Comhairle Contae Lú
Louth County Council

Section 5 Declaration - Application Form

Declaration as to whether development constitutes Exempted Development

Please read "Guidance Notes" before completing this form

Guidance Notes

1. The purpose of Section 5 of the Planning and Development Act 2000, as amended, is to establish if a particular development is or is not development and if it is or is not exempted development within the meaning of the Planning Act.

   (a) A person seeking a determination must ensure under Question 7 (of the application form below) that a question is posed and that the question is clear, for example, is the construction of a shed development and is it or is it not exempted development. Details are then required of the shed so the planning authority can determine if the shed is exempt.

   (b) The question to be determined should be clear as to whether it relates to an existing development or a proposed development. Details of the nature, size and location of the proposed development should be submitted and appropriate plans and elevations.

   (c) If the question is not clear to the Planning Authority, the Section 5 application will be returned as invalid.

2. Any person may, on payment of the prescribed fee, currently €80.00 request in writing from the Planning Authority a declaration on a question as whether a particular type of development is exempt.

3. The Planning Authority is required to make a decision within 4 weeks of receipt of a valid Declaration Request however the Planning Authority can also request Additional Information if it is considered that insufficient information has been submitted.

4. Any person issued with a declaration may, on payment to the Board of such fee as may be prescribed, currently €220.00 refer a declaration for review by the Board within 4 weeks of the date of the issuing of the declaration.

5. A planning authority is required to consider whether the development or proposed development identified in the request would be likely to have significant effects on the environment by virtue, at the least, of the nature, size or location of such development.

Section 5 Declaration - Application Form

1. **Name and address of person seeking the declaration:**

Felicity Butterly

Phone Number: [redacted]

2. **Name and address of agent (if any):**

Declan Walsh
Main Road, Tullyallen Village, Drogheda, Co. Louth, A92HX72

Phone Number: 041-9841602 E-Mail: declanwalshdesign@gmail.com

3. **Name and address for all correspondence (if not completed, correspondence will be sent to person seeking declaration)**

Declan Walsh
Main Road, Tullyallen Village, Drogheda, Co. Louth
A92HX72

4. **Interest in site of the person seeking declaration:**

OWNER

(If applicant is not freehold owner of the property in question, please provide name and address of owner if known)

5. **Location and full address of development referred to in Question 7**

LINNS, ANNAGASSAN, Co. Louth

6. **Eircode OR Grid Co-ordinates must be submitted. Grid references may be found on Google Maps or at https://irish.gridreferencefinder.com**

X: 707989 , Y: 793993

7. **Question for determination under Section 5 (See Note 1 above).**
The question must be framed in the following format, i.e. Is the construction of a shed development and is it or is it not exempted development:

IS THE REWILDING AND NATURAL REGENERATION DEVELOPMENT PROJECT INCLUDING AN ANICILLARY ON-SITE STRUCTURE/SHED, DEVELOPMENT AND IS IT OR IS IT NOT EXEMPTED DEVELOPMENT?

8. **Does the development consist of works to be carried out to an existing or proposed protected structure?** Yes ☐ No ☑

If Yes, has a Declaration under Section 57 of the Planning and Development Act 2000 been requested or issued for the property by the Planning Authority?

_____

_____

I certify that the aforementioned is correct.

Signature of Applicant: _____ **Date** 5th May 2026

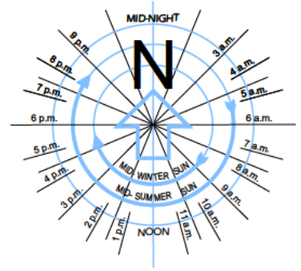
Please include one copy of the following documents with this application form:

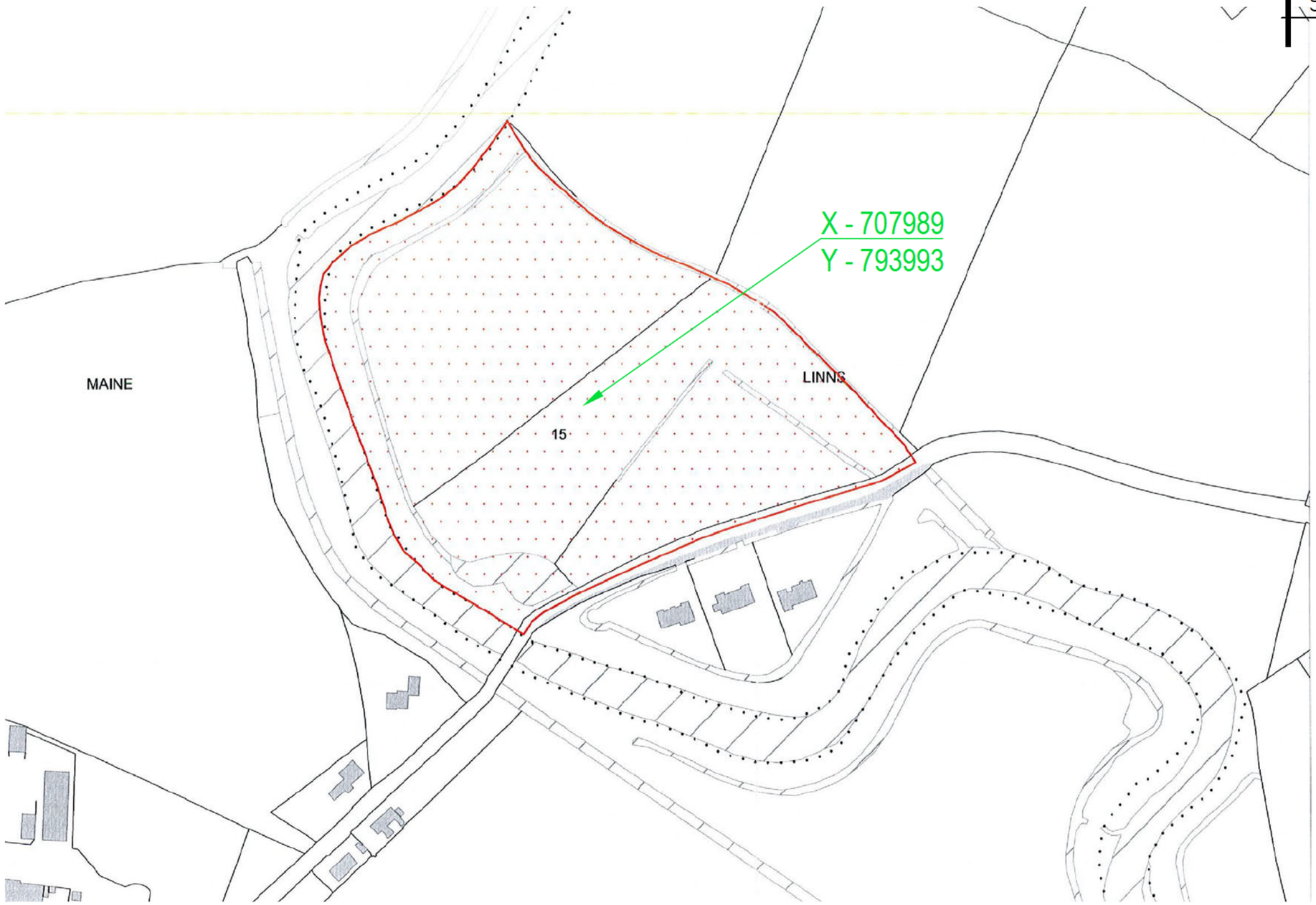
- **Site Location Map**: (Scale 1:1000) 1:2500
- **Site Layout Map:** (Scale 1:200 or 1:500) 1:1000 DUE TO SITE AREA
- **Floor Plans & Elevations**: (Scale 1:50, 1:100 or 1:200) **Existing & Proposed, where applicable**
- **Application fee:** (€80)

Completed Application Form & Fee of €80.00 may be sent to:

Planning Office, Louth County Council, Town Hall, Crowe Street, Dundalk, County Louth, A91W20C
OR
by email to planninggroup@louthcoco.ie with contact details to arrange payment of fee.

SECTION 5 DECLARATION
USE ONLY





SITE LOCATION MAP SCALE 1:2500

TOTAL SITE AREA 5.245ha (52450m^2)

OSI REF NO.: 1954-A & 1953-B

NOTES:
Figured dimensions only to be taken from drawings.
All dimensions to be checked on site before work commences and Surveyor to be informed of any discrepencies.
All work is to comply with the current Building Regulations.
This drawing is copyright.
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NOTES:
THIS DRAWING IS FOR SECTION 5 DECLARATION USE ONLY. THIS IS NOT A CONSTRUCTION STAGE DRAWING.

REV.:	DATE:	COMMENTS:

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B.Sc.(Hons) MSCSI MRICS (SCSI S3 Accredited Conservation Surveyor)
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Main Road, Tullyallen Village, Drogheda, Co. Louth A92HX72
Tel: 041 9 4 1602 [redacted] Email: declanwalshdesign@gmail.com

CLIENT:
FELICITY BUTTERLY

PROJECT:
REWILDING AND NATURAL REGENERATION DEVELOPMENT PROJECT AT LINNS, ANNAGASSAN, CO. LOUTH

TITLE:
SITE LOCATION MAP

SCALE: 1:2500 @A3	DESIGN BY: D.W.
DATE:	DRAWN BY: A.P.
PROJECT NO.:	DRAWING NO.: 01-

NOTES:
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CLIENT:
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PROJECT:
REWILDING AND NATURAL REGENERATION DEVELOPMENT PROJECT AT LINNS, ANNAGASSAN, CO. LOUTH

TITLE:
SITE LAYOUT PLAN

SCALE: 1:1000 @A3	DESIGN BY: D.W.
DATE:	DRAWN BY: A.P.
PROJECT NO.:	DRAWING NO.: 02-

SITE BOUNDARY OUTLINE IN RED

YURT - FOR SUMMER PRIVATE CAMPING USE ONLY
(APPROXIMATE LOCATION)

ANCILLARY ON-SITE STRUCTURE/SHED IN CONNECTION WITH THE REWILDING AND NATURAL REGENERATION DEVELOPMENT PROJECT

EXISTING AGRICULTURAL SITE ENTRANCE

DRAINAGE DITCH

DRAINAGE DITCH

SIGHT VISIBILITY IN EXCESS OF 75.0m FROM EXISTING SITE ENTRANCE AT A SET BACK DISTANCE OF 4.5m

SIGHT VISIBILITY IN EXCESS OF 75.0m FROM EXISTING SITE ENTRANCE AT A SET BACK DISTANCE OF 4.5m

L6217 - LYNNS
SPEED LIMIT 60 km/h

GRASS VERGE
GRASS VERGE
GRASS VERGE
GRASS VERGE

75000
150
75000
150

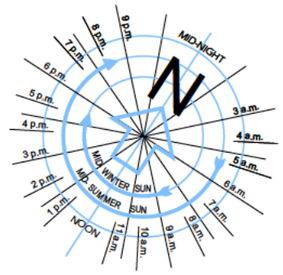
ROAD EDGE
ROAD EDGE

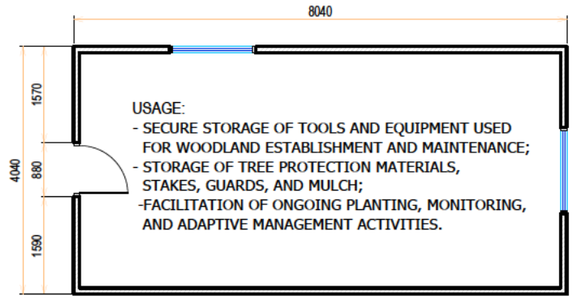
MID-NIGHT
N
MID WINTER SUN
MID SUMMER SUN
NOON

SECTION 5 DECLARATION USE ONLY

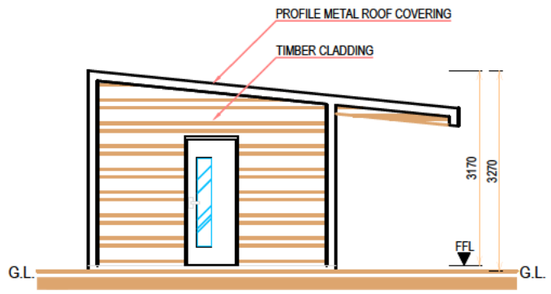
SITE LAYOUT PLAN SCALE 1:1000
TOTAL SITE AREA 5.245ha (52450m^2)

SECTION 5 DECLARATION
USE ONLY

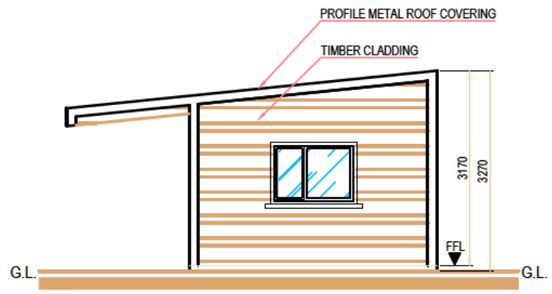




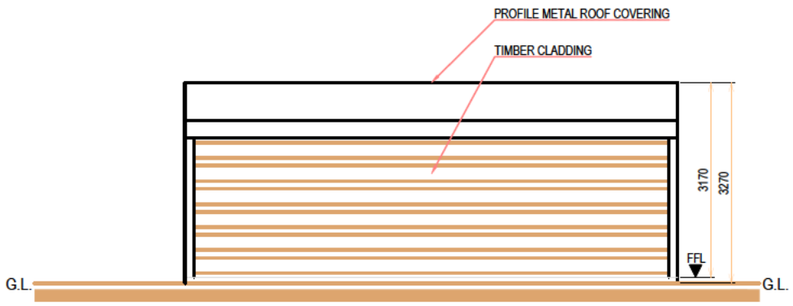
FLOOR PLAN (SCALE 1:100)
AREA 30.00m²



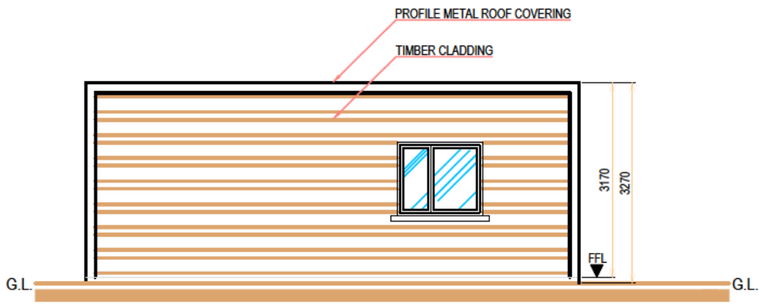
FRONT ELEVATION (SCALE 1:100)



REAR ELEVATION (SCALE 1:100)



SIDE ELEVATION (SCALE 1:100)



SIDE ELEVATION (SCALE 1:100)

EXISTING STRUCTURE / SHED SCALE 1:100

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CLIENT:
FELICITY BUTTERLY

PROJECT:
REWILDING AND NATURAL REGENERATION DEVELOPMENT PROJECT AT LINNS, ANNAGASSAN, CO. LOUTH

TITLE:
EXISTING STRUCTURE / SHED

SCALE: 1:100 @A3	DESIGN BY: D.W.
DATE:	DRAWN BY: A.P.
PROJECT NO.:	DRAWING NO.: 03-

SECTION 5 DECLARATION
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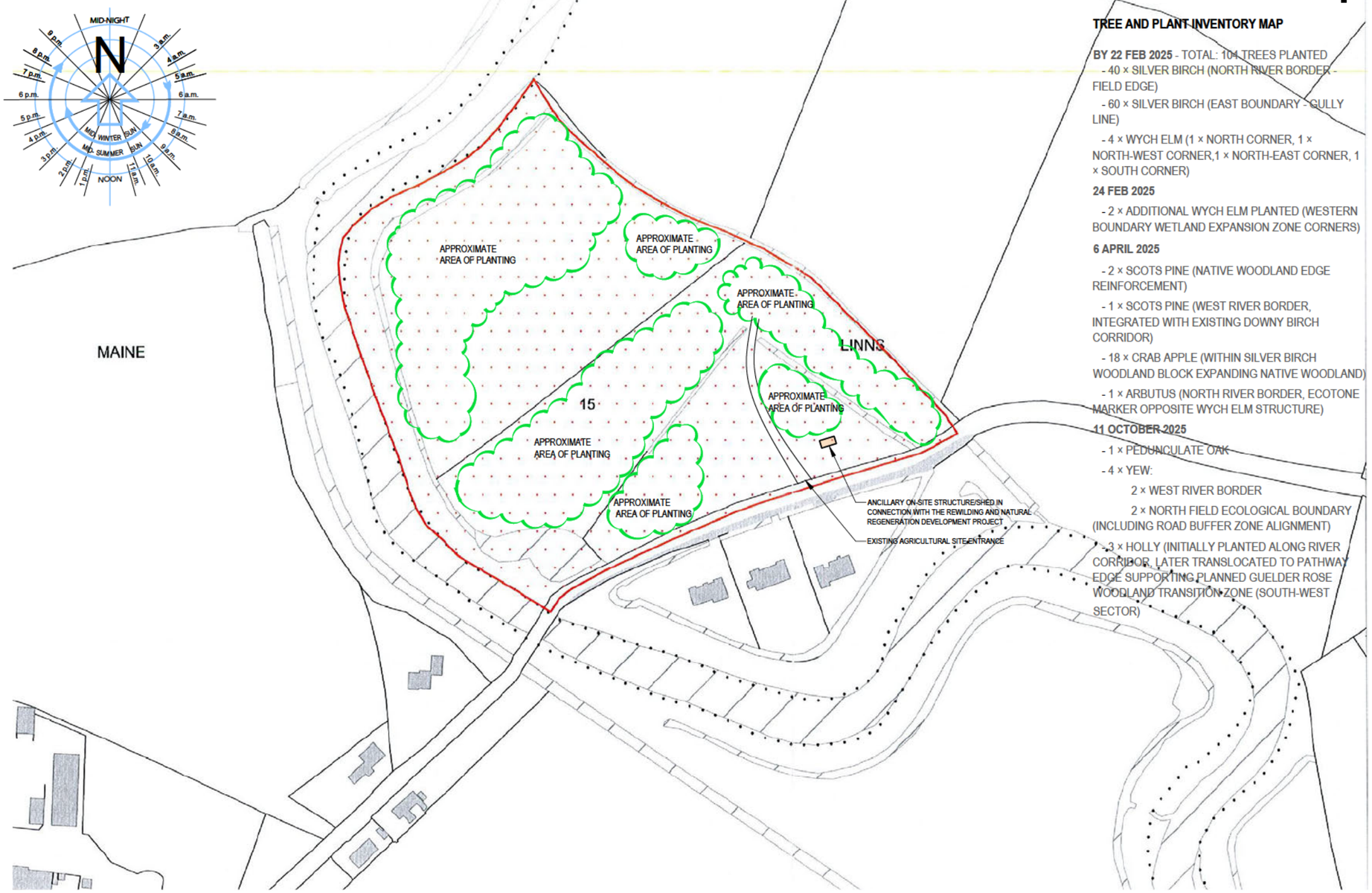

TREE AND PLANT INVENTORY MAP

BY 22 FEB 2025 - TOTAL: 104 TREES PLANTED
- 40 × SILVER BIRCH (NORTH RIVER BORDER - FIELD EDGE)
- 60 × SILVER BIRCH (EAST BOUNDARY - GULLY LINE)
- 4 × WYCH ELM (1 × NORTH CORNER, 1 × NORTH-WEST CORNER,1 × NORTH-EAST CORNER, 1 × SOUTH CORNER)

24 FEB 2025
- 2 × ADDITIONAL WYCH ELM PLANTED (WESTERN BOUNDARY WETLAND EXPANSION ZONE CORNERS)

6 APRIL 2025
- 2 × SCOTS PINE (NATIVE WOODLAND EDGE REINFORCEMENT)
- 1 × SCOTS PINE (WEST RIVER BORDER, INTEGRATED WITH EXISTING DOWNY BIRCH CORRIDOR)
- 18 × CRAB APPLE (WITHIN SILVER BIRCH WOODLAND BLOCK EXPANDING NATIVE WOODLAND)
- 1 × ARBUTUS (NORTH RIVER BORDER, ECOTONE MARKER OPPOSITE WYCH ELM STRUCTURE)

11 OCTOBER 2025
- 1 × PEDUNCULATE OAK
- 4 × YEW:
  - 2 × WEST RIVER BORDER
  - 2 × NORTH FIELD ECOLOGICAL BOUNDARY (INCLUDING ROAD BUFFER ZONE ALIGNMENT)
- 3 × HOLLY (INITIALLY PLANTED ALONG RIVER CORRIDOR, LATER TRANSLOCATED TO PATHWAY EDGE SUPPORTING PLANNED GUELDER ROSE WOODLAND TRANSITION ZONE (SOUTH-WEST SECTOR)

20 DEC 2025
- 46 × HAZEL (NORTH FIELD NEAR SHED AND NEW STREAM CORRIDOR)
- 1 × SESSILE OAK (NORTH FIELD, ARBUTUS ALIGNMENT ZONE)

23-30 DEC 2025: MAJOR BIODIVERSITY PLANTING BLOCK
- 50 × GUELDER ROSE (SOUTH-WEST DESIGNATED WET WOODLAND TRANSITION ZONE)
- 2 × GUELDER ROSE (HAZEL WOODLAND EDGE BOUNDARY)
- 70 × WILD CHERRY (STREAM CORRIDOR MARGINS)
- 50 × ROWAN (NORTH FIELD STRUCTURAL DIVERSITY PLANTING)
- 25 × SPINDLE (NATIVE WOODLAND UNDERSTOREY ENHANCEMENT)
- ADDITIONAL 16 × WILD CHERRY (DISTRIBUTED PLANTING, INCLUDING RIVER MARGINS AND BIRCH WOODLAND INTEGRATION)
- 2 × WILD CHERRY (ADJACENT TO SHED ZONE)

29-30 DEC 2025:
- 29 × GUELDER ROSE (NORTH FIELD PARALLEL TO SILVER BIRCH CORRIDOR AND RIVER MARGIN ZONE)
- 21 × GUELDER ROSE (STREAM-ADJACENT FOOTPATH AND WETLAND ACCESS CORRIDOR)

2 JAN 2026:
- 50 × ROWAN (TRANSITION ZONE BETWEEN ARBUTUS AND YEW CORRIDOR)

3 JAN 2026:
- 50 × SPINDLE:
- 11 COMPLETING GUELDER ROSE HEDGEROW LINE
- 39 FORMING PARALLEL UNDERSTOREY WOODLAND STRIP ADJACENT TO ROWAN PLANTING

JAN-10 FEB 2026
- 7 × SESSILE OAK PLANTED IN PARALLEL STRUCTURAL ROWS
- 7 × ALDER PLANTED IN PARALLEL COMPANION ROWS
- 7 × HAWTHORN
- 7 × HAZEL
- 7 × ROWAN
- 7 × DOWNY BIRCH
- 2 × BLACK POPLAR
- 2 × ASPEN
- 1 × WHITEBEAM
- 2 × SCOTS PINE (REFERRED LOCALLY AS "BURREN PINE" PLANTINGS WITHIN MIXED CONIFER REINFORCEMENT STRIP)

PLANTING MAP SCALE 1:2500
TOTAL SITE AREA 5.245ha (52450m^2)

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REWILDING AND NATURAL REGENERATION DEVELOPMENT PROJECT AT LINNS, ANNAGASSAN, CO. LOUTH

TITLE:

SCALE: @A3	DESIGN BY: D.W.
DATE:	DRAWN BY:
PROJECT NO.:	DRAWING NO.:

Recorded Native Planting & Rewilding Implementation Schedule

Site: [13-acre holding, County Louth]

Period Covered: Jan 2025 – May 2026

1. Establishment Phase – Winter Bare Root Planting (2024–2025 season continuation)

January 2025

- Tree and plant inventory, identification of fly tipping, species tracking and rewild design.

February 2025 (Site establishment & initial woodland structuring)

- 6 Feb 2025
  - Preparation for bare root planting within optimal seasonal window.
- By 22 Feb 2025 – Total: 104 trees planted
  - 40 × Silver Birch (north river border – field edge)
  - 60 × Silver Birch (east boundary – gully line)
  - 4 × Wych Elm:
    - 1 × north corner
    - 1 × north-west corner
    - 1 × north-east corner
    - 1 × south corner
- 24 Feb 2025
  - 2 × additional Wych Elm planted:
    - Western boundary wetland expansion zone corners

Note: During this phase, need for secure storage/field operations infrastructure (shed) identified due to intensity of planting, shelter and welfare from weather, and land management works.

2. Spring Structural Planting & Habitat Integration (April 2025)

6 April 2025

- 2 × Scots Pine (native woodland edge reinforcement)
- 1 × Scots Pine (west river border, integrated with existing Downy Birch corridor)
- 18 × Crab Apple (within Silver Birch woodland block expanding native woodland)
- 1 × Arbutus (north river border, ecotone marker opposite Wych Elm structure)

3. Site Stabilization & Land Management Interventions (2025 Interim Between Planting Period)

April–October 2025

- Construction of shed (field operations base established)
- Creation of two irrigated drainage ditches forming seasonal stream flow
- Formation of bunds using excavated soils for wetland edge reinforcement and protection
- Removal of approx. 0.5 tone household waste – removed in black plastic bags to Oxigen a waste disposal company (fly tipping clearance)
- Soil testing completed (baseline ecological condition established)
- Removal of barbed wire fencing (wetland boundary + inter-field ditch line)
- Installation of 3 × bat boxes:
  - 2 on shed structure
  - 1 on gate infrastructure (all installed Aug 2025)

4. Autumn Native Woodland Expansion (October 2025)

11 October 2025

- 1 × Pedunculate Oak
- 4 × Yew:
  - 2 × west river border
  - 2 × north field ecological boundary (including road buffer zone alignment)
- 3 × Holly:
  - Initially planted along river corridor
  - Later translocated to pathway edge supporting planned Guelder Rose woodland transition zone (south-west sector)

5. Pre-Winter Ground Preparation & Hydrological Testing (Nov 2025)

November 2025

- 18 Nov 2025:
- Trial hole excavation for Wild Cherry woodland zone
  - Rapid water ingress observed → confirmed high groundwater interaction zone along stream corridor
- 10–20 Nov 2025:
  - Stake marking for bare root planting zones
  - Ecological zoning refinement
- 27 Nov 2025:
  - All planting holes pre-prepared for winter planting phase
  - Full species inventory review completed

6. Winter 2025–2026 Large-Scale Native Planting Phase

December 2025

- 20 Dec 2025
  - 46 × Hazel (north field near shed and new stream corridor)

    - 1 × Sessile Oak (north field, arbutus alignment zone)
- 22 Dec 2025
    - Solar panel installed at shed powering tool charging system (off-grid operational support established)
- 23–30 Dec 2025: Major biodiversity planting block
    - 50 × Guelder Rose (south-west designated wet woodland transition zone)
    - 2 × Guelder Rose (hazel woodland edge boundary)
    - 70 × Wild Cherry (stream corridor margins)
    - 50 × Rowan (north field structural diversity planting)
    - 25 × Spindle (native woodland understorey enhancement)
    - Additional 16 × Wild Cherry (distributed planting, including river margins and birch woodland integration)
    - 2 × Wild Cherry (adjacent to shed zone)
- 29–30 Dec 2025:
    - 29 × Guelder Rose (north field parallel to Silver Birch corridor and river margin zone)
    - 21 × Guelder Rose (stream-adjacent footpath and wetland access corridor)

7. Early 2026 Structural Completion Planting

January 2026

- 2 Jan 2026:
    - 50 × Rowan (transition zone between Arbutus and Yew corridor)
- 3 Jan 2026:
    - 50 × Spindle:
        - 11 completing Guelder Rose hedgerow line
        - 39 forming parallel understorey woodland strip adjacent to Rowan planting
- 5–12 Jan 2026:
    - All newly planted trees mulched and “tucked in” using bark and mulch for moisture retention and grass suppression

- No chemical protection or artificial animal exclusion methods applied (natural resilience strategy)

8. Burrenbeo Trust Award Native Woodland (Jan–10 Feb 2026)

A recognised conservation-supported planting initiative

As part of a conservation award from the Burrenbeo Trust (first award of its kind outside County Clare), a dedicated native woodland block was established between January and 10 February 2026.

This area forms a structurally designed micro-woodland using mixed native species in intentional ecological associations.

Primary canopy line

- 7 × Sessile Oak planted in parallel structural rows
- 7 × Alder planted in parallel companion rows

Understorey / biodiversity matrix (interplanted between rows)

- 7 × Hawthorn
- 7 × Hazel
- 7 × Rowan
- 7 × Downy Birch

Lower boundary (opposite Oak / Yew structural zone)

- 2 × Black Poplar
- 2 × Aspen
- 1 × Whitebeam

Upper bund / raised edge zone

- 2 × Scots Pine (referred locally as “Burren Pine” plantings within mixed conifer reinforcement strip)

Ecological Function

This woodland block

- Enhances species diversity within an already active rewilding system
- Provides a structured transition between wetland, woodland, and bunded flood-control zones
- Adds high-value native canopy species (oak–alder matrix system)
- Supports pollinator, bird, and invertebrate corridor connectivity across the wider site

9. Natural Regeneration Observations

- 22 self-propagated Blackthorn identified following:
  - Removal of barbed wire
  - Cessation of agricultural disturbance
- Natural regeneration aligned with emerging wetland and hedgerow corridors

10. Establishment Outcomes (Winter 2025–2026)

- Survival rate: 99.5%+ (all species except 4 Silver Birch from original 100 planted)
- No artificial fertilizer or chemical inputs used
- All planting survived periods of heavy rainfall and seasonal flooding
- Wetland hydrology actively integrated into planting design

This recorded timeline demonstrates:

- Permanent transition from agricultural land to actively managed rewilding system
- Establishment of multi-strata native woodland
- Development of wetland-buffered riparian corridors
- High survival and adaptation under natural hydrological stress conditions
- Emergent self-seeding native regeneration (Blackthorn)

- Functional integration of infrastructure (shed + solar) into land stewardship system

Rewilding and Natural Regeneration Project Plan

Objective and Project Overview

This statement sets out the ecological, hydrological, and land management rationale underpinning the development and associated land use on a 13-acre site. It explains core pillars of rewilding, and how the project actively contributes to flood risk engagement, water quality protection, biodiversity enhancement, and climate resilience through native woodland restoration, wetland protection, and low-impact development principles. This project outline also provides context for the functional need for a modest project required shed, located within an area now undergoing woodland establishment, and clarifies how this structure supports long-term environmental management rather than undermining it.

The goal of this project is to support a biodiverse eco-friendly habitat that integrates sustainable living with environmental restoration. The project aims to support local wildlife, enhance and protect natural water systems, and promote ecological resilience while providing a low impact recovery space for me as a front line responder in humanitarian missions.

Through integrating best practice in ecological restoration, passive design, renewable energy, and responsible land stewardship, this initiative aligns with global climate priorities as well as Louth County Council's commitment to sustainable rural development. The intention is to create a demonstrable model of small-scale, low-impact rewilding project that contributes positively to the surrounding ecosystem and community, and reflects a lifelong professional commitment to environmental and social sustainability.

Alignment with National and Regional Ecological Objectives

This project demonstrably supports national biodiversity, climate adaptation, water protection, and woodland expansion objectives through measurable, site-led ecological restoration.
Specifically, all practices throughout align with:

- Native woodland expansion and continuous-cover principles (See appendix 1 for list of guidance and polices);

- Protection and enhancement of riparian corridors and wetland (See appendix 2 for list of guidance and polices);
- Nature-based flood management and catchment-sensitive water protection (See appendix 3 for list of guidance and polices);
- Biodiversity enhancement consistent with Local Biodiversity Action Plans (See appendix 4 for list of guidance and polices);
- Pollinator-supportive planting consistent with national pollinator strategies (See appendix 5 for list of guidance and polices);
- Climate adaptation and long-term carbon sequestration objectives (See appendix 6 for list of guidance and polices.

The emphasis on indigenous species, avoidance of drainage, preservation of soil structure, and enhancement of natural hydrological processes reflects current best practice ecological guidance.

Location and Site Context

Location: The Linns
Total Area: 13.1 acres

The land lies within a hydrologically sensitive landscape influenced by seasonal flooding patterns. Flooding is understood as a natural and recurring process that can support positive climate goals rather than a condition to be engineered away.

Soil testing indicates mildly acidic conditions (approx. pH 6), typical of wet mineral soils suited to native broadleaf woodland. No soil amendment or artificial modification is proposed.

No land drainage has been carried out or is proposed. Wetland areas are being retained and enhanced, and riparian margins protected from disturbance.

Motivation & Stewardship Philosophy

From a young age, I spent approximately ten years working on my family's crab and lobster fishing boat. While the family business maintained responsible practices, such as minimizing waste overboard, it was impossible to ignore the plastic and debris that washed up along the shoreline. This early exposure to environmental degradation, coupled with my active efforts from my teens onward to clear rubbish from rivers and coasts, fostered a deep understanding of human impact on ecosystems and instilled a lifelong commitment to conservation.

Growing up in this area, I observed the local population increase, water quality decline, and the reduction of fish, birds, and wildlife, changes that directly affected family livelihoods tied to natural resources. These experiences laid the groundwork for a commitment to stewardship that integrates practical, hands-on environmental care with long-term ecological thinking.

My professional career in mental health and humanitarian response, including work addressing childhood trauma and sexual abuse, extended internationally, exposing me to the long-term consequences of poor environmental management in developing contexts. In Mozambique, during one of the first internationally recognised climate crises from cyclones Idai and Kenneth, I travelled by boat to isolated villages, witnessing plastic, debris, and contamination in local waterways. These experiences highlighted the inextricable link between environmental degradation and social vulnerability, demonstrating how climate, health, conflict, and humanitarian crises now intersect in complex polycrises.

Over the years, river clean-up and ecological restoration have become my forms of respite and recovery, allowing me to maintain the mental clarity and functional resilience needed for high-intensity humanitarian work. This project seeks to create a healthy, biodiverse space that serves both ecological restoration and personal wellbeing. In other words, a space to breathe, decompress, and continue contributing effectively in international contexts.

The initiative is deliberately non-commercial. While grant schemes provide mechanisms for woodland expansion, they are structured around defined economic models and management metrics that do not fully support adaptive, biodiversity-led restoration. Funding for this project is privately provided, allowing ecological priorities to guide planting, wetland expansion, and habitat restoration without compromise and fully in line with Irish and EU climate and ecologic principles and guidance. This land and river is protected as a long-term ecological asset rather than leveraged for short-term financial gain.

Early planting phases included native species sourced from commercial suppliers who prioritise Irish seed and or Irish raised seedlings. Subsequent planting has prioritised Irish-grown stock from Irish-collected seed, reflecting a strengthened commitment to genetic integrity, ecological resilience, and alignment with national biodiversity guidance. Observations of wildlife activity, such as foxes along riverbanks, indicate that the site is already supporting ecological connectivity and functioning predator-prey dynamics.

This project is conceived as a lifelong ecological commitment, integrating woodland establishment, wetland expansion, and biodiversity support. It demonstrates both personal responsibility and professional alignment with sustainable, long-term environmental stewardship, ensuring that the land will remain healthy, resilient, and ecologically meaningful for decades to come.

Change in Land Use

The land was historically managed for agriculture. All agricultural activities have ceased, including:

- Grazing and livestock access;
- Fertiliser and slurry application;
- Intensive ground management.

The cessation of these activities has removed diffuse pollution pressures affecting soils, wetlands, and downstream watercourses. The site is now managed for ecological restoration and low-intervention stewardship. This change is permanent.

Restoration and Expansion of Natural Wetland

This project plans to expand the existing riverside wetland to enhance biodiversity, reinforce water retention, and improve climate resilience. Wetlands store and slow water, reducing flood peaks. By holding water in the landscape they increase resilience and buffer extreme rainfall. Water pollution will be actively responded to via wetland restoration as wetlands act as natural filter, trapping sediments, nutrients and pollutants overall improving water quality in the environs.

This restoration approach aligns with Ireland's River Basin Management Plan under the EU Water Framework Directive, the National Biodiversity Action Plan, and the EU Biodiversity Strategy for 2030, all of which prioritise wetland restoration, water quality improvement, and habitat connectivity as core environmental objectives.

Wetlands can also be among the most species-rich habitats. Restoration is seeking to reconnect fragmented habitats and support birds, invertebrates, plants, amphibians and specialists that would likely struggle to survive outside a wetland environment.

The rewilding process will specifically target the multi-benefit infrastructure of a wildland through a phased approach to restore natural hydrology and contribute to an ecosystem that acts as its own support. A number of phased approaches are planned, including;

1. Hydrological restoration will be achieved through two strategies;
    a. Reducing artificial drainage; current drainage ditches will not be tampered with and low impact earthworks are established to encourage water retention without excavations.

    b. Identifying natural water flow is important and planned through a basic hydrological assessment to map water movement, drainage points, and seasonal fluctuations.
2. Vegetation enhancement;
    a. Expanding and introducing indigenous wetland plants including Typha (already present), Yellow flag Irish (already present), Bog Myrtle and Marsh Marigold[1] could further support soil stability and support habitat for insects and amphibians (current).
    b. Facilitated regeneration of marginal zones will include encouraging reeds, sedges and mosses to colonize further along water edges, while protecting young vegetation from grazing pressure with natural fencing or biodegradable barriers.
3. Habitat for wildlife
    a. Allowing deadwood and natural debris partially submerged in wetland to support perches for birds and habitat for aquatic insects.
    b. Leaf[2] litter will be allowed to accumulate to enrich water nutrients and support food chains.
4. Water quality and climate adaptation
    a. Fencing, barbed wire and dumped materials removed to restore habitat connectivity, and removed hazards to wildlife.
    b. Natural filtration by ensuring the current buffer zones with wetland grasses and establishing further shrubs to reduce runoff pollution. Current Willow plantings and further planned Willow plantings (see preservation and expansion of indigenous tree species below) can absorb excess nutrients and stabilize banks.
    c. Drought resilience and seasonal adaptation can be achieved through establishing a network of interconnected ponds to retain water during dry periods, and support the current deep water refuge in keeping clean (Removal of legacy plastic materials including historic agricultural plastics and waste) to support aquatic life.

These practices and the ultimate goal of an active re-wilding wetland adjacent to the river bank will support natural flood control and improve regional hydrology, support habitat for rare and endangered wetland species, and enhance carbon sequestration, all together aligning with the Local Biodiversity Action Plan of the Louth County Council. In addition, the indigenous woodland initiative outlined below aligns with the All-Ireland Pollinator Plan by incorporating native trees and flowering species that are conducive to pollinator health.

[1] To be actively managed in terms of spread and scope if planted.

[2] From proposed indigenous tree species.

Wetland and river corridor alignment

The site contains an established wetland running parallel to the river corridor and adjacent to engineered riverbanks installed as part of historic flood protection works. Vegetation indicators (reed beds, willow species, hydrophilic ground flora) and seasonal saturation confirm that this area functions as a riparian-associated wetland and flood storage zone.

This wetland is treated as core blue-green infrastructure providing attenuation, filtration, and biodiversity connectivity within the wider catchment.

Hydrological Approach and Existing Interventions

All active and proposed works have been designed to retain and enhance existing water pathways rather than concentrate or accelerate flow. Importantly, these approaches do not alter flood regimes, actively enhance attenuation, as well as being aligned with Irish and EU climate adaptation frameworks.

Shallow Bund Formation

- Bunds were created exclusively from spoil arising from existing on-site ditch clearance.
- No imported soil or engineered fill was introduced.
- Bund height intentionally limited and irregular (low-profile) to avoid acting as levees.
- Cross-sections remain permeable or designed for controlled overtopping during peak rainfall, reducing the risk of abrupt flooding while maintaining safety and ecological connectivity.

Functional Purpose

- Reduce surface runoff velocity.
- Increase residence time of water across vegetated ground.
- Promote gradual entry of water into the wetland mosaic (in the event of coastal flooding).

The design principles applied follow national guidance on nature-based flood risk management as promoted by the Office of Public Works (CFRAM Programme) and reflect the EU Adaptation Strategy's emphasis on working with natural hydrology rather than engineered hard defences. These approaches

reduce erosion of earth, enhance sediment deposition and maximise attenuation in the event of a flood. Where necessary, bund faces have been stabilised using:

- brush layering with locally sourced woody material;
- immediate native planting to bind soil.

Streams, Field Drains, and Roadside Ditches

Historic shallow water pathways/field drains, and the roadside ditch network were cleared of waste, historic dumping, and accumulated debris using low-impact methods (hand clearance exclusively).

Importantly:

- Channels were not deepened, straightened, or extended**.**
- Existing ditches, and flora were maintained.

These features now aim to:

- reconnect sheet flow from surrounding ground;
- support conveyance of water slowly into the flood engagement streams;
- increase residence time and lower peak flood levels elsewhere; and
- allow sediment settlement and nutrient interception prior to potentially entering the river system.

Periodic maintenance will consist only of obstruction removal to maintain conveyance without increasing drainage efficiency beyond historic conditions. In other words, slowing water moves flood management to flood engagement and shifts fast water in a destructive mode that erodes soil and fractures carbon storage, to slow water in a productive mode that grows soil, trees, insects, carbon storage and biodiversity.

Native Vegetation Establishment for Flow Regulation

Targeted planting has been undertaken on bund crests, margins, and transitional wet ground using species tolerant of periodic inundation, including guelder rose and wild cherry, alongside existing willow, blackthorn, hawthorn, elder, ash and alder communities.

Establishment methods include:

- biodegradable tree ties and stakes where exposure risk is present;

- mulching with untreated woodchip and untreated cardboard to retain moisture and reduce weed competition;
- organic seaweed and chicken pellet fertilizer;
- cluster though appropriately spaced planting to create root network reinforcement.

Functions to be delivered:

- soil binding and erosion reduction;
- roughness that slows overland flow;
- increased evapotranspiration and interception;
- structural habitat diversity.

Removal of redundant fencing (barbed wire and posts) and legacy dumping has aimed to restore uninterrupted surface flow pathways and wildlife movement corridors.

Ongoing Wetland Management and Potential Expansion

Future management will prioritise:

- continued absence of land drainage;
- selective scrub management to retain wetland character;
- additional native planting along moisture gradients;
- monitoring of water levels and sediment deposition.

Any expansion will follow observed hydrological behaviour rather than engineered excavation.

Exploratory River Access (Jetty) – Design Parameters

A small, non-intrusive river access structure may be considered in the future subject to separate assessment and consent.

Indicative design parameters:

- lightweight timber or recycled composite deck;
- open pile or post supports (no bank infill);

- floating or hinged connection to accommodate fluctuating water levels;
- installation methods avoiding bank excavation or removal of established riparian vegetation.

This element is not part of the current application and is referenced only to demonstrate long-term, controlled engagement with the river environment.

Monitoring, Inspection, and Maintenance Commitments

A light-touch but structured monitoring and maintenance programme will be implemented to ensure that all flood-engagement measures continue to function as intended without increasing drainage intensity or disturbing wetland ecology.

Hydrological Observation

- Seasonal visual inspections following significant rainfall events to observe flow pathways, overtopping behaviour, and areas of standing water.
- Informal level markers within the wetland to track typical seasonal variation.
- Recording of any evidence of erosion, sediment accumulation, or altered flow patterns.

Bund and Soil Stability

- Monthly inspection of bund integrity, including crest levels and side slopes.
- Repair of minor erosion using on-site materials, brush layering, or additional native planting.
- No raising or reinforcement that would convert bunds into impermeable barriers.

Ditches, Streams, and Conveyance Features

- Periodic clearance limited to removal of blockages such as litter, fallen branches, or excessive debris.
- No deepening, widening, or regrading of channels beyond their existing historic profile.
- Maintenance timed outside peak nesting and sensitive ecological periods where feasible.

Vegetation Establishment and Management

- Replacement of failed young trees during early establishment years.
- Adjustment or removal of tree stakes and ties as woodland structure develops.
- Retention of wetland and riparian vegetation to preserve filtration and flow-slowing functions.
- Selective management only where vegetation begins to obstruct natural water dispersion across the wetland.

Access Route Performance

- Inspection following heavy rainfall to confirm permeability and absence of channelisation.
- Localised topping-up of permeable aggregate within geocell sections where settlement occurs.
- Avoidance of sealing, kerbing, or compaction that would alter surface water movement.

Adaptive Management

- All interventions will follow a "do no harm" principle[3], with adjustments based on observed hydrological behaviour rather than engineered modification.
- Any significant future works will be reviewed with ecological and engineering input prior to implementation.

Biodiversity and wildlife monitoring

Ongoing land management observations have identified fox activity along the riverbanks, including scat deposits, suggesting the presence of a functioning small-mammal and predator dynamic. Such indicators demonstrate early ecological connectivity and habitat suitability for a range of native species. An ecological survey as part of long term project management is scheduled.

Native Woodland Restoration and Management

This woodland restoration approach aligns with Ireland's Forestry Programme 2023-2027, including the Native Woodland Conservation Scheme and Continuous Cover Forestry principles promoted by Teagasc, as the EU Forest Strategy for 2030. The tree establishment underway is native woodland restoration through natural regeneration and enrichment planting. The approach contributes to long-term carbon sequestration through permanent tree cover, increased soil organic matter, and avoidance of carbon-intensive land modification such as imported fill or drainage. The species mix to host all Irish indigenous tree and bramble species as well as site led designs enhances climate adaptation by increasing resilience to heavier rainfall events, extended wet periods, and temperature variability.

This project plans to protect existing native trees and enhance biodiversity through multi-tier approaches, including;

[3] A core principle of preparedness, emergency, and humanitarian response.

1. Site-led species selection. The site already supports indigenous species indicative of wet and transitional soils including alder, willow, hawthorn, blackthorn, elder, and ash. These species demonstrate long standing site suitability for indigenous species and inform further planting decisions.
    a. Preservation of existing indigenous species; An ongoing inventory has identified key native species already thriving on the property and actively encouraged with protection from grazing and disturbance allowing spontaneous woodland development to continue:
        i. Alder, bramble and willow mix already providing natural 'hedging' along the riverbank, which improves soil fertility and supports wetland ecosystems.
        ii. Ash providing habitat for insects and birds.
        iii. Blackthorn and Hawthorn essential for pollinators, nesting birds and small mammals.
        iv. Elder offering nectar for birds, and edibles for birds and mammals.
        v. Goat Willow strengthening wetland edges, preventing erosion, and providing essential nutrition for pollinators.
        vi. Golden weeping Willow absorbing excess water, supporting attenuation and capturing carbon dioxide efficiently.

    Overall, these species support native wildlife, notably pollinators and bird populations, while also preventing soil erosion and improves water retention in the wetland area. These already present indigenous species contribute to local genetic diversity, however this is increased with the planned (and underway) planting of further native species to eventually meet all 28 (29[4]) species in place across the 13.1 acres.

    b. Enrichment planting species and rationale; An active role has also been taken in rewilding by planting additional species:
        i. Hazel (46) provides nuts for wildlife and dense understorey habitat for birds and small mammals.
        ii. Guelder rose (100) offers berries for birds and supports pollinators.
        iii. Wild cherry (100) supplies nectar for pollinators as well as fruit for birds and mammals.
        iv. Oak (1 sessile, 1 pedunculate) supports 100s of insect species, further providing roosting and nesting for birds.
        v. Yew (4) gives dense evergreen shelter for birds and smaller mammals.
        vi. Rowan (100) produces berries for birds in winter and supports pollinators in spring.
        vii. Spindle (100) provides flowers for pollinators and berries for birds.

[4] Black poplar not yet determined to be indigenous i.e. in place in Ireland prior to the closure of land bridges.

viii. Holly (4) supports wintering bird populations, supporting greenery all year round and therefore the understory necessary for all year ecological balance.
ix. Birch Silver (100) and Birch Downy (2) enhance biodiversity and improve air quality.
x. Arbutus (1) is an exceptionally rare indigenous evergreen that will support pollinators.
xi. Crab Apple (18) enhances soil health and supports edibles for wildlife.
xii. Scot's pine (3) as the only indigenous conifer is essential for native bird species and potential further support to carbon sequestration.
xiii. Wych Elm supports very specific butterfly species and contributes to canopy diversity.

The placement of these species reflects soil moisture gradients, flood tolerance, soil pH (approximately pH 6, mildly acidic), and existing vegetation communities. Enrichment planting supports local ecological networks through the introduction of complementary species and reinforces the health of the overall habitat diversity benefiting flora and fauna. Finally it expands on any potential carbon sequestration aiming to overall support climate mitigation.

Pending indigenous species further planned include Aspen, Cheery Bird, Juniper, White Beam, Willow Eared, and Willow Grey. A further Hazel (7), Hawthorn (7), Oak (7), Elder (7), Rowan (7), Downy birch (7), Scot's pine (Burren reared) (2), and Spindle (2), as well as new Black poplar (Burren reared) (2), and Aspen (2) scheduled March 2026 as part of the Hare's Corner project in partnership with the Burren trust.

This diversity enhances resilience to disease, climate variability, and extreme weather while maximizing biodiversity and carbon sequestration benefits. Species selection and structural diversity are also consistent with the All-Ireland Pollinator Plan, supporting nectar, pollen, and overwintering resources across seasons.

Long term tree management to ensure sustainability and resilience of this rewilded landscape include the following;

Site-led species selection: Tree and shrub species were selected and positioned according to site conditions and ecological function. Silver birch was planted along the river (riparian border) to stabilize the bank and support riparian biodiversity. Oak trees were given generous spacing to accommodate long-term growth, while ash, alder, and blackthorn were reinforced along the riparian edges alongside Scots pine and yew, creating structurally diverse shelterbelts. Existing rewilding areas were largely left intact to preserve naturally regenerating trees, with wild cherry and hazel added near stream edges. In the central section, spindle and rowan were planted in parallel, evenly spaced lines, complemented by crab apple, silver birch, and wild cherry plantings. Guelder rose and hazel was sited in wetter areas to

utilize high soil moisture. This site-led approach ensures species are matched to soil, moisture, and microhabitat conditions**,** enhancing ecological resilience, biodiversity, and natural wetland function.

Irregular spacing and mixed age structure: Coppicing and sustainable woodland management for species including Hazel, Willows and Ash will encourage multi-stem growth, and encourage a supply of young tress preventing over-maturation. This further aims to facilitate cover for wildlife. Thinning or transplanting of weaker trees will support stronger specimens to grow and offer growth space and nutrition to weaker trees. Deadwood retention is important as it ensures essential habitat for insects, nesting birds and fungi.

Natural regeneration and rewilding: Already established indigenous trees to regenerate naturally helps to maintain ecological balance, while supplementing regeneration with intentional planting of underrepresented species aims to create diversity and climate adaptability. While non-native species will not be removed, further will not be planted where they could threaten local eco-systems.

Long-term ecological function rather than yield to enhance tree protection and minimal soil disturbance: Natural barriers and tree guards will be used to protect trees from browsing wildlife, while planting will be highly intentional to encourage deep root systems that will contribute to and be supported by soil improvement and controlled watering. The selection of indigenous species is intentional to plant species best suited to current and future weather patterns and anticipated soil conditions.

These practices aligns with continuous-cover native woodland principles and recognized natured based solution for climate and water management. In other words, they are in line with long term ecological balance, climate adaption through tree species that can withstand changing environmental conditions, and habitat stability by providing a sustainable sanctuary for wildlife and plant diversity.

Permanent native woodland cover and wetland restoration contribute to national climate mitigation and land-use objectives under Ireland's Climate Action Plan and the EU LULUCG Regulation through long-term sequestration and soil carbon retention.

Seed Provenance and Plant Sourcing

Plant sourcing has increasingly prioritised Irish-grown stock raised from Irish-collected seed through native seed networks and biodiversity initiatives.

Early planting phases included a limited number of native species sourced through commercial nurseries whose documentation reflects EU provenance standards but does not in all cases confirm

Irish seed origin. Subsequent procurement has prioritised Irish provenance in line with national guidance on genetic integrity and ecological resilience.

These measures support objectives within the County Louth Biodiversity Action Plan and contribute to landscape-scale habitat connectivity adjacent to the Dundalk Bay Natura 2000 site.

Professional Consultation

Informal consultation has taken place with Teagasc forestry advisory services regarding site suitability for native woodland establishment. Notably;

''Your property is not within the wader bird layer, the high nature value farmland layer, the semi-natural grassland layer nor the peat layer. There are no archaeological sites on your property, but there is an old ecclesiastical site on your neighbours land to the north. This is far enough away so that your tree planting should not impinge on it. Dundalk bay is a Natura2000 site (Special Protected Area & Special Area of Conservation) (Archaeology & Natura 2000 map).'' Kevin O' Connell, Teagasc March 2026

Mapping review confirms:

- Appropriate afforestation suitability;
- Compatible soil conditions;
- No archaeological constraints identified;
- No SAC or SPA designation affecting the site;
- No peat soils present.

Technical guidance has informed species selection and planting layout. Supporting documentation is included in Appendix 7.

Functional Need for Project Shed

A modest shed is required to support the long term ecological management of the site. Its functions include:

- secure storage of tools and equipment used for woodland establishment and maintenance;
- storage of tree protection materials, stakes, guards, and mulch;
- facilitation of ongoing planting, monitoring, and adaptive management activities.

The shed was established prior to the surrounding enrichment planting on its specific site and is now visually and ecologically integrated within the developing woodland. As the trees mature, the structure will become increasingly screened and absorbed into the landscape. The shed does not introduce agricultural intensification or commercial activity. Instead, it supports the practical implementation of the woodland restoration and land stewardship objectives described in this statement.

Design Ethos and Environmental Safeguards

Across the site, design decisions are guided by a clear principle: avoid harm rather than mitigate it later. Key things to avoid include;

- Imported fill that would displace floodwater and disrupt soil hydrology.
- Drainage that would accelerate runoff.
- Introduction of vegetation species poorly suited to wet soils.

This proposal seeks to support biodiversity conservation efforts, enhance natural flood management, contribute to the woodland's natural regeneration and carbon sequestration, and advance renewable energy adoption. Essentially to facilitate natural processes to function wherever possible, activating ecological repair within a working landscape shaped by previous agricultural practices and climate change. This initiative aligns with national strategies, ecosystem restoration via wetland resilience and support for indigenous species, and demonstrates low impact responsible development.

	Restoration & expansion of natural wetland	Enhancement of bird nesting areas	Preservation and expansion of indigenous tree species
Environmental benefits	Wetlands act as natural water filters, improve flood resilience, and provide critical habitats for bird species (avifauna), and indigenous flora and fauna.	Protects existing bird populations and encourages breeding for local and migratory species.	Indigenous trees support native insects, birds and mammals while improving soil stability and carbon sequestration.
Planning benefits	Enhances water retention and biodiversity in the	Contributes to LouthCOCO biodiversity action plan, ensuring	Supports LouthCOCO reforestation and biodiversity targets,

	Restoration & expansion of natural wetland	Enhancement of bird nesting areas	Preservation and expansion of indigenous tree species
	region, aligning with LouthCOCO conservation priorities.	habitat protection and species conservation.	complementing broader environmental policies.

Monitoring and Adaptive Management Commitments

A structured but light-touch monitoring programme will ensure long-term function without increasing drainage intensity or disturbing wetland ecology.

Commitments include:

- Seasonal hydrological observation;
- Inspection of bund stability;
- Limited obstruction removal from ditches;
- Replacement of failed young trees;
- Adjustment of tree supports as woodland develops;
- Adaptive management based on observed site behaviour.

Ref. Kevin O'Connel, Teagasc

Final Statement

This initiative represents a long-term, non-commercial commitment to ecological stewardship. It integrates flood engagement, wetland restoration, indigenous woodland expansion, and low-impact living into a coherent nature-based system. It applies the core principles of rewilding as an umbrella for core pillars including

- **Restoration of natural processes**
- **Native species recovery & structural diversity**
- **Habitat connectively** i.e. landscape scale thinking and planning

- **Reduced human intervention over time** e.g. wetland expansion has included removal of barbed wire, posts and reinforced borders and hunting, and addressing legacy damage of cattle, dog and human presence, and removal of waste and rubbish.
- **Trophic & functional complexity** i.e. deadwood and leaf litter retention to support functional food webs from supporting insects to supporting birds to supporting small mammals to supporting larger mammals and the essential predator prey dynamics.
- **Climate resilience & carbon storage**, and fundamentally
- **Long-term ecological permanence** by shifting the land use to permanent ecological trajectory with wetlands not interim flood basin, and forestry not rotational clear-fell.

The objective is not financial extraction but ecological restoration, climate adaptation, and biodiversity enhancement sustained over decades.

Felicty Butterly

Appendices

Appendix 1 Native Woodland Expansion & Continuous-Cover Principles

- Department of Agriculture, Food and the Marine; Ireland's Forestry Programme 2023–2027
- Department of Agriculture, Food and the Marine; Forestry Standards Manual (latest edition)
- Department of Agriculture, Food and the Marine; Native Woodland Conservation Scheme
- Teagasc; Continuous Cover Forestry guidance

EU Framework

- European Commission; EU Forest Strategy for 2030
- European Commission; EU Biodiversity Strategy for 2030

Appendix 2 Protection & Enhancement of Riparian Corridors and Wetlands

Irish Policy

- Office of Public Works; the CFRAM Programme
- Environmental Protection Agency; the Water Framework Directive implementation guidance
- Department of Housing, Local Government and Heritage; the River Basin Management Plan for Ireland
- National Parks and Wildlife Service; the Natura 2000 conservation objectives (relevant given Dundalk Bay SPA/SAC)

EU Law

- European Commission; the Water Framework Directive
- European Commission; the Habitats Directive

Appendix 3 Nature-Based Flood Engagement & Catchment-Sensitive Water Protection

Irish Frameworks

- Office of Public Works; CFRAM Programme & Nature-Based Solutions guidance
- Department of Housing, Local Government and Heritage; National Flood Risk Management Plans
- Environmental Protection Agency; Catchment Science & Management publications

EU Level

- European Commission; EU Adaptation Strategy

Appendix 4 Biodiversity Enhancement Consistent with Local Biodiversity Action Plans

Irish

- National Parks and Wildlife Service; National Biodiversity Action Plan (current edition)
- County Louth Biodiversity Action Plan year (2021-2026)[5].

EU

- European Commission; EU Nature Restoration Regulation (2024)

Appendix 5 Pollinator-Supportive Planting

- National Biodiversity Data Centre; All-Ireland Pollinator Plan
- National Parks and Wildlife Service; National Biodiversity Action Plan pollinator targets

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- [5] Louth is working on a **2025–2030 plan**, following national guidance under Ireland's 4th National Biodiversity Action Plan (NBAP) which requires all local authorities to have updated plans by end of 2026.

The All-Ireland Pollinator Plan is extremely useful because it is practical, measurable, and already aligned with EU targets.

Appendix 6 Climate Adaptation & Long-Term Carbon Sequestration

Irish

- Department of the Environment, Climate and Communications; Climate Action Plan (latest edition)
- Climate Change Advisory Council; Carbon Budgets[6]

EU

- European Commission; EU Climate Law
- European Commission; LULUCF Regulation (Land Use, Land Use Change & Forestry)

[6] Specifically, through the tree planting and preservation, wetlands slow expansion and protection, no peatland presence, reduced emission from previously degraded land state, afforestation principles [les through tree planting in line with species type and soil suitability, the project sits squarely within the carbon budget and land-use domain.

Appendix 7 Teagasc consultation maps

Linns Archeological and Natura Sites 2000.

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02-Mar-2026

Contract: **n/a**

Scale 1:5000

Linns NTA Layer.

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02-Mar-2026

Contract: **n/a**

Scale 1:5000

Schedule Of Documentation Accompanying Section 5 Declaration Application

Names of Applicants: Felicity Butterly

Location & Description Of Development: Linns, Annagassan, Co. Louth.
Rewilding And Natural Regeneration Development Project.

Name & Address of Agent:

Declan P. Walsh & Co.

B.Sc. (Hons) MSCSI. MRICS Chartered & Registered Building Surveyor
SCSI S3 Accredited Conservation Surveyor

Architecture & Planning, Building Surveying, Conservation

Tel: 041 9841602 [redacted]
E-Mail: declanwalshdesign@gmail.com
Main Road, Tullyallen, Drogheda, Co. Louth A92HX72

	Quantity	Dwg. No.	Scale
Schedule of Documentation	1	N/A	N/A
Section 5 Declaration Application Form	1	N/A	N/A
Site Location Map	1	01-1544	1:2500
Site Layout Plan	1	02-1544	1:1000
Existing Structure - Shed	1	03-1544	1:100
Tree and Plant Inventory Map	1	04-1544	1:100
Recorded Native Planting And Rewilding Implementation Schedule	1	N/A	N/A
Rewilding and Natural Regeneration Project Plan	1	N/A	N/A
Fee: €80.00	1	N/A	N/A

Checked By: _____ Date: 6/5/2026.

LOUTH COUNTY COUNCIL

Felicity Butterly
c/o Declan Walsh
Main Road
Tullyallen Village
Drogheda
Co Louth
A92 HX72

29th May 2026

Re: Ref. S5 2026/29

Application for Declaration of "Exempted Development" Part 1, Section 5 Planning & Development Act, 2000 (as amended) as to 'Is the rewilding and natural regeneration development project including an ancillary on-site structure/shed development and is it or is it not exempted development.'

Dear Sir/Madam,

I wish to acknowledge receipt of your application received on 7th May 2026 in relation to the above. Having assessed all information and enclosures received with the application, the Planning Authority wishes to advise as follows: -

WHEREAS a question to whether *"Is the rewilding and natural regeneration development project including an ancillary on-site structure/shed development and is it or is it not exempted development".*

AND WHEREAS the said question was referred to Louth County Council by Felicity Butterly.

AND WHEREAS Louth County Council in considering this reference, had regard reference particularly to –

(a) The definition of *"development"*, in Section 2 of the Planning and Development Act 2024,
(b) Plans and particulars forwarded to the Planning Authority on 7th May 2026
(c) Class 9 of Part 3, Schedule 2 of the Planning and Development Regulations, 2001, as amended,
(d) Article 9 of the Planning and Development Regulations, 2001 as amended,
(e) The use of the lands,
(f) The location of the structure on agricultural lands, and

(g) The site's location and proximity to, and the conservation objectives and qualifying interests of the Dundalk bay SAC and Dundalk Bay SPA.

AND WHEREAS Louth County Council has concluded on the basis of the information submitted that:

a) The placing of a 32 sqm building on lands is considered to constitute works and the use of the lands which constitute a material change of use which constitutes development under **Section 2** of the Planning & Development Act, 2024;

b) The development, being placed on the subject lands does not satisfy all the conditions and limitations for exempted development under Class 9 of Schedule 2, Part 3 of the Planning and Development Regulations 2001 (as amended), which relates to "*Agricultural Structures - Works consisting of the provision of any store, barn, shed, glass-house or other structure, not being of a type specified in class 6, 7 or 8 of this Part of this Schedule, and having a gross floor space not exceeding 300 square metres".*

c) The development does not satisfy the requirements of Article 9(1)(viiB) of the Planning and Development Regulations, 2001 (as amended) in so far as the development, under the precautionary principle, cannot be ruled out as to whether the development would require an appropriate assessment because it would be likely to have a significant effect on the integrity of a European site.

d) The development does not satisfy the requirements of Article 9(1)(viii) the Planning and Development Regulations, 2001 (as amended) in so far as the development does not 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,

NOW THEREFORE Louth 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 "*Is the rewilding and natural regeneration development project including an ancillary on-site structure/shed development and is it or is it not exempted development.,* on lands at Linns, Annagassan, Co. Louth constitutes development that is not exempted development.

In Summary

A Declaration of Exemption is hereby REFUSED for the works as detailed on the plans and particulars submitted on 17th April 2026.

This decision may be referred by you to An Coimisiún Pleanála for review within 4 weeks of the date of this letter subject to the payment of the appropriate fee.

Yours faithfully,

Brian Duffy
Planning Section

LOUTH COUNTY COUNCIL

CHIEF EXECUTIVE'S ORDER

PLANNING & DEVELOPMENT ACT 2000 (as amended)

Section 5 Exempted Development

Chief Executive's Order No:	398/2026
Reference No:	S5 2026/29
Date Application Received:	07/05/2026
Description of Development:	Is the rewilding and natural regeneration development project including an ancillary on-site structure/shed development and is it or is it not exempted development.
Name of Applicant:	Felicity Butterly
Location of Development	Linns, Annagassan, Co. Louth

WHEREAS a question to whether *"Is the rewilding and natural regeneration development project including an ancillary on-site structure/shed development and is it or is it not exempted development".*

AND WHEREAS the said question was referred to Louth County Council by Felicity Butterly.

AND WHEREAS Louth County Council in considering this reference, had regard reference particularly to –

a) The definition of *"development"*, in Section 2 of the Planning and Development Act 2024,
b) Plans and particulars forwarded to the Planning Authority on 7th May 2026
c) Class 9 of Part 3, Schedule 2 of the Planning and Development Regulations, 2001, as amended,
d) Article 9 of the Planning and Development Regulations, 2001 as amended,
e) The use of the lands,
f) The location of the structure on agricultural lands, and
g) The site's location and proximity to, and the conservation objectives and qualifying interests of the Dundalk bay SAC and Dundalk Bay SPA.

AND WHEREAS Louth County Council has concluded on the basis of the information submitted that:

a) The placing of a 32 sqm building on lands is considered to constitute works and the use of the lands which constitute a material change of use which constitutes development under **Section 2** of the Planning & Development Act, 2024;

b) The development, being placed on the subject lands does not satisfy all the conditions and limitations for exempted development under Class 9 of Schedule 2, Part 3 of the Planning and Development Regulations 2001 (as amended), which relates to "*Agricultural Structures - Works consisting of the provision of any store, barn, shed, glass-house or other structure, not being of a type specified in class 6, 7 or 8 of this Part of this Schedule, and having a gross floor space not exceeding 300 square metres".*

c) The development does not satisfy the requirements of Article 9(1)(viiB) of the Planning and Development Regulations, 2001 (as amended) in so far as the development, under the precautionary principle, cannot be ruled out as to whether the development would require an appropriate assessment because it would be likely to have a significant effect on the integrity of a European site.

d) The development does not satisfy the requirements of Article 9(1)(viii) the Planning and Development Regulations, 2001 (as amended) in so far as the development does not 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,

NOW THEREFORE Louth 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 "*Is the rewilding and natural regeneration development project including an ancillary on-site structure/shed development and is it or is it not exempted development.,* on lands at Linns, Annagassan, Co. Louth constitutes development that is **not** exempted development.

LCP Order No. 398/2026 **Reference No: S5 2026/29**

SIGNED: _____ **Date:** 29/05/2026
Eamonn McArdle
Executive Planner

ORDER: In pursuance of the powers conferred upon the Council by the above Act, I concur with the above recommendation and hereby direct that a **Declaration of Exemption be REFUSED** for development as described above.

Signed: _____ **Date: 29/05/2026**
Thomas McEvoy
Director of Service

To whom this function has been delegated in accordance with the provisions of Section 154 of the Local Government Act, 2001 by Order No. CE.S. 201/25 dated the 14th day of May 2025.

Louth County Council

Section 5 Declaration

Planning Ref:	S5 2026/29
Applicant's Name:	Felicity Butterly
Type of Application:	Section 5 Declaration
Development:	the rewilding and natural regeneration development project including an ancillary on-site structure/shed development and is it or is it not exempted development.
Site Location:	Linns, Annagassan, Co Louth
Due Date:	03rd June 2026
Report Date:	27th May 2026

1.0 SITE LOCATION & DESCRIPTION:

The subject site is located at Linns Annagassan with Rural Policy Zone 2 along the north side of the L-6217. The existing development is situated in an agricultural field. The field is slightly below road level and is generally flat. It has its own existing entrance off the L-6217. The perimeter of the field comprises mature native hedgerow.

Site Location (Google Maps)

2.0 Planning History

There is no planning history pertaining to the field as outlined in red.

Enforcement History

There is an on-going enforcement case under REF25/159.

3.0 QUESTION FOR DETERMINATION:

The applicant has confirmed within Question 7 of the application form that the question for determination relates to the following;

Is the rewilding and natural regeneration development project including an ancillary on-site structure/shed development and is it or is it not exempted development.

The applicant has submitted an application form, a site location map, a site layout plan and plans and elevations of the building and details of tree planting.

4.0 EIA Screening and Determination

Council Directive 85/337/EEC (as amended) on the assessment of the effects of certain public and private projects on the environment ('the EIA Directive') is designed to ensure that projects likely to have significant effects on the environmental are subject to a comprehensive assessment of their environmental effects prior to development consent being given. The latest amendments to the EIA Directive are provided under Directive 2014/52/EU and Circular letter PL 1/2017.

Based on information provided and having considered the minor nature, size and location of the development, there is no real likelihood of significant effects on the environment and as such as EIAR is not required.

5.0 Appropriate Assessment

Article 6(3) of Council Directive 92/43/EEC (as amended) on the conservation of natural habitats and of wild fauna and flora ('the Habitats Directive') requires that any plan or project that is not directly connected with or necessary to the management of the Natura 2000 site concerned but is likely to have a significant effect on it, on its own or in combination with other plans and projects, is to be authorised only if it will not adversely affect the integrity of that site.

The applicant has not submitted an AA Screening Report in respect of the possible impacts ecological impacts of the proposal on the nearest Natura site(s).

The Planning Authority's Screening for Appropriate Assessment has considered the potential effects including direct, indirect and in-combination

effects of the proposed development, individually or in combination with the permitted developments and cumulatively with other plans or projects on European Sites.

The nearest designated European Sites are Dundalk Bay SAC and Dundalk Bay SPA which are c.360m to the east. The existing structure is approximately 40m from a stream which is a hydrological pathway to Dundalk Bay SAC and SPA, downstream of the site. it is noted that the site is bound by a ditch on 3 sides which drains into the Glyde River before flowing into the Dundalk Bay SAC and Dundalk Bay SPA.

Having regard to the qualifying interests and conservation objectives of the Dundalk Bay SAC (Site Code: 000455) and Dundalk Bay SPA (Site Code: 004026), it is noted that these European Sites support a range of sensitive habitats and species, including intertidal habitats, coastal lagoons, and internationally important populations of wintering birds.

The proposal involves the planting of trees on a field which may constitute, or function as, an ex-situ supporting habitat for species associated with the designated sites. Such supporting habitats, even where located outside the mapped site boundaries, can be ecologically important in sustaining the conservation interests of European Sites, particularly in relation to foraging and roosting bird species, including the Light-bellied Brent Goose, Teal and Mallard.

In the absence of a Stage 1 AA Screening Report, there is insufficient ecological information to fully characterise:

- The existing ecological function of the field,
- Its potential connectivity with Dundalk Bay SAC/SPA, and
- The likelihood of indirect or cumulative effects arising from habitat modification.

Tree planting has the potential to alter habitat structure, species composition, and ecological function, including:

- Displacement of bird species reliant on open or semi-natural habitats,
- Changes in hydrology or soil conditions, and
- Introduction of screening or disturbance effects.

Accordingly, it cannot be excluded, on the basis of objective scientific information and in the absence of a formal screening assessment, that the proposed development, either alone or in combination with other plans or

projects, would be likely to have a significant effect on the Dundalk Bay SAC and/or SPA.

In line with the precautionary principle and the requirements of Article 6(3) of the Habitats Directive, a Stage 1 Appropriate Assessment Screening Report is required to determine whether the proposal may give rise to likely significant effects on any European Site. Until such assessment is undertaken, effects on the integrity of the sites cannot be ruled out beyond reasonable scientific doubt.

6.0 LEGISLATIVE CONTEXT:

Article 6 of the Planning & Development Regulations (PDR) 2001 (as amended) states:
Article 6 of the Planning & Development Regulations, 2001 (as amended) provides (subject to the restrictions in Article 9 PDR 2001) for the classes of exempted development under column 1 of Parts 1, 2 and 3 of Schedule 2, subject, where applicable, to the conditions and limitations imposed upon such classes as set out in column 2.

Class 9 of Part 3, Schedule 2 of the Planning & Development Regulations (PDR) 2001 (as amended) provides an exemption for:
Agricultural Structures
"Works consisting of the provision of any store, barn, shed, glass-house or other structure, not being of a type specified in class 6, 7 or 8 of this Part of this Schedule, and having a gross floor space not exceeding 300 square metres".
This exemption is subject to certain conditions and limitations.

Article 9 of the Planning & Development Regulations (PDR) 2001 (as amended)
Article 9(1) provides detailing on restrictions on exemption as follows:
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,

(iiia) endanger public safety by reason of hazardous glint and/or glare for the operation of airports, aerodromes or aircraft,

(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 13 other objects of archaeological, geological, historical, scientific or ecological 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, save any excavation, pursuant to and in accordance with a licence granted under section 26 of the National Monuments Act, 1930 (No. 2 of 1930),

(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,

(viiB) comprise development in relation 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.

(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.

Section 2 of the Planning and Development Act 2024, states that:
"development" has the meaning assigned to it by Section 2, and "develop" shall be construed accordingly.

"exempted development" has the meaning specified in Section 2.
"habitable house" means a house which—

(a) is used as a dwelling,
(b) is, or forms part of, a derelict site within the meaning of the Derelict Sites Act 1990 that is not in use but was most recently used (disregarding any unauthorised use) as a dwelling, or
(c) a house that was provided for use as a dwelling but has not been occupied as a dwelling.

"house" means a building or part of a building that—

(a) is, or was most recently, occupied as a dwelling,
(b) was most recently provided for use as a dwelling but has not been occupied as a dwelling, or

(c) in the case of a building or part of a building containing more than one apartment, flat or other dwelling, each such apartment, flat or dwelling.

"structure" means

(a) a building, edifice, construction, excavation, or other thing constructed or made on, in or under any land, or a maritime site, or any part thereof,

(b) the land or maritime site on, in or under which such building, edifice, construction, excavation, other thing or part is situated

"unauthorised development" means, in relation to land or a maritime site –

(a) unauthorised works (including the construction, erection or assembly of an unauthorised structure), or

(b) an unauthorised use.

"works" includes an act or operation –

(a) of construction, excavation, demolition, extension, alteration, repair or renewal (including in relation to a protected structure, a proposed protected structure or a structure situated in an architectural conservation area), on, in, over or under land or a maritime site,

(b) consisting of the application of plaster, paint, wallpaper, tiles or other material to the surface of a protected structure or proposed protected structure or the removal of plaster, paint, wallpaper, tiles or other material from such surface, and

(c) consisting of the application of plaster, paint, wallpaper, tiles or other material to the exterior of a structure situated in an architectural conservation area or the removal of plaster, paint, wallpaper, tiles or other material from such exterior.

"Unauthorised works" means any works on, in, over or under land or a maritime site, other than –

(a) exempted development,

(b) development carried out in accordance with –

(i) a permission granted under Part IV of the Act of 1963 or deemed to be so granted under section 92 of that Act,

(ii) a permission granted under section 34, 37G, 37N or 293 of the Act of 2000,

(iii) a permission granted under section 9 of the Planning and Development (Housing) and Residential Tenancies Act 2016 , or

(iv) a permission granted under Part 4,

Section 2 of the Planning and Development Act 2024, states that:

"Development" means –

(a) the carrying out of works –

(i) on, in, over or under land, or

(ii) the sea, seabed or any structure, in the maritime area,

or

(b) the making of a material change in the use of—

(i) land or any stricture on land, or

(ii) the sea, seabed or any structure, in the maritime area,

and includes the reclamation of land in the nearshore area.

Section 4(1)(i) of the Planning and Development Act 2000, as amended, states that:

The following shall be exempted developments for the purposes of this Act:

development consisting of the thinning, felling and replanting of trees, forests and woodlands, the construction, maintenance and improvement of non-public roads serving forests and woodlands and works ancillary to that development, not including the replacement of broadleaf high forest by conifer species;

Section 5 of the Planning and Development Act 2000, as amended, states that:

(1) If any question arises as to what, in any particular case, is or is not development or is or is not exempted development within the meaning of this Act, any person may, on payment of the prescribed fee, request in writing from the relevant planning authority a declaration on that question, and that person shall provide to the planning authority any information necessary to enable the authority to make its decision on the matter.

(2) *(a)* Subject to *paragraph (b)*, a planning authority shall issue the declaration on the question that has arisen and the main reasons and considerations on which its decision is based to the person who made the request under *subsection (1)*, and, where appropriate, the owner and occupier of the land in question, within 4 weeks of the receipt of the request.

(b) A planning authority may require any person who made a request under *subsection (1)* to submit further information with regard to the request in order to enable the authority to issue the declaration on the question and, where further information is received under this paragraph, the planning authority shall issue the declaration within 3 weeks of the date of the receipt of the further information.

(c) A planning authority may also request persons in addition to those referred to in *paragraph (b)* to submit information in order to enable the authority to issue the declaration on the question.

Section 32 of the Planning and Development Act 2000, as amended, states that:

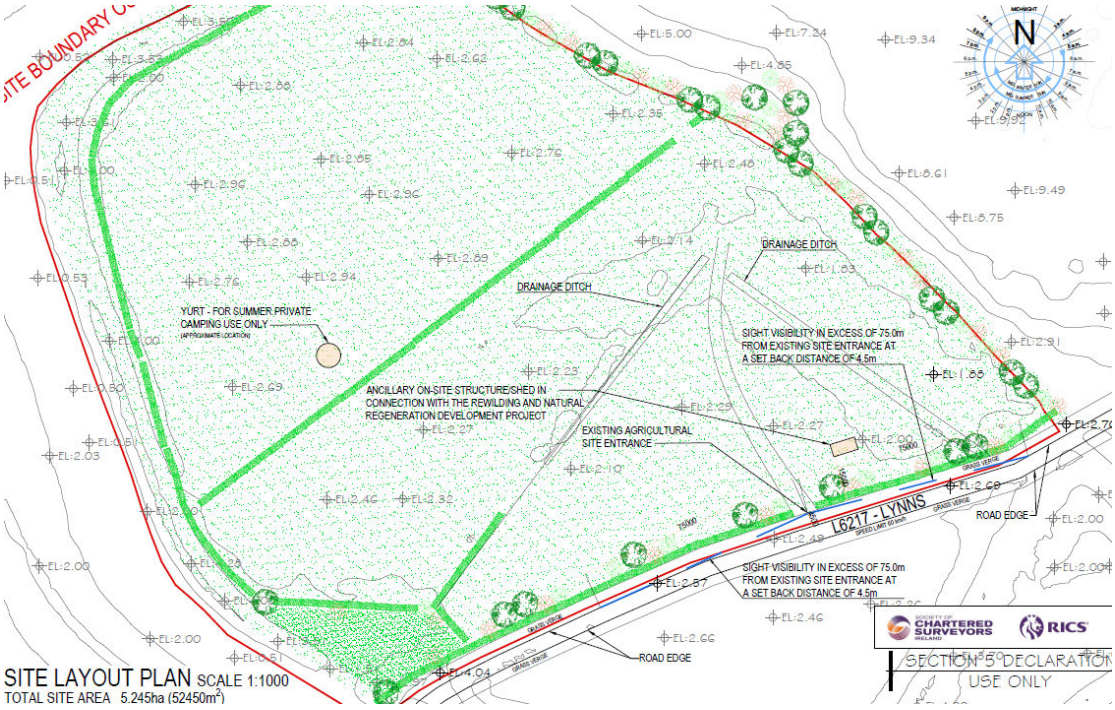
Section 32 PDA 2000 sets out a general obligation to obtain planning permission in respect of any development of land, not being exempted development, and in the case of development which is unauthorised, for the retention of that unauthorised development.

7.0 ASSESSMENT

Do the works constitute *"development"?*

Having regard to the plans, particulars and the accompanying information, the development relation a 32sqm building ancillary to afforestation on lands at Linns, Annagassan.

I consider that the placing of an 32sqm building on lands falls within the statutory interpretation of '*works*' and '*the making of a material change in the use of land*' therefore within the Section 2 of the Planning and Development Act, 2024 definition of "development".



Position of building in field.

Do the works constitute exempted development?

The proposed "rewilding and natural regeneration development project", includes the planting of trees on a large portion of the site. The total area of the lands being "re-wilded" is 13 acres (5.2ha). Under the Forestry Act an afforestation licence is required from the Department of Agriculture, Food, and

Marine for any afforestation project in excess of 0.1ha. It is unclear from the documentation included with this section 5 whether or not the applicant has received an afforestation licence to plant the trees in this field or indeed confirmation as to whether or not such a licence is required.

While the change of use of land from agriculture to forestry may be exempt under Section 4(1)(i) Planning and Development Act 2000, as amended, the application has not demonstrated compliance with Planning & Development Regulations (PDR) 2001 (as amended) Article 9(1)(viiB):

(viiB) comprise development in relation 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.

Notwithstanding non-compliance and with Article 9(1)(viiB) and subsequently Article 9(1)(vii) 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.

The proposed 32sqm structure is for described for forestry purposes in so far as storage the following:

- *secure storage of tools and equipment used*
- *for woodland establishment and maintenance;*
- *storage of tree protection materials,*
- *stakes, guards, and mulch;*
- *-facilitation of ongoing planting, monitoring,*
- *and adaptive management activities.*

In the interest of endeavouring to provide a complete and comprehensive assessment, should the use of the lands be exempt the building would be subject to Class 9 of Part 3, Schedule 2 of the Planning & Development Regulations (PDR) 2001 (as amended):

Agricultural Structures
"Works consisting of the provision of any store, barn, shed, glass-house or other structure, not being of a type specified in class 6, 7 or 8 of this Part of this Schedule, and having a gross floor space not exceeding 300 square metres".

This class is subject to the following conditions and limitations:

1. No such structure shall be used for any purpose other than the purpose of agriculture or forestry, but excluding the housing of animals or the storing of effluent.

2. The gross floor space of such structure together with any other such structures situated within the same farmyard complex or within 100 metres of that complex shall not exceed 900 square metres gross floor space in aggregate.

3. No such structure shall be situated within 10 metres of any public road.

4. No such structure within 100 metres of any public road shall exceed 8 metres in height.

5. No such structure shall be situated within 100 metres of any house (other than the house of the person providing the structure) or other residential building or school, hospital, church or building used for public assembly, save with the consent in writing of the owner and, as may be appropriate, the occupier or person in charge thereof.

6. No unpainted metal sheeting shall be used for roofing or on the external finish of the structure.

Assessment

Notwithstanding the aforementioned contraventions, the building is described as being used for the following:

- *secure storage of tools and equipment used*
- *for woodland establishment and maintenance;*
- *storage of tree protection materials,*
- *stakes, guards, and mulch;*
- *-facilitation of ongoing planting, monitoring,*
- *and adaptive management activities.*

However, from my observations on site and from the accompanying plans and particulars, I note that the building is not of typical agricultural/forestry construction. The building is more representative of a domestic outbuilding or modular building with some associated amenities including a food waste bin present on the roadside and the absence of any apparent planting of trees in significant numbers. Having regard to the above, in an otherwise acceptable application further information would be sought to address these irregularities.

Notwithstanding the above, the building appears to comply with conditions and limitation 1,2,3,4 and 6. The building appears to be located within 100m of a house not belonging to the person providing the structure.

In light of the foregoing, I consider that the application fails to satisfy the conditions and limitations for Class 9 of Part 3, Schedule 2.

I note that Article 9(1)(a)(iii) in the Planning and Development Regulations, 2001 (as amended) states that development to which Article 6 relates shall not be exempted development for the purposes of the Act if the carrying out of such development would endanger public safety by reason of traffic hazard or obstruction of road users. Having visited the site, I am satisfied the existing access arrangements to the site from the L-6217 do not constitute a traffic hazard or an obstruction of road users.

9.0 CONCLUSION:

Whilst the proposed "*rewilding and natural regeneration development project*" may, in principle, fall within the scope of exempted development under Section 4(1)(i) of the Planning and Development Act 2000 (as amended), the applicant has not demonstrated compliance with Article 9(1)(viiB) of the Planning and Development Regulations 2001 (as amended). In addition, site inspection and submitted particulars raise concerns regarding the nature of the structure on site, which appears more akin to a domestic or modular building rather than a typical agricultural or forestry building, together with the presence of domestic-type paraphernalia and an apparent absence of substantive tree planting.

Insufficient information has been submitted to demonstrate that the building and use of the lands satisfy Article 9(1)(viiB) and subsequently Article 9(1)(vii) of the Planning and Development Regulations, 2001 (as amended). Furthermore the application has not demonstrated the building is solely used for forestry purposes and is within 100m of a dwelling not belonging to the person providing the structure as required by Class 9 of Part 3, Schedule 2.

It can be concluded, given the foregoing, and having regard to the relevant provisions of the Planning and Development Act, 2000, (as amended), Sections 1-5 inclusive of the Planning and Development Act 2024, and the Planning and Development Regulations, 2001 (as amended), that the structure and use of the lands is development and is development that is **not** exempted development.

WHEREAS a question to whether *"Is the rewilding and natural regeneration development project including an ancillary on-site structure/shed development and is it or is it not exempted development".*

AND WHEREAS the said question was referred to Louth County Council by Felicity Butterly.

AND WHEREAS Louth County Council in considering this reference, had regard reference particularly to –

a) The definition of *"development"*, in Section 2 of the Planning and Development Act 2024,
b) Plans and particulars forwarded to the Planning Authority on 7th May 2026
c) Class 9 of Part 3, Schedule 2 of the Planning and Development Regulations, 2001, as amended,
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e) The use of the lands,
f) The location of the structure on agricultural lands, and
g) The site's location and proximity to, and the conservation objectives and qualifying interests of the Dundalk bay SAC and Dundalk Bay SPA.

AND WHEREAS Louth County Council has concluded on the basis of the information submitted that:

(i) The placing of a 32 sqm building on lands is considered to constitute works and the use of the lands which constitute a material change of use which constitutes development under **Section 2** of the Planning & Development Act, 2024;

(ii) The development, being placed on the subject lands does not satisfy all the conditions and limitations for exempted development under Class 9 of Schedule 2, Part 3 of the Planning and Development Regulations 2001 (as amended), which relates to "*Agricultural Structures - Works consisting of the provision of any store, barn, shed, glass-house or other structure, not being of a type specified in class 6, 7 or 8 of this Part of this Schedule, and having a gross floor space not exceeding 300 square metres".*

(iii) The development does not satisfy the requirements of Article 9(1)(viiB) of the Planning and Development Regulations, 2001 (as amended) in so far as the development, under the precautionary principle, cannot be ruled out as to whether the development would require an appropriate assessment because it would be likely to have a significant effect on the integrity of a European site.

(iv) The development does not satisfy the requirements of Article 9(1)(viii) the Planning and Development Regulations, 2001 (as amended) in so far as the development does not consist of or comprise the extension, alteration, repair or renewal of an

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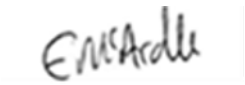

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Eamonn McArdle
Executive Planner
Date: 28/05/2026

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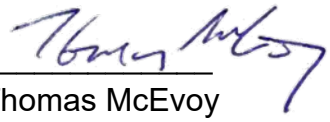
Turlough King
A/Senior Planner
Date: 29/05/2026



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Thomas McEvoy
Director of Service
Date: 29/05/2026