



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.

13 FEB 2026

Section 5 Declaration - Application Form

1. Name and address of person seeking the declaration:

MARK TONER, CHIEF OPERATING OFFICER, DUNDALK CREDIT UNION, 4-6 MARKET STREET, DUNDALK

Phone Number: _____ E-Mail: _____

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

TONY EWBANKS, 154 RIVERSIDE DRIVE, RED BARN ROAD DUNDALK, CO. LOUTH, A91 X8NR

Phone Number: _____ E-Mail: _____

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

TONY EWBANKS, EHP SERVICES, 154 RIVERSIDE DRIVE RED BARN ROAD, DUNDALK, CO. LOUTH, A91 X8NR

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

4-5 CLANBRASSIL STREET, DUNDALK, 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>

A91 V6W3

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:

PLEASE SEE ATTACHED LETTER

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: Tony Ewbanks Date 13.02.26
ON BEHALF OF CLIENT

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

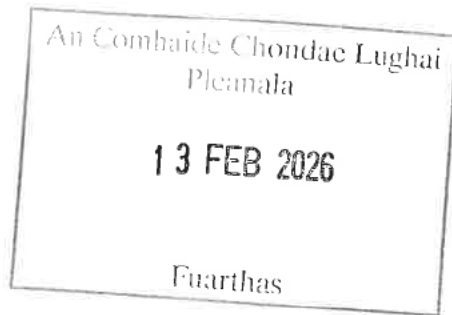
- Site Location Map: (Scale 1:1000)
- Site Layout Map: (Scale 1:200 or 1:500)
- Floor Plans & Elevations: (Scale 1:50, 1:100 or 1:200)
Existing & Proposed, where applicable
- Application fee: (€80)

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.



154 Riverside Drive
Red Barns Road
Dundalk
County Louth

10th February 2026



The Planning Section
Louth County Council
Town Hall
Crowe Street
Dundalk
Co. Louth

Dear Sir or Madam

SECTION 5 DECLARATION APPLICATION – Dundalk Credit Union, Nos. 4–5 Clanbrassil Street, Dundalk, Co. Louth.

EHP Services has been appointed by the Dundalk Credit Union, Market Street, Dundalk, Co. Louth to submit the enclosed Section 5 Declaration regarding their proposed use and works to the former Houston's shop at Nos. 4–5 Clanbrassil Street, Dundalk.

Please find enclosed a completed Section 5 Declaration application form, Site Location Map existing and proposed internal layout drawings and illustrative photographs.

All correspondence pertaining to this application can be forwarded to EHP Services at the above address.

Background.

The Dundalk Credit Union, established in 1968, is one of Ireland's largest credit unions with assets approaching €500 million and over 65,000 members. It has been located in Market Street since March 1973. The premises were extended and upgraded extensively in October 1999 (under planning ref. no. 96520135 and appeal ref. no. 55100107). As the Credit Union evolved to provide more financial and community based services to an increasing customer base the Market Street premises have become acutely cramped, outdated and unfit for current and future purposes.

At present the Market Street premises (outlined in blue on the enclosed Site Location Plan) employs 57no. of front and back of house staff. The Credit Union operates a number of satellite credit unions throughout the County. The existing premises are spatially and physically confined precluding the viability of extending and/or remodelling the Market Street building further.

As part of the Credit Union's phased expansion and modernisation programme the adjoining Forrester's Hall (outlined in red on the enclosed Site Location Plan) was extensively renovated

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under planning ref. no. 201119¹ to provide, in part, a new boardroom and computerised training space at first floor level. The Credit Union purchased Nos. 4-5 Clanbrassil Street in 2023 with a view to relocating to a more prominent 'Main Street' setting befitting a major regional financial institute and to provide improved customer experience through spacious and better appointed premises.

The next phase of the programme involves the use and outfitting of Nos. 4-5 Clanbrassil Street as the Credit Union's new 'front of shop' premises. The proposed development will not increase the premises' existing gross floor area (GFA). It will however allow for the eventual internal reorganisation and remodelling of the Market Street premises for 'back of house' services and facilities including, but not limited to, admin office space, meeting rooms and training rooms etc. No timetable has been set for this next stage in the Credit Union overall development programme. It is not envisaged that it would require any extension of the premises existing GFA. The Client is cognisant that any such extension would constitute development and would require planning permission.

The Subject Building.

Nos. 4-5 Clanbrassil Street (see Photo 1 below) provides a total of 780m² comprising of 620m² at ground floor level and 80m² at both first and second floor levels. The existing floor plan drawings show how the shop floor extends all the way to the back wall of the premises and extending behind the adjoining shop premises (No. 6 Clanbrassil Street). The property includes the segregated parking areas at the end of Court House Square Lane which provides parking for Credit Union and former Houston's staff members (see Photos 2 below and 3-4 overleaf). The property's first and second floors are accessible from an internal staircase located at the front of the shop. The former Houston's traditional painted timber shop facade remains in-situ. A temporary canvas sign has been attached to the fascia board. At present Nos. 4-5 Clanbrassil Street are empty and only occasionally used by staff for training purposes when no other rooms in Market Street are available or suitable.



Photo 1



Photo 2

¹ NB – The approved second floor addition to the Market Street premises is not likely to be implemented within the remaining life span of planning ref. no. 201119.



Photo 3



Photo 4

Part of the back of the Market and Clanbrassil Street buildings are physically attached to each other but not connected (see Photo 5 below). At present there are no plans to internally connect either structure.



Photo 5

The Proposed Development.

The proposed development described herein will be in addition to the currently ongoing works at Foresters Hall, approved under Planning Ref. No. 20119 and which are near completion.

Nos. 4-5 Clanbrassil Street.

The proposal, subject of this Section 5 Declaration application involves the change of use from Class 1 Shop (existing) to Class 2 Financial Services (proposed) as defined in Article 10(1) of the Planning Regulations, 2001 (as amended). Submitted floorplans illustrate the new internal arrangement of the ground floor including entrance lobby and reception desk, ATM kiosks, semi-private consultation pods, member service counter, teller counter spaces, seating, private consultation offices, loans counter space, 'back of house' open plan office space, supervisor and manager offices, staff canteen facility, utility / storage room, disabled, male and female toilets. The

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premises' existing fire escape door at the rear of the shop will remain in situ providing access to the rear yard and fire assembly point.

The existing staircase at the front of shop will continue to provide access to the premises' first and second floors which were used by Houston's, the previous tenant occupants, for storage. The enclosed Proposed Floorplan (Dwg. No. GW-DUNDALK-00-001) illustrates the use of the first floor as a phone hub, manager's office and additional male and female toilets. The second floor will accommodate a large meeting room and an ancillary file storage room.

No physical alterations are proposed to the premises front facade nor is any new signage at this juncture. The Client understands that any alterations to the facade, the existing shopfront, including the installation of new signage constitutes development due to ACA No. 22 – Clanbrassil Street and therefore will require separate planning permission.

The Declaration Queries..

Within context of the above information the Client requests confirmation of the following questions.

1. Does the proposed change from retail (Class 1) to financial services (Class 2) constitute development?

We are of the opinion that such a change from retail to financial services or from Class 1 to Class 2 is considered exempted development under the provisions of Schedule 2, Part 4 and Article 10 of the Planning & Development Regulations 2001 (as amended)?

2. Do the proposed internal alterations to Nos. 4-5 Clanbrassil Street as described above constitute development within context of Section 3 of the Planning & Development Act, 2000 (as amended) ?

As the extent of works described above are all internal or are of a de-minimus nature and effect that does not involve any part of a Protected Structure or alterations to a facade within an ACA we are satisfied such works do not rise to the definition of development within the meaning of Section 3 of the Planning & Development Act 2000 (as amended).

Please do not hesitate to contact us if you have any queries or require additional information regarding the details contained herein. We look forward to a favourable response.

Regards

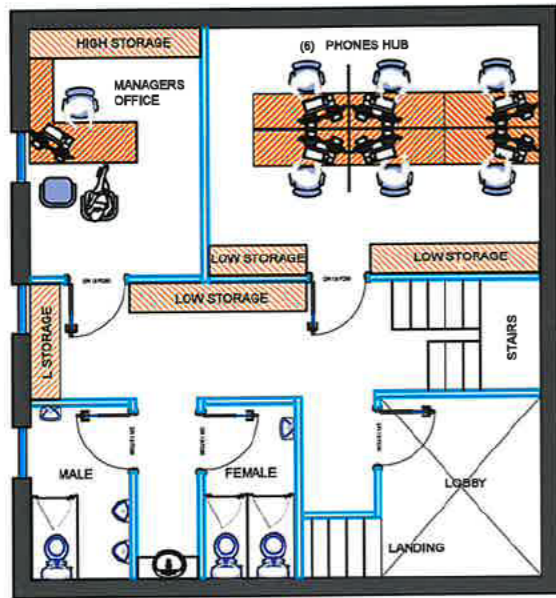


for EHP Services

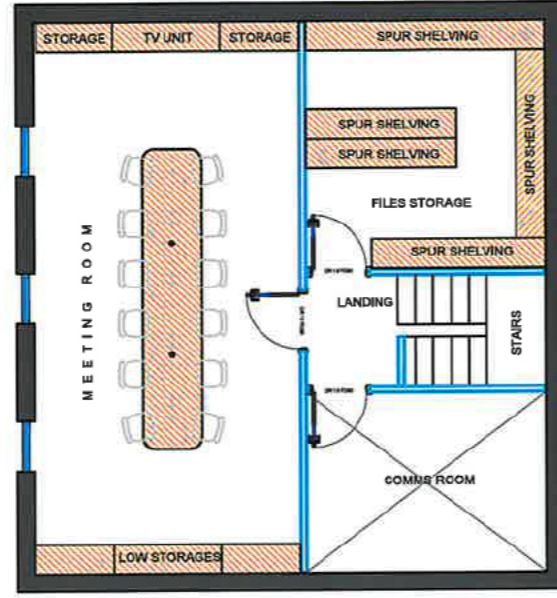
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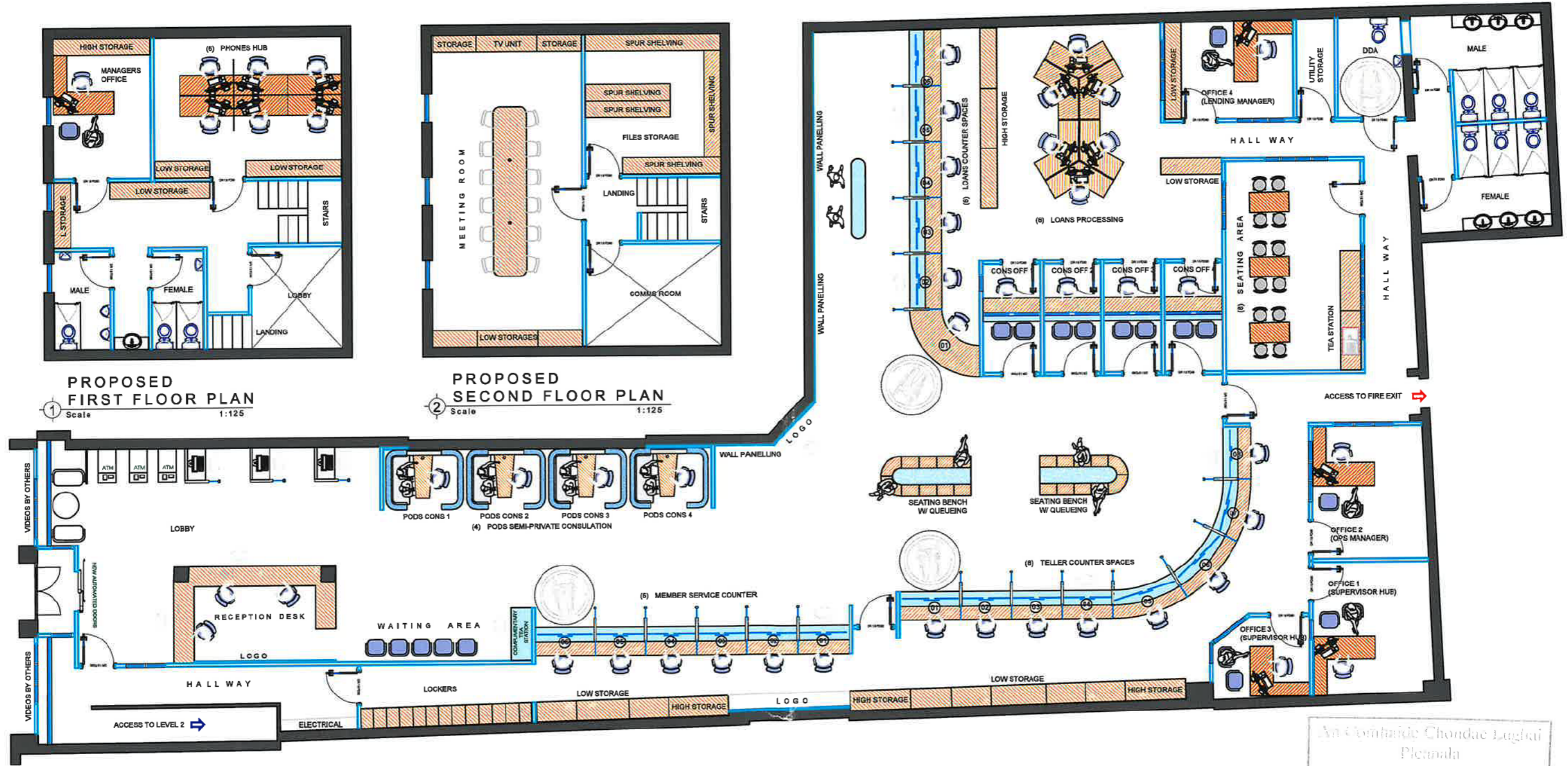
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PROPOSED FIRST FLOOR PLAN
Scale 1:125



PROPOSED SECOND FLOOR PLAN
Scale 1:125



PROPOSED GROUND FLOOR PLAN
Scale 1:125

An Comhairle Chondae Laghair
Pleanála
13 FEB 2026
Fuarthas

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DATE	DESCRIPTION	BY
A 05.02.26	FOR DISCUSSION	BM
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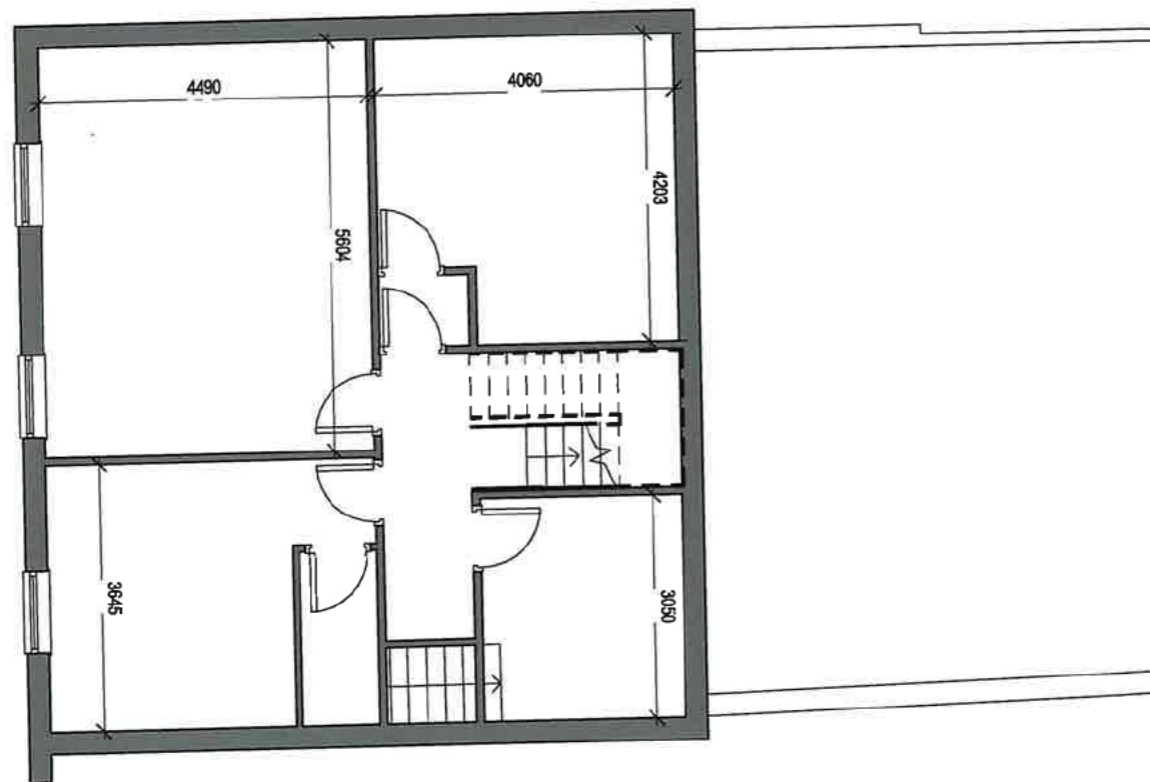
NOTES:

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TEAM: Noel Wiler Norman Keenan	JOB NO: HERE
DRAWN BY: BM	CHECKED BY: NW

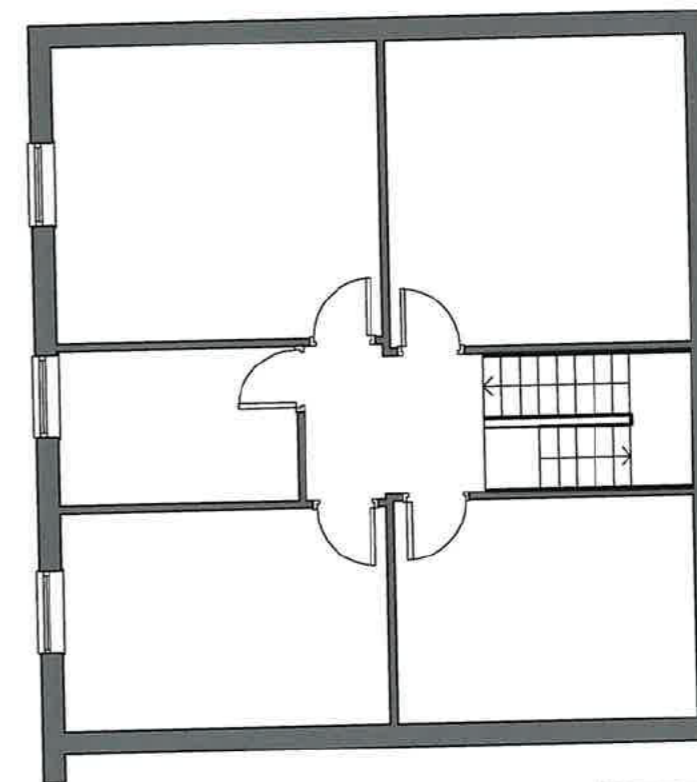
PROJECT: DUNDALK CREDIT UNION
DRAWING: PROPOSED PLAN CREDIT UNION
GW REF: GW-DUNDALK-00-001
ARCH REF: **

CLIENTS:
ARCHITECT: DESIGNER:
CONTRACTOR:





1 **First Floor**
T402 1 : 100



2 **First Floor**
T402 1 : 100


An Comhaidé Chonradh Leghnái
Pleanála
13 FEB 2026
Fuarthas

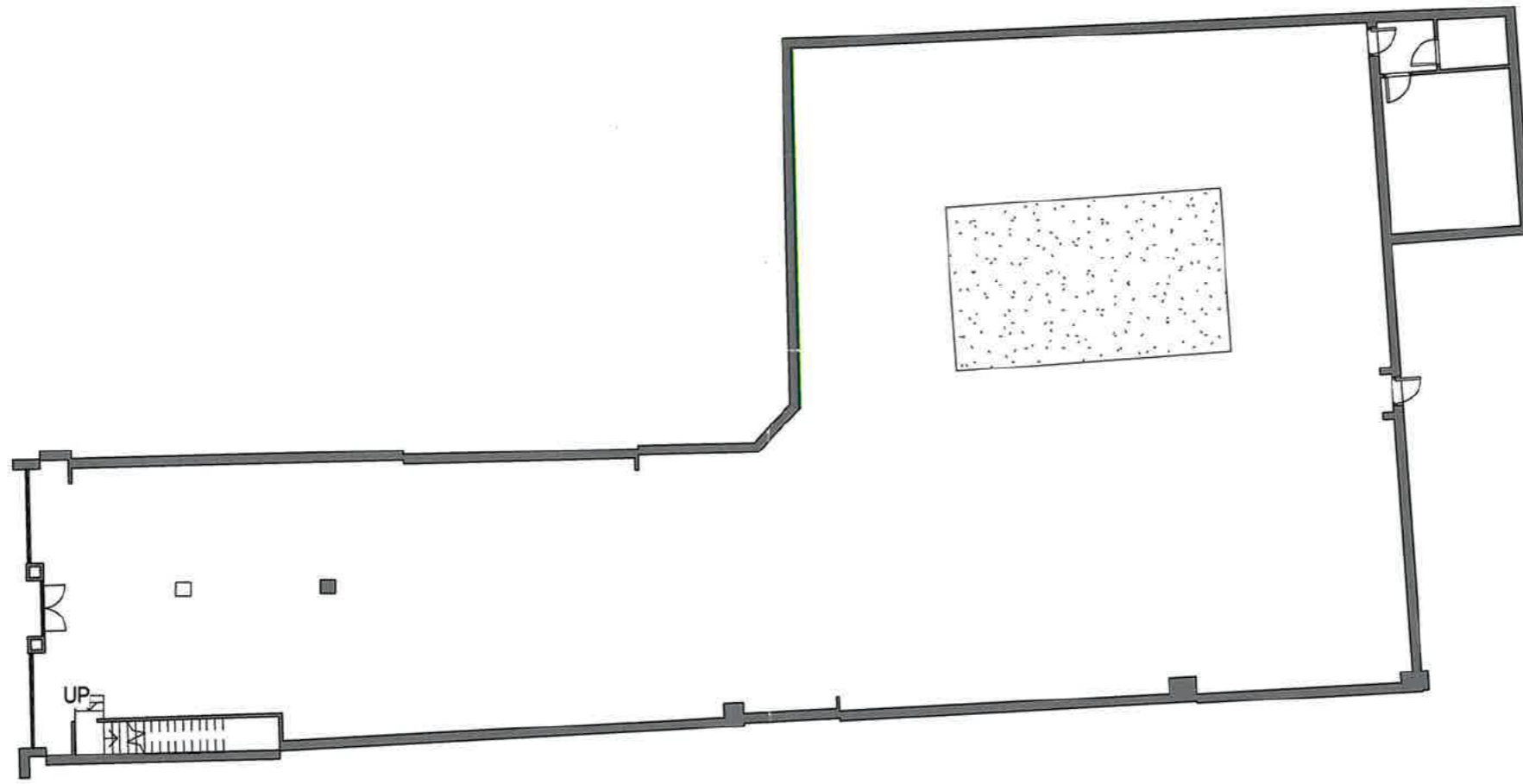
Project Stage:Template

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				Drw By: Author
				CHK By: Checker

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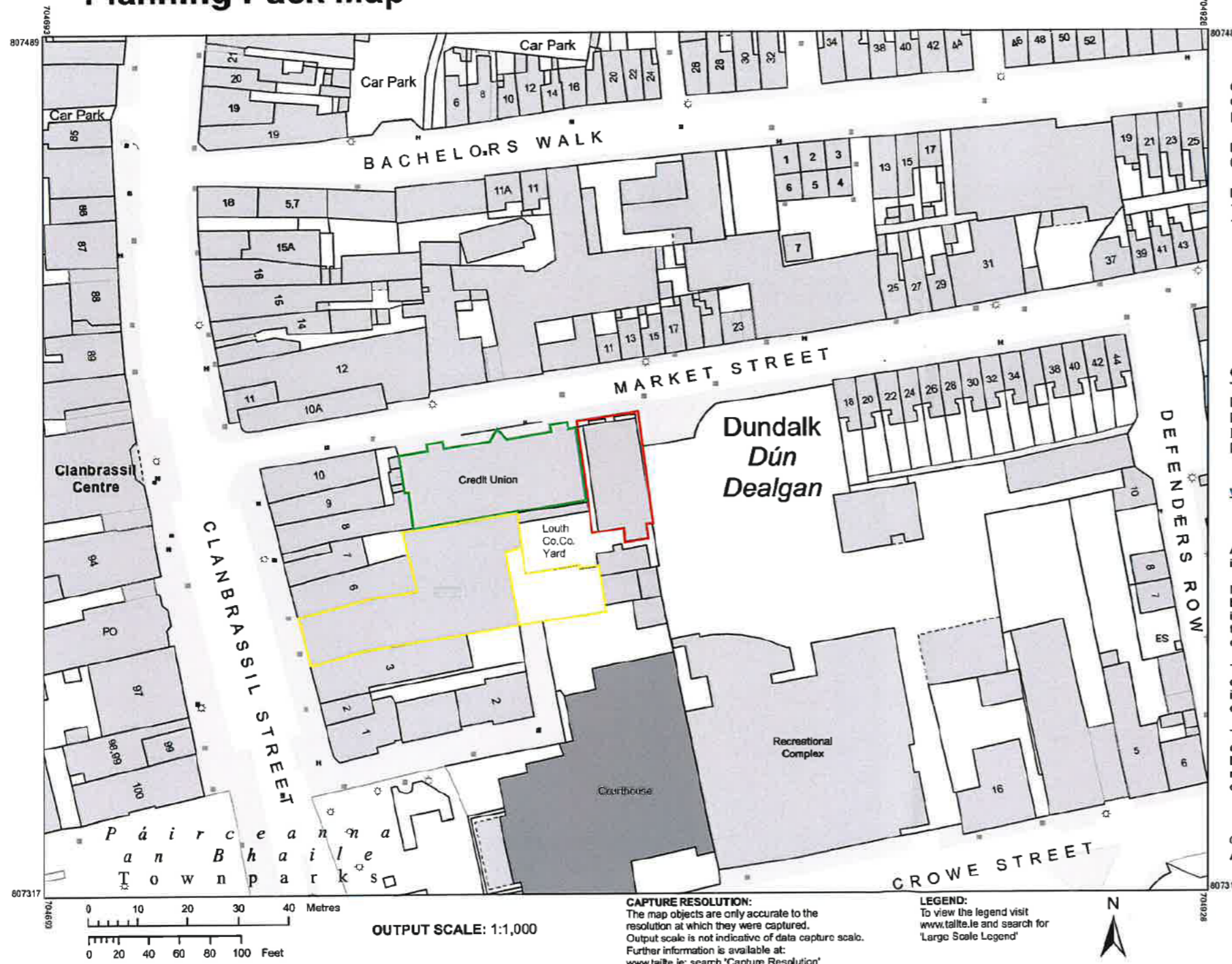
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			Unnamed	1 : 200	
			Client:	Size:	A3
				Drw By:	CHK By:
				Author	Checker



Planning Pack Map



Tailte Éireann



CENTRE COORDINATES:
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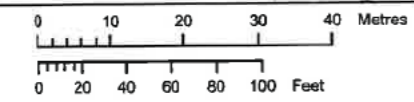
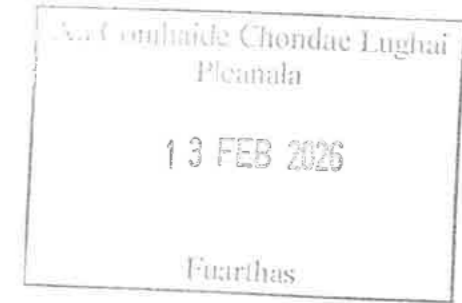
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Site Location Plan
Scale 1:1000

STAMP			
	GENERAL LAYOUT		
CLIENT			
REVISION	DATE	DESCRIPTION	

CLIENT NAME	Dundalk Credit Union		
PROJECT NAME	Foresters Hall & Credit Union Building, Market Street, Dundalk, Co. Louth		
DRAWING TITLE	Site Location Plan		
STATUS			
DRAWN BY	BMcC	CHECKED BY	SH
DATE DRAWN	11.02.2026		
SCALE(S)	1:1000 @ A3		
PROJECT NO.	26050	DRAWING NO.	GL_002
REV.			



42 Dawson Street, Dublin 2
E: hello@modulegroup.ie W: www.modulegroup.ie

Louth County Council
Section 5 Declaration

Planning Ref: S5 2026/06

Applicant's Name: Mark Toner, Dundalk Credit Union

Type of Application: Section 5 Declaration

Question:

1. Does the proposed change from retail (Class 1) to financial services (Class 2) constitute development?
2. Do the proposed internal alterations to No. 4-5 Clanbrassil Street as described above constitute development within context of Section 3 of Planning and Development Act 2000 (as amended)?

Site Location: No. 4 and 5 Clanbrassil Steet, Dundalk, Co. Louth

Report Date: 25th February 2026

Due Date: 12th March 2026

1. Site Location and Description

A declaration has been sought in relation to a change of use of No.4 and No. 5 Clanbrassil Street, Dundalk, zoned as 'B1 Town or Village Centre' and within ACA No. 22 as designated in the Louth County Development Plan 2021-2207 (as varied). It is unclear if the premises is currently in use, as a fascia board relating to the Dundalk Credit Union has been recently erected along the front elevation, however no activity was present at the time of site inspection. The units were previously occupied by Houstons a clothing and homeware retailer. The units front directly onto Clanbrassill Street. The ground at the rear is formed of an open courtyard area, outside of the applicant's ownership. The property is a 2 storey building, with roller shutters and double doors at ground floor level

and finished with sash windows at first and second floor levels, with black roof slates. The shop frontage is brightly coloured. The property is located along Clanbrassil Street which has a mix of uses including retail, beauty salons, convenience stores, restaurants, coffee shops, sandwich/hot food units, banks and bakeries.

2. Planning History

55525385 (Granted permission on 4th July 1990) – Alterations to shopfront and façade.

95520041 (Granted permission on 9th June 1995) – Change of use from retail to restaurant with facility for take-away and new shop front.

96520166 (Refused permission on 25th October 1996) – Varying condition no.5 ref 95/41 extend hours of operation by 2 hours.

55523847 (Granted permission on 7th February 1983) – Change of use of supermarket to retail clothing outlet and alterations to shop front and interior layout.

3. Declaration Sought

- I. Does proposed change from retail (Class 1) to financial services (Class 2) constitute development?*

- II. Does the proposed internal alterations to No.s 4-5 Clanbrassil Street as described above constitute development within the context of Section 3 of the Planning and Development Act, 2000 (as amended).*

For the purposes of clarity, as Section 2 of the Planning and Development 2024 (as amended) has formally superseded Section 3 of the Planning and Development 2000 (as varied) in December 2024, the assessment of development will be made under the provisions of the 2024 Act.

4. Legislative Context

The Planning and Development Act, 2024

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

Section 2 states:

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.

"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 Regulations 2001 (as amended)

Article 9 (1) provides detailing on restrictions on exemption 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 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.

Article 10. (1) Development which consists of a change of use **within any one of the classes of use** specified in Part 4 of Schedule 2, shall be exempted development for the purposes of the Act, provided that the development, if carried out would not—

(a) involve the carrying out of any works other than works which are exempted development,

(b) contravene a condition attached to a permission under the Act,

(c) be inconsistent with any use specified or included in such a permission, or

(d) be a development where the existing use is an unauthorised use, save where such change of use consists of the resumption of a use which is not unauthorised and which has not been abandoned.

5. Assessment

Does the proposed change from Retail (Class 1) to Financial Services (Class 2) constitute development and is it exempt development?

Having regard 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". From review of the floor plans submitted, with at least 32 no. workstations being proposed therein, it is considered that the proposal constitutes a material change of use and is therefore considered development.

Does the proposed change of use constitute exempted development?

As the proposal involves a change of use from Retail (Class 1) to Financial Services (Class 2), the change of use does not 'consist of a change of use within any one of the classes of use specified in Part 4 of Schedule 2', as provided within Article 10 of the Planning and Development Regulations 2001 (as amended), and as such is not exempted development.

In addition, the proposed change of use from Retail (Class 1) to Financial Services (Class 2) does not benefit from any prescribed exemption within Class 14 of Schedule 2 or Article 6 in general, and an assessment on the restrictions on exemptions under Article 9 is not applicable.

Accordingly, it is considered that the proposed development **does not constitute exempted development.**

Does the proposed internal alterations as described with the application constitute development with the context of Section 2 of the Planning and Development Act 2024 (as amended).

While the minor nature of the proposed works are noted, it is apparent the works form part of a material change of use requiring express planning permission. The default position is that all development requires permission, therefore, the proposed works **are considered development and are not considered exempt development.**

It is noted that the part (b) of the Question specifically asks about the proposed internal alterations. It is noted that a 'temporary' canvas sign has been attached to the fascia board of the building's front elevation. As this constitutes work to the exterior of a structure located within an architectural conservation area (ACA No. 22 Clanbrassil Street) of the Louth County Development Plan 2021-2027 (as varied), Article 9 (xii) is applicable, and exemptions under Article 6 and Part 1 of Schedule 2 are not exempted development.

6. 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 proposed development, there is no real likelihood of significant effects on the environment and as such, an 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. Conclusion

In having regard to the foregoing and to the relevant provisions of the Planning and Development Act, 2024, The Planning and Development Act, 2000, (as amended), and The Planning and Development Regulations, 2001 (as amended) that the proposed material change of use and the works are considered to be **development that is not exempted development**.

8. 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 EHP Services on behalf of Mark Toner, Dundalk Credit Union.

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 EHP Services on 13th February 2026.
- (c) Section 4 of the Planning & Development Act, 2000 (as amended).
- (d) Article 6 of the Planning and Development Regulations, 2001 (as amended).
- (e) Article 9 of the Planning and Development Regulations, 2001 (as amended).
- (f) Article 10 of the Planning and Development Regulations, 2001 (as amended).

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

- a) the proposed change from Retail (Class 1) to Financial Services (Class 2) **constitutes development** and is **not exempt development** as a change of use between use classes is not exempt development
- b) the proposed internal alterations as described within the application **constitute development** with the context of Section 2 of the Planning and Development Act 2024 (as amended) and is **not exempt development**.
- c) The existing external fascia signage as described within the application **constitutes development** within the context of Section 2 of the Planning and Development Act 2024 (as amended) and is **not exempt 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

- i. the proposed change from Retail (Class 1) to Financial Services (Class 2); and
- ii. the proposed internal alterations as described within the application
- iii. the existing external fascia signage as described within the application

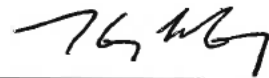
at No, 4 and 5 Clanbrassil Street, Dundalk, County Louth **constitutes development that is not exempted development.**



Niamh Boyle
Assistant Planner
Date: 02/03/2026



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



Thomas McEvoy
Director of Services
Date: 6/3/26

LOUTH COUNTY COUNCIL

CHIEF EXECUTIVE'S ORDER

PLANNING & DEVELOPMENT ACT 2000 (as amended)

Section 5 Exempted Development

Chief Executive's Order No:	171/2026
Reference No:	S5 2026/06
Date Application Received:	13/02/2026
Description of Development:	(1) Does the proposed change from Retail (Class 1) to Financial Services (Class 2) constitute development and (2) Do the proposed internal alterations to No. 4 & 5 Clanbrassil Street constitute development within context of Section 3 of the Planning and Development Act 2000 (as amended)
Name of Applicant:	Mark Toner, Dundalk Credit Union
Location of Development	No. 4 & 5 Clanbrassil Street, Dundalk, 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 EHP Services on behalf of Mark Toner, Dundalk Credit Union.

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 EHP Services on 13th February 2026.
- (c) Section 4 of the Planning & Development Act, 2000 (as amended).
- (d) Article 6 of the Planning and Development Regulations, 2001 (as amended).
- (e) Article 9 of the Planning and Development Regulations, 2001 (as amended).
- (f) Article 10 of the Planning and Development Regulations, 2001 (as amended).

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

- (a) The proposed change from Retail (Class 1) to Financial Services (Class 2) **constitutes development** and is **not exempt development** as a change of use between use classes is not exempt development
- (b) The proposed internal alterations as described within the application **constitute development** within the context of Section 2 of the Planning and Development Act 2024 (as amended) and is **not exempt development**.
- (c) The existing external fascia signage as described within the application **constitutes development** within the context of Section 2 of the Planning and Development Act 2024 (as amended) and is **not exempt 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

- i. The proposed change from Retail (Class 1) to Financial Services (Class 2); and
- ii. The proposed internal alterations as described within the application
- iii. The existing external fascia signage as described within the application

at No. 4 and 5 Clanbrassil Street, Dundalk, County Louth **constitutes development that is not exempted development.**

SIGNED: _____

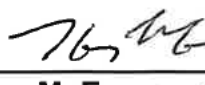

Niamh Boyle
Assistant Planner

Date: _____

4/3/26

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 Services

Date: 06th 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 14th day of May 2025.



Comhairle Contae Lú
Louth County Council

REGISTERED POST

Mark Toner, Dundalk Credit Union
c/o Tony Ewbanks
EHP Services
154 Riverside Drive
Red Barns Road
Dundalk
Co. Louth
A91 X8NR

06th March 2026

Re: Ref. S5 2026/06

Application for Declaration of “Exempted Development” Part 1, Section 5 Planning & Development Act, 2000 (as amended) as to (1) Whether the proposed change from Retail (Class 1) to Financial Services (Class 2) constitute development and (2) Do the proposed internal alterations to No. 4 and 5 Clanbrassil Street, Dundalk, Co. Louth constitute development within the context of Section 3 of the Planning and Development Act 2000 (as amended)

Dear Sir/Madam,

I wish to acknowledge receipt of your application received on 13th 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 EHP Services on behalf of Mark Toner, Dundalk Credit Union.

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 EHP Services on 13th February 2026.
- (c) Section 4 of the Planning & Development Act, 2000 (as amended).

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

Louth County Council
Town Hall
Crowe Street
Dundalk
County Louth
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W www.louthcoco.ie

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

- (d) Article 6 of the Planning and Development Regulations, 2001 (as amended).
- (e) Article 9 of the Planning and Development Regulations, 2001 (as amended).
- (f) Article 10 of the Planning and Development Regulations, 2001 (as amended).

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

- (a) The proposed change from Retail (Class 1) to Financial Services (Class 2) **constitutes development** and is **not exempt development** as a change of use between use classes is not exempt development
- (b) The proposed internal alterations as described within the application **constitute development** within the context of Section 2 of the Planning and Development Act 2024 (as amended) and is **not exempt development**.
- (c) The existing external fascia signage as described within the application **constitutes development** within the context of Section 2 of the Planning and Development Act 2024 (as amended) and is **not exempt 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

- i. The proposed change from Retail (Class 1) to Financial Services (Class 2); and
- ii. The proposed internal alterations as described within the application
- iii. The existing external fascia signage as described within the application


at No. 4 and 5 Clanbrassil Street, Dundalk, County Louth **constitutes development that 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 13th 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