Comhairle Contae Chill Dara
Kildare County Council

Date: 11th August 2026
Our Ref: ED/1372

Aidan Holton,
5 Temple Wood,
Carton Demesne,
Maynooth,
Co. Kildare W23 RX74.

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

Dear Sir/Madam,

I refer to your correspondence received on 23rd June 2026 and 20th July 2026 in connection with the above.

Please find attached declaration made under Section 5 of Planning and Development Act 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/1372

WHEREAS a question has arisen as to whether an underground concrete tank for the storage of runoff liquid from existing dungstead. No Slurry to enter tank or no rainwater. This tank is proposed 2.5m in depth 3m wide 6m long covered by a concrete slab dirty water runoff from the dungstead will be channelled to the proposed tank and no other liquid will be allowed enter, capacity 43m cubed at Kilmore, Enfield, Co. Kildare

AS INDICATED on the plans and particulars received by the Planning Authority on 23rd June 2026 and 20th July 2026

AND WHEREAS Aidan Holton 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 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) Class 6A of Part 3 from Schedule 2 of the Planning and Development Regulations 2001 (as amended) and
(d) 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 an underground concrete tank for the storage of runoff liquid from existing dungstead. No Slurry to enter tank or no rainwater. This tank is proposed 2.5m in depth 3m wide 6m long covered by a concrete slab dirty water runoff from the dungstead will be channelled to the proposed tank and no other liquid will be allowed enter, capacity 43m cubed at Kilmore, Enfield, Co. Kildare ***IS development and IS EXEMPTED development*** pursuant to Sections, 2, 3, 4 and 5 of the Planning and Development Act 2000 (as amended); Articles 6 and 9 of the Planning and Development Regulations 2001 (as amended) and Class 6A of Part 3 from Schedule 2 of the Planning and Development Regulations, 2001 (as amended)

Comhairle Contae Chill Dara
Kildare County Council

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 Coimisiún Pleanála within 4 weeks of the issuing of the decision.

11th August 2026

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/1372

Name Of Applicant(s):	Aidan Holton
Address Of Development:	Kilmore, Enfield, Co Kildare
Development Description:	Placement of 43m-cubed capacity underground concrete tank for storage of runoff liquid from existing dungstead
Due date	10/08/2026

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 comprising of an "*underground concrete tank for the storage of runoff liquid from existing dungstead. No Slurry to enter tank or no rainwater. This tank is proposed 2.5m in depth 3m wide 6m long covered by a concrete slab dirty water runoff from the dungstead will be channelled to the proposed tank and no other liquid will be allowed enter, capacity 43m cubed.*"

Site Location

The site is located within Kilmore, Enfield, Co. Kildare, in a rural area in the north of the county. The site is between the Royal Canal proposed Natural Heritage Area and Irish Rail railway line. The site accommodates two agricultural buildings, a dungstead and an area of hardstanding and a grassed area.

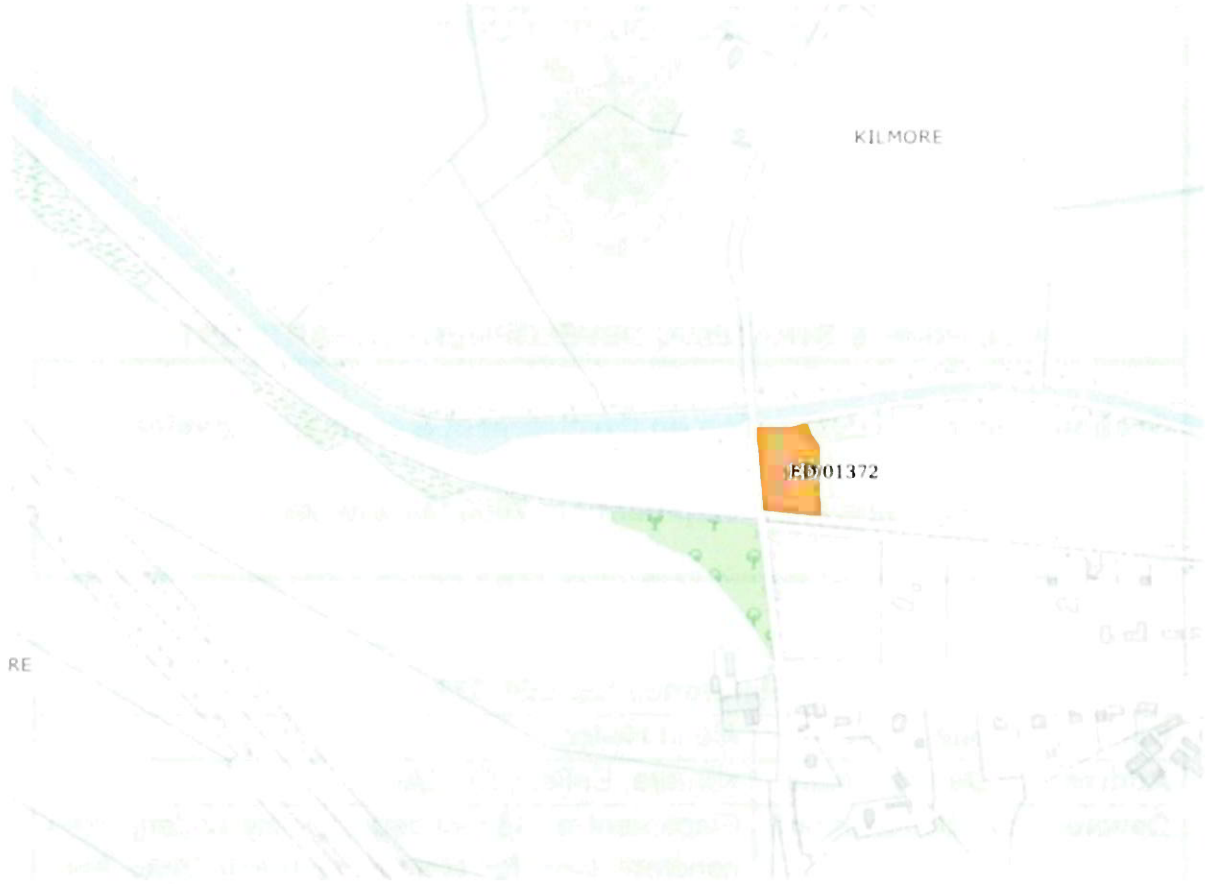


Fig 1: Site Location and context



Fig 2: Aerial view of subject site (Google Images)

Planning History

None indicated on the application form and none indicated on KCC GIS.

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.

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)

Class 6A of Part 3 from Schedule 2 (inserted by Article 4 of S.I. no. 649/2025 of the Planning and Development Regulations 2025)

Works consisting of a structure for the storage of slurry, effluent or soiled water collected from agricultural buildings, agricultural farmyards and any ancillary provision to aid in the handling of the slurry, effluent or soiled water.

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.

These have been reviewed and are not relevant to this application.

Assessment

Class 6 A of Part 3 from Schedule 2 of the P&D Regulations 2001 (as amended) outlines an exemption for storage tanks for agricultural purposes. The exemption is as follows.

"Works consisting of a structure for the storage of slurry, effluent or soiled water collected from agricultural buildings, agricultural farmyards and any ancillary provision to aid in the handling of the slurry, effluent or soiled water."

Each of the Conditions and Limitations are outlined below and will be assessed accordingly.

1. *No such structure shall be used for any purpose other than the purpose of agriculture.*

It has been outlined by the applicant it is to be used for runoff liquid from the existing dungstead.

2. *The maximum storage capacity of any such storage facility shall not exceed 1000 cubic metres.*

The storage capacity is 43cubic metres.

3. *The aggregate capacity of tanks, situated within the same farmyard complex, shall not exceed 1,500 cubic metres.*

The applicant has not clarified if there is an existing storage facility on site.

4. *The structure having regard to its size, use and location shall be constructed in accordance with Department of Agriculture, Food and the Marine and Department of Housing, Local Government and Heritage requirements and shall have regard to the need to avoid water pollution. The structure shall not be an earth lined Slurry/Effluent Store.*

The structure is to be concrete.

5. *No such structure shall be situated, and no effluent from such structure shall be stored, within 10 metres of any public road.*

The structure is not placed within 10m of a public road.

6. *No such structure within 100 metres of any public road shall exceed 8 metres in height.*

This structure is underground.

7. *No such structure shall be situated, and no effluent from such structure shall be stored, within 100 metres of any house (other than the house of the person providing the structure) or other residential building or school, hospital, church or building used for public assembly, save with the consent in writing of the owner and, as may be appropriate, the occupier or person in charge thereof.*

There is no dwelling within 100m of the structure.

8. *No such structure shall be constructed within a flood zone identified in statutory land use plans as Flood Zone A or Flood Zone B or where the probability of flooding is moderate to high or erosion control zone.*

The site is not within Flood Zone A or B.

9. *No such structure shall be within 60 metres of a public or private water source.*

There is no public water source within 60m of the site. It does not appear there are any private wells within 60m, however, the applicant is to confirm no private water sources within 60m of the storage tank.

10. *No such structure shall be situated, at the closest point, less than 50 metres from a water course or water body in the case of new farmyards, and not less than 10m in the case of extensions/modifications to an existing facility.*

The structure is not less than 50m from the Royal Canal.

11. *All such tanks shall be constructed in accordance with the relevant specification published by the Department of Agriculture, Food and the Marine in force at the time of construction of the tank.*

Onus is on the applicant to do same, clarification of same is required.

12. *No unpainted metal sheeting shall be used for roofing or on the external finish of the structure.*

The structure is to be underground with a concrete cover.

13. *The use of this Class of exemption requires a declaration from the relevant Planning authority under section 5 of the Principal Act, declaring the exemption is applicable prior to commencement of construction.*

This is currently being sought.

14. *Ancillary provision shall include as appropriate the installation of any signage, fencing or other safety infrastructure as recommended by the Health and Safety Authority regarding Slurry Safety.*

Onus is on the applicant to carry out same.

FURTHER INFORMATION

It was recommended the following **further information** was sought and the response is as follows:

The applicant is requested to submit the following information in order for a full assessment to be carried out:

(a) Confirm there are no other similar storage tanks on site, if there are, the capacity od same is required.

(b) The distance from the proposed structure to the nearest private water source. A map of same is required.

(c) Confirmation the tank will be constructed in accordance with the relevant specification published by the Department of Agriculture, Food and the Marine in force at the time of construction of the tank.

Applicants response: The applicant has verified there are no other tanks on site. A map has been included, no private water sources are within 60m of the storage tank.

Planners appraisal: Having regard to the response is it considered the proposed accords with the conditions and limitations of Class 6 A of Part 3 from Schedule 2 of the P&D Regulations 2001 (as amended)

Conclusion

- Having regard to:
- Sections 2, 3, 4 and 5 of the Planning and Development Act 2000 (as amended);
- Articles 6 and 9 of the Planning and Development Regulations 2001 (as amended);
- Class 6A of Part 3 from Schedule 2 of the P&D 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 Class 6A of Part 3 from Schedule 2 of 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:

L. Murphy

Executive Planner

Date: 06/08/2026

Carroll Melia

Senior Executive Planner

10th August 2026

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 an underground concrete tank for the storage of runoff liquid from existing dungstead. No Slurry to enter tank or no rainwater. This tank is proposed 2.5m in depth 3m wide 6m long covered by a concrete slab dirty water runoff from the dungstead will be channelled to the proposed tank and no other liquid will be allowed enter, capacity 43m cubed

AS INDICATED on the plans and particulars received by the Planning Authority on 23/06/2026 and the 20/07/2026,

AND WHEREAS Aidan Holton 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. Sections *2, 3, 4 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. Class 6A of Part 3 from Schedule 2 of the Planning and Development Regulations 2001 (as amended) and
d. The nature, extent and purpose of the development.

AND WHEREAS Kildare County Council has concluded that:
an underground concrete tank for the storage of runoff liquid from existing dungstead. No Slurry to enter tank or no rainwater. This tank is proposed 2.5m in depth 3m wide 6m long covered by a concrete slab dirty water runoff from the dungstead will be channelled to the proposed tank and no other liquid will be allowed enter, capacity 43m cubed

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 -

an underground concrete tank for the storage of runoff liquid from existing dungstead. No Slurry to enter tank or no rainwater. This tank is proposed 2.5m in depth 3m wide 6m long covered by a concrete slab dirty water runoff from the dungstead will be channelled to the proposed tank and no other liquid will be allowed enter, capacity 43m cubed

IS development and IS EXEMPTED development pursuant to the provisions of the Planning and Development Act, 2000 (as amended) and 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 An Coimisiún Pleanála of the prescribed fee, refer a declaration to An Coimisiún Pleanála within 4 weeks of the issuing of the decision.

Appendix 1: Appropriate Assessment Screening

APPROPRIATE ASSESSMENT SCREENING REPORT
AND
DETERMINATION

(A) Project Details	
Planning File Ref	**ED1372**
Applicant name	Aidan Holton
Development Location	Kilmore Enfield Co. Kildare
Site size	unknown
Application accompanied by an EIAR (Yes/NO)	N/A
Distance from Natura 2000 site in km	River Boyne and River Blackwater SAC site code 002299 is over 6km northwest of the application site.
Description of the project/proposed development – Underground storage tank for run off from dungstead.	

(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.** Sites to consider: River Barrow and Nore, Rye Water/Carton Valley, Pollardstown Fen, Ballynafagh lake	*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?*	**No**

2	**Impacts on sites designated for wetland habitats - bogs, fens, marshes and heath.** Sites to consider: River Barrow and Nore, Rye Water/Carton Valley, Pollardstown Fen, Mouds Bog, Ballynafagh Bog, Red Bog, Ballynafagh Lake	*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?*	**No**
3	**Impacts on designated terrestrial habitats.** Sites to consider: River Barrow and Nore, Rye Water/Carton Valley, Pollardstown Fen, Ballynafagh Lake	*Is the development within a Special Area of Conservation whose qualifying interests include woodlands, dunes or grasslands, or within 100m of same?*	**No**
4	**Impacts on birds in SPAs** Sites to consider: Poulaphouca Reservoir	*Is the development within a Special Protection Area, or within 5 km of same?*	**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 *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	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 distance from the nearest European site, the proposal would not result in significant negative impact on the qualifying interests of this SAC.

Name:	L. Murphy
Position:	Executive Planner
Date:	09/07/2026

COMHAIRLE CONTAE CHILL DARA

KILDARE COUNTY COUNCIL

Director of Services Order

I, Alan Dunney, Director of Services of Planning, Enterprise & Economic Development, by the powers conferred on the Chief Executive of Kildare County Council under Section 151 of the Local Government Act 2001, as amended by the Local Government Reform Act 2014, and which powers are delegated to me pursuant to Section 154 of the Local Government Act 2001 (as amended) by Chief Executive's Order number: CE63325, do hereby make the following Order:

ORDER NO: DO67171 **Section:** Planning

SUBJECT: ED/1372
Aidan Holton, 5 Temple Wood, Carton Demesne, Maynooth, Co. Kildare W23 RX74. Exempt Development Application for an underground concrete tank for the storage of runoff liquid from existing dungstead. No Slurry to enter tank or no rainwater. This tank is proposed 2.5m in depth 3m wide 6m long covered by a concrete slab dirty water runoff from the dungstead will be channelled to the proposed tank and no other liquid will be allowed enter, capacity 43m cubed at Kilmore, Enfield, Co. Kildare.

SUBMITTED: File Ref. ED1372 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 exempted development.

MADE THIS 11th DAY

OF August YEAR 2026

SIGNED: Alan Dunney

DIRECTOR OF SERVICES

KILDARE COUNTY COUNCIL

PLANNING & STRATEGIC DEVELOPMENT DEPARTMENT

Section 5 referral & declaration on development & exempted development

Planning & Development Act 2000 (as amended)

Reference No. ED/1372

Name Of Applicant(s):	Aidan Holton
Address Of Development:	Kilmore, Enfield, Co Kildare
Development Description:	Placement of 43m-cubed capacity underground concrete tank for storage of runoff liquid from existing dungstead
Due date	21/07/2016

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 comprising of an "*underground concrete tank for the storage of runoff liquid from existing dungstead. No Slurry to enter tank or no rainwater. This tank is proposed 2.5m in depth 3m wide 6m long covered by a concrete slab dirty water runoff from the dungstead will be channelled to the proposed tank and no other liquid will be allowed enter, capacity 43m cubed.*"

Site Location

The site is located within Kilmore, Enfield, Co. Kildare, in a rural area in the north of the county. The site is between the Royal Canal proposed Natural Heritage Area and Irish Rail railway line. The site accommodates two agricultural buildings, a dungstead and an area of hardstanding and a grassed area.



Fig 1: Site Location and context



Fig 2: Aerial view of subject site (Google Images)

Planning History

None indicated on the application form and none indicated on KCC GIS.

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.

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)

Class 6A of Part 3 from Schedule 2 (inserted by Article 4 of S.I. no. 649/2025 of the Planning and Development Regulations 2025)

Works consisting of a structure for the storage of slurry, effluent or soiled water collected from agricultural buildings, agricultural farmyards and any ancillary provision to aid in the handling of the slurry, effluent or soiled water.

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.

These have been reviewed and are not relevant to this application.

Assessment

Class 6 A of Part 3 from Schedule 2 of the P&D Regulations 2001 (as amended) outlines an exemption for storage tanks for agricultural purposes. The exemption is as follows.

"Works consisting of a structure for the storage of slurry, effluent or soiled water collected from agricultural buildings, agricultural farmyards and any ancillary provision to aid in the handling of the slurry, effluent or soiled water."

Each of the Conditions and Limitations are outlined below and will be assessed accordingly.

1. *No such structure shall be used for any purpose other than the purpose of agriculture.*

It has been outlined by the applicant it is to be used for runoff liquid from the existing dungstead.

2. *The maximum storage capacity of any such storage facility shall not exceed 1000 cubic metres.*

The storage capacity is 43cubic metres.

3. *The aggregate capacity of tanks, situated within the same farmyard complex, shall not exceed 1,500 cubic metres.*

The applicant has not clarified if there is an existing storage facility on site.

4. *The structure having regard to its size, use and location shall be constructed in accordance with Department of Agriculture, Food and the Marine and Department of Housing, Local Government and Heritage requirements and shall have regard to the need to avoid water pollution. The structure shall not be an earth lined Slurry/Effluent Store.*

The structure is to be concrete.

5. *No such structure shall be situated, and no effluent from such structure shall be stored, within 10 metres of any public road.*

The structure is not placed within 10m of a public road.

6. *No such structure within 100 metres of any public road shall exceed 8 metres in height.*

This structure is underground.

7. *No such structure shall be situated, and no effluent from such structure shall be stored, within 100 metres of any house (other than the house of the person providing the structure) or other residential building or school, hospital, church or building used for public assembly, save with the consent in writing of the owner and, as may be appropriate, the occupier or person in charge thereof.*

There is no dwelling within 100m of the structure.

8. *No such structure shall be constructed within a flood zone identified in statutory land use plans as Flood Zone A or Flood Zone B or where the probability of flooding is moderate to high or erosion control zone.*

The site is not within Flood Zone A or B.

9. *No such structure shall be within 60 metres of a public or private water source.*

There is no public water source within 60m of the site. It does not appear there are any private wells within 60m, however, the applicant is to confirm no private water sources within 60m of the storage tank.

10. *No such structure shall be situated, at the closest point, less than 50 metres from a water course or water body in the case of new farmyards, and not less than 10m in the case of extensions/modifications to an existing facility.*

The structure is not less than 50m from the Royal Canal.

11. *All such tanks shall be constructed in accordance with the relevant specification published by the Department of Agriculture, Food and the Marine in force at the time of construction of the tank*.

Onus is on the applicant to do same, clarification of same is required.

12. *No unpainted metal sheeting shall be used for roofing or on the external finish of the structure.*

The structure is to be underground with a concrete cover.

13. *The use of this Class of exemption requires a declaration from the relevant Planning authority under section 5 of the Principal Act, declaring the exemption is applicable prior to commencement of construction.*

This is currently being sought.

14. *Ancillary provision shall include as appropriate the installation of any signage, fencing or other safety infrastructure as recommended by the Health and Safety Authority regarding Slurry Safety.*

Onus is on the applicant to carry out same.

Conclusion

There is some outstanding information to be confirmed by the applicant in order to carry out a full assessment.

Recommendation

It is recommended **further information** is requested.

The applicant is requested to submit the following information in order for a full assessment to be carried out:

(a) Confirm there are no other similar storage tanks on site, if there are, the capacity od same is required.

(b) The distance from the proposed structure to the nearest private water source. A map of same is required.

(c) Confirmation the tank will be constructed in accordance with the relevant specification published by the Department of Agriculture, Food and the Marine in force at the time of construction of the tank.

Signed: 

L. Murphy

Executive Planner

Date: 09/07/2026

Carroll Melia

_____

Carroll Melia

Senior Executive Planner

13th July 2026

Appendix 1: Appropriate Assessment Screening

APPROPRIATE ASSESSMENT SCREENING REPORT
AND
DETERMINATION

(A) Project Details	
Planning File Ref	**ED1372**
Applicant name	Aidan Holton
Development Location	Kilmore Enfield Co. Kildare
Site size	unknown
Application accompanied by an EIAR (Yes/NO)	N/A
Distance from Natura 2000 site in km	River Boyne and River Blackwater SAC site code 002299 is over 6km northwest of the application site.
Description of the project/proposed development – Underground storage tank for run off from dungstead.	

(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	*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?*	**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	*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?*	**No**
3	**Impacts on designated terrestrial habitats.** <u>Sites to consider</u>: River Barrow and Nore, Rye Water/Carton Valley, Pollardstown Fen, Ballynafagh Lake	*Is the development within a Special Area of Conservation whose qualifying interests include woodlands, dunes or grasslands, or within 100m of same?*	**No**
4	**Impacts on birds in SPAs** <u>Sites to consider:</u> Poulaphouca Reservoir	*Is the development within a Special Protection Area, or within 5 km of same?*	**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 *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	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 distance from the nearest European site, the proposal would not result in significant negative impact on the qualifying interests of this SAC.	
Name:	L. Murphy
Position:	Executive Planner
Date:	09/07/2026

July 20th 2026

Kildare County Council – Planning Department
Devoy Park
Naas
Co Kildare
W91 X77F

Re: Section 5 Declaration Request – Reference ED/1372

Dear Sir / Madam,
I refer to your correspondence requesting further information in relation to the above Section 5 application.

Please find my responses below.

a) **Existing Storage Tanks**
There are no existing slurry or effluent storage tanks on the proposed site.

b) **Distance to Private Water Sources**
The area is not served by a public mains water supply. Surrounding properties are supplied by private wells.
There are no private water sources within **60 metres** of the proposed effluent storage tank.
An annotated site map is enclosed showing the location of the proposed tank together with **60 metre** and **120 metre** radius offsets. The nearest neighbouring dwelling is approximately **130 metres** from the proposed tank, and the next nearest dwelling is approximately **160 metres** away.

c) **DAFM Specification**
The proposed effluent storage tank will be designed and constructed in accordance with the relevant **Department of Agriculture, Food and the Marine specifications** applicable at the time of construction.

I trust the enclosed information addresses the matters raised in your correspondence. Should any further information or clarification be required, I will be pleased to provide it.

Yours faithfully,

Kildare County Council
Planning Department
20 JUL 2026
RECEIVED

Aidan Holton
5 Temple Wood
Carton Demesne
Maynooth
Co Kildare
W23 RX74

[redacted]

[redacted]

Enclosures :

Appendix A – Annotated Site Map showing Proposed Effluent Tank and 60 m / 120 m Offsets

Kildare County Council
Planning Department
20 JUL 2026
RECEIVED

Appendix A - Map of Proposed Site – showing 60m and 120m radius from Proposed Effluent Tank



Comhairle Contae Chill Dara
Kildare County Council

Date: 14th July 2026.
Our Ref: ED/1372.

Aidan Holton,
5 Temple Wood,
Carton Demesne,
Maynooth,
Co Kildare W23 RX74

RE: Application for a Declaration of Exempted Development under Section 5 of the Planning and Development Act 2000 (as amended) at Kilmore, Enfield, Co Kildare.

Dear Sir/Madam,

I refer to your application for a Section 5 Declaration received on 23rd June 2026. The following further information is required to properly assess your application.

a. Confirm there are no other similar storage tanks on site, if there are, the capacity od same is required.

b. The distance from the proposed structure to the nearest private water source. A map of same is required.

c. Confirmation the tank will be constructed in accordance with the relevant specification published by the Department of Agriculture, Food and the Marine in force at the time of construction of the tank.

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

Yours sincerely,

PP
Senior Executive Officer
Planning Department

Comhairle Contae Chill Dara
Kildare County Council

Date: 23rd June 2026
Our Ref: ED/1372.

Aidan Holton,
5 Temple Wood,
Carton Demesne,
Maynooth,
Co Kildare W23 RX74

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

Dear Sir/Madam,

I acknowledge receipt of your application for a Declaration of Exempted Development under Section 5 of Planning and Development Act 2000 (as amended) received on 23rd June 2026 in connection with the above.

Please find enclosed Receipt no. FIN1/0/5525659 for €80 application fee.

Yours sincerely,

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 AIDAN Forenames HOLTON
Phone No [redacted] Fax No —
2. Address 5 TEMPLE WOOD, CARTON DEMESNE, MAYNOOTH CO. KILDARE W23 RX74

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

1. Name of Person/Agent: Surname..... Forenames.....
Phone No..... Fax No.....
2. Address.....

Kildare County Council Planning Department 23 JUN 2026 RECEIVED

Section 3	Company Details (if applicable)

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

Section 4	Details of Site

1. Planning History of Site NO PREVIOUS PLANNING APPLICATIONS ON SITE
2. Location of Proposed Development KILMORE, ENFIELD, CO. KILDARE.
3. Ordnance Survey Sheet No 3053 C
4. Please state the Applicants interest in the site LANDOWNER
5. Please state the extent of the proposed development UNDERGROUND CONCRETE TANK

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 6 AND CLASS 6A STAND ALONE STORAGE STRUCTURE U.P TO 1000 CUBE METRES PROPOSED MORE THAN 10M FROM PUBLIC ROAD MORE THAN 100 M FROM ANY DWELLING

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

UNDER GROUND CONCRETE TANK FOR THE STORAGE OF RUNOFF LIQUID FROM EXISTING DUNGSTED, NO SLURRY TO ENTER TANK & NO RAIN WATER. THIS TANK IS PROPOSED 2.5M IN DEPT 3M WIDE 6 M LONG COVERED BY A CONCRETE SLAB DIRTY WATER RUNOFF FROM THE DUNGSTED WILLBE CHANNLED ~~FROM~~ TO THE PROPOSED TANK & NO OTHER LIQUID WILL BE ALLOWED ENTER. CAPACITY 43 M CUBED

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	✓
4.	All drawings to differentiate between the original building, all extensions and proposed development	✓
5.	Fee of 80 Euro	✓

Section 6	Declaration

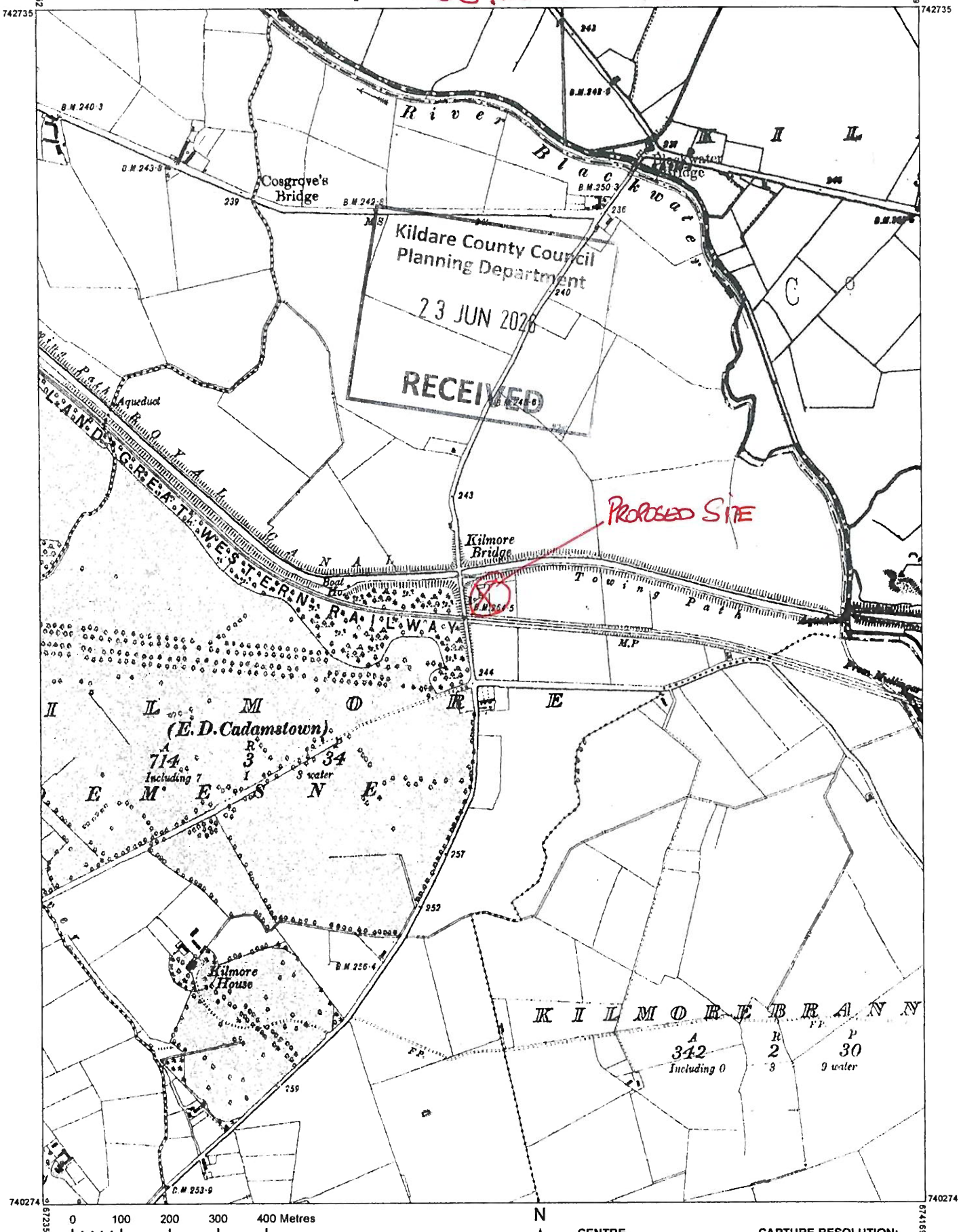
I, AIDAN HOLTON certify that all of the above information is correct and I have submitted all the required documents as outlined at Section 6 above.

Kildare County Council Planning Department 23 JUN 2026 RECEIVED

Signature: Aidan Holton Date: 16/6/2026

Site Location Map

LOCATION MAP



OUTPUT SCALE: 1:10,560

CENTRE COORDINATES:
ITM 673261,741505

PUBLISHED: 01/05/2026

ORDER NO.: 50533525_1

MAP SERIES:
6 Inch Raster
6 Inch Raster
6 Inch Raster

MAP SHEETS:
KE003
MH047
MH048+048A

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'

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Phoenix Park,
Dublin 8,
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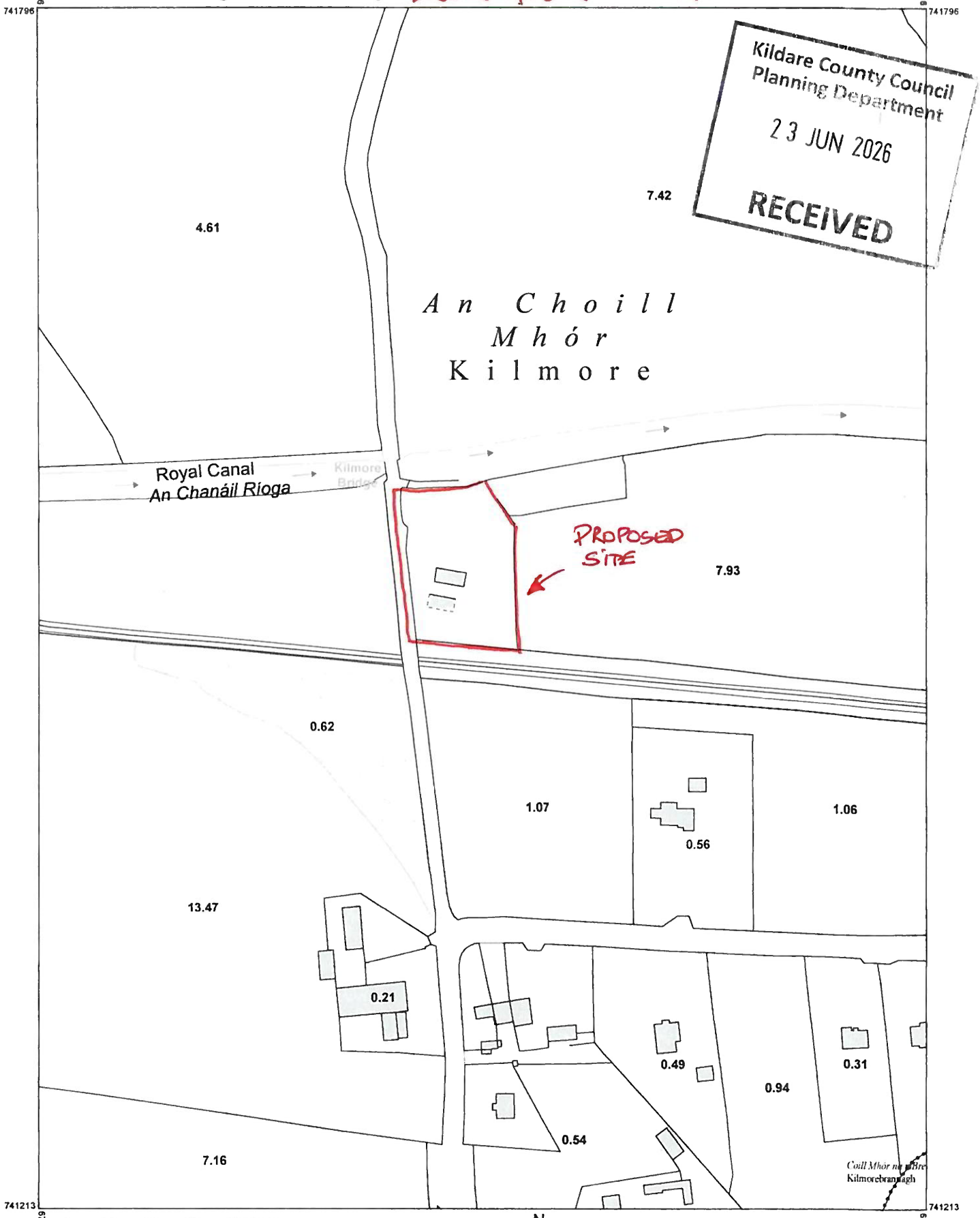
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The representation on this map of a road, track or footpath is not evidence of the existence of a right of way.

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Planning Pack Map LOCATION MAP



OUTPUT SCALE: 1:2,500

CENTRE COORDINATES:
ITM 673261,741505

PUBLISHED: 01/05/2026
ORDER NO.: 50533525_1
MAP SERIES: 1:2,500
MAP SHEETS: 3053-C

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'

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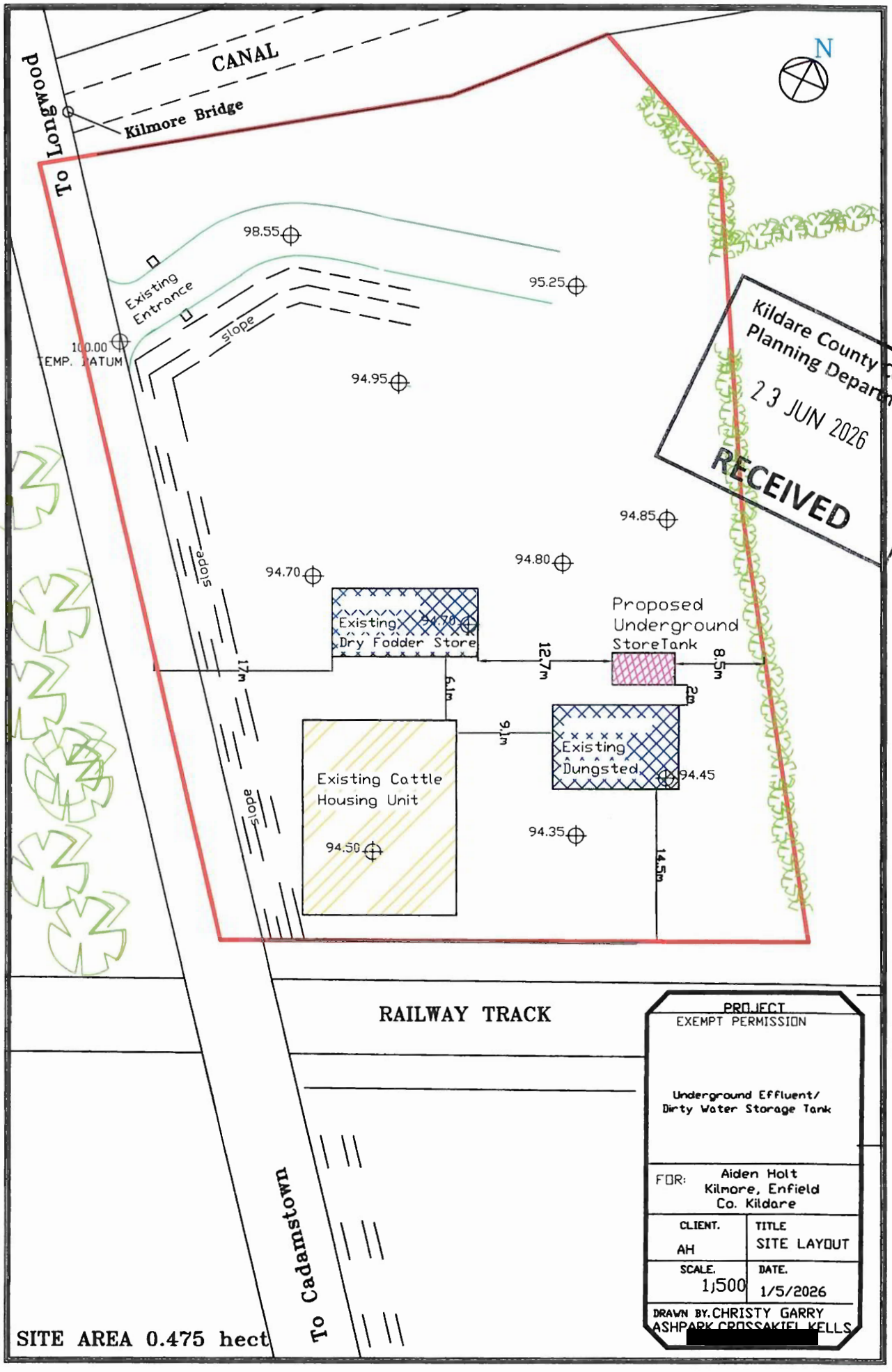
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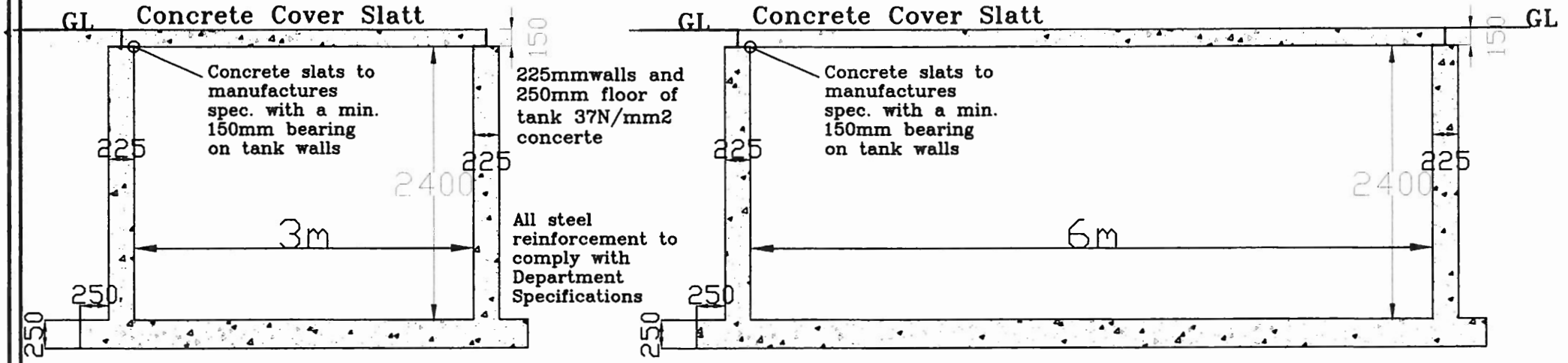
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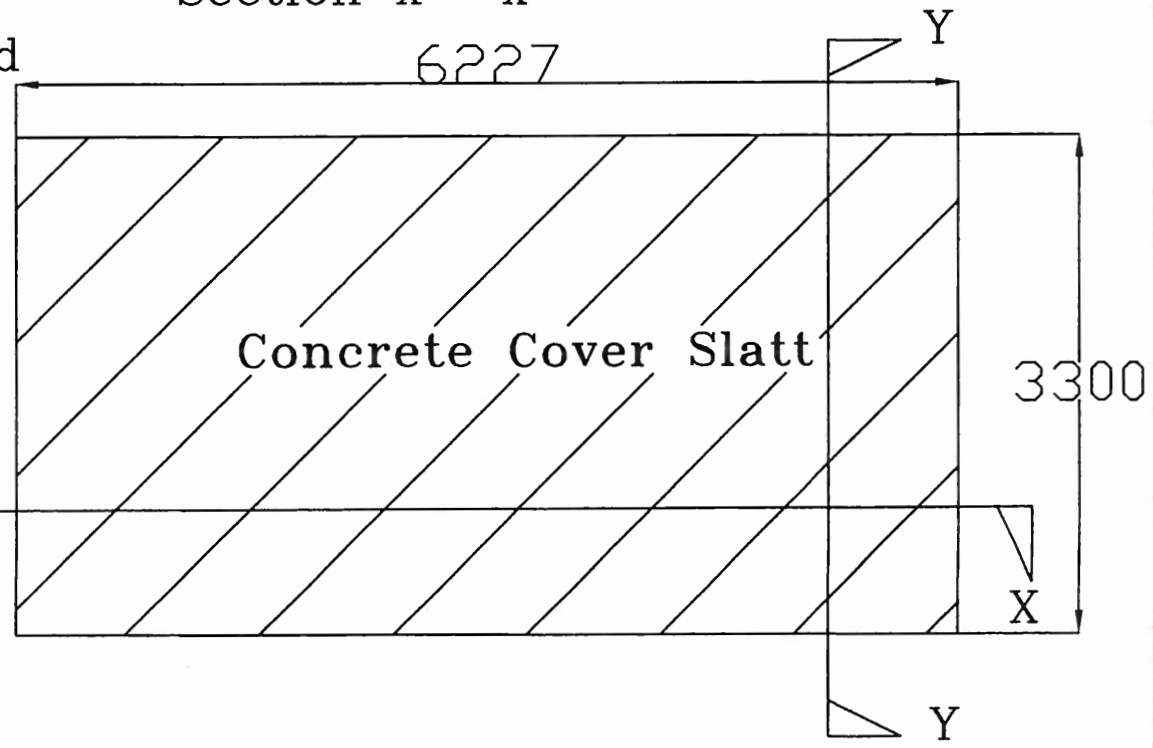

CANAL
Kilmore Bridge
To Longwood
N
98.55
95.25
Existing Entrance
slope
100.00 TEMP. DATUM
94.95
94.85
94.80
94.70
slope
Existing Dry Fodder Store
94.70
Proposed Underground StoreTank
12.7m
8.5m
17m
6.1m
2m
9.1m
Existing Dungsted
94.45
Existing Cattle Housing Unit
94.50
94.35
14.5m
RAILWAY TRACK
To Cadamstown
SITE AREA 0.475 hect
Kildare County Council
Planning Department
23 JUN 2026
RECEIVED
PROJECT
EXEMPT PERMISSION
Underground Effluent/
Dirty Water Storage Tank
FOR: Aiden Holt
Kilmore, Enfield
Co. Kildare
CLIENT. AH
TITLE SITE LAYOUT
SCALE. 1;500
DATE. 1/5/2026
DRAWN BY. CHRISTY GARRY
ASHPARK CROSSAKIEL KELLS
[redacted]



Section y–y

Section x––x

Capacity 43 m cubed



PROJECT
EXEMPT PERMISSION

Underground Effluent/
Dirty Water Storage Tank

FOR: Aiden Holt
Kilmore, Enfield
Co. Kildare

CLIENT.	TITLE
AH	Sections
SCALE. 1;50	DATE. 1/5/2026

DRAWN BY. CHRISTY GARRY
ASHPARK CROSSAKIEL KELLS [redacted]

N

Kildare County Council
Planning Department
23 JUN 2026
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FINANCE CASH OFFICE
Kildare County Council
Áras Chill Dara
Devoy Park
Naas
Co. Kildare
23/06/2026 09:44:19

Receipt No. : FIN1/0/525659

Aidan Hotlon

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

Total : 80.00 EUR

Tendered :
Cheque 80.00

Change : 0.00

Issued By : Sally Pallister Finance Section
From : Financial Lodgement Area
Vat reg No.0440571C