Comhairle Contae Chill Dara
Kildare County Council

Date: 01st October 2026
Our Ref: ED/1393

Athy Rugby Football Club,
C/O Oliver Henry,
1 Russelstown Cross,
Athy,
Co Kildare, R14 R799

RE: Application for a Declaration of Exempted Development under Section 5 of Planning and Development Act 2000 (as amended) for development at The Showgrounds, Athy, Co Kildare. R14 XV27.

Dear Sir/Madam,

I refer to your correspondence received on 13th August 2026 and 30th September 2026 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.

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

ED/1393

WHEREAS a question has arisen as to whether the replacement and reconfiguration of an existing grass rugby playing pitch and training area, incorporating the existing authorised synthetic training area (Planning Ref. 05/30005), to provide a synthetic grass rugby playing pitch and adjoining synthetic training area within the existing Athy Rugby Football Club sports grounds constitutes exempted development.

AS INDICATED on the plans and particulars received by the Planning Authority on 13th August 2026 as revised by further information received on the 30th September 2026

AND WHEREAS Athy Rugby Football Club 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, and 4 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 33 (c) of the Planning and Development Regulations 2001 (as amended), and
d. The nature, extent and purpose of the works/development,

AND WHEREAS Kildare County Council has concluded that

a. The replacement and reconfiguration of an existing grass rugby playing pitch and training area, incorporating the existing authorised synthetic training area (Planning Ref. 05/30005), to provide a synthetic grass rugby playing pitch and adjoining synthetic training area within the existing Athy Rugby Football Club sports grounds involves the carrying out of works, which constitutes development under Section 3 of the Planning and Development Act 2000 (as amended)
b. The development complies with the scope and thresholds of exempted development provided by Article 6 contained in Class 33 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended)

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

The replacement and reconfiguration of an existing grass rugby playing pitch and training area, incorporating the existing authorised synthetic training area (Planning Ref. 05/30005), to provide a synthetic grass rugby playing pitch and adjoining synthetic training area within the existing Athy Rugby Football Club sports grounds

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 the Board of the prescribed fee, refer a declaration to An Coimisiún Pleanála within 4 weeks of the issuing of the decision.

01st October 2026

pp **Senior Executive Officer,**
Planning Department.

KILDARE COUNTY COUNCIL

PLANNING, ENTERPRISE & ECONOMIC DEVELOPMENT DEPARTMENT

Section 5 referral & declaration on development and exempted development

Planning & Development Act 2000 (as amended)

Reference No. ED/1393

Name Of Applicant(s):	Athy Rugby Football Club
Address Of Development:	The Showgrounds, Athy, Co Kildare R14 XV27
Question to which this Declaration is sought:	Whether the replacement and reconfiguration of an existing grass rugby playing pitch and training area, incorporating the existing authorised synthetic training area (Planning Ref. 05/30005), to provide a synthetic grass rugby playing pitch and adjoining synthetic training area within the existing Athy Rugby Football Club sports grounds constitutes exempted development.
Due date	10/9/2026

Declaration Question

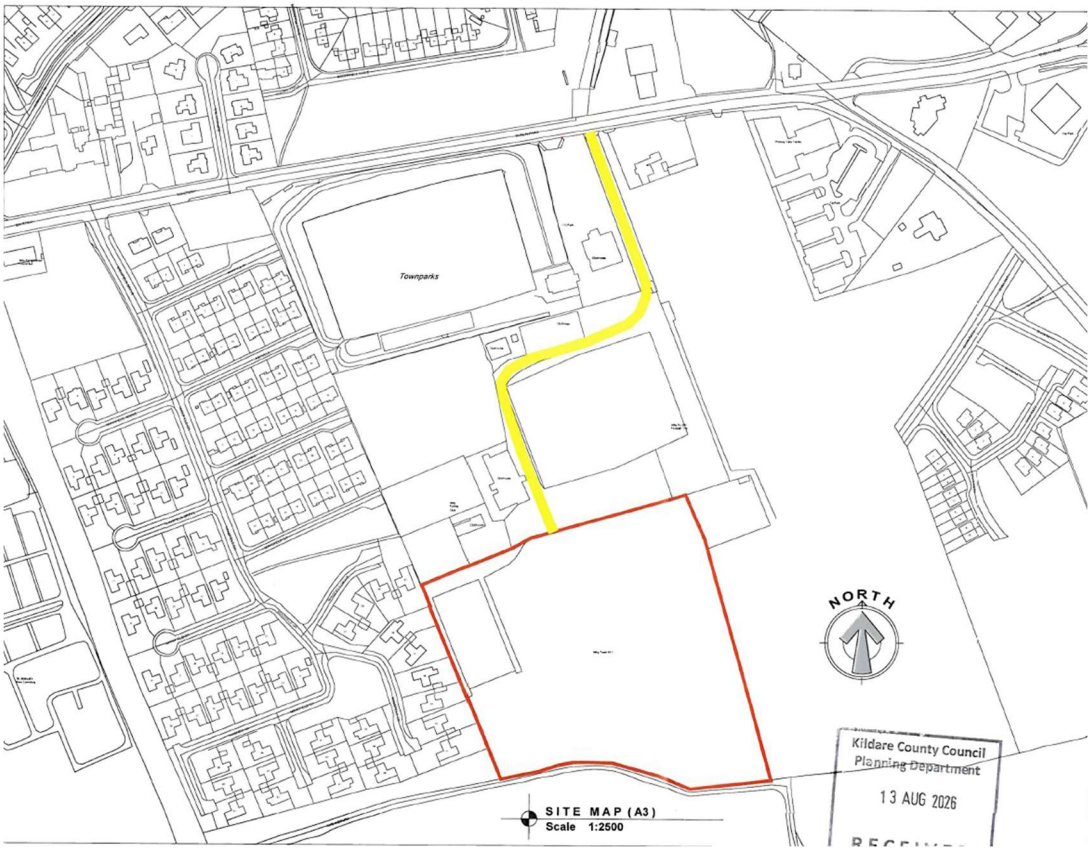
This is a request for a **DECLARATION** under Section 5(1) of the Planning and Development Act 2000, as amended, to establish whether under Section 5 of the Act:

Whether the replacement and reconfiguration of an existing grass rugby playing pitch and training area, incorporating the existing authorised synthetic training area (Planning Ref. 05/30005), to provide a synthetic grass rugby playing pitch and adjoining synthetic training area within the existing Athy Rugby Football Club sports grounds constitutes exempted development.

Site Location

Athy Rugby Club is located within a wider sports complex located between the Dublin Road and Athy Distributor Road east of Athy Town Centre.

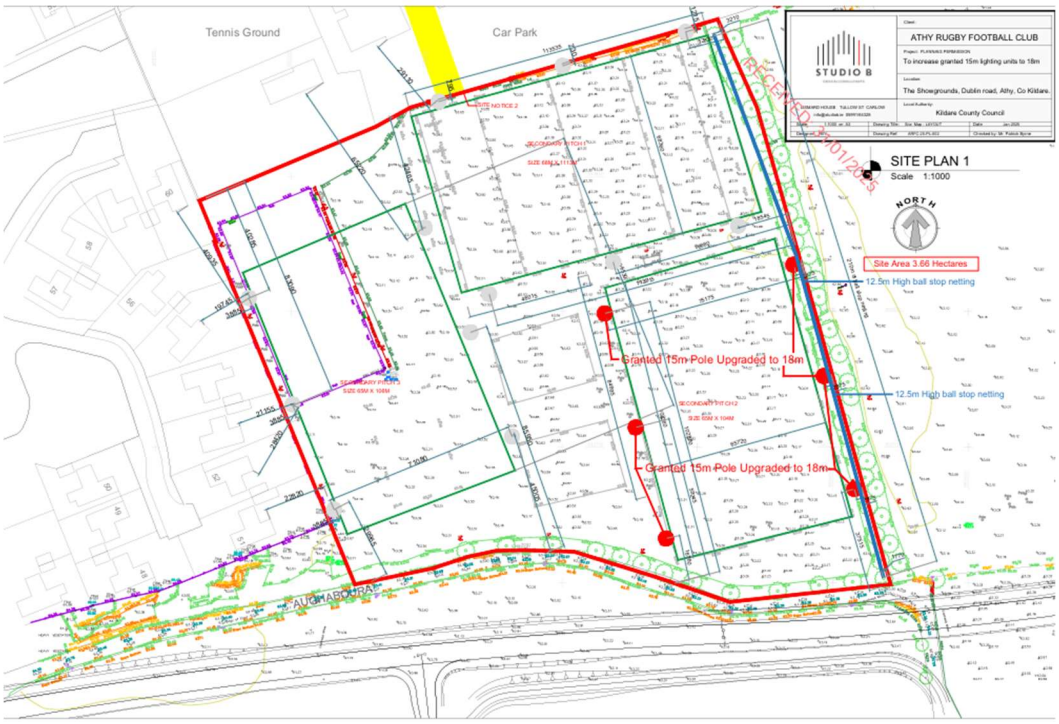
Figs 1 and 2: Site Location and Context





Planning History

25/60081 - Permission granted to alter previously granted Planning Application PL 23/144. Alterations include raising 6 no. Granted lighting poles from 15m to 18m. Planning permission is also sought for the installation of ball stop netting (12.5m high) along the western boundary. Revised by Significant Further Information which consist of the proposed location of the ball stop netting on the eastern boundary.



2560069 – Incomplete.

23/876 - Permission granted to construct a spectator stand incorporating covered seating area and all associated site works.

23144 - Planning permission was granted subject to conditions to upgrade the existing pitch lighting system (on 3 playing fields) to include 12 no. 15m high lighting poles, 6 no. 18m high lighting poles with all associated site works. No conditions were added to limit permitted development rights relating to the erection of artificial turf.

05300005 - Planning permission was granted subject to conditions for the installation of an all-weather training area and associated site works; erection of perimeter fencing and upgrade of existing floodlighting. No conditions were added to limit permitted development rights relating to the erection of artificial turf.

Permitted Site layout:



Enforcement Case Files
None

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)

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 - Restrictions on exemption.

9. (1) Development to which article 6 relates shall not be exempted development for the purposes of the Act—
    (a) if the carrying out of such development would—
    (ii) contravene a condition attached to a permission under the Act or be inconsistent with any use specified in a permission under the Act,

Schedule 2, Part 1 – Exempted Development – General

Class 33(c) *"development consisting of the laying out and use of land for athletic or sports (other than golf or pitch and putt or sports involving the use of motor vehicles, aircraft or firearms) where no charge is made for admission of the public to the land".* There are no conditions and limitations specifically opposite this class of development in Column 2.

EIA and AA Screening

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.

An Appropriate Assessment Screening accompanies this report and the conclusion is that the Article 9 restriction does not apply.

Assessment

The first assessment is whether the Declaration question is or is not Development. It is considered that the replacement and reconfiguration of an existing grass rugby playing pitch and training area to provide a synthetic grass rugby playing pitch and adjoining synthetic training area is considered to constitute 'works' as defined by Section 2(1) of the Act. These works therefore constitute 'development' as defined by Section 3(1) of the Act.

Class 33 (c) the Regulations allows for development consisting of the laying out and use of land for athletics or sports. Class 33(c) does not specify any conditions or limitations regarding the erection of an artificial surface.

It is noted An Coimisiún Pleanála determined such works to be exempted development in Reg. Ref. RL29S.RL3803 which referred to the Declaration question: '*Whether the replacement of an existing natural grass rugby pitch with an artificial grass rugby pitch together with alterations to ground levels constitutes development and where it constitutes development, whether such development is or is not exempted developmen*t' for a site in Rathgar, Dublin.

The Inspectors Report also outlined while the provisions of Class 6 relating to development with the curtilage of a house are not strictly relevant to Reg. Ref. RL29S.RL3803 (as the declaration did not relate to a domestic dwelling) it concluded that as the proposed alteration of ground levels was less than 200 millimetres would not be "material" in terms of planning. It is noted that that the change in levels in this instance is not proposed to be higher than 200mm and therefore the same interpretation is reasonable.



Site layout Plan submitted with Application

Therefore, it is considered that the works constitute Exempted Development as provided for in Class 33(c) of the Planning and Development Regulations 2001 (as amended).

Conclusion and Recommendation

Having regard to:

a. Sections 2, 3, and 4 of the Planning and Development Act 2000 (as amended);

b. Articles 6 of the Planning and Development Regulations 2001 (as amended);

c. Class 33 (c) of the Planning and Development Regulations 2001 (as amended), and

d. The nature, extent and purpose of the works

It is considered that

a. The replacement and reconfiguration of an existing grass rugby playing pitch and training area, incorporating the existing authorised synthetic training area (Planning Ref. 05/30005), to provide a synthetic grass rugby playing pitch and adjoining synthetic training area within the existing Athy Rugby Football Club sports grounds involves the carrying out of works, constitutes development under Section 3 of the Planning and Development Act 2000 (as amended)

b. The development complies with the scope and thresholds of exempted development provided by Article 6 contained in Class 33 of Part 1 of Schedule

2 of the Planning and Development Regulations 2001 (as amended) and no Article 9 restrictions apply.

And therefore it is concluded that the replacement and reconfiguration of an existing grass rugby playing pitch and training area, incorporating the existing authorised synthetic training area (Planning Ref. 05/30005), to provide a synthetic grass rugby playing pitch and adjoining synthetic training area within the existing Athy Rugby Football Club sports grounds IS development and IS EXEMPTED development pursuant to the provisions of the Planning and Development 9000 (ac amended) and the Planning and Development Regulations, 2001 (as amended).



J. O'Reilly
A/Senior Planner
30/09/2026

Section 5 of the Planning and Development Act 2000 (as amended)

WHEREAS a question has arisen as to whether the replacement and reconfiguration of an existing grass rugby playing pitch and training area, incorporating the existing

authorised synthetic training area (Planning Ref. 05/30005), to provide a synthetic grass rugby playing pitch and adjoining synthetic training area within the existing Athy Rugby Football Club sports grounds constitutes exempted development.

AS INDICATED on the plans and particulars received by the Planning Authority on *13/08/2026* as revised by further information received on 30th September 2026

AND WHEREAS *Athy RFC* 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;

b. Sections 2, 3, and 4 of the Planning and Development Act 2000 (as amended);
c. Articles 6 and 9 of the Planning and Development Regulations, 2001, (as amended);
d. Class 33 (c) of the Planning and Development Regulations 2001 (as amended), and
e. The nature, extent and purpose of the works/development,

AND WHEREAS Kildare County Council has concluded that:

c. The replacement and reconfiguration of an existing grass rugby playing pitch and training area, incorporating the existing authorised synthetic training area (Planning Ref. 05/30005), to provide a synthetic grass rugby playing pitch and adjoining synthetic training area within the existing Athy Rugby Football Club sports grounds involves the carrying out of works, which constitutes development under Section 3 of the Planning and Development Act 2000 (as amended)
d. The development complies with the scope and thresholds of exempted development provided by Article 6 contained in Class 33 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended)

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

The replacement and reconfiguration of an existing grass rugby playing pitch and training area, incorporating the existing authorised synthetic training area (Planning Ref. 05/30005), to provide a synthetic grass rugby playing pitch and adjoining synthetic training area within the existing Athy Rugby Football Club sports grounds

IS development and IS EXEMPTED development pursuant to the provisions of the Planning and Development 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 the Board of the prescribed fee, refer a declaration to An Bord Pleanála within 4 weeks of the issuing of the decision.

Appendix 1

APPROPRIATE ASSESSMENT SCREENING REPORT
AND
DETERMINATION

(A) Project Details	
Planning File Ref	ED1393
Applicant name	Athy Rugby Football Club
Development Location	The Showgrounds, Athy, Co Kildare R14 XV27
Application accompanied by an EIAR (Yes/NO)	No
Distance from Natura 2000 site in km	The site is located approximately 1km southwest of the River Barrow and River Nore Special Area of Conservation. A screening for Appropriate Assessment is attached at the end of this report in relation to SPA/SAC.
Description of the project/proposed development – The replacement of existing grass pitch and training area with synthetic grass and Refurbishment of existing synthetic grass training area and existing 1.2 meter high fence to cumulatively form new synthetic grass pitch, training area and additional 1.2 meter high fencing.	

(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.**	*Is the development within a Special Area of Conservation whose qualifying interests include*	No

	Sites to consider: River Barrow and Nore, Rye Water/Carton Valley, Pollardstown Fen, Ballynafagh lake	*freshwater habitats and/or species, or in the catchment (upstream or downstream) of same?*	
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 Resevoir	*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 scale and nature of the proposed works, it is not considered that there will be any impact on the nearest SAC.

Name:	J.O'Reilly
Position:	A/Senior Planner
Date:	30/09/2026

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: DO68162 **Section:** Planning

SUBJECT: ED/1393
Athy Rugby Football Club C/O Oliver Henry, 1 Russelstown Cross, Athy, Co Kildare Exempt Development Application for the replacement and reconfiguration of an existing grass rugby playing pitch and training area, incorporating the existing authorised synthetic training area (Planning Ref. 05/30005), to provide a synthetic grass rugby playing pitch and adjoining synthetic training area within the existing Athy Rugby Football Club

SUBMITTED: File Ref. ED1393 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 1ST DAY OF OCTOBER YEAR 2026.

SIGNED: Alan Dunney

DIRECTOR OF SERVICES

ATHY RUGBY FOOTBALL CLUB
The Showgrounds
Athy
Co. Kildare
R14 XV27
30th of September 2026

Kildare County Council
Planning Department
30 SEP 2026
RECEIVED

Planning Department
Kildare County Council
Áras Chill Dara
Devoy Park
Naas
Co. Kildare

Re: ED/ 1393 - Section 5 Declaration Application – Proposed Replacement and Refurbishment of Existing Sports Grounds and All Weather Pitch Development at Athy Rugby Football Club

Dear Sir / Madam,

I refer to Kildare County Council's request for further information dated 29th September 2026 in respect of the above Section 5 Declaration application.

Having regard to the matters raised, Athy Rugby Football Club provides the following information and clarification.

1. Change in levels
The new replacement synthetic grass pitch and training area will be no higher than 200mm above the existing grass pitch and training area with synthetic grass.

2. Confirmation of the Question to which the Declaration refers
The Applicant confirms that the question which Kildare County Council is requested to determine under Section 5 is:

"Whether the replacement and reconfiguration of an existing grass rugby playing pitch and training area, incorporating the existing authorised synthetic training area (Planning Ref. 05/300005), to provide a synthetic grass rugby playing pitch and adjoining synthetic training area within the existing Athy Rugby Football Club sports grounds constitutes exempted development."

We ask that this supersede any slightly differing descriptions of the development in the Application Form and accompanying Planning Statement.

We further wish to confirm that the proposed additional 1.2M perimeter fencing in the original submission is withdrawn from the question to which the Section 5 Declaration relates and does not form part of the development for which a declaration is now sought

Yours faithfully,

Oliver Henry
Director of Rugby, Athy RFC,
For and on behalf of Athy Rugby Football Club

Kildare County Council
Planning Department
30 SEP 2026
RECEIVED

Comhairle Contae Chill Dara
Kildare County Council

Date: 29th September 2026.
Our Ref: ED/1393.

Athy Rugby Football Club,
C/O Oliver Henry,
1 Russelstown Cross
Athy
Co Kildare R14 R799.

RE: Application for a Declaration of Exempted Development under Section 5 of the Planning and Development Act 2000 (as amended) at The Showgrounds, Athy, Co. Kildare R14 XV27

Dear Sir/Madam,

I refer to your application for a Section 5 Declaration received on 13th August 2026. The following further information is required to properly assess your application.

1. The Applicant is requested to confirm the change in levels between the existing grass pitch / synthetic training area and the new replacement synthetic grass pitch and training area.

2. The Applicant is requested to confirm the Question to which this Declaration refers, as it is noted the application form and planning statement differ slightly.

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

Yours sincerely,

PP
Senior Executive Officer
Planning Department

ED 1393 Athy Rugby Football Club

The following further information is required:

1. The Applicant is requested to confirm the change in levels between the existing grass pitch / synthetic training area and the new replacement synthetic grass pitch and training area.

2. The Applicant is requested to confirm the Question to which this Declaration refers, as it is noted the application form and planning statement differ slightly.



J. O'Reilly
A/Senior Planner
29/09/2026

Comhairle Contae Chill Dara
Kildare County Council

Date: 13th August 2026
Our Ref: ED/1393.

Athy Rugby Football Club
C/O Oliver Henry,
1 Russellstown Cross,
Athy
Co Kildare
R14 R799

RE: Application for a Declaration of Exempted Development under Section 5 of Planning and Development Act 2000 (as amended) for development at The Showgrounds, Athy, Co. Kildare. R14 XV27

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 13th August 2026 in connection with the above.

Yours sincerely,

Senior Executive Officer,
Planning Department.

Kildare County Council

Declaration of Exempt Development under Section 5,

of the Planning and Development Act 2000 as amended

Incomplete application forms will be deemed invalid and returned	All responses must be in block letters

Section 1	Details of Applicants

1. Name of Applicant(s) A. Surname **ATHY RUGBY FOOTBALL CLUB**
Phone No..... Fax No.....
2. Address **THE SHOWGROUNDS, ATHY, CO KILDARE, R14 XV27**

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

1. Name of Person/Agent: Surname **HENRY** Forenames **OLIVER**
Phone No [redacted] Fax No.....N/a.....
2. Address **1 RUSSELLSTOWN CROSS, ATHY, Co. KILDARE, R14R799**

Section 3	Company Details (if applicable)

1. Name of Company **N/a**
Phone No..... Fax No.....
2. Company Reg. No.....
3. Address.....

Kildare County Council
Planning Department
13 AUG 2026
RECEIVED

Section 4	Details of Site

1. Planning History of Site

THE SITE, COMPRISING THE GROUNDS AND CLUBHOUSE, HAS BEEN SUBJECT OF A NUMBER PLANNING APPLICATIONS OVER THE PAST 48 YEARS.

AMONG THESE WAS PLANNING PERMISSION (REF. 05/300005), WHICH WAS GRANTED IN 2005 FOR THE EXISTING SYNTHETIC TRAINING AREA, WHICH FORMS PART OF THE CURRENT PROPOSAL. NO PREVIOUS APPLICATIONS FOR A FULL SIZED SYNTHETIC RUGBY PITCH HAVE BEEN MADE, AND FILE REF. 2560081 WHICH GRANTED PERMISSION FOR PITCH LIGHTING IN THE RELEVANT AREA.

FURTHER DETAILS OF PREVIOUS PLANNING APPLICATIONS ARE INCLUDED IN APPENDIX 1.

2. Location of Proposed Development **THE SHOWGROUNDS, ATHY, CO KILDARE, R14 XV27**

3. Ordnance Survey Sheet No:- ORDNANCE SURVEY IRELAND SHEET NO. 4005-C

4. Please state the Applicants interest in the site:- ….. OWNERS……

5. Please state the extent of the proposed development

THE SITE HAS BEEN IN LONG-ESTABLISHED USE AS THE GROUNDS OF ATHY RUGBY FOOTBALL CLUB, COMPRISING PLAYING PITCHES, TRAINING AREAS, A CLUBHOUSE, CAR PARKING AND ASSOCIATED SPORTS FACILITIES.

PLANNING PERMISSION (REF. 05/300005) WAS GRANTED IN 2005 FOR THE EXISTING SYNTHETIC TRAINING AREA, WHICH FORMS PART OF THE CURRENT PROPOSAL.

THE PROPOSED DEVELOPMENT INVOLVES:-

- THE REPLACEMENT OF EXISTING GRASS PITCH AND TRAINING AREA WITH SYNTHETIC GRASS AND
- REFURBISHMENT OF EXISITNG SYNTHETIC GRASS TRAINING AREA AND EXISTING 1.2M PERIMETER FENCE, (REFERENCED ABOVE),

TO CUMULTAIVELY FORM NEW A SYNTHETIC GRASS PITCH AND TRAINING AREA AND ADDITIONAL 1.2 METRE HIGH PERIMETER FENCING

ALL WORKS ARE TO BE CARRIED OUT WITHIN THE BOUNDARY OF THE EXISTING ATHY RUGBY FOOTBALL CLUB GROUNDS WITH NO CHANGE TO USE OF ANY PARTS OF THESE GROUNDS

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)*
EXEMPTION IS SOUGHT PURSUANT TO SECTIONS 2, 3 AND 4 OF THE PLANNING AND DEVELOPMENT ACT 2000 (AS AMENDED), ARTICLES 6, 9 AND 10 OF THE PLANNING AND DEVELOPMENT REGULATIONS 2001 (AS AMENDED), AND SCHEDULE 2, PART 1, CLASS 33(C) OF THE PLANNING AND DEVELOPMENT REGULATIONS 2001 (AS AMENDED), AS THE PROPOSED WORKS COMPRISE THE RECONFIGURATION AND IMPROVEMENT OF AN EXISTING ESTABLISHED SPORTS GROUND WITHIN THE EXISTING ESTABLISHED SPORTS GROUNDS.

7. Please give a detailed description of the Proposed Development (*Use separate page if necessary*)
THE PROPOSED DEVELOPMENT COMPRISES THE RECONFIGURATION OF THE EXISTING PLAYING PITCH AND TRAINING AREA LAYOUT WITHIN THE ESTABLISHED GROUNDS OF ATHY RUGBY FOOTBALL CLUB. THE WORKS INCLUDE THE REORIENTATION OF PART OF AN EXISTING GRASS PLAYING PITCH (PITCH 4) AND TRAINING AREA, THE INCORPORATION AND RESURFACING OF THE EXISTING AUTHORISED SYNTHETIC TRAINING AREA (PLANNING REF. 05/300005), AND THE PROVISION OF A RECONFIGURED FULL-SIZE SYNTHETIC RUGBY PLAYING PITCH (APPROXIMATELY 80 METRES × 112 METRES) WITH AN ADJOINING SYNTHETIC TRAINING AREA (APPROXIMATELY 80 METRES × 20 METRES).

THE DEVELOPMENT ALSO INCLUDES THE RECONFIGURATION OF THE REMAINING GRASS PLAYING PITCHES, THE PROVISION OF ADDITIONAL 1.2 METRE HIGH GREEN PERIMETER FENCING.

Kildare County Council
Planning Department
13 AUG 2026
RECEIVED

ALL WORKS ARE PROPOSED ENTIRELY WITHIN THE EXISTING PLAYING ENCLOSURE AND ESTABLISHED BOUNDARY OF ATHY RUGBY FOOTBALL CLUB.

FULL DETAILS OF THE PROPOSED DEVELOPMENT ARE SET OUT IN THE ACCOMPANYING PLANNING STATEMENT, SITE LAYOUT DRAWINGS AND SUPPORTING DOCUMENTATION.

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 as amended	✓
3.	Drawings of the development (Scale 1:50) in full compliance with Article 23 of Planning and Development Regulations 2001 as amended	N/A
4.	All drawings to differentiate between the original building, all extensions and proposed development	N/A
5.	Fee of 80 Euro	✓

Section 6	**Declaration**

I, OLIVER HENRY, 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: 13TH OF AUGUST 2026

Kildare County Council
Planning Department
13 AUG 2026
RECEIVED

ATHY RUGBY FOOTBALL CLUB
The Showgrounds
Athy
Co. Kildare
R14 XV27
13th of August 2026

Kildare County Council
Planning Department
13 AUG 2026
RECEIVED

Planning Department
Kildare County Council
Áras Chill Dara
Devoy Park
Naas
Co. Kildare

Re: Section 5 Declaration Application – Proposed Replacement and Refurbishment of Existing Sports Grounds and All Weather Pitch Development at Athy Rugby Football Club

Dear Sir / Madam,

Please find enclosed an application under **Section 5 of the Planning and Development Act 2000 (as amended)** seeking a declaration from Kildare County Council as to whether the proposed development at Athy Rugby Football Club constitutes exempted development.

Athy RFC seeks to replace existing grass Pitch and Training Area with synthetic grass and refurbish the exiting synthetic grass Training Area, (Planning Ref. 05/300005), into a full sized Rugby Pitch and a Training Area together with additional 1.2M fencing to form a perimeter. The proposed works are located entirely within the established Athy Rugby Football Club grounds.

Athy RFC provides rugby activities to over 400 Boys and Girls and 130 Adult Men and Women while also supporting other sporting and social activities of other clubs and schools in the area.

In spite of significant investment in recent years, in terms of finance and volunteer time, the club's ability to provide playing opportunities has been greatly limited by the increased levels of rainfall and adverse weather conditions which have rendered the grass pitches unusable for protracted periods of approx. 5 weeks per season. This has had a direct impact on player retention, participation levels and development at underage levels. Additionally, our adult teams have been inhibited by the cancellation of many training sessions along with the financial burden of hiring, (when available), synthetic grass pitches from other clubs.

The expectation, due to climate change and longer-term weather modelling, is that these adverse conditions will continue or even deteriorate and this has motivated this decision by Athy RFC.

We have prepared an application for the anticipated Community Sports Facility Fund and are confident of securing funding to complete the works, subject to the granting of this exemption, in the Spring of 2027.

To assist the Planning Authority in its assessment of the completed Application Form, the following documentation accompanies this application:

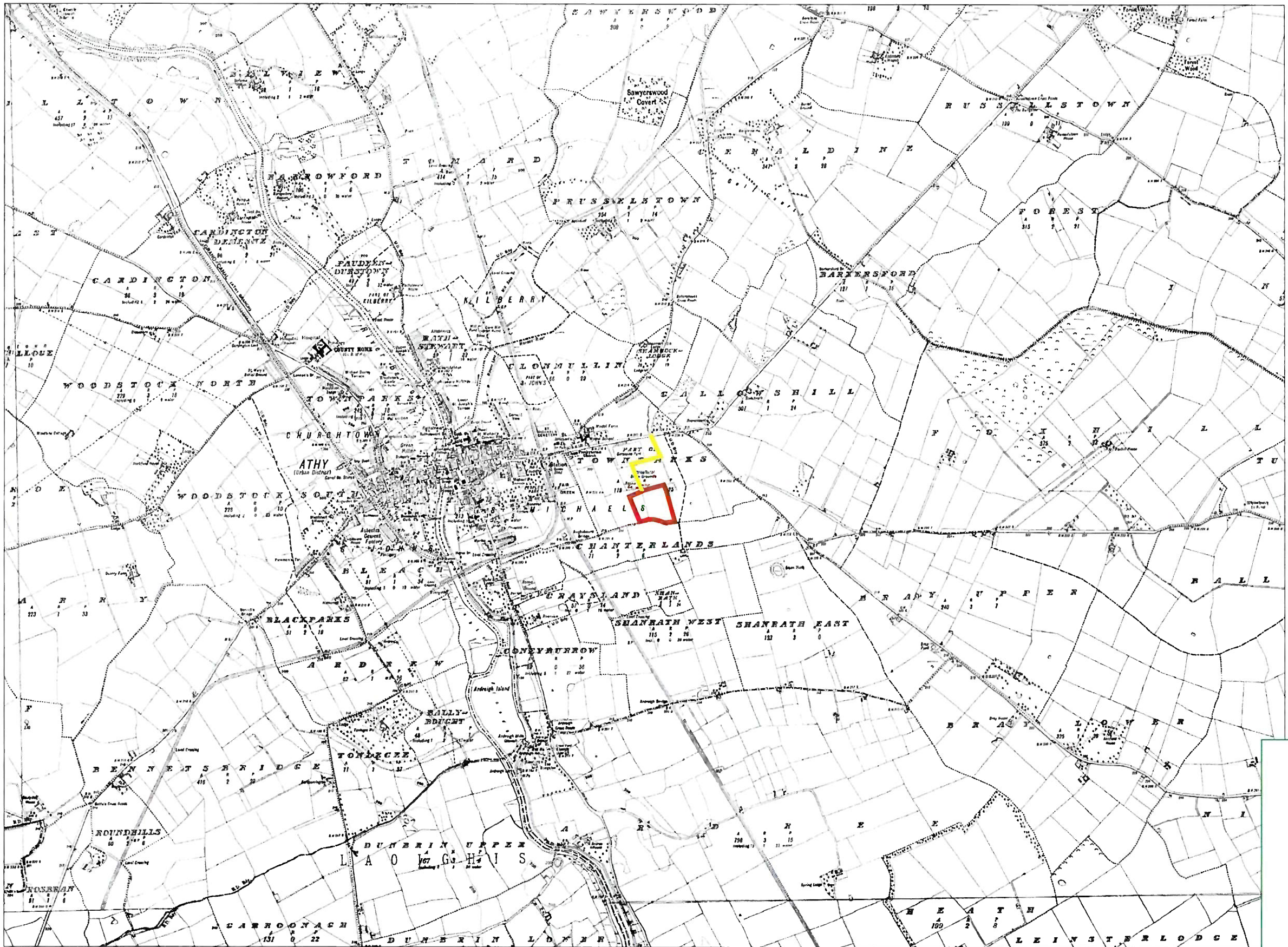
- Appendix 1 - Planning History Schedule.
- Appendix 2 - Planning Statement.
- Appendix 3 - Site Photographs
- Appendix 4 - Proposed Site Layout
- Appendix 5 - Site Location Maps

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Yours faithfully,

Oliver Henry

Oliver Henry
Director of Rugby, Athy RFC,
For and on behalf of Athy Rugby Football Club



SITE LOCATION MAP (A3)
Scale 1:10560

Description:
Historic 6" Latest Edition

Publisher / Source:
Ordnance Survey Ireland (OSi)

Data Source / Reference:
LS020
Revision Date =
Survey Date =
Levelled Date = 31-Dec-1909

KE034
Revision Date =
Survey Date =
Levelled Date = 31-Dec-1909

KE035
Revision Date =
Survey Date = 31-Dec-1942
Levelled Date = 31-Dec-1943

KE037
Revision Date =
Survey Date =
Levelled Date = 31-Dec-1909

File Format:
Tagged Image File Format (TIFF)

File Name:
R_50315744_1.tif

Clip Extent / Area of Interest (AOI):
LLX,LLY= 665771.0,691361.0
LRX,LRY= 672781.0,691361.0
ULX,ULY= 665771.0,696555.0
URX,URY= 672781.0,696555.0

Projection / Spatial Reference:
IRENET95_Irish_Transverse_Mercator

Centre Point Coordinates:
X,Y = 669276.0,693958.0

Data Extraction Date:
03-Feb-2023

Product Version:
1.3

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Sáraíonn atáirgeadh neamhúdaraithe cóipcheart Shuirbhéireacht Ordanáis Éireann agus Rialtas na hÉireann.

Gach cead ar cosnamh. Ní ceadmhach aon chuid den fhoilseachán seo a chóipeáil, a atáirgeadh nó a tharchur in aon fhoirm ná ar aon bhealach gan cead i scríbhinn roimh ré ó úinéirí an chóipchirt.

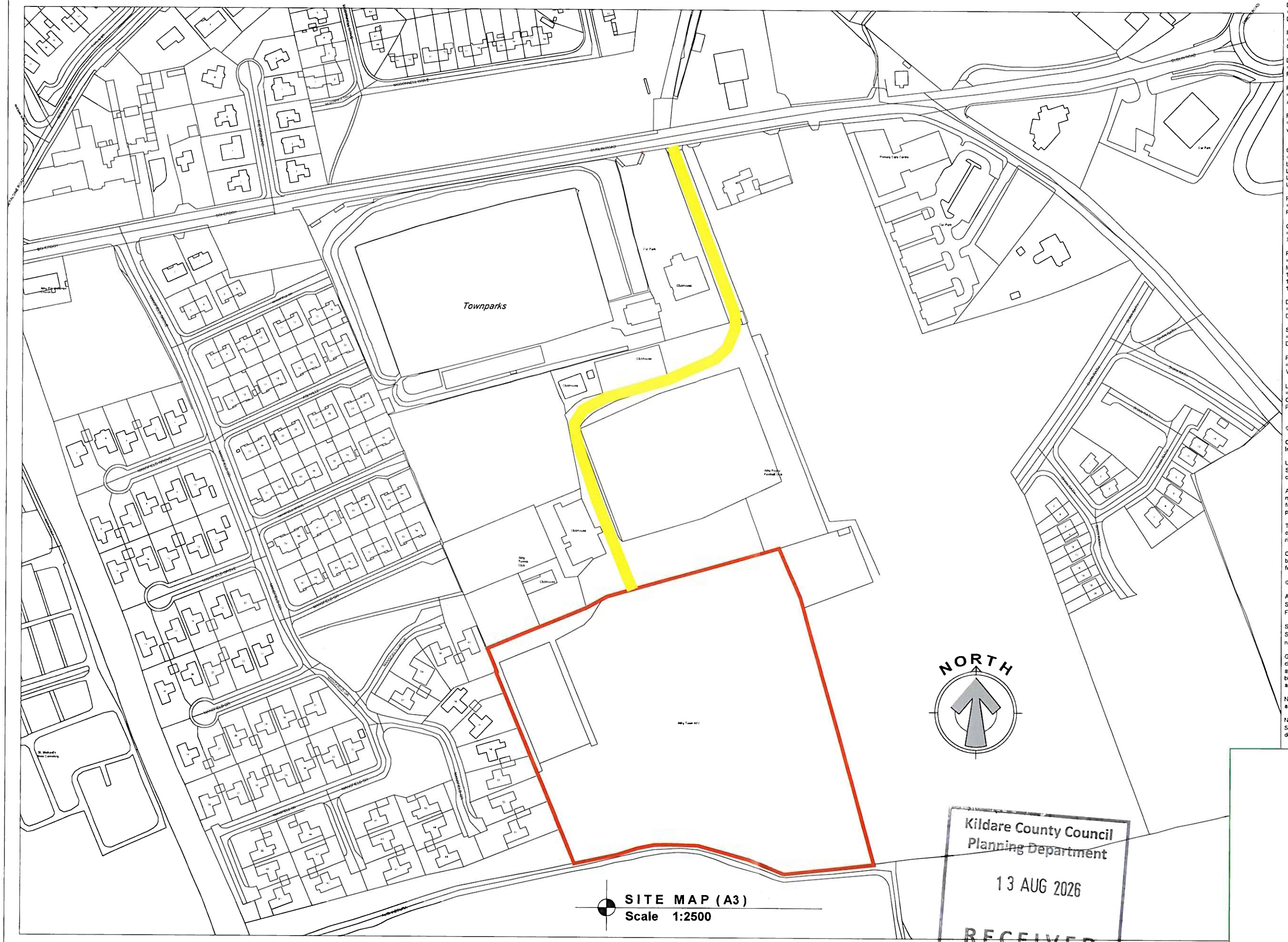
Ní thionóntóidh, bealach ná cosán a bheith ar an léarscáil seo agus flanaise ar cheal sé.

Ní thaispeánann léarscáil de chuid Ordanáis Shuirbhéireacht na hÉireann teorann phoiblí dleathúil de mhaoin riamh. Ná uimhreacht de ghnéithe fhisiciúla.

NORTH

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SITE MAP (A3)
Scale 1:2500

Description:
Digital Landscape Model (DLM)

Publisher / Source:
Ordnance Survey Ireland (OSi)

Data Source / Reference:
PRIME2

File Format:
Autodesk AutoCAD (DWG_R2013)

File Name:
v_50315744_1.dwg

Clip Extent / Area of Interest (AOI):
ULX,ULY= 668861.0,693650.5
LRX,LRY= 669691.0,693650.5
ULX,ULY= 668861.0,694265.5
URX,URY= 669691.0,694265.5

Projection / Spatial Reference:
Projection= IRENET95_Irish_Transverse_Mercator

Centre Point Coordinates:
X,Y= 669276.0,693958.0

Reference Index:
Map Series | Map Sheets
1:1,000 | 4005-12
1:1,000 | 4005-17
1:2,500 | 4005-C

Data Extraction Date:
Date= 03-Feb-2023

Source Data Release:
DCMLS Release V1.160.114

Product Version:
Version= 1.4

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Ní hionann bóthar, bealach nó cosán a bheith ar an léarscáil seo agus fianaise ar chead slí.

Ní thaispeánann léarscáil de chuid Ordanáis Shuirbhéireacht na hÉireann teorann phoiblí dleathúil de mhaoin riamh; ná uinéireacht de ghnéithe fhisiciúla

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STUDIO B
DESIGN CONSULTANTS

Tennis Ground

Club House

Car Park

Car Park

PITCH 2

68360

67695

112345

Training Area

80000

2080

60

PITCH 4

Proposed All Weather Surface

132000

Training Area

PITCH 3

104260

66200

2875

2875

37515

2000

52

51

AUGHABOURA

STUDIO B

DESIGN CONSULTANTS

SITE PLAN 1

Scale 1:500

NORTH

Site Area 3.66 Hectares

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Appendix 1

Planning History Schedule
Section 5 Declaration Application
Athy Rugby Football Club
Proposed All Weather Pitch Development

Ref. No	Year	Development	Decision
78468	1978	Extension to Clubhouse	Refuse
79917	1979	Extension to Club Pavillion	Grant
05300005	2005	All Weather Training Area	Grant
11300034	2011	Pitch Floodlighting	Grant
17260	2017	Pitch Floodlighting	Incomplete
17344	2017	Pitch Floodlighting	Grant
23144	2023	Pitch Floodlighting Upgrade	Grant
23876	2023	Construction of Spectator Stand	Grant
2560069	2025	Alteration of previous Lighting Permission	Incomplete
2560081	2025	Alteration of previous Lighting Permission	Grant

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Appendix 2

Planning Statement
Section 5 Declaration Application
Athy Rugby Football Club
Proposed All Weather Pitch Development

1. INTRODUCTION

This Planning Statement accompanies the Section 5 application seeking a declaration that the proposed redevelopment works at Athy Rugby Football Club constitute exempted development. The proposal relates solely to the redevelopment and enhancement of the Club's existing sports grounds.

2. EXISTING SITE

The site comprises the long-established grounds of Athy Rugby Football Club including four natural grass playing pitches, an existing synthetic training area, (authorised under Planning Ref. 05/300005), clubhouse, parking and associated sporting facilities. The lands have been used continuously for organised rugby and associated sporting activities for many decades and remain entirely within the existing club boundary.

3. PLANNING HISTORY

Planning permission (Ref. 05/300005) was granted in 2005 for the existing synthetic training area which now forms part of the proposed redevelopment and Planning file Ref. 2560081 permitted pitch lighting for the relevant area. Details of all previous planning permissions are included in Appendix 1.

4. PROPOSED DEVELOPMENT

The proposal comprises the reconfiguration of the existing playing pitch layout within the established sports grounds, including the reorientation of existing Pitch 4 to incorporate the existing authorised synthetic training area and a grass training area, providing a reconfigured full-size synthetic rugby playing pitch (approximately 80m × 130m) with an adjoining synthetic training area (approximately 80m × 20m). The works also include associated drainage and sub-base construction, 1.2m high green perimeter fencing, reconfiguration of the remaining grass pitches and all associated site works.

The proposed redevelopment remains entirely within the existing playing enclosure of Athy Rugby Football Club and does not include any change of use.

5. LEGISLATIVE BASIS FOR EXEMPTION

The Applicant considers that the proposed development constitutes exempted development under Sections 2, 3 and 4 of the Planning and Development Act 2000 (as amended), Article 6 and Schedule 2, Part 1, Class 33(c) of the Planning and Development Regulations 2001 (as amended).

The proposed development comprises the reconfiguration, redevelopment and improvement of an existing established sports ground within the existing Athy Rugby Football Club lands. The proposal does not involve a change in the established use of the lands, which have been used for organised rugby and associated sporting activities for many decades. The works are confined entirely within the existing club boundary and do not result in any extension of the established sports grounds.

The proposal principally comprises the reorientation of an existing grass playing pitch, the incorporation and resurfacing of an existing authorized synthetic training area (Planning Ref. 05/300005) and grass training area, the provision of a reconfigured full-size synthetic rugby playing pitch, associated synthetic training area, drainage and sub-base works, perimeter fencing, reconfiguration of the remaining grass playing pitches. Collectively, these works represent the enhancement and modernisation of the Club's existing sporting infrastructure and facilitate the continued use of the site for the same established recreational purpose.

The Applicant considers that the proposed development falls within the scope of Schedule 2, Part 1, Class 33(c) as works undertaken within an existing sports ground for the purpose of improving and reconfiguring existing sporting facilities.

The Applicant further considers that none of the restrictions contained in Article 9 of the Planning and Development Regulations 2001 (as amended) operate to remove the benefit of the exemption. The Applicant respectfully submits that, having regard to the nature, scale and location of the proposed development, none of the restrictions contained in Article 9 operate to remove the benefit of the exemption. The Planning Authority is requested to consider these matters as part of its determination under Section 5.

Accordingly, the Applicant respectfully requests that Kildare County Council determine that the proposed development constitutes exempted development under the Planning and Development Act 2000 (as amended) and the Planning and Development Regulations 2001 (as amended).

6. PLANNING ASSESSMENT

The proposed development represents the reconfiguration and enhancement of the existing sporting facilities at Athy Rugby Football Club and does not alter the established use of the site as a rugby club and sports ground. The lands have been used for organised sporting and recreational purposes for many years and the proposal is intended to improve the quality, sustainability and year-round availability of those existing facilities.

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The proposed works are confined entirely within the existing club lands and do not involve any extension of the established sports grounds or any change in the primary use of the site. The proposal reconfigures the existing playing pitch layout, incorporating the existing authorised synthetic training area into an improved synthetic playing surface while maintaining the overall sporting function of the site.

The proposed drainage, sub-base works, perimeter fencing and associated site works are ancillary to the provision of the improved sporting facilities and are necessary to facilitate the redevelopment of the existing pitches.

The proposal will provide significant benefits to the Club and the wider community through improved playing facilities, increased resilience to adverse weather conditions, reduced pitch closures, enhanced player safety and increased opportunities for participation in rugby and other community-based sporting activities throughout the year.

The proposed development has been designed to modernise the Club's facilities while maintaining the established sporting use of the lands. The proposal remains entirely within the existing sports grounds and does not give rise to any material change in the established use of the site.

Having regard to the established sporting use of the site, the nature and extent of the proposed works, and the legislative provisions referred to in this Planning Statement, it is respectfully submitted that the proposal constitutes the redevelopment and improvement of an existing sports ground and should be determined by the Planning Authority to constitute exempted development.

7. CONCLUSION

The applicant respectfully requests that Kildare County Council determine that the proposed development constitutes exempted development under the Planning and Development Act 2000 (as amended) and the Planning and Development Regulations 2001 (as amended).



Appendix 3 – Site Photographs (Existing Layout)

Image 1 – Full Athy RFC Site including Pitch 1, clubhouse, and referenced site incorporating Pitches 2,3,4, existing all-weather training area and grass training area



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Image 2 – Referenced site incorporating Pitches 2,3,4, existing all-weather training area and grass training area



Image 3 – Referenced site incorporating existing Pitch 4, part of Pitch 2, existing all-weather training area and grass training area



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Devoy Park
Naas
Co. Kildare
13/08/2026 11:59:53

Receipt No. : FIN1/0/527360
***** REPRINT *****

RE: ATHY RUGBY FOOTBALL CLUB

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

Total : 80.00 EUR

Tendered :
Credit Card 80.00
VD
8060
*****

Change : 0.00

Issued By : Maeve Timmons Finance
From : Financial Lodgement Area
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