Section 5 Declaration - Application Form

Declaration as to whether development constitutes Exempted Development

Comhairle Contae Lú
Louth County Council

Please read "Guidance Notes" before completing this form

Guidance Notes

1. The purpose of Section 5 of the Planning and Development Act 2000, as amended, is to establish if a particular development is or is not development and if it is or is not exempted development within the meaning of the Planning Act.

   (a) A person seeking a determination must ensure under Question 7 (of the application form below) that a question is posed and that the question is clear, for example, is the construction of a shed development and is it or is it not exempted development. Details are then required of the shed so the planning authority can determine if the shed is exempt.

   (b) The question to be determined should be clear as to whether it relates to an existing development or a proposed development. Details of the nature, size and location of the proposed development should be submitted and appropriate plans and elevations.

   (c) If the question is not clear to the Planning Authority, the Section 5 application will be returned as invalid.

2. Any person may, on payment of the prescribed fee, currently €80.00 request in writing from the Planning Authority a declaration on a question as whether a particular type of development is exempt.

3. The Planning Authority is required to make a decision within 4 weeks of receipt of a valid Declaration Request however the Planning Authority can also request Additional Information if it is considered that insufficient information has been submitted.

4. Any person issued with a declaration may, on payment to the Board of such fee as may be prescribed, currently €220.00 refer a declaration for review by the Board within 4 weeks of the date of the issuing of the declaration.

5. A planning authority is required to consider whether the development or proposed development identified in the request would be likely to have significant effects on the environment by virtue, at the least, of the nature, size or location of such development.

Section 5 Declaration - Application Form

1. **Name and address of person seeking the declaration:**
Sean Shevlin Paola Andrea Lopez Franco,
Crossbeagh knockbridge Dundalk,
Phone Number: [redacted] E-Mail: [redacted]

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

Phone Number: ______________ E-Mail: ______________

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

4. **Interest in site of the person seeking declaration:**

(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**
Crossbeagh knockbridge Dundalk
Co. louth A91 AK65

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

A91 AK65

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:**

This question is for the construction of an extension and attic conversion. The extension is 36.22m² floor area to be built at the back of existing dwelling

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] **Date** 15/06/2026

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) **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.

The Births and Deaths Registration (Northern Ireland) Order 1976, Article 34

CERTIFIED COPY OF AN ENTRY OF DEATH

Ref: 00971/01

DEATHS Registered in the District of Doagh Antrim BK. 15

No.	Date and Place of Death	Name and Surname	Sex	Condition	Age last Birthday	Rank profession or occupation	Certified Cause of Death	Signature, Qualification and Residence of Informant	When Registered	Signature of Registrar
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
[redacted]										

CERTIFIED to be a true copy of an entry in a register in the custody of the Registrar General and given under the **SEAL** of the General Register Office, Belfast

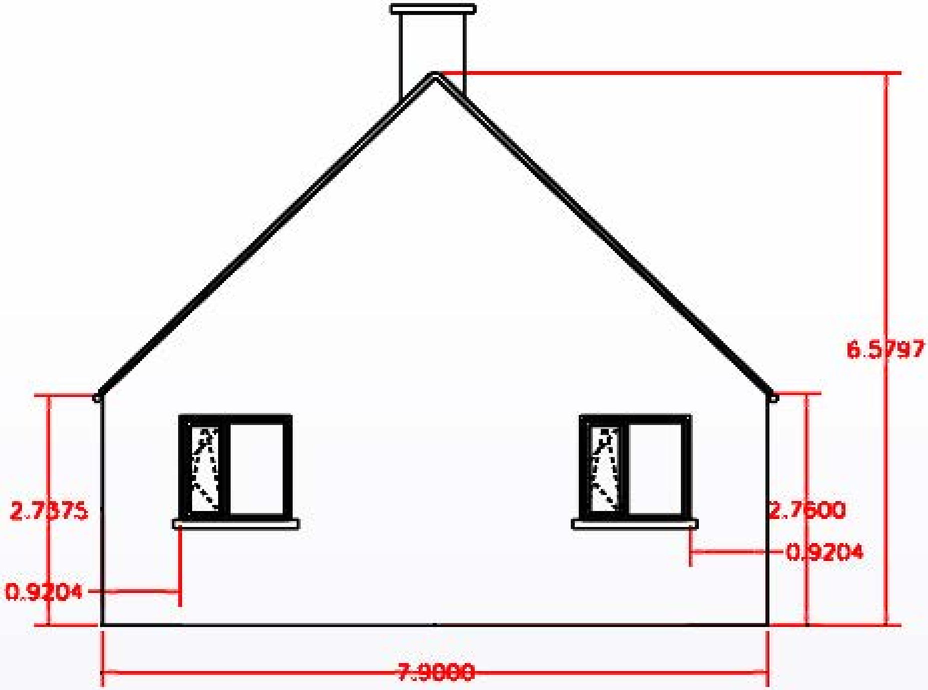
this 16th. day of January 2006

General Register Office For North
£11
04562

The Registrar General shall cause any certified copy of an entry given in the General Register Office to be stamped with the seal of the Office of which judicial notice shall be taken.

CAUTION : THERE ARE OFFENCES RELATING TO FALSIFYING OR ALTERING A CERTIFICATE AND USING OR POSSESSING A FALSE CERTIFICATE.

WARNING: A CERTIFICATE IS NOT EVIDENCE OF IDENTITY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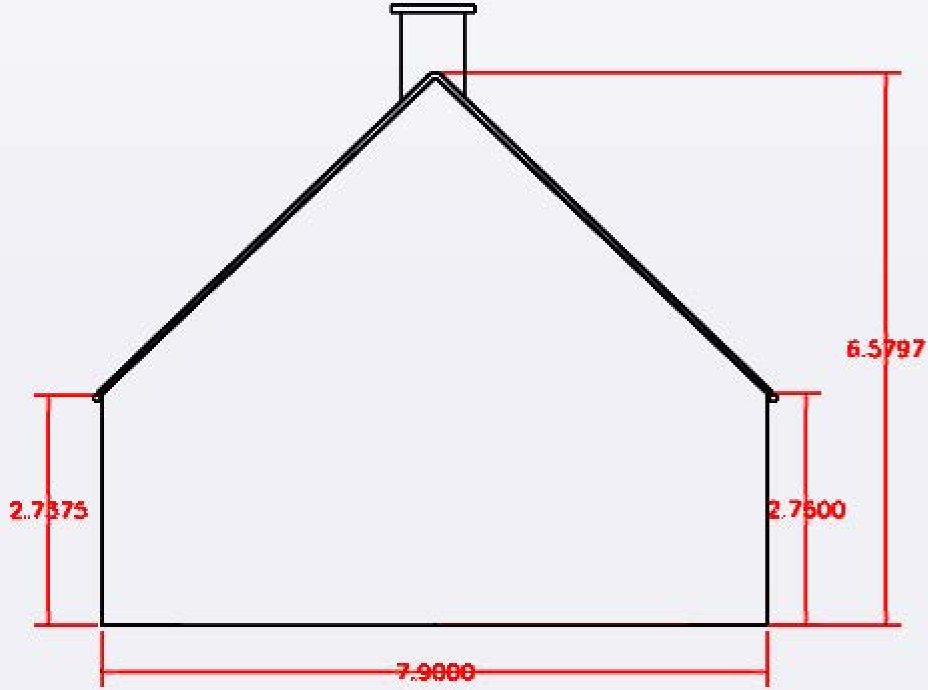
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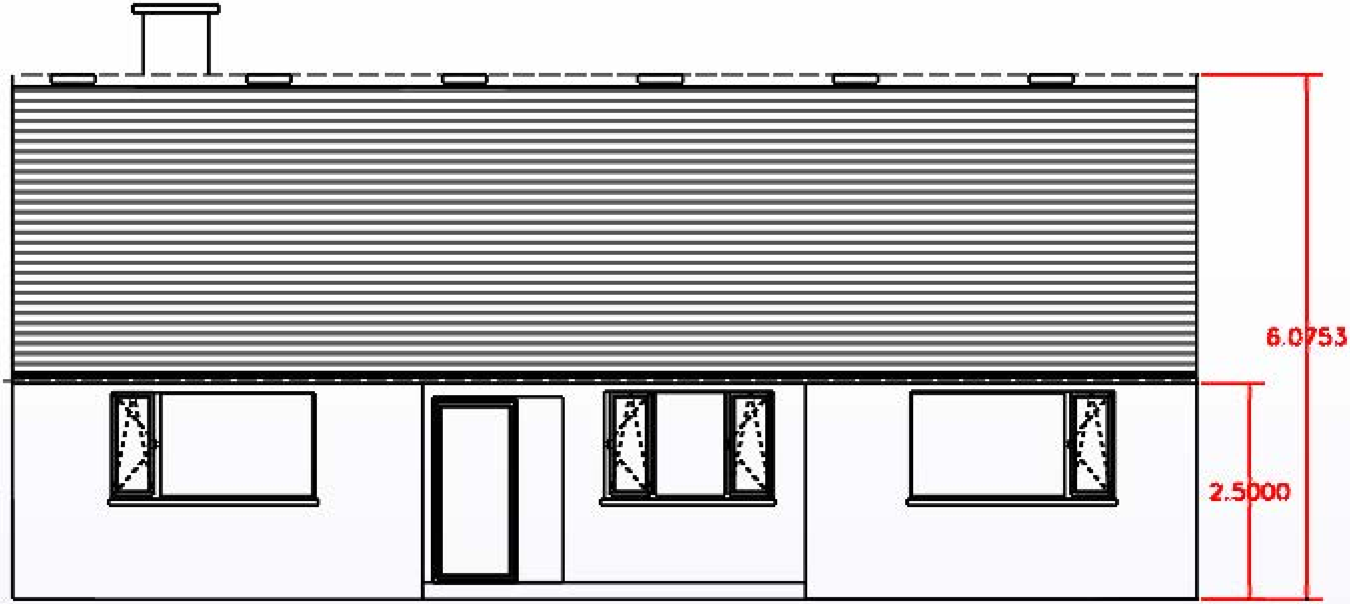
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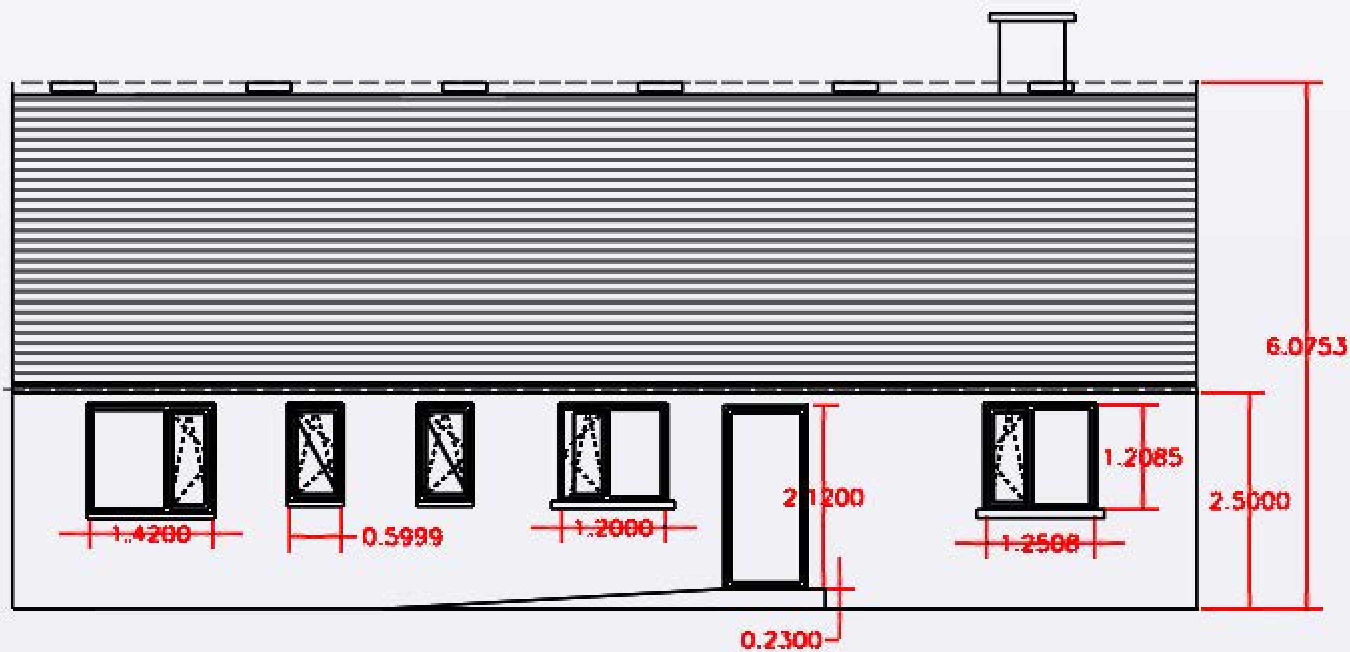
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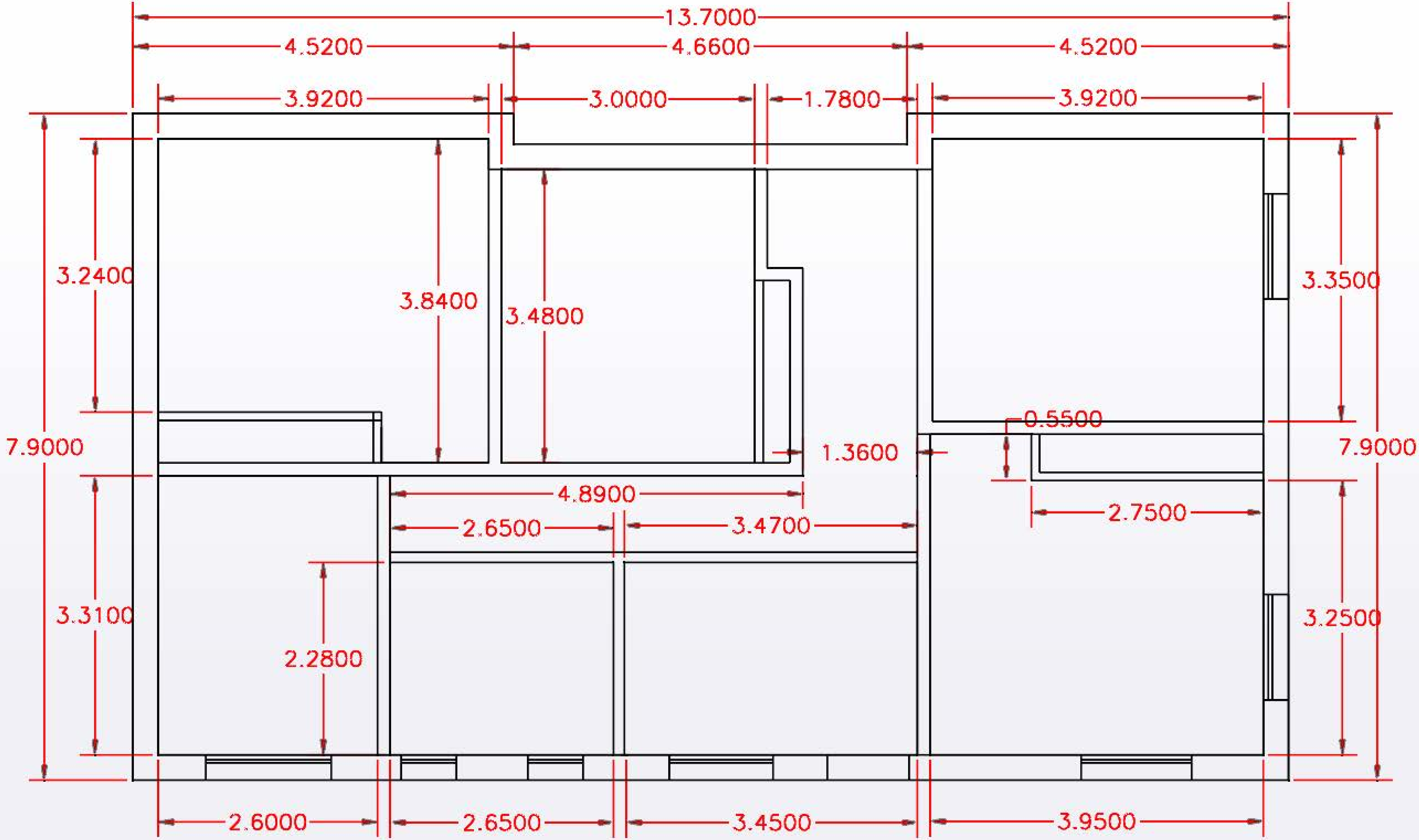

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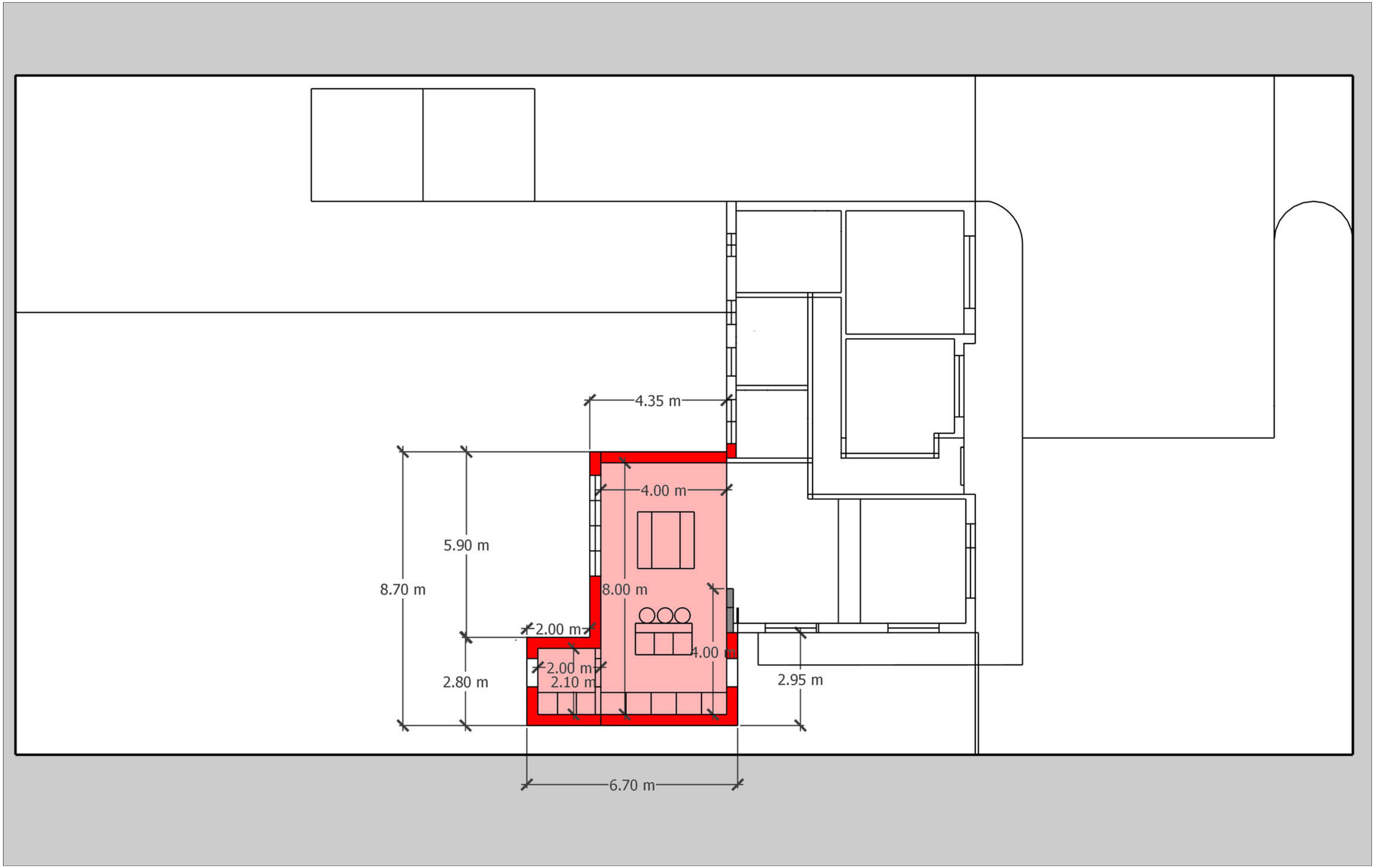

Plan view Ground floor

Crossabeagh Knockbridge Dundalk - A91AK65

Proposal extension and attic conversion

REVISIONS

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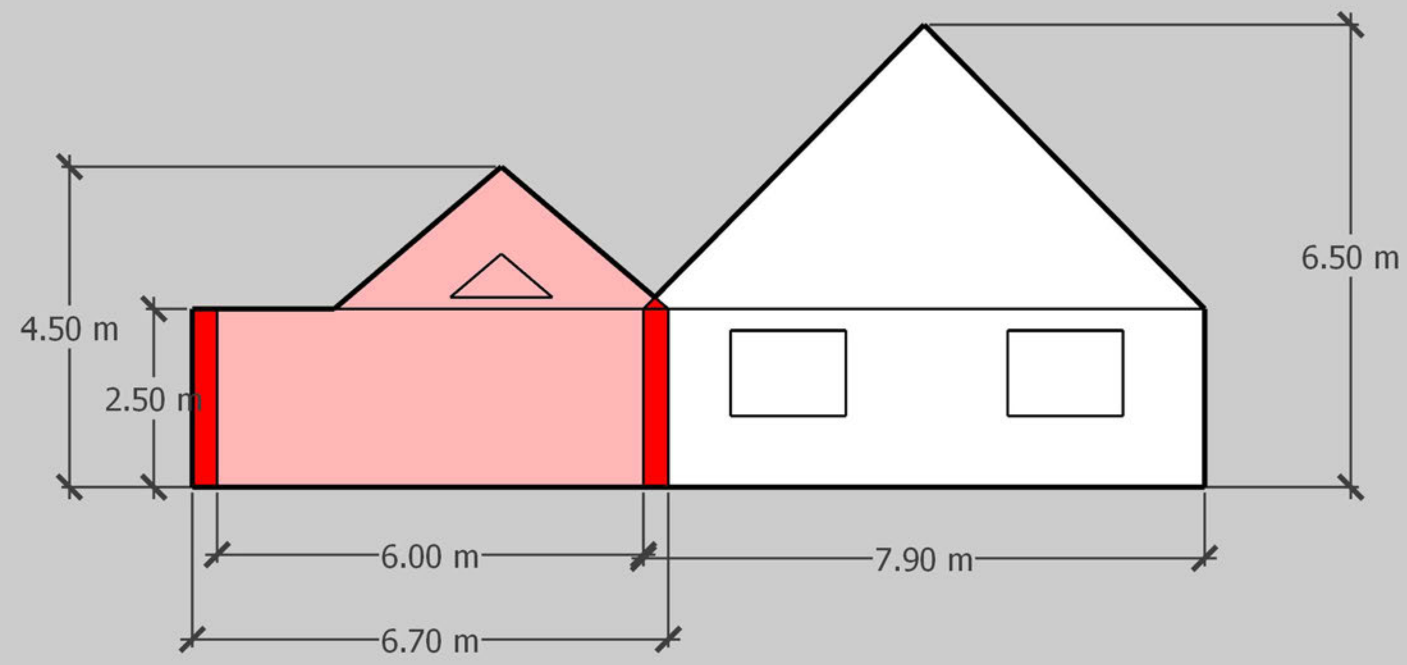
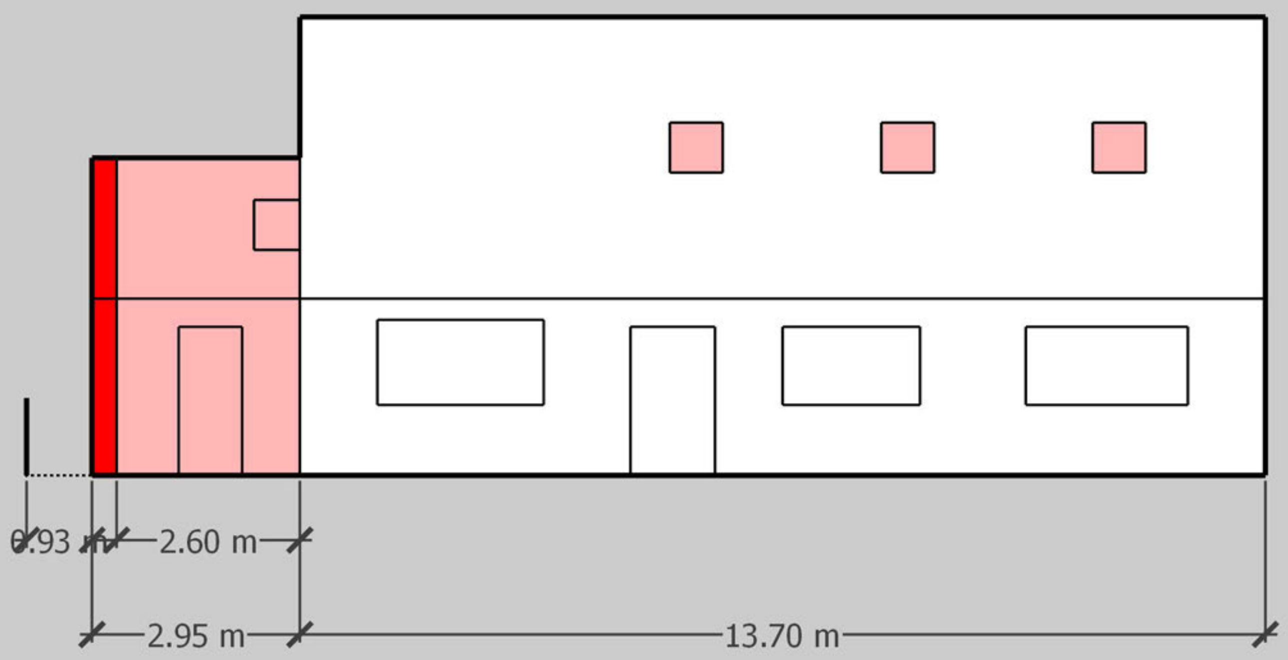
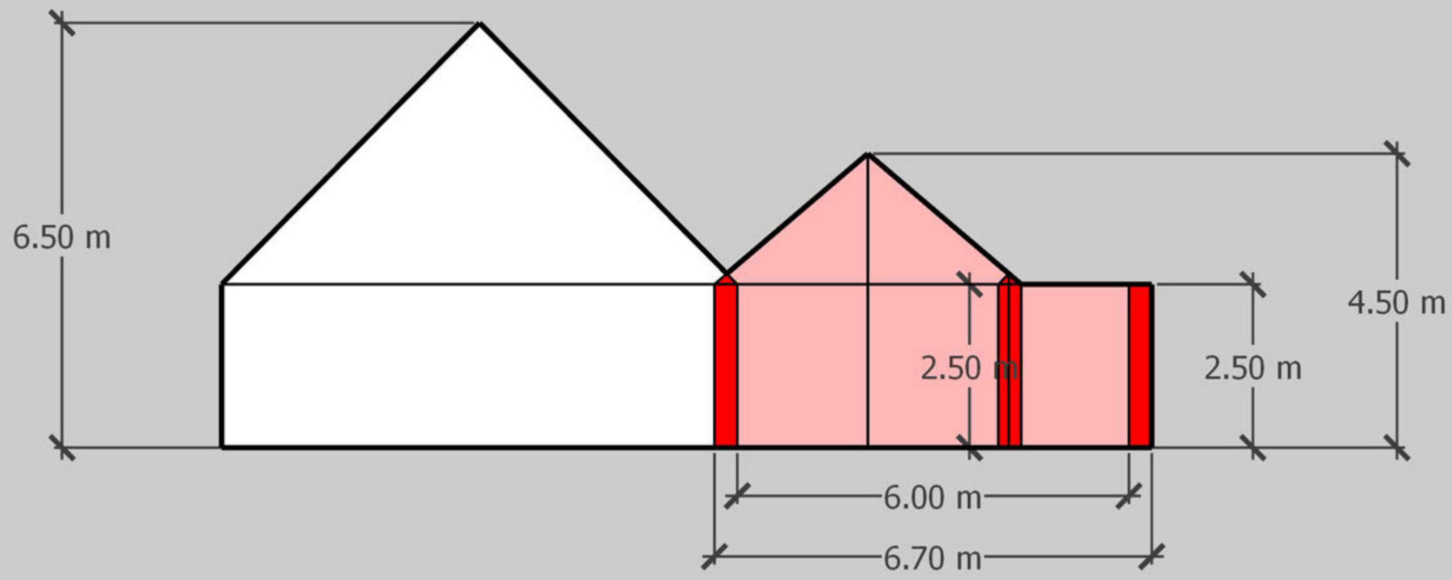
South elevation



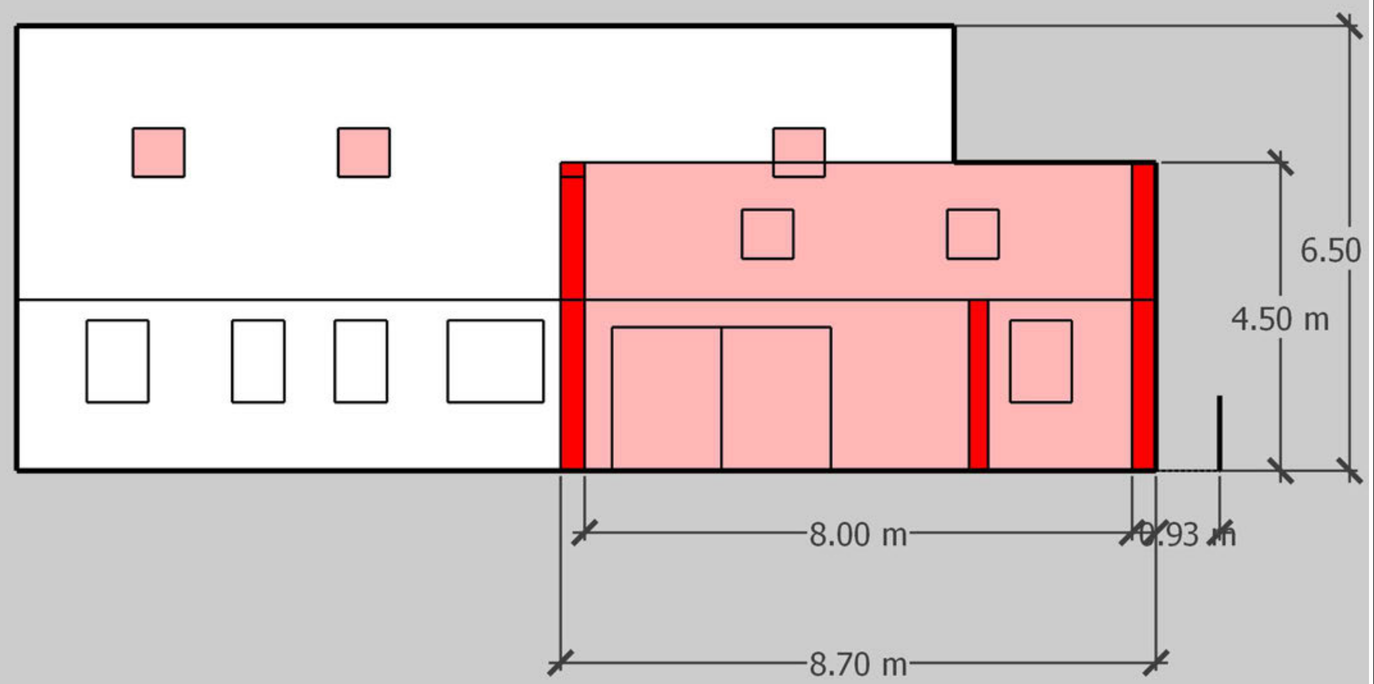
East elevation



North elevation



West elevation



Elevations	Crossabeagh Knockbridge Dundalk - A91AK65 Proposal extension and attic conversion	REVISIONS			A 02
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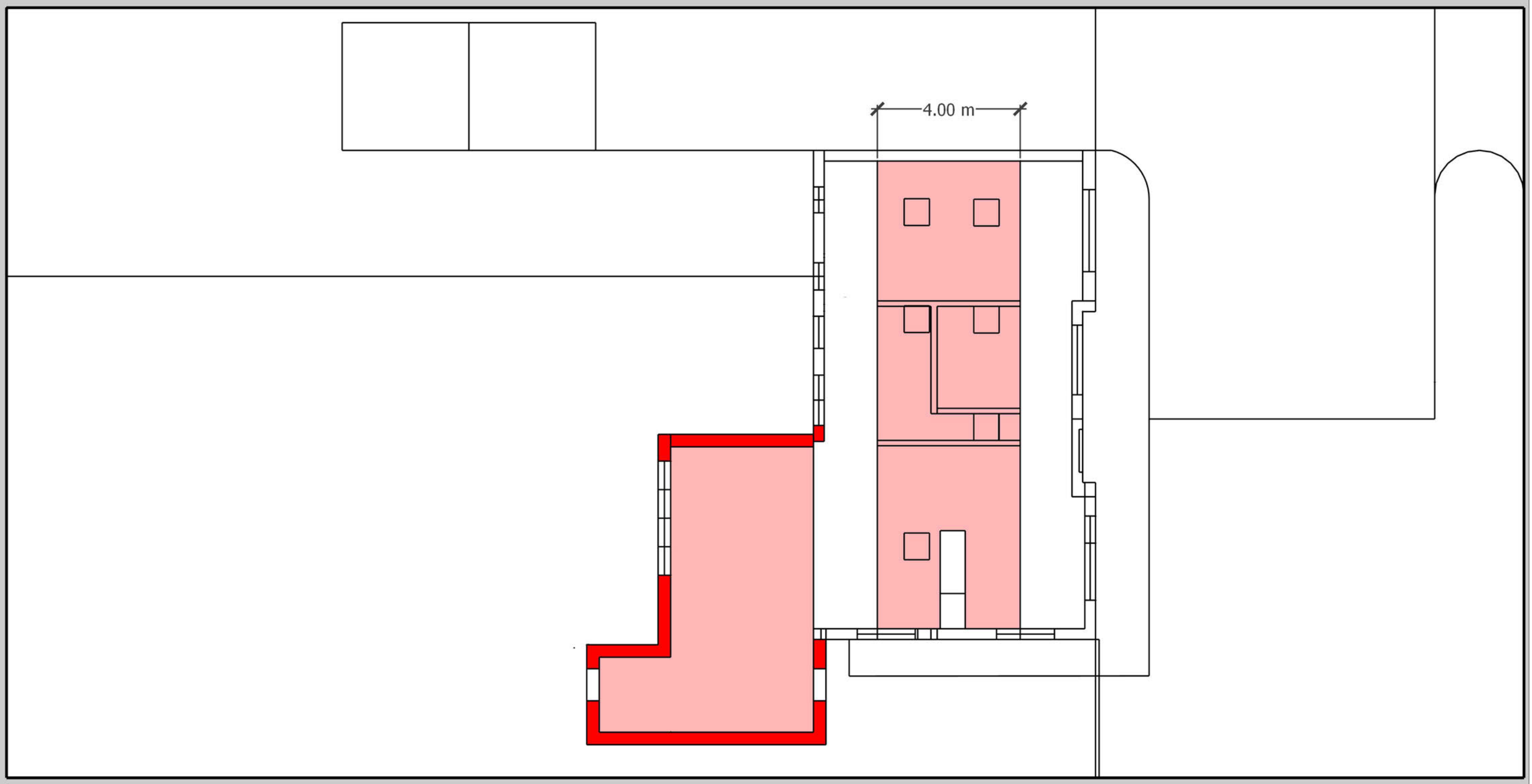

Plan view Attic

Crossabeagh Knockbridge Dundalk - A91AK65

Proposal extension and attic conversion

REVISIONS

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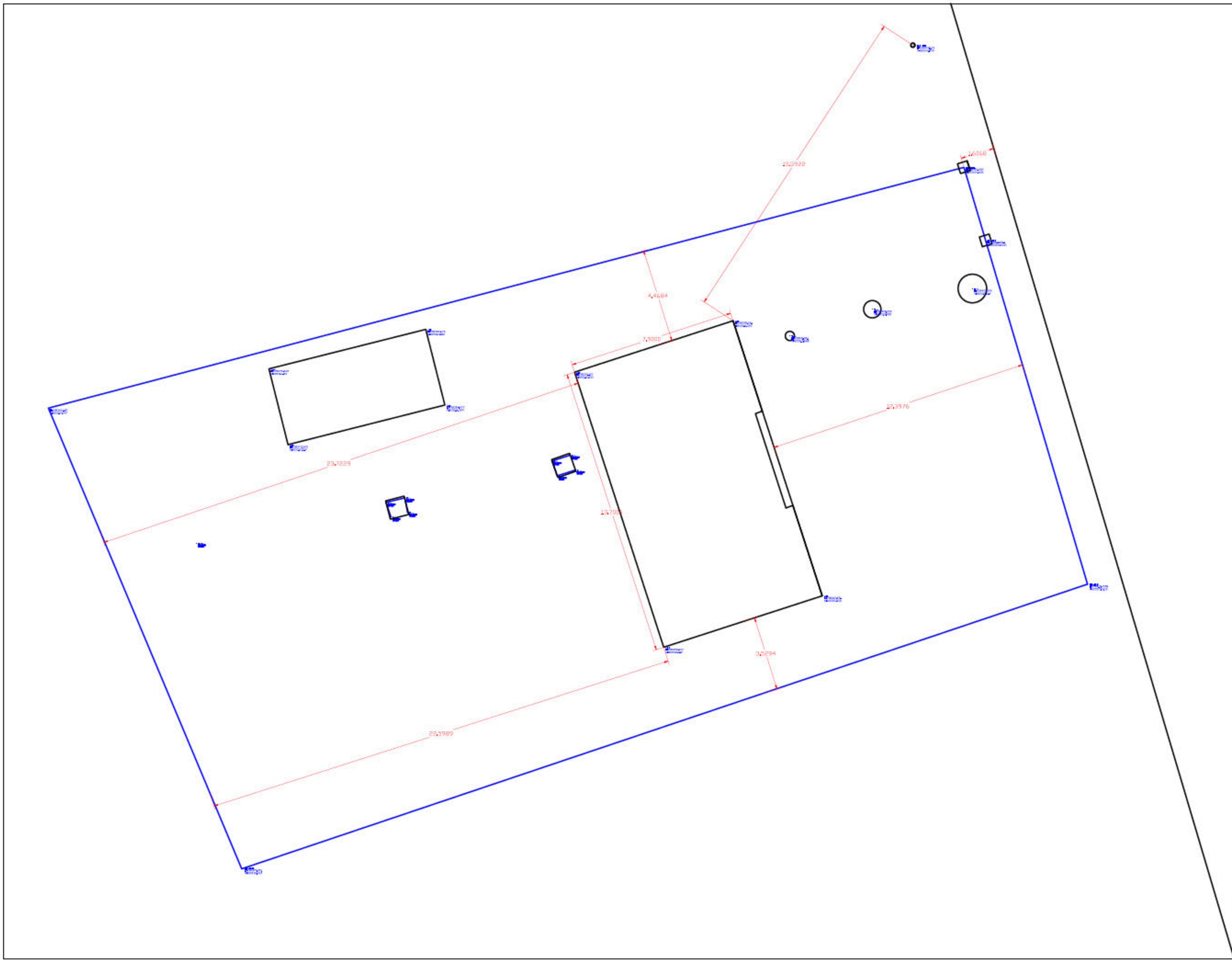

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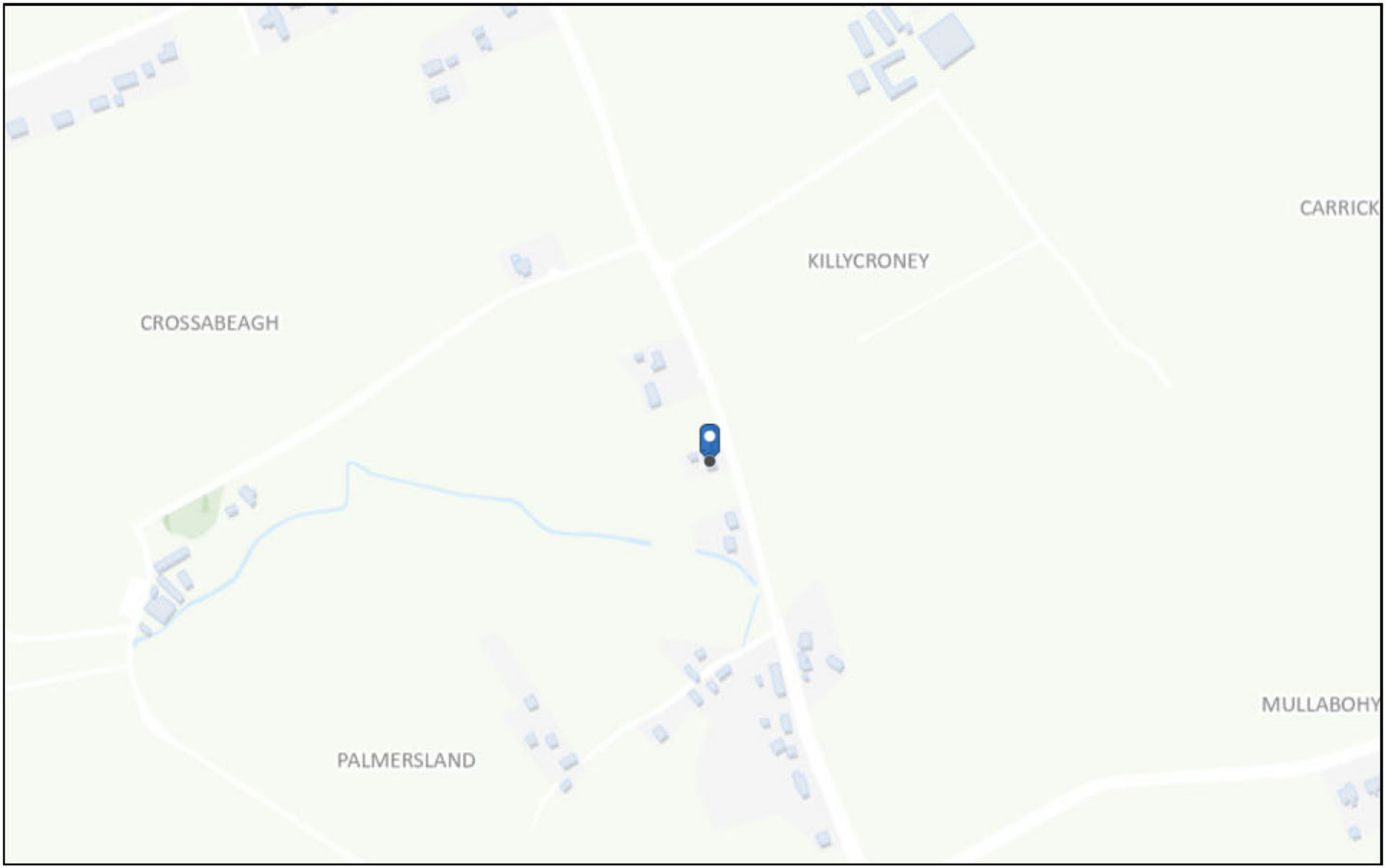
DATE OF ORIGIN:	

National Planning Application Database (NPAD) Web Map



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Local Authority Boundaries

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0 0.04 0.09 0.17 mi

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Louth County Council

<u>Section 5 Declaration</u>

Planning Ref:	S5 2026/52
Applicant's Name:	Sean Shevlin
Type of Application:	Section 5 Declaration
Development:	Rear dwelling extension and attic conversion
Site Location:	Crossabeagh, Knockbridge, Dundalk, A91AK64
Report Date **Due Date:**	15thJuly 2026 22nd July 2026

1.0 SITE LOCATION AND DESCRIPTION

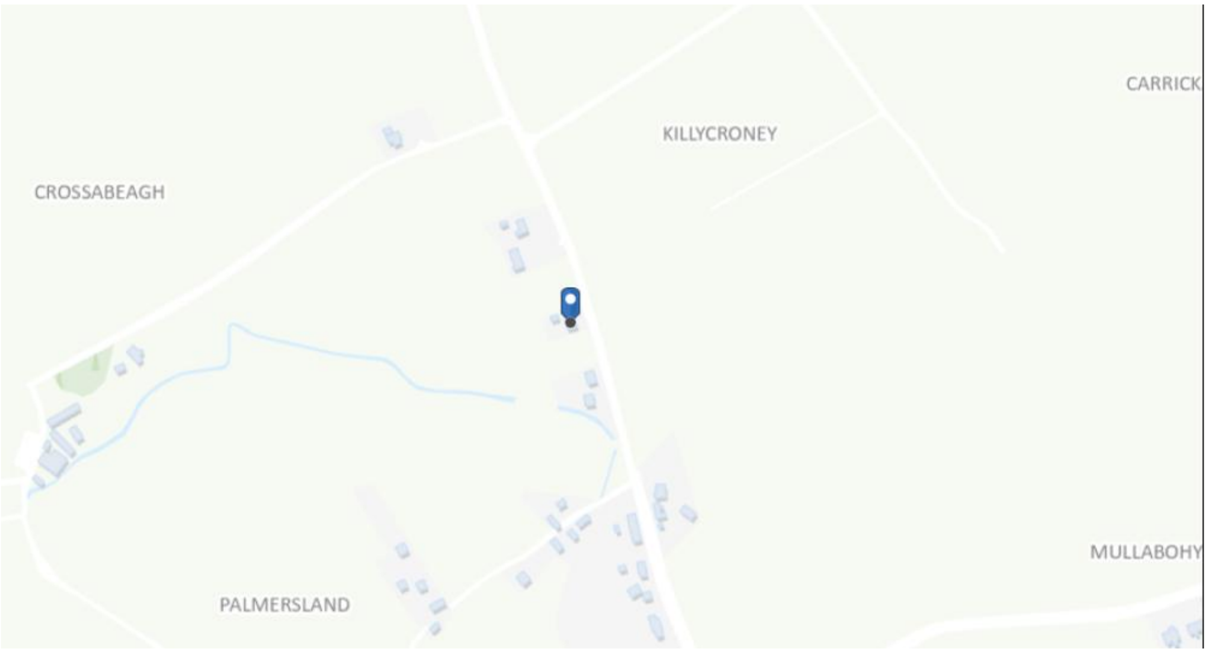

Fig.1: Site Location


Front elevation of dwelling.

The dwelling is located within the rural area as per the Louth County Development Plan 2021-2027, as varied.

Within the site at present is an established single storey detached dwelling, with in curtilage parking, driveway and private rear amenity space.

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 7 of the application form states:
"The question is for the construction of an extension and attic conversion. The extension is 36.22smq in floor area to be built at the back of the existing dwelling."

The Planning Authority will determine the question as:

'Is a proposed single storey rear extension and attic conversion at Crossabeagh, Knockbridge, Dundalk, Co. Louth, A91AK65 exempt development?'

The applicant has submitted the following details and particulars:

- Section 5 Declaration Application Form.
- Site Plan
- Floor Plan
- Front, side and rear 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 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;

<u>"exempted development"</u> 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;

<u>"Structure"</u> 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;

"<u>Unauthorised development"</u> 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;

<u>"Unauthorised works</u>" 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 and attic conversion 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?

<u>Rear Extension</u>

The submitted particulars including floor plans, indicate the extent of the subject extension, which is behind the rear building line of the dwelling.

The proposed rear extension will be reviewed within Part 1, Class 1 of Schedule 2 of the Planning and Development Regulations, 2001 (as amended) 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 36.22 sqm 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.
This criterion is not applicable

(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.
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.

The existing dwelling has not been extended, and the floor area of the proposal is 36.22sqm.

(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.
This criterion is not applicable.

(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 dwelling does not include a gable. The height of the walls of the extension **do exceed the height** of the rear wall of 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 4.5m (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

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 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.

<u>Accordingly, the subject development would (on the basis of the submitted details) contravene condition and limitation 4.(a) within Class 1.</u>

<u>Attic Conversion:</u>

<u>Planning and Development Act 2000 (As amended)</u>

Section 4 states that**:**

Section 4(1) provides a list of statutory exempted development including development consisting of the use of any land for the purpose of agriculture and development consisting of the use for that purpose of any building occupied together with land so used under section 4(1)(a).

Section 4(1)(h) provides for *"Development consisting of the carrying out of works for the maintenance, improvement or other alteration of any structure, being works which affect only the interior of the structure or which do not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure or of neighbouring structures".*

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

The proposed attic conversion will be reviewed under Section 4 (1) (h) <u>Planning and Development Act 2000 (As amended).</u> The plans submitted do not indicate habitable accommodation in the space. However, the plans submitted display the provision of 3no. rooflights to the front roof elevation of the dwelling. It is considered that this would materially affect the external appearance of the structure and thus does not come under the scope of Section 4 (1) (h) as set out above.

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 proposed development would not endanger public safety by reason of traffic hazard or obstruction of road users,

(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.

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

However, in accordance with Part 2, Article 6 (1,) and as stated above, the proposed rear extension and attic conversion is not considered to be exempted development for the purposes of the 2024 Planning and Development Act, as it does not comply with Section 4 (1) (h) of the Planning and Development Act 2000 (as amended) and all the conditions and limitations specified in column 2 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended.)

8.0 CONCLUSION

In having regard to the foregoing, it is considered that the proposed single storey rear extension and attic conversion at Crossabeagh, Knockbridge, Dundalk, Co. Louth, A91AK65 is **development that is not 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 a proposed single storey rear extension and attic conversion Crossabeagh, Knockbridge, Dundalk, Co. Louth, A91AK65 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) Section 4 (1) (h) of the Planning and Development Act 2000 (as amended).
(c) Articles 6 and 9 of the Planning and Development Regulations 2001 (as amended.)
(d) Class 1 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended.)
(e) The plans and particulars submitted to the Planning Authority on the 26th June 2026,
(f) The existing development on site.

AND WHEREAS Louth County Council has concluded: -

(a) The 'proposed single storey rear extension and attic conversion at Crossabeagh, Knockbridge, Dundalk, Co. Louth, A91AK65 **constitutes development** under Section 2 of the Planning & Development Act, 2024 and;
(b) The 'proposed single storey rear extension at Crossabeagh, Knockbridge, Dundalk, Co. Louth, A91AK65*,'* does not comply with the conditions and limitations specified in column 2 Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended.)

(c) The proposed attic conversion would not come under the scope of Section 4 (1) (h) of the Planning and Development Act 2000 (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:

'a proposed single storey rear extension and attic conversion at Crossabeagh, Knockbridge, Dundalk, Co. Louth, A91AK65'

<u>is development that is not exempted development.</u>

Brian Brooks
Exe Planner
Date: 15/07/2026

David Hall
A/Senior Exe Planner
Date: 16/07/2026

Thomas McEvoy
Director of Services
Date: 17/07/2026

LOUTH COUNTY COUNCIL

CHIEF EXECUTIVE'S ORDER

PLANNING & DEVELOPMENT ACT 2000 (as amended)

Section 5 Exempted Development

Chief Executive's Order No:	558/2026
Reference No:	S5 2026/52
Date Application Received:	24/06/2026
Description of Development:	Is a proposed single storey rear extension and attic conversion at Crossabeagh, Knockbridge, Dundalk, Co. Louth, A91AK65 exempt development?
Name of Applicant:	Sean Shevlin & Paola Andrea Lopez Frances
Location of Development	Crossabeagh, Knockbridge, Dundalk, Co. Louth, A91AK65

WHEREAS a question has arisen pursuant to Section 5 of the Planning and Development Act 2000 whether a proposed single storey rear extension and attic conversion Crossabeagh, Knockbridge, Dundalk, Co. Louth, A91AK65 is or is not development and is or is not exempt development,

AND WHEREAS the said question was referred to Louth County Council by Sean Shevlin & Paola Andrea Lopez Frances

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) Section 4 (1) (h) of the Planning and Development Act 2000 (as amended).
(c) Articles 6 and 9 of the Planning and Development Regulations 2001 (as amended.)
(d) Class 1 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended.)
(e) The plans and particulars submitted to the Planning Authority on the 26th June 2026,
(f) The existing development on site.

LCP Order No. 558/2026 **Reference No: S5 2026/52**

AND WHEREAS Louth County Council has concluded: -

(a) The 'proposed single storey rear extension and attic conversion at Crossabeagh, Knockbridge, Dundalk, Co. Louth, A91AK65 **constitutes development** under Section 2 of the Planning & Development Act, 2024 and;
(b) The 'proposed single storey rear extension at Crossabeagh, Knockbridge, Dundalk, Co. Louth, A91AK65,*'* does not comply with the conditions and limitations specified in column 2 Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended.)
(c) The proposed attic conversion would not come under the scope of Section 4 (1) (h) of the Planning and Development Act 2000 (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:

'a proposed single storey rear extension and attic conversion at Crossabeagh, Knockbridge, Dundalk, Co. Louth, A91AK65'

is development that is not exempted development.

SIGNED: ____________________ **Date: 16/07/2026**
Brian Brooks
Executive Planner

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

Signed: ____________________ **Date: 17/07/2026**
Thomas McEvoy
Director of Service

To whom this function has been delegated in accordance with the provisions of Section 154 of the Local Government Act, 2001 by Order No. CE.S. 201/25 dated the 14th day of May 2025.

Comhairle Contae **Lú**
Louth County Council

Sean Shevlin & Paola Andrea Lopez Frances
Crossabeagh
Knockbridge
Dundalk
Co Louth

Via email only : [redacted]

17th July 2026

Re: Ref. S5 2026/52

Application for Declaration of "Exempted Development" Part 1, Section 5 Planning & Development Act, 2000 (as amended) as to 'Is a proposed single storey rear extension and attic conversion at Crossabeagh, Knockbridge, Dundalk, Co. Louth, A91AK65 exempt development?"

Dear Sir/Madam,

I wish to acknowledge receipt of your application received on 24th 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 whether a proposed single storey rear extension and attic conversion Crossabeagh, Knockbridge, Dundalk, Co. Louth, A91AK65 is or is not development and is or is not exempt development,

AND WHEREAS the said question was referred to Louth County Council by Sean Shevlin & Paola Andrea Lopez Frances

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

(c) Articles 6 and 9 of the Planning and Development Regulations 2001 (as amended.)
(d) Class 1 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended.)
(e) The plans and particulars submitted to the Planning Authority on the 26th June 2026,
(f) The existing development on site.

AND WHEREAS Louth County Council has concluded: -

(a) The 'proposed single storey rear extension and attic conversion at Crossabeagh, Knockbridge, Dundalk, Co. Louth, A91AK65 **constitutes development** under Section 2 of the Planning & Development Act, 2024 and;
(b) The 'proposed single storey rear extension at Crossabeagh, Knockbridge, Dundalk, Co. Louth, A91AK65,' does not comply with the conditions and limitations specified in column 2 Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended.)
(c) The proposed attic conversion would not come under the scope of Section 4 (1) (h) of the Planning and Development Act 2000 (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:

'a proposed single storey rear extension and attic conversion at Crossabeagh, Knockbridge, Dundalk, Co. Louth, A91AK65'

is development that is not exempted development.

<u>In Summary</u>

A Declaration of Exemption is hereby REFUSED for the works as detailed on the plans and particulars submitted on 24th 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

Brian Duffy
Planning Section