



Section 5 Declaration - Application Form

Declaration as to whether development constitutes Exempted Development

Please read “Guidance Notes” before completing this form

Guidance Notes

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

Section 5 Declaration - Application Form

1. Name and address of person seeking the declaration:

Mr Peter Begley

Phone Number: [REDACTED]

E-Mail: [REDACTED]

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

O'Reilly Chartered Surveyors, Unit 15, East Coast Business Park, Mathews Lane, Drogheda, Co. Louth.

Phone Number: [REDACTED]

E-Mail: [REDACTED]

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

John O'Reilly

O'Reilly Chartered Surveyors, Unit 15, East Coast Business Park, Mathews Lane, Drogheda, 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

41 Laurence's Street, Drogheda, Co. Louth

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

<https://irish.gridreferencefinder.com>

Easting:309042 Northing: 275196

Planning Office

Louth County Council

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██████████████████
██████████
██████████

18th February 2026

Re: Section 5 Declaration – Exempted Development for Temporary Accommodation for Protected Persons at 41 Laurence’s Street, Drogheda, Co. Louth

Dear Niamh,

I wish to submit a **Section 5 Declaration** application in accordance with the Planning and Development Act, seeking confirmation of exempted development status for the temporary accommodation of protected persons at **41 Laurence’s Street, Drogheda, Co. Louth**.

The applicant holds a formal contract with the Department of Justice for the provision of IPAS accommodation services for the past three years. As part of ongoing compliance and operational requirements, the Department has now requested that a **Section 5 Declaration** be obtained for this property.

The property at 41 Laurence’s Street was last used as office accommodation.

The declaration sought relates to the following:

Basement & Ground Floor, First Floor & Second Floor – Temporary Accommodation Use

A determination is requested regarding the exempted development status of the change of use from former office accommodation to temporary accommodation for protected persons, pursuant to Section 20(F) of the Planning & Development (Exempted Development) (No. 4) Regulations 2022, where such use is by or on behalf of the Minister.

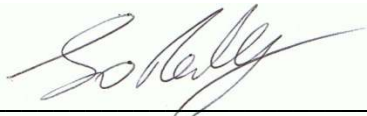
Documents Enclosed

- Completed Section 5 Declaration Application
- Site Location Map (Scale 1:1000)
- Floor Plans, Elevations & Sections (Scale 1:100), Site Layout Plan (Scale 1:500)

Please contact **Peter Begley** ([REDACTED]) to arrange payment of the €80 application fee.

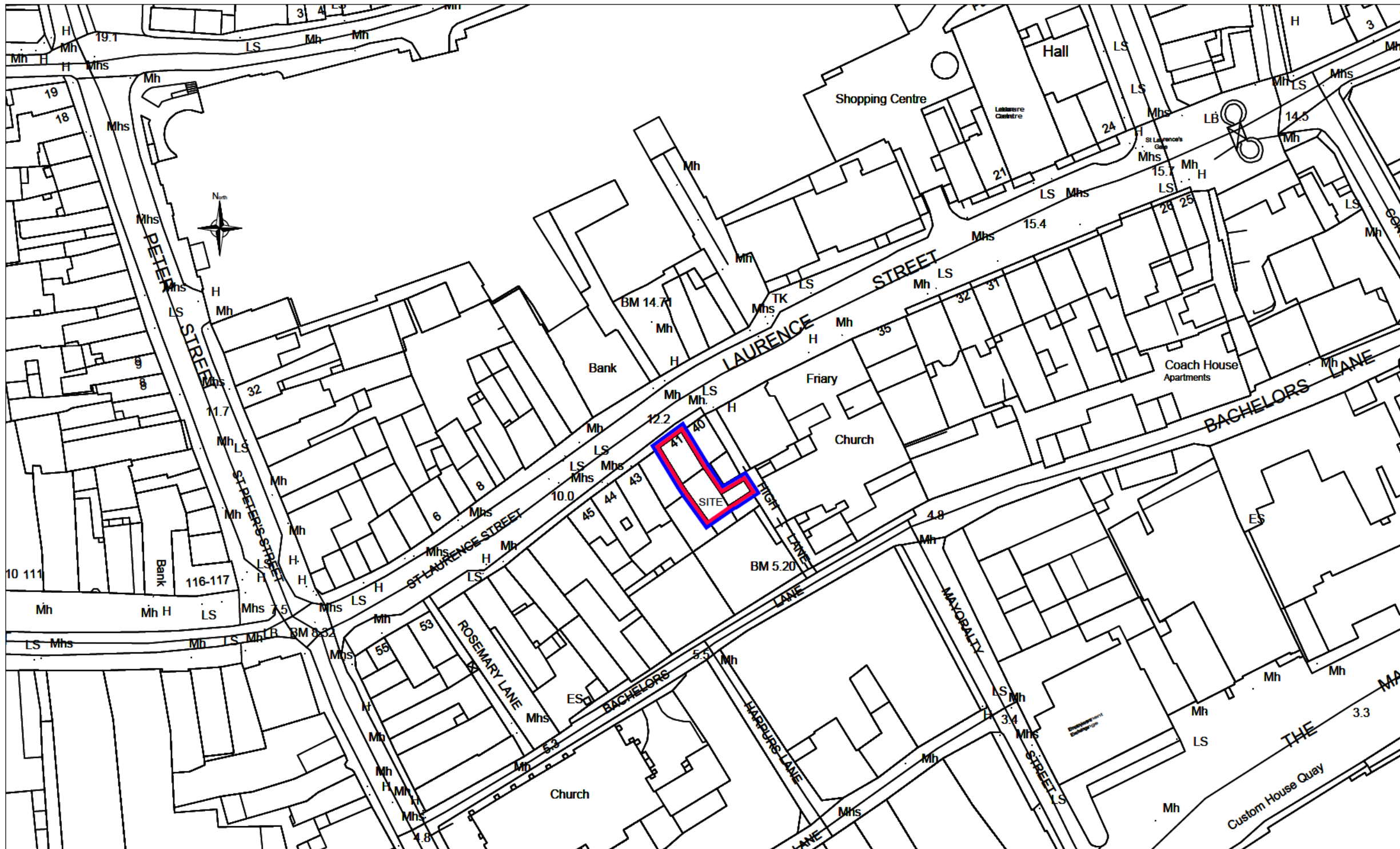
Should you require any further information or clarification, please do not hesitate to contact me.

Signed:



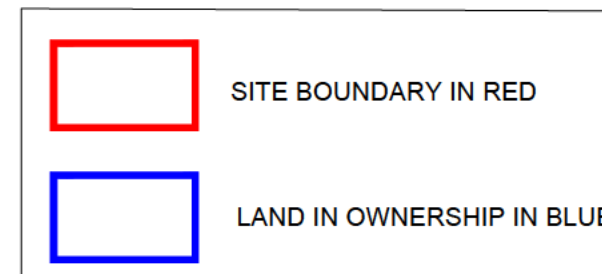
John O'Reilly BSc MSCSI MRICS
Chartered Building Surveyor

18th February 2026.



OSI SITE LOCATION MAP
Scale 1:1000

NOTES:
For Planning Purposes Only.



Job:
Section 5 Application for:
41 Laurence Street, Drogheda, Co. Louth.

Drawing:
Site Location Map.

Client: Peter Begley	
Scale: As shown	Drawn By: P.S.
Date: February 2026	Drawing No: SR2026/001
Revision No:	O.S. Sheet: X,Y = 708979, 775214

Louth County Council
Section 5 Declaration

Planning Ref:	2026/09
Applicant's Name:	Peter Begley
Type of Application:	Section 5 Declaration
Development:	Is the change of use from office use to temporary residential accommodation for international protection applicants under section 20(f) of the Planning & Development (Exempt Development) (no.4) 2022 development and is it or is it not exempted development
Site Location:	41 Laurence Street, Drogheda. Co. Louth.
Site Inspection	3 rd March 2026
Report Date	5 th March 2026
Due Date:	19 th March 2026

1. Site Location and Description

The site is situated on lands zoned '**B1 Town Centre**' which has the objective "*To support the development, improvement and expansion of town or village centre activities.*"

The subject property is a Protected Structure, as designated within the Louth County Development Plan 2021-2027 (as varied,) Record of Protected Structures (ID:DB-265, NIAH reference number 13619043.) Under the Record of Protected Structures, the existing building is described as:

Two-bay, three-storey house of red brick, with parapet, sash windows, and round-headed doorcase.

Appraisal

A typical example of early C19th town architecture, with classical proportions & restrained decorative elements.

NIAH Records described building as: -

“Attached two-bay three-storey over basement house, built c. 1810. Pitched slate roof hidden by parapet, red brick chimneystack, gutter hidden by parapet, circular cast-iron downpipe. Red brick walling laid in Flemish bond, painted brick to ground floor, painted smooth rendered walling to basement. Square-headed flat-arched window openings, painted smooth rendered patent reveals, painted stone sills, painted timber one-over-one sliding sash windows, painted timber bipartite fixed windows to ground floor, basement window blocked up. Round-headed door opening, painted smooth rendered surround, plain-glazed fanlight, painted timber frieze, painted timber door with nine raised-and-fielded panels. Street fronted.”

In addition, the application site and subject building is located within Laurence Street Architectural Conservation Area (ACA Number 5.)



Figures 1 & 2: Existing front and rear elevations (Photographs taken 3rd March 2026)

On inspection of the building on 3rd March 2026, the building is currently in temporary residential use housing 30 no. international protection applicants. There are 10 no. rooms within the property and its outbuildings at the rear converted into bedsits each with a small kitchenette and ensuite along with a communal kitchen/dining area on the ground floor and laundry room on the lower ground. The timber painted one-over-one sliding sash windows have been replaced with white uPVC sometime between May 2017 and May 2019 (as per Google Streetview images). The ground floor timber

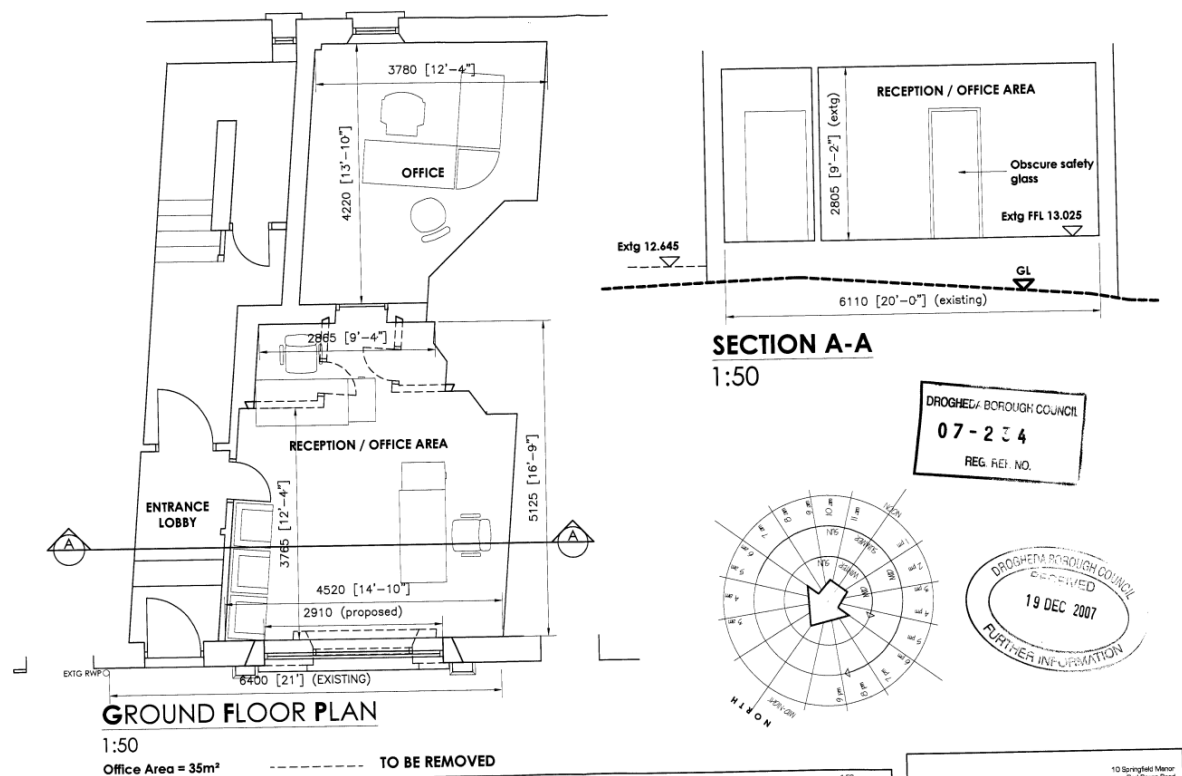
former shopfloor window remains in place along with the white painted timber shopfront and arched front door with fan light. front painted white. The staircase has not been replaced, and the lower ground floor window has been reinstated albeit a uPVC one which is covered up internally by newspaper. I have reviewed the submitted drawings and floor plan layout, and these are reflective of the existing internal layout of the building and outbuildings/yard area.

2. Planning History

The building appears to have been constructed in the mid-18th Century and is noted on the Record of Protected Structures table as being a 'house.'

The only decided planning application on the site was permission for: -

P.A Reference number 07510234 - Installation of a shop front at ground floor level and associated signage to the front façade – building is listed as a protected structure DB 265 under the Drogheda Development Plan 2005-2011 – PERMISSION GRANTED 26th February 2008



Above: proposed ground floor plan 07510234

P.A Reference Number 91510166 – Change of use from residential to office accommodation and apartments – status further information – none provided so deemed withdrawn.

The 07510234 permission established the office use of the property at ground floor level. No further planning applications were received since.

3. Declaration Sought

The applicant has confirmed within the submitted application that the question for determination relates to:

“Is the change of use from office use to temporary residential accommodation for international protection applicants under section 20(f) of the Planning & Development (Exempt Development) (no.4) 2022, is it or is it not exempted development.”

The Planning Authority is therefore considering the question for determination as: -
“Is the change of use from office use to temporary residential accommodation for international protection applicants under section 20(f) of the Planning & Development (Exempt Development) (no.4) 2022 development and is it or is it not exempted development.”

This section 5 application relates only to the change of use.

4. 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, I am satisfied that there is no real likelihood of significant effects on the environment and as such, an EIAR is not required.

5. Appropriate Assessment

No screening report has been provided with this application. However, in having regard to nature and scale of the proposal, it is not considered that the development would be likely to have a significant effect individually or in combination with other plans or projects on a European site (Special Area of Conservation or Special Protected Area) and as such, an Appropriate Assessment (Stage 2 AA) is not required.

6. Legislative Context

S.I. No. 662/2024 - The Planning and Development Act 2024 (Commencement) Order 2024

The Planning and Development Act 2024 (Commencement) Order 2024 states:

“The 2nd day of December 2024 is appointed as the day on which the following provisions of the Planning and Development Act 2024 (No. 34 of 2024) shall come into operation:

- (a) Sections 1 to 5;*
- (b) Part 26*

The Planning and Development Act 2024

Section 2 states that:

“Development” means the carrying out of works on, in, over or under land, or on, in, over or under the maritime area, or the making of a material change in the use of land or any structure on land, or the sea, seabed or any structure, in the maritime area, and includes the reclamation of land in the nearshore area;

“Exempted development” means development of a class prescribed under section 9, or development that is exempted development by virtue of section 152;

“Protected structure” means a structure, or part of a structure, specified in a record of protected structures, and includes the interior of the structure, the land lying within the curtilage of the structure, any other structure, and their interiors, lying within that curtilage, and any feature of the structure that is within the attendant grounds of the structure, and is specified in a record of protected structures;

“Protection” includes, in relation to a structure or part of a structure, conservation, preservation and improvement compatible with maintaining the character and interest of the structure or part;

“Unauthorised development” means, in relation to land or a maritime site—

- (a) “Unauthorised works” (including the construction, erection or assembly or an unauthorised structure), or*
- (b) An unauthorised use;*

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

- (a) exempted development, or*
- (b) development carried out in accordance with—*
 - (i) a permission granted under Part IV of the Act of 1963 or deemed to be so granted under section 92 of that Act,*
 - (ii) a permission granted under section 34, 37G, 37N or 293 of the Act of 2000,*
 - (iii) a permission granted under section 9 of the Planning and Development (Housing) and Residential Tenancies Act 2016, or*
 - (iv) a permission granted under Part 4,*

- (c) *Chapter 6* State authority development within the meaning of *Part 4*,
- (d) development required by—
 - (i) a notice under *section 339*,
 - (ii) an order under *section 341*,
 - (iii) an enforcement notice under *section 350*, or
 - (iv) a planning injunction under *section 351*,or
- (e) development carried out in accordance with—
 - (i) a licence under *section 13*, or
 - (ii) a licence under section 254 of the Act of 2000;

“*Unauthorised works*” means any works on, in, over or under land or a maritime site, other than—

- (a) exempted development,
- (b) development carried out in accordance with—
 - (i) a permission granted under Part IV of the Act of 1963 or deemed to be so granted under section 92 of that Act,
 - (ii) a permission granted under section 34, 37G, 37N or 293 of the Act of 2000,
 - (iii) a permission granted under section 9 of the Planning and Development (Housing) and Residential Tenancies Act 2016, or
 - (iv) a permission granted under *Part 4*,
- (c) *Chapter 6* State authority development within the meaning of *Part 4*,
- (d) development required by—
 - (i) a notice under *section 339*,
 - (ii) an order under *section 341*,
 - (iii) an enforcement notice under *section 350*, or
 - (iv) a planning injunction under *section 351*,or
- (e) development carried out in accordance with—
 - (i) a licence under *section 13*, or
 - (ii) a licence under section 254 of the Act of 2000;

“*Works*” includes an act or operation—

- (a) of construction, excavation, demolition, extension, alteration, repair or renewal (including in relation to a protected structure, a proposed protected structure or a structure situated in an architectural conservation area), on, in, over or under land or a maritime site,
- (b) consisting of the application of plaster, paint, wallpaper, tiles or other material to the surface of a protected structure or proposed protected structure or the removal of plaster, paint, wallpaper, tiles or other material from such surface, and
- (c) consisting of the application of plaster, paint, wallpaper, tiles or other material to the exterior of a structure situated in an architectural conservation area or the removal of plaster, paint, wallpaper, tiles or other material from such exterior.

The Planning and Development Act, 2000 (as amended)

Section 4 states that:

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

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 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.

The Planning and Development Regulations, 2001 (as amended)

Article 6:

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.

Article 9:

Article 9(1) of the Planning & Development Regulations, 2001 (as amended) provides restrictions on exemptions with those relevant to this assessment, outlined below and review comments added in italics below.

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,

(viiA) 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), as amended.

(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,

(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;

Changes of use.

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.

The Planning and Development (Amendment) (No. 4) Regulations 2015 (S.I. No. 582 of 2015)

Providing an exemption under Class 14(h) of the P & D Regs, 2001, as amended, as a measure for the change of use, and related works, for the purpose of providing the necessary accommodation facilities for protected persons.

In order to avail of this exemption the premises subject to the proposed change of use under Class 14(h) must be in *“use as a hotel, motel, hostel, guesthouse, holiday accommodation, convent, monastery, Defence Forces barracks or other premises or residential institution providing overnight accommodation, or part thereof, or from the change of use specified in paragraph (i) of the said premises or institution, or part thereof, to use as accommodation for protected persons”*.

The Planning and Development (Amendment) Regulations 2022 (S.I. No. 306 of 2022)

These Regulations are made under section 3 of the European Communities Act 1972 (No. 27 of 1972) for the purpose of giving effect to Council Directive No 2001/55 EC (the Temporary Protection Directive), and Council Implementing Decision EU 2022/382 of 4 March 2022, to provide immediate protection in EU countries for persons displaced by the Russian invasion of Ukraine, including the need to provide emergency accommodation and support to these displaced persons.

The classes of development listed in the Schedule may include the change of use and repurposing of existing buildings and facilities, and temporary newbuild accommodation and structures to address the urgent need to provide emergency accommodation and support to displaced persons from the conflict in Ukraine.

Schedule:

Article 3

1. Reception and integration facilities.
2. Residential accommodation, including ancillary recreational and sporting facilities.
3. Medical and other health and social care accommodation.
4. Education and childcare facilities, including ancillary recreational and sporting facilities.
5. Emergency management coordination facilities.
6. Structures or facilities ancillary to development referred to in paragraphs 1 to 5, including administration and storage facilities.
7. Infrastructure and other works ancillary to development referred to in paragraphs 1 to 6.

Planning and Development (Amendment) (No. 4) Regulations 2022 (S.I. No. 605 of 2022)

This amendment to the Regulations provides an exemption under new Class 20F of the P & D Regs, 2001 (as amended,) as a temporary measure expiring on 31st December 2024, for the temporary change of use, and related works, for the purpose of providing accommodation or support for displaced persons or persons seeking international protection. The Planning and Development (Exempted Development) (No 4) Regulations 2023 (S.I. 376 of 2023) extend the exemption for changing the use of specific structures to accommodate international protection applicants and people fleeing the war in Ukraine. These regulations extend this exemption period from 31 December 2024 to 31 December 2028.

Column 1 – Class 20 (F)

In order to avail of this exemption, the use must be by or on behalf of the Minister for Children, Equality, Disability, Integration and Youth, as required by Column 1

Description of Development, and the premises subject to the proposed change of use under Class 20F must currently be in use as a

“school, college, university, training centre, social centre, community centre, non-residential club, art gallery, museum, library, reading room, sports club or stadium, gymnasium, hotel, convention centre, conference centre, shop, office, Defence Forces barracks, light industrial building, airport operational building, wholesale warehouse or repository, local authority administrative office, play centre, medical and other health and social care accommodation, event and exhibition space or any structure or part of structure normally used for public worship or religious instruction.”

Column 2 – Conditions and Limitations of Class 20F

1. The temporary use shall only be for the purposes of accommodating displaced persons or for the purposes of accommodating persons seeking international protection.
2. Subject to paragraph 4 of this class, the use for the purposes of accommodating displaced persons shall be discontinued when the temporary protection introduced by the Council Implementing Decision (EU) 2022/382 of 4 March 2022¹ comes to an end in accordance with Article 6 of the Council Directive 2001/55/EC of 20 July 2001.
3. The use for the purposes of accommodating persons seeking international protection shall be discontinued not later than 31 December 2028.
4. Where the obligation to provide temporary protection is discontinued in accordance with paragraph 2 of this class, on a date that is earlier than 31 December 2028, the temporary use of any structure which has been used for the accommodation of displaced persons shall continue for the purposes of accommodating persons seeking international protection in accordance with paragraph 3 of this class.
5. The relevant local authority must be notified of locations where change of use is taking place prior the commencement of development.
6. ‘displaced persons’, for the purpose of this class, means persons to whom temporary protection applies in accordance with Article 2 of Council Implementing Decision (EU) 2022/382 of 4 March 2022.
7. ‘international protection’, for the purpose of this class, has the meaning given to it in section 2(1) of the International Protection Act 2015 (No. 66 of 2015).

8. 'temporary protection', for the purpose of this class, has the meaning given to it in Article 2 of Council Directive 2001/55/EC of 20 July 2001.

Planning and Development (Exempted Development) (No. 4) Regulations 2023 (S.I. No. 376 of 2023)

Following engagement with the Department of Children, Equality, Disability, Integration and Youth (DCEDDIY) and as a response to the ongoing unprecedented demand for the accommodation of those seeking international protection, regulations were introduced on the 29 November 2022 (S.I. 605 of 2022) to assist the Minister for Children, Equality, Disability, Integration and Youth (MCEDIY) in meeting Ireland's legal obligation to provide accommodation to international protection applicants.

Those Regulations amended Part 1 of Schedule 2, entitled 'Exempted Development - General', to the Planning and Development Regulations 2001, as amended, to insert a new Class 20F exemption.

This new Class permitted the change of use of certain specified structures for the purpose of providing the necessary facilities and accommodation for international protection applicants.

Those provisions were a temporary time-limited measure and were due to expire on 31 December 2024, with the use of the specified structures ceasing to apply on that date.

The new Planning and Development (Exempted Development) (No. 4) Regulations 2023 (S.I. 376/2023) which are the subject of this Circular extend the exemption provided by S.I. 605 of 2022, from 31 December 2024 to 31 December 2028.

This is to allow DCEDIY greater flexibility in agreeing leases with potential accommodation providers for international protection applicants. In addition, in order to provide greater flexibility to DECDIY in how they use the accommodation they source, the new regulations extend the scope of the exemption provided by S.I. 605 of 2022 to now also include the provision of accommodation in the listed structures below to persons displaced by the Russian invasion of Ukraine, in addition to the structures which are already exempted for this purpose under S.I. 306 of 2022 – the European Union (Planning and Development)(Displaced Persons from Ukraine Temporary Protection) Regulations 2022.

There is no change to the structures listed from that which was provided by SI 605 of 2022.

Under the regulations, the use for the purposes of accommodating displaced Ukrainian

persons shall be discontinued when the temporary protection introduced by the Council Implementing Decision (EU) 2022/382 of 4 March 2022 comes to an end, while the use for the purposes of accommodating persons seeking international protection shall be discontinued not later than 31 December 2028. The temporary protection for Ukrainians will remain in place until such time as the EU decides otherwise.

7. Assessment

Does the proposal constitute development?

In having regard to the definition of development in The Planning and Development Act 2024 i.e. “(a) the carrying out of works—(i) on, in, over or under land, or (ii) on, in, over or under the maritime area, or (b) the making of a material change in the use of— (i) land or any structure on land, or (ii) the sea, seabed or any structure, in the maritime area, and includes the reclamation of land in the nearshore area,” the question being posed seeks confirmation as to whether the change of use from office use to temporary residential accommodation for international protection applicants under section 20(f) of the Planning & Development (Exempt Development) (no.4) 2022 is development and is it or is it not exempted development.

The change of use from an office to temporary residential accommodation is likely to result in significant changes to, inter alia, the nature of the occupancy of the building, the number of persons living there, traffic volumes, usage of services, waste/ refuse disposal, etc and as such, it is considered that the change is material and therefore **constitutes ‘development.’**

Does the proposal constitute exempt development?

The supporting information provided with this section 5 application includes:

- Detailed Cover letter (received 23/02/2026)
- Completed Section 5 application form
- Detailed Drawings (drawing number SR2026/001 and Site location map))

On the basis of available details, including planning history, the last known use of the subject building was as an estate agent office (Use Class 3).

The relevant legislative context for this assessment includes the Planning and Development (Amendment) (No. 4) Regulations 2022 (S.I. No. 605 of 2022) and the Planning and Development (Exempted Development) (No. 4) Regulations 2023 (S.I. No. 376 of 2023.)

Column 1 – Class 20 (F) – Requires that in order to avail of this exemption, the temporary use by or on behalf of the Minister for Children, Equality, Disability, Integration and Youth that the structure subject to the proposed change of use must currently be in use as a “school, college, university, training centre, social centre, community centre, non-residential club, art gallery, museum, library, reading room, sports club or stadium, gymnasium, hotel, convention centre, conference centre, shop, office, Defence Forces barracks, light industrial building, airport operational building, wholesale warehouse or repository, local authority administrative office, play centre, medical and other health and social care accommodation, event and exhibition space or any structure or part of structure normally used for public worship or religious instruction.”

The cover letter notes that the applicant holds a formal contract with the Department for Justice for the provision of IPAS accommodation services in this building for the past 3 years. Based on planning history and the building’s last known use, it is accepted that the subject building previously used as an office qualifies it for the above exemption (20F).

Relevant restrictions on exemptions in Article 9 of the Regulations

In having regard to the restrictions on exemptions under Article 9 of the Planning and Development Regulations, 2001 (as amended) it is considered that Articles 9(1)(a) (iii) traffic hazard and (xii) materially affect the character of architectural conservation areas would be applicable to this section 5 application.

Whilst the proposed change of use will result in an increase of occupants in the building, given the town centre location and the fact that future occupants are likely to utilise active travel or public transport as the primary mode of transport it is considered that the change of use will not endanger public safety by way of a traffic hazard.

The change of use of the building from an office to accommodation for persons seeking international protection has not resulted in works to the exterior of the structure onto Saint Laurence Street and therefore has not materially affect the character of the area. The shop front and ground floor brick section which was formally painted red has now been painted white.

8. Conclusion

On the basis of the submitted details, I consider that the requirements of Class 20 (F) Column 1 are satisfied. As the development satisfies the requirements of the Planning and Development (Amendment) (No. 4) Regulations 2022 (S.I. No. 605 of 2022) and the Planning and Development (Exempted Development) (No. 4) Regulations 2023 (S.I. No. 376 of 2023) and specifically Class 20 (F) Column 1, the subject development **constitutes exempted development.**

Compliance with Building Regulations

This determination does not remove the requirement to comply with any other code, particularly in relation to the Building Regulations, including fire safety. Under the Building Control Acts 1990 to 2020, primary responsibility for compliance with the requirements of the Building Regulations rests with the owners, designers and builders of buildings. In particular, the Building Control (Amendment) Regulations 2014 (where they apply) require greater accountability in relation to compliance with Building Regulations in the form of statutory certification of design and construction *by registered construction professionals and builders, lodgement of compliance.*

9. Recommendation

In having regard to the foregoing, it is considered that the “*change of use from office use to temporary residential accommodation for international protection applicants under section 20(f) of the Planning & Development (Exempt Development) (no.4) 2022*” at 41 Saint Laurence Street, Drogheda, County Louth **constitutes development** within the meaning of section 3 of the Planning & Development Act 2000 (as amended).

In having regard to **Class 20F** of Part 1, Schedule 2 of the Planning and Development Regulations, 2001 (as amended,) it is considered that the said development **is exempted development.**

Accordingly, I would recommend an order along the following lines: -

WHEREAS a question has arisen pursuant to Section 5 of the Planning and Development Act 2000 (as amended) whether the “*change of use from office use to temporary residential accommodation for international protection applicants under section 20(f) of the Planning & Development (Exempt Development) (no.4) 2022*” at 41 Saint Laurence Street, Drogheda, County Louth, is or is not development and is or is not exempt development.

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

- (a) The definition of “*development*” in **Section 2** of the Planning & Development Act 2024;
- (b) Specifically, the provisions under **Class 20F of Part 1, Schedule 2** of the Planning and Development Regulations, 2001 (as amended);
- (c) Articles 6, 9 and 10 of the Planning & Development Regulations 2001 (as amended);
- (d) Planning history and architectural records including last use of the subject property.

AND WHEREAS *Louth County Council has concluded: -*

- (a) The proposed “*change of use from office use to temporary residential accommodation for international protection applicants under section 20(f) of the Planning & Development (Exempt Development) (no.4) 2022*” constitutes development under Section 2 of the Planning & Development Act, 2024 and;
- (b) The previous use of the premises located at 41 Saint Laurence Street, Drogheda, Co. Louth is included in the **Description of Development (Column 1)** (office) as set out in **Class 20F** of Part 1, Schedule 2 of the Planning and Development Regulations, 2001 (as amended) and so can be considered **exempted development** and;

NOW THEREFORE Louth County Council in exercise of the powers conferred on it by Section 5(2)(a) of the Planning and Development Act 2000 (as amended), hereby decides that the proposed “*change of use from office use to temporary residential accommodation for international protection applicants under section 20(f) of the Planning & Development (Exempt Development) (no.4) 2022*” at 41 Saint Laurence Street, Drogheda, County Louth **is development** and **is exempted development**.

Advice Note: The applicant is advised that this Section 5 declaration relates exclusively to the change of use. Any internal/external alterations to this protected structure can be assessed through a Section 57 Declaration.



Lisa Grant
Assistant Planner
Date: 6th March 2026



Turlough King
A/Senior Planner
Date: 8th March 2026



Thomas McEvoy
Director of Services
Date: 09/03/2026

LOUTH COUNTY COUNCIL

CHIEF EXECUTIVE'S ORDER

PLANNING & DEVELOPMENT ACT 2000 (as amended)

Section 5 Exempted Development

Chief Executive's Order No:	186/2026
Reference No:	S5 2026/09
Date Application Received:	20/02/2026
Description of Development:	Is the change of use from office use to temporary residential accommodation for international protection applicants under section 20(f) of the Planning & Development (Exempt Development) (no. 4) 2022 development and is it or is it not exempted development.
Name of Applicant:	Peter Begley
Location of Development	41 Laurence Street, Drogheda, Co. Louth

WHEREAS a question has arisen pursuant to Section 5 of the Planning and Development Act 2000 (as amended) whether the *"change of use from office use to temporary residential accommodation for international protection applicants under section 20(f) of the Planning & Development (Exempt Development) (no.4) 2022"* at 41 Saint Laurence Street, Drogheda, County Louth, is or is not development and is or is not exempt development.

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

- (a) The definition of *"development"* in **Section 2** of the Planning & Development Act 2024;
- (b) Specifically, the provisions under **Class 20F of Part 1, Schedule 2** of the Planning and Development Regulations, 2001 (as amended);
- (c) Articles 6, 9 and 10 of the Planning & Development Regulations 2001 (as amended);
- (d) Planning history and architectural records including last use of the subject property.

AND WHEREAS *Louth County Council has concluded: -*

- (a) The proposed “*change of use from office use to temporary residential accommodation for international protection applicants under section 20(f) of the Planning & Development (Exempt Development) (no.4) 2022*” constitutes development under Section 2 of the Planning & Development Act, 2024 and;
- (b) The previous use of the premises located at 41 Saint Laurence Street, Drogheda, Co. Louth is included in the **Description of Development (Column 1)** (office) as set out in **Class 20F** of Part 1, Schedule 2 of the Planning and Development Regulations, 2001 (as amended) and so can be considered **exempted development** and;


NOW THEREFORE Louth County Council in exercise of the powers conferred on it by Section 5(2)(a) of the Planning and Development Act 2000 (as amended), hereby decides that the proposed “*change of use from office use to temporary residential accommodation for international protection applicants under section 20(f) of the Planning & Development (Exempt Development) (no.4) 2022*” at 41 Saint Laurence Street, Drogheda, County Louth **is development and is exempted development.**

Advice Note: The applicant is advised that this Section 5 declaration relates exclusively to the change of use. Any internal/external alterations to this protected structure can be assessed through a Section 57 Declaration.

SIGNED: 
Lisa Grant
Assistant Planner

Date: 09/03/2026

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 a **Declaration of Exemption be GRANTED** for the development as described above.

Signed: 
Thomas McEvoy
Director of Service

Date: 09/03/2026

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

Mr Peter Begley
c/o John O'Reilly
O'Reilly Chartered Surveyors
Unit 15, East Coast Business Park
Mathews Lane
Drogheda
Co. Louth

By email only to: [REDACTED]

09th March 2026

Re: Ref. S5 2026/09

Application for Declaration of "Exempted Development" Part 1, Section 5 Planning & Development Act, 2000 (as amended) as to whether the "change of use from office use to temporary residential accommodation for international protection applicants under Section 20(f) of the Planning & Development (Exempt Development) (no. 4) 2022" at 41 St. Laurence Street, Drogheda, Co. Louth, is or is not development and is or is not exempt development.

Dear Sir/Madam,

I wish to acknowledge receipt of your application received on 20th 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) whether the "*change of use from office use to temporary residential accommodation for international protection applicants under section 20(f) of the Planning & Development (Exempt Development) (no.4) 2022*" at 41 Saint Laurence Street, Drogheda, County Louth, is or is not development and is or is not exempt development.

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

- (a) The definition of "*development*" in **Section 2** of the Planning & Development Act 2024;
- (b) Specifically, the provisions under **Class 20F of Part 1, Schedule 2** of the Planning and Development Regulations, 2001 (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
A91 W20C

T + 353 42 9335457
E info@louthcoco.ie
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

- (c) Articles 6, 9 and 10 of the Planning & Development Regulations 2001 (as amended);
- (d) Planning history and architectural records including last use of the subject property.

AND WHEREAS *Louth County Council has concluded: -*

- (a) The proposed "*change of use from office use to temporary residential accommodation for international protection applicants under section 20(f) of the Planning & Development (Exempt Development) (no.4) 2022*" constitutes development under Section 2 of the Planning & Development Act, 2024 and;
- (b) The previous use of the premises located at 41 Saint Laurence Street, Drogheda, Co. Louth is included in the **Description of Development (Column 1)** (office) as set out in **Class 20F** of Part 1, Schedule 2 of the Planning and Development Regulations, 2001 (as amended) and so can be considered **exempted development** and;

NOW THEREFORE Louth County Council in exercise of the powers conferred on it by Section 5(2)(a) of the Planning and Development Act 2000 (as amended), hereby decides that the proposed "*change of use from office use to temporary residential accommodation for international protection applicants under section 20(f) of the Planning & Development (Exempt Development) (no.4) 2022*" at 41 Saint Laurence Street, Drogheda, County Louth **is development** and **is exempted development**.

Advice Note: The applicant is advised that this Section 5 declaration relates exclusively to the change of use. Any internal/external alterations to this protected structure can be assessed through a Section 57 Declaration.

In Summary

A Declaration of Exemption is hereby GRANTED for the development as detailed on the plans and particulars submitted on 20th 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