Comhairle Contae Chill Dara
Kildare County Council

Date: 16th November 2026
Our Ref: ED/1419

Jobin Kurian,
C/O Mateusz Polak,
94 New Road Square,
New Road South,
Dublin 8

RE: Application for a Declaration of Exempted Development under Section 5 of Planning and Development Act 2000 (as amended) for development at Teach Mo Chroi, Portgloriam, Kilcock, Co Kildare. W23 F82K.

Dear Sir/Madam,

I refer to your correspondence received on 19th October 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/1419

WHEREAS a question has arisen as to whether a single-story extension of c. 25sqm to the rear of the existing house **is** or **is not** exempted development at Teach Mo Chroi, Portgloriam, Kilcock, Co Kildare.

AS INDICATED on the plans and particulars received by the Planning Authority on 19th October 2026.

AND WHEREAS Jobin Kurian 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 1 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended).
d. The planning history pertaining to the subject site, and
e. The nature, extent and purpose of the works,

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

a. The construction of the single storey extension involves the carrying out of works, which constitutes development under Section 3 of the Planning and Development Act 2000 (as amended)
b. The development does not comply with the scope and thresholds of exempted development provided by Article 6(1) and contained in Class 1 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 a single-story extension of c. 25sqm at the rear of an existing house at Teach Mo Chroi, Portgloriam, Kilcock, Co Kildare. **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 subsection 2(a) of the Planning and Development Act 2000 (as amended) may on payment to the Coimisiún of the prescribed fee, refer a declaration to An Coimisiún Pleanála within 4 weeks of the issuing of the decision

16th November 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/1419

Name Of Applicant(s):	Jobin Kurian
Address Of Development:	Teach Mo Chroi, Portgloriam, Kilcock, Co Kildare W23 F82K
Question to which this Declaration is sought:	Single storey extension 25sqm to rear of existing house
Due date	16/11/2026

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. *The owner of the house is planning to build a single-story extension of ca 25sqm to the rear of the existing house as shown indicatively on the attached drawing:*
   Would it require Planning Application, or would it be exempted as set out in the Planning and Development Act 2000 (as amended) and the associated Planning and Development Regulations 2001 (as amended)? Note the historic Planning Application Grant for retention of the attic conversion. Is the converted attic area counted within the aggregate of extended areas? Also, note the side lane leading to the neighbouring property. Are rules pertinent to rear extensions applicable in this case?

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

Site Location

The subject site is located in the rural area of Portgloriam, c. 2.3km southwest of Kilcock. The M4 is also located c. 2.3km to the northeast of the subject site. The surrounding area is comprised predominantly of agricultural lands and buildings with a number of residential dwellings of a similar nature. At present the site consists of a residential dwelling and associated domestic garage.



Figure 1: Illustrative location of subject site bordered in yellow

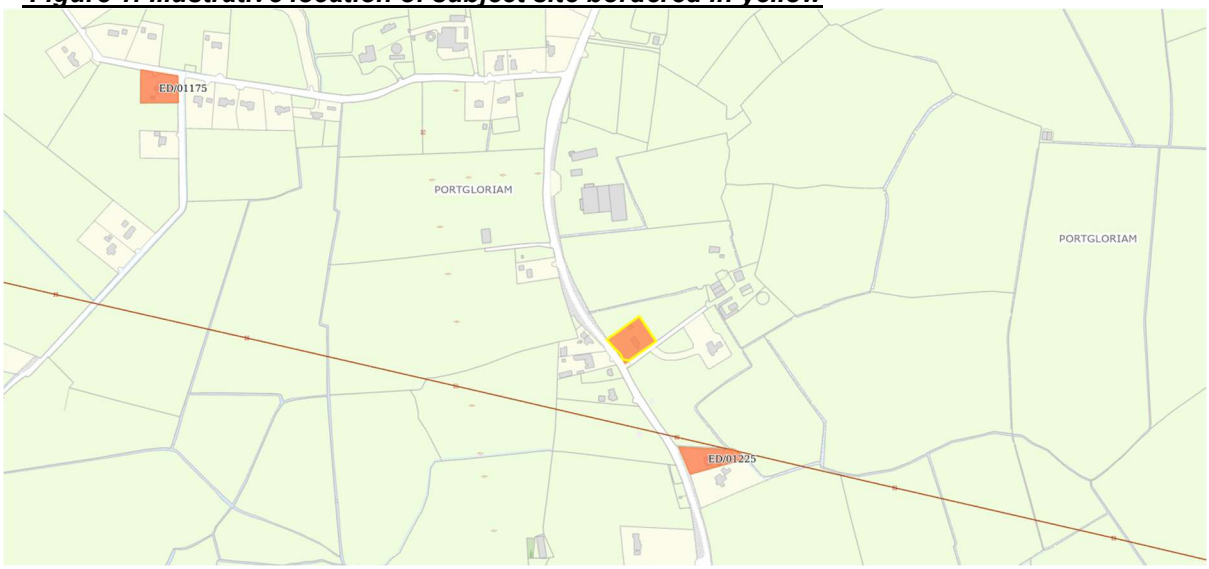


Figure 2: Aerial image of subject site bordered in yellow

Planning History

Planning Application(s)

97/1476 - Permission Granted for a bungalow, garage and septic tank

The permission was subject to 15 no. Conditions. No restrictive conditions applied.

99/1600 – Permission Granted for the retention of attic conversion to existing bungalow

The permission was subject to 3 no. conditions. No restrictive conditions applied.

Enforcement Case Files

None appear on site.

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) 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—
      (i) contravene a condition attached to a permission under the Act or be inconsistent with any use specified in a permission under the Act,
      (ii) consist of or comprise the formation, laying out or material widening of a means of access to a public road the surfaced carriageway of which exceeds 4 metres in width,
      (iii) endanger public safety by reason of traffic hazard or obstruction of road users,

(iv) except in the case of a porch to which class 7 specified in column 1 of Part 1 of Schedule 2 applies and which 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, comprise the construction, erection, extension or renewal of a building on any street so as to bring forward the building, or any part of the building, beyond the front wall of the building on either side thereof or beyond a line determined as the building line in a development plan for the area or, pending the variation of a development plan or the making of a new development plan, in the draft variation of the development plan or the draft development plan,

(v) consist of or comprise the carrying out under a public road of works other than a connection to a wired broadcast relay service, sewer, water main, gas main or electricity supply line or cable, or any works to which class 25, 26 or 31 (a) specified in column 1 of Part 1 of Schedule 2 applies,

(vi) interfere with the character of a landscape, or a view or prospect of special amenity value or special interest, the preservation of which is an objective of a development plan for the area in which the development is proposed or, pending the variation of a development plan or the making of a new development plan, in the draft variation of the development plan or the draft development plan,

(vii) consist of or comprise the excavation, alteration or demolition (other than peat extraction) of places, caves, sites, features or other objects of archaeological, geological, historical, scientific or ecological interest, the preservation, conservation or protection of which is an objective of a development plan or local area plan for the area in which the development is proposed or, pending the variation of a development plan or local area plan, or the making of a new development plan or local area plan, in the draft variation of the development plan or the local area plan or the draft development plan or draft local area plan,

(viiA) consist of or comprise the excavation, alteration or demolition of any archaeological monument included in the Record of Monuments and Places, pursuant to section 12 (1) of the National Monuments (Amendment) Act 1994, save that this provision shall not apply to any excavation or any works, pursuant to and in accordance with a consent granted under section 14 or a licence granted under section 26 of the National Monuments Act 1930 (No. 2 of 1930) as amended,

(viiB) comprise development in relation to which a planning authority or An Bord Pleanála is the competent authority in relation to appropriate assessment, and the development would require an appropriate assessment because it would be likely to have a significant effect on the integrity of a European site,

(viiC) consist of or comprise development which would be likely to have an adverse impact on an area designated as a natural heritage area by order made under section 18 of the Wildlife (Amendment) Act 2000.

(viii) consist of or comprise the extension, alteration, repair or renewal of an unauthorised structure or a structure the use of which is an unauthorised use,

(ix) consist of the demolition or such alteration of a building or other structure as would preclude or restrict the continuance of an existing use of a building or other structure where it is an objective of the planning authority to ensure that the building or other structure would remain available for such use and such objective has been specified in a development plan for the area or, pending the variation of a development plan or the making of a new development plan, in the draft variation of the development plan or the draft development plan,

(x) consist of the fencing or enclosure of any land habitually open to or used by the public during the 10 years preceding such fencing or enclosure for recreational purposes or as a means of access to any seashore, mountain, lakeshore, riverbank or other place of natural beauty or recreational utility,

(xi) obstruct any public right of way,

(xii) further to the provisions of section 82 of the Act, consist of or comprise the carrying out of works to the exterior of a structure, where the structure concerned is located within an architectural conservation area or an area specified as an architectural conservation area in a development plan for the area or, pending the variation of a development plan or the making of a new development plan, in the draft variation of the development plan or the draft development plan and the development would materially affect the character of the area,

Class 1 of Part 1 of Schedule 2 of the Planning and Development Regulations, 2001 (as amended) sets out the classes of development which constitute exempted development, subject to conditions and limitations, outlined below.

Description of Development	**Conditions and Limitations**
Development within the curtilage of a house **CLASS 1** The extension of a house, by the construction or erection of an extension (including a conservatory) **to the rear of the house** or by the conversion for use as part of the house of any garage, store, shed or other similar structure attached to the rear or to the side of the house.	1. (a) Where the house has not been extended previously, the floor area of any such extension shall not exceed 45 square metres. (b) Subject to paragraph (a), where the house is terraced or semi-detached, the floor area of any extension above ground level shall not exceed 12 square metres. (c) Subject to paragraph (a), where the house is detached, the floor area of any extension above ground level shall not exceed 20 square metres. 2. (a) Where the house has been extended previously, the floor area of any such extension, taken together with the floor area of any previous extension or extensions constructed or erected after 1 October 1964, including those for which planning permission has been obtained, shall not exceed 45 square metres.

	(b) Subject to paragraph (a), where the house is terraced or semi-detached and has been extended previously, the floor area of any extension above ground level taken together with the floor area of any previous extension or extensions above ground level constructed or erected after 1 October 1964, including those for which planning permission has been obtained, shall not exceed 12 square metres. (c) Subject to paragraph (a), where the house is detached and has been extended previously, the floor area of any extension above ground level, taken together with the floor area of any previous extension or extensions above ground level constructed or erected after 1 October 1964, including those for which planning permission has been obtained, shall not exceed 20 square metres. 3. Any above ground floor extension shall be a distance of not less than 2 metres from any party boundary. 4. (a) Where the rear wall of the house does not include a gable, the height of the walls of any such extension shall not exceed the height of the rear wall of the house. (b) Where the rear wall of the house includes a gable, the height of the walls of any such extension shall not exceed the height of the side walls of the house. (c) The height of the highest part of the roof of any such extension shall not exceed, in the case of a flat roofed extension, the height of the eaves or parapet, as may be appropriate, or, in any other case, shall not exceed the height of the highest part of the roof of the dwelling. 5. The construction or erection of any such extension to the rear of the house shall not reduce the area of private open space, reserved exclusively for the use of the occupants of the house, to the rear of the house to less than 25 square metres. 6. (a) Any window proposed at ground level in any such extension shall not be less than 1 metre from the boundary it faces. (b) Any window proposed above ground level in any such extension shall not be less than 8 metres from the boundary it faces.

	(c) Where the house is detached and the floor area of the extension above ground level exceeds 12 square metres, any window proposed at above ground level shall not be less than 8 metres from the boundary it faces. 7. The roof of any extension shall not be used as a balcony or roof garden.

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?

The first question to address is whether or not

a single-story extension of c. 25sqm to the rear of the existing house

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".*

Having regard to the question asked, which involves an **extension,** it is therefore considered that this constitutes works as defined by Section 3 and would therefore constitute **development**.

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

Is the development of

a single-story extension of c. 25sqm to the rear of the existing house exempted development?

Having regard to:

Primary Legislation

It is considered that the development is exempted development under the Primary Legislation, Section 4(1), as the development comprises the carrying out of works for the improvement or alteration of a structure. As the extension is proposed to the rear of the dwelling it is not considered to be inconsistent with the character of the structure of neighbouring structures.

Secondary Legislation

In accordance with Article 6(1) of the Planning and Development Regulations, as amended, 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 Class.

Conditions & Stipulations:

1 (a) Where the house has not been extended previously, the floor area of any such extension shall not exceed 45 square metres.

The house has been previously extended.

(b) Subject to paragraph (a), where the house is terraced or semi-detached, the floor area of any extension above ground level shall not exceed 12 square metres.

Not applicable as the dwelling is detached.

(*c) Subject to paragraph (a), where the house is detached, the floor area of any extension above ground level shall not exceed 20 square metres.*

Not applicable as the proposed extension is at ground level.

2 (a) Where the house has been extended previously, the floor area of any such extension, taken together with the floor area of any previous extension or extensions constructed or erected after 1 October 1964, including those for which planning permission has been obtained, shall not exceed 45 square metres.

The house has been previously extended, Reg. Ref. 99/1600 an attic conversion consisting of 72.57 sq. m. The floor area of the proposed extension is 25 sq. m.

(b) Subject to paragraph (a), where the house is terraced or semi-detached and has been extended previously, the floor area of any extension above ground level taken together with the floor area of any previous extension or extensions above ground level constructed or erected after 1 October 1964, including those for which planning permission has been obtained, shall not exceed 12 square metres.

Not applicable as the dwelling is detached.

(c) Subject to paragraph (a), where the house is detached and has been extended previously, the floor area of any extension above ground level, taken together with the floor area of any previous extension or extensions above ground level constructed or

erected after 1 October 1964, including those for which planning permission has been obtained, shall not exceed 20 square metres.

The house has been previously extended, Reg. Ref. 99/1600 an attic conversion consisting of 72.57 sq. m. The floor area of the proposed extension is 25 sq. m.

3 Any above ground floor extension shall be a distance of not less than 2 metres from any party boundary.

The proposed extension is single storey.

4 (a) Where the rear wall of the house does not include a gable, the height of the walls of any such extension shall not exceed the height of the rear wall of the house.

The ground floor extension is not shown to exceed the height of the rear wall of the existing house.

(b) Where the rear wall of the house includes a gable, the height of the walls of any such extension shall not exceed the height of the side walls of the house.

Not applicable as the rear wall of the dwelling does not include a gable.

(c) The height of the highest part of the roof of any such extension shall not exceed, in the case of a flat roofed extension, the height of the eaves or parapet, as may be appropriate, or, in any other case, shall not exceed the height of the highest part of the roof of the dwelling.

The proposed extension is single storey to the rear of an existing dormer bungalow; the pitch of the extension does not therefore extend beyond that of the highest part of the roof of the dwelling.

5 The construction or erection of any such extension to the rear of the house shall not reduce the area of private open space, reserved exclusively for the use of the occupants of the house, to the rear of the house to less than 25 square metres.

The proposed development does not appear to reduce the area of private open space, reserved exclusively for the use of the occupants of the houses, to the rear of the house to less than 25sqm. It is noted that this area has not been provided for clarification.

6 (a) Any window proposed at ground level in any such extension shall not be less than 1 metre from the boundary it faces.

There are no windows less than 1m from the boundary they face.

(b) Any window proposed above ground level in any such extension shall not be less than 8 metres from the boundary it faces.

Not applicable as there is no first-floor extension.

(c) Where the house is detached and the floor area of the extension above ground level exceeds 12 square metres, any window proposed at above ground level shall not be less than 8 metres from the boundary it faces.

Not applicable as there is no first-floor extension proposed.

7. The roof of any extension shall not be used as a balcony or terrace.

The proposed works do not include a balcony or terrace.

8. This exemption shall only be used on the principal house and not any additional detached house within the curtilage of the principal house.

There is only the subject dwelling on this land.

It is considered that the development does not meet the limitations set out under Class 1 (Exempted Development - General), in Part 1, of Schedule 2 of the Planning and Development Regulations 2001 (as amended). Therefore, it is considered that the development is not exempted development under the Secondary Legislation.

Conclusion and Recommendation

Having 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 1 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended).
d. The planning history pertaining to the subject site, and
e. The plans and particular submitted with the Declaration application and the nature, extent and purpose of the works

It is considered that the construction of the single storey extension involves the carrying out of works, which constitutes development under Section 3 of the Planning and Development Act 2000 (as amended). However, this development does not comply with the scope and thresholds of exempted development provided by Article 6(1) and contained in Class 1 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended).

And therefore, it is concluded that:

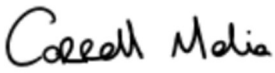
The proposed works, being the development of *a single-story extension of c. 25sqm to the rear of the existing house* **constitutes development** as defined in Section 3(1) of the Planning and Development Act 2000 (as amended) and is **not exempted development** as defined by the Planning and Development Act 2000 (as amended) and the Planning and Development Regulations 2001 (as amended).

Signed: 

Isobel O'Beirne Morrissey

Assistant Planner

Date **03/11/2026**



Signed: **Carroll Melia**

Senior Executive Planner

Date: **16/11/2026**

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 *a single-story extension of c. 25sqm to the rear of the existing house*

AS INDICATED on the plans and particulars received by the Planning Authority on 19/10/2026

AND WHEREAS *Jobin Kurian* 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 1 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended).
d. The planning history pertaining to the subject site, and
e. The nature, extent and purpose of the works,

AND WHEREAS Kildare County Council has concluded that:

a. The construction of the single storey extension involves the carrying out of works, which constitutes development under Section 3 of the Planning and Development Act 2000 (as amended)
b. The development does not comply with the scope and thresholds of exempted development provided by Article 6(1) and contained in Class 1 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 -

a single-storey extension of ca 25sqm to the rear of the existing house at the address of Teach Mo Chroi, Portgloriam, Kilcock, Co Kildare W23 F82K

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

Commission 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	ED1419
Applicant name	Jobin Kurian
Development Location	Teach Mo Chroi, Portgloriam, Kilkock, Co. Kildare, W23 F82K
Site size	c. 12.19 ha
Application accompanied by an EIAR (Yes/NO)	no
Distance from Natura 2000 site in km	The closest SAC (Rye Water Valley/ Carton SAC, Site Code 001398) s c. 8.5km from the subject site
Description of the project/proposed development – The owner of the house is planning to build a single-story extension of ca 25sqm to the rear of the existing house as shown indicatively on the attached drawing: Would it require Planning Application, or would it be exempted as set out in the Planning and Development Act 2000 (as amended) and the associated Planning and Development Regulations 2001 (as amended)? Note the historic Planning Application Grant for retention of the attic conversion. Is the converted attic area counted within the aggregate of extended areas? Also, note the side lane leading to the neighbouring property. Are rules pertinent to rear extensions applicable in this case?	

(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.** 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 scale and nature of the proposed works, it is not considered that there will be any impact on the nearest SAC.	
Name:	Isobel O'Beirne Morrissey
Position:	Assistant Planner
Date:	03/11/2026

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: DO69903 **Section:** Planning

SUBJECT: ED/1419
Jobin Kurian C/O Mateusz Polak, 94 New Row Square, New Row South, Dublin 8 Exempt Development Application whether a single-story extension of c. 25sqm to the rear of the existing house at Teach Mo Chroi, Portgloriam, Kilcock, Co Kildare W23 F82K

SUBMITTED: File Ref. ED1419 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 16TH DAY OF NOVEMBER YEAR 2026.

SIGNED: Alan Dunney

DIRECTOR OF SERVICES

Comhairle Contae Chill Dara
Kildare County Council

Date: 19th October 2026
Our Ref: ED/1419.

Jobin Kurian,
C/O Mateusz Polak,
94 New Row Square,
New Row South,
Dublin 8.

RE: Application for a Declaration of Exempted Development under Section 5 of Planning and Development Act 2000 (as amended) for development at Teach Mo Chroi, Portlorian, Kilcock, Co Kildare W23 F82K, 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 19th October 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 Kurian Forenames Jobin
Phone No. [redacted] E-Mail Address [redacted]
2. Address Teach Mo Chroi, Portgloriam, Kilcock, Co. Kildare, W23 F82K

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

1. Name of Person/Agent: Surname Polak Forenames Mateusz
Phone No. [redacted] E-Mail Address [redacted]
2. Address 94 New Row Square, New Row South, Dublin 8

Section 3	Company Details (if applicable)

1. Name of Company
Phone No. E-Mail Address
2. Company Reg. No.
3. Address

Section 4	Details of Site

1. Planning History of Site Planning Ref. No. 99/1600, Planning Ref. No. 97/1476
2. Address of Subject Site (including Eircode) Teach Mo Chroi, Portgloriam, Kilcock, Co. Kildare, W23 F82K
3. Ordnance Survey Sheet No. ITM 686222,737436, ORDER NO.: 50564207_1
4. Please state the Applicants interest in the site Owner

5. What is the question to which this Declaration is sought.....

The owner of the house is planning to build a single story extension of ca 25sqm to the rear of the existing house as shown indicatively on the attached drawing. Would it require Planning Application or would it be exempted as set out in the Planning and Development Act 2000 (as amended) and the associated Planning and Development Regulations 2001 (as amended) ? Note the historic Planning Application Grant for retention of the attic conversion. Is the converted attic area counted within the aggregate of extended areas? Also, note the side lane leading to the neighbouring property. Are rules pertinent to rear extensions applicable in this case?

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)*.....

The exemption is sought under Schedule 2, Part 1 Class 1 of the 2001 Planning Regulations as amended

7. Please give any additional information that may be relevant (*Use separate page if necessary*).....

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)	x
2.	A Site Layout Plan (Scale 1:500) in full compliance with Article 23 of Planning and Development Regulations 2001 as amended	x
3.	Drawings of the development (Scale 1:50) in full compliance with Article 23 of Planning and Development Regulations 2001 as amended	x
4.	All drawings to differentiate between the original building, all extensions and proposed development	x
5.	Fee of 80 Euro	x

Section 6	**Declaration**

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

Signature: M. Polak Date: 15.10.2026

LETTER OF CONSENT / AUTHORISATION

Planning and Development Act 2000 (as amended)

I, Jobin P. Kurian,
of Teach Mo Chroi, Portgloriam, Kilcock, Co. Kildare, W23 F82K.

being the legal owner of the property located at:

See above

hereby give our full consent to **Mateusz Polak Architect**,
of **94 New Row Square, Dublin 8**,

to act as my authorised agent for the purpose of:

- Preparing and submitting all drawings, documents, reports, and notices relevant to a Pre-planning consultation and/ or Section 5 Declaration Application.
- Making correspondence and representations with Kildare City Council
- Dealing with any Requests for Further Information or related planning matters

in connection with a pre-planning comsultation and/ or Section 5 Declaration Application for development at the above-mentioned property, in accordance with the Planning and Development Act 2000 (as amended) and associated regulations.

This consent applies to the full duration of the pre- planning consultation process unless otherwise revoked in writing.

Signed: Jobin

Name: Jobin P. Kurian

Signed: Mateusz Polak

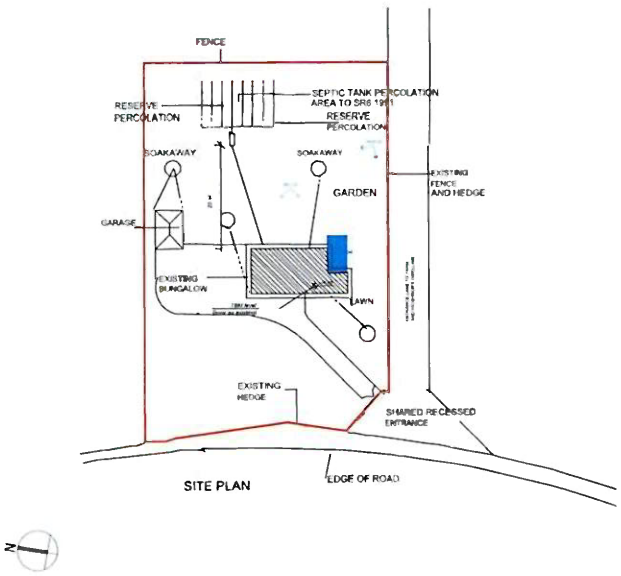
Name: Mateusz Polak

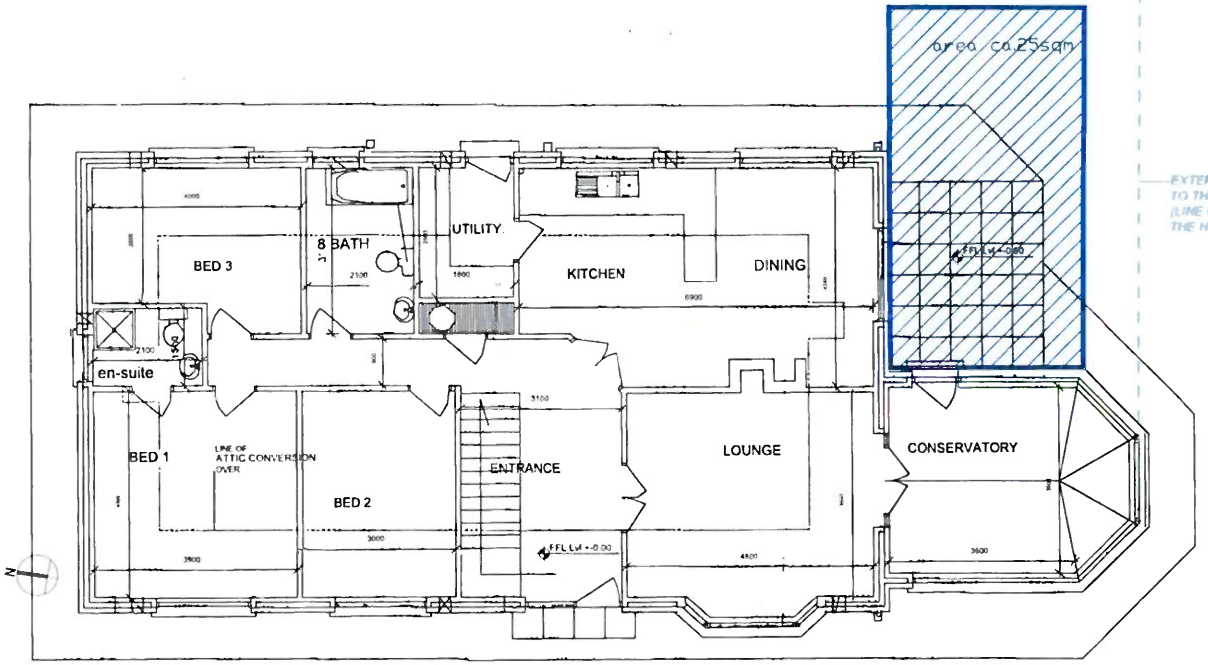
Date: 12.10.2026

Owner Contact Details:

Telephone: [redacted]

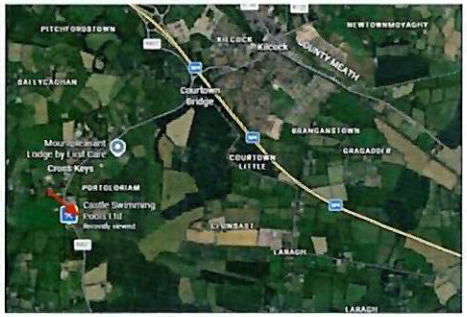
Email: [redacted]





1 Proposed site layout - Proposed extension shown indicatively in blue
scale 1 : 500

2 Proposed house layout - extent of proposed extension shown indicatively in blue
scale 1 : 50



3 Google maps - location of site marked with red arrow



4 View 01 - Existing



5 View 01 - Proposed (sketch)



6 View 02 - Existing



7 View 02 - Proposed (sketch)

MATEUSZ POLAK ARCHITECT

94 New Row Square, Dublin 8
e-mail: mateusz.polak@hotmail.com,
mob: 0035387277480

EXTENT OF PROPOSED STRUCTURE

SITE BOUNDARY

SECTION 5 DECLARATION

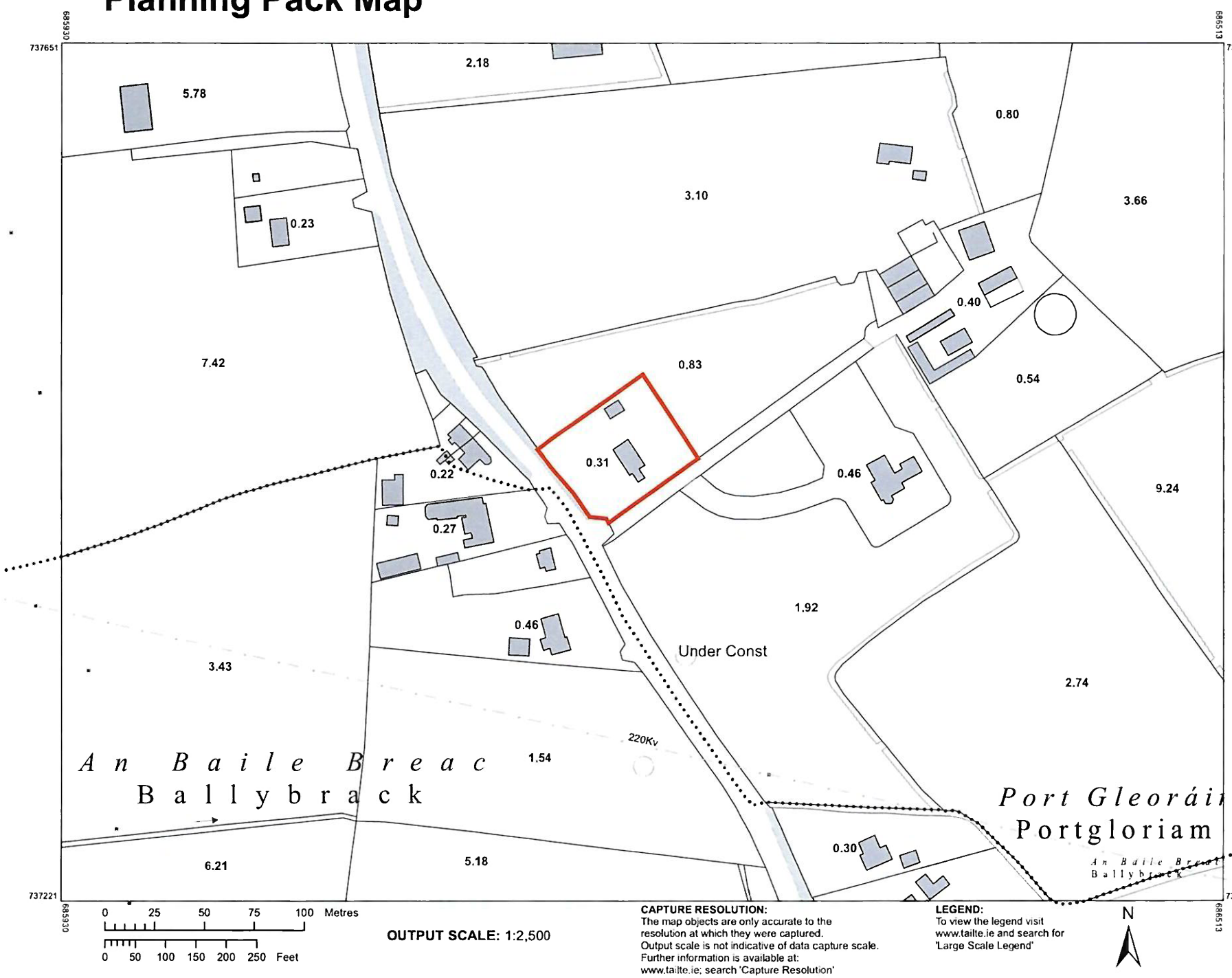
Rev.	Description	Date
1	ISSUE FOR Section 5 Declaration	OCT 26

Proposed single story extension to an existing house at Teach Mo Chroi, Portgloriam, Kilcock, Co. Kildare

Proposed Site Plan, Plan and sketches of proposed development

Project number	PGL-Z-Z-Z
Date	OCTOBER 2026
Drawn by	MP
Checked by	MP
	DR-PGL-AR-0100
Scale	As shown @ A1

Planning Pack Map



0 25 50 75 100 Metres

0 50 100 150 200 250 Feet

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Further information is available at:
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Receiver's Payment Charge:	EUR 0.00
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