



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:

Gemma Fogarty 80 Brookville Park, Drogheda, Co. Louth

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

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

3. Interest in site of the person seeking declaration:

HomeOwner

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

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

Gemma Fogarty 80 Brookville Park, Drogheda, Co. Louth

ill (Next of Kin)

(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)**

80 Brookville Park Drogheda Co. Louth
A92XRW3

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

I am applying for planning exemption on extension at the rear of my house.

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

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

I certify that the aforementioned is correct.

Signature of Applicant: Gemma Fogarty Date 16/06/2026

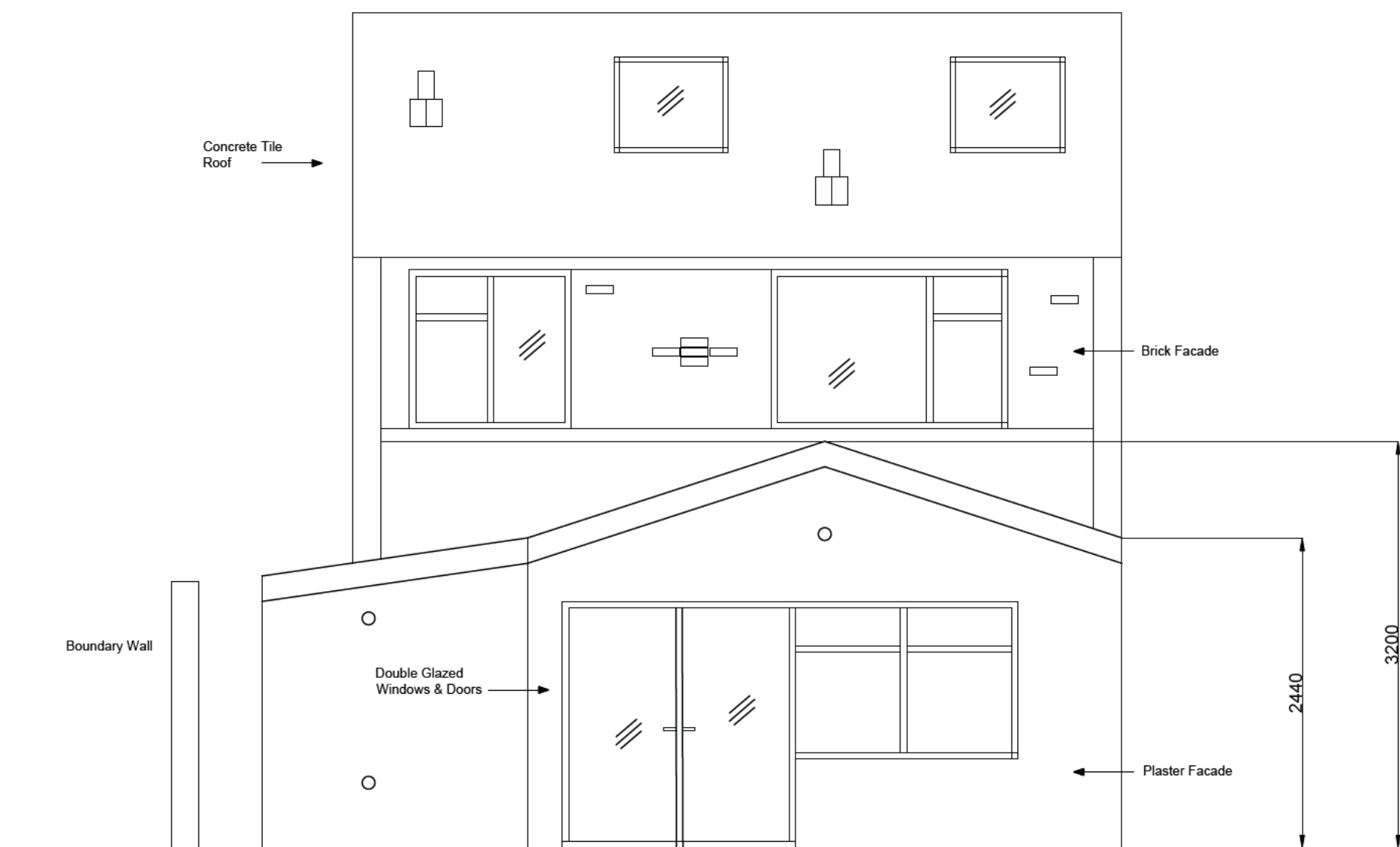
Please include one copy of the following documents with this application form:

- **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**



Concrete Tile
Roof

Brick Facade

Boundary Wall

Double Glazed
Windows & Doors

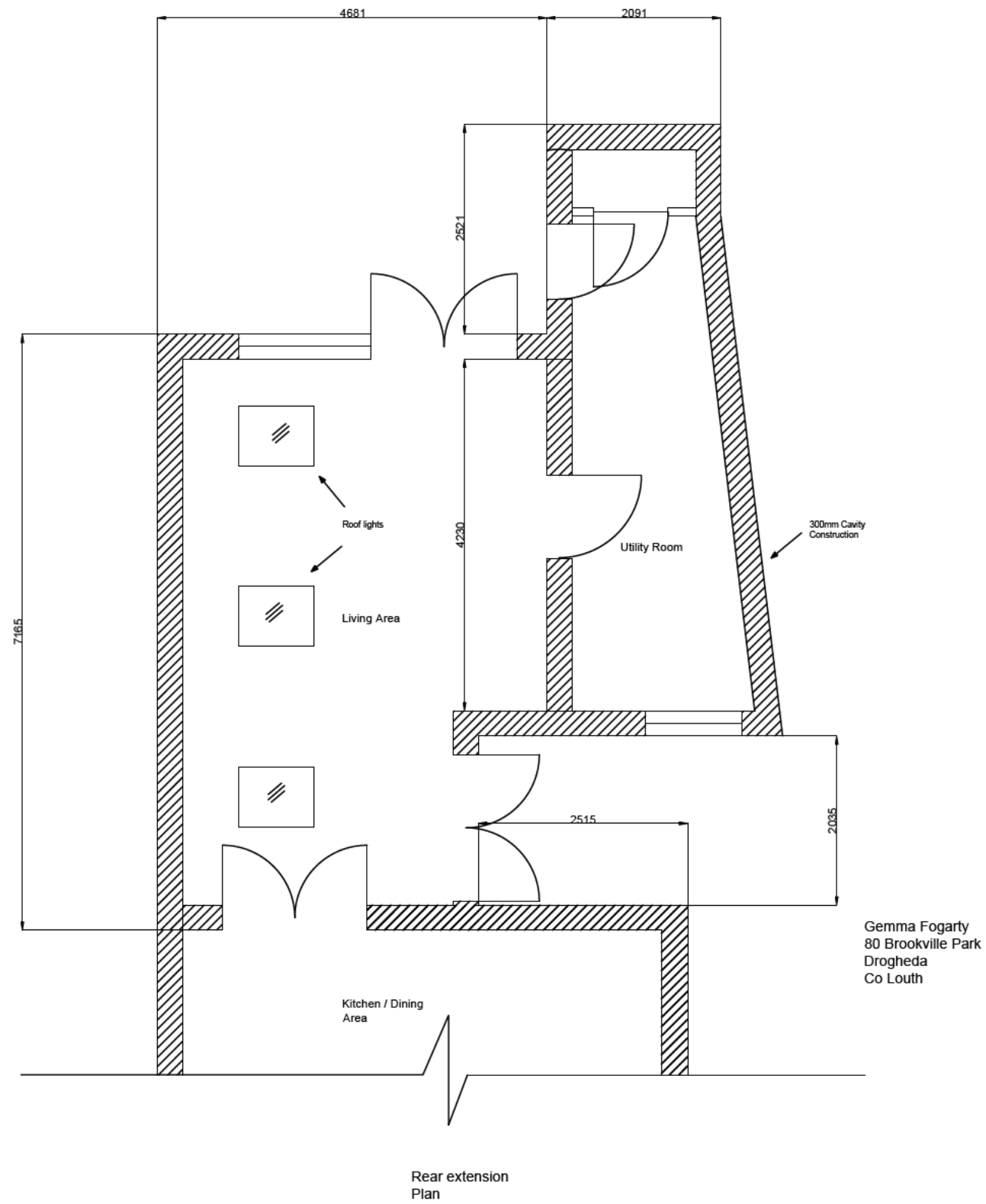
Plaster Facade

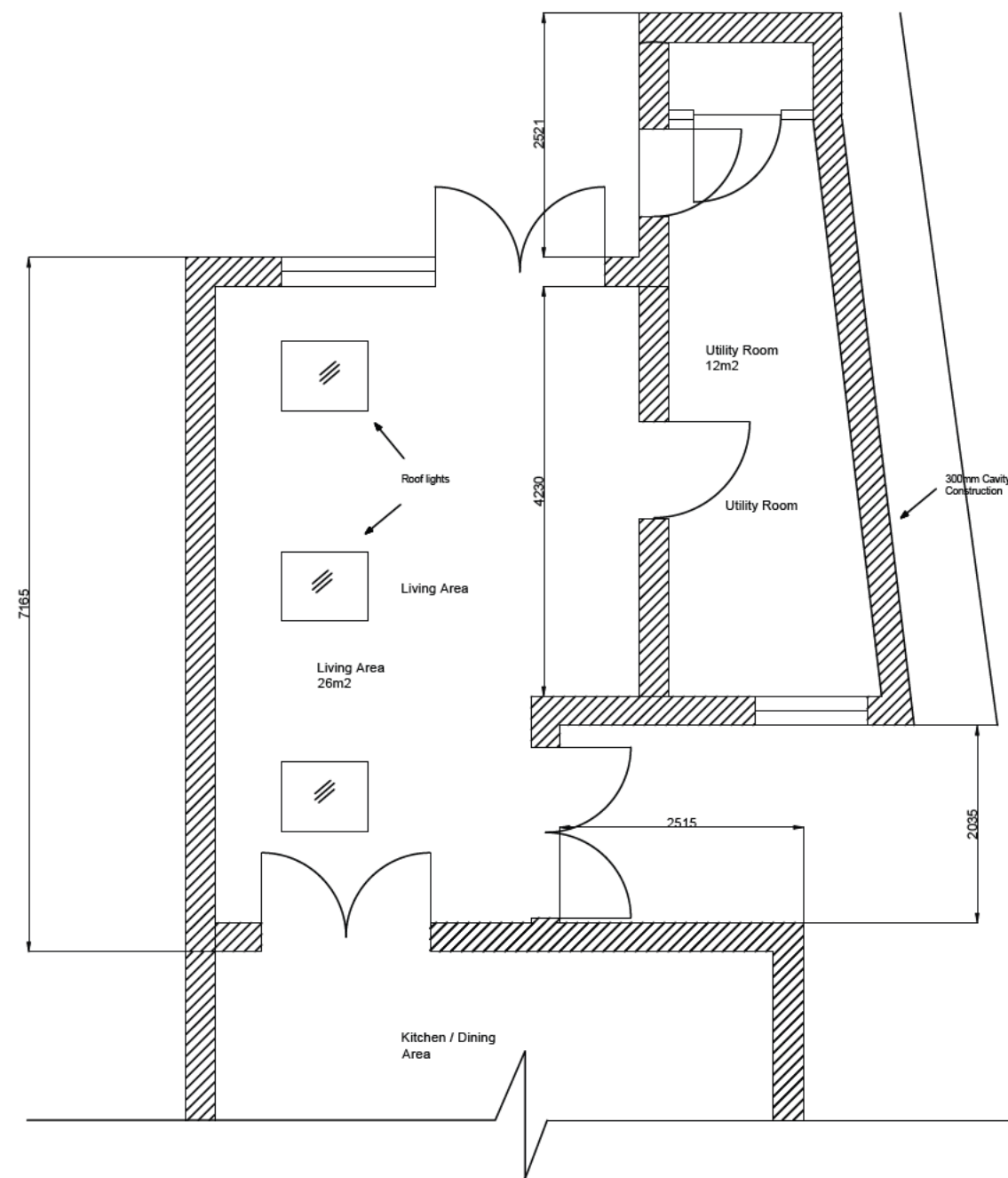
2440

3200

Rear
Elevation

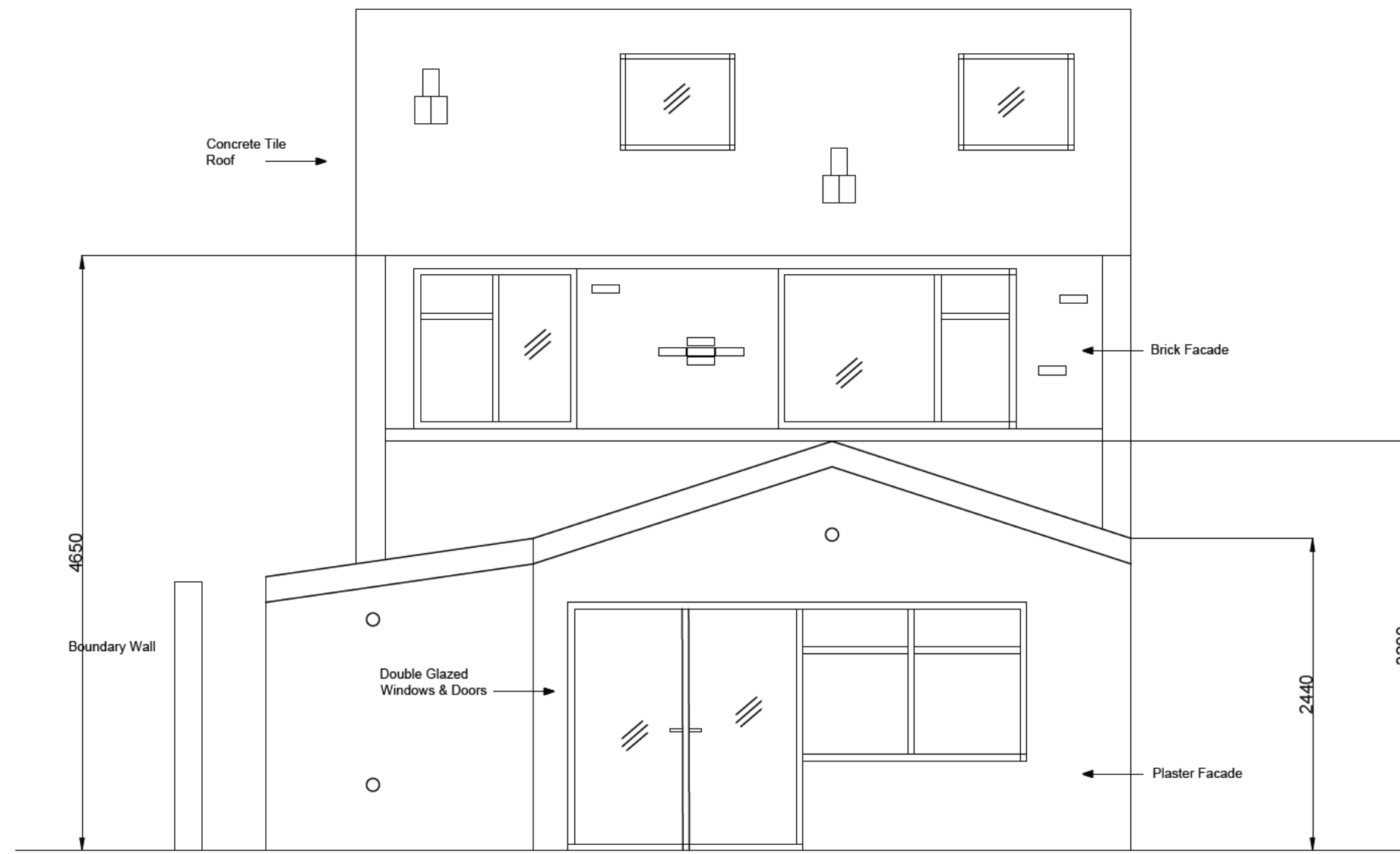
Gemma Fogarty
80 Brookville Park
Drogheda
Co Louth





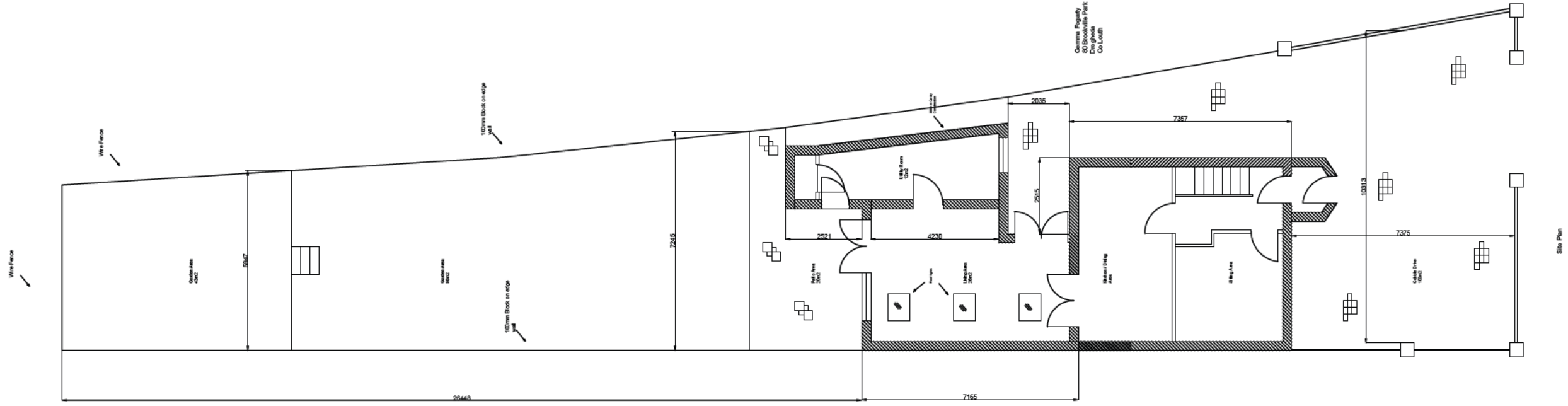
Gemma Fogarty
80 Brookville Park
Drogheda
Co Louth

Rear extension
Plan



Rear
Elevation

Gemma Fogarty
80 Brookville Park
Drogheda
Co Louth



Louth County Council
Section 5 Declaration

Planning Ref:	S5 2026/45
Applicant's Name:	Gemma Fogarty
Type of Application:	Section 5 Declaration
Development:	Rear dwelling extension
Site Location:	80 Brookville Park, Drogheda, Co. Louth, A92 XRW3
Site Inspection	30 th June 2026
Report Date	1 st July 2026
Due Date:	13 th July 2026

1.0 SITE LOCATION AND DESCRIPTION

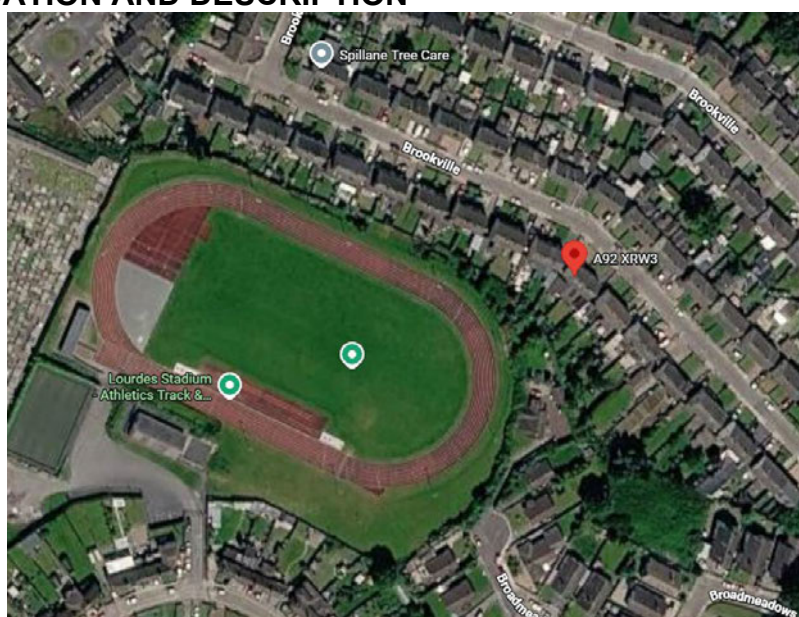


Fig. 1: Site Location (Google Maps)

The site is located within the urban settlement limits of Drogheda (a Regional Growth Centre) and on lands zoned 'A1:Existing Residential' whereby the objective is "to protect and enhance the amenity and character of existing residential communities," as per the Louth County Development Plan 2021-2027, as varied.

Within the site at present is an established two storey semi-detached dwelling, with in curtilage parking and driveway and private rear amenity space. The property has been extended to the rear in the form of a single storey extension of 38m².



Fig.2: Existing dwelling (Google Streetview, May 2019)



Fig.3-4: Subject extension (taken from existing driveway)

2.0 PLANNING HISTORY

Relevant planning records:

No records.

Enforcement Records:

None.

3.0 DECLARATION SOUGHT

The applicant's submitted question for determination within Section 6 of the application form states:

"I am applying for planning exemption on extension at the rear of my house."

The Planning Authority shall consider the submitted question in the following rephased format as it is unclear from the submitted question as to whether the subject extension is existing or proposed:

'Is the existing single storey rear extension at No. 80 Brookville Park, Drogheda, Co. Louth, A92 XRW3 exempt development?'

The applicant has submitted the following details and particulars:

- Section 5 Declaration Application Form.
- Site Plan
- Floor Plan
- Rear Elevation

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 granted. 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 nature, size and location of the subject development, I am satisfied that there is no real likelihood of significant effects on the environment and as such, an EIAR is not required.

5.0 APPROPRIATE ASSESSMENT

No screening report has been provided with this application. Having regard to the nature and scale of the subject (small scale domestic) development and the nature of the receiving environment (within a fully serviced urban area,) no appropriate assessment issues arise and it is not considered that the existing development would be likely to have a significant effect individually or in combination with other plans or projects on a European site (Special Area of Conservation or Special Protected Area) and as such an Appropriate Assessment (Stage 2 AA) is not required.

6.0 LEGISLATIVE CONTEXT

S.I. No. 662/2024 - The Planning and Development Act 2024 (Commencement) Order 2024

The Planning and Development Act 2024 (Commencement) Order 2024 states:

"The 2nd day of December 2024 is appointed as the day on which the following provisions of the Planning and Development Act 2024 (No. 34 of 2024) shall come into operation:

- (a) Sections 1 to 5;*
- (b) Part 26*

The Planning and Development Act 2024

Section 2 states:

“development” means—

(a) the carrying out of works—

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

(ii) on, in, over or under 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;*

“exempted development” means—

(a) development of a class prescribed under section 9 , or

(b) development that is exempted development by virtue of section 152;

“alteration” includes, in relation to a structure—

(a) plastering or painting,

(b) the removal of plaster or stucco, and

(c) the replacement of a door, window or roof,

*that materially alters the external appearance of a structure so as to render the
appearance inconsistent with the character of the structure or neighbouring
structures;*

“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, or*

*(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;

**“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 ,

(c) Chapter 6 State authority development within the meaning of Part 4 ,

(d) development required by—

- (i) a notice under section 339 ,*
- (ii) an order under section 341 ,*
- (iii) an enforcement notice under section 350 , or*
- (iv) a planning injunction under section 351 ,*

or

(e) development carried out in accordance with—

- (i) a licence under section 13 , or*
- (ii) a licence under section 254 of the Act of 2000;*

“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,*
- (c) Chapter 6 State authority development within the meaning of Part 4,*
- (d) development required by—*
 - (i) a notice under section 339,*
 - (ii) an order under section 341,*
 - (iii) an enforcement notice under section 350, or*
 - (iv) a planning injunction under section 351,*

or

(e) development carried out in accordance with—

- (i) a licence under section 13, or*
- (ii) a licence under section 254 of the Act of 2000;*

“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.

The Planning and Development Act, 2000 (as amended)

Section 5 states:

- (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:

Section 32 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.

The Planning and Development Regulations 2001, (as amended)

Part 2, Article 6 (1) states:

(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.

Part 2, Article 9: Restrictions on Exempted Development:

Article 9(1) sets out the restrictions on exemption and the instances whereby development to which article 6 relates shall not be exempted development for the purposes of the Act.

7.0 ASSESSMENT

Does the subject works constitute development?

In having regard to the definition of 'development' within Section 2 of the Planning and Development Act 2024, as outlined above, the provision of a single storey rear extension to the existing property constitutes construction on the existing land and therefore constitutes '**development**.' as defined in Section 2 of the Planning and Development Act, 2024.

Do the works constitute exempt development?

The submitted particulars including floor plans, indicate the extent of the subject extension, which is adjoined to the rear building line of the original dwelling by a single storey link and proceeds to comprise a staggered single storey extension.

The proposed development would fall within Part 1, Class 1 of Schedule 2 of the Regulations, i.e.:

'The extension of a house, by the construction or erection of an extension (including a conservatory) to the rear of the house or by the conversion for use as part of the house of any garage, store, shed, or similar structure attached to the rear or to the side of the house.'

In having regard to the submitted details and to the conditions and limitations as set out on Column 2 of Class 1, the following considerations are noted:

1. (a) Where the house has not been extended previously, the floor area of any such extension shall not exceed 40 square metres.

The subject dwelling does not appear to have been previously extended. The submitted details refer to an extension of 38m², including 26m² living area and 12m² utility room which is below the 40m² limitation.

(b) Subject to paragraph (a), where the house is terraced or semi-detached, the floor area of any extension above ground level shall not exceed 12 square metres.

Whilst the subject dwelling is semi-detached, the subject extension is single storey only.

(c) Subject to paragraph (a), where the house is detached, the floor area of any extension above ground level shall not exceed 20 square metres.

As the house is semi-detached, this criterion is not applicable.

2. (a) Where the house has been extended previously, the floor area of any such extension, taken together with the floor area of any previous extension or extensions constructed or erected after 1 October 1964, including those for which planning permission has been obtained, shall not exceed 40 square metres.

(b) Subject to paragraph (a), where the house is terraced or semi-detached and has been extended previously, the floor area of any extension above ground level taken together with the floor area of any previous extension or extensions

above ground level constructed or erected after 1 October 1964, including those for which planning permission has been obtained, shall not exceed 12 square metres.

(c) Subject to paragraph (a), where the house is detached and has been extended previously, the floor area of any extension above ground level, taken together with the floor area of any previous extension or extensions above ground level constructed or erected after 1 October 1964, including those for which planning permission has been obtained, shall not exceed 20 square metres.

As the subject dwelling has not been previously extended, the above criteria are not applicable.

3. Any above ground floor extension shall be a distance of not less than 2 metres from any party boundary.

The subject extension is single storey and therefore does not contravene this limitation.

4. (a) Where the rear wall of the house does not include a gable, the height of the walls of any such extension shall not exceed the height of the rear wall of the house.

The rear wall of the original dwelling does not include a gable and the height of the walls to the extension do not exceed the height of the rear wall to the dwelling.

(b) Where the rear wall of the house includes a gable, the height of the walls of any such extension shall not exceed the height of the side walls of the house.

The rear wall of the house does not include a gable.

(c) The height of the highest part of the roof of any such extension shall not exceed, in the case of a flat roofed extension, the height of the eaves or parapet, as may be appropriate, or, in any other case, shall not exceed the height of the highest part of the roof of the dwelling.

The extension has a maximum ridge height of 3.2m (pitched roof) which does not exceed the highest part of the roof of the dwelling.

5. The construction or erection of any such extension to the rear of the house shall not reduce the area of private open space, reserved exclusively for the use of the occupants of the house, to the rear of the house to less than 25 square metres.

The remaining rear amenity space for the subject property exceeds 25m², with 161m² indicated on the submitted layout plan.

6. (a) Any window proposed at ground level in any such extension shall not be less than 1 metre from the boundary it faces.

In reviewing the submitted floor plan, there are no existing windows within 1m of any boundary to the site that would offend this criterion.

(b) Any window proposed above ground level in any such extension shall not be less than 11 metres from the boundary it faces.

The subject extension is single storey and as such, there are no first floor windows within the development.

(c) Where the house is detached and the floor area of the extension above ground level exceeds 12 square metres, any window proposed at above ground level shall not be less than 11 metres from the boundary it faces.

The subject dwelling as noted, is semi-detached and the subject extension is single storey.

7. The roof of any extension shall not be used as a balcony or roof garden.

The roof to the subject extension is pitched and there is no provision for its use as a balcony or roof garden is not feasible.

Accordingly, the subject development would not (on the basis of the submitted details, and observations on site,) contravene any of the conditions and limitations within Class 1.

Restrictions on exempted development

In having regard to the restrictions on exempted development within Article 9(1) of the Regulations, the following comments are noted:

Article 9(1)(a):

(i) The existing development would not contravene a condition attached to a permission under the Act or be inconsistent with any use specified in a permission under the Act.

(ii) The existing development would not 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) The existing development would not endanger public safety by reason of traffic hazard or obstruction of road users,

(iiia) The existing development would not endanger public safety by reason of hazardous glint and/or glare for the operation of airports, aerodromes or aircraft,

(iv) The existing development would not, 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) The proposed development would not 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) The existing development would not 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) The existing development would not consist of or comprise the excavation, alteration or demolition (other than peat extraction) of places, caves, sites, features or other objects of archaeological, geological, historical, scientific or ecological interest, the preservation, conservation or protection of which is an objective of a development plan or local area plan for the area in which the development is proposed or, pending the variation of a development plan or local area plan, or the making of a new development plan or local area plan, in the draft variation of the development plan or the local area plan or the draft development plan or draft local area plan,

(viiA) The existing development would not consist of or comprise the excavation, alteration or demolition of any archaeological monument included in the Record of Monuments and Places, pursuant to section 12 (1) of the National Monuments (Amendment) Act 1994, save that this provision shall not apply to any excavation or any works, pursuant to and in accordance with a consent granted under section 14 or a licence granted under section 26 of the National Monuments Act 1930 (No. 2 of 1930) as amended,

(viiB) The existing development would not comprise development in relation to which a planning authority or An Bord (now Coimisiún) Pleanála is the competent authority in relation to appropriate assessment, and the development would require an appropriate assessment because it would be likely to have a significant effect on the integrity of a European site,

(viii) The existing development would not consist of or comprise the extension, alteration, repair or renewal of an unauthorised structure or a structure the use of which is an unauthorised use,

(viiC) The existing development would not consist of or comprise development which would be likely to have an adverse impact on an area designated as a natural heritage area by order made under section 18 of the Wildlife (Amendment) Act 2000. (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) the existing development would not 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) The existing development would not 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) The existing development would not obstruct any public right of way,

(xii) further to the provisions of section 82 of the Act, the existing development would not 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.

Accordingly, I am satisfied that the existing development does not contravene the limitations within Article 9(1)(a) whilst the provisions of Article 9(1)(b), (c) and (d) are not applicable.

Therefore in accordance with Part 2, Article 6 (1,) the existing development shall be exempted development for the purposes of the Act, as it complies with the conditions and limitations specified in column 2 of the said Part 1 and would not contravene the restrictions within article 9.

8.0 CONCLUSION

In having regard to the foregoing, the existing single storey rear extension at No. 80 Brookville Park, Drogheda, A92 XRW3, Co. Louth is **development that is exempted development.**

9.0 RECOMMENDATION:

Accordingly, I recommend that an Order along the following lines is issued:

WHEREAS a question has arisen pursuant to Section 5 of the Planning and Development Act 2000 whether the existing single storey extension to the rear of No. 80 Brookville Park, Drogheda, A92 XRW3, Co. Louth is or is not development and is or is not exempt development,

AND WHEREAS Louth County Council, in consideration of this question has had regard particularly to:

- (a) The definition of “*development*” in Section 2 of the Planning & Development Act 2024 (as amended).
- (b) Articles 6 and 9 of the Planning and Development Regulations 2001 (as amended.)
- (c) Class 1 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended.)
- (d) The plans and particulars submitted to the Planning Authority on 16th, 17th and 25th June 2026,
- (e) The Planning history pertaining to the site.

(f) The existing development observed on site.

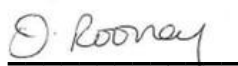
AND WHEREAS Louth County Council has concluded: -

- (a) The 'the existing single storey extension to the rear of No. 80 Brookville Park, Drogheda, A92 XRW3, Co. Louth **constitutes development** under Section 2 of the Planning & Development Act, 2024 and;
- (b) The '*existing single storey extension to the rear of No. 80 Brookville Park, Drogheda, A92 XRW3, Co. Louth,*' as per Class 1 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended) and would comply with the conditions and limitations specified in column 2 of this class and;
- (c) The existing development would not, contravene any of the restrictions on exemption as outlined in 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 existing single storey extension to the rear of No. 80 Brookville Park, Drogheda, A92 XRW3, Co. Louth

is development and **is exempted development.**



Orla Rooney
Assistant Planner
Date: 01/07/2026



Turlough King
A/Senior Planner
Date: 01/07/2026



Thomas McEvoy
Director of Services
Date: 10/07/2026

LOUTH COUNTY COUNCIL

CHIEF EXECUTIVE'S ORDER

PLANNING & DEVELOPMENT ACT 2000 (as amended)

Section 5 Exempted Development

Chief Executive's Order No:	522/2026
Reference No:	S5 2026/45
Date Application Received:	16/06/2026
Description of Development:	Whether the existing single storey extension to the rear of No. 80 Brookville Park, Drogheda, A92 XRW3, Co. Louth is or is not development and is or is not exempt development.
Name of Applicant:	Gemma Fogarty
Location of Development	80 Brookville Park, Drogheda, Co Louth, A92 XRW3

WHEREAS a question to whether the existing single storey extension to the rear of No. 80 Brookville Park, Drogheda, A92 XRW3, Co. Louth is or is not development and is or is not exempt development.

AND WHEREAS the said question was referred to Louth County Council by Gemma Fogarty

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 & Development Act 2024 (as amended).
- (b) Articles 6 and 9 of the Planning and Development Regulations 2001 (as amended.)
- (c) Class 1 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended.)
- (d) The plans and particulars submitted to the Planning Authority on 16th, 17th and 25th June 2026,
- (e) The Planning history pertaining to the site.
- (f) The existing development observed on site.

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

- (a) The existing single storey extension to the rear of No. 80 Brookville Park, Drogheda, A92 XRW3, Co. Louth **constitutes development** under Section 2 of the Planning & Development Act, 2024 and;
- (b) The 'existing single storey extension to the rear of No. 80 Brookville Park, Drogheda, A92 XRW3, Co. Louth,' as per Class 1 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended) and would comply with the conditions and limitations specified in column 2 of this class and;
- (c) The existing development would not, contravene any of the restrictions on exemption as outlined in 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 existing single storey extension to the rear of No. 80 Brookville Park, Drogheda, A92 XRW3, Co. Louth is **development** and is **exempted development**..

SIGNED: 

Orla Rooney
Assistant Planner

Date: 08/07/2026

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 Services

Date: 10/07/2026

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

Gemma Fogarty
80 Brookville Park,
Drogheda,
Co. Louth

By email only to: [REDACTED]

10th July 2026

Re: Ref. S5 2026/45

Application for Declaration of "Exempted Development" Part 1, Section 5 Planning & Development Act, 2000 (as amended) as to 'Whether the existing single storey extension to the rear of No. 80 Brookville Park, Drogheda, A92 XRW3, Co. Louth is or is not development and is or is not exempt development

Dear Sir/Madam,

I wish to acknowledge receipt of your application received on 16th 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 existing single storey extension to the rear of No. 80 Brookville Park, Drogheda, A92 XRW3, Co. Louth is or is not development and is or is not exempt development".

AND WHEREAS the said question was referred to Louth County Council by Gemma Fogarty,

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 & Development Act 2024 (as amended).
- (b) Articles 6 and 9 of the Planning and Development Regulations 2001 (as amended.)
- (c) Class 1 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended.)

Comhairle Contae Lú
Halla an Bhaile
Sráid Crowe
Dún Dealgan
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Cuirfear fáilte roimh chomhfhreagras Gaeilge - Correspondence in Irish is welcome
Féach foláirimh faoi Lú ón gComhairle ag www.mapalserter.ie/Louth
View Council alerts for Louth at www.mapalserter.ie/Louth

- (d) The plans and particulars submitted to the Planning Authority on 16th, 17th and 25th June 2026,
- (e) The Planning history pertaining to the site.
- (f) The existing development observed on site.

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

- (a) The existing single storey extension to the rear of No. 80 Brookville Park, Drogheda, A92 XRW3, Co. Louth **constitutes development** under Section 2 of the Planning & Development Act, 2024 and;
- (b) The 'existing single storey extension to the rear of No. 80 Brookville Park, Drogheda, A92 XRW3, Co. Louth,' as per Class 1 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended) and would comply with the conditions and limitations specified in column 2 of this class and;
- (c) The existing development would not, contravene any of the restrictions on exemption as outlined in 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 existing single storey extension to the rear of No. 80 Brookville Park, Drogheda, A92 XRW3, Co. Louth 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 16th 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,



Brian Duffy
Planning Section