**Comhairle Contae Chill Dara**
Kildare County Council

Date: 6th October 2026
Our Ref: ED/1403

Collette O'Connell,
c/o Tom O'Loughlin,
Redhills House,
Kildare,
Co. Kildare

**RE: Application for a Declaration of Exempted Development under Section 5 of Planning and Development Act 2000 (as amended) for development at 79 Mountain View, Naas, Co. Kildare.**

Dear Sir/Madam,

I refer to your correspondence received on 28th August 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.**

# 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/1403**

**WHEREAS** a question has arisen as to whether subdividing the existing dwelling into 2 dwellings at 79 Mountain View, Naas, Co Kildare, constitutes exempted development.

**AS INDICATED** on the plans and particulars received by the Planning Authority on 28th August 2026

**AND WHEREAS** Collette O'Connell 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. Part 1 of Schedule 2 Class 1a Statutory Instrument 339, and Articles 6 and 9 of the Planning and Development Regulations, 2001(as amended),
c. The planning history pertaining to the subject site, in particular Condition No. 3 under planning ref. 05/500002
d. The plans and particulars submitted with the Declaration application and the nature, extent and purpose of the works.

**AND WHEREAS** Kildare County Council has concluded that

a. The subdividing of the existing dwelling into 2 dwellings involves the carrying out of works and a material change in use (as defined under Sections 3(1) and 3(3) of the Planning and Development Act, 2000, as amended) and are therefore deemed to be development, and
b. Having regard to:
    a. condition and limitation 5 under Class 1a of Part 1 of Schedule 2 of the Planning and Development Regulations, 2001, as amended, where the floor area of one of the dwelling units would be less than 32sqm,
    b. Condition no. 3 under of planning ref. 05/500002 which prohibits the subdivision of the dwelling house and extension, and
    c. Article 9(1)(a) of the secondary legislation which restricts exempted development where a development would contravene a condition attached to a permission under the Act or be inconsistent with any use specified in a permission under the Act,

**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 -

Subdividing the existing dwelling into 2 dwellings at 79 Mountain View, Naas, Co Kildare

**Comhairle Contae Chill Dara**
Kildare County Council

**IS development and IS NOT 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.

**6th 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/1403**

| | |
|---|---|
| **Name Of Applicant(s):** | Collette O'Connell |
| **Address Of Development:** | 79 Mountain View, Naas, Co Kildare |
| **Question to which this Declaration is sought:** | Applicant intends to Subdivide existing dwelling into 2 dwellings |
| **Due date** | 25/09/2026 |

**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:

1. Subdividing the existing dwelling into 2 dwellings

**is** or **is not** development and **is** or **is not** exempted development.

**Site Location**

The subject site is located at 79 Mountain view, Naas, Co Kildare and is 0.6km West of Naas town centre.



Figure 1: Site Location and Contect

## Planning History

Planning Application(s)

05/500002 – Planning permission granted for development consisting of the construction of a two-storey front, side & rear extension to an existing two-storey semi-detached dwelling & all associated site works.

The permission was subject to 11 no. conditions. The following condition is relevant and may be restrictive.

Condition No. 3 – The existing dwelling and the proposed extension shall be jointly occupied as a single unit and shall not be sold, let or otherwise transferred or conveyed save as part of the dwelling.

Enforcement Case Files

## Relevant Legislative Background

**Primary Legislation: 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 4(1)

*The following shall be exempted development for the purposes of the Act-*

*(h) development consisting of the carrying out of works for the maintenance, improvement or other alteration of any structure, being works which affect only the interior of the structure or which do not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure or of neighbouring structures;*

**Secondary Legislation: Planning and Development Regulations 2001 (as amended)**

Article 6(1) [Exempted Development – General]

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 [Relevant sections only transposed below].

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

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

**(i) contravene a condition attached to a permission under the Act or be inconsistent with any use specified in a permission under the Act,**

**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.

**Assessment**

Question 1 - Is it development?

2. The first question to address is whether or not:

    Subdividing the existing dwelling into 2 dwellings

would constitute development in accordance with the provisions of the Planning and Development Act, 2000 (as amended).

The Act defines "development" as the carrying out of any works on, in, over or under land or the making of any material change in the use of any structures or other land (Section 3(1)) and defines "*'works' to include any act or operation of* construction*, excavation, demolition, extension, alteration, repair or renewal".*

Section 3(3) declares that the use as two or more dwellings of any house previously used as a single dwelling involves a material change in the use of the structure and of each part thereof which is so used, and therefore the question being asked also refers to a material change of use.

Having regard to the question asked, which involves an ***act or operation of* construction /** excavation / demolition / extension / alteration / repair or renewal, and **a change of use** as defined under Section 3(3) of the Primary legislation, it is deemed that

Subdividing the existing dwelling into 2 dwellings

constitutes works as defined by Section (2) and constitutes a material change of use as defined under Section (3) and would therefore constitute **development.**

Question 2 - Is it or is it not exempted development?

Is the development of

Subdividing the existing dwelling into 2 dwellings

exempted development?

The Applicant has stated that they are applying under Class 1A of the Planning and Development Regulations 2001, as amended Statutory Instrument 339– which is *The subdivision of a house and the restoration of a house to its original form.*

| *Class* | Limitations | *Assessment* |
|---|---|---|
| The subdivision of a house and the restoration | For the purposes of this exemption, the relevant | OK |

| | | |
|---|---|---|
| of a house to its original form if subdivided under this Class. | period begins on the date that this Regulation is signed and ends on 31 December 2030. | |
| | This exemption shall apply only to development that is commenced and completed during the relevant period. | OK |
| | For the avoidance of doubt, the relevant building control legislation shall apply, such as Building Regulations (including Fire Safety) and Building Control Regulations. | Meets this requirement |
| | Subdivision of a house shall not create more than two units in total. | The subdivision divides the existing dwelling unit into two. |
| | Each unit shall be no less than 32 square metres in floorspace | **Does not meet this requirement. Dwelling B is 28.2SQM on the ground floor and 26.8sqm on the first floor.** |
| | Each unit shall be self-contained and not reliant on the use of shared internal space, other than for access. | The submitted drawings indicate that each unit is self-contained. |
| | This exemption shall not be used in cases where there has been a construction, erection or placing of a detached house in the rear garden of a principal house. | There is no construction/erection of a detached house in the rear garden of a principal house. |
| | Subject to paragraph 9, a notification shall be submitted to the relevant planning authority not less than 14 days prior to the commencement of the works informing them of the intention to use this Class of exemption, confirming that the site meets the requirements under these Regulations | Meets this requirement |

| | | |
|---|---|---|
| | and stating the reason for the intended use. | |
| | A notification under paragraph 8 shall include the location of the proposed use of this class of exemption and the Eircode of the relevant property. | Meets this requirement |
| | The planning authority shall maintain a record of all notifications under this exemption and report annually to the Minister on the number of notifications received under this Class. | Meets this requirement |

Having regard to the above table, under which the development has been assessed against the conditions and limitations of class 1A, the subdividing of the existing dwelling into 2 dwellings at 79 Mountain View, Naas, Co Kildare is not compliant with condition and limitation 5 where dwelling A has 40 square meters and Dwelling B has 28 square meters. The condition and limitation 5 states that " *Each unit shall be no less than 32 square metres in floorspace".* Dwelling B (Unit 2) is less than 32 square meters both on the proposed ground floor and on the proposed first floor.

Furthermore, Article 9 – Restrictions on exemptions also applies in this case. Having regard to article 9 1(a)(i); condition no. 3 of planning ref. 05500002 specifically states that

> "*The existing dwelling and proposed extension Shall be jointly occupied as a single housing unit and shall not be sold, let or otherwise transferred or conveyed save as part of the dwelling" thus restricting the proposed development.*

This condition is relevant and as such the development is restricted by Article 9 and therefore cannot be considered to be **exempted development.**

**Conclusion and Recommendation**

Having regard to:

a. Sections 2, 3 and 4 of the Planning and Development Act 2000 (as amended),
b. Part 1 of Schedule 2 Class 1a Statutory Instrument 339, and Articles 6 and 9 of the Planning and Development Regulations, 2001(as amended),
c. The planning history pertaining to the subject site, in particular Condition No. 3 under planning ref. **05/500002**
d. The plans and particular submitted with the Declaration application and the nature, extent and purpose of the works

It is considered that:

a. The subdividing of the existing dwelling into 2 dwellings involves the carrying out of works and a material change in use (as defined under Sections 3(1) and 3(3) of the Planning and Development Act, 2000, as amended) and are therefore deemed to be development, and
b. Having regard to:
    i. condition and limitation 5 under Class 1a of Part 1 of Schedule 2 of the Planning and Development Regulations, 2001, as amended, where the floor area of one of the dwelling units would be less than 32sqm,
    ii. Condition no. 3 under of planning ref. **05/500002** which prohibits the subdivision of the dwelling house and extension, and
    **iii.** Article 9(1)(a) of the secondary legislation which restricts exempted development where a development would contravene a condition attached to a permission under the Act or be inconsistent with any use specified in a permission under the Act**,**

And therefore, it is concluded that:

The subdividing of the existing dwelling into 2 dwellings at 79 Mountain View, Naas, Co Kildare

**constitutes development as** defined in Section 3(1) and Section 3(3) 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).

**Signed:**

**Esther Omosehin**

**Date: 05/10/2026**

**Tracy McGibbon**

**05/10/2026**

**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 subdividing the existing dwelling into 2 dwellings at 79 Mountain View, Naas, Co Kildare

**AS INDICATED** on the plans and particulars received by the Planning Authority on 28/08/2026

**AND WHEREAS** Collette O'Connell 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. Part 1 of Schedule 2 Class 1a Statutory Instrument 339, and Articles 6 and 9 of the Planning and Development Regulations, 2001(as amended),
c. The planning history pertaining to the subject site, in particular Condition No. 3 under planning ref. **05/500002**
d. The plans and particular submitted with the Declaration application and the nature, extent and purpose of the works

**AND WHEREAS** Kildare County Council has concluded that:

a. The subdividing of the existing dwelling into 2 dwellings involves the carrying out of works and a material change in use (as defined under Sections 3(1) and 3(3) of the Planning and Development Act, 2000, as amended) and are therefore deemed to be development, and
b. Having regard to:
    a. condition and limitation 5 under Class 1a of Part 1 of Schedule 2 of the Planning and Development Regulations, 2001, as amended, where the floor area of one of the dwelling units would be less than 32sqm,
    b. Condition no. 3 under of planning ref. **05/500002** which prohibits the subdivision of the dwelling house and extension, and
    **c.** Article 9(1)(a) of the secondary legislation which restricts exempted development where a development would contravene a condition attached to a permission under the Act or be inconsistent with any use specified in a permission under the Act**,**

**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 -

Subdividing the existing dwelling into 2 dwellings at 79 Mountain View, Naas, Co Kildare

***IS development IS NOT 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.

**Appendix 1**

**APPROPRIATE ASSESSMENT SCREENING REPORT**
**AND**
**DETERMINATION**

| **(A) Project Details** | |
|---|---|
| **Planning File Ref** | ED1403 |
| **Applicant name** | Collette O'Connell |
| **Development Location** | 79 Mountain View, Blessington Road,Naas, Co. Kildare |
| **Site size** | |
| **Application accompanied by an EIAR (Yes/NO)** | No |
| **Distance from Natura 2000 site in km** | |
| **Description of the project/proposed development –** Subdividing the existing dwelling into 2 dwellings | |

| **(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.**<br><br>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 | *Is the development within a Special Area of Conservation whose qualifying interests include wetland habitats (bog,* | No |

| | | | |
|---|---|---|---|
| | Water/Carton Valley, Pollardstown Fen, Mouds Bog, Ballynafagh Bog, Red Bog, Ballynafagh Lake | *marsh, fen or heath), or within 1 km of same?* | |
| **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:** | Esther Omosehin | |
| **Position:** | Graduate Planner | |
| **Date:** | 28/09/2026 | |

# 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:** DO68246 **Section:** Planning

**SUBJECT:** ED/1403
Collette O'Connell, c/o Tom O'Loughlin, Redhills House, Kildare, Co. Kildare. Exempt Development Application for Subdividing the existing dwelling into 2 dwellings at 79 Mountain View, Naas, Co. Kildare

**SUBMITTED:** File Ref. ED 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 OCTOBER YEAR 2026.

SIGNED: Alan Dunney

**DIRECTOR OF SERVICES**

**Comhairle Contae Chill Dara**
Kildare County Council

Date: 28th August 2026.
Our Ref: ED/1403.

Colette O'Connell,
C./O Tom O'Loughlin
Redhills House
Kildare
Co Kildare.

**RE: Application for a Declaration of Exempted Development under Section 5 of Planning and Development Act 2000 (as amended) for development at 79 Mountain View, Naas, 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 28th 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 **O'Connell** Forenames **Collette**

Phone No [redacted] Fax No.....

2. Address **79 Mountain View, Naas Co Kildare**

.....

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

1. Name of Person/Agent: Surname **O'Loughlin** Forenames **Tom**

Phone No [redacted] Fax No.....

2. Address **Redhills House, Kildare, Co Kildare**

.....

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

1. Name of Company **N/A** Phone No..... Fax No.....

2. Company Reg. No.....

3. Address.....

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

1. Planning History of Site **Pl Ref 05 500002**

2. Location of Proposed Development **79 Mountain View, Naas Co Kildare**

3. Ordnance Survey Sheet **No 3559-8**

4. Please state the Applicants interest in the site **Owner**

5. Please state the extent of the proposed development

**The applicants proposes to subdivide the existing dwelling into 2 dwellings**

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)*

**Planning and Development (Exempted Development (Act of 2000)) (No. 2) Regulations 2026, Amendment of Part 1 of Schedule 2 of the Principal Regulations, Class 1A.**

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

**The development proposes to subdivide an existing 4 bedroom dwelling to a 2 bedroom dwelling & a 1 bedroom dwelling, reference drawings of the existing & proposed dwelling Plans & Elevations PL 1164 03 & 04, Site location plan PL 1164 01 & Existing & Proposed Site layout Plan PL 1164 02.**

**Reference cover letter showing compliance with Planning and Development (Exempted Development (Act of 2000)) (No. 2) Regulations 2026, Amendment of Part 1 of Schedule 2 of the Principal Regulations, Class 1A.**

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

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

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

Signature: _____ Date: 27.8.26

Planning Section
Kildare County Council

**O'Loughlin Architects Ltd**
**Redhills House**
**Kildare,**
**Co. Kildare.**

[redacted]

27th Aug 2026

**RE: Application for Exempted Development under Planning and Development (Exempted Development (Act of 2000)) (No. 2) Regulations 2026, Amendment of Part 1 of Schedule 2 of the Principal Regulations, Class 1A, at 79 Mountain View , Naas, Co Kildare W91 P2TT**

To whom it concerns,

Please find below details of an application for Exempted Development under Planning and Development (Exempted Development (Act of 2000)) (No. 2) Regulations 2026, Amendment of Part 1 of Schedule 2 of the Principal Regulations, Class 1A, at 79 Mountain View , Naas, Co Kildare

- Cover letter here with
- Completed application form
- Site Location Plan Scale 1:1000 PL 1164 01
- Site Layout Plans existing & proposed Scale 1:250 PL 1164 02
- Plans existing & proposed Scale 1:50 PL 1164 03
- Elevations PL 1164 04
- fee of €80

| CLASS 1A<br><br>The subdivision of a house and the restoration of a house to its original form if subdivided under this Class. |
|---|

| 1. For the purposes of this exemption. the relevant period begins on the date that this Regulation is signed and ends on 31 December 2030. |
|---|

**Complied with** ✓

| | | |
|---|---|---|
| 2. This exemption shall apply only to development that is commenced and completed during the relevant period. | Complied with | ✓ |
| 3. For the avoidance of doubt, the relevant building control legislation shall apply, such as Building Regulations (including Fire Safety) and Building Control Regulations. | Complied with | ✓ |
| 4. Subdivision of a house shall not create more than two units in total. | Complied with | ✓ |
| 4. Subdivision of a house shall not create more than two units in total. | Complied with | ✓ |
| 5. Each unit shall be no less than 32 square metres in floorspace. | Complied with | ✓ |
| 6. Each unit shall be self-contained and not reliant on the use of shared internal space, other than for access. | Complied with | ✓ |
| 7. This exemption shall not be used in cases where there has been a construction, erection or placing of a detached house in the rear garden of a principal house. | Complied with | ✓ |

| | |
|---|---|
| 8. Subject to paragraph 9. a notification shall be submitted to the relevant planning authority not less than 14 days prior to the commencement of the works informing them of the intention to use this Class of exemption. confirming that the site meets the requirements under these Regulations and stating the reason for the intended use. | **Complied with** ✓ |
| 9. A notification under paragraph 8 shall include the location of the proposed use of this class of exemption and the Eircode of the relevant property. | **Complied with** ✓ |
| 10. The planning authority shall maintain a record of all notifications under this exemption and report annually to the Minister on the number of notifications received under this Class. | |

I trust the forgoing is in order and please do not hesitate to contact the undersigned with any queries that may arise.

Yours sincerely,

Tom O'Loughlin
MRIAI

N

SITE AREA 262SQ.M

ORDNANCE SURVEY SHEET
NUMBER 3559 8

O'LOUGHLIN
ARCHITECTS LTD.

REVISION

| No. | REVISION/ISSUE | DATE |
|---|---|---|
| | | |
| | | |
| | | |

PLANNING ISSUE


O'LOUGHLIN ARCHITECTS LTD.
REDHILLS HSE,
KILDARE,
CO. KILDARE
[redacted]


COLLETTE O'CONNELL INTENDS TO APPLY FOR A DECLARATION OF EXEMPT DEVELOPMENT UNDER SECTION 5 FOR THE SUBDIVISION OF AN EXISTING DWELLING AND ASSOCIATED SITE WORKS AT NO.79 MOUNTAIN VIEW, NAAS, CO KILDARE

SITE LOCATION PLAN

AUG 2026

1:1000

PL 1164 01

T. O'LOUGHLIN



N

SITE AREA 2625Q.M

ORDNANCE SURVEY SHEET
NUMBER 3559 8

O'LOUGHLIN
ARCHITECTS LTD.

REVISION

| NO. | REVISION/ISSUE | DATE |
|---|---|---|
| | | |
| | | |
| | | |

PLANNING ISSUE

O'LOUGHLIN ARCHITECTS LTD.
REDHILLS HSE,
KILDARE,
CO. KILDARE
[redacted]

COLLETTE O'CONNELL INTENDS TO APPLY FOR A DECLARATION OF EXEMPT DEVELOPMENT UNDER SECTION 5 FOR THE SUBDIVISION OF AN EXISTING DWELLING AND ASSOCIATED SITE WORKS AT No.79 MOUNTAIN VIEW, NAAS, CO KILDARE

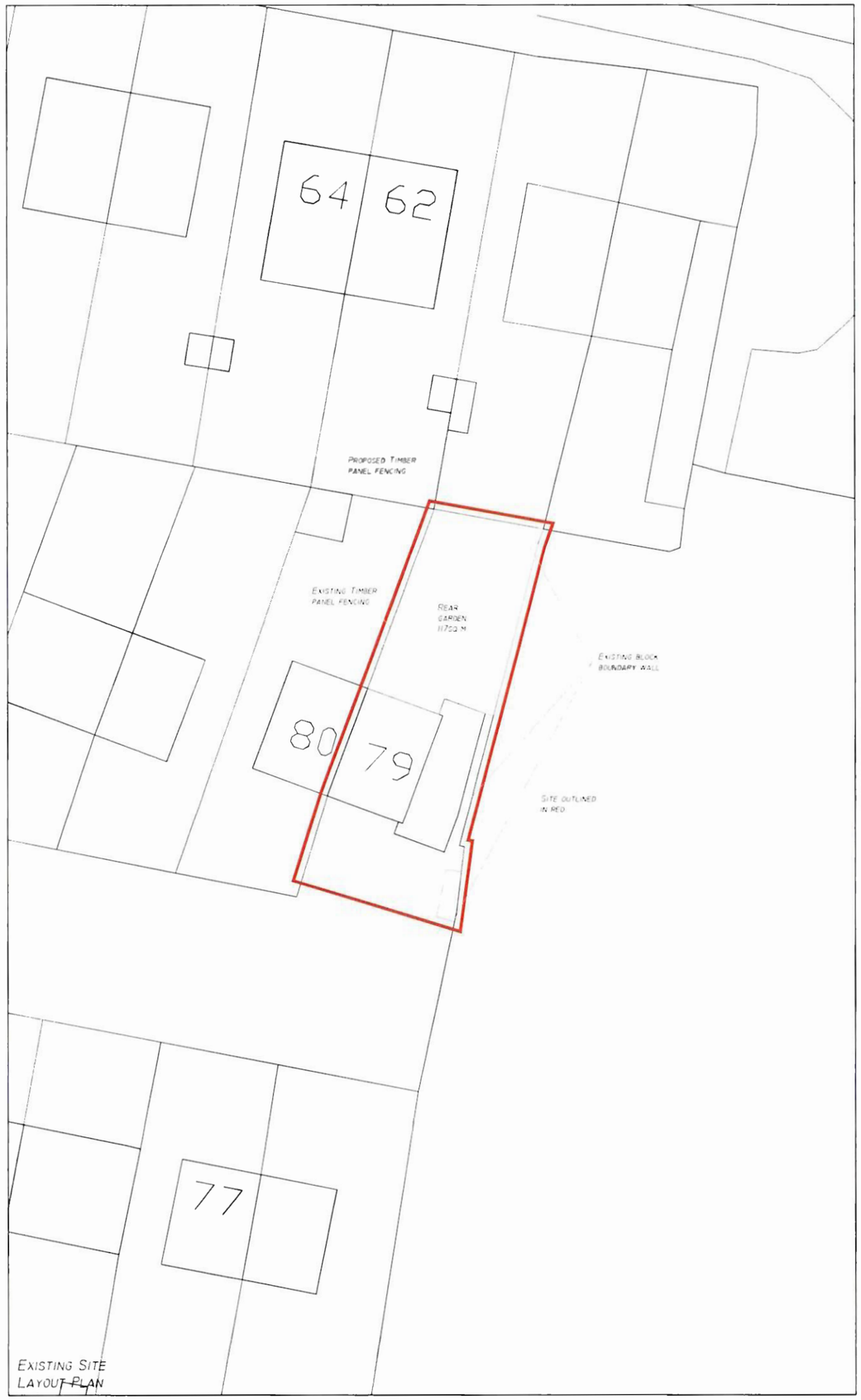
SITE LAYOUT PLAN

AUG 2026

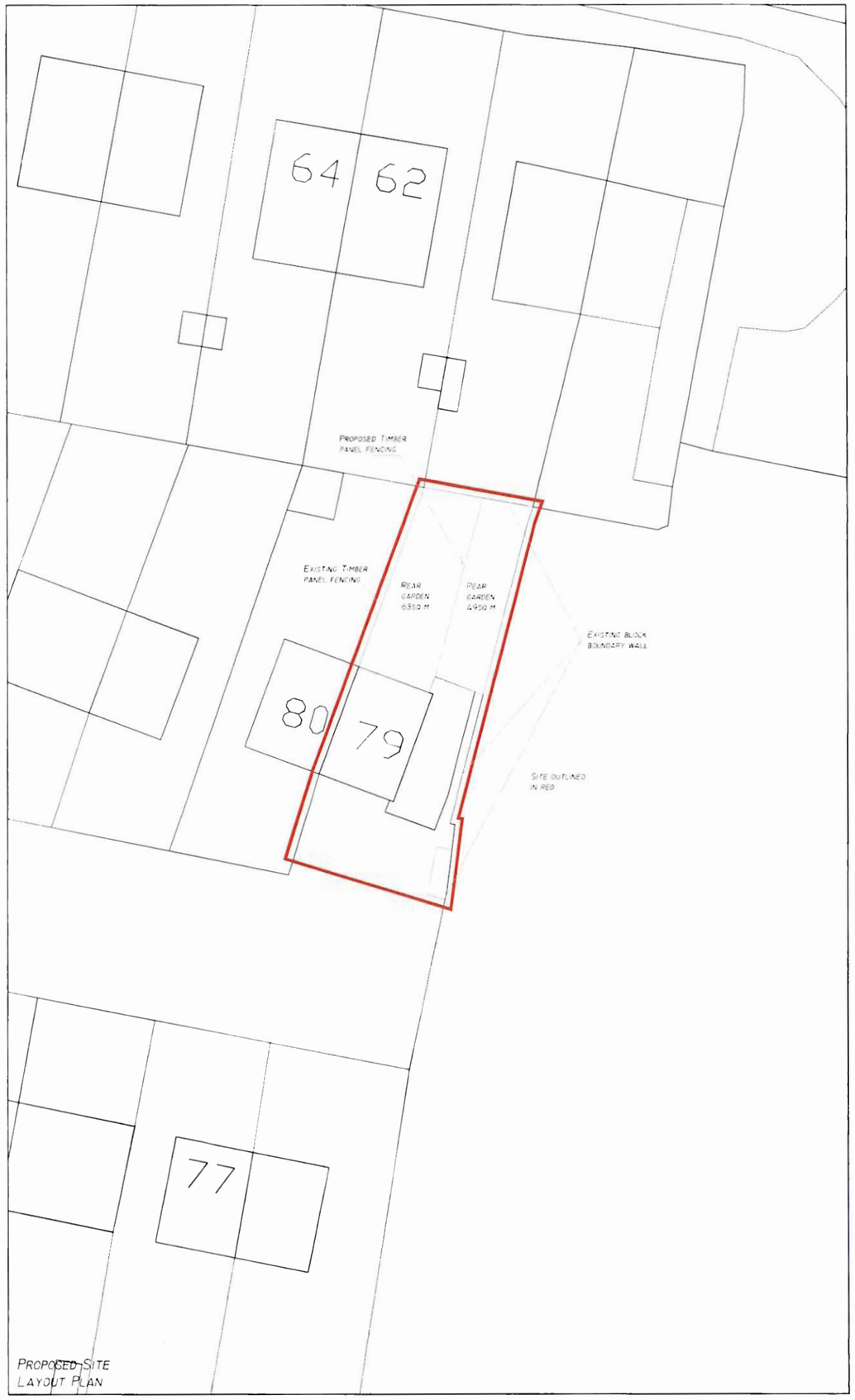
1:250

PL 1164 02

T. O'LOUGHLIN




EXISTING SITE LAYOUT PLAN




PROPOSED SITE LAYOUT PLAN

EXISTING CONSTRUCTION

PROPOSED CONSTRUCTION

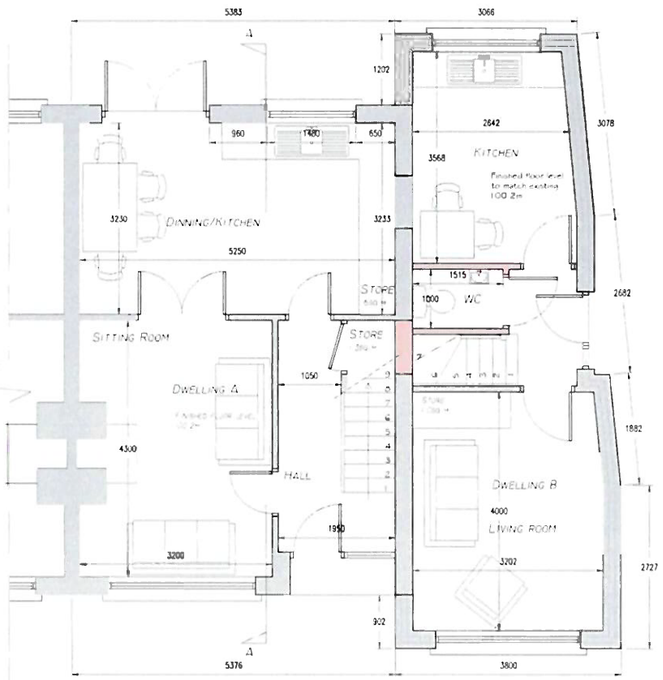
## DWELLING A (ORIGINAL DWELLING)

TOTAL AREA 80.0SQ.M
STORAGE AREA 15SQ.M
PRIVATE OPEN SPACE AREA 68SQ.M

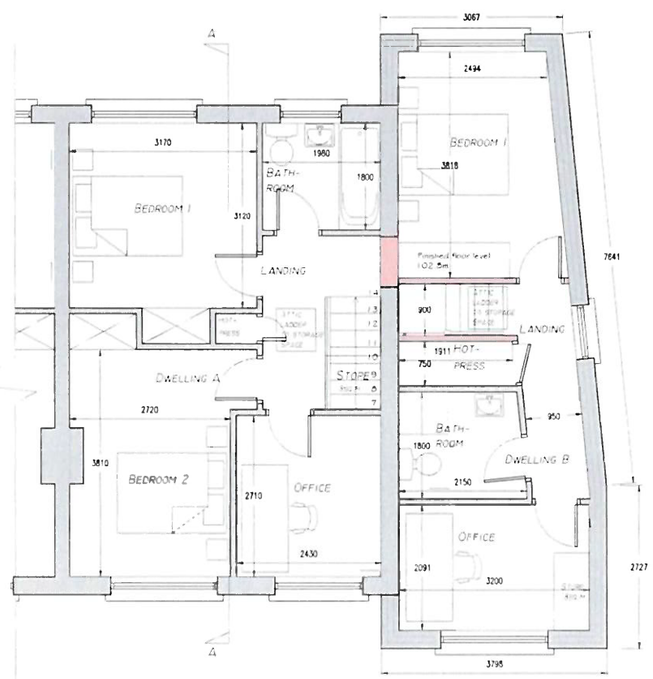
## PROPOSED DWELLING B

TOTAL AREA 55SQ.M
STORAGE AREA 3SQ.M
PRIVATE OPEN SPACE AREA 49SQ.M

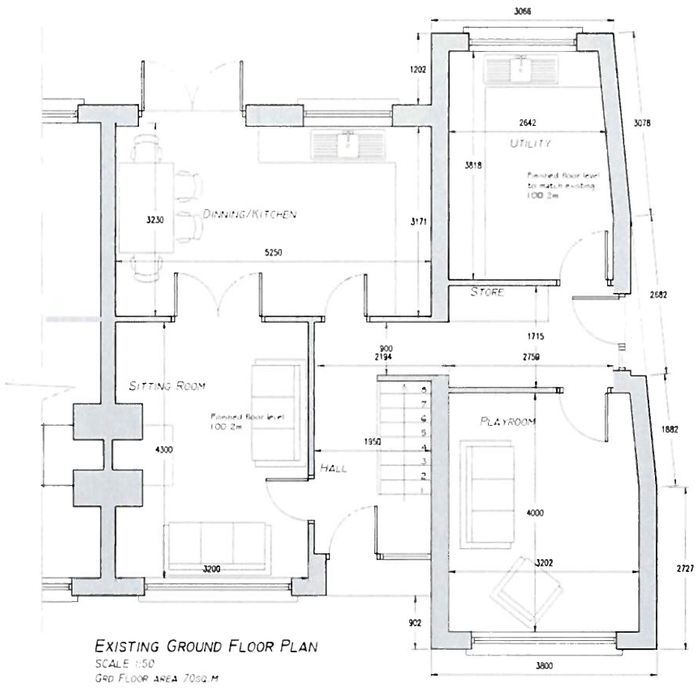
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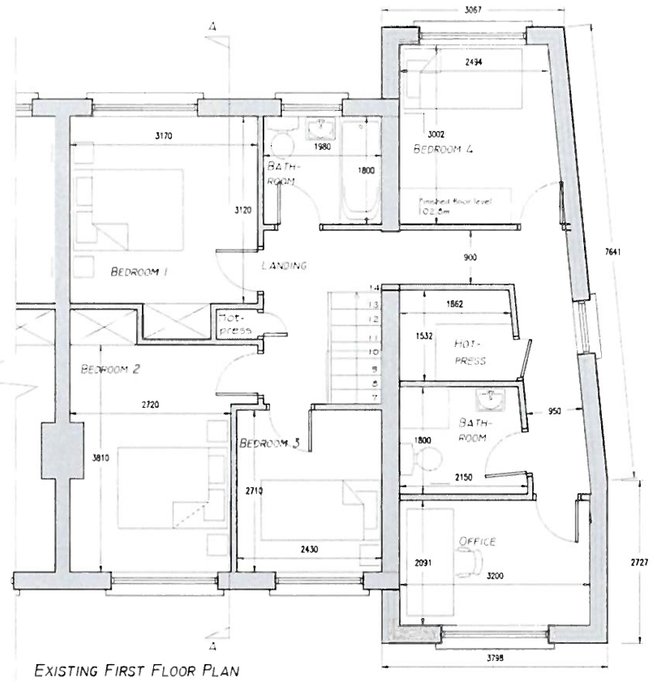

PROPOSED GROUND FLOOR PLAN
SCALE 1:50
DWELLING A GRD FLOOR AREA 40SQ.M
DWELLING B GRD FLOOR AREA 28.2SQ.M




PROPOSED FIRST FLOOR PLAN
SCALE 1:50
DWELLING A FIRST FLOOR AREA 40SQ.M
DWELLING B FIRST FLOOR AREA 29.8SQ.M




EXISTING GROUND FLOOR PLAN
SCALE 1:50
GRD FLOOR AREA 70SQ.M




EXISTING FIRST FLOOR PLAN
SCALE 1:50
FIRST FLOOR AREA 70SQ.M

O'LOUGHLIN ARCHITECTS LTD.

REVISION

| NO. | REVISION/ISSUE | DATE |
|---|---|---|
| | | |
| | | |
| | | |

PLANNING ISSUE

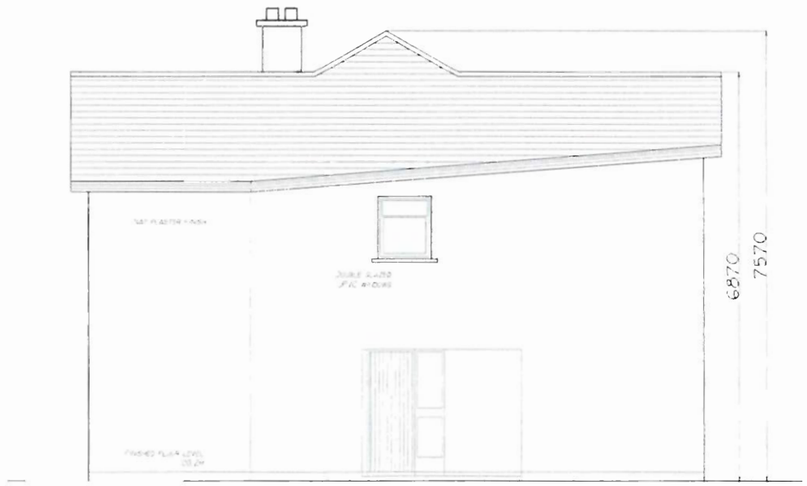
O'LOUGHLIN ARCHITECTS LTD.
REDHILLS HSE,
KILDARE,
CO. KILDARE
[redacted]

COLLETTE O'CONNELL INTENDS TO APPLY FOR A DECLARATION OF EXEMPT DEVELOPMENT UNDER SECTION 5 FOR THE SUBDIVISION OF AN EXISTING DWELLING AND ASSOCIATED SITE WORKS AT NO.79 MOUNTAIN VIEW, NAAS, CO KILDARE

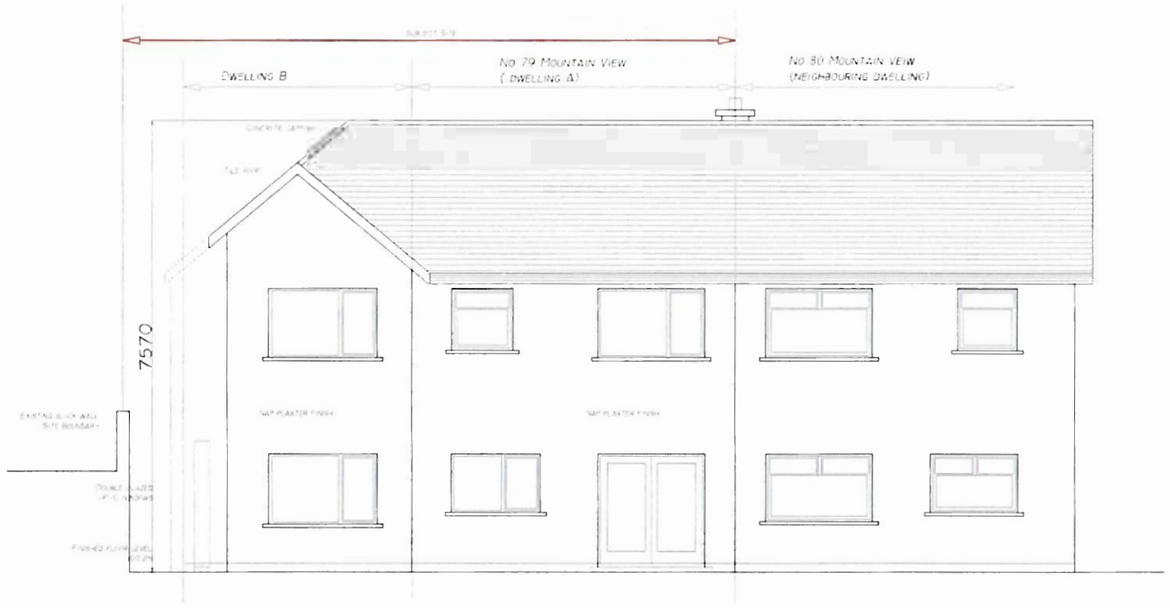
EXISTING & PROPOSED PLANS
AUG 2026
1:50
PL 1164. 03
T. O'LOUGHLIN



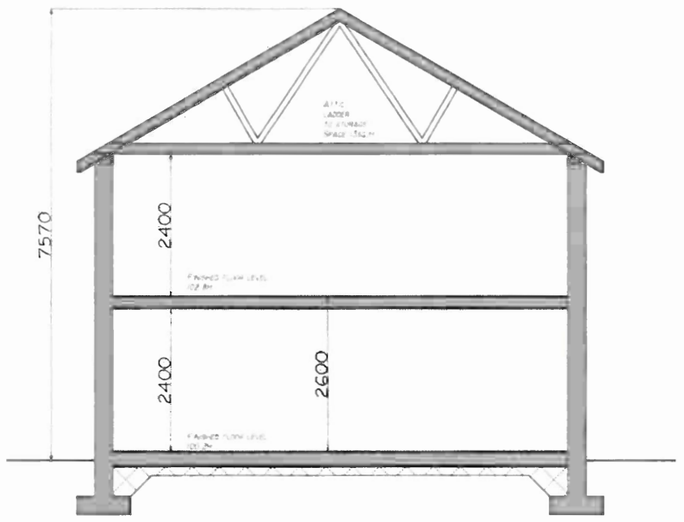

Existing Front elevation




Existing Side Elevation
SCALE 1:50




Existing Rear elevation




Section A-A
SCALE 1:50

O'Loughlin Architects Ltd.

Revision

| No | Revision | Date |
|---|---|---|
| | | |
| | | |
| | | |

Planning Issue

O'Loughlin Architects Ltd.
Redhills Hse,
Kildare,
Co. Kildare
[redacted]

Collette O'Connell intends to apply for a Declaration of Exempt Development under Section 5 for the subdivision of an existing dwelling and associated site works at No 79 Mountain View, Naas, Co Kildare

Existing Elevations & Section

Aug 2026

1:50

PL 1164. 04.

T. O'Loughlin

| | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| BOIHSR | SECTION 5 KCC 2587 | 80.00 | | | BANK | 2045143 | 1 | 0 | | 28/08/2026 |

28/08/2026 — section 5 KCC 2587 SP — + €80.00

| | |
|---|---|
| Payee Name: | KILDARE COUNTY COUNCIL PLANNING |
| Payee IBAN: | IE69 BOFI 9012 3911 0668 06 |
| Originator Name: | O'LOUGHLIN ARCHITECTS LTD |
| Amount: | + €80.00 |
| Value Date: | 28/08/2026 |
| Payment Reference: | section 5 KCC 258735 fee |
| Originator Reference Party: | Not provided by sender |
| ID code or Originating reference party: | Not provided by sender |
| Originator ID: | Not provided by sender |
| Purposes of the Credit Transfer: | Not provided by sender |
| Payee Reference Party Name: | Not provided by sender |
| ID code of Payee Reference Party: | Not provided by sender |
| Remittance Information: | Not provided by sender |