-PL-A-PP0001	EXISTING GA PLAN - LEVEL 00	1:100@A1	P01	27.01.25
07SIN-BDP-XX-R1-PL-A-PP0001	EXISTING ROOF PLAN	1:100@A1	P01	27.01.25
07SIN-BDP-XX-XX-EL-A-PP0001	EXISTING ELEVATIONS	1:100@A1	P01	27.01.25
	PROPOSED WORKS			
07SIN-BDP-XX-00-PL-A-PP0002	PROPOSED BUILDING FABRIC UPGRADES SCOPING PLAN - LEVEL 00	1:100@A1	P01	27.01.25
07SIN-BDP-XX-R1-PL-A-PP0002	PROPOSED ROOF PLAN	1:100@A1	P01	27.01.25
07SIN-BDP-XX-XX-EL-A-PP0002	PROPOSED BUILDING FABRIC UPGRADE ELEVATIONS	1:100@A1	P02	22.04.25
07SIN-BDP-XX-XX-EL-A-PP0003	PROPOSED NORTH & EAST ELEVATIONS INDICATING LPG TANKS AND ASHP ENCLOSURES	1:100@A1	P01	22.04.25
	GUIDANCE DOCS			
-	FloGas 1x1 Tonne Installation	NTS	-	22.04.25

1x1 Tonne Installation



Separation Distances

The tanks should be 3m from all buildings, boundaries property lines and fixed sources of ignition. This distance can be reduced to 1.5m on one side only using a suitable firewall. Tank must be 3m from bund walls around oil tanks and 6m from petrol bunds. Toxic or hazardous substances must be 15m from tanks

Fencing

The tank compound must be surrounded by a fence, 1.8m in height and located 1m from the tanks. Minimum specification for the fence is 12 gauge 52mm x 52mm weld-mesh or chain link. If the maximum travel distance from any part of the compound is a greater than 6m, a second gate is required at the diagonally opposite corner. Gates to open outward and not self-locking.

Base

Base to extend 300mm around the tank, minimum of 100mm depth on firm subsoil with well compacted hardcore on top. Finished surface of concrete must not be below surrounding ground level. For ease of maintenance, recommend concreting all area inside compound.

Title
Scale

1 x 1 Tonne Installation

Drawing not to scale

Flogas Ireland Ltd
Knockbrack House
Mathews Lane
Donore Road
Drogheda
Co. Louth

Tel: 041 9831041
Fax: 041 9834652
Email: info@flogas.ie
Website: www.flogas.ie

KILDARE COUNTY COUNCIL



PLANNING & STRATEGIC DEVELOPMENT DEPARTMENT

Section 5 referral & declaration on development & exempted development

Planning & Development Act 2000 (as amended)

Reference No. ED/1187

Name Of Applicant(s):	Scoil Ide Naofa
Address Of Development:	Scoil Ide Naofa, Kilmeade, Athy, Co. Kildare
Development Description:	Repair and maintenance works to existing school building associated with energy reduction programme
Due date	24 th February 2025

Introduction

This is a request for a **DECLARATION** under Section 5(1) of the Planning and Development Act 2000 (as amended) to establish whether under Section 5 of the Act the works to replace the existing fenestration, to repaint the existing facade, to install an external insulated render system, ventilation hoods, an air source heat pump and an LPG tank at Kilmeade National School, is or is not exempted development.

Site Location

Scoil Ide Naofa is located in the centre of the village of Kilmeade which is 6.57km northeast of the town of Athy. The school is composed of mostly single storey buildings and prefabs and is situated on the L80221 local tertiary road.

Description of Proposed Development

The proposed development comprises of;

- The replacement of existing external windows, doors and glazed screens with similar.
- The repainting of the existing facade.
- The installation of external insulated render system to selected walls.
- The installation of ventilation hoods onto the external facade to serve internal classroom MVHR units.
- The installation of an LPG tank.
- The installation of an air source heat pump.

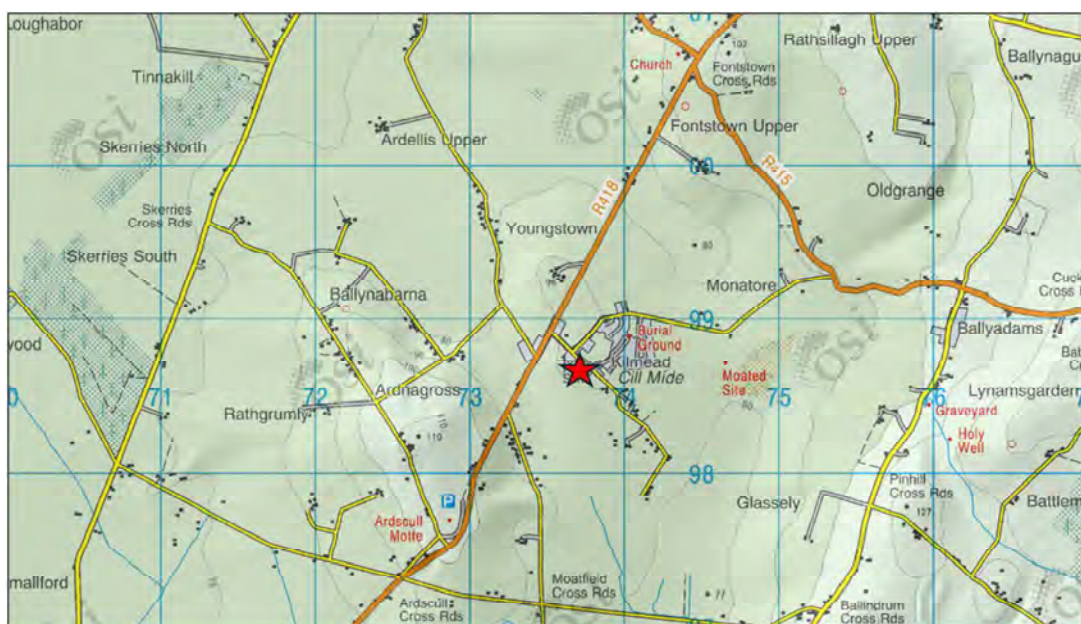


Fig 1: Site Location and context (site denoted with red star)



Fig 2: Aerial view of subject site (GIS)

Planning History

Planning reference **08/1522**: Planning permission granted to Edward Kirwan for the change of use of store to special needs classroom.

Planning reference **04/2039**: Planning permission granted to Ed Kirwan for the provision of a prefabricated classroom.

Planning reference **96/1266**: Planning permission granted to the Board of Management of Kilmead NS, Kilmead, Athy for the relocation of existing temporary accommodation and erect new temporary school accommodation consisting of 2 prefabricated units during extension of existing school.

Planning reference **95/1644**: Planning permission granted to V. Dempsey for the erection of 3 classrooms, general purpose room and septic tank to the existing National School.

Relevant Legislative Background

Planning and Development Act 2000 (as amended)

Section 2(1)

“alteration” includes—

(a) plastering or painting or the removal of plaster or stucco, or

(b) the replacement of a door, window or roof,

that materially alters the external appearance of a structure so as to render the appearance inconsistent with the character of the structure or neighbouring structures;

‘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)

In this Act, ‘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.

Section 4(1)

The following shall be exempted development for the purposes of the 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 5(7) EIA Screening

The proposed development is not specified in Part 2 of Schedule 5 of the Planning and Development Regulations 2001(as amended). In any event, it is considered, having regard to nature, size and location, the proposed development would not be likely to have significant effects on the environment. Therefore, EIA is not required.

Planning and Development Regulations 2001 (as amended)

Article 6(1)

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.

Article 9 (1)(a)(i)

Restrictions on exemption.

9. (1) 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 or be inconsistent with a use of permission
- (ii) material widening of a means of access to a public road
- (iii) traffic hazard or obstruction of road user.....
- (iiia) hazardous glint and/or glare....
- (iv) infringes building line
- (v) works under a public road (other than certain infrastructural works) ...
- (vi) interfere with the character of a landscape/view of special interest
- (vii) excavation/alteration/demolition of features/places/caves.....
- (viiA) excavation, alteration or demolition of any archaeological monument ...
- (viiB) likely to have a significant effect on the integrity of a European site
- (viiC) likely to have an adverse impact on a a natural heritage area ..
- (viii) extension, alteration, repair or renewal of an unauthorised structure or use....
- (ix) demolition/alteration of building/structure, precluding a use where it is an objective for the structure to remain available for that use....
- (x) consist of the fencing/enclosure of any land habitually used by the public
- (xi) obstruct any public right of way...
- (xii) exterior works materially affecting the character of an ACA...

The full criteria laid out under Article 9 must be considered as part of the assessment of this application.

Class 57

The extension of a school, where the school has not been previously extended under a CLASS 57 exemption, by the construction or erection of an extension to the side or rear of the school.

1. *The floor area of any such extension shall not exceed 210 square metres.*
2. *No such structure shall be above the ground floor.*
3. *Any extension shall be a distance of not less than 2 metres from any party boundary.*
4. *An exemption under this class shall only be availed of once.*
5. *Such structure shall comply with the Department of Education Primary and Post Primary Technical Guidance Documents for the time being in force.*

Assessment

The Applicant seeks to conduct **repair, and maintenance works** to the existing school for purposes of energy reduction. The proposed development comprises of;

- The replacement of existing external windows, doors and glazed screens with similar.
- The repainting of the existing facade.
- The installation of external insulated render system to selected walls.

- The installation of ventilation hoods onto the external facade to serve internal classroom MVHR units.
- The installation of an LPG tank.
- The installation of an air source heat pump.

Section 2(1) of the Planning and Development Act 2000 defines 'works' as '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 of the Planning and Development Act 2000 defines 'development' as '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.'

1. The replacement of existing external windows, doors and glazed screens with similar.

*In Section 2(1) of the Planning and Development Act 2000 "alteration" includes— ,
(a) plastering or painting or the removal of plaster or stucco, or
(b) the replacement of a door, window or roof,
that **materially alters the external appearance of a structure** so as to render the appearance inconsistent with the character of the structure or neighbouring structures;*

Under this definition the replacement of the existing external windows, doors and glazed screens with similar would not materially alter the external appearance of the structure so as to render the appearance inconsistent with the remainder of the structure or any surrounding structures. Therefore, these items are not deemed to be works as defined in **Section 2(1)** of the Planning and Development Act 2000 and as a result are not deemed to be development.

2. The repainting of the existing facade.

It would appear as though few details as to the extent of repainting of the existing facade have been submitted. It is noted that the façade of the existing school encompasses a large surface area. It is unclear if the entire structure is the subject of the 'repainting of existing façade'. The repainting (alteration) may or may not be works – this depends on whether or not the painting would materially alter the external appearance. It cannot be determined if this item is 'Works' or 'Development'. For this part of the declaration **further information** will be required.

3. The installation of external insulated render system to selected walls.

It is noted that the façade of the existing main school building comprises of a pebbledash render. The installation of external insulated render will alter the external appearance of the front elevation of the school structure. The installation of this system are considered to be 'works'. These works '*that materially alters the external appearance of a structure*' are not listed as any Class of exempted development in the Planning and Development Regulations. As a result, the installation of external

[illegible]

4. The installation of ventilation hoods onto the external facade to serve internal classroom MVHR units.

5. The installation of an LPG tank.

6. The installation of an air source heat pump.

Note:

The Site Layout Plan appears to indicate an additional item on top of that described in the description which is the subject of this declaration request. This is a proposed vandal resistant EVC car charging local electrical enclosure, distribution board and dual car charging outlet.

Conclusion

There are some outstanding issues to clarify regarding the repainting of the existing facade and the installation of the ventilation hoods, an LPG tank and an air source heat pump.

Recommendation

It is recommended that further information be requested as follows:

1. The applicant is requested to fully clarify the full extent of the items under which a declaration of exemption is being sought. In the absence of a clear question being sought it is impossible for a determination to be made. The applicant is therefore requested to set out a series of questions, such as:

‘is the construction of a [insert here the item you are seeking a declaration on] development and is it or is it not exempted development’
2. There are discrepancies between the details noted in the application form and the site layout plan:
 - a. Very little detail has been submitted to support the determination for the ‘*repainting of existing façade*’. It is unclear if the entire school building is the subject of the ‘repainting of existing façade’. The applicant is requested to detail the extent of the repainting of the existing façade.
 - b. Very little detail has been submitted to support the determination for the ‘*installation of ventilation hoods onto the external façade to serve internal classroom MVHR units*’. It is noted that no information has been submitted to show either the size of the units or their location on the building. For a determination to be made the applicant is requested to submit elevational drawings of these items, with dimensions.
 - c. Very little detail has been submitted to support the determination for the ‘*installation of an LPG tank or the air source heat pump*’. It is noted that no information has been submitted to show either the size, height or length of these items (elevational drawings). For a determination to be made the applicant is requested to submit elevational drawings of these items, with dimensions.

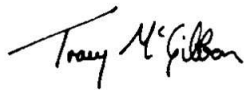
The applicant is therefore requested to submit all documentation required to make a determination. Details of the nature, size and location of the proposed development should be submitted and appropriate plans and elevations.

3. The Site Layout Plan appears to indicate an additional item on top of that described in the description which is the subject of this declaration request. This is a proposed vandal resistant EVC car charging local electrical enclosure, distribution board and dual car charging outlet. This is located outside of the red line boundary. The Applicant is requested to clarify as to why this item has been included in the site layout plan submitted with the Section 5 Declaration.

Signed:

Planner: Cian Buckley

Date: 07/04/2025



Senior Executive Planner

11/04/2025

Appendix 1: Appropriate Assessment Screening



APPROPRIATE ASSESSMENT SCREENING REPORT AND DETERMINATION

(A) Project Details

Planning File Ref	ED1187
Applicant name	Rob White
Development Location	Scoil Ide Naofa, Kilmeade, Athy, Co. Kildare
Site size	0.68ha
Application accompanied by an EIS (Yes/NO)	No
Distance from Natura 2000 site in km	Approximately 4.1km from the River Barrow and River Nore Special Area of Conservation to the north.

Description of the project/proposed development –

The proposed development comprises of;

- The replacement of existing external windows, doors and glazed screens with similar.
- The repainting of the existing facade.
- The installation of external insulated render system to selected walls.
- The installation of ventilation hoods onto the external facade to serve internal classroom MVHR units.
- The installation of an LPG tank.
- The installation of an air source heat pump..

(B) Identification of Natura 2000 sites which may be impacted by the proposed development

			Yes/No If answer is yes, identify list name of Natura 2000 site likely to be impacted.
1	Impacts on sites designated for freshwater habitats or species. <u>Sites to consider:</u> River Barrow and Nore, Rye Water/Carton Valley, Pollardstown Fen, Ballynafagh lake	<i>Is the development within a Special Area of Conservation whose qualifying interests include freshwater habitats and/or species, or in the catchment (upstream or downstream) of same?</i>	No

2	Impacts on sites designated for wetland habitats - bogs, fens, marshes and heath. <u>Sites to consider:</u> River Barrow and Nore, Rye Water/Carton Valley, Pollardstown Fen, Mouds Bog, Ballynafagh Bog, Red Bog, Ballynafagh Lake	<i>Is the development within a Special Area of Conservation whose qualifying interests include wetland habitats (bog, marsh, fen or heath), or within 1 km of same?</i>	No
3	Impacts on designated terrestrial habitats. <u>Sites to consider:</u> River Barrow and Nore, Rye Water/Carton Valley, Pollardstown Fen, Ballynafagh Lake	<i>Is the development within a Special Area of Conservation whose qualifying interests include woodlands, dunes or grasslands, or within 100m of same?</i>	No
4	Impacts on birds in SPAs <u>Sites to consider:</u> Poulaphouca Reservoir	<i>Is the development within a Special Protection Area, or within 5 km of same?</i>	No

Conclusion:

If the answer to all of the above is **No**, significant impacts can be ruled out for habitats and bird species.

No further assessment in relation to habitats or birds is required.

If the answer is **Yes** refer to the relevant sections of **C**.

(G) SCREENING CONCLUSION STATEMENT		
<i>Selected relevant category for project assessed by ticking box.</i>		
1	AA is not required because the project is directly connected with/necessary to the conservation management of the site	
2	No potential significant affects/AA is not required	X
3	Significant effects are certain, likely or uncertain. Seek a Natura Impact Statement Reject proposal. (Reject if potentially damaging/inappropriate)	
Justify why it falls into relevant category above (based on information in above tables)		
Having regard to the scale and nature of the proposed works, it is not considered that there will be any impact on the nearest SAC.		
Name:	Cian Buckley	
Position:	Graduate Planner	
Date:	03/04/2025	



Comhairle Contae Chill Dara

Kildare County Council

Date: 11th April 2025
Our Ref: ED/1187

Rob White,
Scoil Ide Naofa,
c/o BDP,
Blackhall Green,
Dublin 7
D07 V0RF

RE: Application for a Declaration of Exempted Development under Section 5 of the Planning and Development Act 2000 (as amended) at Scoil Ide Naofa, Kilmeade, Athy, Co. Kildare.

Dear Sir/Madam,

I refer to your application for a Section 5 Declaration received on 27th January 2025. The following further information is required to properly assess your application.

1. The Applicant is requested to fully clarify the full extent of the items under which a declaration of exemption is being sought. In the absence of a clear question being sought it is impossible for a determination to be made. The Applicant is therefore requested to set out a series of questions, such as 'is the construction of a [insert here the item you are seeking a declaration on] development and is it or is it not exempted development'
2. There are discrepancies between the details noted in the application form and the site layout plan:
 - (a) Very little detail has been submitted to support the determination for the '*repainting of existing façade*'. It is unclear if the entire school building is the subject of the '*repainting of existing façade*'. The Applicant is requested to detail the extent of the repainting of the existing façade.
 - (b) Very little detail has been submitted to support the determination for the '*installation of ventilation hoods onto the external façade to serve internal classroom MVHR units*'. It is noted that no information has been submitted to show either the size of the units or their location on the building. The Applicant is requested to submit elevational drawings of these items, with dimensions.
 - (c) Very little detail has been submitted to support the determination for the '*installation of an LPG tank or the air source heat pump*'. It is noted that no information has been submitted to show either the size, height or length of these items (elevational drawings). The Applicant is requested to submit elevational drawings of these items, with dimensions.





Comhairle Contae Chill Dara

Kildare County Council

3. The Site Layout Plan appears to indicate an additional item on top of that described in the description which is the subject of this declaration request. This is a proposed vandal resistant EVC car charging local electrical enclosure, distribution board and dual car charging outlet. This is located outside of the red line boundary. The Applicant is requested to clarify as to why this item has been included in the site layout plan submitted with the Section 5 Declaration.

The time period for the Council's determination shall commence upon receipt of the above information.

Yours sincerely,

PP 
Senior Executive Officer
Planning Department

Kildare County Council

Declaration of Exempt Development under Section 5, of the Planning and Development Act 2000

Incomplete application forms will
be deemed invalid and returned



All responses must be in block
letters

Section 1	Details of Applicants
------------------	------------------------------

1. Name of Applicant(s) A. Surname. WHITE Forenames. ROB
Phone No. Fax No.
2. Address ... SCOIL IDE NAOFA KILMEADE, ATHY, CO. KILDARE, R14 EV65

Section 2	Person/Agent acting on behalf of applicant (if applicable)
------------------	---

1. Name of Person/Agent: Surname. BALLAM Forenames. ELLIOTT
Phone No. 01 474 0600 Fax No.
2. Address. BDP, BLACKHALL GREEN, DUBLIN 7, D07 V0RF

Section 3	Company Details (if applicable)
------------------	--

1. Name of Company BDP
Phone No. 01 474 0600 Fax No.
2. Company Reg. No. 197668
3. Address. BLACKHALL GREEN, DUBLIN 7, D07 V0RF

Section 4	Details of Site
------------------	------------------------

1. Planning History of Site. UNKNOWN
2. Location of Proposed Development. SCOIL IDE NAOFA KILMEADE, ATHY, CO. KILDARE, R14 EV65
- OS DETAILS ARE AVAILABLE ON THE ENCLOSED SITE LOCATION PLAN
(CENTRE POINT CO-ORDINATES: X,Y: 673664.82, 698697.04)
3. Ordnance Survey Sheet No.
4. Please state the Applicants interest in the site APPLICANT IS THE OWNER OF THE SCHOOL
5. Please state the extent of the proposed development.
- REPAIR AND MAINTENANCE WORKS TO EXISTING SCHOOL BUILDING ASSOCIATED WITH ENERGY
REDUCTION PROGRAMME

6. Under what Section of the Planning and Development 2000 and/or what provision of the Planning and Development Regulations 2001 is exemption sought (*specific details required*).....
 CLASS 9 & 11 OF THE PLANNING & DEVELOPMENT REGS 2001 FOR THE ALTERATION OF THE EXISTING ACCESS GATE. CLASS 12 FOR THE REPAINTING OF THE EXTERNAL FACADE

7. Please give a detailed description of the Proposed Development (*Use separate page if necessary*).....
 THE PROPOSED DEVELOPMENT CONSISTS OF THE REPLACEMENT OF EXISTING EXTERNAL WINDOWS, DOORS AND GLAZED SCREENS WITH SIMILAR, REPAINTING OF EXISTING FACADE, INSTALLTION OF EXTERNAL INSULATED RENDER SYSTEM TO SELECTED WALLS AND INSTALLATION OF VENTILATION HOODS ONTO THE EXTERNAL FACADE TO SERVE INTERNAL CLASSROOM MVHR UNITS.

 THE WORKS WILL ALSO INCLUDE INSTALLATION OF AN LPG TANK, AIR SOURCE HEAT PUMP.

Section 5	The following must be submitted for a valid application
-----------	---

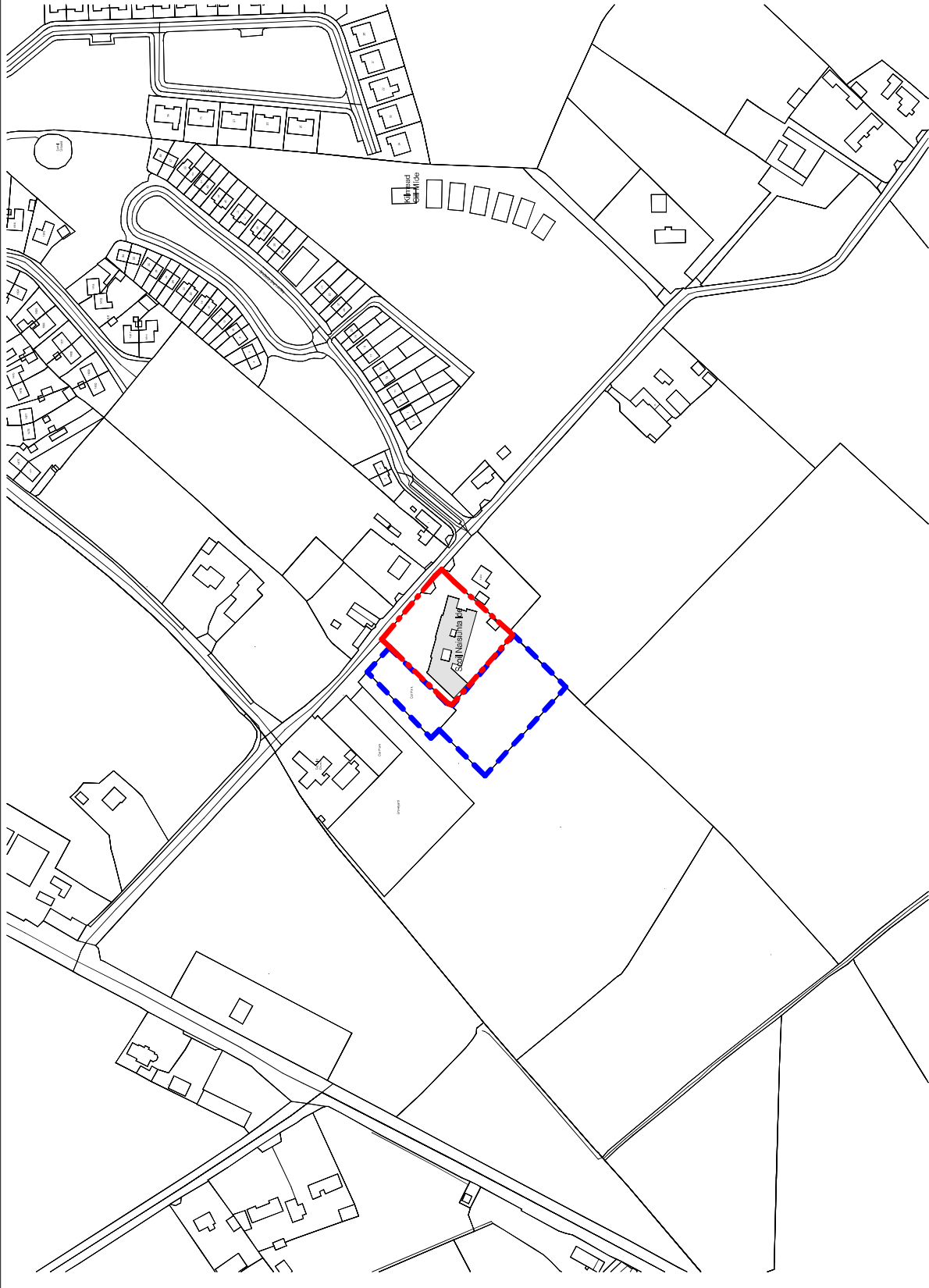
(Please Tick)		
1.	Site Location Map (1:2500 Rural Areas) (1:1000 Urban Areas)	✓
2.	A Site Layout Plan (Scale 1:500) in full compliance with Article 23 of Planning and Development Regulations 2001	✓
3.	Drawings of the development (Scale 1:50) in full compliance with Article 23 of Planning and Development Regulations 2001 <small>*we have provided drawings at scale 1:100 following confirmation over the phone with Kildare CoCo Planning Dept on Fri 24.01.2025 that drawings submitted at 1:100 are acceptable and in compliance with the minimum submission requirements.</small>	✓*
4.	All drawings to differentiate between the original building, all extensions and proposed development	✓
5.	Fee of 80 Euro	✓

Section 6	Declaration
-----------	-------------

I, ELLIOTT BALLAM certify that all of the above information is correct and I have submitted all the required documents as outlined at Section 6 above.

Signature: 

Date: 27.01.2025



Description: Digital Landscape Model (DLM)
Publisher / Source: Talto Ennaim
Data Source / Reference: PQME2
File Format: Autodesk AutoCAD DWG_2013
File Name: v_50443197_2.dwg
Clip Extent / Area of Interest (AOI):
LLX/LTY= 673249.82/696386.54
URX/LTY= 674075.82/696386.54
ULX/LTY= 672429.82/696004.54
URX/LTY= 674075.82/696004.54
Projection / Spatial Reference:
Projection= IRTN1983 Irish Transverse_Mercator
Centre Point Coordinates X/Y= 673664.82/696697.04
Reference Index: Map Series / Map Sheets
12.500 / 3949-4
12.500 / 3949-6
Data Extraction Date: Date= 15-Jan-2025
Source Data Release: DDM/LS Release V1.183.119
Product Version: Version: 1.4
License / Copyright:
Compiled and published by:
Talto Ennaim,
Phoenix Park,
Dublin 8,
Ireland,
D08 Y6E4
www.talto.ie

Site Application Boundary
Applicants Adjoining Site Ownership



0m 20m 40m 60m 80m 100m

NOTES

- BUILDING DESIGN PARTNERSHIP SHALL HAVE NO RESPONSIBILITY FOR ANY USE MADE OF THE DOCUMENT OTHER THAN THAT FOR WHICH IT WAS PREPARED AND ISSUED.
- ALL DIMENSIONS SHOULD BE CHECKED ON SITE.
- DON'T SCALE FROM THE DRAWING.
- ANY DIMENSIONS SHOWN ON THESE DRAWINGS ARE FOR INFORMATION ONLY. THE ATTENTION OF BUILDING DESIGN PARTNERSHIP AT THE ADDRESS SHOWN BELOW.
- DRAWINGS SHALL BE RE-CONCILIATED WITH THE FOLLOWING BEFORE WORK COMMENCES:
- THE COMMISSIONER'S REPLY LETTER
 - THE PROJECT COMMENCEMENT

BDP.

Blackhall Green
Dublin 7
Ireland
T +353 (0)1 474 0600
www.bdp.com

An Roinn Oideachais
Department of Education



P01 | Section 5 - Exempt Development | FC | SG | 27.01.25
Planning Application

Scoil Ide Naofa or Kilmead National School

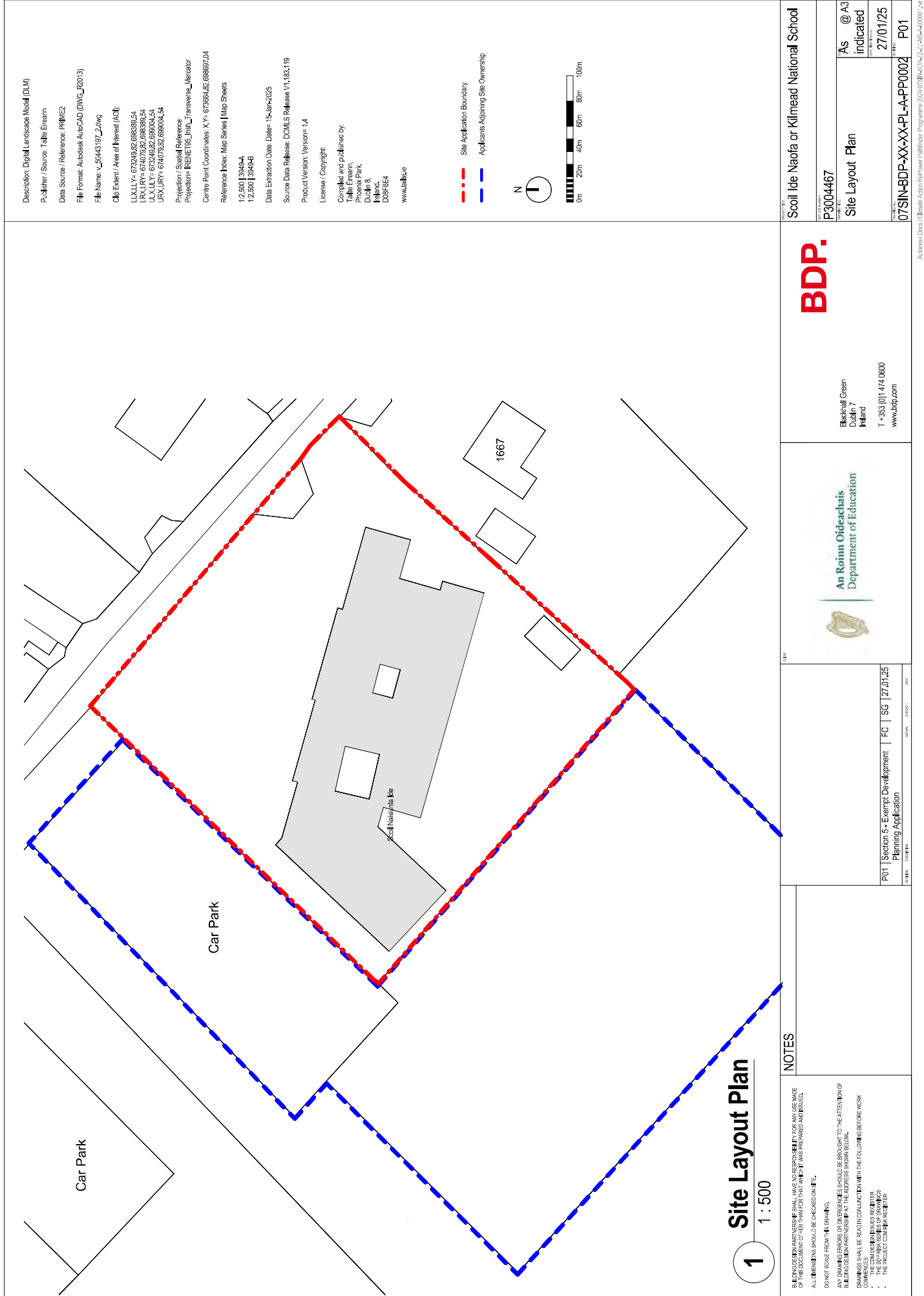
P3004467

Site Location Plan.

Scale
1 : 2500

Date
27/01/25

Page
P01



Building Design Partnership

Blackhall Green, Dublin 7 Ireland

Tel: +353 (0)1 474 0600

BDP.

Drawing/Document Register –

Section 5 Application

Project: RePowerEU Pathfinders Programme – Lot 7.2
Scoil Ide Naofa or Kilmead National School (Kildare)
Sender: Elliott Ballam

Project No: P3004467
Date: 27TH January 2025

Drawing Series	Drawing Title	Scale	Rev	Date of Issue
	SITE LOCATION PLAN			
07SIN-BDP-XX-XX-PL-A-PP0001	SITE LOCATION PLAN	1:2500@A3	P01	27.01.25
07SIN-BDP-XX-XX-PL-A-PP0002	SITE LAYOUT PLAN	1:500@A3	P01	27.01.25
	EXISTING BUILDING			
07SIN-BDP-XX-00-PL-A-PP0001	EXISTING GA PLAN - LEVEL 00	1:100@A1	P01	27.01.25
07SIN-BDP-XX-R1-PL-A-PP0001	EXISTING ROOF PLAN	1:100@A1	P01	27.01.25
07SIN-BDP-XX-XX-EL-A-PP0001	EXISTING ELEVATIONS	1:100@A1	P01	27.01.25
	PROPOSED WORKS			
07SIN-BDP-XX-00-PL-A-PP0002	PROPOSED BUILDING FABRIC UPGRADES SCOPING PLAN - LEVEL 00	1:100@A1	P01	27.01.25
07SIN-BDP-XX-R1-PL-A-PP0002	PROPOSED ROOF PLAN	1:100@A1	P01	27.01.25
07SIN-BDP-XX-XX-EL-A-PP0002	PROPOSED BUILDING FABRIC UPGRADE ELEVATIONS	1:100@A1	P01	27.01.25

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE.

ALL CHANGES SHOULD BE DIRECTED ONLINE.

DO NOT SCALE FROM THIS DRAWING

ANY DRAWING ERRORS OR OMISSIONS SHOULD BE BROUGHT TO THE ATTENTION OF THE PROJECT MANAGER IMMEDIATELY.

ATTENTION OF BUILDING DESIGN PARTNERSHIP AT THE ADDRESS SHOWN BELOW.

DRAWINGS SHALL BE REACH IN CONJUNCTION WITH THE FOLLOWING BEFORE
NOW COMPLETED

THE COM DESIGN **199** LIES REGISTER
THE **199** LIES SCALES OF ORGANIZING

THE BOP ~~FOR~~ SERIES OF ORALINGS
THE PROJECT COM ~~FOR~~ REGISTER

1111

NOTES

Finite models have been developed utilising a visual inspection of the point cloud survey information. All dimensions, structural openings and wall thickness should be checked on site.

P01	Section 5 - Exempt Development Planning Application	FC	CM	27.01.25
-----	---	----	----	----------



An Roinn Oideachais
Department of Education

BDP.

**Blackhill Green
Duffin 7
Holland**
T +363 3011 474 0660
www.bdp.com

Scoil Ide Naofa or Kilmead National School

3004467

Existing Roof Plan

Journal of Management Inquiry 20(4) 401-417

079IN BDB VV B4 B

1 Roof Plan - Existing.

1:100

1

Downloaded from <http://jeb.sagepub.com> at 11:01 11 April 2015



1. All drawings are prepared using the computer software program AutoCAD 2014. All dimensions are given in meters above sea level (MSL).

2. All drawings are prepared using the computer software program AutoCAD 2014. All dimensions are given in meters above sea level (MSL).

3. All drawings are prepared using the computer software program AutoCAD 2014. All dimensions are given in meters above sea level (MSL).

4. All drawings are prepared using the computer software program AutoCAD 2014. All dimensions are given in meters above sea level (MSL).

5. All drawings are prepared using the computer software program AutoCAD 2014. All dimensions are given in meters above sea level (MSL).

6. All drawings are prepared using the computer software program AutoCAD 2014. All dimensions are given in meters above sea level (MSL).

7. All drawings are prepared using the computer software program AutoCAD 2014. All dimensions are given in meters above sea level (MSL).

8. All drawings are prepared using the computer software program AutoCAD 2014. All dimensions are given in meters above sea level (MSL).

9. All drawings are prepared using the computer software program AutoCAD 2014. All dimensions are given in meters above sea level (MSL).

10. All drawings are prepared using the computer software program AutoCAD 2014. All dimensions are given in meters above sea level (MSL).

11. All drawings are prepared using the computer software program AutoCAD 2014. All dimensions are given in meters above sea level (MSL).

12. All drawings are prepared using the computer software program AutoCAD 2014. All dimensions are given in meters above sea level (MSL).

13. All drawings are prepared using the computer software program AutoCAD 2014. All dimensions are given in meters above sea level (MSL).

NOTES

Refer to the building survey report for a full description of the building and its condition. All dimensions, elevations and levels are given in meters above sea level (MSL).

- External fabric upgrade Legend
- Cavity fill pumped insulation INS-531
- External wall insulation REN-501
- Window replacement WIN-301
- Door replacement DRG-101
- Door replacement DRM-101

Contractor to make provision for removal of existing materials and services to existing structure making good where necessary.

Scale	5 - Elevation (Building)	Scale	5 - Elevation (Building)
1:100	1:100	1:100	1:100



BDP.

Beginal Green
0.4m x 7
1:100
T: 01 333 331 441/0000
www.bdp.com

Scoil Ibs Narda or Kilmad National School

P3004467

Proposed Building Fabric Upgrade
Elevations
27.01.25

07SIN-BDP-XX-XX-EL-44-P30002 P01

7SIN-BDP-XX-00-PL-A-PP0002	27.01.25
	P01



1 Proposed Building Fabric Scoping Plan.

BOIHSR **PAYMENT** 240.00 BANK 1799516 1 0 24/01/2025

24/01/2025 Payment SP + €240.00

Payee Name:
Payee IBAN:
Originator Name:
Amount:
Value Date:
Payment Reference:
Originator Reference Party:
ID code or Originating reference party:
Originator ID:
Purposes of the Credit Transfer:
Payee Reference Party Name:
ID code of Payee Reference Party:
Remittance Information:

KILDARE COUNTY COUNCIL
IE69 BOFI 9012 3911 0668 06
BUILDING DESIGN PARTNERSHIP
+ €240.00
24/01/2025
Payment
Not provided by sender
Not provided by sender
Not provided by sender
Not provided by sender
Not provided by sender
Not provided by sender