



Section 5 Declaration - Application Form

Declaration as to whether development constitutes Exempted Development

Please read "Guidance Notes" before completing this form

Guidance Notes

1. The purpose of Section 5 of the Planning and Development Act 2000, as amended, is to establish if a particular development is or is not development and if it is or is not exempted development within the meaning of the Planning Act.
 - (a) A person seeking a determination must ensure under Question 7 (of the application form below) that a question is posed and that the question is clear, for example, is the construction of a shed development and is it or is it not exempted development. Details are then required of the shed so the planning authority can determine if the shed is exempt.
 - (b) The question to be determined should be clear as to whether it relates to an existing development or a proposed development. Details of the nature, size and location of the proposed development should be submitted and appropriate plans and elevations.
 - (c) If the question is not clear to the Planning Authority, the Section 5 application will be returned as invalid.
2. Any person may, on payment of the prescribed fee, currently €80.00 request in writing from the Planning Authority a declaration on a question as whether a particular type of development is exempt.
3. The Planning Authority is required to make a decision within 4 weeks of receipt of a valid Declaration Request however the Planning Authority can also request Additional Information if it is considered that insufficient information has been submitted.
4. Any person issued with a declaration may, on payment to the Board of such fee as may be prescribed, currently €220.00 refer a declaration for review by the Board within 4 weeks of the date of the issuing of the declaration.
5. A planning authority is required to consider whether the development or proposed development identified in the request would be likely to have significant effects on the environment by virtue, at the least, of the nature, size or location of such development.

Section 5 Declaration - Application Form

1. Name and address of person seeking the declaration:

Po Lamb Unit 3 & 4 Donore Industrial Estate, Drogheda, Co Louth

Phone Number

E-Mail:

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)

Po Lamb Unit 3 & 4 Donore Industrial Estate, Drogheda, Co Louth

4. Interest in site of the person seeking declaration:

Mr. Leslie & Mrs Vida McEnteggart

Newlane, Duleek, Co. Meath

(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

Po Lamb Unit 3 & 4 Donore Industrial Estate, Drogheda, 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>

PJ4J+W6J

53°42'26.4"N 6°22'10.2"W

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 proposed promotional activity of preparing and selling cooked food dishes using products manufactured at the Premises, conducted on Friday and Saturday evenings only between 6:00pm and 9:30pm, amounting to a maximum of 7 hours per week, being an activity limited in scale and hours and ancillary to the established and lawful use of the Premises at Unit 3 and 4 Donore Industrial Estate, Donore Road Drogheda, County Louth for food manufacture and sale, and involving no structural alterations, no external works and no change to the external appearance of the building, development, and if so is it or is it not exempted development within the meaning of the Planning and Development Act 2000 as amended?

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:

P. Lamb

Date

21/05/2026

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

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

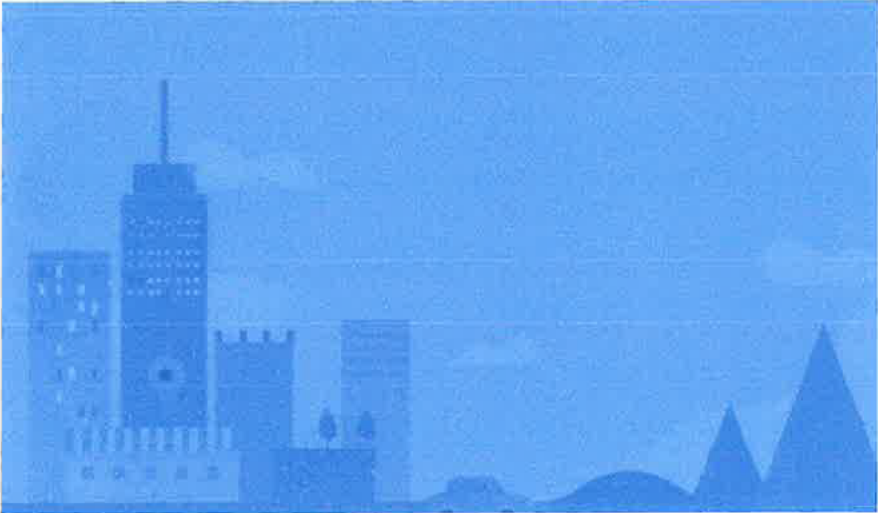
Completed Application Form & Fee of €80.00 may be sent to:

**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.



Imagery ©2026 Airbus, Map data ©2026 10 m



53°42'26.4"N 6°22'10.2"W

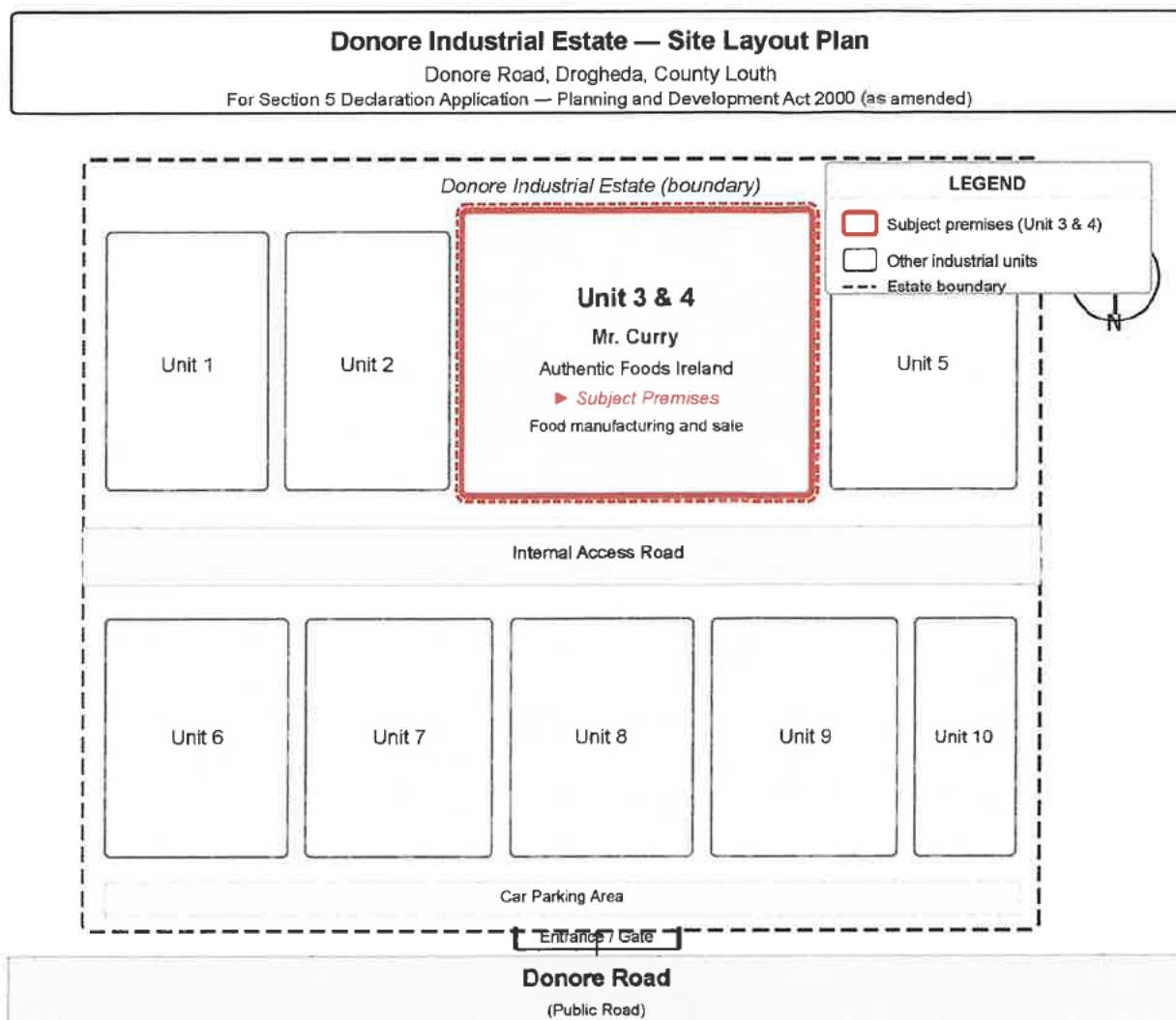
53.707326, -6.369501

- Directions
- Save
- Nearby
- Send to phone
- Share

 PJ4J+W5Q Drogheda, County Louth

Get the most out of Google Maps

Sign in



This plan is diagrammatic only and is not drawn to scale.

It is submitted for the purposes of a Section 5 Declaration application under the Planning and Development Act 2000 (as amended).

It should be read in conjunction with the Ordnance Survey location map at scale 1:1000 submitted herewith.

Applicant: Paul Lamb, Unit 3-4 Donore Industrial Estate, Donore Road, Drogheda, Co. Louth — _____, 2026

Section 5 Declaration Application — Louth County Council — Planning and Development Act 2000 (as amended)
Prepared by: Paul Lamb, Mr. Curry — Authentic Foods Ireland — Unit 3-4 Donore Industrial Estate, Drogheda, Co. Louth

Louth County Council
Section 5 Declaration Report

Planning Ref: 2026/35

Applicant's Name: Po Lamb

Type of Application: Section 5 Declaration

Development: Is the proposed promotional activity of preparing and selling cooked food dishes using products manufactured at the Premises, conducted on Friday and Saturday evenings only between 6:00pm and 9:30pm, amounting to a maximum of 7 hours per week, being an activity limited in scale and hours and ancillary to the established and lawful use of the Premises at Unit 3 and 4 Donore Industrial Estate, Donore Road Drogheda, County Louth for food manufacturing and sale, and involving no structural alterations, no external works and no change to the external appearance of the building, development, and if so is it or is it not exempted development within the meaning of the Planning and Development Act 2000 as amended?

Site Location: Unit 3&4 Donore Industrial Estate, Drogheda, Co Louth

Decision Due Date: 15th June 2026

1.0 SITE LOCATION & DESCRIPTION:

The site is located within an established industrial estate located within the development limits of Drogheda, as defined by the Louth County Development Plan 2021-2027, as varied.

2.0 Relevant Planning History

File	Applicant	Address	Decision Date	Description	Decision
9510086	Leslie & Vida McEnteggart	Junction of Donore Road & Donore Road South Rathmullen Drogheda	21/08/2009	The proposed development will consist of the erection of 1 no. double sided internally illuminated flag pole advertisement structure with a total height of 6 metres. The advertisement area measures 3.35m x 1.98m x 0.2m (total advertising area 13.27m ²).	Refused
91510139	KILLEEN STEEL WOOL LTD.	INDUSTRIAL ESTATE DONORE ROAD DROGHEDA INDUSTRIAL ESTATE	24/09/1991	ERECTION OF STORAGE/SILO TANK	Conditional
91510173	LESLIE MC ENTEGGART	INDUSTRIAL ESTATE DONORE ROAD DROGHEDA INDUSTRIAL ESTATE	10/03/1992	CONSTRUCTION OF 4 NO. LIGHT INDUSTRIAL UNITS	Refused
91510190	KILLEEN STEEL WOOL LTD.	DONORE ROAD INDUSTRIAL ES DROGHEDA DONORE ROAD INDUSTRIAL ES	17/12/1991	RETENTION OF STORAGE/SILO TANK	Conditional

92510179	KILLEEN STEEL WOOL LTD.	INDUSTRIAL ESTATE DONORE ROAD DROGHEDA INDUSTRIAL ESTATE	01/12/1992	EXTENSION TO FACTORY PREMISES	Conditional
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3.0 QUESTION FOR DETERMINATION:

Under Question 7 of the Application form submitted the question for determination pertains to:

Is the proposed promotional activity of preparing and selling cooked food dishes using products manufactured at the Premises, conducted on Friday and Saturday evenings only between 6:00pm and 9:30pm, amounting to a maximum of 7 hours per week, being an activity limited in scale and hours and ancillary to the established and lawful use of the Premises at Unit 3 and 4 Donore Industrial Estate, Donore Road Drogheda, County Louth for food manufactureing and sale, and involving no structural alterations, no external works and no change to the external appearance of the building, development, and if so is it or is it not exempted developement within the meaning of the Planning and Development Act 2000 as amended

Therefore, the Planning Authority is considering the “question of determination” as:

“Whether the preparing and selling cooked food using products manufactured at the Premises on Friday and Saturday evenings only between 6:00pm and 9:30pm, amounting to a maximum of 7 hours per week is development and is it or is it not exempt development.”

4.0 EIA Screening and Determination

From a preliminary examination, based on information provided and having considered the nature, size and location of the development, there is no real likelihood of significant effects on the environment and as such the need for an EIAR can be ruled out.

5.0 Appropriate Assessment

Having regard to the nature and scale of the proposed development, the nature of the receiving environment and the separation distances and intervening land uses between the site and the European Sites (River Boyne and River Blackwater SAC, Boyne Estuary SPA, Boyne Coast and Estuary SAC, North-West Irish Sea SPA and the River Nanny Estuary and Shore SPA) and in the absence of any hydrological links in close proximity to the property, no appropriate assessment issues arise and it is not considered that the proposed 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.

LEGASLATIVE CONTEXT:

The Planning and Development Act 2024

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

“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 use” means, in relation to land or a maritime site, a use that is a material change in use of the land or maritime site, other than—

- (a) exempted development, or*
- (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 4:

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

Section 4 (1) (h) states that *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) further provides for the making of regulations by the Minister relating to exempted development. The Planning & Development Regulations (PDR) 2001 (as amended) give effect to Section 4(2).

Section 5 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)

Article 6:

Article 6 (1) states that 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) provides restrictions on exemptions and states that “*Development to which article 6 relates shall not be exempted development for the purposes of the Act—*

(a) if the carrying out of such development would—

(i) contravene a condition attached to a permission under the Act or be inconsistent with any use specified in a permission under the Act,

(ii) consist of or comprise the formation, laying out or material widening of a means of access to a public road the surfaced carriageway of which exceeds 4 metres in width,
(iii) endanger public safety by reason of traffic hazard or obstruction of road users,

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

(iv) except in the case of a porch to which class 7 specified in column 1 of Part 1 of Schedule 2 applies and which complies with the conditions and limitations specified in column 2 of the said Part 1 opposite the mention of that class in the said column 1, comprise the construction, erection, extension or renewal of a building on any street so as to bring forward the building, or any part of the building, beyond the front wall of the building on either side thereof or beyond a line determined as the building line in a development plan for the area or, pending the variation of a development plan or the making of a new development plan, in the draft variation of the development plan or the draft development plan,

(v) consist of or comprise the carrying out under a public road of works other than a connection to a wired broadcast relay service, sewer, water main, gas main or electricity supply line or cable, or any works to which class 25, 26 or 31 (a) specified in column 1 of Part 1 of Schedule 2 applies,

(vi) interfere with the character of a landscape, or a view or prospect of special amenity value or special interest, the preservation of which is an objective of a development plan for the area in which the development is proposed or, pending the variation of a development plan or the making of a new development plan, in the draft variation of the development plan or the draft development plan,

(vii) consist of or comprise the excavation, alteration or demolition (other than peat extraction) of places, caves, sites, features or 13 other objects of archaeological, geological, historical, scientific or ecological interest, the preservation of which is an objective of a development plan for the area in which the development is proposed or, pending the variation of a development plan or the making of a new development plan, in the draft variation of the development plan or the draft development plan, save any

excavation, pursuant to and in accordance with a licence granted under section 26 of the National Monuments Act, 1930 (No. 2 of 1930),

(viii) consist of or comprise the extension, alteration, repair or renewal of an unauthorised structure or a structure the use of which is an unauthorised use,

(ix) consist of the demolition or such alteration of a building or other structure as would preclude or restrict the continuance of an existing use of a building or other structure where it is an objective of the planning authority to ensure that the building or other structure would remain available for such use and such objective has been specified in a development plan for the area or, pending the variation of a development plan or the making of a new development plan, in the draft variation of the development plan or the draft development plan,

(x) 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) obstruct any public right of way,

(xii) further to the provisions of section 82 of the Act, consist of or comprise the carrying out of works to the exterior of a structure, where the structure concerned is located within an architectural conservation area or an area specified as an architectural conservation area in a development plan for the area or, pending the variation of a development plan or the making of a new development plan, in the draft variation of the development plan or the draft development plan and the development would materially affect the character of the area.”

6.0 ASSESSMENT

(i) Question for Determination

“Whether the preparing and selling cooked food using products manufactured at the Premises on Friday and Saturday evenings only between 6:00pm and 9:30pm,

amounting to a maximum of 7 hours per week is development and is it or is it not exempt development.”

(ii) Does the proposal constitute development?

In accordance with Section 2 of the Planning and Development Act, 2024, “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;

No further information regarding the proposed operations, other than details within Q7 of the application form, without full details it is not possible to make an informed decision on the matter of fact and degree.

(iii) Does the proposal constitute exempt development?

In order to determine if any exempt development provisions apply, full details on the proposed use is necessary. Further information will be sought in this regard.

Planning Assessment

Having regard to the information submitted, the Planning Authority is not satisfied that sufficient detail has been provided to determine whether the proposed activity constitutes development within the meaning of Section 3 of the Planning and Development Act 2000 (as amended), including whether it would result in a material change of use.

In the absence of adequate information regarding the existing authorised use of the premises and the nature, scale and intensity of the proposed activity, a determination cannot be made on the question of development.

Accordingly, further information is required to enable the Planning Authority to make a determination. Upon receipt of same, an assessment can then be undertaken as to whether any provisions relating to exempted development apply.

6.0 RECOMMENDATION

Having regard to the foregoing it is considered that: -

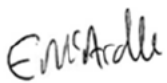
- Further information is required in order to determine whether the proposal is development

Accordingly, I would recommend the following Further Information to be requested: -

Further Information

1. Having regard to the information submitted, the Planning Authority considers that additional information is required to enable a determination on the question of development and exemption status. The applicant is requested to submit the following:
 - a. Provide a detailed description of the current authorised use of the premises, including the nature of activities currently carried out, the hours of operation, the number of staff, and details of any existing planning permissions and compliance status. Documentary evidence confirming the lawful use of the premises should also be submitted, such as previous permissions, declarations, or proof of continuous use.
 - b. Submit a comprehensive description of the proposed food preparation and sales activity, including the type of food to be prepared and sold and whether the food is intended for on-site consumption or off-site takeaway only. Details should also include the expected number of customers per evening, staffing levels during operating hours, and clarification as to whether the activity is ancillary to an existing use or constitutes a standalone commercial food operation.

- c. Provide details of anticipated customer vehicle trips during the proposed hours of operation, existing and proposed parking provision, and delivery arrangements including frequency, vehicle size, and timing. An assessment of the potential impact on the public road network and traffic safety.
- d. Submit information on cooking methods and equipment, along with details of any extraction and ventilation systems, including specifications where available.



Eamonn McArdle
Executive Planner
Date: 11/06/2026



Turlough King
A/Senior Planner
Date: 11/06/2026

Thomas McEvoy
Director of Services
Date:



LOUTH COUNTY COUNCIL

Po Lamb
Unit 3 & 4 Donore Industrial Estate
Drogheda
Co Louth

Planning Section
Town Hall
Crowe Street
Dundalk
Co. Louth
Tel: 042-9335457

Date: 12th June 2026

SECTION 5 FURTHER INFORMATION REQUEST

Re: Application for Declaration of “Exempted Development” Part 1 Section 5, Planning & Development Act 2000 (as amended):- Whether the proposed promotional activity of preparing and selling cooked food dishes using products manufactured at the Premises, conducted on Friday and Saturday evenings only between 6:00pm and 9:30pm, amounting to a maximum of 7 hours per week, being an activity limited in scale and hours and ancillary to the established and lawful use of the Premises at Unit 3 and 4 Donore Industrial Estate, Donore Road Drogheda, County Louth for food manufacturing and sale, and involving no structural alterations, no external works and no change to the external appearance of the building, development, and if so is it or is it not exempted development within the meaning of the Planning and Development Act 2000 as amended?

APPLICANT – Po Lamb

REF. NO. S5 2026/35

Dear Sir/Madam,

Further to your application received on 19th May 2026 the Planning Authority will not be in a position to determine whether the works constitute Exempted Development until such time as the following further information is submitted: -

1. Having regard to the information submitted, the Planning Authority considers that additional information is required to enable a determination on the question

of development and exemption status. The applicant is requested to submit the following:

- a. Provide a detailed description of the current authorised use of the premises, including the nature of activities currently carried out, the hours of operation, the number of staff, and details of any existing planning permissions and compliance status. Documentary evidence confirming the lawful use of the premises should also be submitted, such as previous permissions, declarations, or proof of continuous use.
- b. Submit a comprehensive description of the proposed food preparation and sales activity, including the type of food to be prepared and sold and whether the food is intended for on-site consumption or off-site takeaway only. Details should also include the expected number of customers per evening, staffing levels during operating hours, and clarification as to whether the activity is ancillary to an existing use or constitutes a standalone commercial food operation.
- c. Provide details of anticipated customer vehicle trips during the proposed hours of operation, existing and proposed parking provision, and delivery arrangements including frequency, vehicle size, and timing. An assessment of the potential impact on the public road network and traffic safety.
- d. Submit information on cooking methods and equipment, along with details of any extraction and ventilation systems, including specifications where available.

This matter is being dealt with by **Eamonn McArdle, Executive Planner, Louth County Council** who can be contacted on 042-9335457.

Yours faithfully,



Brian Duffy
Planning Section

COMHAIRLE CONTAE LÚ
LOUTH COUNTY COUNCIL

23 JUN 2026



Unit 3-4 Donore Industrial Estate,

Donore Road,

Drogheda,

County Louth.

Friday, 19th June 2026

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

Dear Mr. Duffy,

Re. Section 5 Further Information Response — Ref. No. S5 2026/35 — Unit 3-4
Donore Industrial Estate, Drogheda

Thank you for your letter of the 12th June 2026.

I would like to replace the Question for my application to as follows:-

“ Is the proposed activity of preparing and selling cooked food dishes using products manufactured at the Premises, conducted on Saturday evenings only between 5:00pm and 9:00pm — amounting to four hours on one day per week — being an activity limited in scale and hours and ancillary to the established and lawful use of the Premises at Unit 3 and 4 Donore Industrial Estate, Donore Road, Drogheda, County Louth for food manufacturing and retail sales since 18th February 2013, and involving no structural alterations, no external works, no new equipment installations and no change to the external appearance of the building, exempt development within the meaning of the Planning and Development Act 2000 as amended? “

I submit that the proposed activity does not constitute development within the meaning of the Act as it involves no works to the building or land and does not constitute a material change of use, being a limited and ancillary expression of the established food manufacturing and retail sales use of the premises. A declaration to that effect is sought.

I refer to the further information request dated 12th June 2026 in relation to the above referenced Section 5 Declaration application. I am grateful to the Planning Authority for its engagement with this application and I am pleased to provide the following comprehensive response to each of the four questions raised.

Before addressing the four specific questions I wish to bring one preliminary matter to the Planning Authority's attention concerning the precise nature of the declaration being sought in this application.

Having carefully considered the nature of the proposed activity and the statutory framework under the Planning and Development Act 2000 as amended, the Applicant wishes to clarify and correct the framing of the declaration being sought in this application.

This application seek a declaration that the proposed activity constitutes exempted development or a declaration that the proposed activity does not constitute development within the meaning of the Planning and Development Act 2000 at all.

I respectfully submit that the proposed activity — the operation of a food preparation and sales kitchen on Saturday evenings only using existing equipment already on site at a premises with an established food manufacturing and retail sales use — does not constitute a material change of use of the premises and therefore does not constitute development within the meaning of Section 3 of the Planning and Development Act 2000. The proposed activity is not a new use. It is a limited and ancillary expression of the existing established use.

The basis for this submission is as follows. Section 3 of the Planning and Development Act 2000 defines development as including the carrying out of works on, in, over or under land or the making of any material change in the use of any structures or other land. The proposed activity involves no works whatsoever on the building or land. No physical alterations are proposed. All equipment is already on site. No new structures are proposed. No new installations are proposed. There is no building works element to this application of any kind.

The only question that could arise is whether the proposed activity constitutes a material change of use. The Applicant respectfully submits that it does not. The established use of the premises is food manufacturing and retail sales. The proposed activity — the direct retail sale of food products manufactured on the premises to members of the public on Saturday evenings — is limited, ancillary and consistent with that established use. It does not represent a new use. It does not represent a different use. It represents a modest and time-limited extension of an activity that has always been part of the established use of the premises.

The Applicant accordingly seeks a declaration under Section 5 of the Planning and Development Act 2000 that the proposed activity does not constitute development within the meaning of the Act and that no planning permission is required

The established use of the premises is the manufacture of food products — specifically curry sauces and, most recently, a Black Bean Sauce — and the retail sale of those products directly to the public and to trade customers including butcher shops and retail stores island wide. Both the manufacturing activity and the retail sales activity have been carried out continuously at these premises since 18th February 2013 without interruption and without any planning enforcement action.

The relevant operational details of the current authorised use are as follows:

Established use: Food manufacturing and retail sale — continuous since 18th February 2013.

Nature of activities: Manufacture of curry sauces and black bean sauce — retail sale of food products to the public and to trade customers.

Current hours of operation: Monday to Friday — standard business hours.

Number of staff: The proprietor, Po aka Paul Lamb, and such additional staff as are engaged from time to time.

Existing planning permissions: The use has been established by continuous operation since 18th February 2013

The proposed activity is the operation of a food preparation and sales kitchen at the premises on Saturday evenings only, from 5:00pm to 9:00pm — a total of four hours per week on one day per week. The Applicant respectfully emphasises the very limited and strictly time-confined nature of the proposed activity. It constitutes four hours of operation on one day per week. The premises will continue to be used for its established food manufacturing and retail sales purposes on all other days and at all other times.

The dish to be prepared and sold is Steamed Black Bean Ribs and Steamed Black Bean Chicken Wings with Boiled Rice — prepared using Mr. Curry Black Bean Sauce manufactured on the premises. The raw ingredients — pork ribs and chicken wings — will be supplied by the Applicant's butcher supplier, prepared and ready for steaming.

The food is intended for off-site takeaway. Customers take the food away in sealed containers. A take-home family option is also available.

The relevant operational details of the proposed activity are as follows:

Days of operation: Saturday only — one day per week.

Hours of operation: 5:00pm to 9:00pm — four hours per week.

Dish: Steamed Black Bean Ribs and Steamed Black Bean Chicken Wings with Boiled Rice — using Mr. Curry Black Bean Sauce manufactured on the premises

Consumption: Takeaway.

Expected customer numbers: Between fifty and eighty customers per Saturday session.

Staffing during operating hours: The proprietor and one or two additional staff members.

Standalone commercial food operation: No — see detailed explanation below.

The proposed kitchen is not a standalone commercial food operation. It does not constitute a restaurant, a cafe or a takeaway business. It is a direct and natural expression of the established food manufacturing and retail sales use of the premises operating on a strictly limited and ancillary basis on one evening per week.

The activity is limited in three specific and material respects. It is limited in time — four hours on one day per week. It is limited in scope — one dish only, using the product manufactured on the premises. It is limited in scale — fifty to eighty customers on a single Saturday evening. These three limitations together confirm that the proposed activity does not represent a new use or a material change of use but rather a limited and ancillary extension of the manufacturing and retail sales use that has characterised these premises since 18th February 2013.

The pop-up kitchen directly serves and promotes the food products manufactured on the premises. Every customer who eats the dish at the kitchen is consuming the manufactured product. The kitchen and the manufacturing activity are a single integrated commercial undertaking. They cannot be separated. The kitchen is the manufacturing use expressed in its most direct retail form.

The traffic impact of the proposed pop-up kitchen is minimal and is materially less than both the existing traffic generated by the neighbouring retail business at the same premises and the significantly larger traffic generated by the Lidl supermarket located directly across the road from Donore Industrial Estate.

The Applicant wishes to draw the Planning Authority's attention to the broader traffic context of this location. Lidl operates a large supermarket directly across the road from the premises. Lidl is a major national grocery retailer generating customer vehicle traffic on a scale that is conservatively estimated to be twenty to fifty times greater than the proposed pop-up kitchen could ever potentially generate. The road infrastructure serving Donore Industrial Estate already accommodates this very significant traffic generator without material difficulty. The modest and time-limited traffic generated by the proposed Saturday evening kitchen is entirely negligible by comparison.

Furthermore a meaningful proportion of the expected customers will not arrive by car at all. The Applicant estimates that approximately half of customers may already be parked in the Lidl car park across the road having completed their weekly shopping and will walk across to the kitchen on foot. A further five to ten per cent of customers are expected to be walk-by customers from the surrounding area. The actual number of additional vehicle movements generated by the proposed activity is therefore considerably lower than a simple headcount of customers would suggest.

Unit 1 & 2 of Donore Industrial Estate is occupied by Fyffes Vehicle and Engineering Supplies, a retail business that operates Monday to Saturday and closes at 1:00pm on Saturdays. The enclosed car parking area is shared between Unit 1 & 2 and Unit 3 & 4. The proposed pop-up kitchen operates from 5:00pm to 9:00pm on Saturdays only — four hours after Fyffes has closed and the shared car parking area has fully cleared.

The relevant traffic and parking details are as follows:

Expected customer numbers: Fifty to eighty customers per Saturday session.

Customers arriving by car: Approximately half of customers are estimated to arrive by car — the remainder are expected to walk from the Lidl car park across the road or from the surrounding area.

Walk-by customers: Five to ten per cent of customers estimated as walk-by customers from the surrounding area — generating no additional vehicle movements whatsoever.

Estimated vehicle movements: Twenty-five to forty customers arriving by car per session with an average occupancy of two persons per vehicle — approximately twelve to twenty vehicle movements per session spread over four hours — an average of three to five vehicles per hour.

Lidl comparator: Lidl supermarket directly across the road generates customer vehicle traffic conservatively estimated at twenty to fifty times greater than the proposed kitchen could ever potentially generate. The road network already accommodates this traffic without difficulty. The proposed kitchen traffic is entirely negligible by comparison.

Comparison with Fyffes: Fyffes Vehicle and Engineering Supplies at Unit 1 & 2 closes at 1:00pm on Saturdays. The pop-up kitchen opens at 5:00pm on Saturdays only — four hours after the car park has cleared. Customer traffic will not exceed the established traffic pattern of the shared car park during Fyffes normal business hours.

Existing parking provision: The enclosed car parking area shared between Unit 1 & 2 and Unit 3 & 4 provides ample parking for the estimated twelve to twenty vehicles expected per session. Additional overflow parking is available in the Lidl car park across the road for customers who arrive by car.

Delivery arrangements: Raw ingredients — pork ribs and chicken wings — supplied by the Applicant's butcher supplier, prepared and ready to steam. Deliveries take place during normal business hours Monday to Friday only. No deliveries during Saturday evening operating hours. Delivery vehicles are standard commercial vans. Frequency is weekly.

Impact on public road network: Minimal and not material. Three to five additional vehicles per hour on Saturday evenings in a location already served by a Lidl supermarket generating twenty to fifty times that volume of traffic. There is no material impact on the public road network or traffic safety.

The cooking method for the proposed kitchen is steaming only. All cooking equipment and all ventilation systems are already on site at the premises and have been in place as part of the established food manufacturing operation since 18th February 2013. No new equipment installation is required. No new extraction or ventilation systems are proposed. No building works of any kind are proposed or required.

The relevant details are as follows:

Primary cooking equipment: A 110-litre commercial electric steaming pot — already on site.

Additional equipment: Electric rice cookers and food preparation surfaces — all already on site.

Cooking method: Steaming only. Pork ribs and chicken wings are marinated in Mr. Curry Black Bean Sauce and steamed in the 110-litre pot. Rice is cooked in electric rice cookers.

Fuel source: Electric & gas installations. No solid fuel.

Extraction and ventilation: Existing ventilation and extraction systems already on site as part of the established manufacturing operation since 18th February 2013. Steaming produces water vapour rather than smoke, grease or strong odours. The ventilation requirements for a steaming-only operation are considerably less demanding than those for frying, grilling or open flame cooking. Existing systems on site are fully adequate for the proposed activity. No new or additional ventilation or extraction systems are required.

Fire risk: Steaming is the safest possible commercial cooking method from a fire and safety perspective.

Building works: None. No physical alterations to the building are proposed or required. The proposed activity uses existing equipment and existing infrastructure entirely.

I wish to bring to the Planning Authority's attention the wider commercial and export context of this project. This context is relevant to understanding the limited and ancillary nature of the proposed kitchen in relation to the established food manufacturing use of the premises and the integrated commercial purpose it serves.

Mr. Curry — Authentic Foods Ireland has developed a unique food product — Mr. Curry Black Bean Sauce MSGless™ — manufactured entirely at Unit 3-4 Donore Industrial Estate in a 120g retail-ready pouch. The product is produced without monosodium glutamate — described on the label as MSGless™ — the subject of a pending trademark application at the Intellectual Property Office of Ireland. The product carries the tagline Hot & Savoury as Guinness™.

The export ambition of this project is to bring this unique Irish-made MSGless™ black bean sauce to China and to the global Chinese community worldwide. The health-conscious premium food consumer segment in China is growing rapidly and MSG-free food products command significant premium recognition in that market. The Saturday evening pop-up kitchen at these premises is the essential market validation step in that export journey. It provides Irish consumer endorsement for a product whose ultimate commercial destination is China and the global Chinese community.

In furtherance of this export ambition the I have taken the following steps at national and international level:

- A letter was written to the Minister for Enterprise, Tourism and Employment, Peter Burke TD, seeking ministerial assistance in facilitating a connection with the Economic and Commercial Office of the Embassy of the People's Republic of China in Dublin. The Minister's office has replied, directing me to Bord Bia for further assistance with the export development strategy.

- A letter was written directly to His Excellency Ambassador Zhao Xiyuan, Ambassador of the People's Republic of China to Ireland, at the Embassy of the People's Republic of China, 40 Ailesbury Road, Dublin 4, introducing the product and the export ambition. A reply from the Ambassador is awaited.
- A dedicated export website — mrcurryMSGless.com — is in development to present the product and its MSGless™ credentials to the Chinese market and to the global Chinese community.

The proposed Saturday evening kitchen is not a restaurant, a cafe or a takeaway business in any conventional commercial sense. It is the market-facing expression of a food manufacturer's export ambition — a limited, ancillary and purposeful activity operating for four hours on one evening per week, entirely inseparable from and directly serving the food manufacturing use that has characterised these premises since 18th February 2013.

I trust that the above comprehensive response addresses each of the four questions raised in the further information request and provides the Planning Authority with a clear and complete picture of both the existing use and the proposed activity.

To summarise the Applicant's position: the proposed activity does not constitute development within the meaning of the Planning and Development Act 2000. No works are proposed to the building. No new equipment is required. No material change of use occurs. The proposed activity is a limited and ancillary expression of the established food manufacturing and retail sales use of the premises operating for four hours on one Saturday evening per week. A declaration to that effect is respectfully sought.

I am enclosing a copy of our proposed menu here to provide a clear view of what would be served on each Saturday.

Yours sincerely,



Po Lamb

Encl. Pop-up Kitchen Proposed Menu



MR. CURRY

AUTHENTIC FOODS IRELAND

蒸炒醬

MSGless™

Hot & Savoury as Guinness™

STEAMED

Black Bean Ribs
or Chicken Wings

with Boiled Rice

Choose your heat

A. Savoury

B. Savoury & Hot

— Do you dare —

C. Savoury & Extra Hot

Fresh Bird's Eye Chilli

THE MENU

Ready To Eat Box	€13
Take Home (2 Containers)	€16
Family (4 Containers)	€28

OPENING HOURS

Saturdays Only

5:00pm — 9:00pm

Louth County Council
Section 5 Declaration Report

Planning Ref:	2026/35
Applicant's Name:	Po Lamb
Type of Application:	Section 5 Declaration
Development:	Is the proposed promotional activity of preparing and selling cooked food dishes using products manufactured at the Premises, conducted on Friday and Saturday evenings only between 6:00pm and 9:30pm, amounting to a maximum of 7 hours per week, being an activity limited in scale and hours and ancillary to the established and lawful use of the Premises at Unit 3 and 4 Donore Industrial Estate, Donore Road Drogheda, County Louth for food manufacturing and sale, and involving no structural alterations, no external works and no change to the external appearance of the building, development, and if so is it or is it not exempted development within the meaning of the Planning and Development Act 2000 as amended?
Site Location:	Unit 3&4 Donore Industrial Estate, Drogheda, Co Louth
Decision Due Date:	13 th July 2026

1.0 Summary of Previous Report

Having considered the declaration, the following details were requested from the applicant:

1. Having regard to the information submitted, the Planning Authority considers that additional information is required to enable a determination on the question of development and exemption status. The applicant is requested to submit the following:
 - a) Provide a detailed description of the current authorised use of the premises, including the nature of activities currently carried out, the hours of operation, the number of staff, and details of any existing planning permissions and compliance status. Documentary evidence confirming the lawful use of the premises should also be submitted, such as previous permissions, declarations, or proof of continuous use.
 - b) Submit a comprehensive description of the proposed food preparation and sales activity, including the type of food to be prepared and sold and whether the food is intended for on-site consumption or off-site takeaway only. Details should also include the expected number of customers per evening, staffing levels during operating hours, and clarification as to whether the activity is ancillary to an existing use or constitutes a standalone commercial food operation.
 - c) Provide details of anticipated customer vehicle trips during the proposed hours of operation, existing and proposed parking provision, and delivery arrangements including frequency, vehicle size, and timing. An assessment of the potential impact on the public road network and traffic safety.
 - d) Submit information on cooking methods and equipment, along with details of any extraction and ventilation systems, including specifications where available.

2.0 Applicant Response

The further information response received begins with a request to amend the question to read as follows:

“ Is the proposed activity of preparing and selling cooked food dishes using products manufactured at the Premises, conducted on Saturday evenings only between 5:00pm and 9:00pm — amounting to four hours on one day per week — being an activity limited in scale and hours and ancillary to the established and lawful use of the Premises at Unit 3 and 4 Donore Industrial Estate, Donore Road, Drogheda, County Louth for food manufacturing and retail sales since 18th February 2013, and involving no structural alterations, no external works, no new equipment installations and no change to the external appearance of the building, exempt development within the meaning of the Planning and Development Act 2000 as amended? “

The applicant contends that the subject operation represents a limited and ancillary extension of the established food manufacturing and retail sales use of the premises and therefore does not amount to a material change of use. No previous planning permission details have been submitted. The applicant states that Units 3 and 4, Donore Industrial Estate, have been in continuous use since February 2013 for food manufacturing, specifically the production of curry sauces and black bean sauce, together with the retail sale of these products to members of the public and trade customers.

The subject activity comprises the preparation and selling of cooked food dishes on Saturdays between 5.00 p.m. and 9.00 p.m. The proposed menu would consist of steamed black bean ribs or steamed black bean chicken wings served with rice, prepared using sauces manufactured at the premises. The applicant advises that the activity would operate for a total of four hours per week and would remain ancillary to the primary manufacturing use of the premises.

In support of the application, the applicant submits that no physical alterations to the building are required and that no extension, additional structures, external works, signage, ventilation equipment or extraction systems are proposed. The applicant states that all cooking and food preparation equipment required for the proposed activity are already present on site and form part of the existing food manufacturing operation.

The applicant further advises that approximately 50–80 customers are expected to attend during each Saturday evening session. It is estimated that approximately half of those customers would arrive by private vehicle, resulting in between 12 and 20 vehicle movements over the four-hour operating period. The applicant contends that the resulting traffic generation would be limited and could be readily accommodated within the existing road network and parking provision available at the site. Reference is also made to the presence of the adjoining Fyffes Vehicle and Engineering Supplies premises, which closes at 1.00 p.m. on Saturdays, thereby leaving the shared parking area available during the proposed operating hours.

The response notes that food preparation would be undertaken using existing electric steaming equipment and rice cookers, with steaming identified as the sole cooking method. The applicant states that no new extraction or ventilation systems are required and submits that the existing facilities serving the food manufacturing operation are adequate to accommodate the activity.

The applicant maintains that the operation does not constitute a standalone restaurant, café or takeaway use but rather functions as a promotional and market-testing element of the existing food manufacturing business. It is argued that the activity is intrinsically linked to the established use of the premises and serves to demonstrate and promote products manufactured on-site as part of a wider commercial and export strategy. The applicant therefore concludes that the proposal does not constitute development and does not require planning permission.

3.0 Assessment:

The applicant has stated that the premises has been used for food manufacturing and retail sales since February 2013 however no evidence has been submitted to demonstrate that the existing use has been authorised through the grant of planning permission or otherwise established through a formal planning process. Accordingly, the lawful planning status of the existing use has not been satisfactorily demonstrated.

The Planning Authority is not satisfied that the operation as described constitutes a continuation of the existing use. Notwithstanding limited hours of operation, the details relate to the preparation and sale of ready-to-eat hot food for takeaway consumption, which is considered materially different from the manufacturing of food products. As such, it is considered to constitute a material change of use and would require planning permission

4.0 RECOMMENDATION

Accordingly, it is recommended that an order is issued as follows:

WHEREAS a question as follows:

“ Is the proposed activity of preparing and selling cooked food dishes using products manufactured at the Premises, conducted on Saturday evenings only between 5:00pm and 9:00pm — amounting to four hours on one day per week — being an activity limited in scale and hours and ancillary to the established and lawful use of the Premises at Unit 3 and 4 Donore Industrial Estate, Donore Road, Drogheda, County Louth for food manufacturing and retail sales since 18th February 2013, and involving no structural alterations, no external works, no new equipment installations and no change to the external appearance of the building, exempt development within the meaning of the Planning and Development Act 2000 as amended? “

AND WHEREAS the said question was referred to Louth County Council by Po Lamb.

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

- a) The definition of “*development*”, within the Planning and Development Act,
- b) Plans and particulars forwarded to the Planning Authority on 19th May 2026 and 23rd June 2026
- c) Article 9 of the Planning and Development Regulations, 2001 as amended,
- d) The use of the lands,
- e) The location of the premises within the settlement

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

- i. The activity as described constitutes a material change of use and would therefore constitute 'development' as defined by the Planning & Development Act;

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 activity as described below:

“ Is the proposed activity of preparing and selling cooked food dishes using products manufactured at the Premises, conducted on Saturday evenings only between 5:00pm and 9:00pm — amounting to four hours on one day per week — being an activity limited in scale and hours and ancillary to the established and lawful use of the Premises at Unit 3 and 4 Donore Industrial Estate, Donore Road, Drogheda, County Louth for food manufacturing and retail sales since 18th February 2013, and involving no structural alterations, no external works, no new equipment installations and no change to the external appearance of the building, exempt development within the meaning of the Planning and Development Act 2000 as amended? “

at Unit 3 and 4 Donore Industrial Estate, Drogheda, Co Louth,

is development and is not exempted development.



Eamonn McArdle
Executive Planner
Date: 09/07/2026



Eugenia Thompson
Senior Executive Planner
Date: 09/07/2026



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:	533/2026
Reference No:	S5 2026/35
Date Application Received:	19/05/2026
Description of Development:	Is the proposed promotional activity of preparing and selling cooked food dishes using products manufactured at the Premises, conducted on Friday and Saturday evenings only between 6:00pm and 9:30pm, amounting to a maximum of 7 hours per week, being an activity limited in scale and hours and ancillary to the established and lawful use of the Premises at Unit 3 and 4 Donore Industrial Estate, Donore Road Drogheda, County Louth for food manufacturing and sale, and involving no structural alterations, no external works and no change to the external appearance of the building, development, and if so is it or is it not exempted development within the meaning of the Planning and Development Act 2000 as amended?
Name of Applicant:	Po Lamb
Location of Development	Unit 3 and 4 Donore Industrial Estate, Donore Road Drogheda, County Louth

WHEREAS a question has arisen pursuant to Section 5 of the Planning and Development Act 2000 whether the proposed promotional activity of preparing and selling cooked food dishes using products manufactured at the Premises, conducted on Friday and Saturday evenings only between 6:00pm and 9:30pm, amounting to a maximum of 7 hours per week, being an activity limited in scale and hours and ancillary to the established and lawful use of the Premises at Unit 3 and 4 Donore Industrial Estate, Donore Road Drogheda, County Louth for food manufacturing and sale, and involving no structural alterations, no external works and no change to the external appearance of the building, development, and if so is it or is it not exempted development within the meaning of the Planning and Development Act 2000 as amended?

AND WHEREAS the said question was referred to Louth County Council by Po Lamb.

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

- a) The definition of “*development*”, within the Planning and Development Act,
- b) Plans and particulars forwarded to the Planning Authority on 19th May 2026 and 23rd June 2026
- c) Article 9 of the Planning and Development Regulations, 2001 as amended,
- d) The use of the lands,
- e) The location of the premises within the settlement

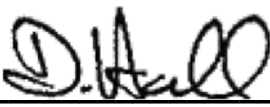
AND WHEREAS Louth County Council has concluded on the basis of the information submitted that:

- i. The activity as described constitutes a material change of use and would therefore constitute ‘development’ as defined by the Planning & Development Act;

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 ‘proposed promotional activity of preparing and selling cooked food dishes using products manufactured at the Premises, conducted on Friday and Saturday evenings only between 6:00pm and 9:30pm, amounting to a maximum of 7 hours per week, being an activity limited in scale and hours and ancillary to the established and lawful use of the Premises at Unit 3 and 4 Donore Industrial Estate, Donore Road, Drogheda, County Louth for food manufacturing and sale, and involving no structural alterations, no external works and no change to the external appearance of the building, development, and if so is it or is it not exempted development within the meaning of the Planning and Development Act 2000 as amended?’

at Unit 3 and 4 Donore Industrial Estate, Drogheda, Co Louth, **is development** and **is not exempted development.**

SIGNED: 
Eamonn McArdle
Executive Planner

Date: 10/07/2026

ORDER: 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: 
Thomas McEvoy
Director of Service

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

Po Lamb
Unit 3 & 4 Donore Industrial Estate
Drogheda
Co Louth

10th July 2026

Re: Ref. S5 2026/35

Application for Declaration of "Exempted Development" Part 1, Section 5 Planning & Development Act, 2000 (as amended) as to 'Is the proposed promotional activity of preparing and selling cooked food dishes using products manufactured at the Premises, conducted on Friday and Saturday evenings only between 6:00pm and 9:30pm, amounting to a maximum of 7 hours per week, being an activity limited in scale and hours and ancillary to the established and lawful use of the Premises at Unit 3 and 4 Donore Industrial Estate, Donore Road Drogheda, County Louth for food manufacturing and sale, and involving no structural alterations, no external works and no change to the external appearance of the building, development, and if so is it or is it not exempted development within the meaning of the Planning and Development Act 2000 as amended?.'

Dear Sir/Madam,

I wish to acknowledge receipt of your application received on 19th May 2026 in relation to the above. Having assessed all information and enclosures received with the application, the Planning Authority wishes to advise as follows: -

WHEREAS a question has arisen pursuant to Section 5 of the Planning and Development Act 2000 whether the *proposed promotional activity of preparing and selling cooked food dishes using products manufactured at the Premises, conducted on Friday and Saturday evenings only between 6:00pm and 9:30pm, amounting to a maximum of 7 hours per week, being an activity limited in scale and hours and ancillary to the established and lawful use of the Premises at Unit 3 and 4 Donore Industrial Estate, Donore Road*

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

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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

Drogheda, County Louth for food manufacturing and sale, and involving no structural alterations, no external works and no change to the external appearance of the building, development, and if so is it or is it not exempted development within the meaning of the Planning and Development Act 2000 as amended?

AND WHEREAS the said question was referred to Louth County Council by Po Lamb.

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

- (a) The definition of “*development*”, within the Planning and Development Act,
- (b) Plans and particulars forwarded to the Planning Authority on 19th May 2026 and 23rd June 2026
- (c) Article 9 of the Planning and Development Regulations, 2001 as amended,
- (d) The use of the lands,
- (e) The location of the premises within the settlement

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

- i. The activity as described constitutes a material change of use and would therefore constitute ‘development’ as defined by the Planning & Development Act;

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 ‘proposed promotional activity of preparing and selling cooked food dishes using products manufactured at the Premises, conducted on Friday and Saturday evenings only between 6:00pm and 9:30pm, amounting to a maximum of 7 hours per week, being an activity limited in scale and hours and ancillary to the established and lawful use of the Premises at Unit 3 and 4 Donore Industrial Estate, Donore Road, Drogheda, County Louth for food manufacturing and sale, and involving no structural alterations, no external works and no change to the external appearance of the building, development, and if so is it or is it not exempted development within the meaning of the Planning and Development Act 2000 as amended?’

at Unit 3 and 4 Donore Industrial Estate, Drogheda, Co Louth, **is development** and **is not exempted development**.

In Summary

A Declaration of Exemption is hereby REFUSED for the works as detailed on the plans and particulars submitted on 19th May 2026.

This decision may be referred by you to An Coimisiún Pleanála for review within 4 weeks of the date of this letter subject to the payment of the appropriate fee.

Yours faithfully,

A handwritten signature in blue ink that reads "Brian Duffy". The signature is written in a cursive, flowing style.

Brian Duffy
Planning Section