

Planning Office, Louth County council,
Town Hall, Crowe Street,
Dundalk, Co. Louth.
A91 W20C.



27th May 2026.

Re: Application for Section 5 Declaration for existing building at 3 The Sanctuary, An Grianan, Termonfeckin, Co. Louth, A92 N2R4 on behalf of Gembrook Ventures Ltd.

Dear sir/madam,

Enclosed please find the following in respect of existing property at 3 The Sanctuary, An Grianan, Termonfeckin, Co. Louth, A92 N2R4 on behalf of Gembrook Ventures Ltd:

- Section 5 Declaration application form.
- Site Location Map.
- Site Layout Plan.
- Floor Plans and Elevations.
- Application fee €80.

I confirm that the applicants, Gembrook Ventures Ltd, T/A KARE PLUS North wish to seek a Section 5 Declaration to change the use of the above mentioned existing house to use as a residence for up to 6 persons with an intellectual or physical disability or mental illness with the appropriate level of care staff to meet the clients needs (no. of resident carers will not exceed 2 no.).

I hope this application is to your satisfaction, should you have any queries please do not hesitate to contact the undersigned.

Kind regards,

Paddy Mckenna

Paddy Mckenna.

Hanley Taite Design Partnership.





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.
2. Any person may, on payment of the prescribed fee, request in writing from the Planning Authority a declaration on a question as whether a particular type of development is exempt.
3. The question to be determined should be clear as to whether it relates to an existing development or a proposed development. If the development is proposed, details of the nature, size and location of the proposed development should be submitted. Floor plans and elevations should be submitted.
4. 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.
5. Any person issued with a declaration may, on payment to the Board of such fee as may be prescribed, refer a declaration for review by the Board within 4 weeks of the date of the issuing of the declaration.
6. 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:

Gembrook Ventures Ltd. T/A KARE PLUS North East, Unit 6 Barnhill Industrial
Estate, Termonfeckin, Co. Louth

Phone Number: E-Mail:

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

Hanley Taite Design Partnership, Virginia Shopping Centre, Virginia, Co. Cavan

Phone Number: 049 854 8436 E-Mail: mail@hanleytaite.com

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

Hanley Taite Design Partnership, Virginia Shopping Centre, Virginia, Co. Cavan

4. Interest in site of the person seeking declaration:

The applicant is leasing the property from The Countrywoman's Trust CLG, 58
Merrion Road, Dublin 4

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

5. Location of development referred to in Question 6 (specify house no. and street name, where applicable)**

No. 3 The Sanctuary, An Grianan, Termonfeckin, Co. Louth, A92 N2R4

6. Question for determination under Section 5 (be as specific as possible):

Is it or is it not exempted development to change the use of existing dwelling to
use as a residence for up to 6 persons with an intellectual or physical disability
or mental illness with the appropriate level of care staff to meet the clients'
needs. (no. of resident carers will not exceed 2 no.)

It is to our understanding that Schedule 2, Part 1, Class 14 (F) of the Planning and
Development Regulations apply to this application.

7. 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?

N/A

I certify that the aforementioned is correct.

Signature of Applicant: Paddy McKenna Date: 27.05.2026

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)
- Application fee: (€80)

****NOTE: If the property outlined in Question 5 is a Protected Structure please submit two copies of all documentation listed above.**

Completed Application Form & Fee of €80.00 must be submitted to:

Planning Office
Louth County Council
Town Hall
Crowe Street, Dundalk
County Louth
A91W20C

Land Registry Compliant Map



Tailte
Éireann

CENTRE
COORDINATES:
ITM 714041,779790
PUBLISHED:
27/08/2025
ORDER NO.:
50487043_1
MAP SERIES:
1:5,000
1:2,500
1:2,500
MAP SHEETS:
2256
2256-A
2256-B

COMPILED AND PUBLISHED BY:
Tailte Éireann,
Phoenix Park,
Dublin 8,
Ireland.
D08F6E4

www.tailte.ie

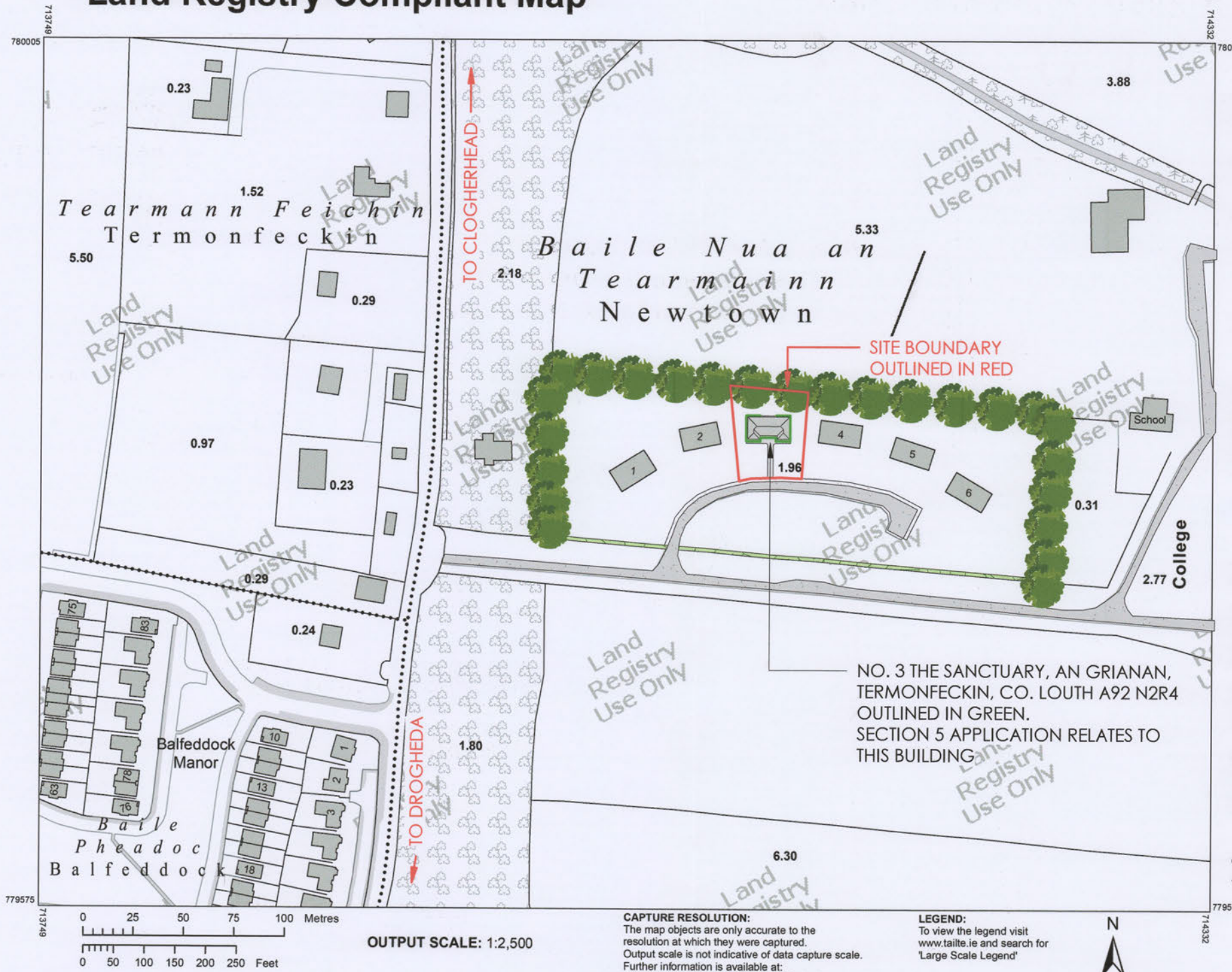
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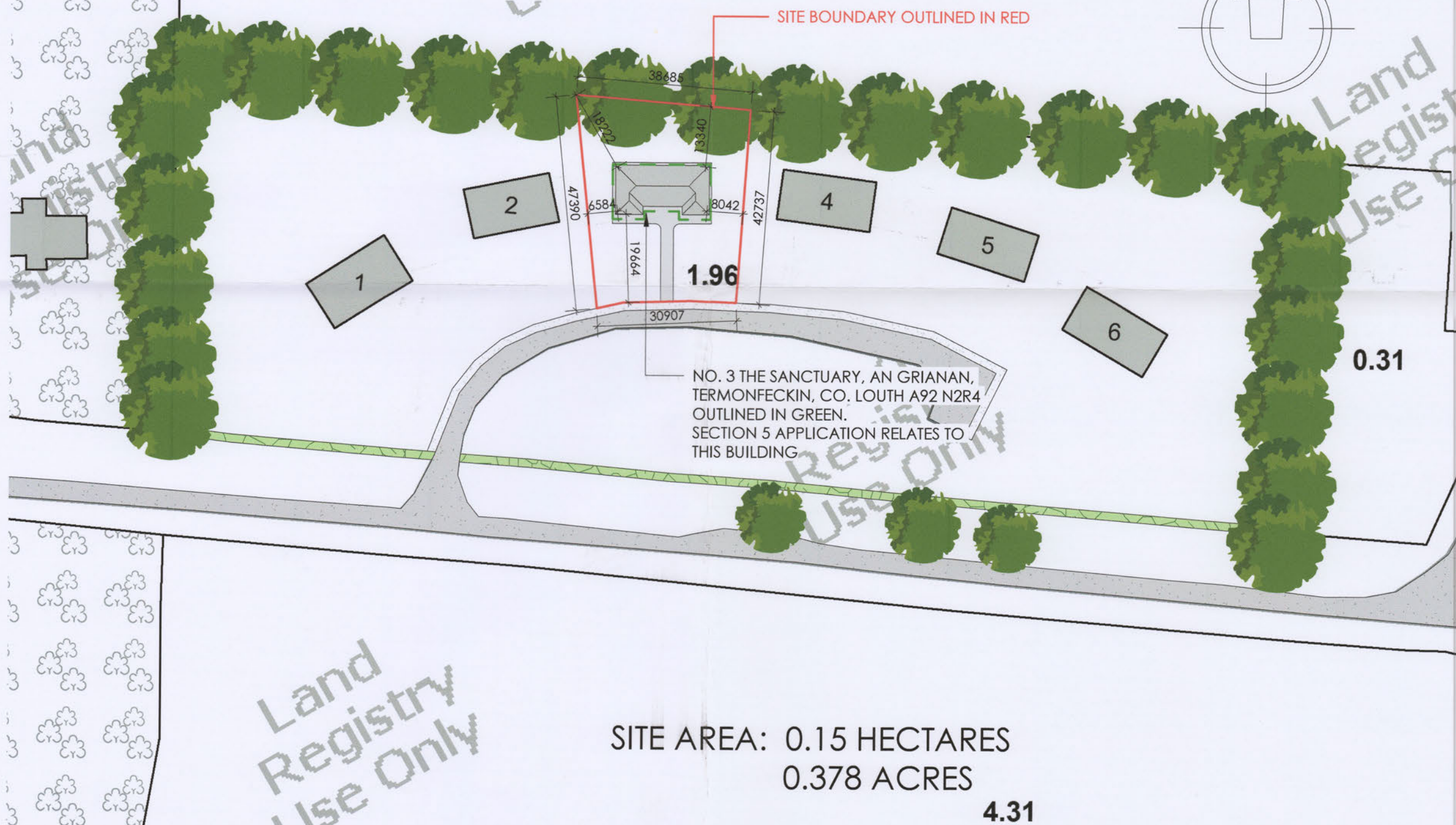
The representation on this map
of a road, track or footpath
is not evidence of the existence
of a right of way.

This topographic map
does not show
legal property boundaries,
nor does it show
ownership of physical features.

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2 SITE LOCATION MAP
1 : 2500



1 SITE LAYOUT PLAN
1 : 1000

REV	DESCRIPTION	DATE	BY

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Do not scale from drawings.



HANLEY TAITE
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Architects & Design Consultants

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Drawing Title:
**SITE LAYOUT & SITE LOCATION
MAP**

Project :
25134-3_3 THE SANCTUARY

Location : 3 THE SANCTUARY, AN GRIANAN,
TERMONFECKIN, CO. LOUTH, A92 N2R4

Client : KARE PLUS

Drawing No. : 25134-3 - HT - XX - 00 - DR - A - 400

Scale : A2 @ As indicated Project Lead : PT

Date : 26/05/2026 Draw By : PMCK

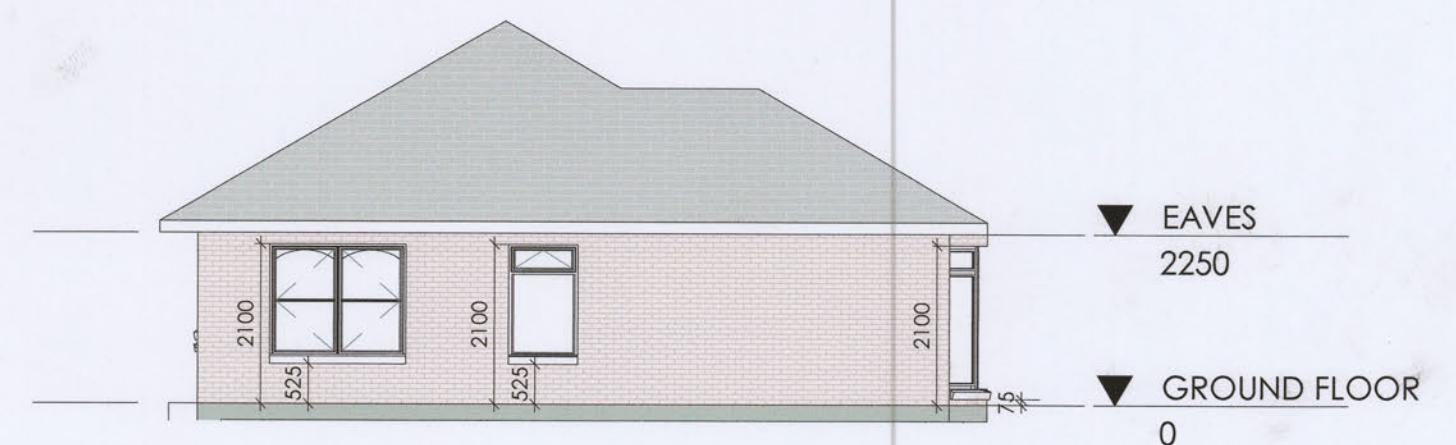
Project No.: Purpose: Sheet no.: Revision.:

25134-3 PS 400

PLANNING DRAWINGS ONLY



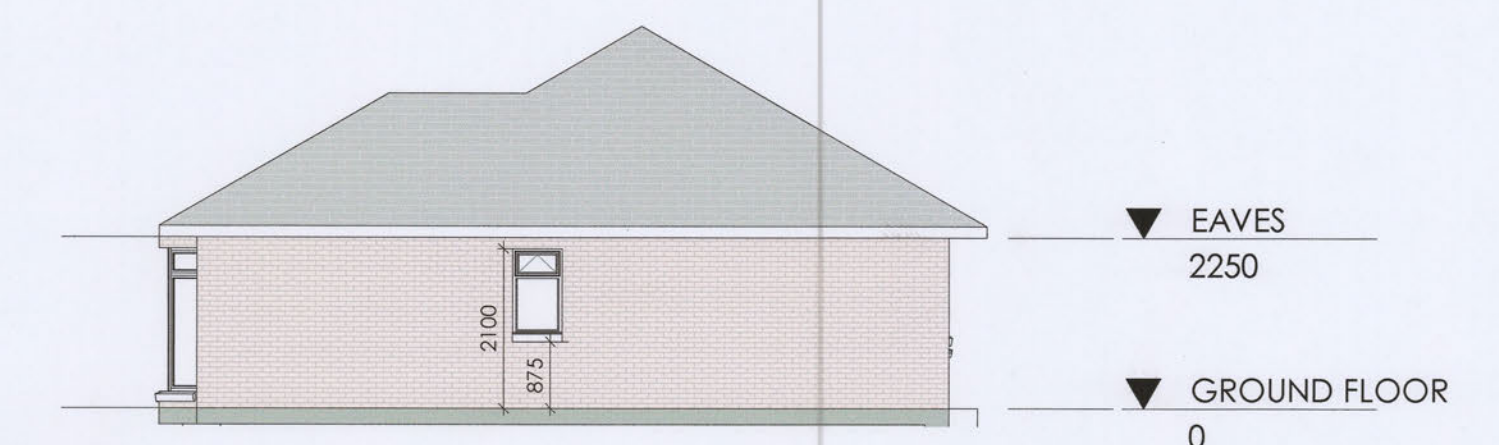
1 FRONT ELEVATION1
1 : 100



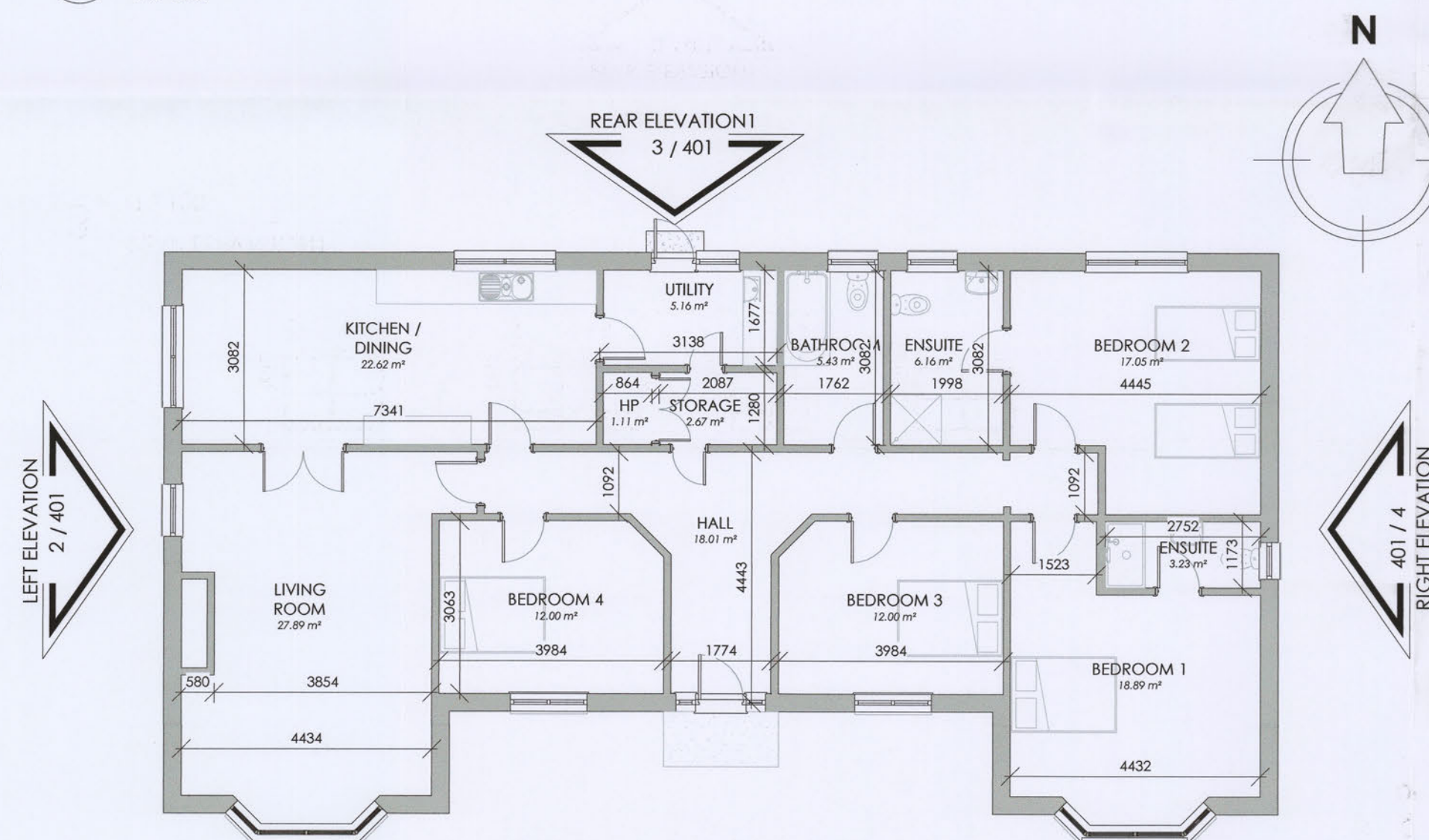
2 LEFT ELEVATION
1 : 100



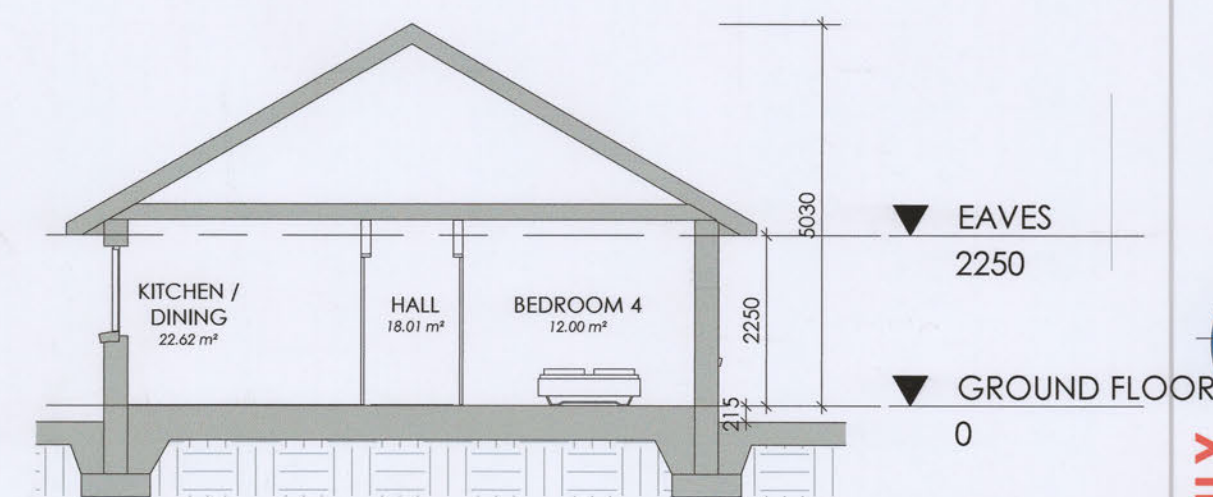
3 REAR ELEVATION1
1 : 100



4 RIGHT ELEVATION
1 : 100



5 GROUND FLOOR PLAN
1 : 100



6 SECTION A-A
1 : 100

FLOOR AREA: 161.33m² / 1736.5 SQFT

NO. 3 THE SANCTUARY, AN GRIANAN, TERMONFECKIN, CO. LOUTH, A92 N2R4
SECTION 5 APPLICATION RELATES TO THIS BUILDING

REV	DESCRIPTION	DATE	BY

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HANLEY TAITE
DESIGN PARTNERSHIP
Architects & Design Consultants

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Drawing Title:
EXISTING PLAN, ELEVATION & SECTION

Project :
25134-3_3 THE SANCTUARY

Location : 3 THE SANCTUARY, AN GRIANAN,
TERMONFECKIN, CO. LOUTH, A92 N2R4

Client : KARE PLUS

Drawing No. : 25134-3 - HT - XX - 00 - DR - A - 401

Scale : A2 @ 1 : 100 **Project Lead :** PT

Date : 26/05/2026 **Draw By :** PMCK

Project No.:	Purpose:	Sheet no.:	Revision.:
25134-3	PS	401	

PLANNING DRAWINGS ONLY

Louth County Council

Section 5 Declaration

Planning Ref: S5 2026/38

Applicant's Name: Gembrook Ventures LTD/KARE PLUS North

Type of Application: Section 5 Declaration

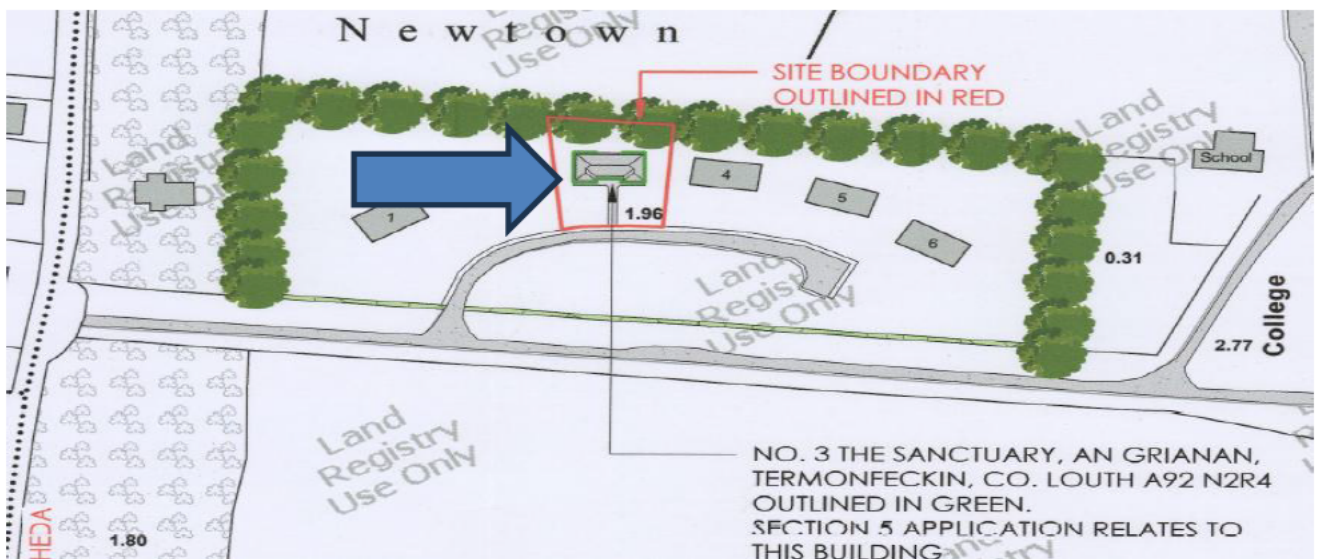
Development: Is it or is it not exempted development to change the use of a dwelling to use as a residence for persons with an intellectual or physical disability or mental illness and persons providing care for such persons. The number of persons in care shall not exceed 6 and the resident carers shall not exceed 2, in accordance with Class 14, Part (f) of the Planning & Development Regulations 2001

Site Location: No. 3 The Sanctuary, An Grianan, Termonfeckin, Co. Louth

Due Date: 25th June 2026

1.0 SITE LOCATION & DESCRIPTION:

The existing single storey dwelling on site is within the grounds of An Grianan College in the Village of Termonfeckin.



2.0 Planning History

File No.	Status	Control Officer	Decision	Received Date	Decision Date	Name	Address	Description
+ 9733	Application Finalised	-	Conditional	22/01/1997 Wednesday	09/04/1997 Wednesday	AN GRIANAN	NEWTOWN TERMONFECKIN DROGHEDA	REVISED SITE LAYOUT & HOUSE DESIGN FOR 6 HOUSES

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 it or is it not exempted development to change use of a dwelling to use as a residence for persons with an intellectual or physical disability or mental illness and persons providing care for such persons. The number of persons in care shall not exceed 6 and the resident carers shall not exceed 2, in accordance with Class 14, Part (f) of the planning and development Regulations, 2001.

The applicant has submitted an application form, a site location map, floor plans, sections and elevations of the dwelling.

4.0 (a)EIAR

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.

(b)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 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 Site is North-west Irish Sea SPA which lies 1.2km east of the site. On the basis that the existing dwelling is within a semi-urban environment and given the nature and scale of the proposed development, 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, 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.

4.0 LEGISLATIVE CONTEXT:

Class 14(f) of Part 1, Schedule 2 of the Planning & Development Regulations (PDR) 2001 (as amended) provides an exemption for:

Changes of Use

"From use as a house, to use as a residence for persons with an intellectual or physical disability or mental illness and persons providing care for such persons". This exemption is subject to certain conditions and limitations.

Conditions and Limitations

The number of persons with an intellectual or physical disability or a mental illness living in any such residence shall not exceed 6 and the number of resident carers shall not exceed 2.

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, 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,

(x) obstruct any public right of way,

(xi) 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:

“care” means personal care, including help with physical, intellectual or social needs;

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

- (a) 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 the making of a material change in the use of—
 - (iii) land or any structure on land, or
 - (iv) 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.

5.0 ASSESSMENT

The applicant Gembrook Ventures/ KARE PLUS North provides home care, nursing and healthcare services, including intellectual disability services for children and adults

Do the works constitute “development”? I consider that the proposed change of use falls within the statutory interpretation of “works” and therefore within the Section 2 of the Planning and Development Act, 2024 definition of “development”.

Do the works constitute exempted development?

Class 14(f) of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended) is relevant in the assessment of whether the development is or is not exempted development.

The documentation submitted states that the proposed change of use from a single house to use as a residence for persons with an intellectual or physical disability or mental illness and persons providing care for such persons. The number of persons in care shall not exceed 6 and the resident carers shall not exceed 2.

Class 14(f) of Part 1, Schedule 2 of the Planning & Development Regulations (PDR) 2001 (as amended):

Changes of Use

“From use as a house, to use as a residence for persons with an intellectual or physical disability or mental illness and persons providing care for such persons”.

Conditions and Limitations

The number of persons with an intellectual or physical disability or a mental illness living in any such residence shall not exceed 6 and the number of resident carers shall not exceed 2.

The documentation states that the number of persons with an intellectual or physical disability or a mental illness living in the property residence shall not exceed 6 and the number of resident carers shall not exceed 2. Therefore, based on the information submitted as part of this declaration, the proposal would be in compliance with the conditions and limitations contained in Column 2 of Class 14(f), subject to compliance with article 9 of the Planning and Development Regulations.

Article 9(1) provides detailing on restrictions on exemption as follows:

(1) Development to which article 6 relates shall not be exempted development for the purposes of the Act—

(b) 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,

N/A

(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,

N/A

(iii) endanger public safety by reason of traffic hazard or obstruction of road users,

- The existing dwelling exits onto a private lane leading to the public road. Sightline visibility is satisfactory at the junction of the private and public road and as such, I am satisfied that the proposal will not endanger public safety by reason of a traffic hazard.

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

N/A

(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,

N/A

(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,

N/A

(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,

N/A

(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),

N/A

(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,

N/A.

(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, 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,

N/A

(x) obstruct any public right of way,

N/A

(xi) 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.

N/A

I have assessed the proposed against each of the restrictions on exemption as set out under Article 9 and am satisfied that it does not fall under the scope of same.

6.0 CONCLUSION:

This proposed change of use of an existing dwelling house for use as a residence for persons with an intellectual or physical disability or mental illness and persons providing care for such persons, where the number of persons with an intellectual or physical disability or a mental illness living in the residence shall not exceed 6 and the number of resident carers shall not exceed 2 complies with the conditions/limitations for a change of use under Class 14(f) of Part 1, 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 exempted development.

WHEREAS a question to whether *“Is it or is it not exempted development to change use of a dwelling to use as a residence for persons with an intellectual or physical disability or mental illness and persons providing care for such persons. The number of persons in care shall not exceed 6 and the resident carers shall not exceed 2, in accordance with Class 14, Part (f) of the planning and development Regulations, 2001.*

AND WHEREAS the said question was referred to Louth County Council by Gembrook Ventures Ltd/KARE PLUS North.

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 29th May 2026,
- c) Class 14(f) of Part 1, 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 planning history of the site.

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

- (i) The change of use of a house, to use as a residence for persons with an intellectual or physical disability or mental illness or persons providing care for such persons is considered to constitute works which constitutes development under **Section 2** of the Planning & Development Act, 2024;
- (ii) The change of use satisfies the conditions and limitations for exempted development under Class 14(f) of Schedule 2, Part 1 of the Planning and Development Regulations 2001 (as amended), which relates to a change of use *“of dwelling to use exclusively as a residence for persons with an intellectual or physical disability or mental illness and persons providing care for such persons. The number of persons in care shall not exceed 6 and the resident carers shall not exceed 2.”*

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 use of a dwelling to use exclusively as a residence for persons with an intellectual or physical disability or mental illness and persons providing care for such persons, where the number of persons in care shall not exceed 6 and the resident carers shall not*

exceed 2", on lands at no 3, The Sanctuary, An Grianan, Termonfeckin, Co. Louth, constitutes development that is exempted development.



Brian Brooks
Exe Planner
Date: 18th June 2026



Turlough King
A/ Senior Planner
Date: 19th June 2026



Thomas McEvoy
Director of Services
Date: 19th June 2026

LOUTH COUNTY COUNCIL

CHIEF EXECUTIVE'S ORDER

PLANNING & DEVELOPMENT ACT 2000 (as amended)

Section 5 Exempted Development

Chief Executive's Order No:	459/2026
Reference No:	S5 2026/38
Date Application Received:	29/05/2026
Description of Development:	Is it or is it not exempted development to change use of a dwelling to use as a residence for persons with an intellectual or physical disability or mental illness and persons providing care for such persons. The number of persons in care shall not exceed 6 and the resident carers shall not exceed 2, in accordance with Class 14, Part (f) of the planning and development Regulations, 2001
Name of Applicant:	Gembrook Ventures Ltd
Location of Development	No 3, The Sanctuary, An Grianan, Termonfeckin, Co. Louth

WHEREAS a question to whether "Is it or is it not exempted development to change use of a dwelling to use as a residence for persons with an intellectual or physical disability or mental illness and persons providing care for such persons. The number of persons in care shall not exceed 6 and the resident carers shall not exceed 2, in accordance with Class 14, Part (f) of the planning and development Regulations, 2001.

AND WHEREAS the said question was referred to Louth County Council by Gembrook Ventures Ltd/KARE PLUS North.

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

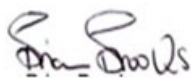
- a) The definition of "development", in Section 2 of the Planning and Development Act 2024,
- b) Plans and particulars forwarded to the Planning Authority on 29th May 2026,
- c) Class 14(f) of Part 1, Schedule 2 of the Planning and Development Regulations, 2001, as amended,

- d) Article 9 of the Planning and Development Regulations, 2001 as amended,
- e) The planning history of the site.

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

- a) The change of use of a house, to use as a residence for persons with an intellectual or physical disability or mental illness or persons providing care for such persons is considered to constitute works which constitutes development under **Section 2** of the Planning & Development Act, 2024;
- b) The change of use satisfies the conditions and limitations for exempted development under Class 14(f) of Schedule 2, Part 1 of the Planning and Development Regulations 2001 (as amended), which relates to a change of use *“of dwelling to use exclusively as a residence for persons with an intellectual or physical disability or mental illness and persons providing care for such persons. The number of persons in care shall not exceed 6 and the resident carers shall not exceed 2.”*

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 use of a dwelling to use exclusively as a residence for persons with an intellectual or physical disability or mental illness and persons providing care for such persons, where the number of persons in care shall not exceed 6 and the resident carers shall not exceed 2”, on lands at no 3, The Sanctuary, An Grianan, Termonfeckin, Co. Louth, constitutes **development** that is **exempted development**.



SIGNED: _____
Brian Brooks
Executive Planner

Date: 19/06/2026

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: 19/06/2026

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

Gembrook Ventures Ltd
c/o Hanley Taite Design Partnership
Virginia Shopping Centre
Virginia
Co Cavan

19th June 2026

Re: Ref. S5 2026/38

Application for Declaration of "Exempted Development" Part 1, Section 5 Planning & Development Act, 2000 (as amended) as to 'Is it or is it not exempted development to change the use of a dwelling to use as a residence for persons with an intellectual or physical disability or mental illness and persons providing care for such persons. The number of persons in care shall not exceed 6 and the resident carers shall not exceed 2, in accordance with Class 14, Part (f) of the Planning & Development Regulations 2001'.

Dear Sir/Madam,

I wish to acknowledge receipt of your application received on 29th 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 it or is it not exempted development to change use of a dwelling to use as a residence for persons with an intellectual or physical disability or mental illness and persons providing care for such persons. The number of persons in care shall not exceed 6 and the resident carers shall not exceed 2, in accordance with Class 14, Part (f) of the planning and development Regulations, 2001.

AND WHEREAS the said question was referred to Louth County Council by Gembrook Ventures Ltd/KARE PLUS North.

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

Louth County Council
Town Hall
Crowe Street
Dundalk
County Louth
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Cuirfear fáilte roimh chomhfhreagras Gaeilge - Correspondence in Irish is welcome
Féach foláirimh faoi Lú ón gComhairle ag www.mapalerter.ie/Louth
View Council alerts for Louth at www.mapalerter.ie/Louth

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 29th May 2026,
- c) Class 14(f) of Part 1, 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 planning history of the site.

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

- a) The change of use of a house, to use as a residence for persons with an intellectual or physical disability or mental illness or persons providing care for such persons is considered to constitute works which constitutes development under **Section 2** of the Planning & Development Act, 2024;
- b) The change of use satisfies the conditions and limitations for exempted development under Class 14(f) of Schedule 2, Part 1 of the Planning and Development Regulations 2001 (as amended), which relates to a change of use *“of dwelling to use exclusively as a residence for persons with an intellectual or physical disability or mental illness and persons providing care for such persons. The number of persons in care shall not exceed 6 and the resident carers shall not exceed 2.”*

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 use of a dwelling to use exclusively as a residence for persons with an intellectual or physical disability or mental illness and persons providing care for such persons, where the number of persons in care shall not exceed 6 and the resident carers shall not exceed 2”, on lands at no 3, The Sanctuary, An Grianan, Termonfeckin, Co. Louth, constitutes **development** that is **exempted development**.

In Summary

A Declaration of Exemption is hereby GRANTED for the development as detailed on the plans and particulars submitted on 29th May 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