

NOEL Mc GAHON

**Architectural Design
& Planning Services**

ESSEXFORD, DUNDALK, CO.LOUTH.

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VAT Reg. No: IE 6674891F

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

Date: 30.06.2026

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

To whom it may concern,

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

Schedule of documents:

- Fully completed and signed application form.
- Appropriate planning fee €80.
(please contact Val McGahon on [REDACTED] for payment)
- Site location map.
- Structural drawings (plan, section & elevations).
- Site layout map.

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

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

Trusting all is to your satisfaction,
If you have any queries you can contact me at [REDACTED]

Yours Faithfully,



Noel Mc Gahon (Planning Agent)

Section 5 Declaration - Application Form

1. Name and address of person seeking the declaration:

VAL MC GAHON
COOKSTOWN ARDEE CO. LOUTH A92 TF67.

Phone Number: _____ E-Mail: _____

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

NOEL MC GAHON
ESSEXFORD DUNDALK CO. LOUTH

Phone Number: _____ E-Mail: _____

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

AS 2 ABOVE

4. Interest in site of the person seeking declaration:

OWNER.

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

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

COOKSTOWN. ARDEE. CO. LOUTH.

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

ITM 693420 E, ITM 794440 N

7. Question for determination under Section 5 (See Note 1 above).

The question must be framed in the following format, i.e. Is the construction of a shed development and is it or is it not exempted development:

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

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

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

I certify that the aforementioned is correct.

Signature of Applicant

[Redacted Signature]

Date 30/JUNE/2026.

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

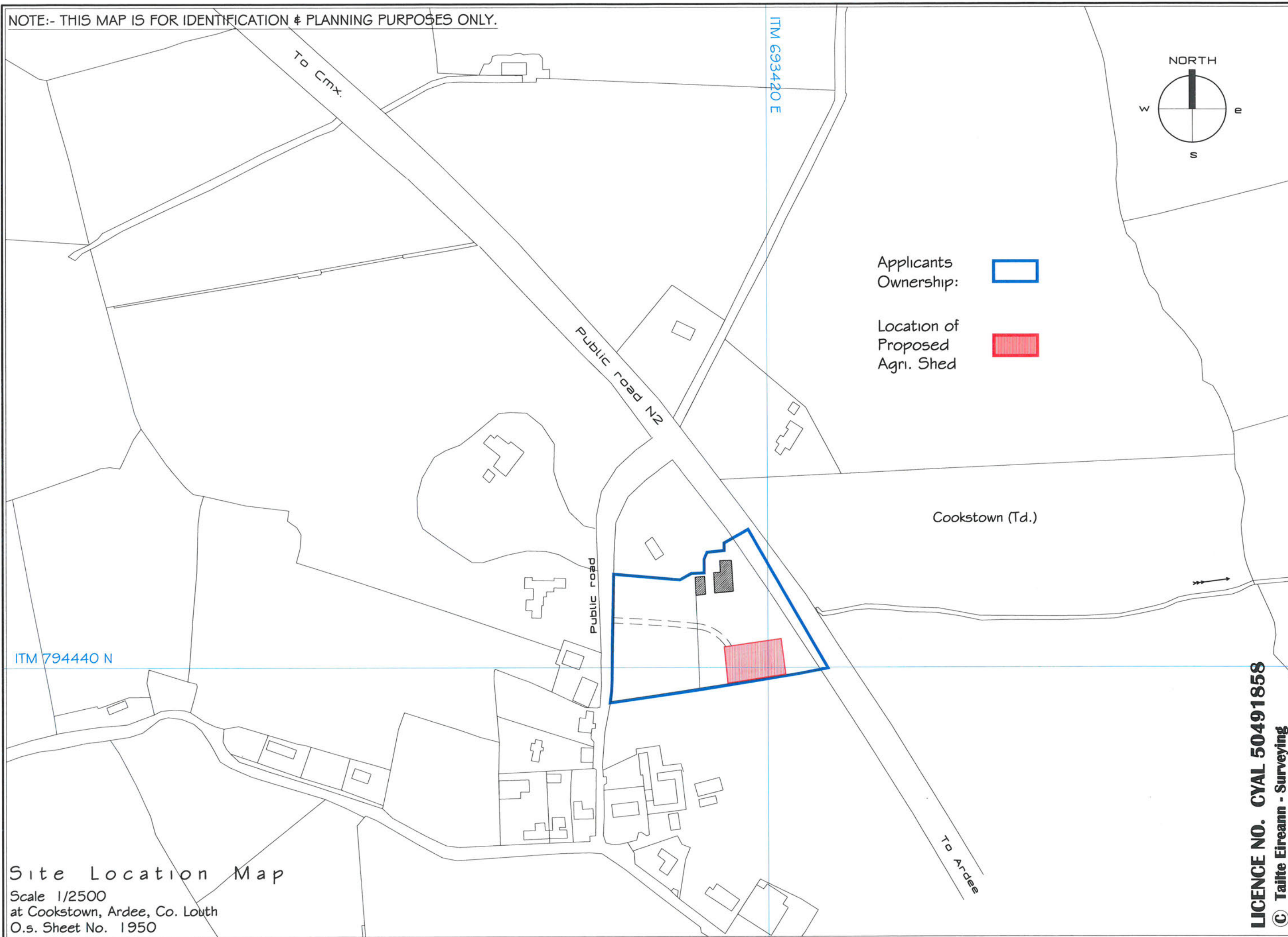
- Site Location Map: (Scale 1:1000)
- Site Layout Map: (Scale 1:200 or 1:500)
- Floor Plans & Elevations: (Scale 1:50, 1:100 or 1:200)
Existing & Proposed, where applicable
- Application fee: (€80)

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

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

by email to planninggroup@louthcoco.ie with contact details to arrange payment of fee.

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



Site Location Map

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

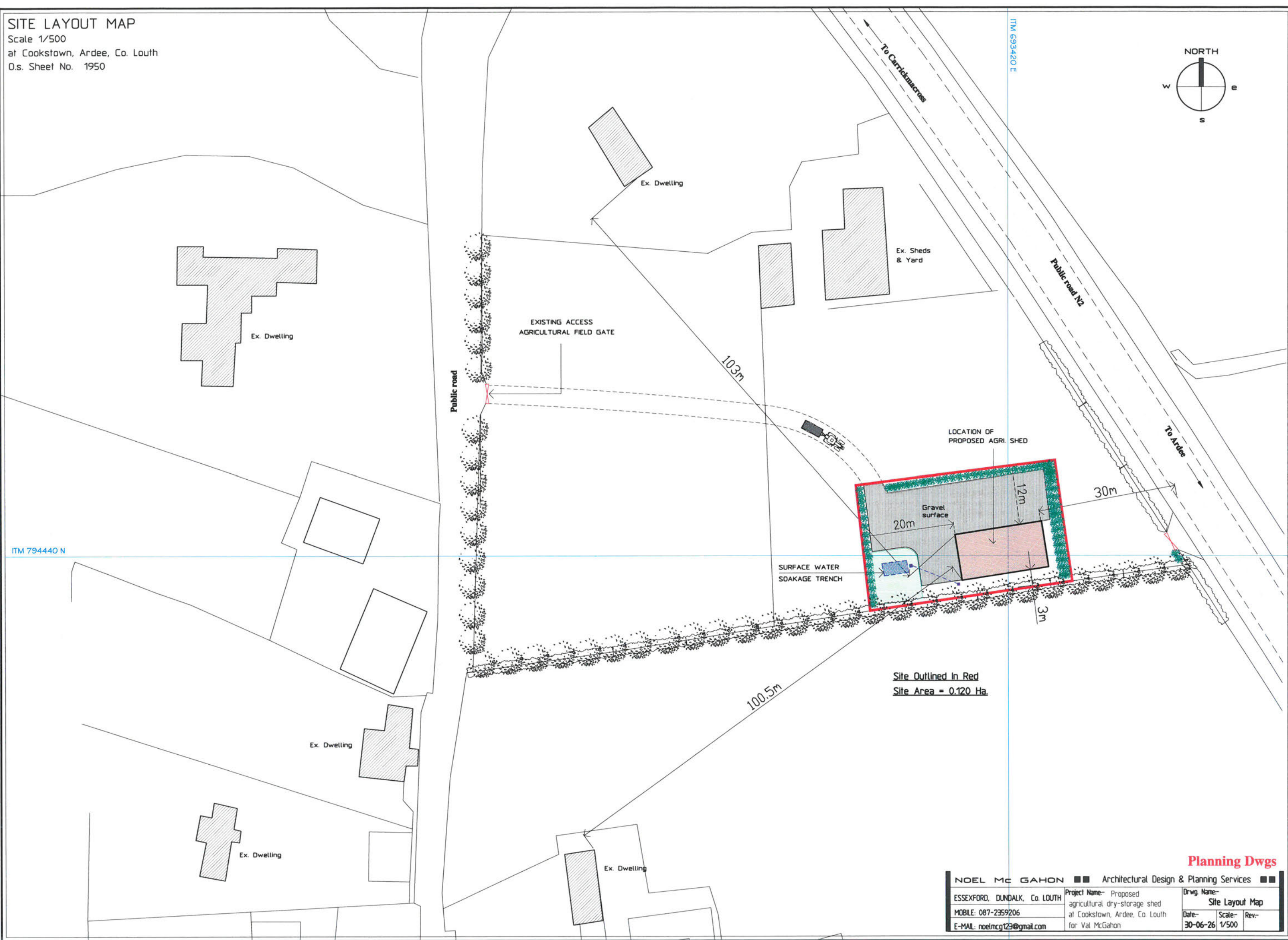
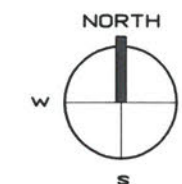
LICENCE NO. CYAL 50491858
© Tailte Eireann - Surveying

SITE LAYOUT MAP

Scale 1/500

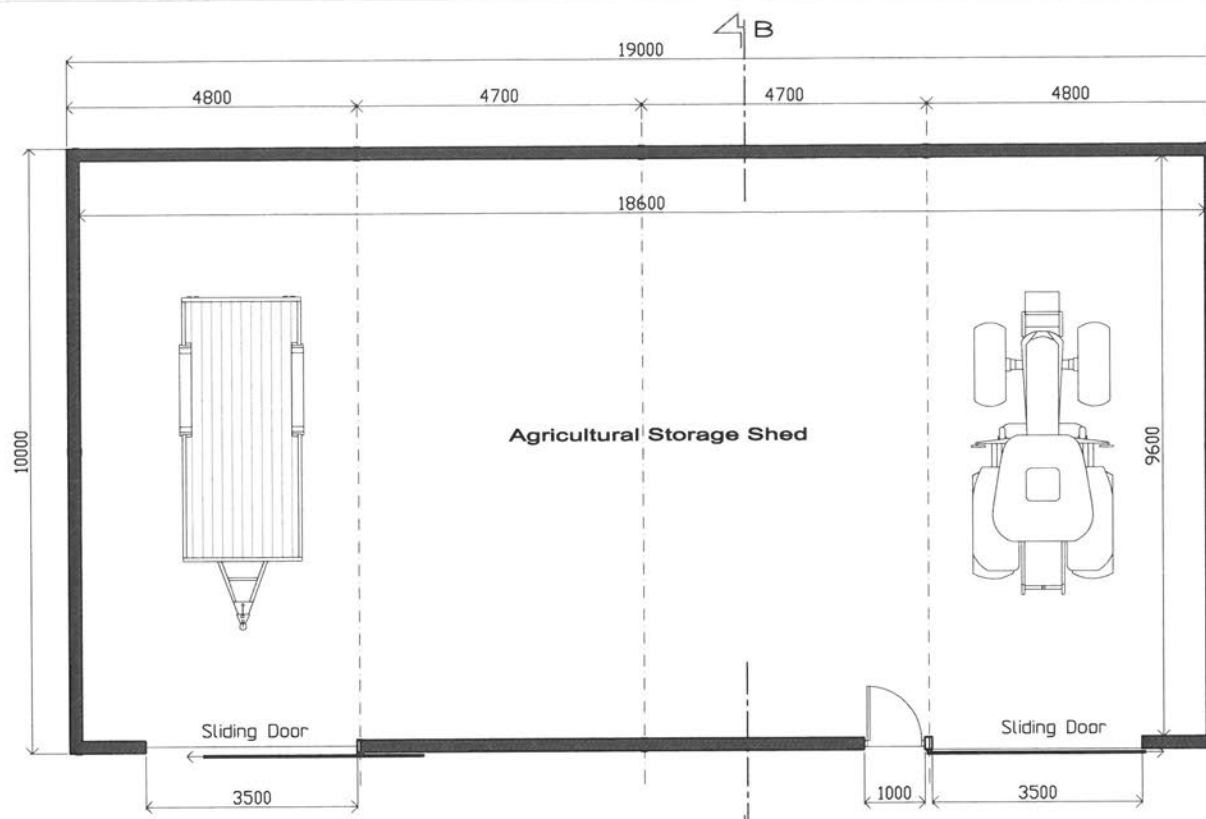
at Cookstown, Ardee, Co. Louth

O.s. Sheet No. 1950

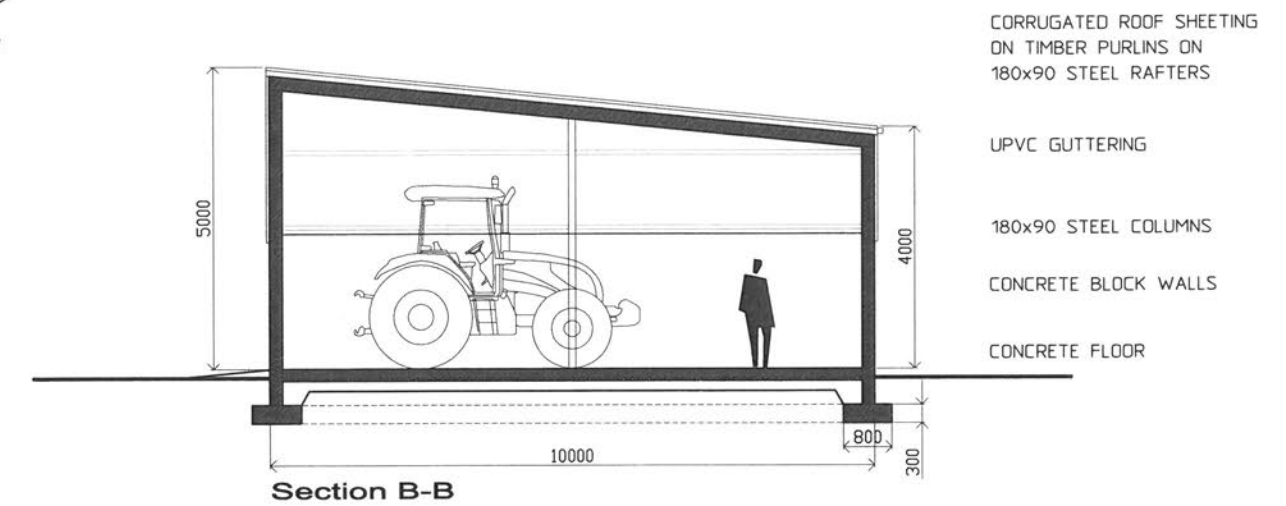
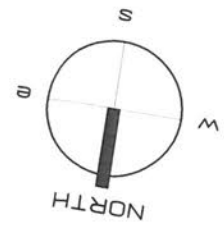


Planning Dwgs

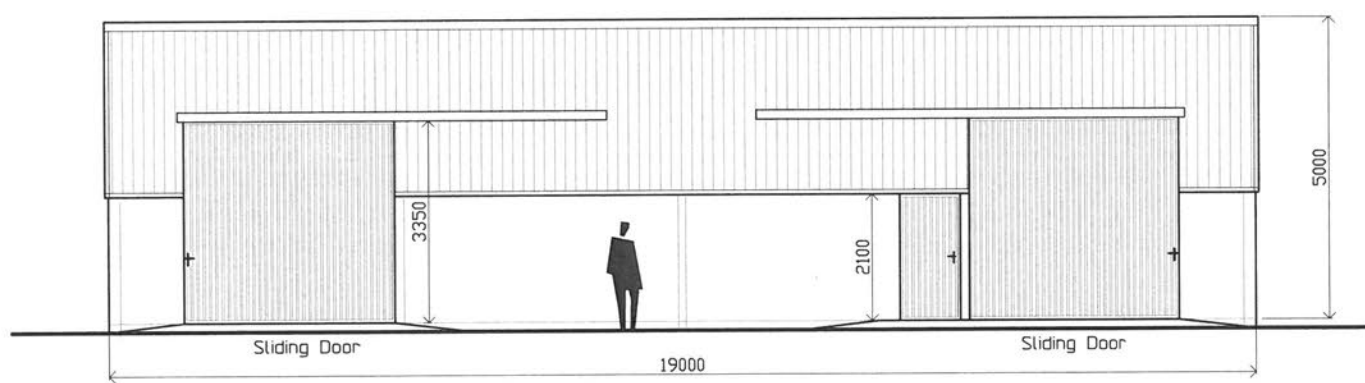
NOEL Mc GAHON ■■ Architectural Design & Planning Services ■■		Project Name- Proposed agricultural dry-storage shed at Cookstown, Ardee, Co. Louth for Val McGahon		Drwg Name- Site Layout Map	
ESSEXFORD, DUNDALK, Co. LOUTH		Date- 30-06-26		Scale- 1/500	
MOBILE: 087-2359206		Rev-			
E-MAIL: noelmcg123@gmail.com					



Floor Plan
TOTAL FLOOR AREA 178 Sqm (1920 sqft)

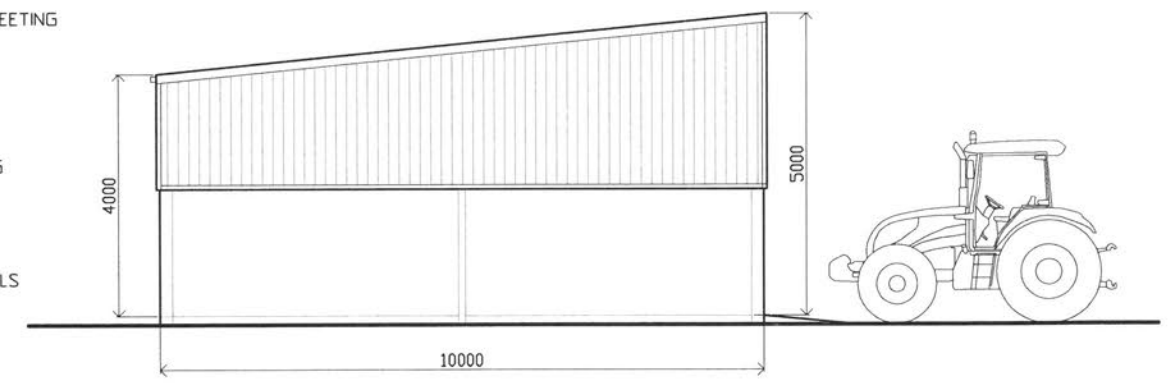


- CORRUGATED ROOF SHEETING ON TIMBER PURLINS ON 180x90 STEEL RAFTERS
- UPVC GUTTERING
- 180x90 STEEL COLUMNS
- CONCRETE BLOCK WALLS
- CONCRETE FLOOR

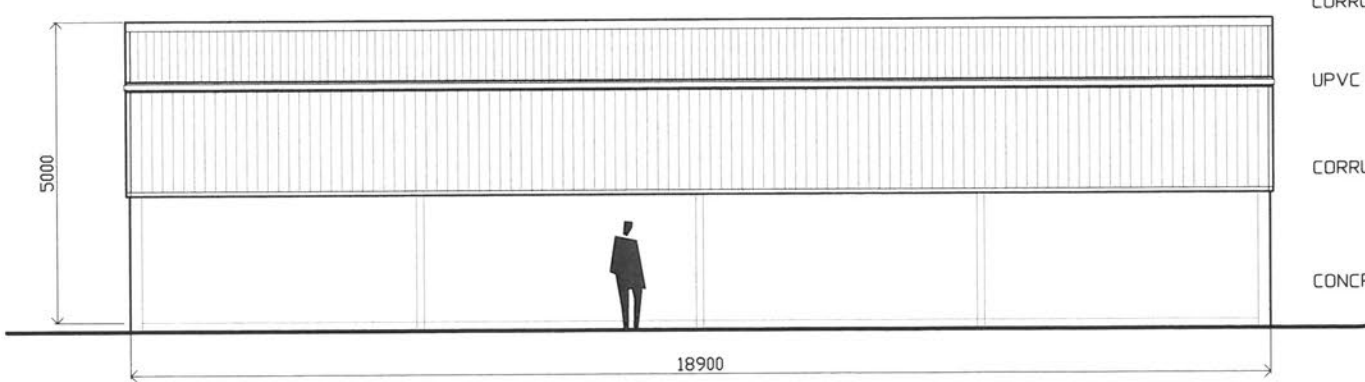


Northern Elevation

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

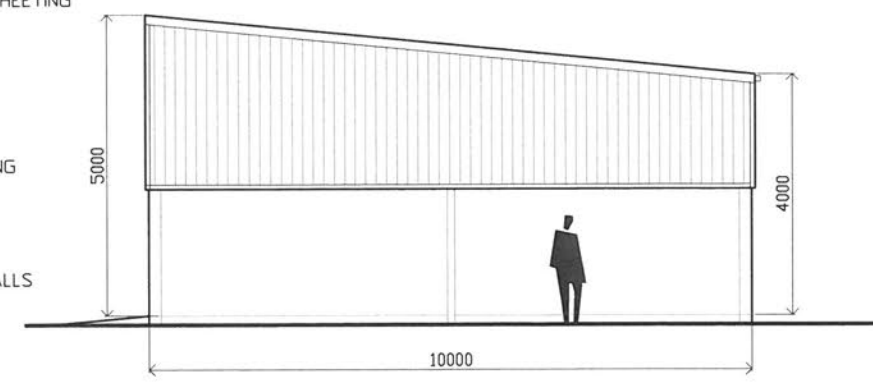


Eastern Elevation



Southern Elevation

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



Western Elevation

Louth County Council

Section 5 Declaration

Planning Ref:	S5 2026/49
Applicant's Name:	Val Mc Gahon
Type of Application:	Section 5 Declaration
Development:	Proposed Agricultural dry storage shed.
Site Location:	Cookstown, Ardee, Co. Louth
Due Date:	22 nd July 2026
Report Date:	14 th July 2026

1.0 SITE LOCATION & DESCRIPTION:

The subject site is located approximately 4.75km north-west of Ardee Town Centre, in the rural locality of Cookstown, with this area falling within Rural Policy Zone 2.

The site comprises an agricultural field located long the western side of the N2 (a Protected Regional Route,) and which also adjoins the L-52101 to the west. There is an existing single storey building within the site to the north, whilst the site adjoins a residential curtilage to the north and further agricultural lands to the south.

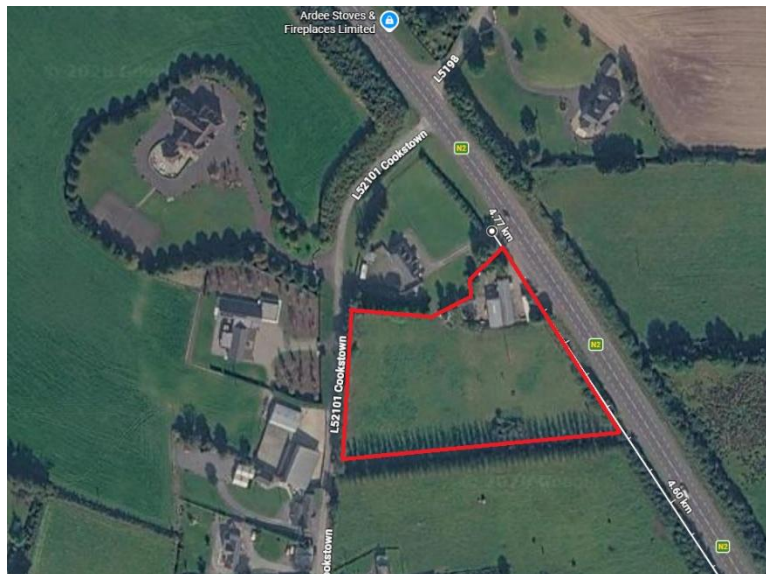


Fig.1: Site Location (Google Maps)



Fig.2: location of proposed shed



Fig.3: Existing structures within the wider field area.

2.0 Relevant Planning History

- **File ref 17/600:** Permission for development that consists of: Permission to demolish existing commercial building, erection of replacement commercial building with provision of car parking and circulation area, provision of wastewater treatment system and percolation area and provision of new site entrance with associated site works – Permission Refused via appeal ref ABP-300723-18
- **File ref. 98/16:** Dwellinghouse (full), Outline Permission for w/shop, retail stores, entrance and septic tank – Permission Granted 20/06/1998
- **S5 2026/41** – Notably a previous Section 5 Declaration for a dry agricultural storage shed on the site was determined to be not exempt as it would

contravene Article 9(1)(a)(iii) in the Planning and Development Regulations, 2001 (as amended.)

Notably, the particulars now submitted, notably include a revised layout and access arrangement for the building, including off the L-52101 in lieu of the N2 Protected Route.

3.0 QUESTION FOR DETERMINATION:

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

“Is the construction of a proposed dry storage agricultural shed exempted development?”

The covering letter outlines that the shed will be used for storing animal feed and farming equipment and that no livestock will be housed within the shed. It refers to a floor area of 178m².

Notwithstanding this, the floor plans indicate a building of 10m x 19m with an internal floor area of 18.6m x 9.6m (178.56m².) The submitted layout plan also includes a gravel yard leading to the building and soakage trench, together with a belt of landscaping surrounding the building.

The Planning Authority shall therefore consider the submitted question as:

“Whether the construction of a 178.56m² agricultural shed, for dry storage only, and not for the housing of animals, together with associated gravel yard, soakage trench and landscaping, is or is not development and is or is not exempted development”.

The applicant has submitted an application form, a site location map, a site layout plan, floor plan and elevations of the proposed building.

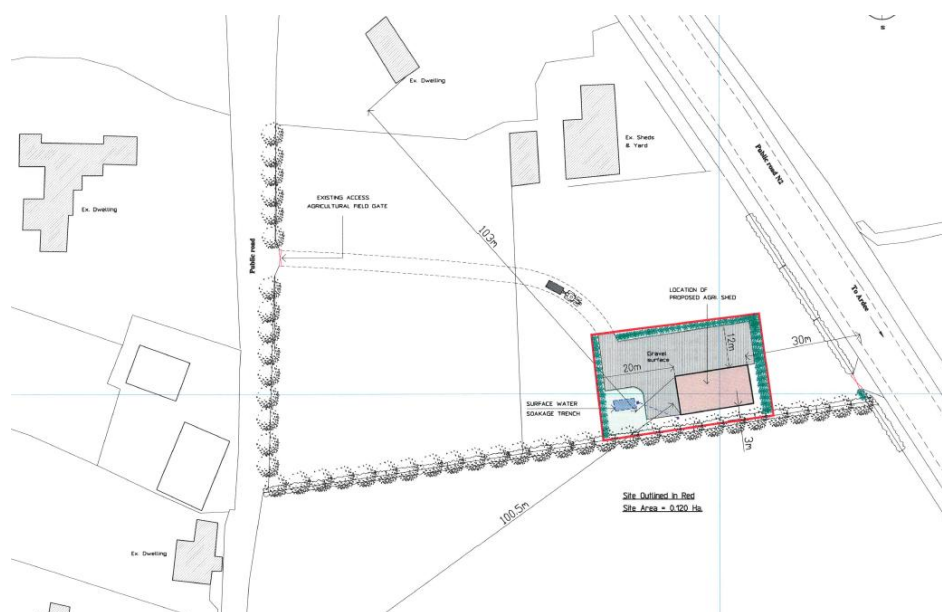


Fig.4: Site Layout Plan

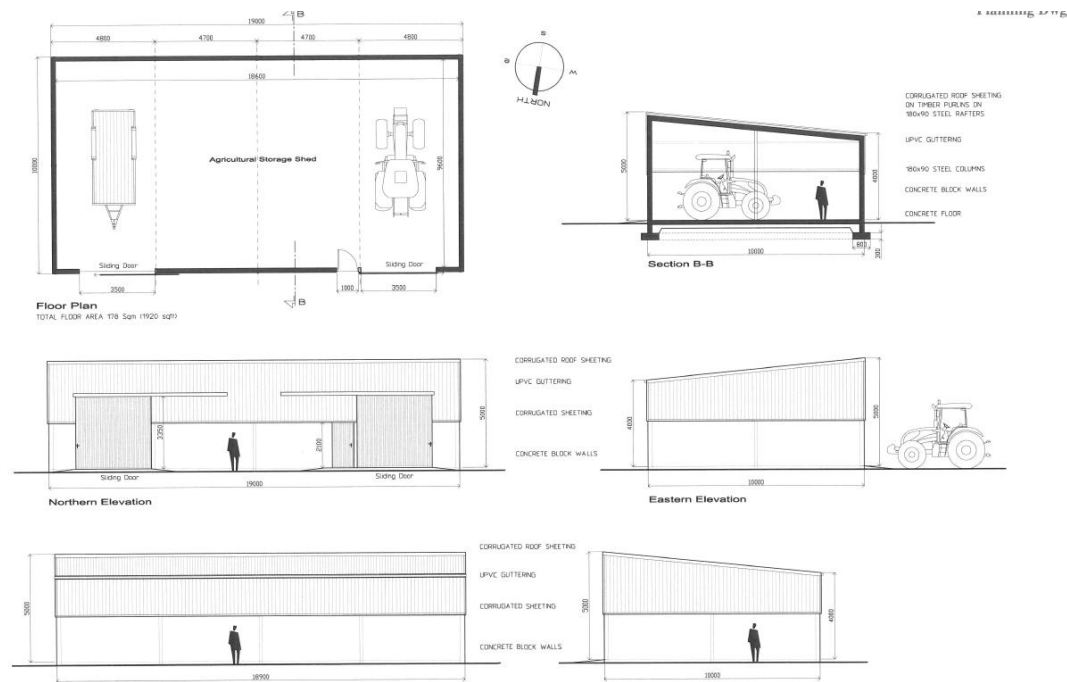


Fig.5: Proposed Floor Plan, Section and Elevations

4.0 EIA Screening and Determination

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

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

5.0 Appropriate Assessment

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

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

The Planning Authority's Screening for Appropriate Assessment has considered the potential effects including direct, indirect and in-combination effects of the proposed development, individually or in combination with the permitted developments and cumulatively with other plans or projects on European Sites.

The nearest designated European Sites are Stabannan-Braganstown SPA c. 7.5km away and Dundalk Bay SAC and Dundalk Bay SPA which are c.14.5km away. There are no known streams or rivers close by and the proposed development is not considered to be hydrologically connected to any of the designated Natura 2000 sites.

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

Therefore, it is reasonable to conclude that on the basis of the information on the file, which I consider adequate in the order to issue a screening determination, that the proposed development, either 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 as such, a stage 2 AA is not required.

6.0 LEGISLATIVE CONTEXT:

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 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:

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

Article 9:

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

Class 8 of Part 3, Schedule 2 provides an exemption for:

“Works consisting of the provision of roofless cubicles, open loose yards, self-feed silo or silage areas, feeding aprons, assembly yards, milking parlours or structures for the making or storage of silage or any other structures of a similar character or description, having an aggregate gross floor space not exceeding 200 square metres, and any ancillary provision for effluent storage.”

Class 9 of Part 3, Schedule 2 provides an exemption for:

Agricultural Structures

“Works consisting of the provision of any store, barn, shed, glass-house or other structure, not being of a type specified in class 6, 7 or 8 of this Part of this Schedule, and having a gross floor space not exceeding 300 square metres”. This exemption is subject to 6 no. conditions and limitations, as set out in column 2.

Class 11 of Part 3, Schedule 2 provides an exemption for:

Land Reclamation

Development consisting of the carrying out, on land which is used only for the purpose of agriculture or forestry, of any of the following works—

- (a) **field drainage,**
- (b) land reclamation,
- (c) the removal of fences,
- (d) the improvement of existing fences,
- (e) the improvement of hill grazing, or

(f) the reclamation of estuarine marsh land or of callows, where the preservation of such land or callows is not an objective of a development plan for the area.

7.0 ASSESSMENT

Do the works constitute ‘development?’

It is proposed to construct a 178.56m² agricultural dry shed comprising concrete block walls with sloping roof (5 metres at its highest) of corrugated sheeting, at lands at Cookstown Ardee Co. Louth. The submitted layout drawing shows the building surrounded by a gravel yard, with a belt of landscaping surrounding and access taken through the existing field to the west, off the public local road (L-52101.) A soakage trench is also indicated west of the building within the landscaped yard.

I consider that the above proposal fall within the statutory interpretation of ‘works’ and therefore within the definition of ‘development’ within Section 2 of the Planning and Development Act, 2024.

Do the works constitute ‘exempted development?’

The proposal comprises a 178.56m² agricultural shed for the purposes of dry storage and not for the housing of animals. It is considered that the subject development in its totality (including the building, yard, soakaway and landscaping) falls within several Classes within Part 3, Schedule 2 of the Planning and Development Regulations (PDR) 2001 (as amended,) as assessed below:

Proposed Agricultural Dry Storage Building:

Class 9: Agricultural Structures

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

This class is subject to the following conditions and limitations:

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

The proposed building would not contravene this condition.

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

The applicant indicates that they own only the subject field, whereby there are 2 no. existing commercial buildings and yard in the northern area of the field. Whilst details of the floor area for these buildings have not been provided, in measuring the floor area of the buildings indicated on the site layout plan

provided, they appear to extend to c.96m² and c.277m² (c.373m² total.) The cumulative floor area of the existing and proposed buildings would not, therefore appear to exceed 900m² (c.551.56m² total.)

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

The proposed building is not located within 10m from either the N2 or L-52101.

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

The proposed building is within 100m from a public road, but has a maximum height of 5m and so, does not contravene the above condition.

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

The proposed building has been positioned to ensure there is in excess of 100m separation distance to the existing dwelling to the north-west.

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

The proposed roof comprises corrugated sheeting to the roof.

As outlined above, the proposed building does not contravene any of the conditions and limitations within column 2 of Class 9 of Part 2, Schedule 2 of the Planning and Development Regulations 2001 (as amended.)

Gravel yard

CLASS 8

*Works consisting of the provision of roofless cubicles, **open loose yards**, self-feed silo or silage areas, feeding aprons, assembly yards, milking parlours or structures for the making or storage of silage or any other structures of a similar character or description, having an aggregate gross floor space not exceeding 200 square metres, and any ancillary provision for effluent storage.*

Conditions and Limitations

1. *No such structure shall be used for any purpose other than the purpose of agriculture.*

The proposed loose yard does not comprise a structure.

2. *The gross floor space of such structures together with any other such structures situated within the same farmyard complex or within 100 metres of*

that complex shall not exceed 300 square metres gross floor space in aggregate.

The proposed loose yard does not comprise a structure.

3. Effluent storage facilities adequate to serve the structure having regard to its size, use and location shall be constructed in line with Department of Agriculture, Food and Rural Development and the Department of the Environment and Local Government requirements and shall have regard to the need to avoid water pollution.

Not applicable to this development.

4. No such structure shall be situated, and no effluent from such structure shall be stored, within 10 metres of any public road.

The proposed loose yard does not comprise a structure.

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

The development would not contravene this condition as a level loose open yard.

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

The proposed loose yard does not comprise a structure.

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

Not applicable to this development.

In having regard to the above, the proposed open loose gravel yard does not contravene any of the conditions and limitations within column 2 of Class 8 of Part 2, Schedule 2 of the Planning and Development Regulations 2001 (as amended.)

Soakage Trench

Class 11:

Development consisting of the carrying out, on land which is used only for the purpose of agriculture or forestry, of any of the following works—

(a) field drainage,

There are no specific conditions and limitations within Class 11 in relation to the proposed soakage trench.

In having regard to the foregoing, the proposed building and loose yard does not contravene any of the conditions and limitations within Class 8 and Class 9, nor does the soakage trench contravene Class 11.

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 proposed 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 proposed 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. I note that the previous Section 5 Declaration was refused on this basis, whereby the development included an access off the N2 which would constitute a traffic hazard or an obstruction of road users and the proposed use of shed would be an intensification of the existing agricultural use. It was considered that vehicular movements associated with the shed would endanger public safety on the N2 by reason of a traffic hazard. The revised layout including access off the public load road in lieu of the N2, addresses this concern and would not, therefore contravene this restriction.

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

(iv) The proposed 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 proposed 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 proposed 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 proposed 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 proposed 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 proposed 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 proposed 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 proposed 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 proposed 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 proposed development would not obstruct any public right of way,

(xii) further to the provisions of section 82 of the Act, the proposed 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.

9.0 CONCLUSION:

The proposed agricultural shed and associated yard on agricultural lands complies with all the conditions and limitations for an agricultural structure and open loose yard under Class 8 and Class 9 of Part 3, Schedule 2 of the Planning and Development Regulations 2001 (as amended) and the associated soakage trench complies with Class 11 of Part 3, Schedule 2. The proposal does not engage any of the restrictions on exempted development within Article 9 of the Planning and Development Regulations, 2001 (as amended.)

Accordingly, the proposal constitutes **development that is exempted development.**

10.0 RECOMMENDATION:

It is recommended 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 as to *“Whether the construction of a 178.56m² agricultural shed, for dry storage only, and not for the housing of animals, together with associated gravel yard, soakage trench and landscaping, is or is not development and is or is not exempted development”* on agricultural lands at Cookstown, Ardee, Co. Louth

AND WHEREAS the said question was referred to Louth County Council by Noel McHahon on behalf of Val Mc Gahon.

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

- a) The definition of ‘*development*,’ in Section 2 of the Planning and Development Act 2024,
- b) The plans and particulars forwarded to the Planning Authority on 30th June 2026,

- c) Classes 8, 9 and 11 of Part 3, Schedule 2 of the Planning and Development Regulations, 2001, as amended,
- d) Articles 6 and 9 of the Planning and Development Regulations, 2001 as amended,
- e) The location of the proposed structure on agricultural lands, with access taken from the L-52101
- f) The planning history pertaining to the site,
- g) The observations on site, including existing development.

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

- (i) The *“construction of a 178.56m² agricultural shed, for dry storage only, and not for the housing of animals, together with associated gravel yard, soakage trench and landscaping, on agricultural lands at Cookstown, Ardee, Co. Louth” constitutes development* under Section 2 of the Planning & Development Act, 2024 and;
- (ii) The aforementioned proposed development, being placed on agricultural lands and being used for agricultural purposes, satisfies all of the conditions and limitations for exempted development under Classes 8, 9 and 11 of Schedule 2, Part 3 of the Planning and Development Regulations 2001 (as amended) and;
- (iii) The aforementioned proposed 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 determines that:

“the construction of a 178.56m² agricultural shed, for dry storage only, and not for the housing of animals, together with associated gravel yard, soakage trench and landscaping,” on agricultural lands at Cookstown, Ardee, Co. Louth

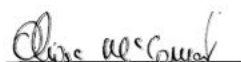
is **development** and **is exempted development**.



Orla Rooney
Assistant Planner
Date: 14th July 2026



Turlough King
A/Senior Planner
Date: 15th July 2026



Olivia McCormack
A/Director of Services
Date: 24/07/2026

LOUTH COUNTY COUNCIL

CHIEF EXECUTIVE'S ORDER

PLANNING & DEVELOPMENT ACT 2000 (as amended)

Section 5 Exempted Development

Chief Executive's Order No:	574/2026
Reference No:	S5 2026/49
Date Application Received:	30/06/2026
Description of Development:	Whether the construction of a 178.56m ² agricultural shed, for dry storage only, and not for the housing of animals, together with associated gravel yard, soakage trench and landscaping, is or is not development and is or is not exempted development on agricultural lands at Cookstown, Ardee, Co. Louth.
Name of Applicant:	Val McGahon
Location of Development	Cookstown, Ardee, Co. Louth

WHEREAS a question has arisen pursuant to Section 5 of the Planning and Development Act 2000 as to *"Whether the construction of a 178.56m² agricultural shed, for dry storage only, and not for the housing of animals, together with associated gravel yard, soakage trench and landscaping, is or is not development and is or is not exempted development"* on agricultural lands at Cookstown, Ardee, Co. Louth

AND WHEREAS the said question was referred to Louth County Council by Noel McHahon on behalf of Val Mc Gahon.

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

- a) The definition of '*development*,' in Section 2 of the Planning and Development Act 2024,
- b) The plans and particulars forwarded to the Planning Authority on 30th June 2026,
- c) Classes 8, 9 and 11 of Part 3, Schedule 2 of the Planning and Development Regulations, 2001, as amended,
- d) Articles 6 and 9 of the Planning and Development Regulations, 2001 as amended,
- e) The location of the proposed structure on agricultural lands, with access taken from the L-52101
- f) The planning history pertaining to the site,
- g) The observations on site, including existing development.

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

- a) The “*construction of a 178.56m² agricultural shed, for dry storage only, and not for the housing of animals, together with associated gravel yard, soakage trench and landscaping*, on agricultural lands at Cookstown, Ardee, Co. Louth” **constitutes development** under Section 2 of the Planning & Development Act, 2024 and;
- b) The aforementioned proposed development, being placed on agricultural lands and being used for agricultural purposes, satisfies all of the conditions and limitations for exempted development under Classes 8, 9 and 11 of Schedule 2, Part 3 of the Planning and Development Regulations 2001 (as amended) and;
- c) The aforementioned proposed 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.)

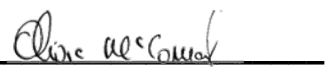
NOW THEREFORE Louth County Council in exercise of the powers conferred on it by Section 5(2)(a) of the Planning and Development Act 2000 (as amended), hereby determines that:

“the *construction of a 178.56m² agricultural shed, for dry storage only, and not for the housing of animals, together with associated gravel yard, soakage trench and landscaping,*” on agricultural lands at Cookstown, Ardee, Co. Louth

is **development** and **is exempted development**.

SIGNED:  **Date: 23/07/2026**
pp Orla Rooney
Assistant Planner

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:  **Date: 24/07/2026**
Olivia McCormack
Acting Director of Services

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 351/26 dated 17th day of July 2026.



Comhairle Contae Lú
Louth County Council

Val McGahon
c/o Noel McGahon
Essexford
Dundalk
Co Louth

By email only to: [REDACTED]

24th July 2026

Re: Ref. S5 2026/49

Application for Declaration of "Exempted Development" Part 1, Section 5 Planning & Development Act, 2000 (as amended) as to 'Whether the construction of a 178.56m² agricultural shed, for dry storage only, and not for the housing of animals, together with associated gravel yard, soakage trench and landscaping, is or is not development and is or is not exempted development on agricultural lands at Cookstown, Ardee, Co. Louth'.

Dear Sir/Madam,

I wish to acknowledge receipt of your application received on 30th 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 has arisen pursuant to Section 5 of the Planning and Development Act 2000 as to *"Whether the construction of a 178.56m² agricultural shed, for dry storage only, and not for the housing of animals, together with associated gravel yard, soakage trench and landscaping, is or is not development and is or is not exempted development"* on agricultural lands at Cookstown, Ardee, Co. Louth

AND WHEREAS the said question was referred to Louth County Council by Noel McHahon on behalf of Val Mc Gahon.

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

Louth County Council
Town Hall
Crowe Street
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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

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

- (a) The definition of 'development,' in Section 2 of the Planning and Development Act 2024,
- (b) The plans and particulars forwarded to the Planning Authority on 30th June 2026,
- (c) Classes 8, 9 and 11 of Part 3, Schedule 2 of the Planning and Development Regulations, 2001, as amended,
- (d) Articles 6 and 9 of the Planning and Development Regulations, 2001 as amended,
- (e) The location of the proposed structure on agricultural lands, with access taken from the L-52101
- (f) The planning history pertaining to the site,
- (g) The observations on site, including existing development.

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

- a) The "*construction of a 178.56m² agricultural shed, for dry storage only, and not for the housing of animals, together with associated gravel yard, soakage trench and landscaping,* on agricultural lands at Cookstown, Ardee, Co. Louth" **constitutes development** under Section 2 of the Planning & Development Act, 2024 and;
- b) The aforementioned proposed development, being placed on agricultural lands and being used for agricultural purposes, satisfies all of the conditions and limitations for exempted development under Classes 8, 9 and 11 of Schedule 2, Part 3 of the Planning and Development Regulations 2001 (as amended) and;
- c) The aforementioned proposed 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 determines that:

"the construction of a 178.56m² agricultural shed, for dry storage only, and not for the housing of animals, together with associated gravel yard, soakage trench and landscaping," on agricultural lands at Cookstown, Ardee, 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 30th 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