

NOEL Mc GAHON

**Architectural Design
& Planning Services**

ESSEXFORD, DUNDALK, CO.LOUTH.

VAT Reg. No: IE 6674891F

Louth County Council,
Planning Section,
Town Hall,
Crowe Street, Dundalk.

Date: 29.05.2026

Re: Val McGahon – Proposed agricultural dry-storage shed at Cookstown, Ardee,
Co. Louth.

To whom it may concern,

Please find enclosed the necessary documentation to complete the Section 5
exempted development application at the above location.

Schedule of documents:

- Fully completed and signed application form.
- Appropriate planning fee €80. (*please contact 089 231 5189 for payment*)
- Site location map.
- Structural drawings (plan, section & elevations).
- Site layout map.

The proposed agricultural dry-storage shed will be used for storing animal feed and
general farming equipment. No livestock will be housed and no effluent will be stored,
therefore no emissions will arise from this proposal. The overall floor area of the shed
is 178sqm.

The proposed shed is located more than 100m away from the nearest habitable
dwellings in the area.

Trusting all is to your satisfaction,
If you have any queries you can contact me at 087 2359 206.

Yours Faithfully,

Noel Mc Gahon (Planning Agent)

Section 5 Declaration - Application Form

1. Name and address of person seeking the declaration:

VAL MC GAHON
COOKSTOWN ARDEE CO. LOUTH A92 TF67

Phone Number: _____ E-Mail: _____

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

NOEL MC GAHON
ESSEXFORD DUNDALK CO. LOUTH

Phone Number

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

AS 2 ABOVE

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

COOKSTOWN, ARDEE, 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>

ITM 693420E, ITM 794440N

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 CONSTRUCTION OF AN
AGRICULTURAL DRY-STORAGE SHED
EXEMPTED DEVELOPMENT
* SEE DETAILS ATTACHED *

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 true

Signature of Applicant



Date 29/MAY/2026

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

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

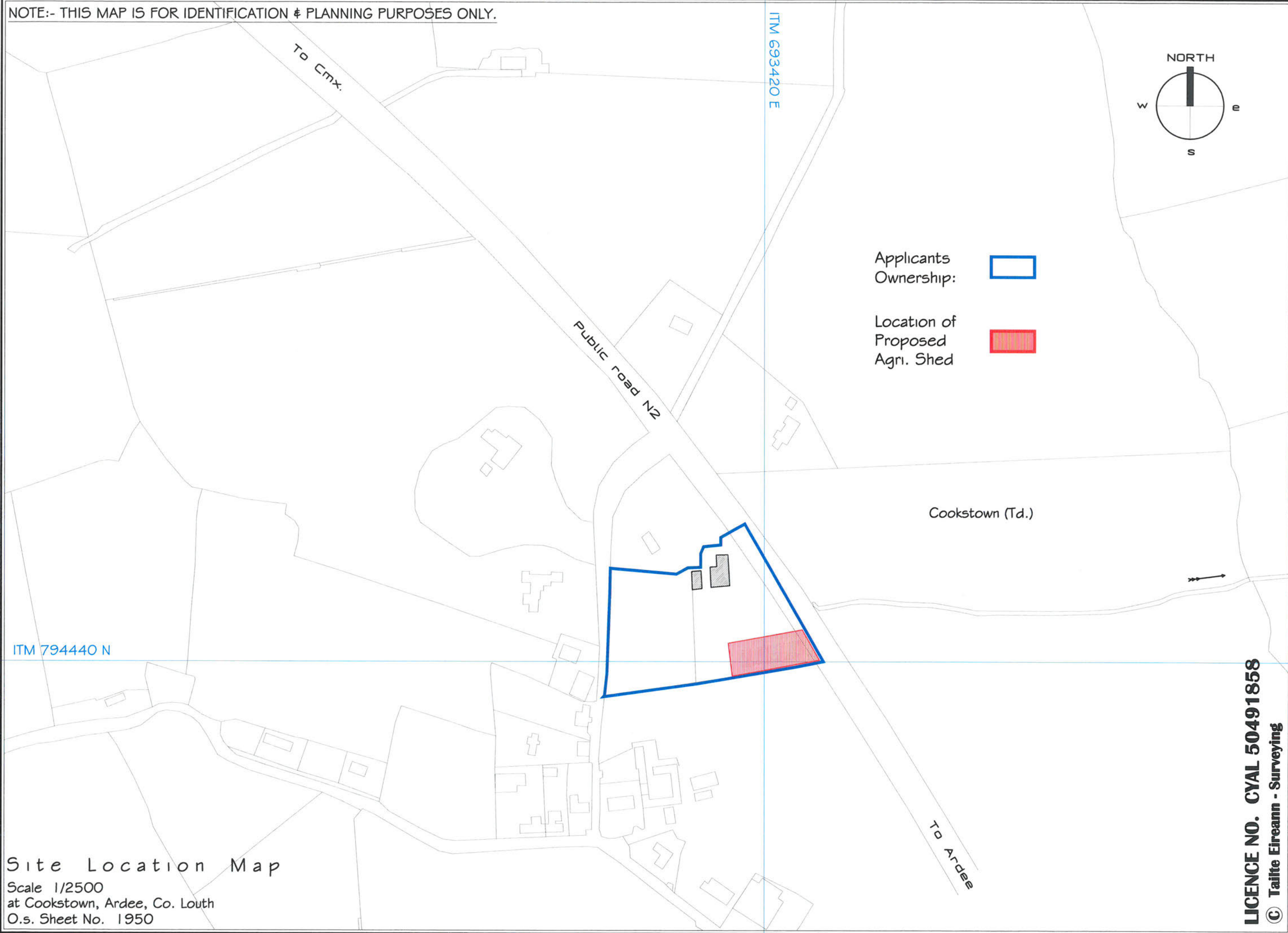
Completed Application Form & Fee of €80.00 may be sent to:

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.

NOTE:- THIS MAP IS FOR IDENTIFICATION & PLANNING PURPOSES ONLY.



Site Location Map

Scale 1/2500
at Cookstown, Ardee, Co. Louth
O.s. Sheet No. 1950

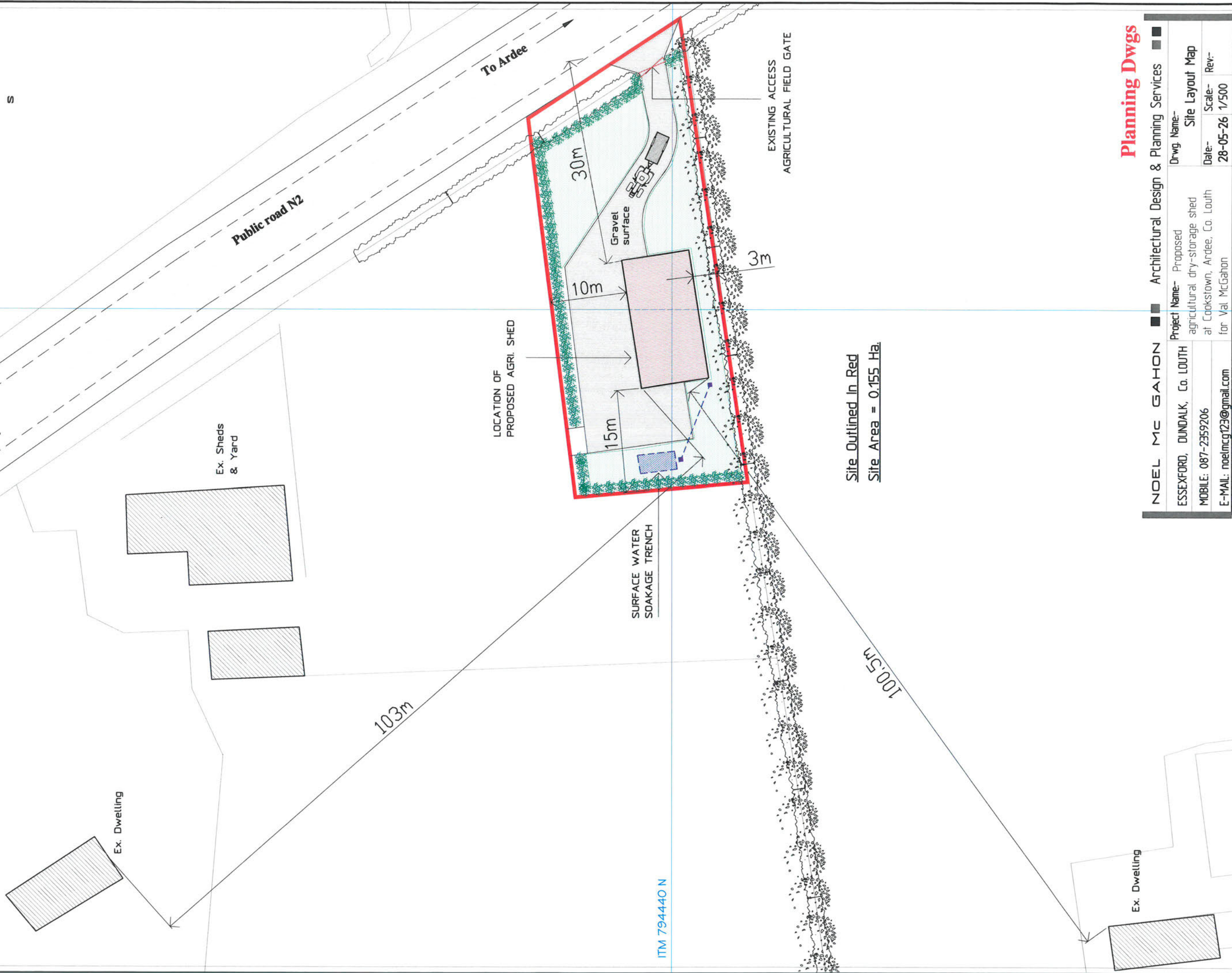
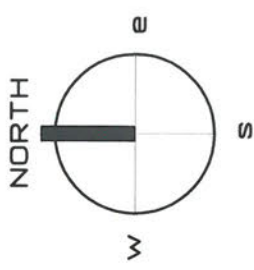
LICENCE NO. CYAL 50491858
© Tailte Eireann - Surveying

SITE LAYOUT MAP

Scale 1/500

at Cookstown, Ardee, Co. Louth
O.s. Sheet No. 1950

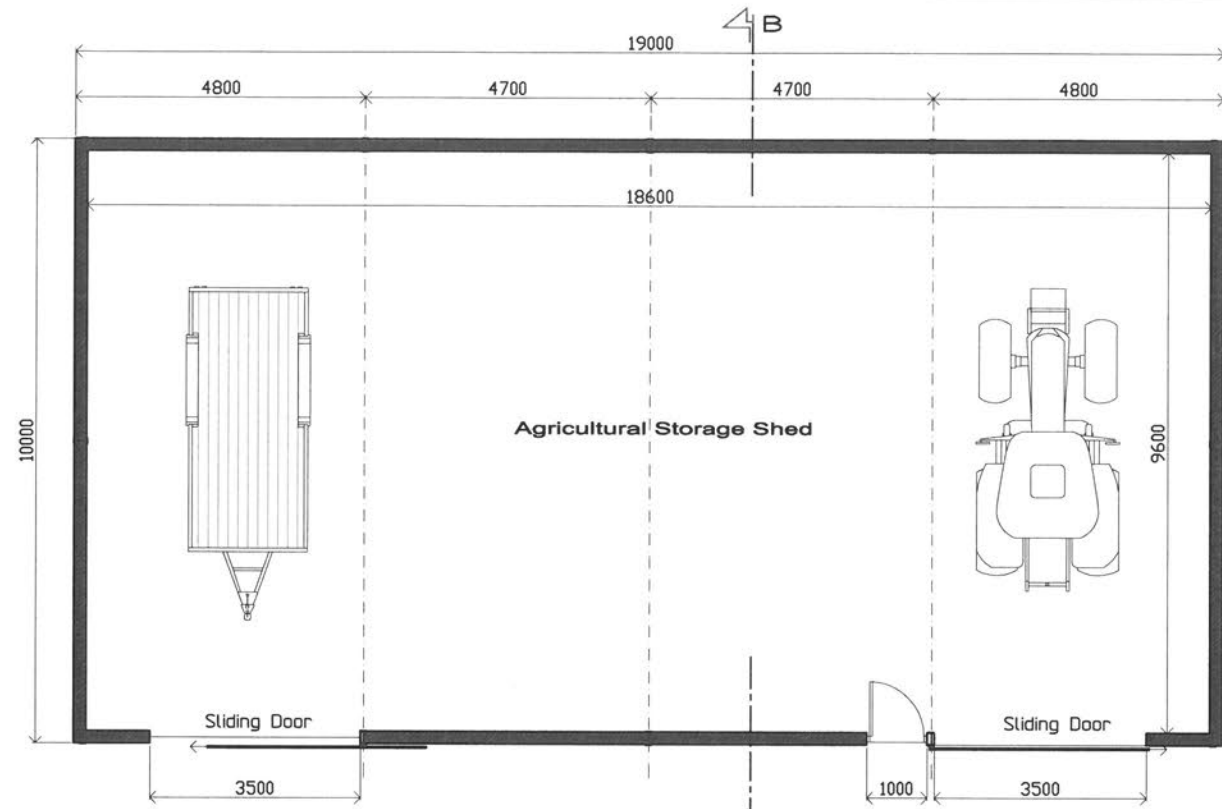
ITM 693420 E



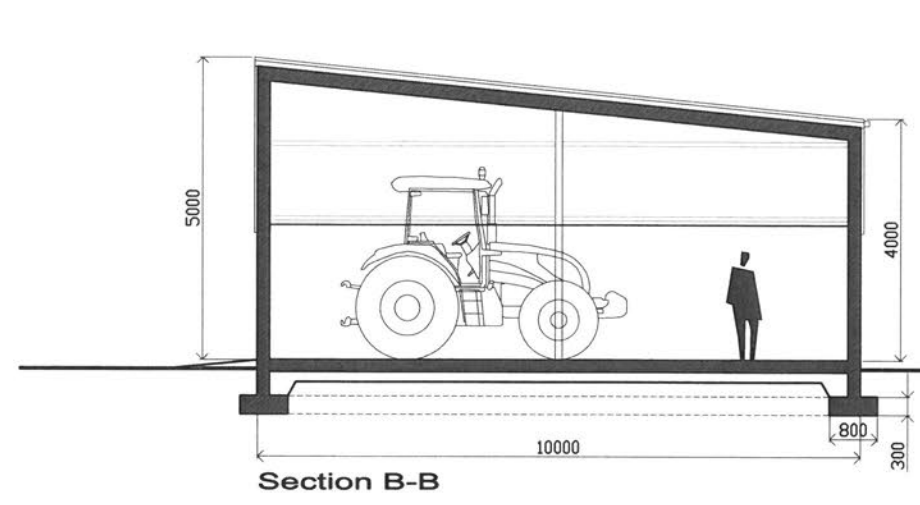
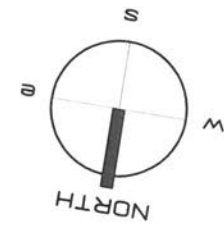
Site Outlined In Red
Site Area = 0.155 Ha.

Planning Dwgs

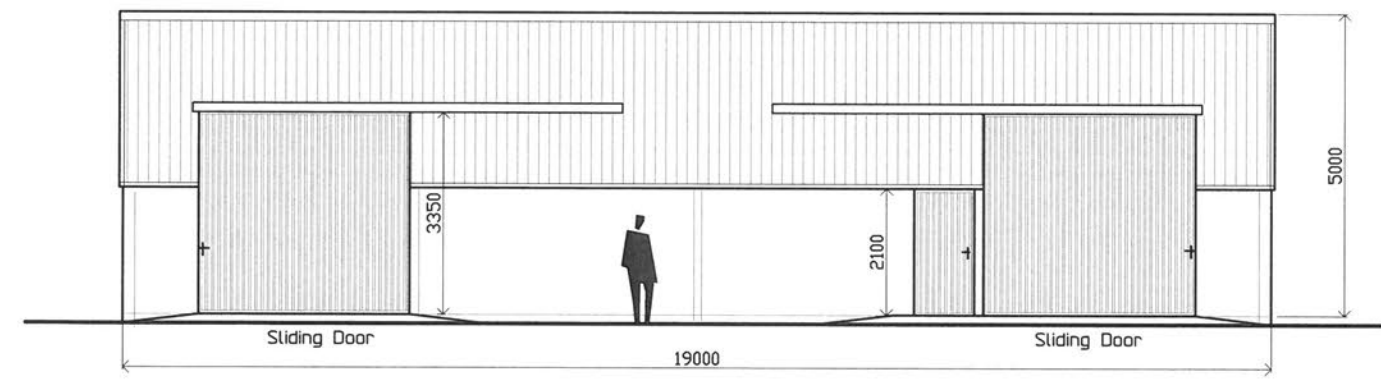
NOEL MC GAHON	Architectural Design & Planning Services	Drwg. Name:-	Site Layout Map
ESSEXFORD, DUNDALK, Co. LOUTH	Project Name:-	agricultural dry-storage shed	Date:-
MOBILE: 087-2359206	at Cookstown, Ardee, Co. Louth	for Val McGahon	Scale:-
E-MAIL: noelmcg123@gmail.com			28-05-26 1/500



Floor Plan
TOTAL FLOOR AREA 178 Sqm (1920 sqft)

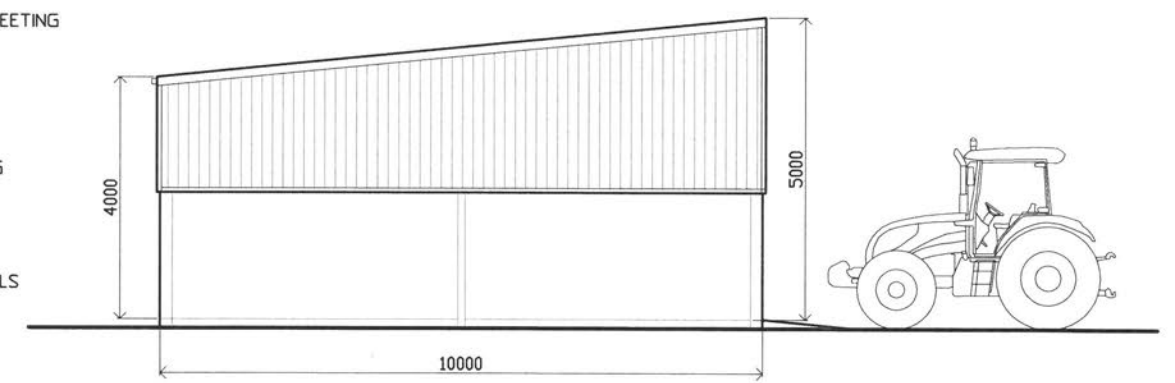


- CORRUGATED ROOF SHEETING ON TIMBER PURLINS ON 180x90 STEEL RAFTERS
- UPVC GUTTERING
- 180x90 STEEL COLUMNS
- CONCRETE BLOCK WALLS
- CONCRETE FLOOR

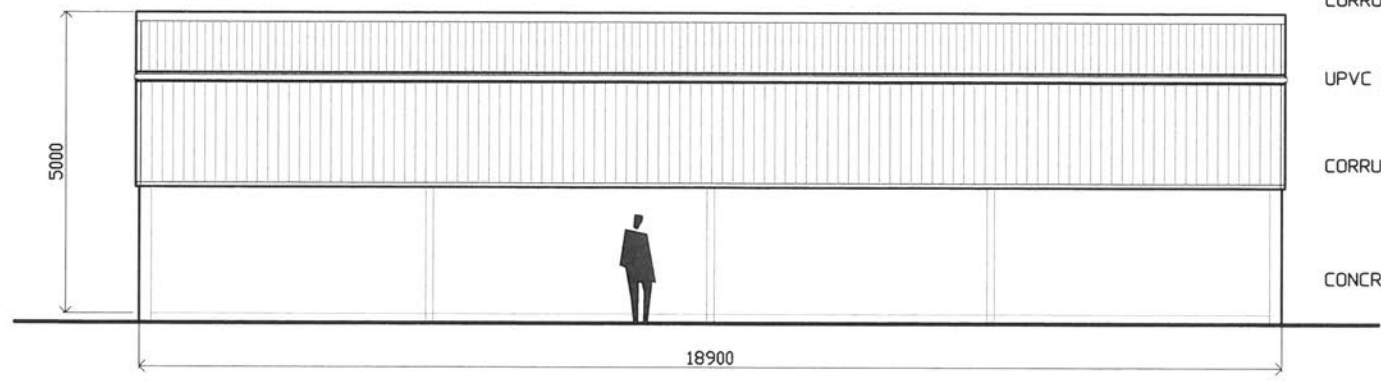


Northern Elevation

- CORRUGATED ROOF SHEETING
- UPVC GUTTERING
- CORRUGATED SHEETING
- CONCRETE BLOCK WALLS

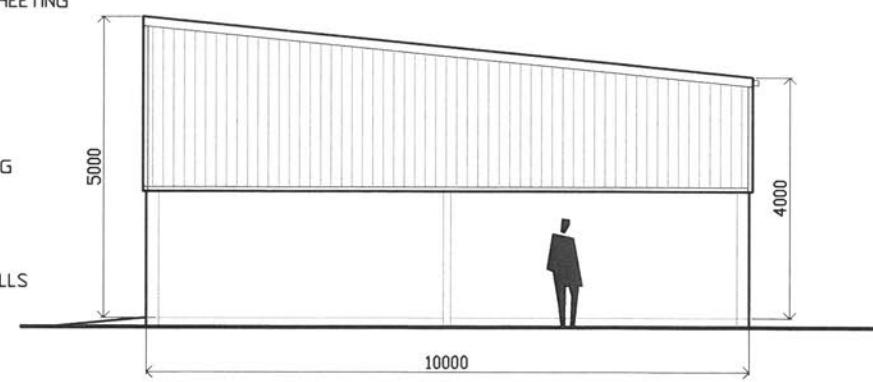


Eastern Elevation



Southern Elevation

- CORRUGATED ROOF SHEETING
- UPVC GUTTERING
- CORRUGATED SHEETING
- CONCRETE BLOCK WALLS



Western Elevation

Louth County Council

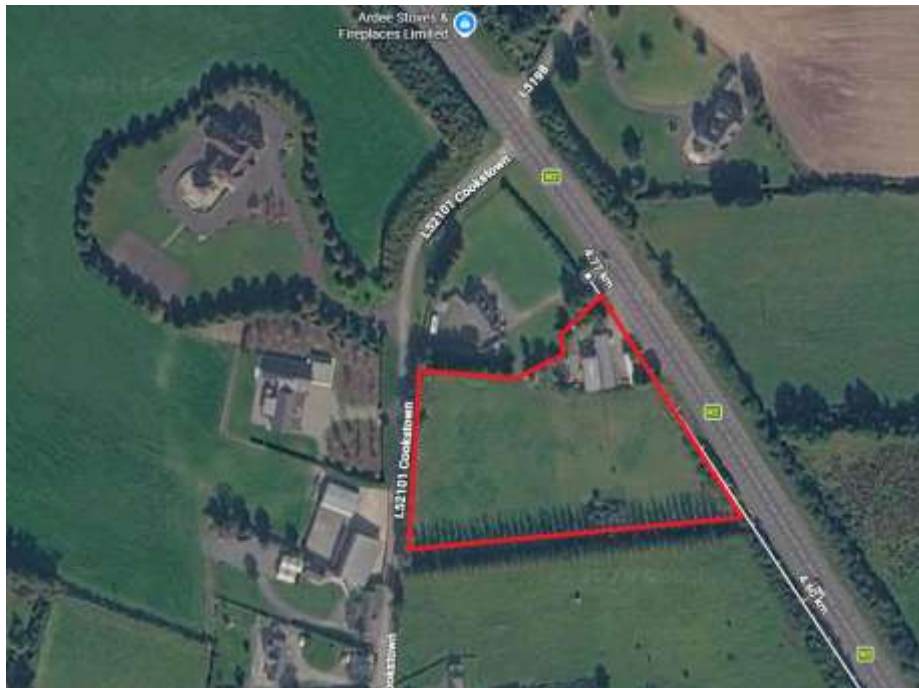
Section 5 Declaration

Planning Ref:	S5 2026/41
Applicant's Name:	Val Mc Gahon
Type of Application:	Section 5 Declaration
Development:	Proposed Agricultural dry storage shed.
Site Location:	Cookstown, Ardee, Co. Louth
Due Date:	29 th June 2026
Report Date:	24 th June 2026

1.0 SITE LOCATION & DESCRIPTION:

The subject site is located at Cookstown Ardee along the N2 outside Ardee.

Site is located in Rural Policy Zone 2 along the western side of the N2 circa 4.75 km NW from Ardee town centre.



Site Location (Google Maps)

2.0 Planning History

Permission was granted under 17/600 for a replacement commercial building, with provision of car parking and circulation area, provision of wastewater treatment system and percolation area and provision of new site entrance with associated site works.

From inspection of Planners report on 17/600 I note that It appeared that the existing commercial building was pre 1963 and thus immune from prosecution. The building was used as a commercial workshop to facilitate storage, retail and supply of farm goods, milking machines and related parts, grain equipment, silage covers and general hardware.

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 construction of a proposed dry storage agricultural shed c. 182.4 sqm in area considered exempted development. The Shed is for dry storage only and no effluent will be stored or no emissions will arise from the shed.

The Planning Authority is considering this question as:

“Whether the construction of a 182.4 sqm agricultural shed, for dry storage only, and not for the housing of animals, is or is not development and is or is 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.

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 environment 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 Strabannon Braganstown SPA c. 7.5 Km away and Dundalk Bay SAC and Dundalk Bay SPA which is 14.5 Km away. There are no streams or rivers close by and the proposed development is not considered to be hydrologically connected to any of the designated Natura 2000 sites.

On the basis that the building is of standard construction and given the nature and scale of the proposed development (a dry agricultural storage shed), I am satisfied that it will not have an impact on any European site by reason of noise, emissions, lighting and human activity/disturbance.

Therefore, it is reasonable to conclude that on the basis of the information on the file, which I consider adequate in the order to issue a screening determination, that the proposed development, individually or in combination with other plans or projects would not be likely to have a significant effect on any European Sites, in view of the site's conservation objectives and a stage 2 AA is not therefore required.

6.0 LEGISLATIVE CONTEXT:

Class 9 of Part 2, 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 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.

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,

(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 structure 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 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”?

It is proposed to place a 182.4 sqm agricultural dry shed constructed out of concrete block walls with slanting roof (5 metres at its highest) and roofed in corrugated sheeting at lands at Cookstown Ardee Co. Louth.

I consider that the proposed placing of a 182.4 sqm agricultural shed on lands falls within the statutory interpretation of “works” and therefore within the Section 2 of the Planning and Development Act, 2024 definition of “development”.

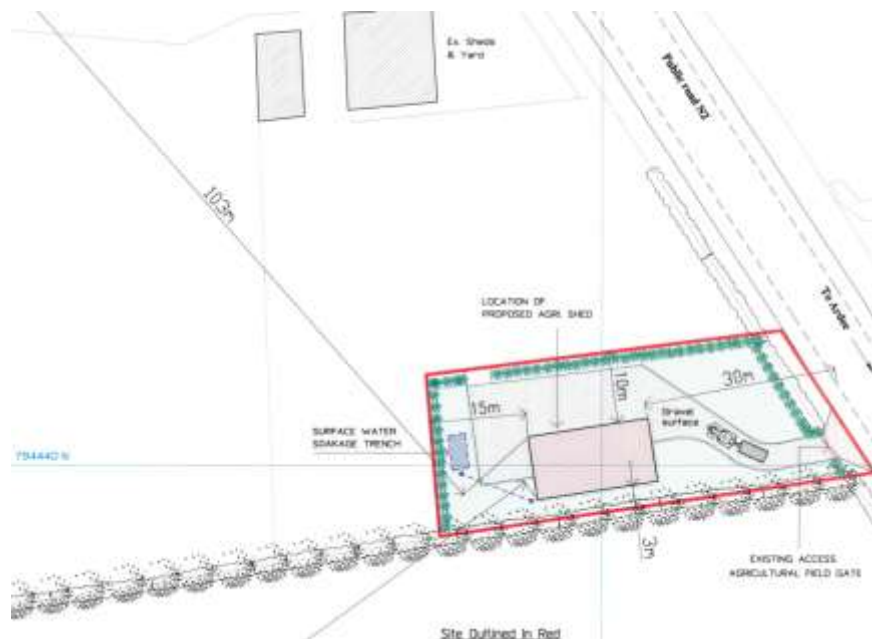


Figure 1: Proposed position of proposed shed in agricultural field with direct access onto N2

Do the works constitute exempted development?

The proposed a 182.4 sqm agricultural shed is for agriculture purposes, for dry storage and not for the housing of animals. It is considered the following exemption would be applicable in this instance, subject to compliance with all conditions and limitations;

Class 9 of Part 2, 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

The proposed a 182.4 sqm agricultural shed is being placed on agricultural lands and is to be used for agricultural purposes, but not for the housing of animals or the storage of effluent. There are other commercial agricultural

structures located 50 metres NW of subject site. These structures are accessed directly from the N2 where there is an existing policy to restrict direct access or intensification of an existing access as set out in Policy MOV 56. The proposed shed proposes to utilise a separate existing agricultural access to the N2 and the building is circa 30 metres from the N2.

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 N2 constitutes a traffic hazard or an obstruction of road users and the proposed use of shed would be an intensification of the existing agricultural use. It is considered that vehicular movements associated with the shed would endanger public safety on the N2 by reason of a traffic hazard and therefore the proposal is not considered exempt development and thus would not be compliant with article 9 (1) (a) (iii) of the Planning & Development Regulations 2001 (as amended).

9.0 CONCLUSION:

This proposed agricultural shed structure is being placed on agricultural lands and complies with all the conditions and limitations for an agricultural structure under Class 9 of Part 2, Schedule 2 of the Planning and Development Regulations 2001 (as amended).

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 proposed development is development that is not exempted development.

WHEREAS a question to whether *“whether the construction of a **182.4 sqm agricultural shed, for dry storage only at Cookstown Ardee is or is not development and is or is not exempted development**”*.

AND WHEREAS the said question was referred to Louth County Council by Val Mc Gahon.

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 2nd June 2026,

- c) Class 9 of Part 2, 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 location of the proposed structure on agricultural lands, with access out onto N2, where restrictions apply on new or intensified accesses

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

- (i) The placing of **a 182.4 sqm agricultural shed, for dry storage only** is considered to constitute works which constitutes development under **Section 2** of the Planning & Development Act, 2024;
- (ii) The development, being placed on agricultural lands and being used for agricultural purposes, satisfies all of the conditions and limitations for exempted development under Class 9 of Schedule 2, Part 2 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 comes within the restriction on exemption under Article 9 (1) (a) (iii) due to the traffic movements associated with the development that would be generated on a Protected National Route.*

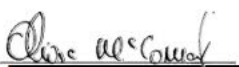
NOW THEREFORE Louth County Council in exercise of the powers conferred on it by Section 5(2)(a) of the Planning and Development Act 2000 (as amended), hereby decides that **"the construction of a 182.4 sqm agricultural shed, for dry storage only"**, on agricultural lands at Cookstown, Ardee, Co. Louth constitutes development that is not exempted development.



Declan Conlon
Executive Planner
Date: 24th June 2026



Turlough King
A/ Senior Planner
Date: 24th June 2026



Olivia McCormack
A/ Director of Services
Date: 26/06/2026

LOUTH COUNTY COUNCIL

CHIEF EXECUTIVE'S ORDER

PLANNING & DEVELOPMENT ACT 2000 (as amended)

Section 5 Exempted Development

Chief Executive's Order No:	484/2026
Reference No:	S5 2026/41
Date Application Received:	02/06/2026
Description of Development:	Is the construction of an agricultural dry storage shed exempted development
Name of Applicant:	Val Mc Gahon
Location of Development	Cookstown, Ardee, Co. Louth

WHEREAS a question to whether *“whether the construction of a **182.4 sqm agricultural shed, for dry storage only at Cookstown Ardee is or is not development and is or is not exempted development**”*.

AND WHEREAS the said question was referred to Louth County Council by Val Mc Gahon.

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 2nd June 2026,
- c) Class 9 of Part 2, 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 location of the proposed structure on agricultural lands, with access out onto N2, where restrictions apply on new or intensified accesses

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

- (i) The placing of **a 182.4 sqm agricultural shed, for dry storage only** is considered to constitute works which constitutes development under **Section 2** of the Planning & Development Act, 2024;
- (ii) The development, being placed on agricultural lands and being used for agricultural purposes, satisfies all of the conditions and limitations for exempted development under Class 9 of Schedule 2, Part 2 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 comes within the restriction on exemption under Article 9 (1) (a) (iii) due to the traffic movements associated with the development that would be generated on a Protected National Route.

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 "*the construction of a **182.4 sqm agricultural shed, for dry storage only***", on agricultural lands at Cookstown, Ardee, Co. Louth constitutes development that is not exempted development.

SIGNED: *Declan Conlon* **Date: 25/06/2026**
Declan Conlon
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: *Olivia McCormack* **Date: 26/06/2026**
Olivia McCormack
A/ 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. 304/26 dated the 25th day of June 2026.

Val McGahon
c/o Noel McGahon,
Essexford,
Dundalk,
Co. Louth

26th June 2026

Re: Ref. S5 2026/41

Application for Declaration of “Exempted Development” Part 1, Section 5 Planning & Development Act, 2000 (as amended) as to ‘Is the construction of an agricultural dry storage shed exempted development?’

Dear Sir/Madam,

I wish to acknowledge receipt of your application received on 2nd June 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 “*whether the construction of a 182.4 sqm agricultural shed, for dry storage only at Cookstown Ardee is or is not development and is or is not exempted development*”.

AND WHEREAS the said question was referred to Louth County Council by Val Mc Gahon.

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 2nd June 2026,
- (c) Class 9 of Part 2, 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 location of the proposed structure on agricultural lands, with access out onto N2, where restrictions apply on new or intensified accesses

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

- (i) The placing of **a 182.4 sqm agricultural shed, for dry storage only** is considered to constitute works which constitutes development under **Section 2** of the Planning & Development Act, 2024;
- (ii) The development, being placed on agricultural lands and being used for agricultural purposes, satisfies all of the conditions and limitations for exempted development under Class 9 of Schedule 2, Part 2 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 comes within the restriction on exemption under Article 9 (1) (a) (iii) due to the traffic movements associated with the development that would be generated on a Protected National Route.

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 “*the construction of a 182.4 sqm agricultural shed, for dry storage only*”, on agricultural lands at Cookstown, Ardee, 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 2nd June 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,

Maedbh O'Connor

Maedbh O'Connor
Planning Section