

Section 5 Declaration - Application Form

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

SAJAL TYAGI, [REDACTED]  
[REDACTED]

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

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

NA  
\_\_\_\_\_

Phone Number: \_\_\_\_\_ E-Mail: \_\_\_\_\_

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

\_\_\_\_\_

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

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

4 BALLYMAKENNY DENE, BALLYMAKENNY PARK,  
DROGHEDA, A92 F50A

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

A92 F50A  
\_\_\_\_\_

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 use of an existing dwelling as short-term letting, where it is the

applicant's Principal Private Residence, development and if so, is it 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?

I certify that the aforementioned is correct.

Signature of Applicant:  Date 11/02/2026

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.

RECEIVED: 21/12/2023



Overall Indicative Site Layout (Application 1A)

- RED LINE - BOUNDARY OF APPLICATION
- ORANGE LINE - OVERALL INDICATIVE PLAN AREA WITHIN OWNERSHIP OF CLIENT
- GREEN LINE - OUTLINE OF PERMITTED REG. REF. 22/215
- BLACK DASH - OUTLINE OF PERMITTED REG. REF. S 22/279, 22/730, 23/227 & 22/228

Revision Description	Date	Rev. No.	Issued by
Fee Planning	19-12-2023	C1	SK

**o mahony pike**

Project No.: 21024A Scale @ A0: 1:1250  
 Project Lead: CK Date Printed: 19-12-2023

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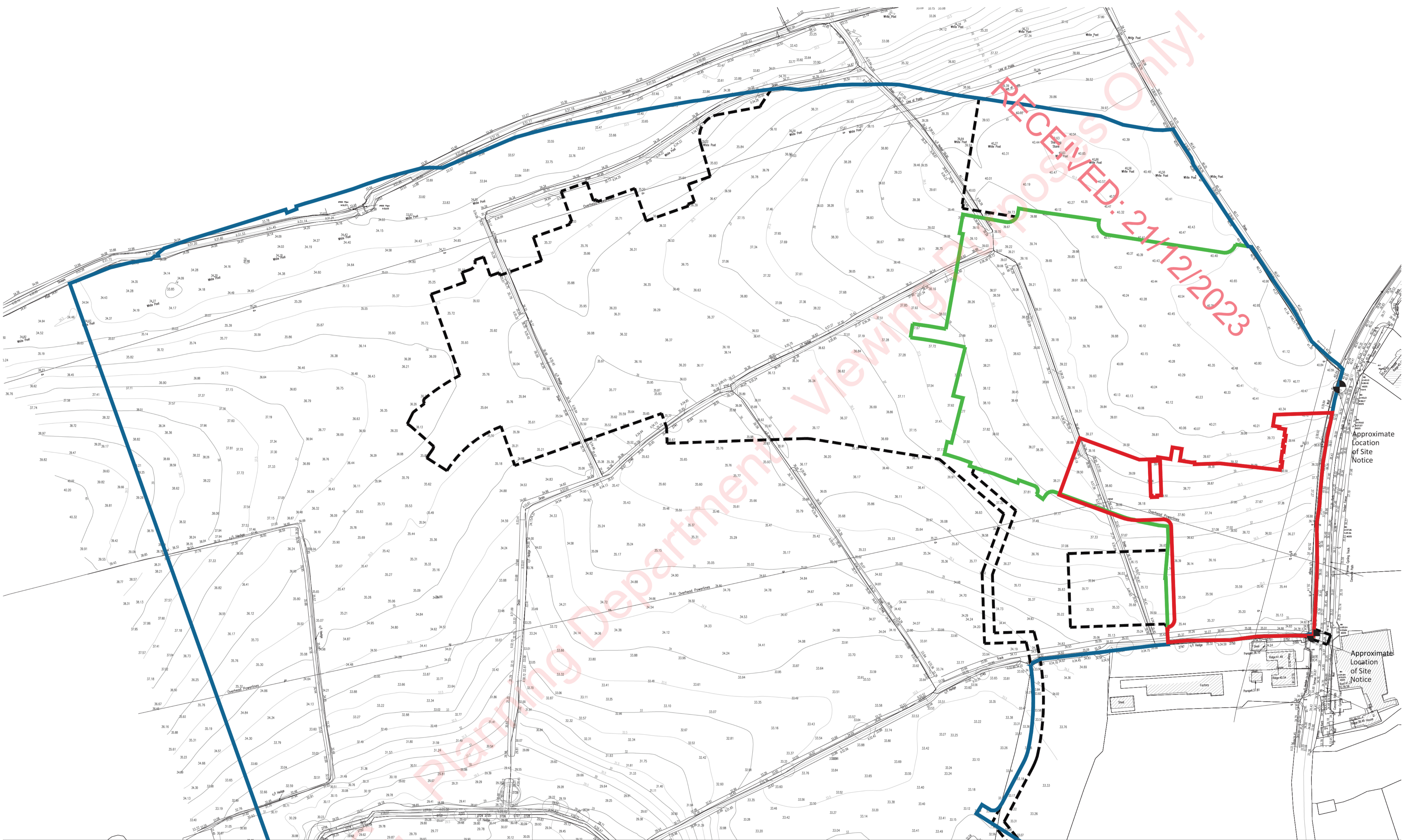
Drawn By: SK Current Rev.: C1  
 Model No.: 21024A-OMP-Z1A-SP-DR-A-1100  
 Purpose: For Planning

ORDNANCE SURVEY SHEET NUMBER: 219-02, 225, 219, 225-C, 219-A  
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 PLEASE REFER TO LANDSCAPE ARCHITECTS DRAWINGS FOR LANDSCAPE PROPOSALS AND BOUNDARY TREATMENTS.  
 PLEASE REFER TO ENGINEERS DRAWINGS FOR ROAD LEVELS, SITE SERVICES AND ANY OTHER ENGINEERING PROPOSALS.



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Project: Residential Development At Ballymackenny Road / Twenties Lane  
 Location: Drogheda, Co. Louth  
 Client: Ballymackenny Residential Properties Ltd.  
 Drawing Title: Overall Indicative Site Layout (Application 1A)  
 Drawing No.: 21024A-OMP-Z1A-SP-DR-A-1100



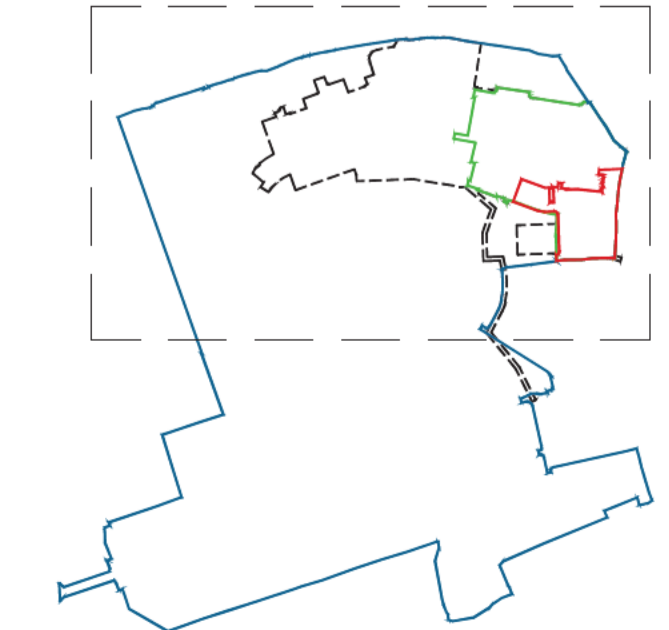
RECEIVED: 21/12/2023

Approximate Location of Site Notice

Approximate Location of Site Notice

Site Location Map (Application 1A) - Sheet 1

- RED LINE - BOUNDARY OF APPLICATION
- BLUE LINE - ADJACENT PROPERTIES IN SAME OWNERSHIP
- GREEN LINE - OUTLINE OF PERMITTED REG. REF. 22/215
- BLACK DASH - OUTLINE OF PERMITTED REG. REF.S 22/729, 22/730, 23/327 & 22/328



Revision Description	Date	Rev. No.	Issued by
For Planning	19-12-2023	C1	SK

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**Dublin**  
 The Chapel  
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**Cork**  
 One South Mall  
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 T12 CCN3 Ireland

Project No.: 21024A  
 Project Lead: CK  
 Drawn By: SK  
 Model No.: 21024A-OMP-Z1A-SP-DR-A-1010  
 Purpose: For Planning

Scale @ A1: 1:1000  
 Date Printed: 19-12-2023  
 Current Rev.: C1

ORDNANCE SURVEY SHEET NUMBER:  
 2319-02, 2265, 2319, 2256-C, 2319-A

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PLEASE REFER TO LANDSCAPE ARCHITECTS DRAWINGS FOR LANDSCAPE PROPOSALS AND BOUNDARY TREATMENTS.

PLEASE REFER TO ENGINEERS DRAWINGS FOR ROAD LEVELS, SITE SERVICES AND ANY OTHER ENGINEERING PROPOSALS.

Project: Residential Development At Ballymakenny Road/Twenties Lane  
 Location: Drogheda, Co. Louth  
 client: Ballymakenny Residential Properties Ltd.

Drawing Title: Site Location Map (Application 1A) - Sheet 1  
 Drawing No.: 21024A-OMP-Z1A-SP-DR-A-1011



Submittal - Checked By - Date

**From:** [Sajal Tyagi](#)  
**To:** [Niamh Lynch](#)  
**Subject:** Re: Regarding exemption for short term letting  
**Date:** Monday 16 February 2026 13:40:30

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Hi,

It's a 4 bed house and want to short let double room, as I live in the myself in the house with my family and using other rooms.

[REDACTED]

Thanks

On 16 Feb 2026, at 12:24, Niamh Lynch [REDACTED] wrote:

Good afternoon Sajal,

Can you please clarify the way you are proposing to Short Term Let your Principle Private Residence, i.e. either room(s) within your PPR or the entire house for not more than 90 days in the year [REDACTED]

Kind regards,  
Niamh Lynch  
Planning Office

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**From:** Niamh Lynch  
**Sent:** Thursday 12 February 2026 10:48  
**To:** 'Sajal Tyagi' [REDACTED]  
**Subject:** RE: Regarding exemption for short term letting

Hi Sajal,

Thank you for sending the updated form and confirmation of payment.

I will send the updated form to one of our planners for validation and a decision should issue within 28 days.

Kind regards,  
Niamh Lynch  
Planning Office

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**From:** Sajal Tyagi <[REDACTED]>  
**Sent:** Thursday 12 February 2026 10:45

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

**Planning Ref:** S5 2026/05

**Applicant's Name:** Sajal Tyagi

**Type of Application:** Section 5 Declaration

**Question:** Is the use of a dwelling as short-term letting, where it is the applicant's Principle Private Residence, development and if so, is it exempted development?

**Site Location:** 4 Ballymakenny Dene, Drogheda, Co. Louth

**Due Date:** 10/03/2026

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**1. Site Location and Description**

The subject site is located in a new residential development on the north side of Drogheda on lands zoned as **A2: New Residential Phase 1**, which has the objective *"to provide for new residential neighbourhoods and supporting community facilities."* The site comprises of a two-storey semi-detached dwelling, which is occupied by the applicant and his family.

**2. Planning History**

07/1507 - Permission for 1056no. residential units and 2no. creche facilities on lands measuring approx. 32.90ha. Granted.

### 3. Declaration Sought

The applicant's submitted question for determination is as follows:

*"Is the use of a dwelling as short-term letting, where it is the applicant's Principle Private Residence, development and if so, is it exempted development?"*

The Planning Authority had asked the applicant to clarify the manner in which he is proposing to short-term let the property, i.e. either room(s) within his PPR or the entire house for not more than 90 days in the year while he is away.

The applicant's clarification question response was as follows:

*"It's a 4-bedroom house and I want to short-term let the double room, as I live here myself in the house with my family and we are using the other rooms. I am not away from the property for 90 days in a year."*

The Planning Authority is considering this question as:

*"Whether the short-term letting of a double-bedroom in a 4-bedroom house while the applicant still resides there and where it is the applicant's Principle Private Residence, is or is not development and is or is not exempted development?"*

The applicant has submitted the following supporting details:

- An application form
- A Site location map
- Site Layout Plan
- Utility bill confirming place of residence
- Email response from applicant confirming further clarification on Q7

### 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.*

5. (a) Each of the following shall be exempted development:

(i) development consisting of the short term letting in a rent pressure zone of not more than 4 bedrooms in a house that is the principal private residence of the landlord or licensor concerned provided that – (I) it is a condition of the short term letting that each bedroom that is the subject of the letting shall not be occupied by more than 4 persons,

and

(II) the development –

(A) does not contravene a condition attached to a permission granted in respect of the house under the Act, and

(B) is consistent with any use specified in any such permission;

(ii) development consisting of the short-term letting in a rent pressure zone of a house that is the principal private residence of the landlord or licensor concerned provided that –

(I) the aggregate number of days during a year in which the house is the subject of short-term lettings does not exceed 90 days, and (II) the development –

(A) does not contravene a condition attached to a permission granted in respect of the house under the Act, and

(B) is consistent with any use specified in any such permission

### **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 applicant proposes to home-share a double-bedroom in their 4-bedroom house while the applicant still resides there and where it is the applicant’s Principle Private Residence, therefore the proposal for home-sharing **does not constitute development.**

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

Article 6(5)(a)(i) (Exempted Development) of the Planning and Development Act 2000(as amended states “Development consisting of the short term letting in a rent pressure zone of not more than 4 bedrooms in a house that is the principal private residence of the landlord or licensor concerned provided that – (I) it is a condition of the short term letting that each bedroom that is the subject of the letting shall not be occupied by more than 4 persons”.

Circular SPI 01/2026. The primary objective of this circular is to influence the bringing back of houses and apartments in designated Rent Pressure Zones which are currently being used for short-term letting purposes to the traditional long-term rental market thereby helping to ease the accommodation shortage pressures currently being experienced in this area. 8.10. The Circular sets out the summary of the new legislative provisions which include Section 38 of the Residential Tenancies (Amendment) Act 2019 and inserts a new Section 3A into the Planning and Development Act 2000 to provide that short-term letting of a house in a Rent Pressure Zone is a material change of use of the property concerned thereby requiring planning permission, unless specifically exempt from this requirement. A short-term letting is defined as a “letting of a house or apartment or part of a house or apartment for any period not exceeding 14 days”.

At present, planning permission is not required for short-term letting use in any location where:-

- a house or apartment that is a person’s principal private residence (i.e. main home), is used for short-term letting for a cumulative period of up to 90 days per annum, where the host is not present; or
- a house or apartment that is a person’s principal private residence, is used for short-term letting where the host also continues to reside, for any period; or
- a residential property already has planning permission for short-term letting use, which may include a hotel, aparthotel, tourist village or student accommodation, as well as any houses or apartments for which planning permission for short-term letting use has been granted.

The Residential Tenancies (Amendment) Act 2025 came into operation on 20 June 2025 to extend and expand the operation of Rent Pressure Zones (RPZs) to cover the entire country until 28 February 2026.

Having regard to the above and particulars and plans submitted by the applicant the proposal falls within the scope of Article 6(5)(a)(i) and also having regard to the restrictions on exemptions within Article 9(1) of the Planning and Development Regulations, 2001, as amended, the subject use would not engage any of the restrictions outlined under Article 9(1) (a) – (d) and as such, would **constitute ‘exempted development.’**

## **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**

Accordingly, it is recommended that an Order along the following lines is issued: -

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

**AND WHEREAS** the said question was referred to Louth County Council by Sajal Tyagi.

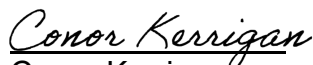
**AND WHEREAS** Louth County Council, in consideration of this question has had regard particularly to:


- (a) The definition of “*development*” in Section 2 of the Planning & Development Act 2004.
- (b) The plans and particulars submitted to the Planning Authority by Sajal Tyagi on 11<sup>th</sup> February 2026.
- (c) Section 4 of the Planning & Development Act, 2000 (as amended).
- (d) Article 6 & 9 of the Planning and Development Regulations, 2001 (as amended).

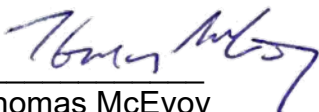
**AND WHEREAS** Louth County Council has concluded: -

*“the short-term letting of a double-bedroom in a 4-bedroom house while the applicant still resides there and where it is the applicant’s Principle Private Residence”* is not 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 as it falls within the scope of Article 6(5) of the Planning and Development Act, 2000 (as amended) of the Planning & Development Regulations (PDR) 2001 (as amended) in relation to the number of bedrooms proposed to let.

**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 short-term letting of a double-bedroom in a 4-bedroom house while the applicant still resides there and where it is the applicant’s Principle Private Residence”* at 4 Ballymakenny Dene, Drogheda, Co. Louth, is not development.

  
Conor Kerrigan  
Assistant Planner  
Date: 28/02/2026

  
Turlough King  
A/ Senior Planner  
Date: 05/03/2026

  
Thomas McEvoy  
Director of Services  
Date: 06/03/2026

**LOUTH COUNTY COUNCIL**

**CHIEF EXECUTIVE'S ORDER**

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

**Section 5 Exempted Development**

<b>Chief Executive's Order No:</b>	184/2026
<b>Reference No:</b>	S5 2026/05
<b>Date Application Received:</b>	11/02/2026
<b>Description of Development:</b>	Whether the short-term letting of a double-bedroom in a 4-bedroom house while the applicant still resides there and where it is the applicant's Principle Private Residence, is or is not development and is or is not exempted development.
<b>Name of Applicant:</b>	Sajal Tyagi
<b>Location of Development</b>	4 Ballymakenny Dene, Ballymakenny Park, Drogheda, 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 exempt development:

**AND WHEREAS** the said question was referred to Louth County Council by Sajal Tyagi.

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

- (a) The definition of "*development*" in Section 2 of the Planning & Development Act 2024.
- (b) The plans and particulars submitted to the Planning Authority by Sajal Tyagi on 11<sup>th</sup> February 2026.
- (c) Section 4 of the Planning & Development Act, 2000 (as amended).
- (d) Article 6 & 9 of the Planning and Development Regulations, 2001 (as amended).

**AND WHEREAS** Louth County Council has concluded: -

*"The short-term letting of a double-bedroom in a 4-bedroom house while the applicant still resides there and where it is the applicant's Principle Private Residence"* is not 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 as it falls within the scope of Article 6(5) of the Planning and Development Act, 2000 (as amended) of the Planning & Development Regulations (PDR) 2001 (as amended) in relation to the number of bedrooms proposed to let.

LCP Order No. 184/2026


Reference No: S5 2026/05

**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 short-term letting of a double-bedroom in a 4-bedroom house while the applicant still resides there and where it is the applicant's Principle Private Residence*" at 4 Ballymakenny Dene, Drogheda, Co. Louth, is not development.

**SIGNED:**   
Conor Kerrigan  
Assistant Planner

**Date: 06/03/2026**

**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 the short-term letting of a double-bedroom in a 4-bedroom house while the applicant still resides there and where it is the applicant's Principle Private Residence at 4 Ballymakenny Dene, Drogheda, Co. Louth, is **not development**.

**Signed:**   
Thomas McEvoy  
Director of Service

**Date: 06<sup>th</sup> March 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

Sajal Tyagi

By email only: [REDACTED]

06<sup>th</sup> March 2026

Re: Ref. S5 2026/05

**Application for Declaration of “Exempted Development” Part 1, Section 5 Planning & Development Act, 2000 (as amended) as to whether the short-term letting of a double bedroom in a 4-bedroom house while the applicant still resides there and where it is the applicant’s Principle Private Residence at 4 Ballymakenny Dene, Ballymakenny Park, Drogheda, Co. Louth is development and if so, is it exempted development?**

Dear Sir/Madam,

I wish to acknowledge receipt of your application received on 11<sup>th</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 exempt development:

**AND WHEREAS** the said question was referred to Louth County Council by Sajal Tyagi.

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

- (a) The definition of “development” in Section 2 of the Planning & Development Act 2024.
- (b) The plans and particulars submitted to the Planning Authority by Sajal Tyagi on 11<sup>th</sup> February 2026.
- (c) Section 4 of the Planning & Development Act, 2000 (as amended).
- (d) Article 6 & 9 of the Planning and Development Regulations, 2001 (as amended)

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

**AND WHEREAS** Louth County Council has concluded: -

*"The short-term letting of a double-bedroom in a 4-bedroom house while the applicant still resides there and where it is the applicant's Principle Private Residence"* is not 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 as it falls within the scope of Article 6(5) of the Planning and Development Act, 2000 (as amended) of the Planning & Development Regulations (PDR) 2001 (as amended) in relation to the number of bedrooms proposed to let.

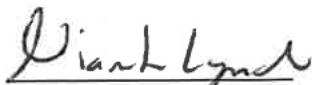
**NOW THEREFORE** Louth County Council in exercise of the powers conferred on it by Section 5(2)(a) of the Planning and Development Act 2000 (as amended), hereby decides that *"the short-term letting of a double-bedroom in a 4-bedroom house while the applicant still resides there and where it is the applicant's Principle Private Residence"* at 4 Ballymakenny Dene, Drogheda, Co. Louth, is not development.

**In Summary**

**The short-term letting of a double-bedroom in a 4-bedroom house while the applicant still resides there and where it is the applicant's Principle Private Residence at 4 Ballymakenny Dene, Drogheda, Co. Louth is not development as detailed on the plans and particulars submitted on 11<sup>th</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