



Comhairle Contae Chill Dara

Kildare County Council

Date: 6th May 2025
Our Ref: ED/1210.

George Martin,
5 Bleach Road,
Dun Brinn,
Athy,
Co. Kildare
R14 X201

RE: Application for a Declaration of Exempted Development under Section 5 of Planning and Development Act 2000 (as amended) for development at The Storehouse, Fortbarring Road, Athy, Co. Kildare.

Dear Sir/Madam,

I refer to your correspondence received on 18th March 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/1210.

WHEREAS a question has arisen as to whether works to convert an unoccupied commercial building to a residential house at The Storehouse, Fortbarring Road, Athy, Co. Kildare, is exempted development,

AS INDICATED on the plans and particulars received by the Planning Authority on 18th March 2025

AND WHEREAS George Martin 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 of the Planning and Development Act 2000 (as amended);
- (b) Articles 10 (6) of the Planning and Development Regulations 2001 (as amended);
- (c) Part 4 – Exempted Development – Classes of Use for the purposes of Article 10;
- (d) The planning history of the site and
- (e) 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 works to convert an unoccupied commercial building to a residential house at The Storehouse, Fortbarring Road, Athy, Co. Kildare ***IS development and IS NOT EXEMPTED development pursuant to Section 2 and 3 of the Planning and Development Act as amended and Article 10(6) 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.

6th 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/1210

Name Of Applicant(s):	George Martin
Address Of Development:	The Storehouse, Fortbarrington Road, Athy, Co. Kildare
Development Description:	Convert an unoccupied commercial "coaching & training centre" to residential house, to be owner-occupied as a family home.
Due date	15 th April 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 convert an unoccupied commercial building to a residential house is or is not Exempted Development.

Site Location

The site is located on the western side of Fortbarrington Road. The site is located within a predominantly residential area, bounded to the south by Shackleton Court and to the north by Forest Park and to the west by Tonlegee Lawns.



Site location



Aerial view of subject site (Google Images)

Description of Proposed Development

The proposal comprises the conversion of an unoccupied commercial “coaching and training centre” to a residential house, to be owner occupied as a family home.

Planning History

14/300002 – permission granted for change of use to a sports coaching and training unit at site of former Value Centre Warehouse.

Condition 4 of the planning permission is as follows:

4. This permissions authorises the proposed development and does not relate to any other development not subject of this application whether or not such development would otherwise constitute exempted development. Any other use of the facility other than that laid out in the current application shall be the subject of a planning application.

Reason: To avoid any misunderstanding as to the proper construction of this permission.

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.

Planning and Development Regulations 2001 (as amended)

Changes of use – Article 10

Article 10(6)(b) This sub article relates to a proposed development, during the relevant period, that consists of a change of use to residential use from Class 1, 2, 3, 6 or 12 of Part 4 Schedule 2.

(c) Where in respect of a proposed development referred to in paragraph (b) –
(i) the structure concerned was completed prior to the making of the Planning and Development (Amendment) (No. 2) Regulations 2018,
(ii) the structure concerned has at some time been used for the purpose of its current use being Class 1, 2, 3, 6 or 12 and
(iii) the structure concerned, or so much of it that is the subject of the proposed development has been vacant for a period of 2 years or more immediately prior to the commencement of the proposed development,

Then the proposed development for residential use, and any related works, shall be exempted development for the purposes of the Act, subject to the conditions and limitations set out in paragraph (d).

(See separate sheet attached)

Note: Class 1 -Shop,

Class 2 - use for the provision of services principally to visiting member of the public;

Class 3 – use as an office

Class 6 – use as a residential club

Class 12 – use as a public house

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.

Assessment

This application has been made under the provisions of Article 10(6)(b) of the Planning and Development Regulations 2001 (as amended).

The structure has been in existence prior to the commencement of the Planning and Development 2018 (Amendment) (No. 2) Regulations – having been permitted under Ref 14/300002 a change of use from warehouse to sports coaching and training unit.

The applicant indicates that the use of the structure falls within Class 2 as follows:

CLASS 2

Use for the provision of—

(a) financial services,

(b) professional services (other than health or medical services),

(c) any other services (including use as a betting office),

where the services are provided principally to visiting members of the public.

Having regard to the planning history of the unit, it is considered that the use, primarily as an educational facility for training of students for employment in the sports or leisure industry does not constitute a use principally for visiting members of the public and in this regard does not fall within the Classes of development as set out in the Article. Furthermore, it is not considered that the use falls within the other allowable Classes i.e. Class 1, Class 3, Class 6 and Class 12. In addition, prior to the permission for change of use, the structure was in use as a warehouse which would fall under Class 5, which class is excluded under Article 10(6).

Having regard to the evidence submitted with the application, it is considered that the applicant has demonstrated that the structure has been vacant for over 2 years.

With regards to Article 10 (6) (d), (see sheet attached) the assessment has determined, notwithstanding the foregoing, that the exemption is not possible as the proposed use would contravene Condition 4 of planning reference 14/300002.

Conclusion

Having regard to:

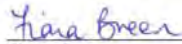
- Sections 2, 3 of the Planning and Development Act 2000 (as amended);
- Articles 10 (6) of the Planning and Development Regulations 2001 (as amended);

- Part 4 – Exempted Development – Classes of Use for the purposes of Article 10;
- The planning history of the site 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 NOT exempted development** as defined by the Planning and Development Act 2000 (as amended) and the Planning and Development Regulations 2001 (as amended).

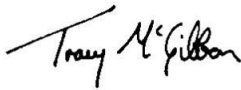
Recommendation

It is recommended that the applicant be advised that the development as described in the application *is development and is NOT exempted development*.



Fiona Breen
Executive Planner

06/05/2025



Tracy McGibbon
Senior Executive Planner
06/05/2025

Ref: ED1210

Location: Fortbarrington Road, Athy

Applicant: George Martin

Planner's Check:

Please check the documents broadly in terms of the requirements of Art 10 (6) below and insert a **brief** comment.

Please note that this is a Notification and not a S5 Declaration; full examination is not expected.

Article 10(6)(d)(i)	The development is commenced and is/will be completed during the relevant period (18/02/2018 – 31/12/2025)	Structure in place prior to 2018
Article 10(6)(d)(ii)	Subject to sub-paragraph (iii), any related works, including works as may be required to comply with sub-paragraph (vii), shall affect only the interior of the structure and shall not materially affect the external appearance of the structure <u>so as</u> to render its appearance inconsistent with the character of the structure or of neighbouring structures	Works primarily to the interior of the structure
Article 10(6)(d)(iii)	Any related works for the alteration of existing ground floor shop fronts shall be consistent with the fenestration details and architectural and streetscape character of the remainder of the structure or of neighbouring structures.	N/A – not a shop, not in a streetscape.
Article 10(6)(d)(iv)	No development shall consist of or comprise the carrying out of works to the ground floor area of any structure which conflicts with any objective of the relevant local authority development plan or local area plan, pursuant to the Part 1 of the First Schedule to the Act, for such to remain in retail use, with the exception of any works the purpose of which is to solely provide on street access to the upper floors of the structure concerned.	N/A – no specific LAP policy applies to site
Article 10(6)(d)(v)	No development shall consist of or comprise the carrying out of works which exceeds the provision of more than 9 residential units in any structure.	1 no. house only.
Article 10(6)(d)(vi)	Dwelling floor areas and storage spaces shall comply with the minimum floor area requirements and minimum storage space requirements of the “Sustainable Urban Housing: Design Standards for New Apartments — Guidelines for Planning Authorities” issued under section 28 of the Act or any subsequent updated or replacement guidelines.	1 no. house only. Floor area c. 900 sq m. 6 bedrooms.
Article 10(6)(d)(vii)	Rooms for use, or intended for use, as habitable rooms shall have adequate natural lighting.	New windows proposed for ground floor elevations where new bedrooms are proposed
Article 10(6)(d)(viii)	No development shall consist of or comprise the carrying out of works to a protected structure, as defined in section 2 of the Act, save where the relevant planning authority has issued a declaration under section 57 of the Act to the effect that the proposed works would not materially affect the character of the structure or any element, referred to in section 57(1)(b) of the Act, of the structure.	Structure is not a Protected Structure.

Article 10(6)(d)(ix)	No development shall contravene a condition attached to a permission under the Act or be inconsistent with any use specified or included in such a permission.	Condition 4 of 14/300002 specifically states that the permission does not relate to any other development.... whether or not such development would otherwise constitute exempted development and....any other use of the facility shall be the subject of a planning application
Article 10(6)(d)(x)	No development shall relate to any structure in any of the following areas: (I) an area to which a special amenity area order relates; (II) an area of special planning control; (III) within the relevant perimeter distance area, as set out in Table 2 of Schedule 8, of any type of establishment to which the Major Accident Regulations apply.	N/A – no such designations in place.
Article 10(6)(d)(xi)	No development shall relate to matters in respect of which any of the restrictions set out in subparagraph (iv), (vii), (viiA), (viiB), (viiC), (viii) or (ix) of article 9(1)(a), or paragraph (c) or (d) of article (9)(1), would apply	N/A – no matters arising with regard to these sub paragraphs.
Article 10(6)(d)(xii)	No development shall consist of or comprise the carrying out of works for the provision of an onsite wastewater treatment and disposal system to which the code of practice made by the Environmental Protection Agency pursuant to section 76 of the Environmental Protection Agency Act 1992 relates and entitled Code of Practice — Wastewater Treatment and Disposal Systems Serving Single Houses together with any amendment to that Code or any replacement for it.	N/A – existing public connections.

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 works to convert an unoccupied commercial building to a residential house is or is not Exempted Development

AS INDICATED on the plans and particulars received by the Planning Authority on 18/03/2025

AND WHEREAS *George Martin* 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 of the Planning and Development Act 2000 (as amended);
- (b) Articles 10 (6) of the Planning and Development Regulations 2001 (as amended);
- (c) Part 4 – Exempted Development – Classes of Use for the purposes of Article 10;
- (d) The planning history of the site and
- (e) 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 -


Works to convert an unoccupied commercial building to a residential house.

IS development and IS NOT EXEMPTED development pursuant to Section 2 and 3 of the Planning and Development Act as amended and Article 10(6) 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
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(A) Project Details	
Planning File Ref	ED1210
Applicant name	George Martin
Development Location	Fortbarrington Road, Athy
Site size	0.56ha
Application accompanied by an EIS (Yes/NO)	Np
Distance from Natura 2000 site in km	650m west of River Barrow/Nore SAC
Description of the project/proposed development – Conversion of building to residential dwelling	

(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.	<i>Is the development within a Special Area of Conservation whose qualifying interests include wetland habitats</i>	YES

	<u>Sites to consider:</u> River Barrow and Nore, Rye Water/Carton Valley, Pollardstown Fen, Mouds Bog, Ballynafagh Bog, Red Bog, Ballynafagh Lake	(bog, marsh, fen or heath), or within 1 km of same?	
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**.

2	Impacts on designated wetlands - bogs, fens, marshes and heath. <i>Answer the following if the answer to question 2 in table B was YES</i> <i>Does the development involve any of the following:</i>	
2.1	Works within the boundary of a Special Area of Conservation excluding small extensions/alterations to existing buildings.	NO
2.2	Construction of roads or other infrastructure on peat habitats within 1km of bog, marsh, fen or heath habitat within a Natura 2000 site	NO
2.3	Development of a large scale within 1km of bog, marsh, fen or heath habitat within a Natura 2000 site which involves the production of an EIS	NO

(G) SCREENING CONCLUSION STATEMENT

Selected relevant category for project assessed by ticking box.

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	<p>Significant effects are certain, likely or uncertain.</p> <p>Seek a Natura Impact Statement</p> <p>Reject proposal. (Reject if potentially damaging/inappropriate)</p>	
Justify why it falls into relevant category above (based on information in above tables)		
Scale of proposal, location and distance from European Sites = no impact on integrity of Natura 2000 network.		
Name:	Fiona Breen	
Position:	Executive Planner	
Date:	06/05/2025	

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: DO58346 **Section:** Planning

SUBJECT: ED1210 George Martin, 5 Bleach Road, Dun Brinn, Athy, Co. Kildare. Exempt development Application for the conversion of unoccupied commercial building to a residential house at The Storehouse, Fortbarring Road, Athy, Co. Kildare.

SUBMITTED: ED1210 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 proposed development is development and is not exempted development.

MADE THIS 6TH DAY
OF MAY 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
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1. Name of Applicant(s) A. Surname **MARTIN** Forenames **GEORGE**
Phone N0: [REDACTED] Fax No.....
2. Address **5 BLEACH ROAD, DUN BRINN, ATHY, CO. KILDARE, R14X201**

Section 2	Person/Agent acting on behalf of applicant (if applicable) N/A
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1. Name of Person/Agent: Surname..... Forenames.....
Phone No..... Fax No.....
2. Address.....
.....

Section 3	Company Details (if applicable) N/A
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1. Name of Company
Phone No..... Fax No.....
2. Company Reg. No.....
3. Address.....

Section 4	Details of Site
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1. Planning History of Site: **SPORTS COACHING & TRAINING CENTRE, INFILL SITE. 0.56 ACRES.**
2. Location of Proposed Development: **THE STOREHOUSE, FORTBARRING ROAD, ATHY,
CO. KILDARE, R14X866.**
3. Ordnance Survey Sheet No: **LS020 KE035**
4. Please state the Applicants interest in the site: **OWNER**
5. Please state the extent of the proposed development
Application to convert an unoccupied commercial “coaching and training centre” to a residential house, to be owner-occupied as a family home.
The building in question will be referred to as “The Storehouse”.

Location: Fortbarrington Road, Athy, Co. Kildare, R14X866. Located approx. 500 metres from the edge of Athy Town, just off the main Kilkenny Road, on a 0.56 acre site, mains connected (water/sewage/electricity).

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*)

Change of Use and refurbishment of this building falls under “**exempted development**”.

Change-of-Use Exemptions

In 2022, Article 10 was amended by the Exempted Development Regulations.

(S.I. No. 75/2022 – Planning and Development Act (Exempted Development) Regulations 2022) that inserted sub-article 10(6) into these Regulations. This provides an exemption from the requirement for planning permission for the conversion of certain types of vacant commercial property, up to a maximum of nine residential units, that consists of a change of use to residential use.

The exemption applies to existing completed commercial buildings which have been in use for commercial purposes, but which have been vacant for a period of two years prior to the proposed works commencing and are available and suitable for housing.

Reuse of an existing building for residential purposes.

Typical Considerations: Type 4 – Multi-Storey Building (Non-Dwelling). *The Storehouse* fits this description.

Option A – Conversion of a multi-storey building (non-dwelling) into a single dwelling.

The building is block built with steel wall supports, steel roof beams/supports and pitched roof. The building structure is sound both internally and externally. Works will be required to bring the building up to residential standards (living/insulation/energy/sound values etc up to code).

Building Regulations apply, as this work is a material change of use to the building. Typical works will include: - Fire resistance of floors and stairway enclosure - Provision of services (including heating, lighting and plumbing) - Installation of fire-alarm system in the dwelling - Upgrade of thermal insulation – Replacement/addition of windows.

The building is 60 metres in off Fortbarrington Road, quietly tucked between 4 housing estates. The building has excellent surface water drainage, there are no flood risks. No road closures or special permits are required during building renovations.

Exempted Development Regulations, 2022 requires no planning permission for this building.

No Fire Safety Certificate is required.

No Disability Access Certificate is required.

Exemption applies to buildings that currently have a specific Class of Use as set out in Part 4 or Schedule 2 of the Principal Regulations.

The Storehouse falls under **Class 2** of exempted development.

Class 2:

(b) Use for the provision of professional services.

(c) any other services where the services are provided principally to visiting members of the public.

The Storehouse has planning permission as a “Sports Coaching & Training Centre” dating back to 2014 and was in use until COVID (2020). The building has been vacant for more than 2 years prior to commencement of development and is not a protected structure.

Works to the building are primarily interior. The building is unique in that it is a “warehouse type” commercial building surrounded by housing estates. Being on a large site (0.56 acre), the building is not overlooked to any great degree. The front elevation of the building is not overlooked and has 2 second floor windows. The front elevation previously had both first and second floor windows - evidence of this is easily seen on the internal and external walls (block fill lines). The south-facing side elevation also had windows which were filled.

All new external windows and doors added to the building will be on ground floor level only, will not overlook any surrounding property and will be designed to be in character with the structure.

The building is currently connected to mains water, sewage and power. Due to the fact that the building is surrounded on all sides by housing estates which were built post 1979, it is better that The Storehouse becomes a residential building, in keeping with its surroundings. The finished building will be in excess of minimum floor area/space requirements for residential use and have more than adequate natural light to all rooms.

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

Description of Proposed Development

Application to convert an unoccupied commercial “coaching and training centre” to a residential house, to be owner-occupied as a family home.

The building in question will be referred to as “The Storehouse”.

Location: Fortbarrington Road, Athy, Co. Kildare, R14X866. Located approx. 500 metres from the edge of Athy Town, just off the main Kilkenny Road, on a 0.56 acre site, mains connected (water/sewage/electricity).

Built in 1979 as a “cash and carry wholesale building”. Since 1979 housing estates were built surrounding the commercial building on four sides, namely Forest Park, Shackleton Court, Tonlegee Lawns and Pairc Bhride. **The site is currently designated “infill”.**

Building purchased in 2013 by George Martin, 5 Bleach Road, Dun Brinn, Athy, Co. Kildare, R14X201. Planning permission sought and granted in 2014 for change of use to a “coaching and training centre”. Planning fees of €18,725 paid for change of use – planning reference 14/300002. Coaching and training business was forced to close by the state on two occasions in 2020 due to the COVID pandemic and struggled to recover financially. Building has been vacant for 4 years. Kildare County Council has not charged rates for the past 4 years as the building was not in use. This can be confirmed by contacting Kildare Rates Department.

The buildings’ owner, George Martin, wishes to renovate **The Storehouse**, converting the building to a family home. He then intends to move into the building with his wife and 3 children. The family will be selling their current home located nearby to fund the development of the Storehouse. The buildings front elevation will not be changed dramatically. When the building was first built, a number of windows were located in the front and side (south facing) elevations, which since then were blocked up. A lean-to loading bay was added at a later stage, which then became a shower/toilet block for the coaching and training centre. It is proposed that this lean-to will be removed and windows reinstated to the front of the building, returning the building to its original plan.

Government policies, namely *Housing for All (2021)*, *Towns Centre First (2022)*, *Our Rural Future (2022)* and the *Vacant Homes Action Plan (2023)* has encouraged the reuse and regeneration of vacant buildings in and around town centres for residential use.

The owner wishes to convert The Storehouse to a family home under the *Bringing Back Homes Reuse of Existing Buildings*, utilising *The Vacant Property Refurbishment Grant*. Building control processes will be followed to ensure all current building regulations are met during construction. Solar panels will also be added to the building, ensuring a green energy rating.

Section 5	The following must be submitted for a valid application
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(Please Tick)

1.	Site Location Map (1:2500 Rural Areas) (1:1000 Urban Areas)	X
2.	A Site Layout Plan (Scale 1:500) in full compliance with Article 23 of Planning and Development Regulations 2001 as amended	X

3.	Drawings of the development (Scale 1:50) in full compliance with Article 23 of Planning and Development Regulations 2001 as amended	X
4.	All drawings to differentiate between the original building, all extensions and proposed development	X
5.	Fee of 80 Euro – I WILL CALL PLANNING DEPT TO TRANSFER €80	

Section 6	Declaration
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I GEORGE MARTIN 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: 13.03.2025



Comhairle Contae Chill Dara

Kildare County Council

Data Protection Act 2018

PRIVACY STATEMENT

Who are we?

Kildare County Council (the Council) is the democratically elected unit of Local Government in County Kildare and is responsible for providing a range of services to meet the economic, social and cultural needs of the people of our County. In order to provide the most effective and targeted services to meet the needs of the citizens, communities and businesses of County Kildare we will be required to collect, process and use certain types of information about people and organisations. Depending on the service being offered, information sought may include 'personal data' as defined by the Data Protection Acts and the General Data Protection Regulation (GDPR) and may relate to current, past and future service users; past; current and prospective employees; suppliers; and members of the public who may engage in communications with our staff. In addition, staff may be required, from time to time, to collect process and use certain types of personal data to comply with regulatory or legislative requirements or to carry out functions in the public interest.

Why do we have a Privacy Statement?

This privacy statement has been created to demonstrate the Council's commitment that personal data you may be required to supply to us, to enable us to provide services, is;

- Obtained lawfully, fairly and in a transparent manner
- Obtained for only specified, identified and legitimate purposes
- Processed for purposes which we have identified or purposes compatible with the purposes that we have identified.
- Adequate, relevant and limited to what is necessary for purpose for which it was obtained
- Personal data collected and processed must be accurate and (where necessary) kept up to-date.
- Kept only for as long as is necessary for the purposes for which it was obtained.
- Processed in a manner that ensures the appropriate security of the personal data including protection against unauthorised or unlawful processing.

More detail is available in our Data Protection Policy at

<http://kildare.ie/CountyCouncil/DataProtection/> or you can request a hard copy at 045 980 200.

What is the activity referred to in this Privacy Statement?

Kildare County Council performs the role of Planning Authority for the County. The planning application process is a statutory requirement which allows for the relevant parties and public to participate in the proper development of the lands in the County.



Comhairle Contae Chill Dara

Kildare County Council

What is the basis for making the processing of this personal data lawful?

Processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in Kildare County Council in accordance with Article 6(1)(e) of the General Data Protection Regulation, 2016. Specifically the lawful basis for this process is the Planning & Development Acts 2000- 2017 and the Planning and Development Regulations 2001 - 2017. In addition there are also certain delegated functions under the local Government Reform Act 2014.

We require contact details

In order to communicate with you, you will be asked for contact details. You do not have to provide all contact details but providing more, such as email, phone, address, makes it easier to communicate. Please note that to help protect your privacy, we take steps to verify your identity before granting access to personal data. These contact details may also be used to verify your identity.

What other types of personal data do we need to undertake this activity?

(a) Data subject - Name, address, contact number, copy of payment receipt, local needs information & supporting documentation which may include documents such as birth certificate, baptismal certificate, credit union details, copy of driving licence, copy of passport, school documentation etc.

(b) Third parties related to the land - name, address, land ownership

(c) Third parties - information related to submissions made to the Planning Authority (Elected Representatives)

Medical records and potentially other sensitive data can be processed under the rural housing local need aspect of this activity. This information is not requested; however it may be voluntarily submitted as part of the application.

What will happen if the personal data is not provided?

All information requested as part of the application process, (excluding the **rural housing** local need information) is mandatory as part of the application process and is required for the application to be considered valid. Any application deemed invalid will not proceed. If the local need information is not submitted, the planner may refuse or request further information on the file in order to satisfy the Planning Authority that the applicant is compliant with the Rural Housing policy of the Kildare County Development Plan 2017-2023

Am I the only source of this personal data?

In some instances to assist with the delivery of the activity or to comply with regulatory or legislative requirements personal data is sourced from a third party. This **may apply** to this activity.



Comhairle Contae Chill Dara

Kildare County Council

Data may be sourced during the planning application process from public sources such as the Property Registration Authority and other publically available information that Kildare County Council may hold.

Is personal data submitted as part of this activity shared with other organisations?

The Council may, to fulfil statutory or regulatory obligations or in the public interest, from time to time, have to share personal data with other organisations or entities (in Ireland or abroad). Where this is required the Council shall have regard to your rights, to the security and integrity of the data and will minimise the data shared.

Sharing **APPLIES** to this activity.

As part of this process, the planning application data which is publicly available may be forwarded to external agencies/consultees such as ESB, Irish Rail, etc. to review and make a submission if they wish. If an application is to be appealed Kildare County Council are required under the Planning and Development Acts to give all details submitted as part of the planning application to An Bord Pleanála, who then become the joint data controller for the information they hold.

Data **IS NOT** transferred to another country.

Data is transferred to (if there are no countries listed, it is not intended to transfer the personal data abroad)

How long is my data kept for?

The Council has a detailed record retention policy which outlines time periods for which your personal data will be retained and what will happen to it after the required retention period has expired. A copy of Record Retention Policy can be accessed via the following link:

http://www.lgma.ie/sites/default/files/2002_national_retention_policy_for_local_authority_records_2.pdf

Do you need to update your records?

Kildare County Council must take reasonable steps to ensure that personal data we have about our customers is correct and up to date.

In addition, if the data held by us is found to be inaccurate you have the right to rectify/correct this.

If you find that personal data we have about you is inaccurate or needs to be updated (for instance, you may have changed your name, address, contact details etc.) then please contact us so that we can correct it. You can do this by:



Comhairle Contae Chill Dara

Kildare County Council

Writing to us at: Kildare County Council, Áras Chill Dara, Devoy Park, Naas, Co Kildare. W91 X77F

Emailing us at customercare@kildarecoco.ie

When making a request to update your record please provide evidence to support this - for example a copy of a document containing your new address – utility (Gas, Electricity, Phone) bill etc.

Your rights:

You have the right to obtain confirmation as to whether data concerning you exists, to request access to personal data held about you, to be informed of the content and source of data and check its accuracy.

If the data held by us is found to be inaccurate you have the right to rectify/correct this – see above on how to update your records.

You also, subject to certain conditions being met, have the right to object to or seek restriction of the processing of personal data and to request the erasure of personal data held by the Council.

Please note that to help protect your privacy, we take steps to verify your identity before granting access to personal data.

To exercise these rights logon to <http://kildare.ie/CountyCouncil/DataProtection/> , use one of the forms at our Counter or contact us.

Kildare County Council - Access to Information Officer

Phone	045 982 200
E-mail	dataprotection@kildarecoco.ie or customercare@kildarecoco.ie
Postal Address	Áras Chill Dara, Devoy Park, Naas, Co Kildare. W91 X77F.

Right of Complaint to the Data Protection Commissioner

If you are not satisfied with the outcome of the response received by the Council you are entitled to make a complaint to the Data Protection Commissioner who may investigate the matter for you. The Data Protection Commissioner's website is www.dataprotection.ie or you can contact their Office at:



Comhairle Contae Chill Dara

Kildare County Council

Lo Call Number	1890 252 231
E-mail	info@dataprotection.ie
Postal Address	Data Protection Commissioner Canal House Station Road Portarlinton, Co. Laois. R32 AP23.

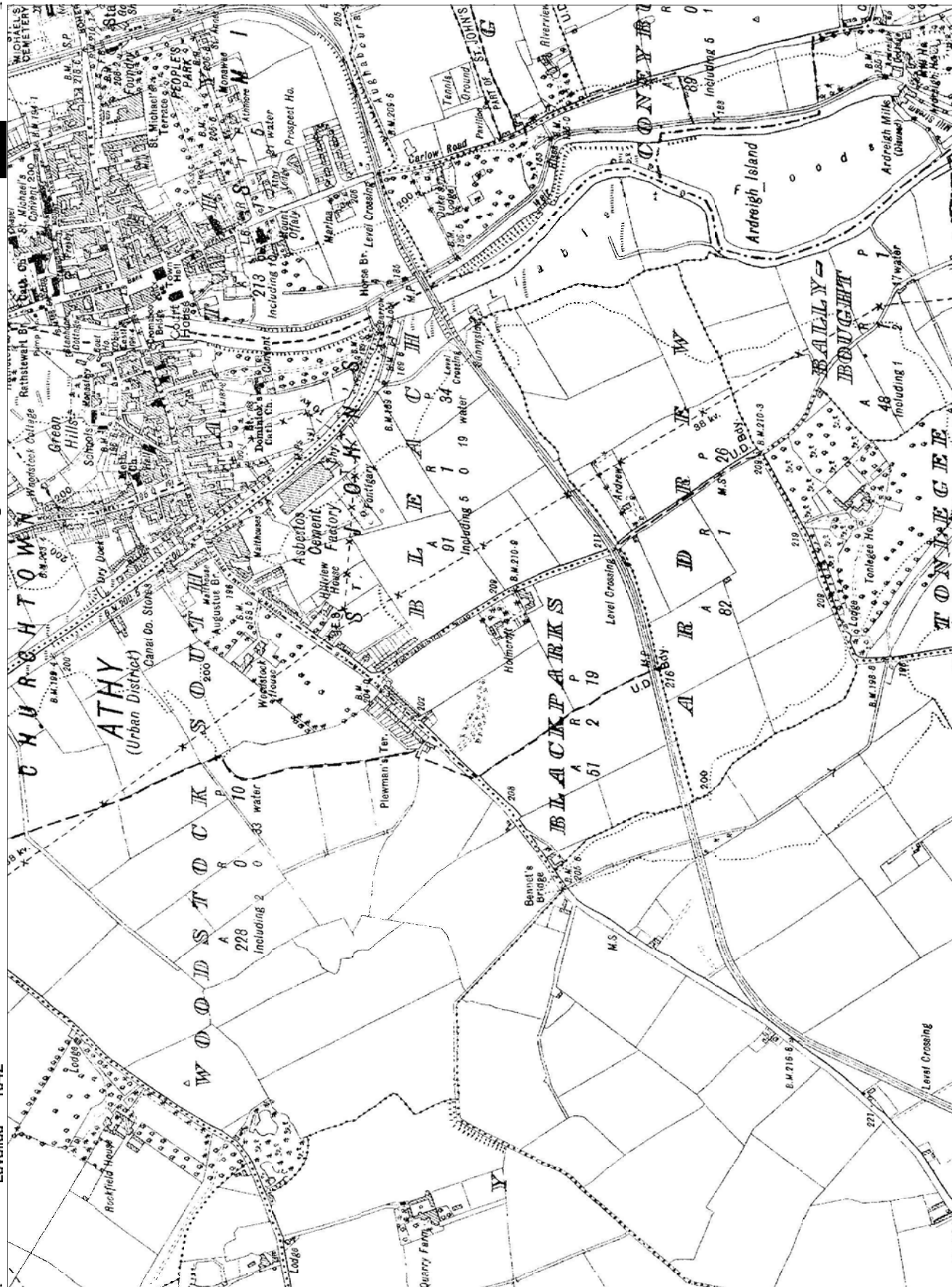
Changes to Privacy Statement

We may make changes to this Statement. If we make any changes they will be posted on this page and we will change the "Last Updated" date below.

Last Updated 25 May 2018.

Surveyed 1837-1839
Revised 1907-1939
Levelled 1942

Record PLACE Map



Scale:- 1:10,560
Scála:- 1:10,560



Plot Ref. No. 19651456_1
Plot Date 27-JAN-2014

668781

662395

ITM CENTRE PT. COORDS

667551,693303

DESCRIPTION

MAP SHEETS

6 inch
LS020 KE035



Authorised
Internet Map

Area shown on map is the full extent of the Ordnance Survey
Ordnance Survey map is the full extent of the Ordnance Survey
Ordnance Survey map is the full extent of the Ordnance Survey
Ordnance Survey map is the full extent of the Ordnance Survey

Each road or course is shown as a line with a central line
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Each road or course is shown as a line with a central line

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© Ordnance Survey Ireland, 2014



668781

666321

Surveyed 1987
Revised 2013
Levelling 1987

Urban PLACE Map



667435
667668

ITM CENTRE PT. COORDS
667552,693303

DESCRIPTION

MAP SHEETS

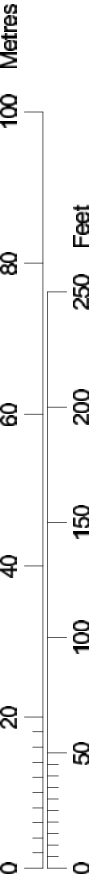
1:1000
4004-25

ATHY

Shackleton Court

Tonlegee Lawns

Scale:- 1:1,000
Scale:- 1:1,000



Plot Ref. No. 19651456_1_1
Plot Date 27-JAN-2014

667435
667668



Area shown is a reproduction of the Ordnance Survey map of the area shown. It is not a substitute for the original map. It is not to be used for navigation or other purposes. It is not to be used for legal purposes. It is not to be used for any other purpose.

Siomraí a bhaineann le h-athbhreathnú na n-áite seo. Ní bfuil siad aon rud eile ná aon ádh eile. Ní bfuil siad aon rud eile ná aon ádh eile. Ní bfuil siad aon rud eile ná aon ádh eile.

Each case is a separate. It is not to be used for navigation or other purposes. It is not to be used for legal purposes. It is not to be used for any other purpose.

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Ní bfuil siad aon rud eile ná aon ádh eile. Ní bfuil siad aon rud eile ná aon ádh eile. Ní bfuil siad aon rud eile ná aon ádh eile. Ní bfuil siad aon rud eile ná aon ádh eile.

Ordnance Survey maps never show legal property boundaries nor do they show ownership or physical features.

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NOTIFICATION FORM
EXEMPTED DEVELOPMENT - ARTICLE 10(6) CHANGE OF USE EXEMPTION

Name of Relevant Planning Authority: **Kildare County Council**

Name of Notifier/Property Owner: **George Martin**

Name of Person/Agent Acting on behalf of Notifier/Property Owner (if any): **N/A**

[Note: Contact Details to be supplied at the end of this form]

Notification of intention to avail of exempted development provisions under Article 10(6) of the Planning and Development Regulations 2001, as inserted by Article 2 of the Planning and Development (Amendment) (No. 2) Regulations 2018, at least two weeks prior to the commencement of the proposed change of use and any related works.

Notification Details Required:

Location of structure	<i>Full Postal Address</i>	The Storehouse Fortbarrington Road, Athy, Co. Kildare
	<i>Eircode</i>	R14X866
Total number of Residential Unit(s)	<i>number - e.g. 5</i>	1
Total Residential Floorspace (m2)	<i>number - e.g. 642</i>	900
	Number of bedrooms	Floorspace of unit (m2)
Residential Unit 1	<i>number - e.g. 2</i> 6	<i>number - e.g. 84</i> 900
Residential Unit 2		
Residential Unit 3		
Residential Unit 4		
Residential Unit 5		
Residential Unit 6		
Residential Unit 7		
Residential Unit 8		
Residential Unit 9		
Date works will commence (Minimum of two weeks subsequent to date of notification)		02.04.2025 <i>dd/mm/yyyy</i>
Signed (Notifier/ Agent as appropriate): 		Date: 13.03.2025

CONTACT DETAILS – NOT TO BE PUBLISHED

Notifier/Property Owner **George Martin**

Address: **5 Bleach Road, Dun Brinn, Athy, Co. Kildare**

Eircode: **R14X201**

Telephone number: **085 800 1221**

Mobile number: **085 800 1221**

E-mail address: **george@irelandonline.ie**

Person/agent (if any) acting on behalf of the Notifier/Property Owner **N/A**

Address: _____

Eircode: _____

Telephone number: _____

Mobile number: _____

E-mail address: _____

McNally Morris Architects

13 Edentillick Road

Hillborough BT26 6PG

T: 0284 9268 2314 E: info@mcnallymorrishill.com

Donal Mc Morris BSC (Hons), Sarah Hill BA (Hons)

Hugh McNally BSC (Hons), Dip Arch MBA

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Any other reproduction must be reported to the architect.

Project: Existing National Sports Centre and Gym, For: Barrington Road, Athy, Co Kildare

Title: Existing First floor plan

Stage: Planning

Scale: 1:50 (A3-1:100)

Paper Size: A1

Date: Nov 2024

Drawn by: DM

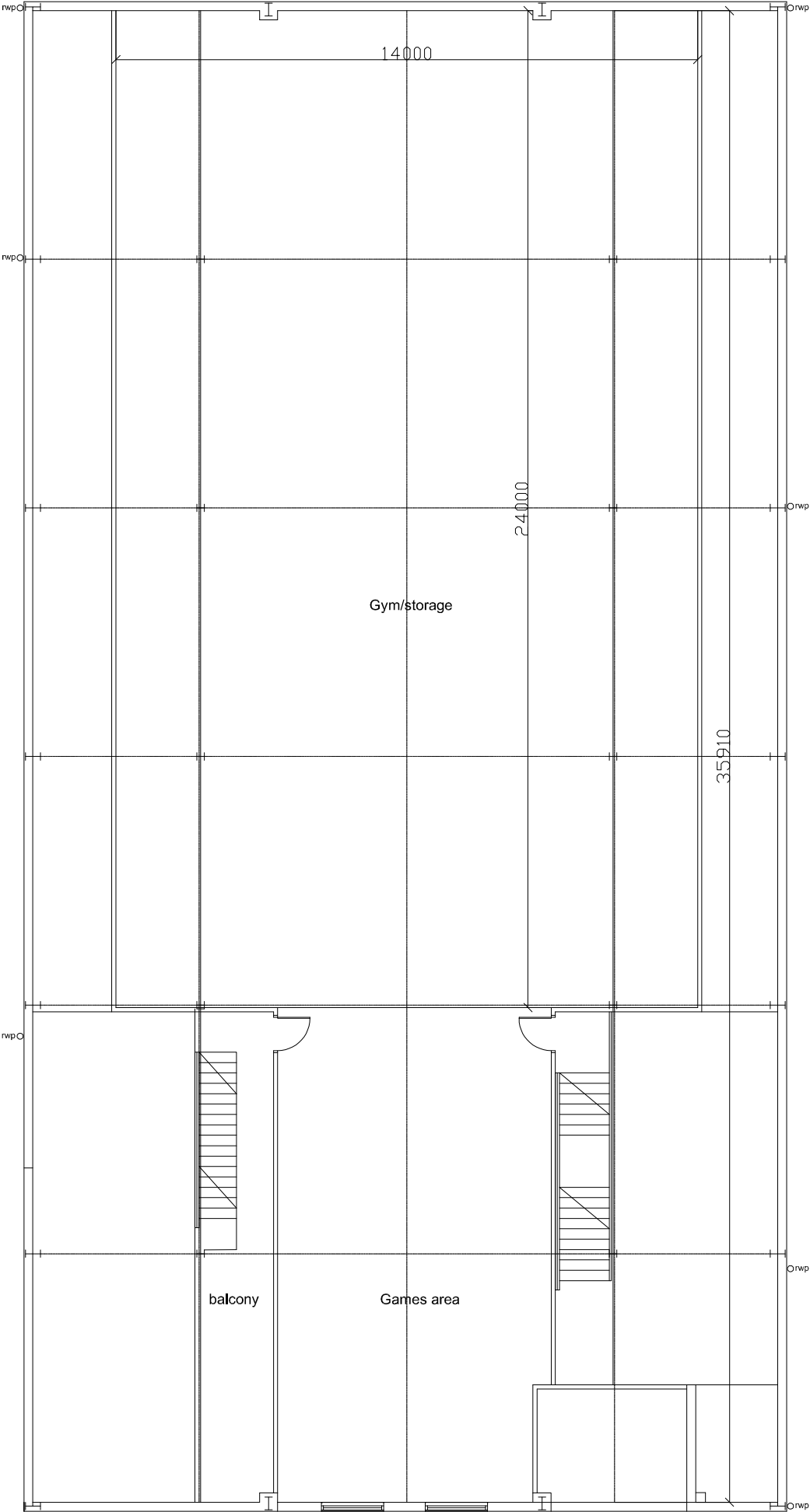
Checked by: HMCN

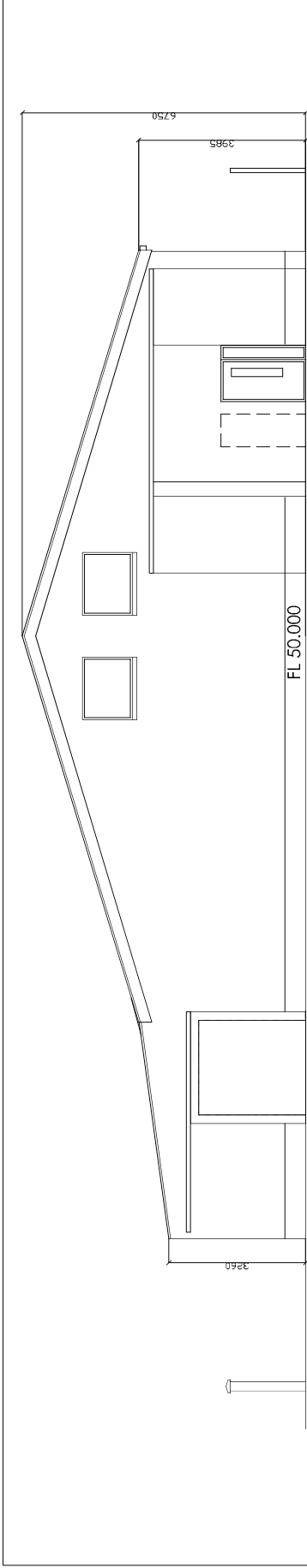
Job no: 256

Drawing no: SU-03

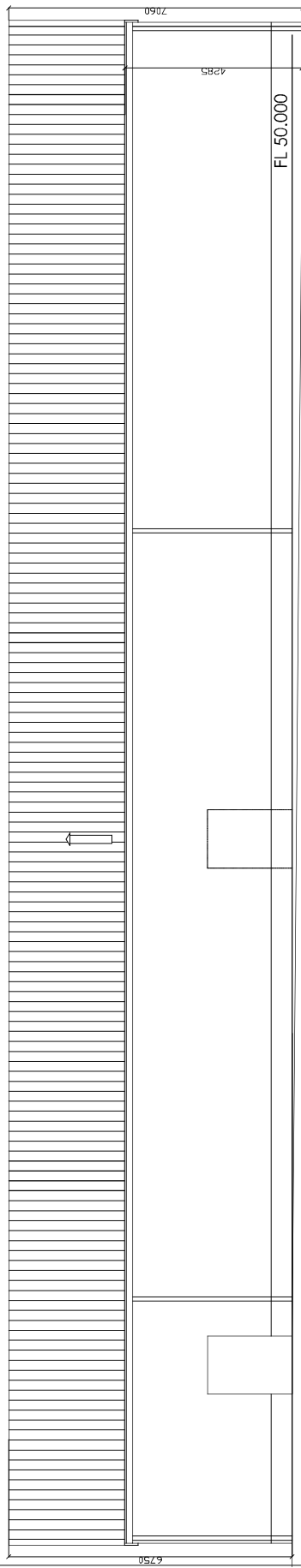
Revised: -

CAD: Planning

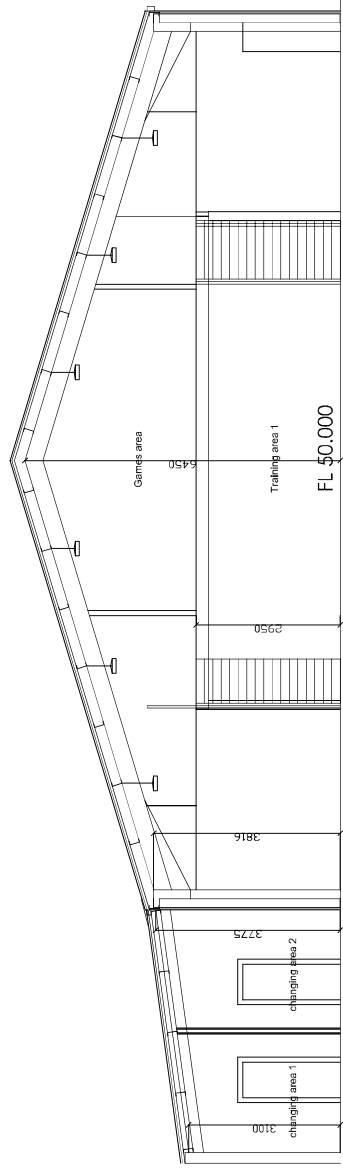




Existing front elevation(North East)



Existing side elevation(North West)



Cross section A-A

SCHEDULE OF FINISHES

- External
- Walls- plaster and paint
- Windows and doors- Ex timber/PVC/Steel
- Roof- Existing metal corrugated

McNally Morris Architects
15 Edencllick Road
Hillborough B72 6PG
Tel: 01904 831111
Email: info@mcnallymorrishillborough.co.uk
www.mcnallymorrishillborough.co.uk

Project: Existing National Sports Centre and Gym, Fort Roneigh Road, Athy, Co. Kildare

Stage: Planning

Scale: 1:100/50

Drawn by: DM

Check by: HMEN

Job No: 256

Drawing No: 31404

Revision:

Drawn by:

McNally Morris Architects
15 Edencllick Road
Hillborough B72 6PG
Tel: 01904 831111
Email: info@mcnallymorrishillborough.co.uk
www.mcnallymorrishillborough.co.uk

Project: Existing National Sports Centre and Gym, Fort Roneigh Road, Athy, Co. Kildare

Stage: Planning

Scale: 1:100/50

Drawn by: DM

Check by: HMEN

Job No: 256

Drawing No: 31404

Revision:

Drawn by:

Project: Existing National Sports Centre and Gym, Fort Roneigh Road, Athy, Co. Kildare

Stage: Planning

Scale: 1:100/50

Drawn by: DM

Check by: HMEN

Job No: 256

Drawing No: 31404

Revision:

Drawn by:

256-01-01

McNally Morris Architects

13 Edenhillick Road

Hillsborough BT26 6PG

T: 0284 9268 2314 E: info@mcnallymorrison.com

Domestic: Morris RSC (plans), Sarah RBA (info)

Hugh McNally RSC (plans), Ed Arch RBA

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Any changes or amendments must be reported to the architect.

Project: Existing National Sports Centre and Gym, For: Barrington Road, Althay, Co. Kildare

Title: Existing Ground floor plan

Stage: Planning

Scale: 1:50 (A3-1:100)

Paper Size: A1

Date: Nov 2024

Drawn by: DM

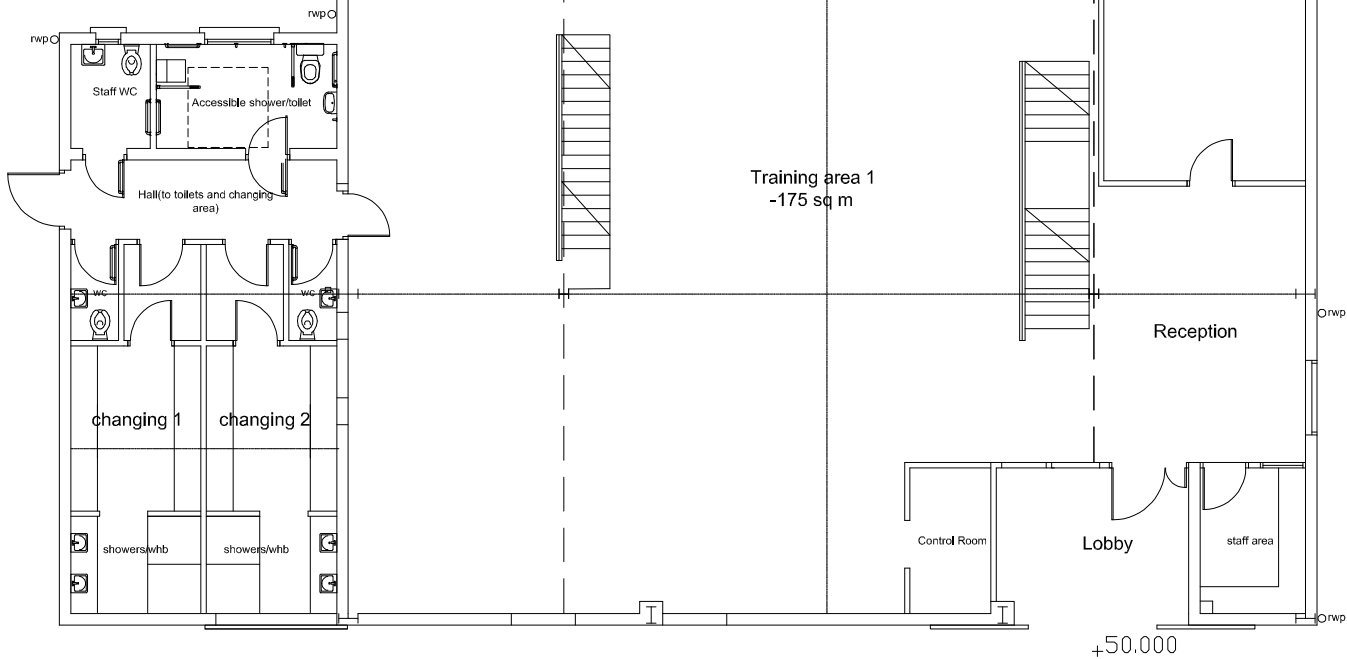
Checked by: HMCN

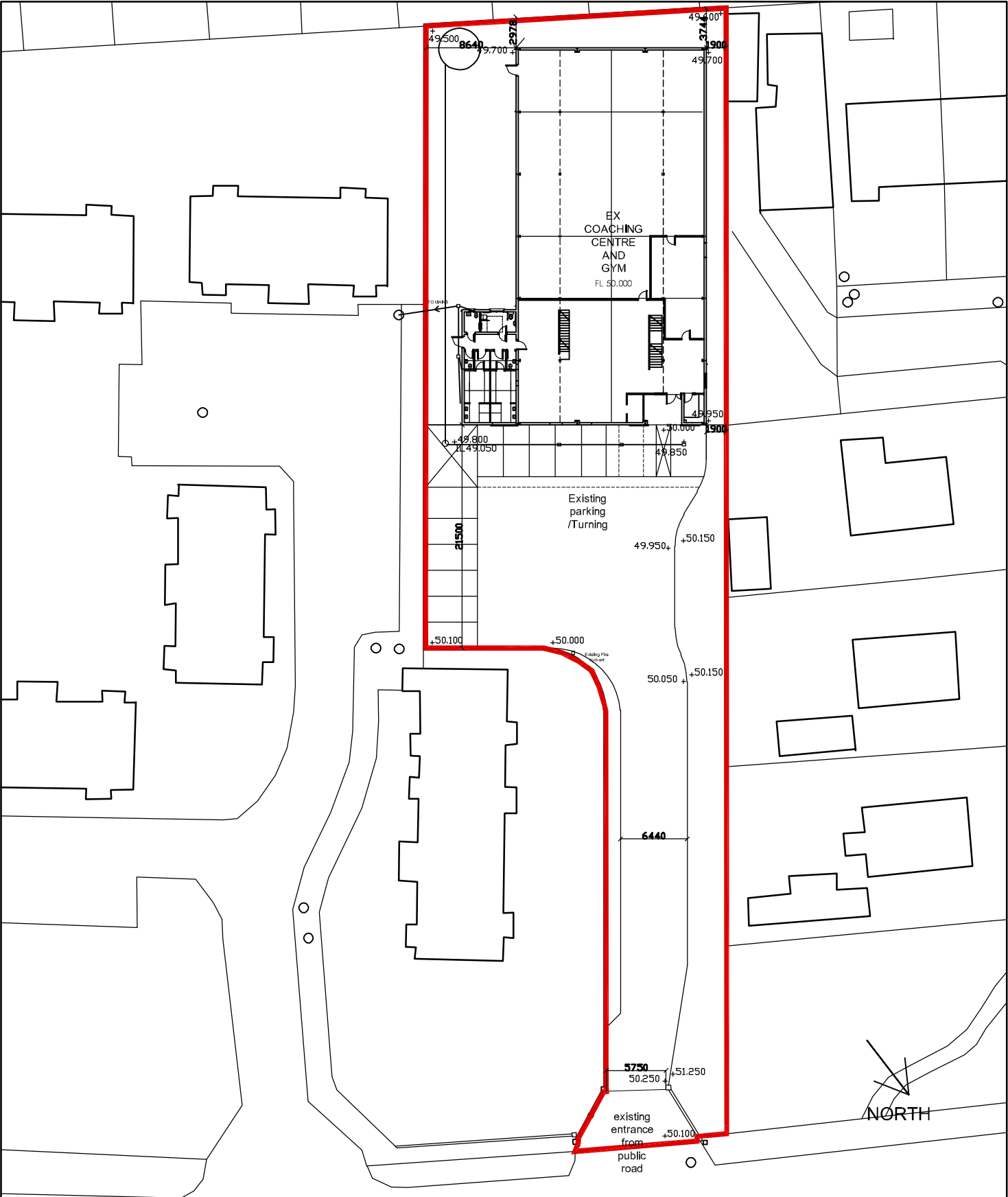
Job no.: 256

Drawing no.: SU-02

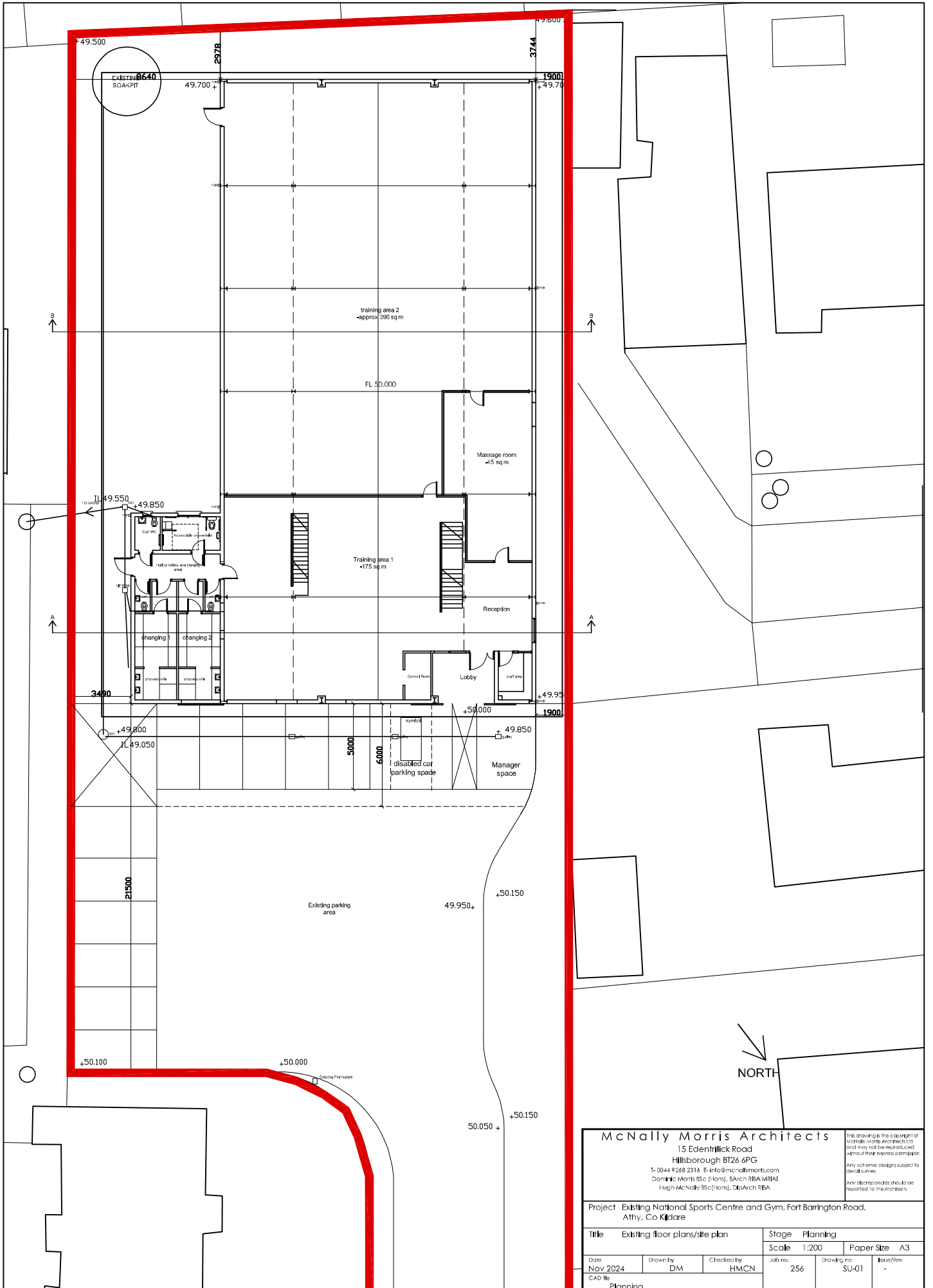
Issue/Rev: -

CAD: Planning





Project: Existing National Sports Centre & Gym, Fort Barrington Road, Athy, Co Kildare	Contents	Existing Site layout/Block plan		
	Drawing no.	256-SU-00	OS ref	4004-25
	Scale	1:500	Date	Nov 24
	McNally Morris Architects 15 Edentrillick Road Hillsborough BT26 6PG T- 0044 9268 2316 E- info@mcnallymorris.com			The drawing is the copyright of McNally Morris Architects and may not be reproduced without their express permission. Any scheme designs subject to detail survey. Any discrepancies should be reported to the architect



McNally Morris Architects 15 Edentrick Road Hillsborough BT26 6PG T: 0044 9268 2314 E: info@mcnallymorriss.com Dominic Morris BSc (Hons), BA Arch RIBA MRRAI Hugh McNally BSc (Hons), DipArch RIBA				This drawing is the copyright of McNally Morris Architects Ltd and may not be reproduced without their express permission. Any scheme designs subject to RIBA Review. Any discrepancies should be reported to the Architects	
Project Existing National Sports Centre and Gym, Fort Barrington Road, Athy, Co Kildare					
Title Existing floor plans/site plan			Stage Planning		
			Scale 1:200		Paper Size A3
Date Nov 2024	Drawn by DM	Checked by HMCN	Job no. 256	Drawing no. SU-01	Issue/Rev -
CAD file Planning					

Land Registry

County Kildare

Folio 62960F

Part 2 - Ownership

Title ABSOLUTE

No.	The devolution of the property is subject to the provisions of Part II of the Succession Act, 1965
1	30-SEP-2014 GEORGE MARTIN of 5 Bleach Road, Dun Brinn, Athy, County D20141R024834A Kildare is full owner.

Comhairle Contae Chill Dara
Kildare County Council



GEORGE MARTIN LL
BLACKSPARK ATHY
CO KILDARE
R14 X866

03/03/2025

Dear Ratepayer,

VACANCY RELIEF ON COMMERCIAL RATES / CUSTOMER NO: 1090527

Our records indicate that the above commercial property was vacant for all or part of 2024 or had a partial vacancy within the property.

Commercial rates are payable annually on all properties contained on the Valuation List maintained by Tailte Éireann. However, vacancy relief may be applied if a commercial property is unoccupied for the purposes of undertaking additions, alterations or repair or because the owner is, bona fide, unable to obtain a suitable tenant.

Kildare County Council's strike off process is now complete and I wish to advise that your property has received vacancy relief for 2024 to the amount of €3821.58. Therefore, the collection of rates for which you have received vacancy relief will not be pursued. The balance on your account at the end of 2024 was € NIL.

PLEASE NOTE – As agreed by the elected members of Kildare County Council at the budget meeting held in November 2024, the application of vacancy relief on fully vacant properties will be limited to five consecutive years from 2025 onward. For example, if 2024 is the fifth consecutive year that you have got vacancy relief on a fully vacant property, you will NOT be eligible for vacancy relief in 2025. Your 2025 rates will hence be payable.

If you are in the category of customers who will not be eligible for vacancy relief in 2025, a letter will issue to you in the next week.

Should you wish to discuss your account, please contact your Revenue Collector John Walsh on 086 380 072 or email rates@kildarecoco.ie.

Yours faithfully,

Commercial Rates Office,
Finance Section
Kildare County Council
01980656 / rates@kildarecoco.ie

Kildare County Council
Planning Department

18 MAR 2025

RECEIVED

Comhairle Contae Chill Dara
Kildare County Council



15th November 2024

George Martin
NSC Coaching & Training Ltd.
Fort Barrington Road
Athy
Co. Kildare.

Planning Permission ref :14/300002
Development at: Former Value Centre Warehouse, Fortbarrington Road, Athy, Co. Kildare.

Dear Mr. Martin,

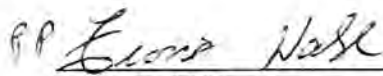
I wish to acknowledge receipt of €18,725.00 received in respect of development contributions related to the above planning permission.

The Planning Authority can confirm that financial condition number 13 of planning permission ref. 14/300002 is complied with.

Please retain this letter as it may be required in the event of future sale of the property.

If you have any queries or if you require any further information, please contact Development Contributions at 045 980843 or email devcontrib@kildarecoco.ie.

Yours sincerely,


Aisling O'Brien
Development Contributions
Finance Department

McNally Morris Architects

15 Edenhillick Road

Hillborough B726 6PG

T: 044 928 2214 E: info@mcnallymorrison.com

Dominic Morris BSc (Hons), BArch (BA) MRBIA

Hugh McNally BSc (Hons), Dip Arch (BA)

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Project: Building National Sports Centre and Gym, Fort Barrington Road, Athy, Co. Kildare

Title: Proposed first floor plan

Stage: Planning

Scale: 1:500 (A3-1:100)

Paper Size: A1

Date: Mar 2024

Drawn by: DM

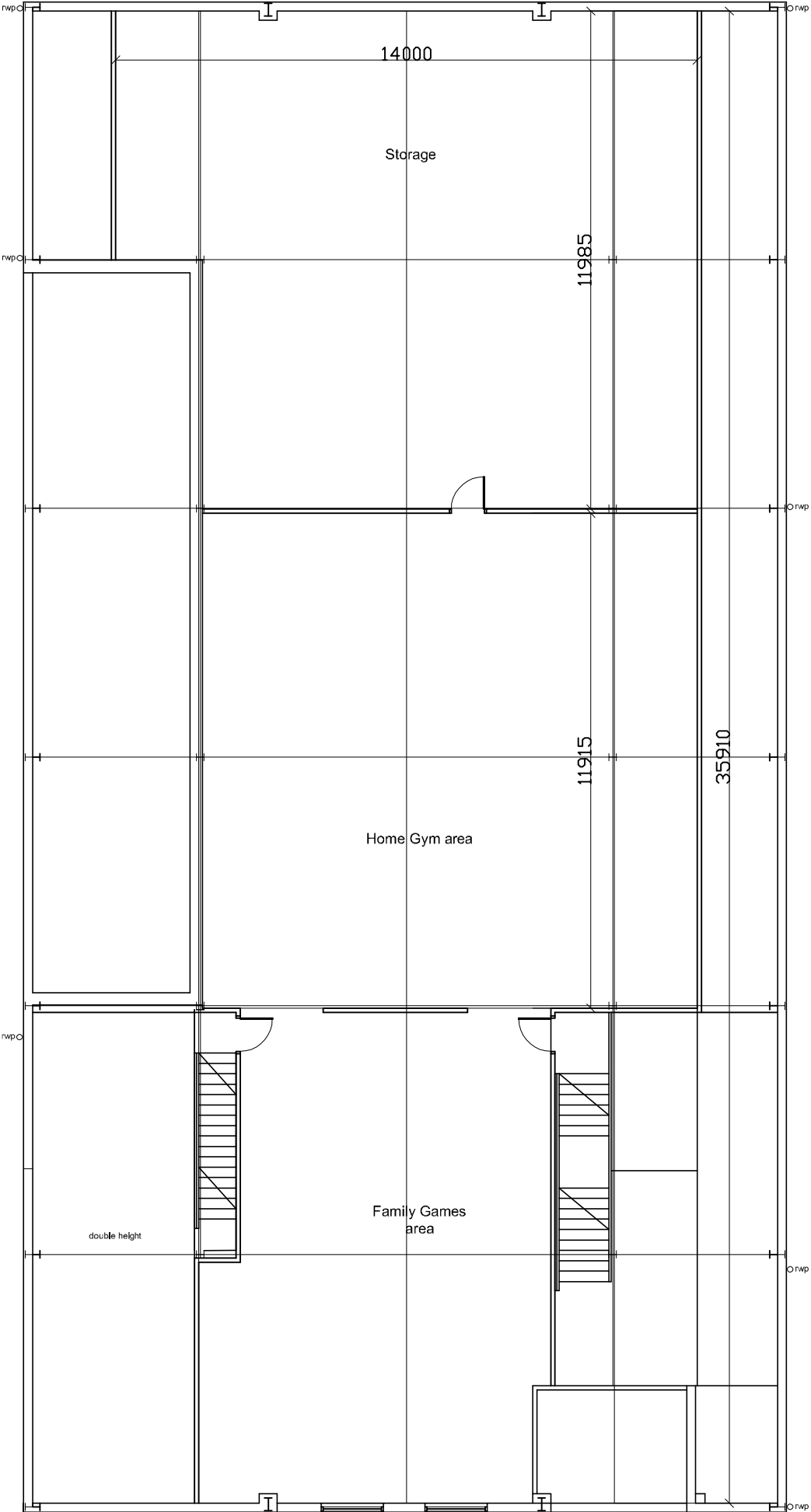
Checked by: HMCN

Job no.: 256

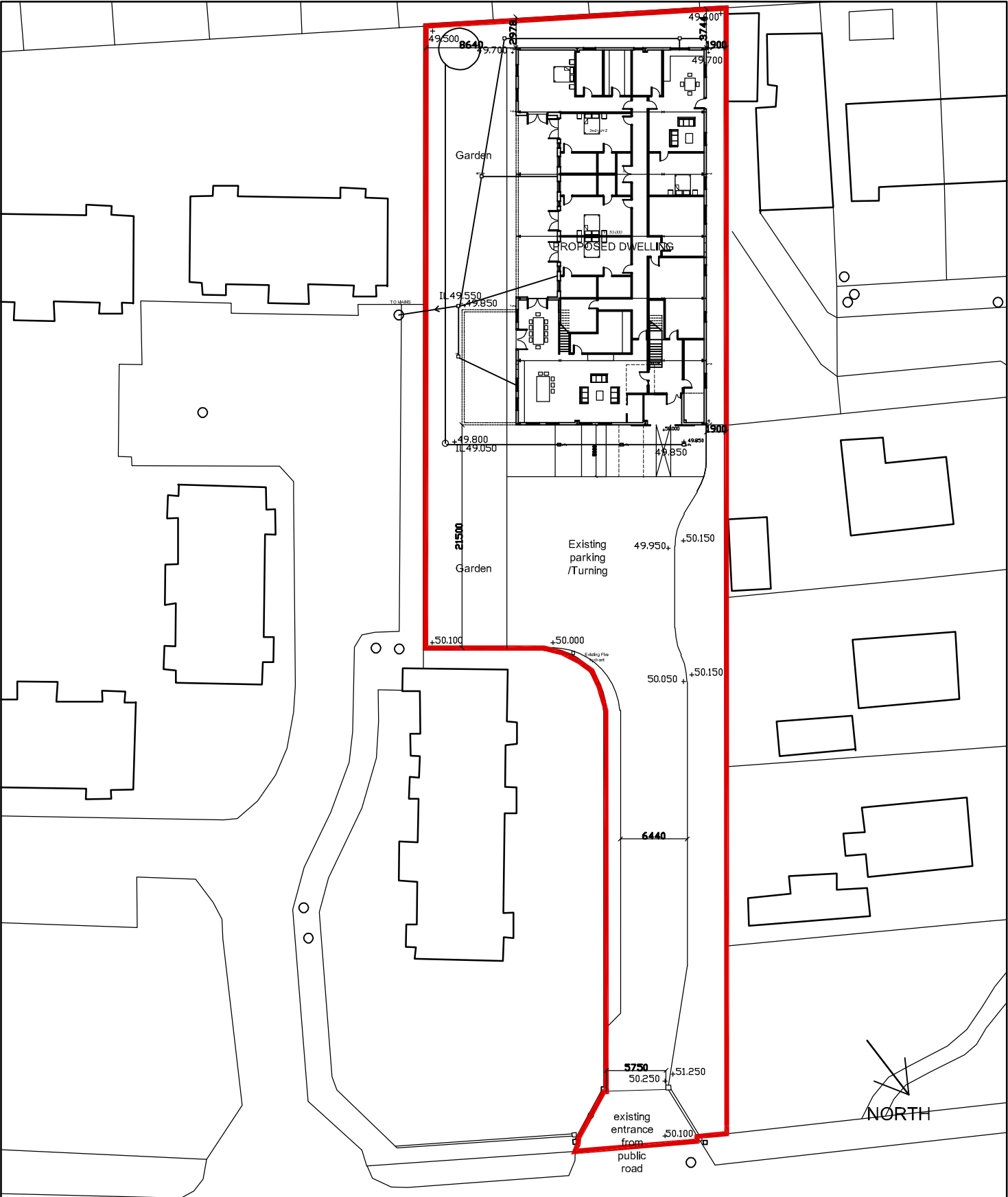
Drawing no.: PL-03

Issue/Rev.: -

CAD file: [Planning](#)



FIRST FLOOR PORTION
OF BUILDING RETAINED
375.6 SQ M/ 4042 SQ FT



Project: Existing National Sports Centre & Gym, Fort Barrington Road, Athy, Co Kildare	Contents	Proposed Site layout/Block plan		
	Drawing no.	256-PL-00	OS ref	4004-25
	Scale	1:500	Date	Mar 25
	McNally Morris Architects 15 Edentrillick Road Hillsborough BT26 6PG T- 0044 9268 2316 E-info@mcnallymorris.com			The drawing is the copyright of McNally Morris Architects and may not be reproduced without their express permission. Any scheme designs subject to detail survey. Any discrepancies should be reported to the architect



McNally Morris Architects				This drawing is the copyright of McNally Morris Architects Ltd and may not be reproduced without their express permission. Any scheme designs subject to RIBA review. Any discrepancies should be reported to the Architects	
15 Edentrick Road Hillsborough BT26 6PG T: 0044 9268 2316 E: info@mcnallymorriss.com Dominic Morris BSc (Hons), BA Arch RIBA MRRAI Hugh McNally BSc (Hons), DipArch RIBA					
Project Existing National Sports Centre and Gym, Fort Barrington Road, Athy, Co Kildare					
Title Proposed floor plans/site plan					
Stage Planning			Scale 1:200		
Paper Size A3			Date Mar 2025		
Drawn by DM			Checked by HMCN		
Job no. 256			Drawing no PL-01		
Issue/Rev -			CAD file Planning		

Comhairle Contae Chill Dara
Kildare County Council



NSC COACHING & TRAINING LTD
BLACKPARKS
FORTBARRINGTON ROAD
ATHY
CO KILDARE

Statement Date: 14/03/2025
Our Ref: 1081437
Contact Person: John Walsh
Contact Number: 086 3801072

Rates Customer Statement: 01 Jan 2021 - 14 Mar 2025

PLEASE NOTE: This statement shows payments made up to 10/03/2025. For queries, please contact your revenue collector (as above) or the rates team on rates@kildarecoco.ie or 045 980656.

Date	Details	Debit	Credit	Balance
Jan 01, 2021	Open Bal			4,730.64
Jan 01, 2021	214005000 (214005000)	1,892.25		6,622.89
Jan 01, 2021	214005000 (214005000)	1,892.26		8,515.15
Mar 16, 2021	Adj Rates Waiver 6 Months to June 2021 (214005000)		1,892.26	6,622.89
Mar 22, 2021	Pay Supp 84893 Contra Cust 1081437 (214005000)		1,200.00	5,422.89
Jul 08, 2021	Adj Rates Waiver 3 Months July to September 2021 (214005000)		946.13	4,476.76
Nov 02, 2021	Adj Rates Waiver 3 Months Oct - Dec 2021 (214005000)		946.12	3,530.64
Jan 01, 2022	214005000 (214005000)	1,892.25		5,422.89
Jan 01, 2022	214005000 (214005000)	1,892.26		7,315.15
Mar 10, 2022	Adj Rates Waiver 3 Months Jan - Mar 2022 (214005000)		946.13	6,369.02
Jan 01, 2023	214005000 (214005000)	1,910.79		8,279.81
Jan 01, 2023	214005000 (214005000)	1,910.79		10,190.60
Dec 31, 2023	Adj Rates Credit Adjustment Vacancy 2023 (214005000)		10,190.60	0.00

Closing Statement Balance €0.00

