



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:

East Coast Catering (Ireland) UC, Matthew O'Callaghan,

Gateway Hotel, Inner Relief Road, Marshes Upper, Dundalk, Co Louth.

Phone Number: [REDACTED] E-Mail: [REDACTED]

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

McGahon Architects Ltd, 19 Jocelyn Street Dundalk, Co. Louth

Phone Number: [REDACTED] E-Mail: [REDACTED]

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

McGahon Architects Ltd, 19 Jocelyn Street Dundalk, Co. Louth

4. Interest in site of the person seeking declaration:

The applicant is the 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

The Gateway Hotel Dundalk, Inner Relief Road, Dundalk, Co. Louth, A91 EF88

6. Eircode OR Grid Co-ordinates must be submitted. Grid references may be found on Google Maps or at

<https://irish.gridreferencefinder.com>

A91 EF88

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 temporary change of use, of the floors 2,3,4,5,6 and rooms 701 and 702, of the existing hotel premises to accommodate displaced persons or persons seeking international protection exempt from the requirement for planning permission under Class 20F of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended), as inserted by the Planning and Development (Exempted Development) Regulations 2022 (S.I. No. 605 of 2022), as amended by S.I. No. 376 of 2023 and S.I. No. 648 of 2025?

Additionally, please confirm whether the same exemption applies under Class 14(h) and/or Class 20F.

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?

Not applicable

I certify that the aforementioned is correct.

Signature of Applicant:  **Date** 6/2/2026

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.



Louth County Council,
Planning section,
Millennium Centre,
County Hall,
Dundalk,
Co. Louth,
A91 KFW6

2nd June 2026

RE: Request for Section 5 Declaration under Class 20F and Class 14 (h) Exempted Development Temporary Change of Use of The of the floors 2,3,4,5,6 and rooms 701 and 702, of The Gateway Hotel Dundalk, Inner Relief Road, Dundalk, Co. Louth, A91 EF88.

To whom it may concern,

We write on behalf of East Coast Catering (Ireland) UC, to request a Section 5 Declaration for exemption from the application for planning permission for the part of the above noted hotel premises. In support of this request, see attached

1. Completed application form with the question for determination noted therein.
2. Schedule of the following drawings
3. We would like receive confirmation from the planning office that temporary change of use, of the floors 2,3,4,5,6 and rooms 701 and 702, of the existing hotel premises to accommodate displaced persons or persons seeking international protection is exempt from the requirement for planning permission under Class 20F of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended), as inserted by the Planning and Development (Exempted Development) Regulations 2022 (S.I. No. 605 of 2022), as amended by S.I. No. 376 of 2023 and S.I. No. 648 of 2025?

4. As a result, there are no proposed changes to the facades, and façade drawings are not included in this submission. We have included relevant floor plan layouts, as well as the relevant site plan, site location map.

5. Please contact our office to make payment of the €80.00 fee.

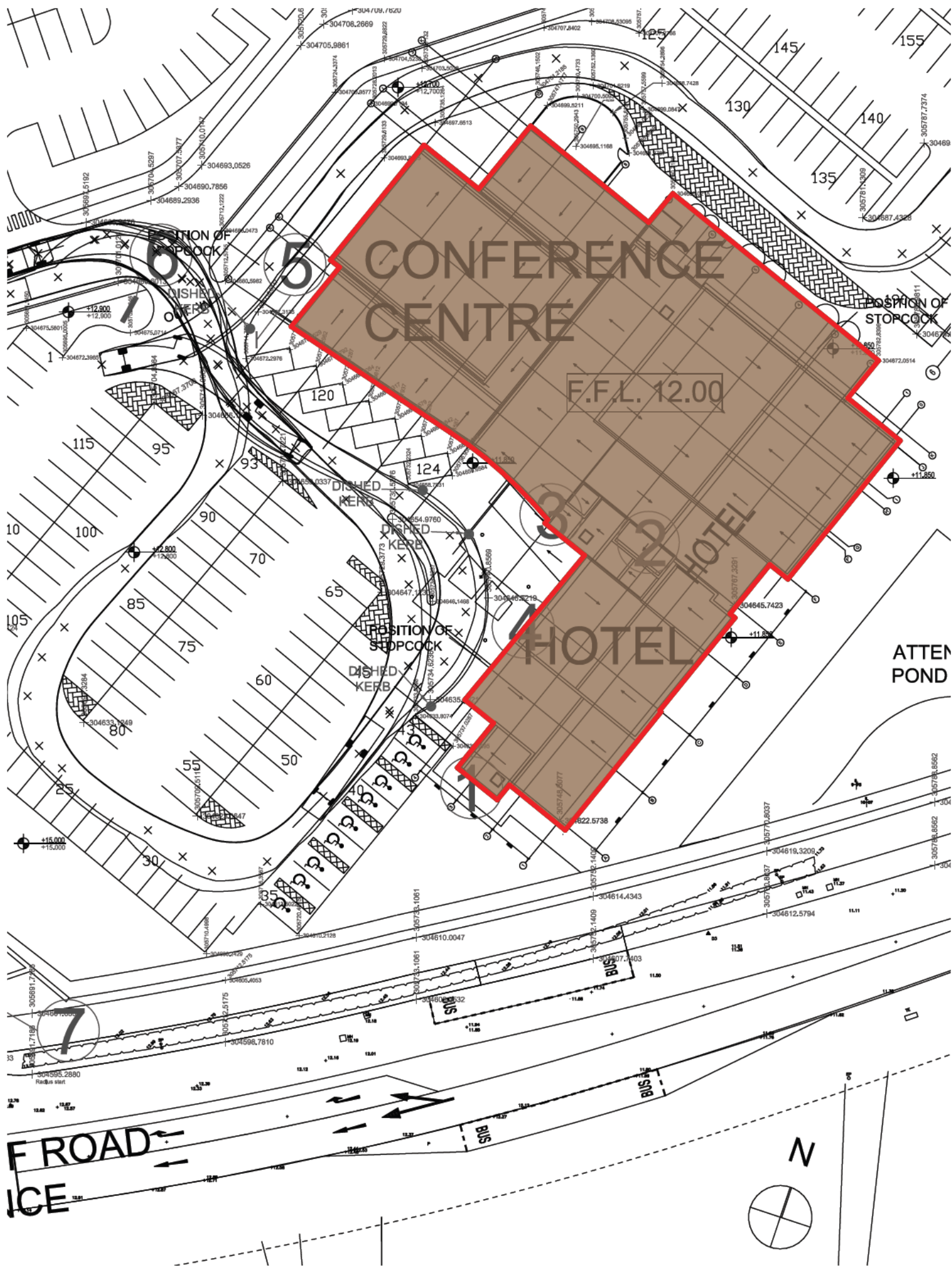
Contact number: 0429334677

Drawing number	Drawing title	Issue date
1428_S5_01	Site location map & Site layout map	03/06/2026
1428_S5_02	2nd Floor plan	03/06/2026
1428_S5_03	3rd Floor plan	03/06/2026
1428_S5_04	4th Floor plan	03/06/2026
1428_S5_05	5th Floor plan	03/06/2026
1428_S5_06	6th Floor plan	03/06/2026
1428_S5_07	7th Floor plan	03/06/2026

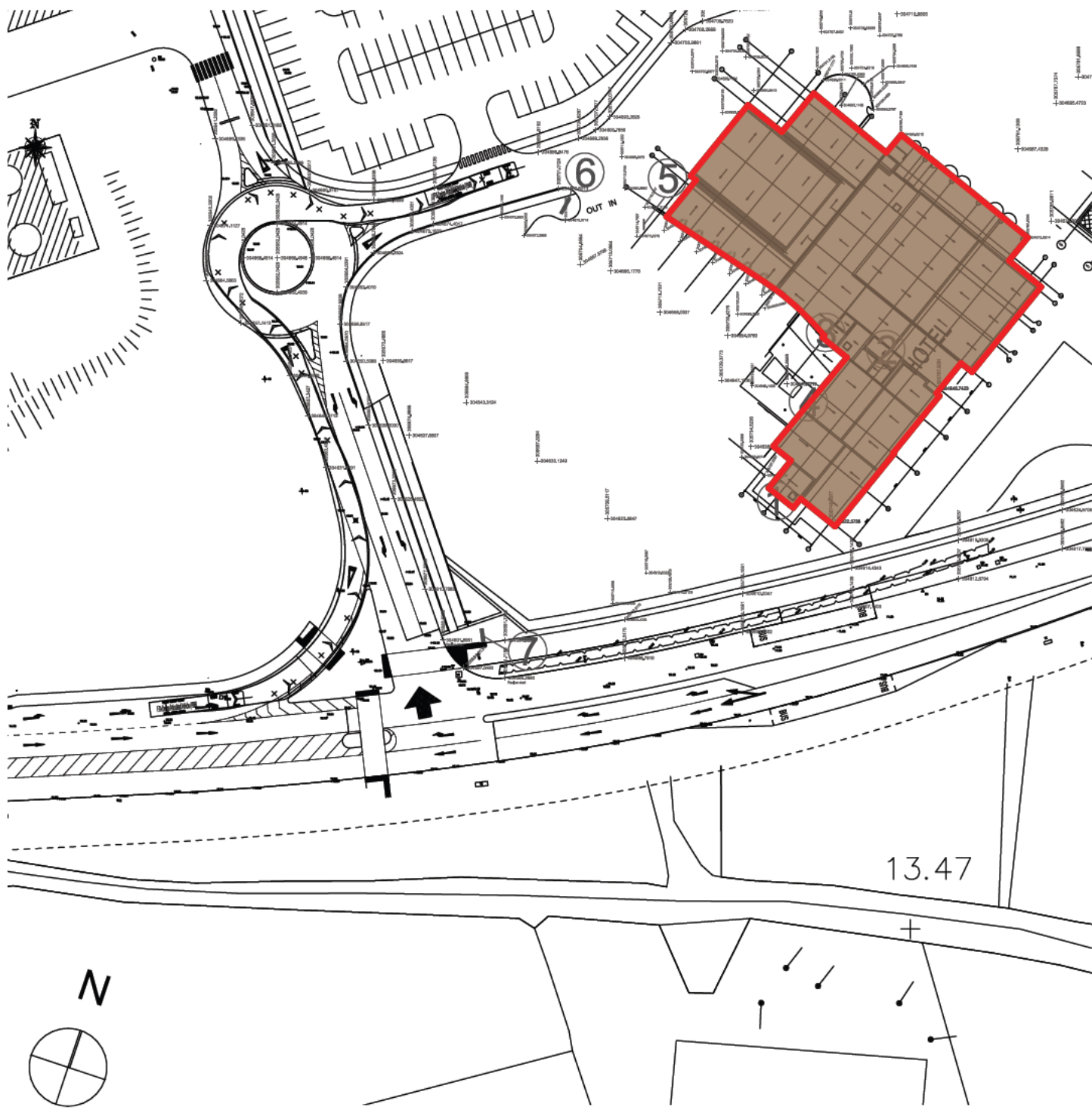
Agent:



Frank McGahon
McGahon Architects Ltd,
19 Jocelyn Street,
Dundalk,
Co. Louth

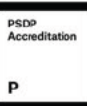


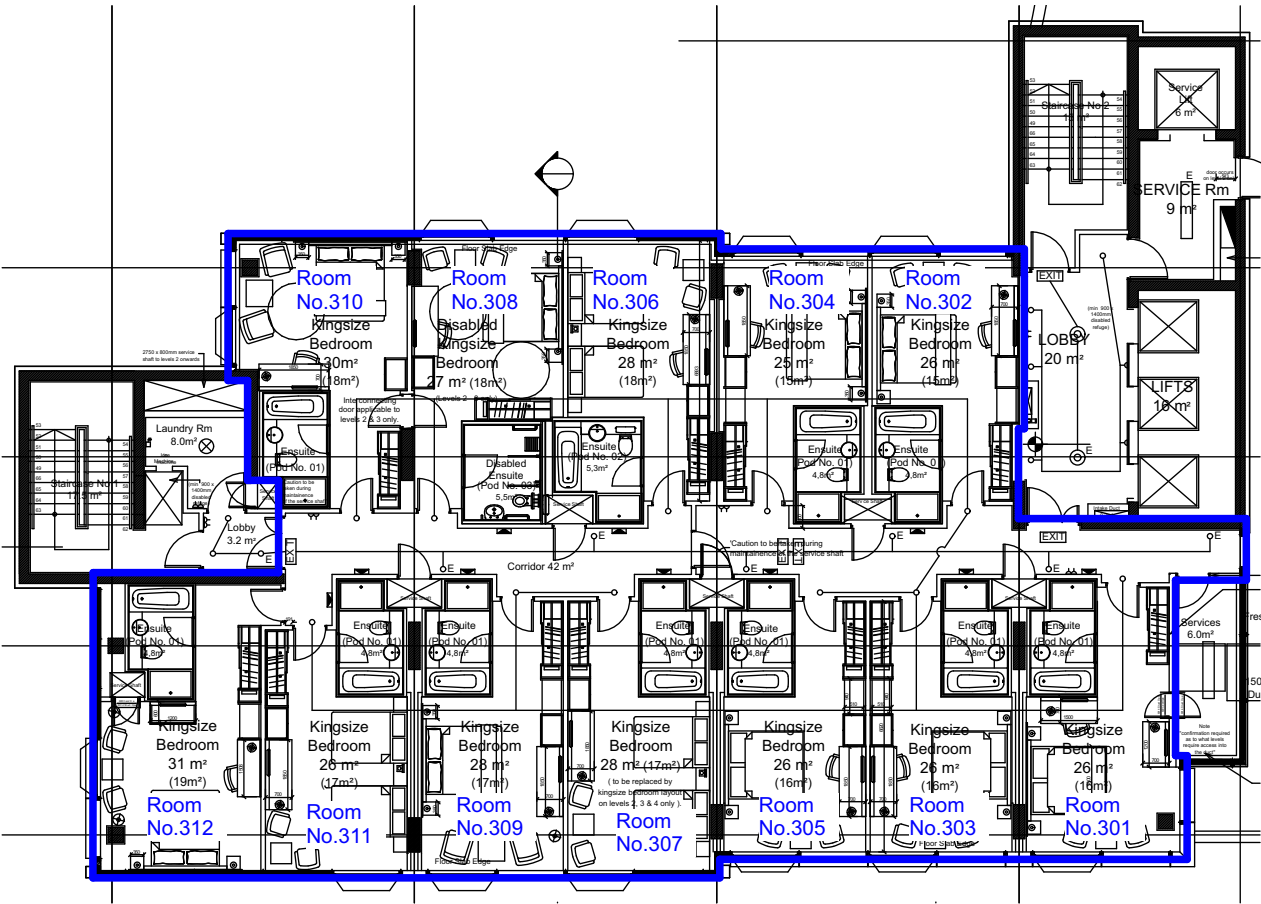
1428/S5 Site layout map 1:500



1428/S5 Site location map 1:1000

O.S. Sheet No. 1702-12, 1702-13, 1702-17
O.S. Licence No. CYAL 50333089

	McGahon Architects Ltd Registered in Ireland No 346586 Directors F.McGahon, J.McGahon	info@mcga.ie +353 42 933 46 77 mcga.ie	19 Jocelyn Street Dundalk Co. Louth A91HPX2	 Practice Member 2025	 PSDP Accreditation P
Project: Request for Section 5 Declaration under Class 20F and Class 14 (h) Exempted Development Temporary Change of Use of The Gateway Hotel Dundalk					
Dwg: Site location map, Site layout map				Client: The Gateway Hotel Dundalk	
Dwg No. 1428/S5/03	Scale: 1:1000, 1:500	Issue date: 10/06/2026	Status: Section 5		
Rev. date	Rev. Det.				



1428/S5

3rd Floor plan

1:200



McGahon Architects Ltd
Registered in Ireland No 346586
Directors F.McGahon, J.McGahon

info@mcga.ie
+353 42 933 46 77
mcga.ie

19 Jocelyn Street
Dundalk Co. Louth
A91HPX2



Project: Request for Section 5 Declaration under Class 20F and Class 14 (h) Exempted Development
Temporary Change of Use of The Gateway Hotel Dundalk

Dwg: 3rd Floor plan

Client: The Gateway Hotel Dundalk

Dwg No. 1428/S5/05

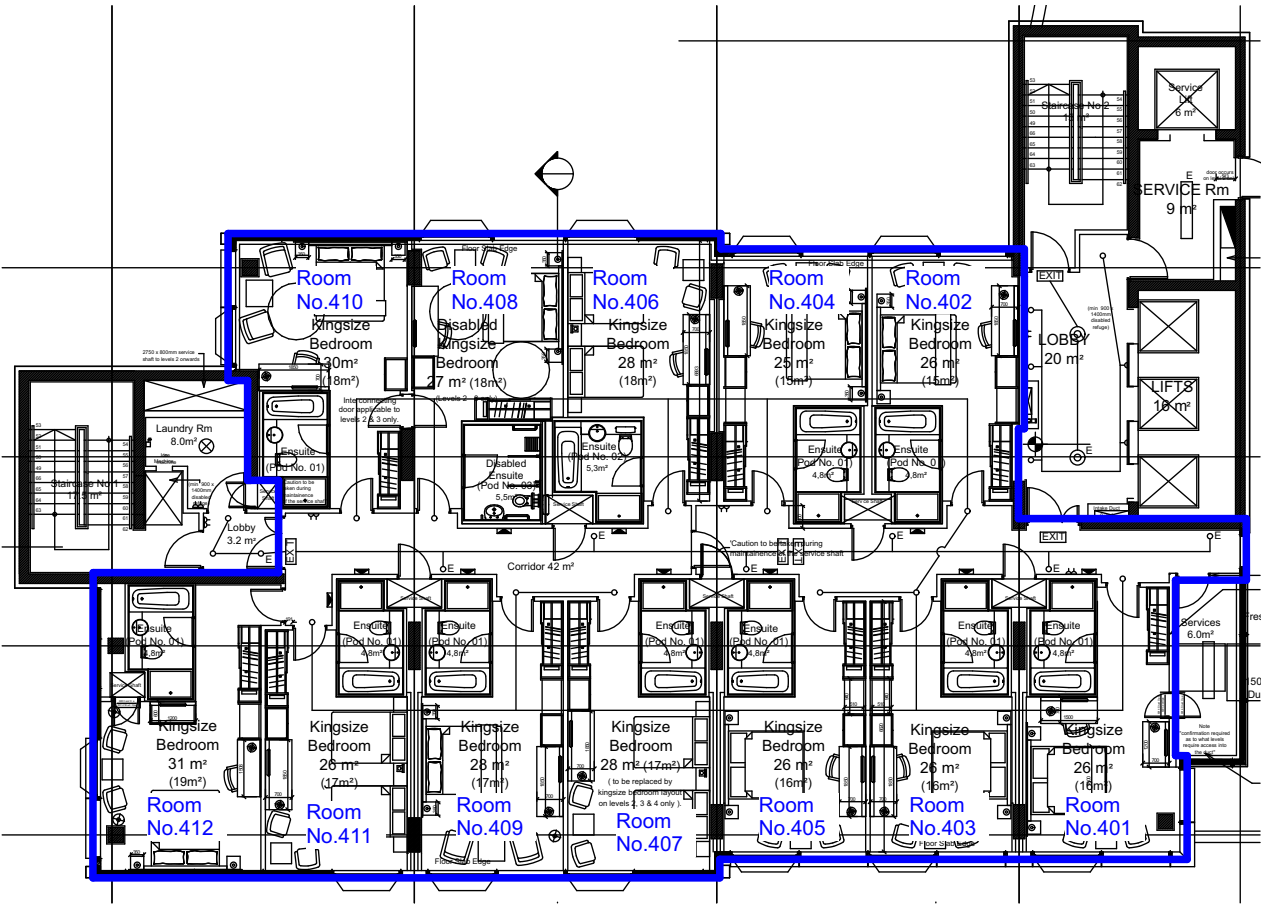
Scale: 1:200

Issue date: 10/06/2026

Status: Section 5

Rev. date

Rev.Det.



1428/S5

4th Floor plan

1:200



McGahon Architects Ltd
Registered in Ireland No 346586
Directors F.McGahon, J.McGahon

info@mcga.ie
+353 42 933 46 77
mcga.ie

19 Jocelyn Street
Dundalk Co. Louth
A91HPX2



Project: Request for Section 5 Declaration under Class 20F and Class 14 (h) Exempted Development
Temporary Change of Use of The Gateway Hotel Dundalk

Dwg: 4th Floor plan

Client: The Gateway Hotel Dundalk

Dwg No. 1428/S5/06

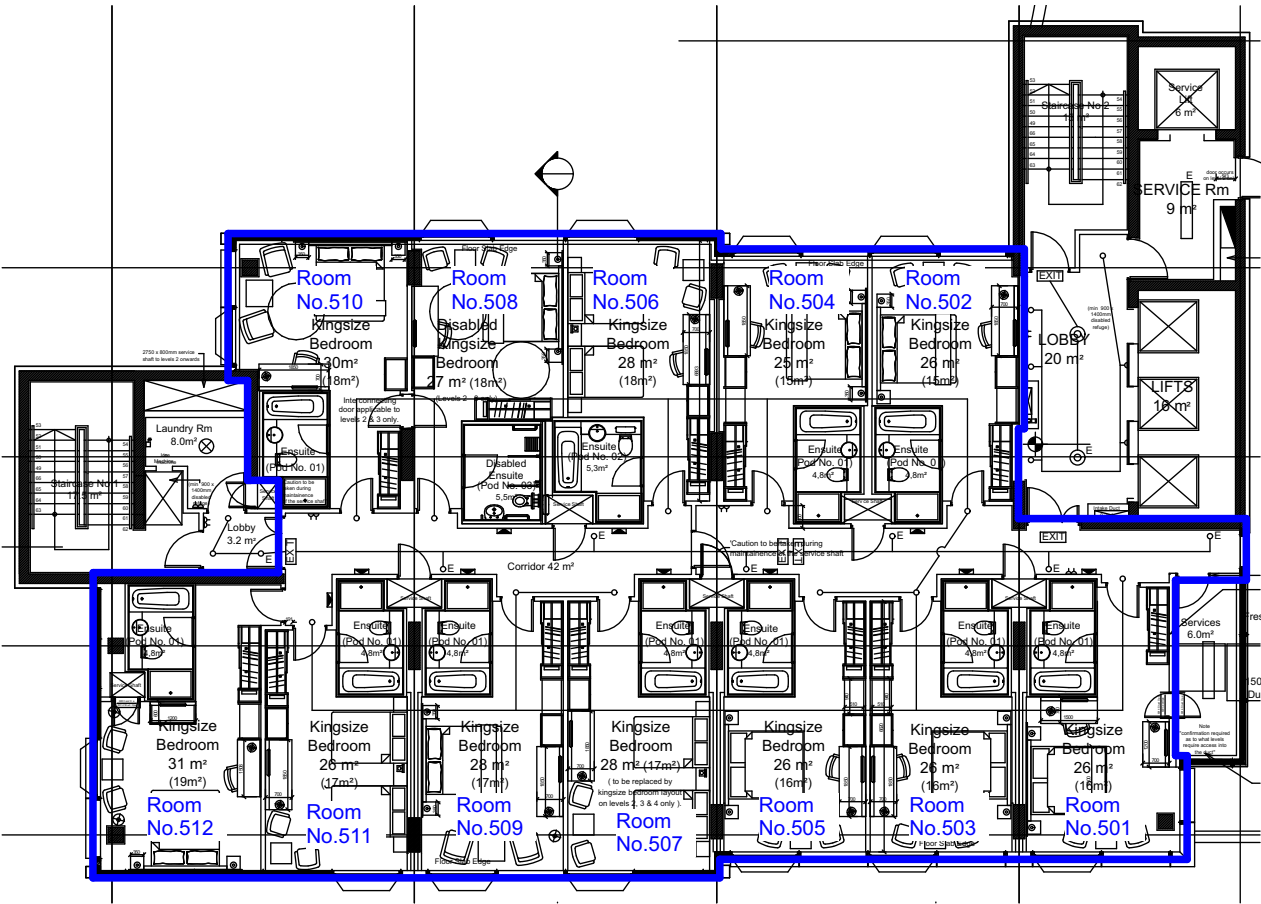
Scale: 1:200

Issue date: 10/06/2026

Status: Section 5

Rev. date

Rev.Det.



1428/S5

5th Floor plan

1:200



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Registered in Ireland No 346586
Directors F.McGahon, J.McGahon

info@mcga.ie
+353 42 933 46 77
mcga.ie

19 Jocelyn Street
Dundalk Co. Louth
A91HPX2



Project: Request for Section 5 Declaration under Class 20F and Class 14 (h) Exempted Development
Temporary Change of Use of The Gateway Hotel Dundalk

Dwg: 5th Floor plan

Client: The Gateway Hotel Dundalk

Dwg No. 1428/S5/07

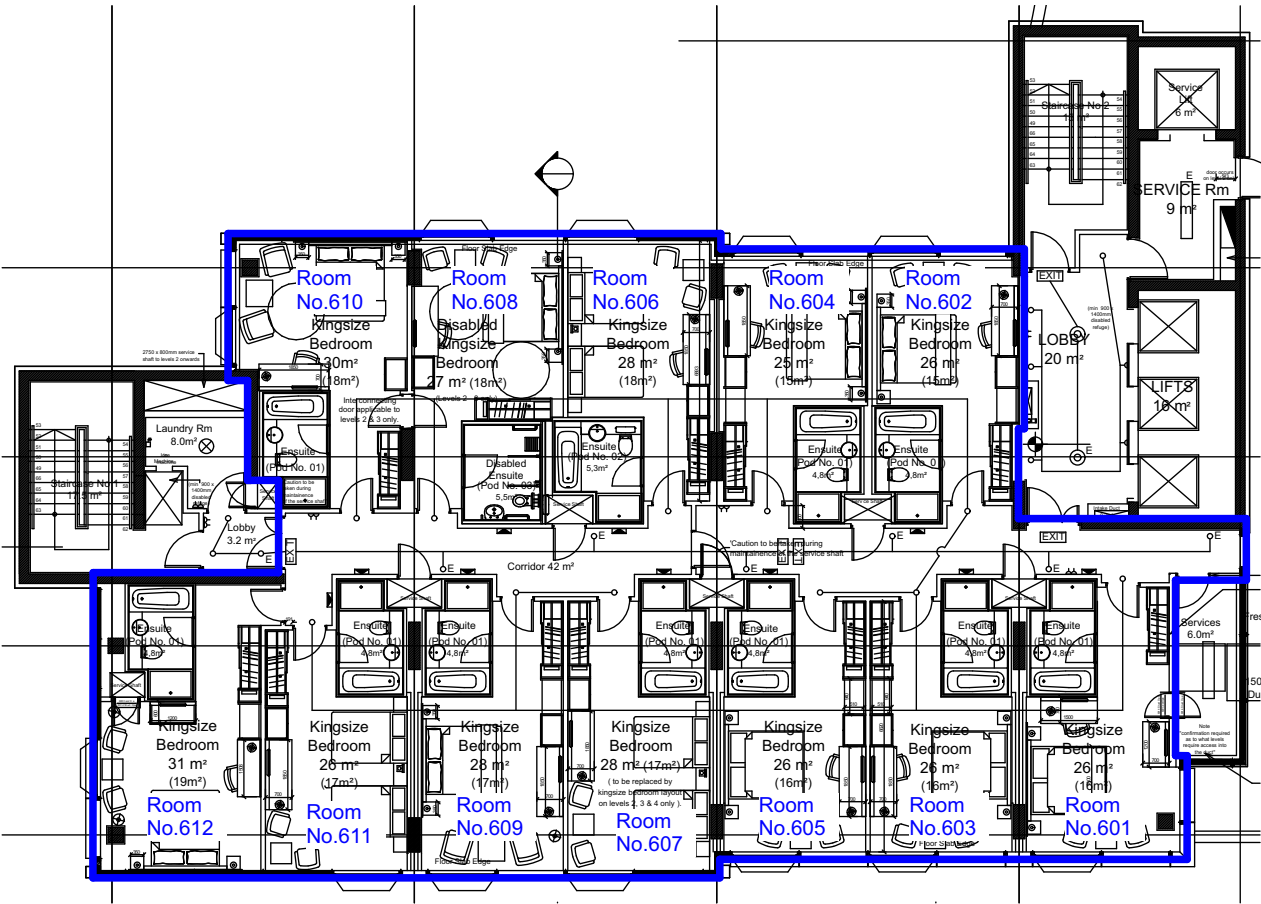
Scale: 1:200

Issue date: 10/06/2026

Status: Section 5

Rev. date

Rev.Det.



1428/S5

6th Floor plan

1:200



McGahon Architects Ltd
Registered in Ireland No 346586
Directors F.McGahon, J.McGahon

info@mcga.ie
+353 42 933 46 77
mcga.ie

19 Jocelyn Street
Dundalk Co. Louth
A91HPX2



Project: Request for Section 5 Declaration under Class 20F and Class 14 (h) Exempted Development
Temporary Change of Use of The Gateway Hotel Dundalk

Dwg: 6th Floor plan

Client: The Gateway Hotel Dundalk

Dwg No. 1428/S5/08

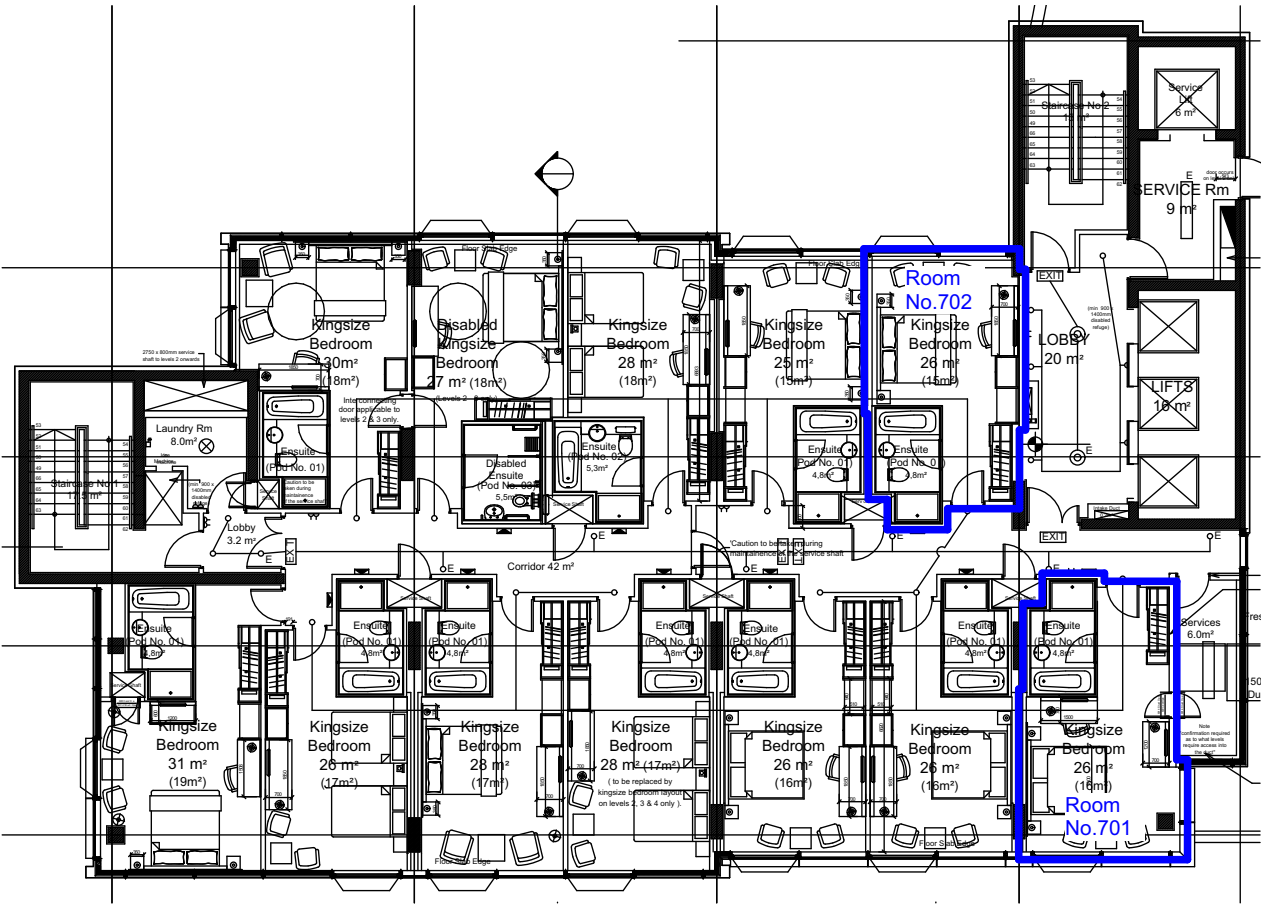
Scale: 1:200

Issue date: 10/06/2026

Status: Section 5

Rev. date

Rev.Det.



1428/S5

7th Floor plan

1:200



McGahon Architects Ltd
Registered in Ireland No 346586
Directors F.McGahon, J.McGahon

info@mcga.ie
+353 42 933 46 77
mcga.ie

19 Jocelyn Street
Dundalk Co. Louth
A91HPX2



Project: Request for Section 5 Declaration under Class 20F and Class 14 (h) Exempted Development
Temporary Change of Use of The Gateway Hotel Dundalk

Dwg: 7th Floor plan

Client: The Gateway Hotel Dundalk

Dwg No. 1428/S5/09

Scale: 1:200

Issue date: 10/06/2026

Status: Section 5

Rev. date

Rev.Det.

Louth County Council

Section 5 Declaration

Planning Ref:	S5/2026/44
Applicant's Name:	East Coast Catering, Matthew O'Callaghan, Gateway Hotel.
Type of Application:	Section 5 Declaration
Question for Determination:	Whether the temporary change of use, of the floors 2,3,4,5,6 and rooms 701 and 702, of the existing hotel premises to accommodate displaced persons or persons seeking international protection exempted development.
Site Location:	Gateway Hotel, Inner Relief Road, Marshes Upper, Dundalk, Co. Louth.
Due Date:	7 th July 2026
Report Date:	1 st July 2026

1.0 SITE LOCATION & DESCRIPTION:

The subject site is located in Dundalk, approximately 2 km south of the town centre. The site is accessed from the Inner Relief Road and comprises a 13 storey hotel building. The surrounding area is predominantly commercial in character, with a mix of retail, office, and service-related uses in the vicinity.

2.0 Planning History:

None attached to subject site.

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 temporary change of use, of the floors 2,3,4,5,6 and rooms 701 and 702, of the existing hotel premises to accommodate displaced persons or persons seeking

international protection exempt from the requirement for planning permission under Class 20(f) of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended), as inserted by the Planning and Development (Exempted Development) Regulations 2022 (S.I. No. 605 of 2022), as amended by S.I. No. 376 of 2023 and S.I. No. 648 of 2025”.

The Planning Authority is considering the question for determination as:

Whether the temporary change of use, of the floors 2,3,4,5,6 and rooms 701 and 702, of the existing hotel premises to accommodate displaced persons or persons seeking international protection exempted development.

The applicant has submitted a site location map and internal floorplans. No further information has been provided.

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 proposal, there is no real likelihood of significant effects on the environment and as such as EIAR is not required.

5.0 Appropriate Assessment:

No Appropriate Assessment Screening Report has been submitted with the referral. The proposal relates to the temporary change of use of part of an existing hotel building with no external works proposed. The site is located approximately 1.3km west of Dundalk Bay SAC and Dundalk Bay SPA. Having regard to the nature and scale of the proposal and the absence of any identified pathway for impact on a European site, the Planning Authority is satisfied that the proposal, individually or in combination with other plans or projects, would not be likely to have a significant effect on any European site. Appropriate Assessment is therefore not required.

6.0 Legislative Context:

The Planning and Development Act 2024

Sections 1-5 of the Planning and Development Act 2024 commenced in December 2024.

Section 2(1) provides the following interpretation:

“*Works*” include and 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.

“*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.

“*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.

The Planning and Development Act, 2000 (as amended)

Section 4(1) provides a list of statutory exempted development.

Section 4(2) further provides for the making of regulations by the Minister relating to exempted development. The Planning & Development Regulations (PDR) 2001 (as amended) give effect to Section 4(2).

Section 5 outlines the process by which an application for declaration of exempted development may be made and the role of the An Bord Pleanála in this process.

Planning and Development Regulations 2001, (as amended)

Article 6. (1) Subject to Article 9, development of a class specified in column 1 of Part 1 of Schedule 2 shall be exempted development for the purposes of the Act, provided that such development complies with the conditions and limitations specified in column 2 of the said Part 1 opposite the mention of that class in the said column 1.

Article 9 (1)(a) states that development to which article 6 relates shall not be exempted development for the purposes of the Act if the carrying out of the development would, inter alia: (i) contravene a condition attached to a permission under the Act or be inconsistent with any use specified in a permission under the Act.

PART 1 of Schedule 2 of the Regulations set out the classes of exempted development.

Class 20(f) of Part 1, Schedule 2 of the Planning and Development Regulations 2001 (as amended)

Provides an exemption for the following:

Temporary use by or on behalf of the Minister for Children, Equality, Disability, Integration and Youth to accommodate or support displaced persons or persons seeking international protection of any structure or part of a structure used as a school, college, university, training centre, social centre, community centre, non-residential club, art gallery, museum, library, reading room, sports club or stadium, gymnasium, hotel, convention centre, conference centre, shop, office, Defence Forces barracks, light industrial building, airport operational building, wholesale warehouse or repository, local authority administrative office, play centre, medical and other health and social care accommodation, event and exhibition space or any structure or part of structure normally used for public worship or religious instruction.

This is subject to the following conditions and limitations:

1. The temporary use shall only be for the purposes of accommodating displaced persons or for the purposes of accommodating persons seeking international protection.
2. Subject to paragraph 4 of this class, the use for the purposes of accommodating displaced persons shall be discontinued when the temporary protection introduced by the Council Implementing Decision (EU) 2022/382 of 4 March 2022¹ comes to an end in accordance with Article 6 of the Council Directive 2001/55/EC of 20 July 2001².
3. The use for the purposes of accommodating persons seeking international protection shall be discontinued not later than 31 December 2028.
4. Where the obligation to provide temporary protection is discontinued in accordance with paragraph 2 of this class, on a date that is earlier than 31

December 2028, the temporary use of any structure which has been used for the accommodation of displaced persons shall continue for the purposes of accommodating persons seeking international protection in accordance with paragraph 3 of this class.

5. The relevant local authority must be notified of locations where change of use is taking place prior the commencement of development.
6. 'displaced persons', for the purpose of this class, means persons to whom temporary protection applies in accordance with Article 2 of Council Implementing Decision (EU) 2022/382 of 4 March 2022.
7. 'international protection', for the purpose of this class, has the meaning given to it in section 2(1) of the International Protection Act 2015 (No. 66 of 2015).
8. 'temporary protection', for the purpose of this class, has the meaning given to it in Article 2 of Council Directive 2001/55/EC of 20 July 2001.

Section 2(1) of the International Protection Act 2015 defines "international protection" as refugee status or subsidiary protection status granted by the State.

International Protection Act 2015

Section 2(1) of the International Protection Act 2015 provides that "international protection" means a status granted by the State whereby a person is recognised as a refugee or as a person eligible for subsidiary protection.

European Union (Planning and Development) (Displaced Persons from Ukraine Temporary Protection) Regulations 2022 (S.I. 306 of 2022)

Definition of "displaced person" means persons to whom temporary protection applies in accordance with Article 2 of the Council Implementing Decision (EU 2022/382). "Temporary Protection" has the same meaning as it has in the Council Directive.

7.0 Assessment:

Does the proposal constitute development?

The submission relates to the temporary change of use of floors 2, 3, 4, 5 and 6, together with rooms 701 and 702, of the existing Gateway Hotel, Dundalk, to accommodate displaced persons and/or persons seeking international protection. A site inspection was undertaken on 2nd July 2026. During this site inspection, it was observed that sections of the hotel are currently being used to accommodate displaced persons and persons seeking international protection.

The planning authority considers that the use of part of the existing hotel for the accommodation of displaced persons and persons seeking international protection constitutes a material change of use. Accordingly, the proposal constitutes development within the meaning of the Planning and Development Act 2024.

Does the proposal constitute exempted development?

The proposal relates to the temporary change of use of floors 2, 3, 4, 5 and 6 and rooms 701 and 702 of the existing gateway hotel to accommodate displaced persons and/or person seeking international protection.

Class 20(f) of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended) provides an exemption for the temporary use of of certain specified structures, including hotels, for the purpose of accommodating displaced persons or persons seeking international protection. Hotels are expressly identified as a category of development to which the exemption may apply.

The planning authority notes that the development comprises the temporary use of part of the existing hotel building for the accommodation of displaced persons and/or persons seeking international protection and that no external alterations or other works are proposed.

Having regard to the nature of the use proposed, the fact that a hotel is one of the specified building types listed under Class 20(f) , and in the absence of any evidence that the proposal would contravene the conditions and limitations of Class 20(f) or the restrictions on exempted development set out in Article 9 of the Planning and Development Regulations 2001 (as amended), the Planning Authority considers that the temporary change of use constitutes exempted development under Class 20(f) of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended)

8.0 Conclusion:

Having regard to the foregoing, and to the provisions of the Planning and Development Acts (as amended), the Planning and Development Regulations 2001 (as amended), and in particular Class 20(f) of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended), it is considered that the temporary change of use of floors 2, 3, 4, 5 and 6 and rooms 701 and 702 of the existing Gateway Hotel, Dundalk, to accommodate displaced persons and/or persons seeking international protection constitutes development and constitutes exempted development.

9.0 Recommendation:

Accordingly, I recommend an order is issued as follows;

WHEREAS a question to “*Whether the temporary change of use, of the floors 2,3,4,5,6 and rooms 701 and 702, of the existing hotel premises to accommodate displaced persons or persons seeking international protection exempted development.*”

AND WHEREAS the said question was referred to Louth County Council East Coast Catering, Matthew O’Callaghan, Gateway Hotel

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) Section 4(1) of the Planning and Development Act 2000 (as amended),
- c) Article 6(1), Article 9(1) and Article 10(1) of the Planning and Development Regulations, 2001 as amended
- d) “displaced persons” meaning in accordance with Article 2 of the Council Implementing Decision (EU 2022/382)
- e) Class 20(f) of Part 1, Schedule 2 of the Planning and Development Regulations 2001 (as amended)
- f) The plans and particulars forward to the planning authority on 11th June 2026

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

- (i) The proposal would be a material change of use of the property and therefore constitutes development under Section 2, Planning and Development Act 2024 (as amended).
- (ii) The use would fall within the exemption under Class 20(f) of Part 1, Schedule 2 of the Planning and Development Regulations, 2001, as amended and;
- (iii) The use would not engage any of the restrictions on exemptions within Article 9(1) of the Planning and Development Regulations, 2001, as amended.

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 “*change of use, of the floors 2,3,4,5,6 and rooms 701 and 702, of the existing hotel premises to accommodate displaced persons or persons seeking international protection exempted development.* **is development and is EXEMPTED DEVELOPMENT.**



Helen Conlon

Executive Planner

Date: 02/07/2026



Turlough King

Acting Senior Planner

Date: 02/07/2026



Thomas McEvoy

Director of Services

Date: 03/07/2026

LOUTH COUNTY COUNCIL

CHIEF EXECUTIVE'S ORDER

PLANNING & DEVELOPMENT ACT 2000 (as amended)

Section 5 Exempted Development

Chief Executive's Order No:	504/2026
Reference No:	S5 2026/44
Date Application Received:	10/06/2026
Description of Development:	Is the temporary change of use, of the floors 2,3,4,5,6 and rooms 701 and 702, of the existing hotel premises to accommodate displaced persons or persons seeking international protection exempt from the requirement for planning permission under Class 20F of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended), as inserted by the Planning and Development (Exempted Development) Regulations 2022 (S.I. No. 605 of 2022), as amended by S.I. No. 376 of 2023 and S.I. No. 648 of 2025?
Name of Applicant:	East Coast Catering, Matthew O'Callaghan, Gateway Hotel
Location of Development	Gateway Hotel, Inner Relief Road, Marshes Upper, Dundalk, Co. Louth

WHEREAS a question to "*Whether the temporary change of use, of the floors 2,3,4,5,6 and rooms 701 and 702, of the existing hotel premises to accommodate displaced persons or persons seeking international protection exempted development.*

AND WHEREAS the said question was referred to Louth County Council East Coast Catering, Matthew O'Callaghan, Gateway Hotel

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) Section 4(1) of the Planning and Development Act 2000 (as amended),
- c) Article 6(1), Article 9(1) and Article 10(1) of the Planning and Development Regulations, 2001 as amended

- d) “displaced persons” meaning in accordance with Article 2 of the Council Implementing Decision (EU 2022/382)
- e) Class 20(f) of Part 1, Schedule 2 of the Planning and Development Regulations 2001 (as amended)
- f) The plans and particulars forward to the planning authority on 11th June 2026

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

- (i) The proposal would be a material change of use of the property and therefore constitutes development under Section 2, Planning and Development Act 2024 (as amended).
- (ii) The use would fall within the exemption under Class 20(f) of Part 1, Schedule 2 of the Planning and Development Regulations, 2001, as amended and;
- (iii) The use would not engage any of the restrictions on exemptions within Article 9(1) of the Planning and Development Regulations, 2001, as amended.

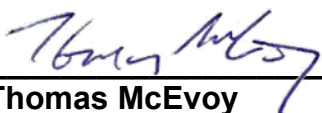
NOW THEREFORE Louth County Council in exercise of the powers conferred on it by Section 5(2)(a) of the Planning and Development Act 2000 (as amended), hereby decides that the *“change of use, of the floors 2,3,4,5,6 and rooms 701 and 702, of the existing hotel premises to accommodate displaced persons or persons seeking international protection exempted development. is development* and is **EXEMPTED DEVELOPMENT**.



SIGNED: _____
Helen Conlon
Executive Planner

Date: 03/07/2026

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

Signed:  _____
Thomas McEvoy
Director of Service

Date: 03/07/2026

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.



Comhairle Contae Lú
Louth County Council

East Coast Catering (Ireland) UC,
Matthew O'Callaghan,
c/o McGahon Architects Ltd,
19 Jocelyn Street,
Dundalk,
Co. Louth

3rd July 2026

Re: Ref. S5 2026/44

Application for Declaration of "Exempted Development" Part 1, Section 5 Planning & Development Act, 2000 (as amended) as to 'Is the temporary change of use, of the floors 2,3,4,5,6 and rooms 701 and 702, of the existing hotel premises to accommodate displaced persons or persons seeking international protection exempt from the requirement for planning permission under Class 20F of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended), as inserted by the Planning and Development (Exempted Development) Regulations 2022 (S.I. No. 605 of 2022), as amended by S.I. No. 376 of 2023 and S.I. No. 648 of 2025?'

Dear Sir/Madam,

I wish to acknowledge receipt of your application received on 10th 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 the temporary change of use, of the floors 2,3,4,5,6 and rooms 701 and 702, of the existing hotel premises to accommodate displaced persons or persons seeking international protection exempted development.*"

AND WHEREAS the said question was referred to Louth County Council East Coast Catering, Matthew O'Callaghan, Gateway Hotel

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) Section 4(1) of the Planning and Development Act 2000 (as amended)

Comhairle Contae Lú
Halla an Bhaile
Sráid Crowe
Dún Dealgan
Contae Lú
A91 W20C

Louth County Council
Town Hall
Crowe Street
Dundalk
County Louth
A91 W20C

T + 353 42 9335457
E info@louthcoco.ie
W www.louthcoco.ie

Cuirfear fáilte roimh chomhfhreagras Gaeilge - Correspondence in Irish is welcome
Féach foláirimh faoi Lú ón gComhairle ag www.mapalserter.ie/Louth
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- (c) Article 6(1), Article 9(1) and Article 10(1) of the Planning and Development Regulations, 2001 as amended
- (d) "displaced persons" meaning in accordance with Article 2 of the Council Implementing Decision (EU 2022/382)
- (e) Class 20(f) of Part 1, Schedule 2 of the Planning and Development Regulations 2001 (as amended)
- (f) The plans and particulars forward to the planning authority on 11th June 2026

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

- (i) The proposal would be a material change of use of the property and therefore constitutes development under Section 2, Planning and Development Act 2024 (as amended).
- (ii) The use would fall within the exemption under Class 20(f) of Part 1, Schedule 2 of the Planning and Development Regulations, 2001, as amended and;
- (iii) The use would not engage any of the restrictions on exemptions within Article 9(1) of the Planning and Development Regulations, 2001, as amended.

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 *"change of use, of the floors 2,3,4,5,6 and rooms 701 and 702, of the existing hotel premises to accommodate displaced persons or persons seeking international protection exempted development. is development and is EXEMPTED DEVELOPMENT.*

In Summary

A Declaration of Exemption is hereby GRANTED for the development as detailed on the plans and particulars submitted on 10th 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