

## Comhairle Chontae na Mí

Teach Buvinda, Bóthar Átha Cliath, An Uaimh,  
Contae na Mí, C15 Y291

Fón: 01 - 9097000/Fax: 046 - 9097001

R-phost: customerservice@meathcoco.ie

Web: www.meath.ie

Uimhir Chláraithe: 00172770



## Meath County Council

Buvinda House, Dublin Road, Navan,  
Co. Meath, C15 Y291

Tel: 046 - 9097000/Fax: 046 - 9097001

E-mail: customerservice@meathcoco.ie

Web: www.meath.ie

Registration No.: 00172770

14<sup>th</sup> August 2019

Our Ref: LBS51933

Your Ref: ABP-305080 -19

Mark Lawlor  
Administrative Assistant  
An Bord Pleanála  
64 Marlborough Street  
Dublin 1

File Number: LBS51933 ABP: 305080 -19

Applicant: Margaret O'Donoghue

Appellant: 1<sup>st</sup> party

Development Address: Alverno House, Laytown, Co Meath.

Development description: Whether a caravan park/mobile home park to the rear of Alverno House is or is not development or is or is not exempted development at Alverno House, Laytown, Co Meath.

Dear Mark

Please find enclosed a copy of the file LBS51933 as requested.

There are history documents relating to this file.

Our Ref: SA50001 Your ref: PL 17.211501

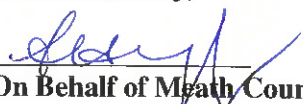
Our Ref: SA20035 Your ref: PL 17.130819

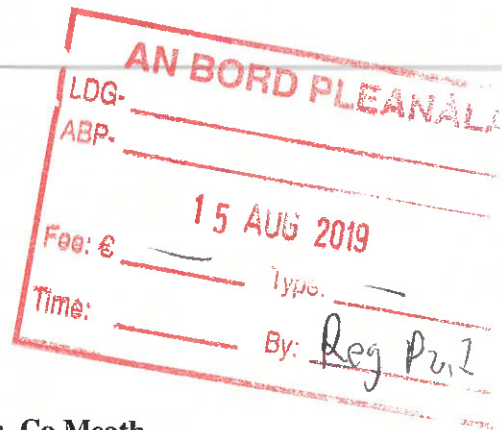
AND Unauthorised development cases

Our Ref: UD19/043 AND UD14059

Should you have any further queries please do not hesitate to contact us.

Yours faithfully,

  
On Behalf of Meath County Council



“PLEASE NOTE: Personal Data may have been submitted as part of this planning application, a copy of which is attached in order for you to assess the application on appeal. Therefore, you are now Joint Data Controller of this information.



MEATH COUNTY COUNCIL

Planning Department  
Buvinda House  
Dublin Road  
Navan  
Co Meath  
046 - 9097500

Planning & Development Act 2000- 2018

DECLARATION

To: Margaret O'Donoghue

c/o John Dineen  
Cordoogan  
Monasterboice  
Co Louth

**PLANNING REFERENCE  
NUMBER:**

LB/S51933

**APPLICATION RECEIPT DATE:**

18/06/2019

**FURTHER INFORMATION DATE:** N/A

In pursuance of the powers conferred upon them by the Planning and Development Act 2000-2018, Meath County Council has by order dated 11.7.2019 decided to Declare the proposed development is **development requiring planning permission**, in accordance with the documents submitted namely: **Caravan park/mobile home park to rear of Alverno House, Laytwn, Co Meath**

Date: 11.7.2019

M. Loughran  
On Behalf of Meath County Council

NOTE:

1. Any appeal against a Declaration of a Planning Authority under Section 5, sub-section 3(a) of the Planning and Development Act 2000 may be made to An Bord Pleanala by the applicant **WITHIN FOUR WEEKS** beginning on the date of issue of the Declaration.
2. Appeals should be addressed to An Bord Pleanala, 64 Marlborough Street, Dublin 1. An appeal by the applicant should be accompanied by this form. The fee for an appeal against a Declaration of the Planning Authority is € 220.

**For more information on Appeals you can contact An Bord Pleanala at:**

Tel: 01 - 8588100 or LoCall: 1890 275 175

Fax: 01 - 8722684

E-mail: [bord@pleanala.ie](mailto:bord@pleanala.ie)

Web: [www.pleanala.ie](http://www.pleanala.ie)



**MEATH COUNTY COUNCIL**

**CHIEF EXECUTIVE ORDER**

**Chief Executive Order Number:** L1048/19  
**Reference Number:** LB/S51933  
**Subject:** Declaration under Part 1, Section 5, Planning and Development Act-2000-2018

---

**Name of Applicant:** Margaret O'Donoghue

**Address:** c/o John Dineen  
Cordoogan  
Monasterboice  
Co Louth


**Nature of Application:** Caravan park/mobile home park to rear of Alverno House, Laytown, Co Meath

**Location of Development:** Alverno House, Laytown, Co Meath

**DECLARATION:** This development is development requiring Planning Permission.

**ORDER:**

Being satisfied that all requirements relating to the Application have been complied with and to consider the proper Planning and Development of the County Meath Health District, IT IS HEREBY DECIDED, in pursuance of the above Act to declare that this is **DEVELOPMENT REQUIRING PLANNING PERMISSION.**

**SIGNED:**   
On Behalf of Meath County Council

**DATE:** 11.07.2019



Meath County Council



Planning Report

|                                 |   |
|---------------------------------|---|
| <b>To:</b>                      | Pat Gallagher, Senior Planner                                       |
| <b>From:</b>                    | Sandra McCormack , Graduate Planner                                 |
| <b>Date:</b>                    | 8 <sup>th</sup> July 2019   |
| <b>File Number:</b>             | LBS51933  |
| <b>Applicant:</b>               | Margaret O' Donoghue  |
| <b>Development Address:</b>     | Alverno House, Laytown, Co. Meath.                                  |
| <b>Application Type:</b>        | Section 5 Exemption Certificate                                     |
| <b>Development Description:</b> | Caravan park/mobile home park to the rear of Alverno House, Laytown |
| <b>Decision due date:</b>       | Monday 15 <sup>th</sup> July 2019                                   |

**1.0 Introduction:**

The applicant is seeking a declaration as to whether the following is or is not exempted development, in accordance with Section 5 of the Planning and Development Act 2000-2018:

- Caravan park/mobile home park to the rear of Alverno House, Laytown

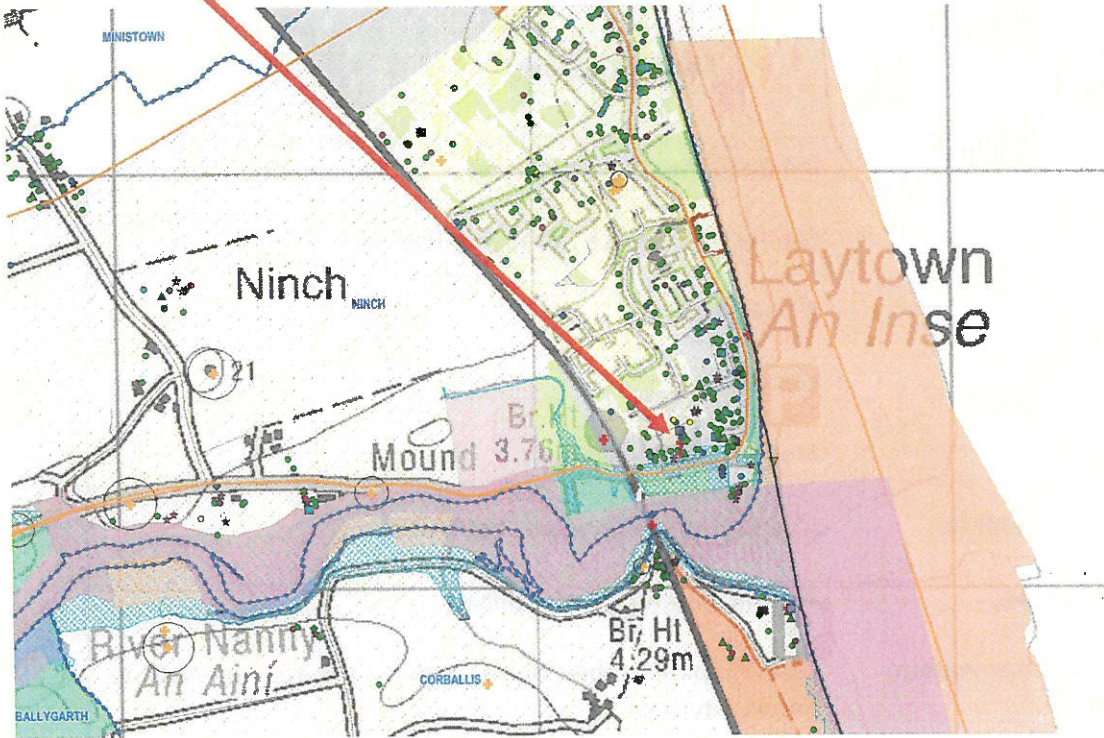
The applicant is the land owner in this case.

**2.0 Site location:**

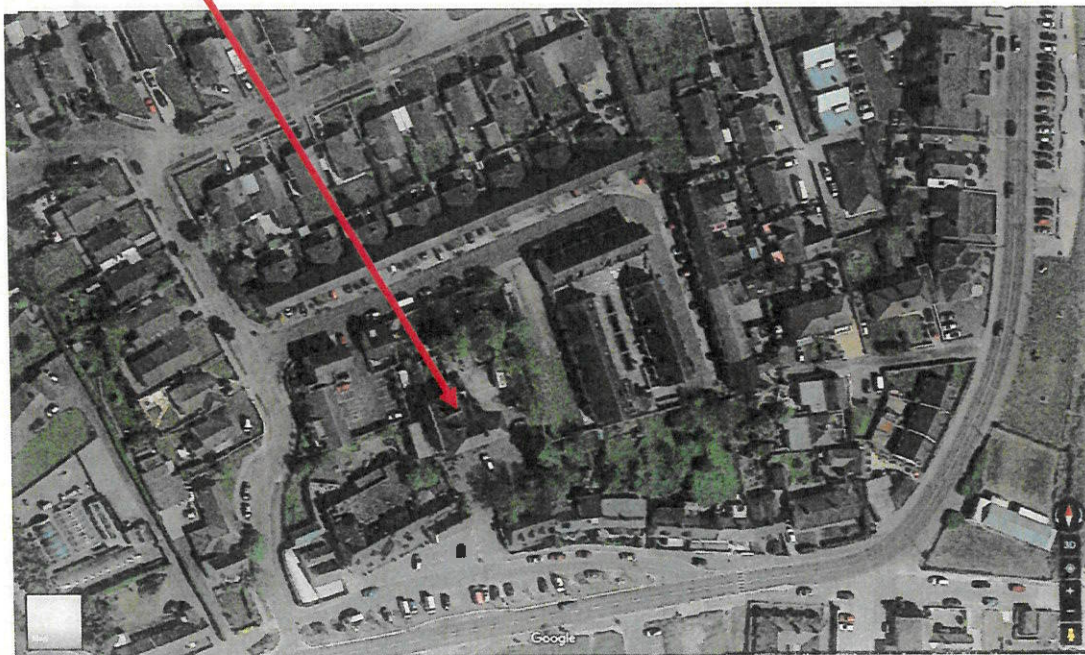
The subject site is located in the town land of Ninch in the village of Laytown. There is a 3 storey dwelling on site which is a protected structure (site code MH028-305). There are 3 mobile homes located to the rear of this building. The site is zoned B1 in the Meath County Development Plan 2013-2019 and has an objective to 'protect, provide for/ or improve town and village centre facilities and uses.' The site is located within the geological site of MH008 (Laytown to Gormanstown) which is described as a coastal plain including sea cliffs. The SPA 'River Nanny Estuary and Shore' (site code

004158) is located 190 metres east of the site. The site is accessed from local road L16170-0. There is a proposed Natural Heritage Area 'Laytown Dunes/Nanny Estuary' (site code 000554) located 130 metres south of the site. There are a mix of residential and commercial units to the front (south) of the site with additional residential units to the east and north.

Site location:



Site location:





## Planning History:

**UD19/043:** Alleged unauthorised development on site.

Status: Ongoing.

**UD14059:** Unauthorised development – Case closed.

**SA50001:** Planning permission refused by An Bord Pleanala to Joe Costello for Block A - one number three storey building to provide three number shops at ground floor level; three number three bedroom duplex apartments over with roof terrace and private balconies; Block B - one number three storey building with one number two bedroom apartment on ground floor level; one number three bedroom duplex apartment over with private balconies ; ten number car parking spaces at front of building to rear of Alverno Hotel; three number parking bays at rear of Block A ; landscaped areas; new access to property via front of recently constructed road, off Beach Grove estate as granted under planning permission ref no. SA20035; shop signage; boundary walls and railings, service and ancillary site works, all at site to the side and rear

**SA20035:** Conditional planning permission granted by An Bord Pleanala to Joseph Costello for 16 no. 1 and a half story residences & ancillary car parking; 14 no. 2 bed maisonettes plus 4 no. 1 bed apartments together with ancillary under deck level car parking bin & bicycle stores and above deck shared open terrace; 1 no. 2 bed town house, 2 no. 2 bed apartments and 2 ground floor medical or other professional service office units totalling 104 sq. m with 2 no. 1 bed apartments @ 1st floor level and associated secure parking to the rear of Block C with bin & bicycle stores; a 700m linear park; landscaping; access road from Beach Grove estate; boundary works at the side and rear of the Alverno Hotel; services and ancillary site works.

00/1359: Planning permission refused to Joseph Costello for 48 no. self contained living units in 6 no. two storey blocks of 8 No. each with access from Beach Grove & associated site works with site layout and boundaries revised from current application ref. no. 00/1359 on site to side and rear.

## 4.0 Relevant Legislation:

The Planning Authority has regard to:

- (a) **Section 3 (1)** of the Planning and Development Act 2000-2018 indicates that: '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 of use of any structures or other land.
- (b) **Section 4 (1)** of the Planning and Development Act 2000-2018 states that regulations may be provided for any class of development which may be considered as exempted development.
- (c) **Section 4 (1) (h)** of the Planning and Development Act 2000-2018 states that exempted development is 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;

- (d) Article 9 (1) of the Planning and Development Regulations 2001-2018 outlines the circumstances in which development to which article 6 relates shall not be exempted development.

## 5.0 Assessment

The applicant is seeking a declaration as to whether the following is or is not exempted development, in accordance with Section 5 of the Planning and Development Act 2000-2018. Section 5 (1) of the Planning and Development Act 2000-2018 states that 'any person may' request a declaration on that question. In this instance the applicant is the owner. An application is being made by the owner of the property seeking a declaration as to whether or not a Caravan park/mobile home park to the rear of Alverno House, Laytown is or is not exempted development.

A site location map, site layout map Section 5 application form and a cover letter have been submitted with this application. Drawings and elevations have not been supplied in respect of the application. The cover letter supplied with the application contends that the use of the site as a caravan park is an established activity. The report comments that the caravan park has reduced in size since the construction of housing to the rear.

In 2002 permission was granted for a residential scheme on the site to the north (rear) of Alverno House. The Planners Report of SA20035 under 'Site Description' notes that this site was occupied by a number of caravans at that time. The site layout map submitted under this 2002 application indicates that the area subject of this application is outside of the red line boundary of the 2002 application. It also indicates that in 2002 the area subject of this application was occupied by mature trees and there did not appear to be any caravans within this area on the site.

A google earth search of the site from 2005 to present day does not indicate signs of an operational caravan park on the site during this time period of 14 years. No documentary evidence has been supplied with the application form indicating that the site has recently been operating as an authorised Caravan Park. On site inspection the mobile homes on site did not appear to be in tourism related use but rather that as permanent residential use. Garden sheds were also observed near the mobile homes.



Fig. 2 Mobile home 2 & 3



According to **Section 3 (1)** of the Planning and Development Act 2018 '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 of use of any structures or other land. **Section 4 (1)** of the Planning and Development Act 2000-2018 states that regulations may be provided for any class of development which may be considered as exempted development. On consideration of the above it is viewed that the positioning of mobile homes on this site constitutes 'development' in the context of **Section 3 (1)** of the Planning and Development Act 2000-2018 and therefore requires planning permission.

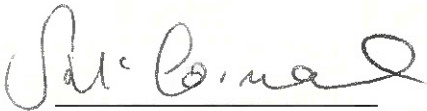
### Conclusion and Recommendation

In considering this application, regard has been had to:

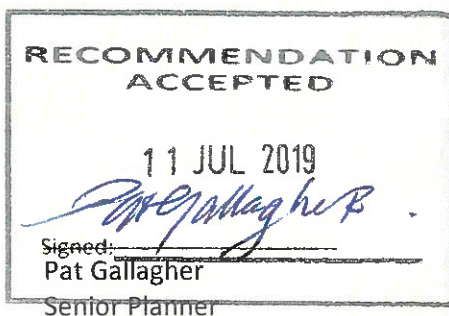
- Sections 3(1) of the Planning and Development Acts 2000-2018;
- Section 4(1) and Section 4 (1) (h) of the Planning and Development Acts 2000-2018.
- Article 9 (1) (iii) and (vi) of the Planning and Development Regulations 2018.

The proposed development is considered to be development and is **not exempted development** within the meaning of the Planning and Development Acts 2000-2018.

It is recommended that an exemption certificate be **refused** as the proposed development is not considered exempted development according to Article 9 (1) (iii) and (vi) of the Planning and Development Regulations 2018 and Section 3 (1), Section 4 (1) and Section 4(1)(h) of the Planning and Development Acts 2000-2018.



Sandra McCormack  
Graduate Planner



Meath County Council  
Planning Department  
Buvinda House  
Dublin Road  
Navan  
Co. Meath C15 Y291  
REG: 00172770

Phone: 046 909 7000 Fax: 046 909 7001

---

**Internal referral**

Planning Application Ref: LB/S51933

Previous Ref. No's:

25/06/2019  
Joe McGarvey  
Transportation

**Applicant: Margaret O'Donoghue**

**Agent: John Dineen**

Margaret O'Donoghue has applied on 18/06/2019 for **SECTION 5 REFERRAL** for caravan park/mobile home park to rear of Alverno House, Laytown, Co Meath.

Submissions/Observations in relation to this application must be received by the planning authority within the period of two weeks beginning on the date of receipt by the Planning Authority of the application.

Any Submission or Observation made to the Planning Authority in relation to this application before the decision is made on the application will be taken into account by the Planning Authority in making its decision.

Please let me have your report on this application by 06/07/2019

D McKeever

---

On behalf of Meath County Council.



Meath County Council  
Planning Department  
Buvinda House  
Dublin Road  
Navan  
Co. Meath C15 Y291  
REG: 00172770

Phone: 046 909 7000 Fax: 046 909 7001

---

**External Consultants**

Planning Application Ref: LB/S51933

Previous Ref. No's:

**25/06/2019**

The Manager, Dev Apps Unit  
Dept of Culture, Heritage & Gaeltacht  
Newtown Road  
Wexford

**Applicant: Margaret O'Donoghue**

**Agent: John Dineen**

Margaret O'Donoghue has applied on 18/06/2019 for **SECTION 5 REFERRAL** for caravan park/mobile home park to rear of Alverno House, Laytown, Co Meath.

Submissions/Observations in relation to this application must be received by the planning authority within the period of two weeks beginning on the date of receipt by the Planning Authority of the application.

Any Submission or Observation made to the Planning Authority in relation to this application before the decision is made on the application will be taken into account by the Planning Authority in making its decision.

Please let me have your report on this application by 06/07/2019

D McKeever

---

On behalf of Meath County Council.





Meath County Council  
Planning Department  
Buvinda House  
Dublin Road  
Navan  
Co. Meath C15 Y291  
REG: 00172770

Phone: 046 909 7000 Fax: 046 909 7001

---

**Internal referral**

Planning Application Ref: LB/S51933

Previous Ref. No's:

**25/06/2019**

Robert Miles

Conservation Officer

**Applicant: Margaret O'Donoghue**

**Agent: John Dineen**

Margaret O'Donoghue has applied on 18/06/2019 for **SECTION 5 REFERRAL** for caravan park/mobile home park to rear of Alverno House, Laytown, Co Meath.

Submissions/Observations in relation to this application must be received by the planning authority within the period of two weeks beginning on the date of receipt by the Planning Authority of the application.

Any Submission or Observation made to the Planning Authority in relation to this application before the decision is made on the application will be taken into account by the Planning Authority in making its decision.

Please let me have your report on this application by 06/07/2019

D McKeever

---

On behalf of Meath County Council.



**JOHN DINEEN B.E.,M.I.E.I., C. Eng**

*Consultant Engineer*



Castle View  
Cordoogan  
Monasterboice  
Co. Louth

Tel.: 041-9826299  
Fax.: 041-9826299  
Mobile: 087-9411669  
email: johnadineen@eircom.net

---

Planning Department  
Meath County Council  
Buvinda House  
Dublin Road  
Navan  
Co. Meath

---

14<sup>th</sup> June 2019

**Re: Application for Declaration on Development and Exempted Development under Part 1, Section 5 of the Planning & Development Act, 2000. Premises Alverno House, Laytown, Co. Meath.**

Dear Sir/Madam,

With reference to the above and to alleged unauthorised development ref. no. UD19/043 I have been engaged by property owner Margaret O'Donoghue to apply formally to the Council for an exemption certificate in relation to the placing of mobile homes to the rear of Alverno House. As previously stated the area in question is part of what was a much larger long established Caravan Park. The Park has been reduced in size since the construction of the housing to the rear.

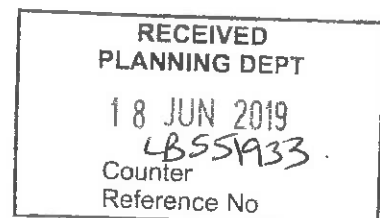
Yours Faithfully,

  
John Dineen

Enclosed Documents

Completed Application Form  
Site Location Map 1:2500  
Layout Area 1: 500

*as per* €50  
20







PLANNING DEPARTMENT  
MEATH COUNTY COUNCIL  
BUIVINDA HOUSE  
DUBLIN ROAD  
NAVAN  
CO. MEATH  
18/06/2019 11:03:49

Receipt No. : PLANDEPT/0/70901

MARGARET O'DONOGHUE  
ALVERNO HOUSE  
LAYTOWN  
CO. MEATH

|                        |       |
|------------------------|-------|
| EXEMPTION CERTIFICATES | 80.00 |
| GOODS                  | 80.00 |
| VAT Exempt/Non-vatable |       |

Total : 80.00 EUR

Tendered :  
CHEQUES 80.00

Change : 0.00

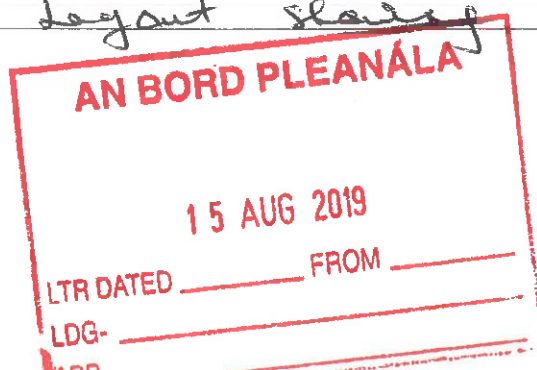
Issued By : AMANDA SMYTH  
From : PLANNING DEPARTMENT



**APPLICATION FORM - DECLARATION ON DEVELOPMENT & EXEMPTED DEVELOPMENT**

Part 1 Section 5 of Planning and Development Act 2000-2014, as amended.

1. Name: Margaret O'Donoghue  
Address: Alverno House, Laytown, Co. Meath  
Phone No: \_\_\_\_\_ E-mail: \_\_\_\_\_
2. Address for correspondence:  
Address: John Dineen (Agent)  
Cardoogan, Monasterboice, Co. Kild  
Phone No: 087 9411629 E-Mail: john.dineen@eircom.net
3. Location of Development and/or Subject Site: Alverno House, Laytown
4. Description of Development: Caravan park / mobile home park to rear of Alverno House
5. Will the development take place within the curtilage of a dwelling house?  
Please tick as appropriate: YES  NO
6. ~~Y/N~~ / does development take place in / on a Protected Structure or within the curtilage of a Protected Structure?  
Please tick as appropriate: YES  NO  *Existed prior to listing*
- 6(b) If "YES", has a Declaration under Section 57 of the Planning & Development Act 2000 - 2014, as amended, been requested or issued for the property by the Planning Authority?  
Please tick as appropriate: YES  NO
7. State overall height of structure if applicable: 2.5m each
8. State in square metres the floor area of the proposed development:  
\_\_\_\_\_
9. List of plans / drawings etc. submitted: layout plans location







10. Please state applicants interest in this site

owner

If applicant is not the owner of site, please provide name & address of owner:

N/A

11. Are you aware of any enforcement proceedings connected to this site?

Please tick as appropriate: YES  NO

11 (b), If "YES" please supply details:

UD 19/043

12. Are you aware of any previous planning application/s on this site?

Please tick as appropriate: YES  NO

12 (b), If "YES" please supply details:

N/A

SIGNED: J. Dineen

DATE: 12.6.2019

#### NOTES

1. Application Fee of €80
2. Application shall be accompanied by:
  - 2 copies of site location map to scale 1:2500 clearly showing the site outlined in red and the extent of the site boundaries, the position of existing structures, etc., and the proposed work.
  - 2 drawings to scale (1:200) of the proposed development (including floor plan and elevations), if appropriate.
  - Two site layout plans to scale 1:500 if appropriate. Please submit 2 copies of any additional plans/reports etc. you may wish to include as part of the application.

Application shall be forwarded to: Meath County Council, Planning Department, Buvinda House, Dublin Road, Navan, Co. Meath.  
Contact Details: Phone: 046 9097500 Fax: 046 9097001  
Email: [planning@meathcoco.ie](mailto:planning@meathcoco.ie)

