



Comhairle Contae Chill Dara

Kildare County Council

Date: 20th March 2025.
Our Ref: ED/1191.

Declan Bonar,
C/o Alan Meredith,
Old Grange,
Monasterevin,
Co. Kildare
W34 E023

RE: Application for a Declaration of Exempted Development under Section 5 of Planning and Development Act 2000 (as amended) for development at Clogheen, Quinboro, Monasterevin, Co. Kildare.

Dear Sir/Madam,

I refer to your correspondence received on 14th February 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,


**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/1191.

WHEREAS a question has arisen as to whether provision of an agricultural building for storage, shed, barn not exceeding 300 sqm at Clogheen, Quinboro, Monasterevin, Co. Kildare, is exempted development,

AS INDICATED on the plans and particulars received by the Planning Authority on 14th February 2025

AND WHEREAS Declan Bonar 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

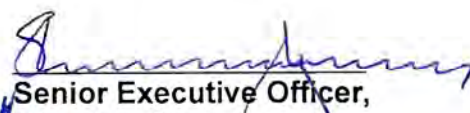
AND WHEREAS Kildare County Council has concluded that the development comprises works to which the provisions of the following applies:

- (a) Sections 2, 3, and 5 of the Planning and Development Act 2000 (as amended);
- (b) Articles 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 proposed single storey agricultural building for storage, shed, barn not exceeding 300 sqm and will not be used for housing animals or storing effluent ***IS development and IS EXEMPTED development pursuant to Section (2, 3 and 5) of the Planning and Development Act as amended and Article 6, Article 9 of the Planning and Development Regulations 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.

20th March 2025.


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/1191

Name Of Applicant(s):	Declan Bonar
Address Of Development:	Clogheen, Quinboro, Monasterevin, Co. Kildare
Development Description:	Single storey "Type 4" agricultural building for storage shed/barn not exceeding 300 sqm and not for housing animals or storing effluent.
Due date	14 th March 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 for a proposed single storey agricultural building for storage, shed, barn use is or is not exempted development.

Site Location

The site is located within the rural townland of Clogheen, approximately 4km north of Monasterevin. The site is accessed via the L1002. The surrounding area is generally characterised by a mix of residential and agricultural uses.

Description of Proposed Development

The proposed development as described in the submitted documents is as follows:

"Proposed single storey agricultural building for storage, shed, barn not exceeding 300 sqm and will not be used for housing animals or storing effluent."

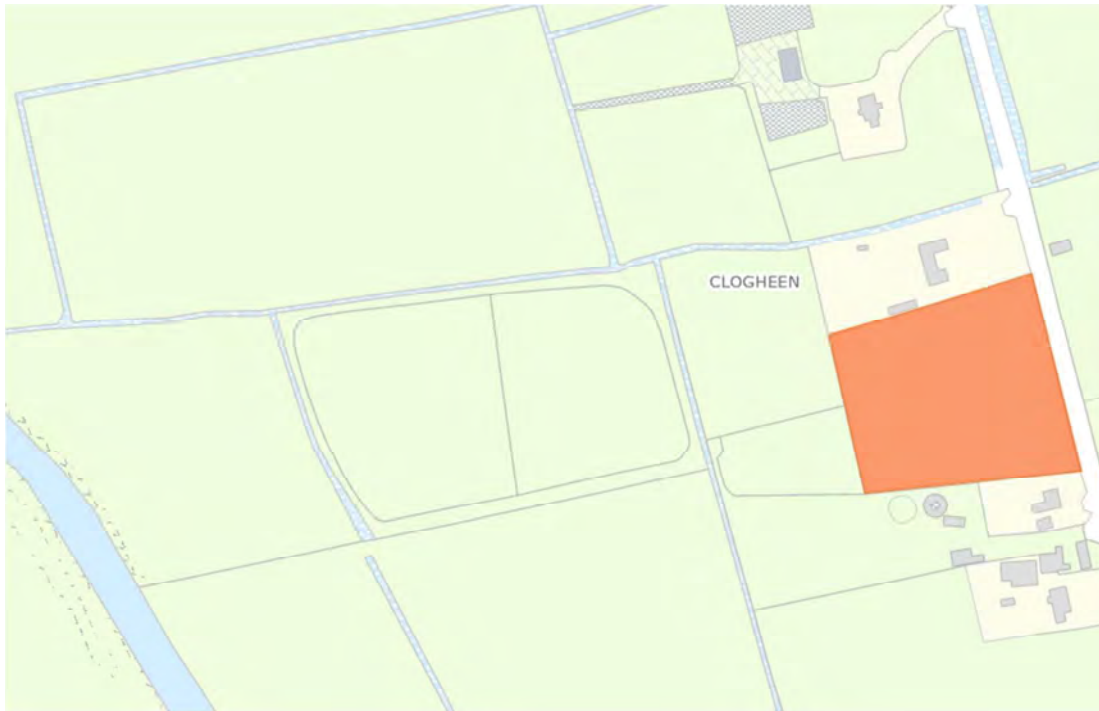


Fig 1: Site Location and context (site highlighted in red)

Planning History

None on the application site

Relevant Legislative Background

Planning and Development Act 2000 (as amended)

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)

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.

Class 9 of Part 3 of Schedule 2 of the Planning and Development Regulations, 2001, as amended,

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(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 1.33

Class 9 of Part 3 of Schedule 2 of the Planning and Development Regulations, 2001, as amended, is relevant:

CLASS 9	Assessment
<p>Column 1 Description of Development Works consisting of the provision of any store, barn, shed, glass-house or other structure, not being of a type specified in class 6, 7 or 8 of this Part of this Schedule, and having a gross floor space not exceeding 300 square metres.</p> <p>Column 2 Conditions and Limitations</p> <p>1. No such structure shall be used for any purpose other than the purpose of agriculture or forestry but excluding the housing of animals or the storing of effluent.</p> <p>2. The gross floor space of such structures together with any other such structures situated within the same farmyard complex or complex of such structures or within 100 metres of that complex shall not exceed 900 square metres gross floor space in aggregate.</p> <p>3. No such structure shall be situated within 10 metres of any public road.</p> <p>4. No such structure within 100 metres of any public road shall exceed 8 metres in height.</p> <p>5. No such structure shall be situated within 100 metres of any house (other than the</p>	<p>The works comprise an agricultural shed with a gross floor area of 300sqm. Complies.</p> <p>The shed will be used for the storage/shed/barn. Application form states that the structure will not be used for housing of animals or storing effluent Complies.</p> <p>Stables located on neighbouring site. The proposed structures do not exceed 900sqm. Complies</p> <p>The proposed structure is located circa 57m from the public road. Complies.</p> <p>The height of the structure would be c. 6.1m at its highest point. Complies.</p> <p>The structures would be located within 100meters of neighbouring dwellings, however letters from neighbouring</p>

house of the person providing the structure) or other residential building or school, hospital, church or building used for public assembly, save with the consent in writing of the owner and, as may be appropriate, the occupier or person in charge thereof.	<p>dwellings (3 no. Letters) received with application noting no objection.</p> <p>Green/grey cladding proposed</p>
6. No unpainted metal sheeting shall be used for roofing or on the external finish of the structure.	

Article 9 (1)(a)(i)

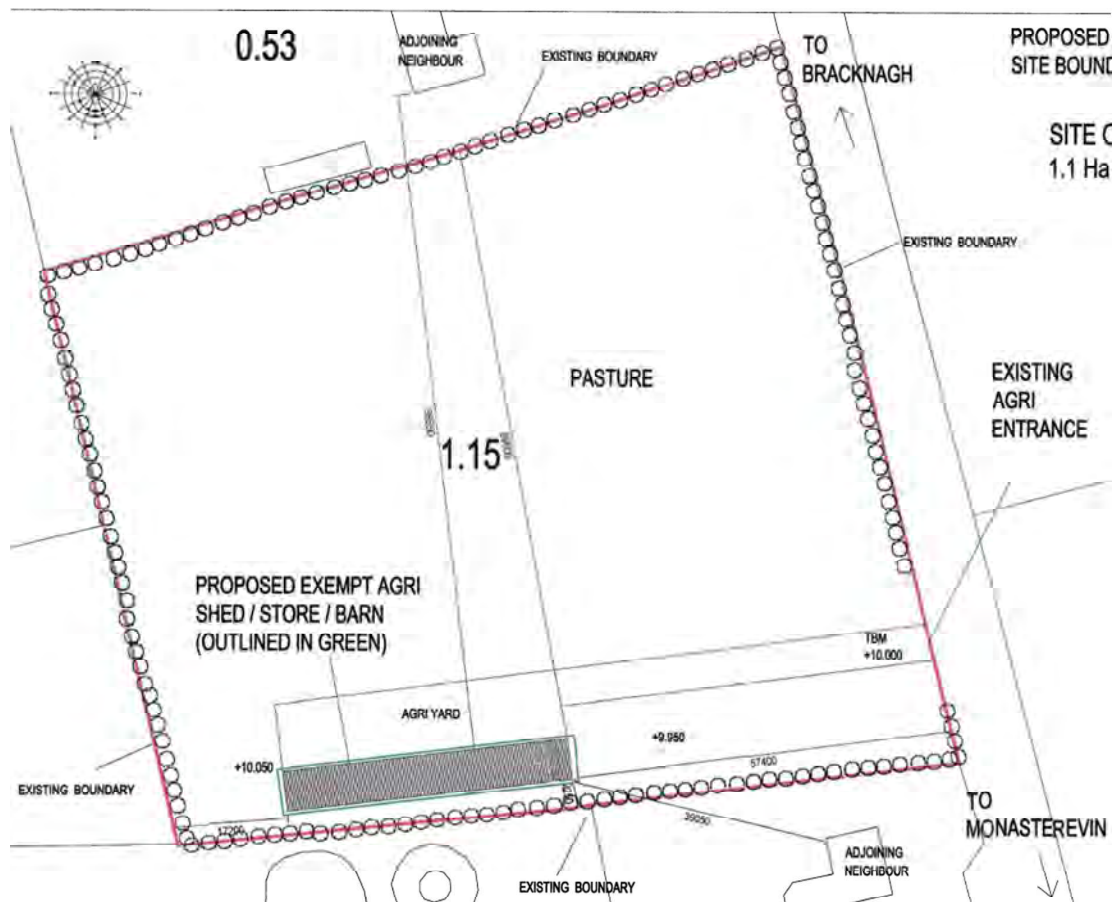
Restrictions on exemption.

9. (1) Development to which article 6 relates shall not be exempted development for the purposes of the Act—

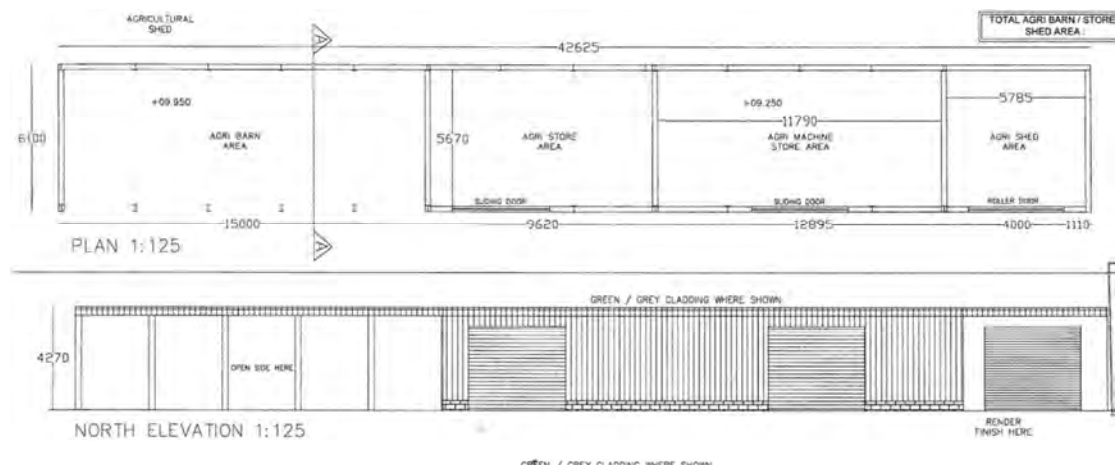
(a) if the carrying out of such development would—.....(15 items)

Assessment

The development has been assessed against Articles 6 and 9 and Class 9 of Part 3 of Schedule 2 of the Planning and Development Regulations, 2001, as amended.



Site Layout Plan as submitted



Proposed Floor Plans and Elevation as submitted

The development shall not exceed 300sqm and shall not be used for housing of animals or storing effluent.

The Applicant is proposing to use an existing agricultural entrance.

Letters from neighbouring dwellings (3 no. Letters) received with application noting no objection.

Conclusion

Having regard to:

- Sections 2, 3, 5 of the Planning and Development Act 2000 (as amended);
- Articles 6 and 9 of the Planning and Development Regulations 2001 (as amended); and
- The nature, extent and purpose of the works;

it is considered that the proposed works **constitutes development** as defined in Section 3(1) of the Planning and Development Act 2000 (as amended) and **is exempted development** as defined by the Planning and Development Act 2000 (as amended) and the Planning and Development Regulations 2001 (as amended).

Recommendation

It is recommended that the applicant be advised that the development as described in the application *is development and is exempted development*.

Signed: *Celine Dooling*
 Assistant Planner
 Date: 18/03/2025

Martin Ryan
 Senior Executive Planner
 19/03/2025

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 *provision of an agricultural building for storage, shed, barn not exceeding 300 sqm*

AS INDICATED on the plans and particulars received by the Planning Authority on 14/02/2025

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

- (a) Sections 2, 3, and 5 of the Planning and Development Act 2000 (as amended);
- (b) Articles 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 -

“Proposed single storey agricultural building for storage, shed, barn not exceeding 300 sqm and will not be used for housing animals or storing effluent.”

IS development and IS EXEMPTED development pursuant to Section (2, 3 and 5) of the Planning and Development Act as amended and Article 6, Article 9 of the Planning and Development Regulations 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: _____

Appendix 1: Appropriate Assessment Screening



APPROPRIATE ASSESSMENT SCREENING REPORT AND DETERMINATION

(A) Project Details

Planning File Ref	ED1191
Applicant name	Declan Bonar
Development Location	Clogheen, Monasterevin
Site size	1.1 Ha
Application accompanied by an EIS (Yes/NO)	No
Distance from Natura 2000 site in km	c.3km from River Barrow and River Nore SAC
Description of the project/proposed development – <i>Proposed single storey agricultural building for storage, shed, barn not exceeding 300 sqm and will not be used for housing animals or storing effluent.”</i>	

(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	<i>Is the development within a Special Area of</i>	NO

	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>Conservation whose qualifying interests include wetland habitats (bog, marsh, fen or heath), or within 1 km of same?</i>	
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 of the development, it is not considered that there will be any impact on the nearest SAC.		
Name:	C. Dockery	
Position:	Assistant Planner	
Date:	18/03/2025	

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: DO57613 **Section:** Planning

SUBJECT: ED1191 Declan Bonar, C/o Alan Meredith, Old Grange, Monasterevin, Co. Kildare. Exempt Development Application for provision of an agricultural building for storage, shed, barn, not exceeding 300 sqm at Clogheen, Quinboro, Monasterevin, Co. Kildare

SUBMITTED: Ed1191 with recommendation from 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 proposed development is development and is exempted development.

MADE THIS 20th DAY
OF March YEAR 2025

SIGNED: 
DIRECTOR OF SERVICES 

Kildare County Council

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



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 Bonan Forenames Declan
Phone No. Fax No.
2. Address Clogheen, Monasterevin, Co. Kildare

Section 2

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

1. Name of Person/Agent: Surname Meredith Forenames Alan
Phone No. 086 8758883 Fax No.
2. Address Old Grange, Monasterevin, Co. Kildare W34 E023

Section 3

Company Details (if applicable)

1. Name of Company
Phone No. Fax No.
2. Company Reg. No.
3. Address.

Kildare County Council
Planning Department

14 FEB 2025

RECEIVED

Section 4

Details of Site

1. Planning History of Site None
2. Location of Proposed Development Clogheen, Quinboro, Monasterevin
Co. Kildare
3. Ordnance Survey Sheet No. 3601
4. Please state the Applicants interest in the site Owner
5. Please state the extent of the proposed development Agricultural building "Type 4"

6. Under what Section of the Planning and Development 2000 as amended and/or what provision of the Planning and Development Regulations 2001 as amended is exemption sought (specific details required) Type 4 Agricultural building not exceeding 300 square metres

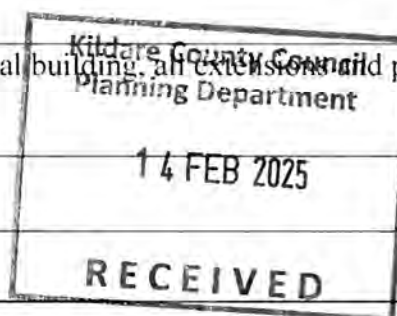
7. Please give a detailed description of the Proposed Development (Use separate page if necessary).....

Proposed Single Storey Agricultural building for
Storage, shed, barn not exceeding 300 square metre
and will not be used for housing animals or
storing effluent.

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)	<input checked="" type="checkbox"/>
2.	A Site Layout Plan (Scale 1:500) in full compliance with Article 23 of Planning and Development Regulations 2001 as amended	<input checked="" type="checkbox"/>
3.	Drawings of the development (Scale 1:50) in full compliance with Article 23 of Planning and Development Regulations 2001 as amended	<input checked="" type="checkbox"/>
4.	All drawings to differentiate between the original building, an extension and proposed development	<input checked="" type="checkbox"/>
5.	Fee of 80 Euro	<input checked="" type="checkbox"/>



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

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

Signature: Declan Bonar

Date: 14.02.2025

Alan Meredith

Architectural Services & EPA Percolation Testing

Old Grange,
Monasterevin,
Co. Kildare.

Telephone: 086 875 888 3
E-mail: meredithalan@hotmail.com

**Planning Authority,
Áras Chill Dara,
Devoy Park,
Naas,
Co. Kildare**

Date: 14/02/2025

Ref: DB 01a

**Re: Exempt Permission Application by Declan Bonar.
Application at: Clogheen, Monasterevin, Co Kildare.**

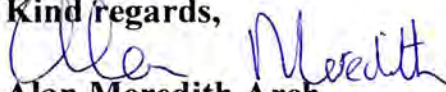
To whom it may concern:

Please see application attached for exempt agricultural shed. This will not be used for housing animals. This is a type 4 style shed under the exempt development act 2000.

Please see letters of consent by adjoining neighbours that come within 100metres of the proposed agri shed.

Any queries please do not hesitate to contact me.

Kind regards,


Alan Meredith Arch.



Planning Pack Map



Tailte
Éireann

CENTRE
COORDINATES:
ITM 661924 715078
PUBLISHED:
16/01/2025
ORDER NO.:
5043438_1
MAP SERIES:
1:5,000
MAP SHEETS:
3601

cos
REF

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

www.tailte.ie

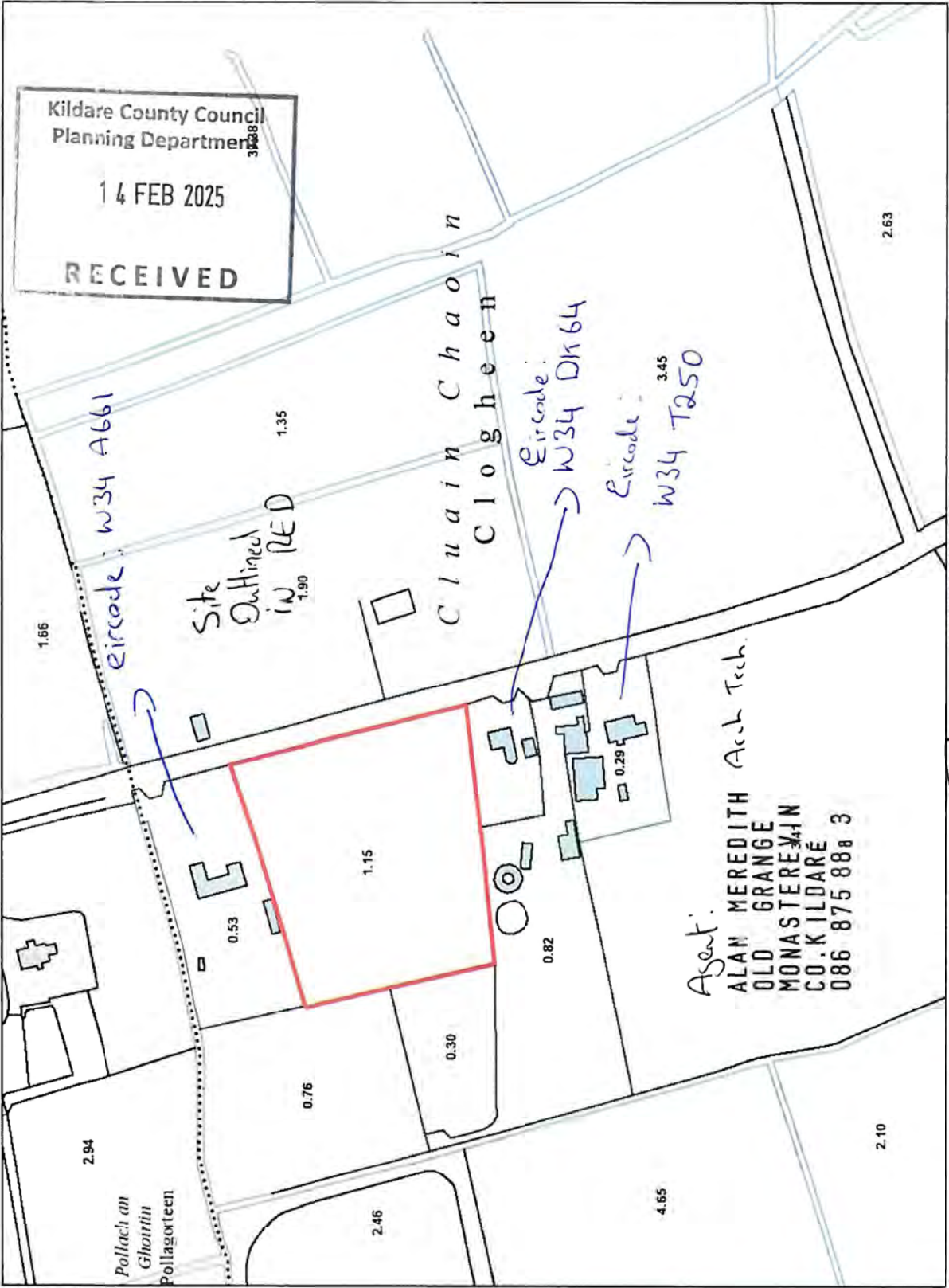
Any unauthorised reproduction
infringes Tailte Éireann copyright

No part of this publication may
be copied, reproduced or transmitted
in any form or by any means without
the prior written permission of the
copyright owner

The representation on this map
of a road, track or footpath
is not evidence of the existence
of a right of way

This topographic map
does not show
legal property boundaries,
nor does it show
ownership of physical features

© Tailte Éireann 2025
All rights reserved



CAPTURE RESOLUTION:
The map objects are only accurate to the
resolution at which they were captured.
Output scale is not indicative of data capture scale.
Further information is available at
www.tailte.ie Search Capture Resolution

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

OUTPUT SCALE: 1:2,500



N
near H point

0.53

TO
BRACKNAGH

PROPOSED SITE PLAN SCALE 1:500
SITE BOUNDARY OUTLINE IN RED

SITE OUTLINED IN RED
1.1 Ha 2.83 Acres

Kildare County Council
Planning Department
14 FEB 2025
RECEIVED

EXISTING
AGRI
ENTRANCE

PASTURE

1.15

PROPOSED EXEMPT AGRI
SHED / STORE / BARN
(OUTLINED IN GREEN)

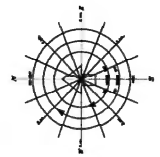
AGRI YARD

EXISTING BOUNDARY

EXISTING BOUNDARY

ADJOINING
NEIGHBOUR

TO
MONASTEREVIN



THIS DRAWING IS ISSUED FOR PLANNING / DESIGN
PURPOSES AND IS NOT INTENDED AS A
CONSTRUCTION DRAWING
ANY EXISTING OR PROPOSED CONSTRUCTION WORK SHOWN ON THIS DRAWING IS FOR INFORMATION ONLY AND IS NOT TO BE USED FOR CONSTRUCTION PURPOSES
WITHOUT THE WRITTEN CONSENT OF THE ARCHITECT

DRAWING 1:

Alan Meredith
Architectural Services & Epa Percolation Testing
Old Grange Monasterevin, Co. Kildare
Mobile: 086 8726833 Email: alan@alanmeredith.com

FOR DECLAN BOWEN,
CLOGHEEN,
QUINNIBORO, MONASTEREVIN,
CO. KILDARE.

SCALE: 1/500	DATE: FEB 2025
PROJECT NO.: 2025-01	P-02
DRG. NO.	REV.
	1

Date: 07/02/25

I / We Ann Aylward and Mick Aylward of
Clogheen, Quinnsboro, Monasterevin, Co Kildare
Eircode W34 A661 give consent to Declan Bonar of Clogheen,
Quinnsboro, Monasterevin, Co Kildare.

To build a type 4 style store/ barn / shed, glasshouse house not
exceeding 300sqm in floor area under the planning permission
exempted developments.



Signed

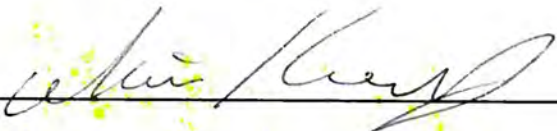
A. Aylward, Mick Aylward

Date: 07/02/25

I / We MARIA KENNEDY of
Clogheen, Quinnsboro, Monasterevin Co. Kildare
Eircode W34 DK64 give consent to Declan Bonar of Clogheen,
Quinnsboro, Monasterevin, Co Kildare.

To build a type 4 style store/ barn / shed, glasshouse house not
exceeding 300sqm in floor area under the planning permission
exempted developments.



Signed 

Date: 07/02/25

I / We Felix & Maria McCabe of
Clogheen, Quinnsboro, Monasterevin, Co. Kildare
Eircode W34 1250 give consent to Declan Bonar of Clogheen,
Quinnsboro, Monasterevin, Co Kildare.

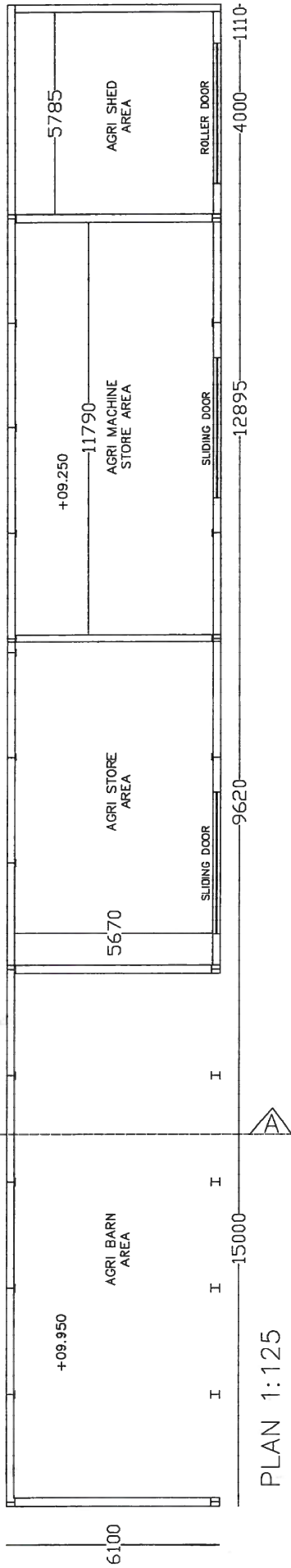
To build a type 4 style store/ barn / shed, glasshouse house not
exceeding 300sqm in floor area under the planning permission
exempted developments.



Signed Maria Felix McCabe

AGRICULTURAL
SHED

TOTAL AGRI BARN / STORE /
SHED AREA : 239 sqm (2572 sq ft)

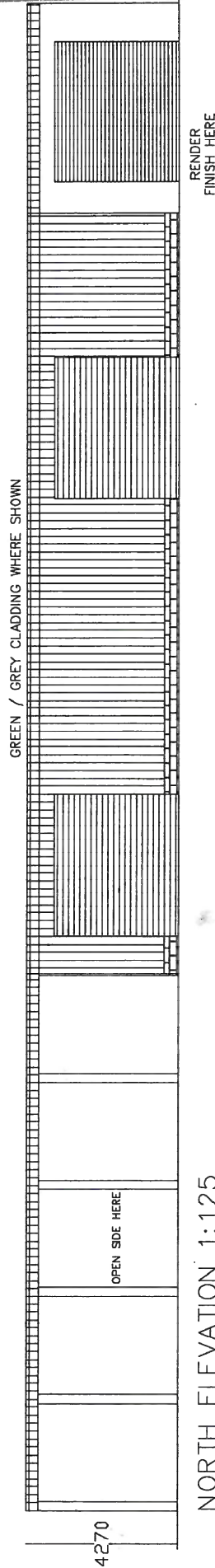


Kildare County Council
Planning Department

14 FEB 2025

RECEIVED

NORTH ELEVATION 1:125



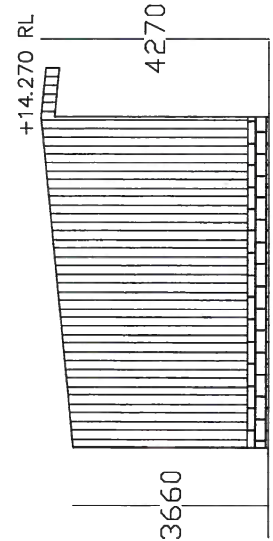
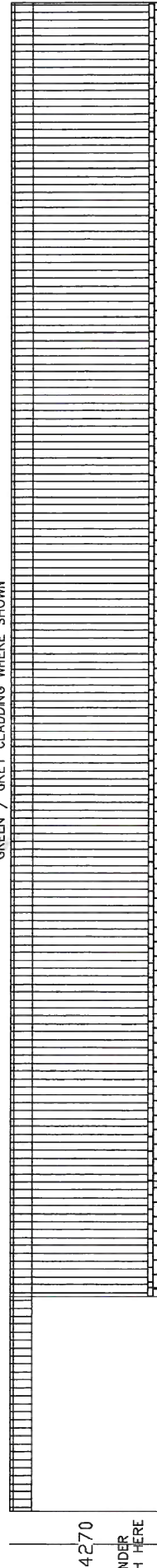
GREEN / GREY CLADDING WHERE SHOWN

RENDER
FINISH HERE

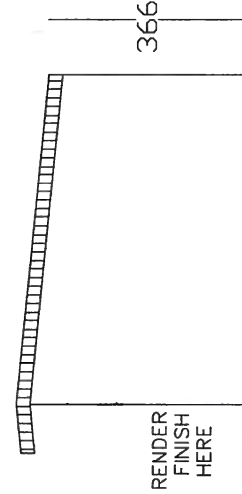
RENDER
FINISH HERE

PROPOSED
AGRI BARN / STORE /
SHED

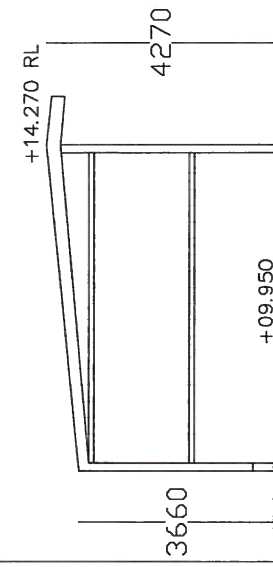
SOUTH ELEVATION 1:125



EAST ELEVATION 1:100



WEST ELEVATION 1:100



SECTION A-A 1:100

THIS DRAWING IS ISSUED FOR EXEMPT PURPOSES
AND IS NOT INTENDED AS A CONSTRUCTION
DRAWING
NO PART OF THIS DRAWING IS TO BE REPRODUCED
OR TRANSMITTED IN ANY FORM OR BY ANY MEANS
ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING,
RECORDING, OR BY ANY INFORMATION STORAGE AND
RETRIEVAL SYSTEM, WITHOUT PERMISSION IN WRITING
TO THE CONSULTANT OR WORK.

DRAWING NO:



Alan Meredith
Architectural Services & Epa Percolation Testing
Old Grange, Monasterevin, Co. Kildare
Mobile: 088 875883 Email: alan@amh.ie

FOR DECLAN BONAR,
CLOGHEEN,
QUINNABORO, MONASTEREVIN,
CO. KILDARE.

SCALE AS SHOWN	DATE	FEB 2025
PROJECT NO.	DRG. NO.	REV.
2025-01	P-01	1

Alan Meredith

Architectural Services & EPA Percolation Testing

Old Grange,
Monasterevin,
Co. Kildare.

Telephone: 086 875 888 3
E-mail: meredithalan@hotmail.com

**Planning Authority,
Áras Chill Dara,
Devoy Park,
Naas,
Co. Kildare**

14/02/2025

**Re: Planning Permission Application by Declan Bonar.
Application at: Clogheen, Monasterevin, Co Kildare.**

To Whom It May Concern:

The following is the Schedule of Drawings enclosed with this application.

	No. Of Copies	Drawing Ref.
i. Plan, Elevation & Section Dwelling (scale as shown)	1	2025-01 P01
ii. Site Layout Plan & Contextual Elevation (scale as shown)	1	2025-01 P02
iii. Site Location Map (1/2500)	1	no ref
iv. Letters of consent	1	no ref
Application Fee	1	

Yours sincerely,


Alan Meredith





FINANCE CASH OFFICE
Kildare County Council
Áras Chill Dara
Devoy Park
Naas
Co. Kildare
14/02/2025 13:02:26

Receipt No. : FIN1/0/508753

Declan Bonar

PLANNING EXEMPT DEVELOP FEES 80.00
GOODS 80.00
VAT Exempt/Non-vatable

Total 80.00 EUR

Tendered
Cash 80.00

Change 0.00

Issued By : Cherie Gammell Bank Rec
From : Financial Lodgement Area
Vat reg No 0440571C