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**Planning and Development Acts 2000 to 2019**

**Planning Authority: Meath County Council**

**Planning Register Reference Number: RA/S52032**

**WHEREAS** a question has arisen as to whether the replacement of ground floor rear elevation window with single patio door to provide access to designated private open space of 10 number two bedroom ground floor units in Blocks numbers 2 and 3 at Riverwalk Court, Ratoath, County Meath is or is not development or is or is not exempted development:

**AND WHEREAS** Denis Finn care of 2 Riverwalk Court, Fairyhouse Road, Ratoath, County Meath requested a declaration on this question from Meath County Council and the Council issued a declaration on the 26<sup>th</sup> day of June, 2020 stating that the matter is development and is not exempted development:

**AND WHEREAS** Denis Finn referred the declaration for review to An Bord Pleanála on the 6<sup>th</sup> day of July, 2020:

**AND WHEREAS** An Bord Pleanála, in considering this referral, had regard particularly to –

- (a) sections 2(1), 3(1) and 4(1)(h) of the Planning and Development Act, 2000, as amended,
- (b) the planning history of the site, and
- (c) the submissions of the parties:

**AND WHEREAS** An Bord Pleanála has concluded that -

- (a) the replacement of ground floor rear elevation window with single patio door to provide access to the designated private open space of 10 number two bedroom ground floor units in Block numbers 2 and 3 constitutes development being works to permitted structures pursuant to section 3 of the Planning and Development Act, 2000, as amended, and
- (b) the works would be exempt under Section 4(1)(h) of the Planning and Development Act, 2000, as amended, as the works are proposed to all of the ground floor apartments in the northern elevation of Block 2 and in the western elevation of Block 3, therefore being works that would not materially affect the external appearance of either Block 2 or Block 3 so as to render their appearance inconsistent with the character of the structures or of neighbouring structures:

**NOW THEREFORE** An Bord Pleanála, in exercise of the powers conferred on it by section 5 (3) (a) of the 2000 Act, hereby decides that the replacement of ground floor rear elevation window with single patio door to provide access to designated private open space of 10 number two bedroom ground floor units in Blocks numbers 2 and 3 Riverwalk Court, Ratoath, County Meath is development and is exempted development.

### **Matters Considered**

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

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**Terry Prendergast**  
**Member of An Bord Pleanála**  
**duly authorised to authenticate**  
**the seal of the Board.**

**Dated this            day of            2020.**