

## Section 5 Declaration - Application Form

**1. Name and address of person seeking the declaration:**

Riëtte & Przemysław Góra, [REDACTED]

---

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)**

Riëtte Gora, Studio 6B Architects Ltd, Brannigans Cross, Collon, Co. Louth  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

Owner  
\_\_\_\_\_

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

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

Brannigan's Cross, Collon, Co. Louth, A92 F7D1

**6. Eircode OR Grid Co-ordinates must be submitted. Grid references may be found on Google Maps or at**

<https://irish.gridreferencefinder.com>

ITM coordinates: 701493,782252 Eircode A92 F7D1  
\_\_\_\_\_

**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:

1. Is the blocking up of a window to the front elevation exempted development?
2. Is the widening of window openings to the front elevation exempted development?
3. Is the changing of arched window heads to square heads to the front elevation exempted development?
4. Is the addition of a new entrance lobby of 2sq.m to the front elevation exempted development?

**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?

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I certify that the aforementioned is correct.

Signature of Applicant:  Date 03 February 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](mailto:planninggroup@louthcoco.ie) with contact details to arrange payment of fee.**

Planning Department  
Louth County Council  
Town Hall  
Crowe Street  
Dundalk

## Studio 6B Architecture

Brannigans Cross  
Collon  
Co. Louth  
A92 F7D1  
Mob: 087 942 1170  
[riette@studio6b.ie](mailto:riette@studio6b.ie)

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Date: 03 February 2026

Ref: 20A03 S5CL2

***Re: Riëtte & Przemysław Góra Application for Declaration on Development and Exempted Development under Part 1, Section 5 – Blocking up of one window and amending size of windows to front elevation with new entrance lobby at Brannigans Cross, Collon, Co. Louth***

Dear Sir/Madam,

We, Riëtte and Przemysław Góra are hereby making an application for a Declaration of Exempted Development under Section 5 of the Planning and Development Act 2000-2002 (as amended) to ***block up one window and amend the size of two windows to front elevation as well as provide square heads to window and garage door and provision of new entrance lobby in location of the porch*** at Brannigan's Cross, Collon, Co. Louth.

The dwelling house at Brannigans Cross granted under PA Ref: 97/138 and PA Ref: 99/270 seems to have been designed as a 5 bedroom house, which was subsequently amended to a 4 bedroom house without amendment of the corresponding windows. To resolve this, a 'dogleg' wall was built resulting in two poor quality bedrooms. It is proposed that the central window between the two walls be blocked up and the two windows that sit centrally to the two bedrooms are enlarged to provide better quality natural light into the bedrooms.

It is also proposed to do a deep retrofit of the dwelling, during which time the windows will be upgraded to triple glazed windows of a more modern appearance. The existing window to the kitchen/dining room and the garage door both have arched heads. It is proposed to provide square heads over the window and garage door to be able to install more contemporary style windows. It should be noted that the head over the front porch to the dwelling was initially also shown on the planning drawings to be an arch and has been built as a square head.



Image 1: Front elevation as shown planning drawing PA Ref 97/138 with arched head over front porch



*Image 2: Photo of front elevation of dwelling at Brannigans Cross*

Included in the works proposed is the construction of a new entrance lobby in the location of the existing front porch by adding a new front door and side window within the area of the existing front porch.

Please find enclosed documents forming part of the application:

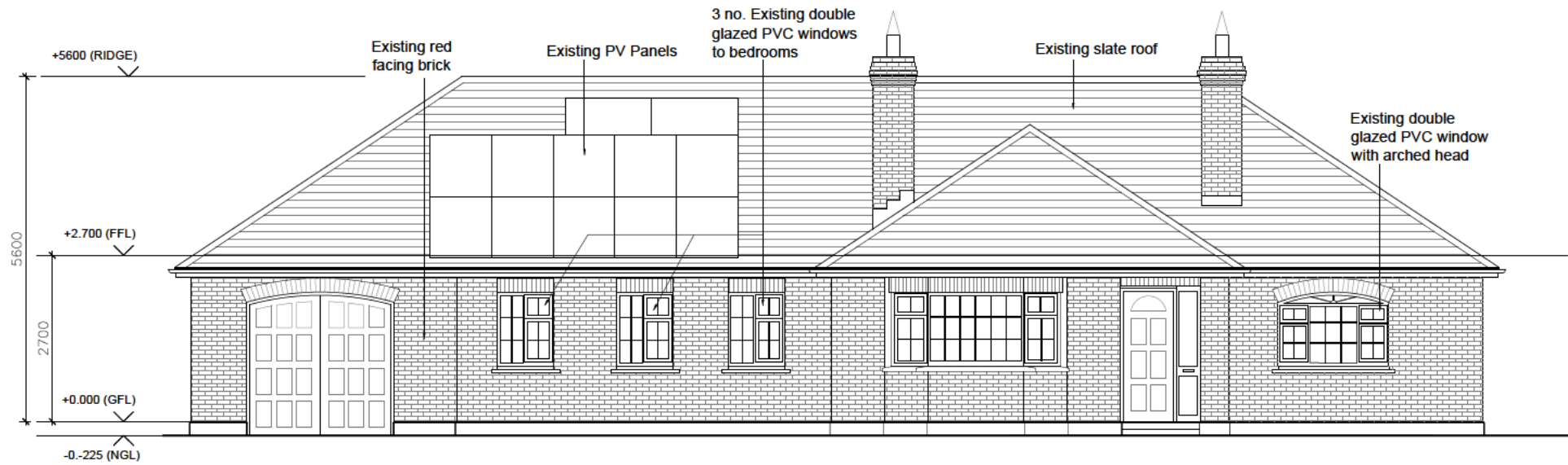
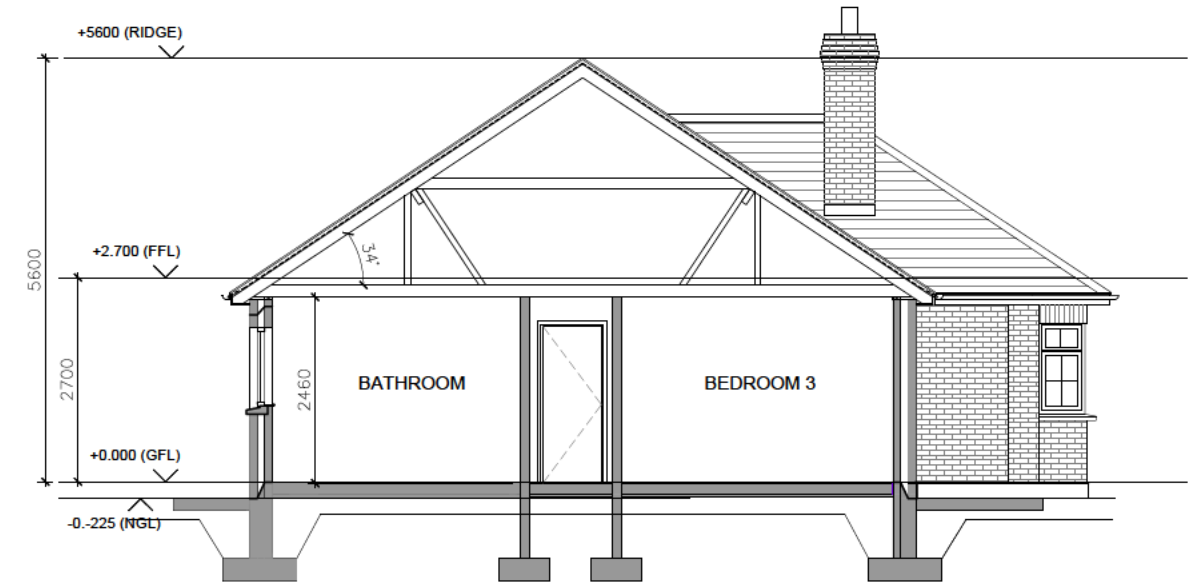
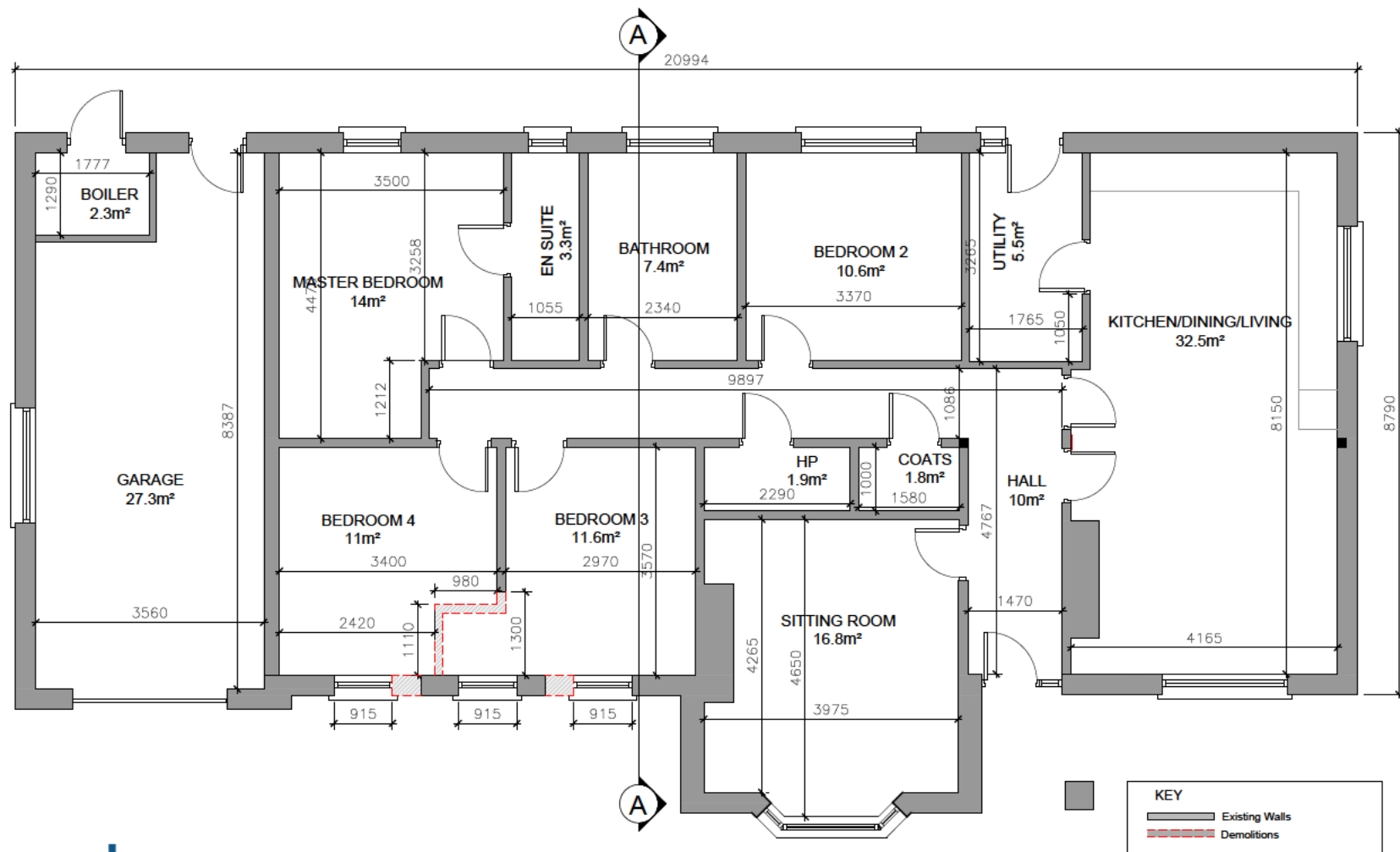
- Application for Declaration on Development and Exempted Development Under Part 1, Section 5 of the Planning and Development Act 2000 (as amended)
- 1 copy of the Site Location Map (A4)
- 1 copy of the Drawing 20A03-S502
- Payment of €80

Please contact me if you require any further information.

Regards,

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**Riëtte Góra** *B.Arch BA(Hons) MSc AEES MRIAI*



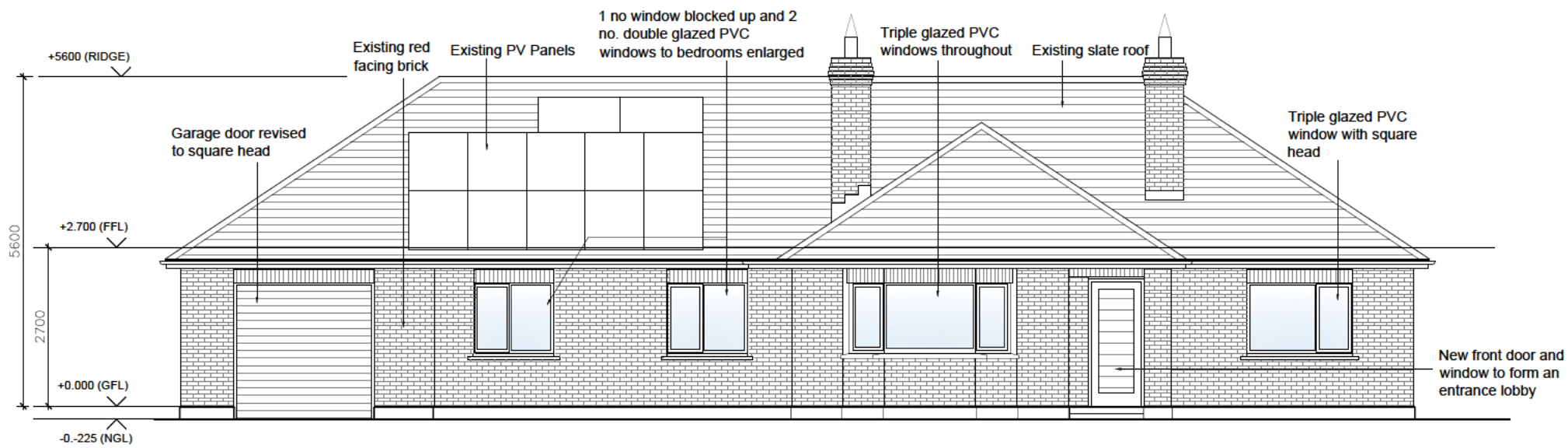
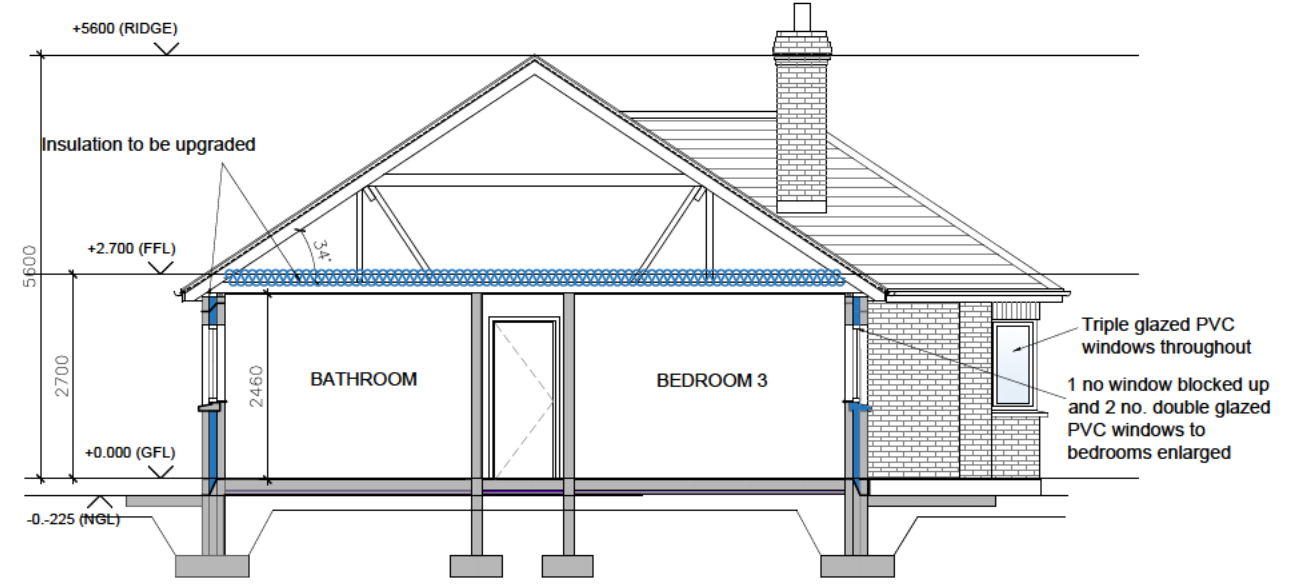
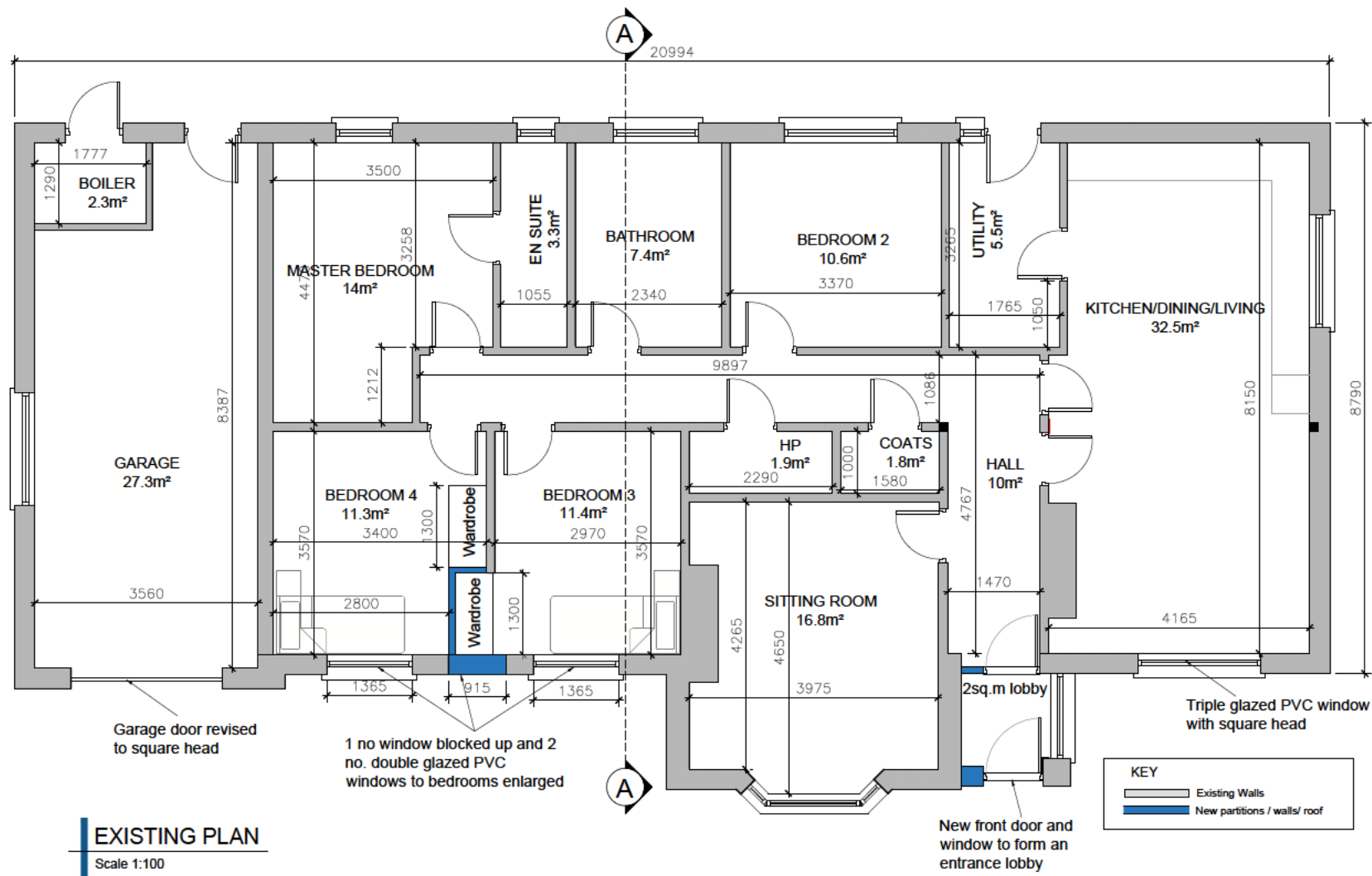
ISSUED FOR  
**SECTION 5**

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Drawing title:  
**EXISTING DRAWINGS**  
Project:  
**BRANNIGANS CROSS**

Drawing Number:	Rev:
<b>20A03-S503</b>	
Date:	Drawn:
2026-01-30	RG
Scale:	
1:100	

**Studio 6B Architects**  
Brannigans Cross, Collon, Co. Louth



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Drawing title:  
**PROPOSED DRAWINGS**

Project:  
**BRANNIGANS CROSS**

Drawing Number: <b>20A03-S504</b>	Rev:
Date: 2026-01-30	Drawn: RG
Scale: 1:100	



PRIESTS HILL

NEIGHBOURING RESIDENTIAL DWELLING

NEIGHBOURING RESIDENTIAL DWELLING

NEIGHBOURING AGRICULTURAL LANDS

**SITE PLAN**  
Scale 1:500

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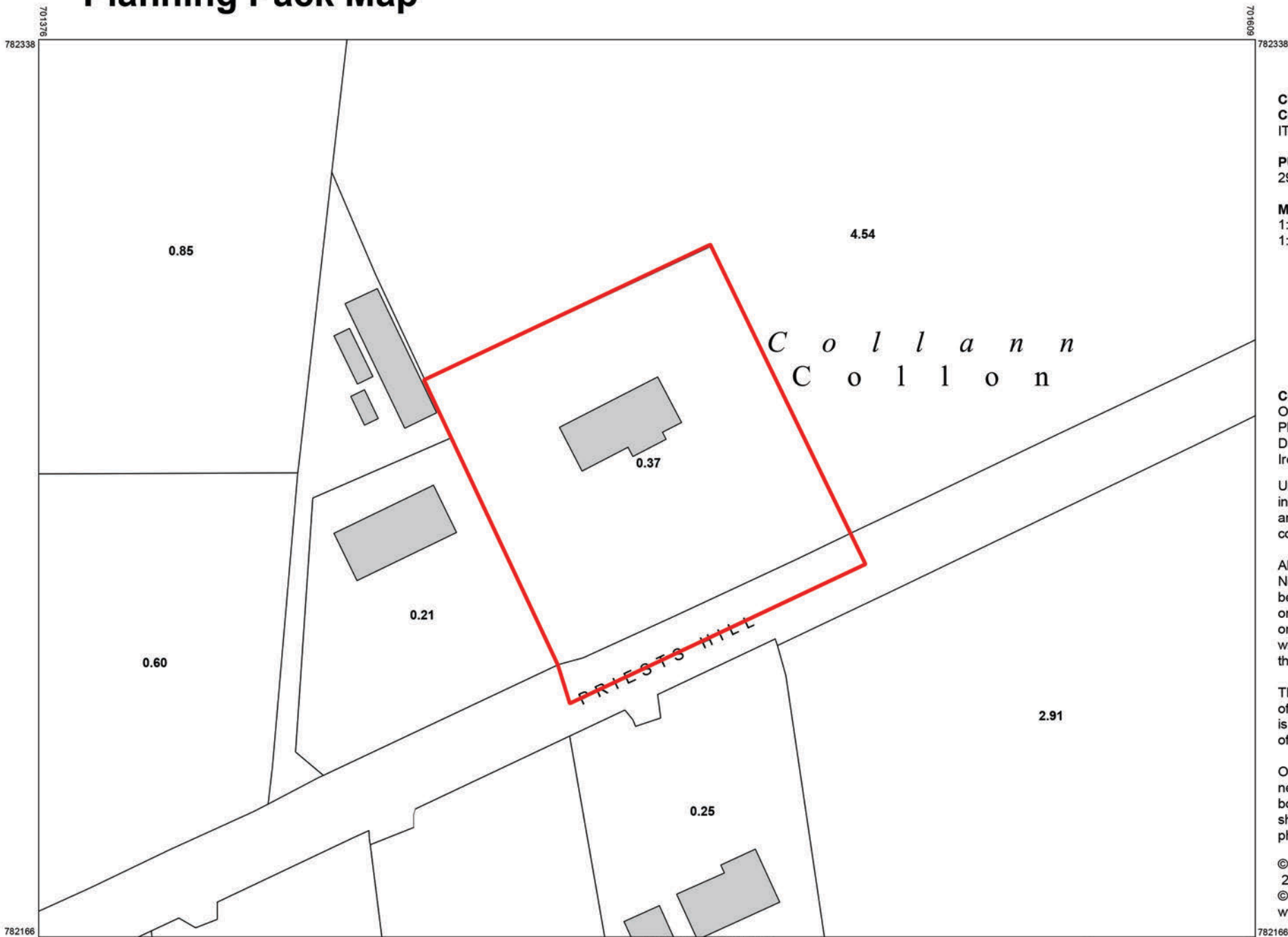
Drawing title:	<b>SITE PLAN</b>
Project:	<b>BRANNIGANS CROSS</b>

Drawing Number:	Rev:	
<b>20A03-S502</b>		
Date:	Drawn:	Scale:
2026-01-30	RG	1:500

ISSUED FOR  
**SECTION 5**

**Studio 6B Architects**  
Brannigans Cross, Collon, Co. Louth

# Planning Pack Map



**CENTRE COORDINATES:**  
ITM 701493,782252

**PUBLISHED:** 29/08/2020  
**ORDER NO.:** 50138006\_1

**MAP SERIES:** 1:5,000  
1:2,500  
**MAP SHEETS:** 2191  
2191-A

**COMPILED AND PUBLISHED BY:**  
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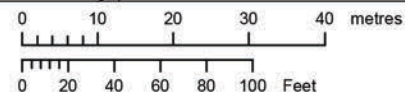
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**CAPTURE RESOLUTION:**  
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**LEGEND:**  
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search 'Large Scale Legend'

**Louth County Council**  
**Section 5 Declaration**

**Planning Ref:** S5 2026/03

**Applicant's Name:** Riette & Przemyslaw Gora

**Type of Application:** **Section 5 Declaration**

**Question:** **Whether the following is or is not development and whether it is or is not exempted development:**

1. Is the blocking up of a window to the front elevation exempted development.
2. Is the widening of window openings to the front elevation exempted development.
3. Is the changing of arched window heads to square heads to the front elevation exempted development.
4. Is the addition of a new entrance lobby of 2 sq.m to the front elevation exempted development

**Site Location:** Brannigan's Cross, Collon, Co. Louth

**Due Date:** 02/03/2026

## 1. Site Location and Description

A declaration has been sought in relation to external alterations to an existing dwelling house located in at Brannigan's Cross, Collon. The works relate to elevational changes and a porch.

## 2. Planning History

99270 Retention of position of house and site access. Granted.

## 3. Declaration Sought

The applicant has stated within Question 7 of the application form that the question for determination is:

1. Is the blocking up of a window to the front elevation exempted development.
2. Is the widening of window openings to the front elevation exempted development.
3. Is the changing of arched window heads to square heads to the front elevation exempted development.
4. Is the addition of a new entrance lobby of 2 sq.m to the front elevation exempted development

## 4. Legislative Context

### **Planning and Development Act, 2024 (as amended)**

Sections 1-5 of the Planning Act of 2024 commenced in December 2024.

**Section 2** states that:

In accordance with Section 2 of the Planning & Development Act, 2024 "*Development*" means the carrying out of any works on, in, over or under land or on ,in ,over or under the maritime area, or the making of any material change in the use of any structures or other land, or the sea, seabed or any structure in the maritime 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 building, edifice, construction, excavation, or other thing constructed or made on, in or under any land, or a maritime site, or any part thereof, or(b) the land or maritime site on, in or under which such building, edifice, construction, excavation, other thing or part is situated

*"Unauthorised development"* means, in relation to land or a maritime site—

- (a) unauthorised works (including the construction, erection or assembly of an unauthorised structure), or
- (b) an unauthorised use;

*“Unauthorised works”* means

*“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;

*“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.

### **Planning and Development Act 2000 (As amended)**

**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).

**Section 5** states that:

- (1) If any question arises as to what, in any particular case, is or is not development or is or is not exempted development within the meaning of this Act, any person may, on payment of the prescribed fee, request in writing from the relevant planning authority a declaration on that question, and that person shall provide to the planning authority any information necessary to enable the authority to make its decision on the matter.
- (2) (a) Subject to *paragraph (b)*, a planning authority shall issue the declaration on the question that has arisen and the main reasons and considerations on which

its decision is based to the person who made the request under *subsection (1)*, and, where appropriate, the owner and occupier of the land in question, within 4 weeks of the receipt of the request.

(b) A planning authority may require any person who made a request under *subsection (1)* to submit further information with regard to the request in order to enable the authority to issue the declaration on the question and, where further information is received under this paragraph, the planning authority shall issue the declaration within 3 weeks of the date of the receipt of the further information.

(c) A planning authority may also request persons in addition to those referred to in *paragraph (b)* to submit information in order to enable the authority to issue the declaration on the question.

**Section 32** states that:

Section 32 PDA 2000 sets out a general obligation to obtain planning permission in respect of any development of land, not being exempted development, and in the case of development, which is unauthorised, for the retention of that unauthorised development.

**Section 177U(9)** states that

“In deciding upon a declaration for the purposes of Section 5 of this Act a planning authority or the Board, as the case maybe, shall where appropriate, conduct a screening for appropriate assessment in accordance with the provisions of this Section.”

**Planning and Development Regulations (2001) (as amended)**

**Article 6 of the Planning & Development Regulations (PDR) 2001 (as amended)**

*Article 6 of the Planning & Development Regulations, 2001 (as amended) provides (subject to the restrictions in article 9 PDR 2001) for the classes of exempted development under column 1 of Parts 1, 2 and 3 of Schedule 2, subject, where applicable, to the conditions and limitations imposed upon such classes as set out in column 2.*

4. (a) Subject to paragraph (b), the carrying out of such works as are necessary to secure compliance with the Building Regulations, 1997 (S.1. No. 497 of 1997) shall, the case of development consisting of the construction of a dwelling or dwellings in respect of which permission under Part IV of the Act of 1963 was granted before 1<sup>st</sup> June 1992, be exempted development.

(b) Paragraph (a) shall not apply to in the case of development consisting of the construction of a building designed for use of 2 or more separate dwellings.

**Article 9 of the Planning & Development Regulations (PDR) 2001 (as amended)**

*Article 9(1) of the Planning & Development Regulations, 2001 (as amended) provides restrictions on exemptions as follows:*

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

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

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

*(ii) consist of or comprise the formation, laying out or material widening of a means of access to a public road the surfaced carriageway of which exceeds 4 metres in width,*

*(iii) endanger public safety by reason of traffic hazard or obstruction of road users, (iiia) endanger public safety by reason of hazardous glint and/or glare for the operation of airports, aerodromes, or aircraft,*

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

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

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

*(vii) consist of or comprise the excavation, alteration or demolition (other than peat extraction) of places, caves, sites, features or 13 other objects of archaeological, geological, historical, scientific or ecological interest, the preservation of which is an objective of a development plan or local area 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 local area plan or the draft development plan or draft local area plan.*

*(viiA) consist of or comprise the excavation, alteration or demolition of any archaeological monument included in the Record of Monuments, 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) comprise development in relation to which a planning authority or An Bord Pleanála is the competent authority in relation to appropriate assessment and the development which would require an appropriate assessment because it would be likely to have a significant effect on the integrity of a European site;*

*(viiC) 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) 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. Assessment**

### ***Does the proposal constitute development?***

Regard has been given to the definition of development in the Planning and Development Act 2024 as being “*the carrying out of works on, in, over or under lands or the making of any material change in the use of any structures or other land.*”

**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.”*

The proposals are deemed to comprise of construction and alterations, therefore constituting **development**.

### ***Does the proposal constitute exempted development?***

Article 4(1)(h) (Exempted Development) of the Planning and Development Act 2000(as amended states “*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.*”

Having regard to the existing and proposed drawings which indicates that the works consist of modest alterations to the external openings, including the enlargement of two bedroom windows, the blocking up of one window, and the replacement of existing PVC windows with triple-glazed PVC units of similar material and appearance.

A new front door and window are proposed to create a small entrance lobby, and the head of the garage door is revised from an arched to a square profile. These interventions do not alter the overall form, scale, or height of the dwelling, and the existing slate roof, red brick external walls, and general massing remain unchanged. The works therefore maintain the established architectural language of the structure, and the pattern of fenestration, roof profile, and external finishes continues to accord with the prevailing character of neighbouring dwellings.

Having regard to the limited scale and nature of the works, the retention of the primary architectural features of the dwelling, and the use of materials consistent with the existing finishes, it is considered that the proposed development does not materially affect the external appearance of the structure in a manner that would render it inconsistent with the character of the structure or with that of surrounding buildings. Accordingly, the proposals fall within the scope of Article 4(1)(h).

### **EIA Screening and Determination**

Council Directive 85/337/EEC (as amended) on the assessment of the effects of certain public and private projects on the environment (‘the EIA Directive’) is designed

to ensure that projects likely to have significant effects on the environment are subject to a comprehensive assessment of their environmental effects prior to development consent being given. The latest amendments to the EIA Directive are provided under Directive 2014/52/EU and Circular letter PL 1/2017. Based on information provided and having considered the nature, size and location of the development, there is no real likelihood of significant effects on the environment and as such as EIAR is **not** required.

### **Appropriate Assessment**

Having regard to the nature and scale of the proposed development and the nature of the receiving environment, 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.

### **7. Recommendation**

WHEREAS a question has arisen pursuant to Section 5 of the Planning and Development Act 2000 (as amended) as to whether the following is or is not development and is or is not exempted development.

1. Is the blocking up of a window to the front elevation exempted development.
2. Is the widening of window openings to the front elevation exempted development.
3. Is the changing of arched window heads to square heads to the front elevation exempted development.
4. Is the addition of a new entrance lobby of 2 sq.m to the front elevation exempted development

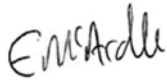
- (a) The definition of “development” in Section 3(1) of the Planning & Development Act 2000 (as amended) and Section 2 of the Planning & Development Act 2024;
- (b) Specifically, Section 4 of the Planning & Development Act 2000 (as amended);
- (c) Article 6 and 9 of the Planning & Development Regulations 2001 (as amended);

AND WHEREAS Louth County Council has concluded: -

“the blocking up of a window to the front elevation, the widening of window openings to the front elevation, the changing of arched window heads to square heads to the front elevation and the addition of a new entrance lobby of 2 sq.m to the front elevation” is considered to constitute development under Section 3(1) of the Planning & Development Act, 2000 (as amended) and Section 2 of the Planning and Development Act 2024.

“the blocking up of a window to the front elevation, the widening of window openings to the front elevation, the changing of arched window heads to square heads to the front elevation and the addition of a new entrance lobby of 2 sq.m to the front elevation” comes within the scope of Section 4 (1)(h) of the Planning and Development Act, 2000 (as amended) of the Planning & Development Regulations (PDR) 2001 (as amended). These are therefore considered to be Exempted Development.

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 blocking up of a window to the front elevation, the widening of window openings to the front elevation, the changing of arched window heads to square heads to the front elevation and the addition of a new entrance lobby of 2 sq.m to the front elevation at Brannigan's Cross, Collon, Co. Louth, is development and is Exempted Development.



Eamonn McArdle  
Executive Planner  
Date: 24/02/2026



Turlough King  
A/ Senior Planner  
Date: 26/02/2026



Thomas McEvoy  
Director of Services  
Date: 27/02/2026

**LOUTH COUNTY COUNCIL**

**CHIEF EXECUTIVE'S ORDER**

**PLANNING & DEVELOPMENT ACT 2000 (as amended)**

**Section 5 Exempted Development**

<b>Chief Executive's Order No:</b>	160/2026
<b>Reference No:</b>	S5 2026/03
<b>Date Application Received:</b>	03/02/2026
<b>Description of Development:</b>	<p>Whether the following is or is not development and whether it is or is not exempted development:</p> <ol style="list-style-type: none"><li>1. Is the blocking up of a window to the front elevation exempted development.</li><li>2. Is the widening of window openings to the front elevation exempted development.</li><li>3. Is the changing of arched window heads to square heads to the front elevation exempted development.</li><li>4. Is the addition of a new entrance lobby of 2 sq.m to the front elevation exempted development.</li></ol>
<b>Name of Applicant:</b>	Riette & Przemyslaw Gora
<b>Location of Development</b>	Brannigan's Cross, Collon, Co. Louth

WHEREAS a question has arisen pursuant to Section 5 of the Planning and Development Act 2000 (as amended) as to whether the following is or is not development and is or is not exempted development.

1. Is the blocking up of a window to the front elevation exempted development.
2. Is the widening of window openings to the front elevation exempted development.
3. Is the changing of arched window heads to square heads to the front elevation exempted development.
4. Is the addition of a new entrance lobby of 2 sq.m to the front elevation exempted development

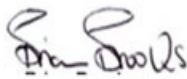
- (a) The definition of “development” in Section 3(1) of the Planning & Development Act 2000 (as amended) and Section 2 of the Planning & Development Act 2024;
- (b) Specifically, Section 4 of the Planning & Development Act 2000 (as amended);
- (c) Article 6 and 9 of the Planning & Development Regulations 2001 (as amended);

AND WHEREAS Louth County Council has concluded: -

“The blocking up of a window to the front elevation, the widening of window openings to the front elevation, the changing of arched window heads to square heads to the front elevation and the addition of a new entrance lobby of 2 sq.m to the front elevation” is considered to constitute development under Section 3(1) of the Planning & Development Act, 2000 (as amended) and Section 2 of the Planning and Development Act 2024.

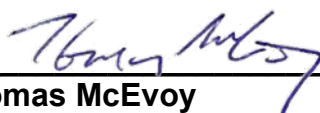
“The blocking up of a window to the front elevation, the widening of window openings to the front elevation, the changing of arched window heads to square heads to the front elevation and the addition of a new entrance lobby of 2 sq.m to the front elevation” comes within the scope of Section 4 (1)(h) of the Planning and Development Act, 2000 (as amended) of the Planning & Development Regulations (PDR) 2001 (as amended). These are therefore considered to be Exempted Development.

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 blocking up of a window to the front elevation, the widening of window openings to the front elevation, the changing of arched window heads to square heads to the front elevation and the addition of a new entrance lobby of 2 sq.m to the front elevation at Brannigan's Cross, Collon, Co. Louth, is development and is Exempted Development.

PP   
**SIGNED:** \_\_\_\_\_  
**Eamonn McArdle**  
**Executive Planner**

**Date: 26/02/2026**

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

Signed:   
\_\_\_\_\_  
**Thomas McEvoy**  
**Director of Service**

**Date: 27/02/2026**

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 14<sup>th</sup> day of May 2025.



Comhairle Contae Lú  
Louth County Council

Riette & Przemyslaw Gora,  
c/o Riette Gora  
Studio 6B Architects Ltd  
Brannigans Cross  
Collon  
Co. Louth

By email only to: [REDACTED]

27<sup>th</sup> February 2026

**Re: Ref. S5 2026/03**

**Application for Declaration of “Exempted Development” Part 1, Section 5 Planning & Development Act, 2000 (as amended) as to Whether the following is or is not development and whether it is or is not exempted development. 1. Is the blocking up of a window to the front elevation exempted development. 2. Is the widening of window openings to the front elevation exempted development. 3. Is the changing of arched window heads to square heads to the front elevation exempted development. 4. Is the addition of a new entrance lobby of 2 sq. m to the front elevation exempted development at Brannigan’s Cross, Collon, Co. Louth.**

Dear Sir/Madam,

I wish to acknowledge receipt of your application received on 03<sup>rd</sup> February 2026 in relation to the above. Having assessed all information and enclosures received with the application, the Planning Authority wishes to advise as follows: -

WHEREAS a question has arisen pursuant to Section 5 of the Planning and Development Act 2000 (as amended) as to whether the following is or is not development and is or is not exempted development.

1. Is the blocking up of a window to the front elevation exempted development.
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3. Is the changing of arched window heads to square heads to the front elevation exempted development.
4. Is the addition of a new entrance lobby of 2 sq. m to the front elevation exempted development

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*Cuirfear fáilte roimh chomhfhreagras Gaeilge - Correspondence in Irish is welcome*  
Féach foláirimh faoi Lú ón gComhairle ag [www.mapalarter.ie/Louth](http://www.mapalarter.ie/Louth)  
View Council alerts for Louth at [www.mapalarter.ie/Louth](http://www.mapalarter.ie/Louth)

- (a) The definition of "development" in Section 3(1) of the Planning & Development Act 2000 (as amended) and Section 2 of the Planning & Development Act 2024;
- (b) Specifically, Section 4 of the Planning & Development Act 2000 (as amended);
- (c) Article 6 and 9 of the Planning & Development Regulations 2001 (as amended);

AND WHEREAS Louth County Council has concluded: -

"The blocking up of a window to the front elevation, the widening of window openings to the front elevation, the changing of arched window heads to square heads to the front elevation and the addition of a new entrance lobby of 2 sq. m to the front elevation" is considered to constitute development under Section 3(1) of the Planning & Development Act, 2000 (as amended) and Section 2 of the Planning and Development Act 2024.

"The blocking up of a window to the front elevation, the widening of window openings to the front elevation, the changing of arched window heads to square heads to the front elevation and the addition of a new entrance lobby of 2 sq. m to the front elevation" comes within the scope of Section 4 (1)(h) of the Planning and Development Act, 2000 (as amended) of the Planning & Development Regulations (PDR) 2001 (as amended). These are therefore considered to be Exempted Development.

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 blocking up of a window to the front elevation, the widening of window openings to the front elevation, the changing of arched window heads to square heads to the front elevation and the addition of a new entrance lobby of 2 sq. m to the front elevation at Brannigan's Cross, Collon, Co. Louth, is development and is Exempted Development.

#### **In Summary**

**A Declaration of Exemption is hereby GRANTED for the works as detailed on the plans and particulars submitted on 03<sup>rd</sup> February 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,



Niamh Lynch  
Planning Section