



## 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:

Patrick McQuade  
[Redacted]  
Phone Number: [Redacted] E-Mail: [Redacted]

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

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

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

Sarah McQuillan  
[Redacted]  
\_\_\_\_\_

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

Woodstone Carlis Road, Co Louth  
A92 TK63  
\_\_\_\_\_

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

\_\_\_\_\_

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:

Would the change of use of an existing dwelling to use as a residence to care for persons with an intellectual or physical disability or mental illness (6 people max with max 2 care staff) be considered exempted development

8. Does the development consist of works to be carried out to an existing or proposed protected structure? Yes  No

If Yes, has a Declaration under Section 57 of the Planning and Development Act 2000 been requested or issued for the property by the Planning Authority?

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I certify that the aforementioned is correct.

Signature of Applicant: Sarah McQuinn Date 30/3/26

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

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

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

Planning Office, Louth County Council, Town Hall, Crowe Street,  
Dundalk, County Louth, A91W20C

OR

by email to [planninggroup@louthcoco.ie](mailto:planninggroup@louthcoco.ie) with contact details to arrange payment of fee.



PLANNING APPLICATION NOTES

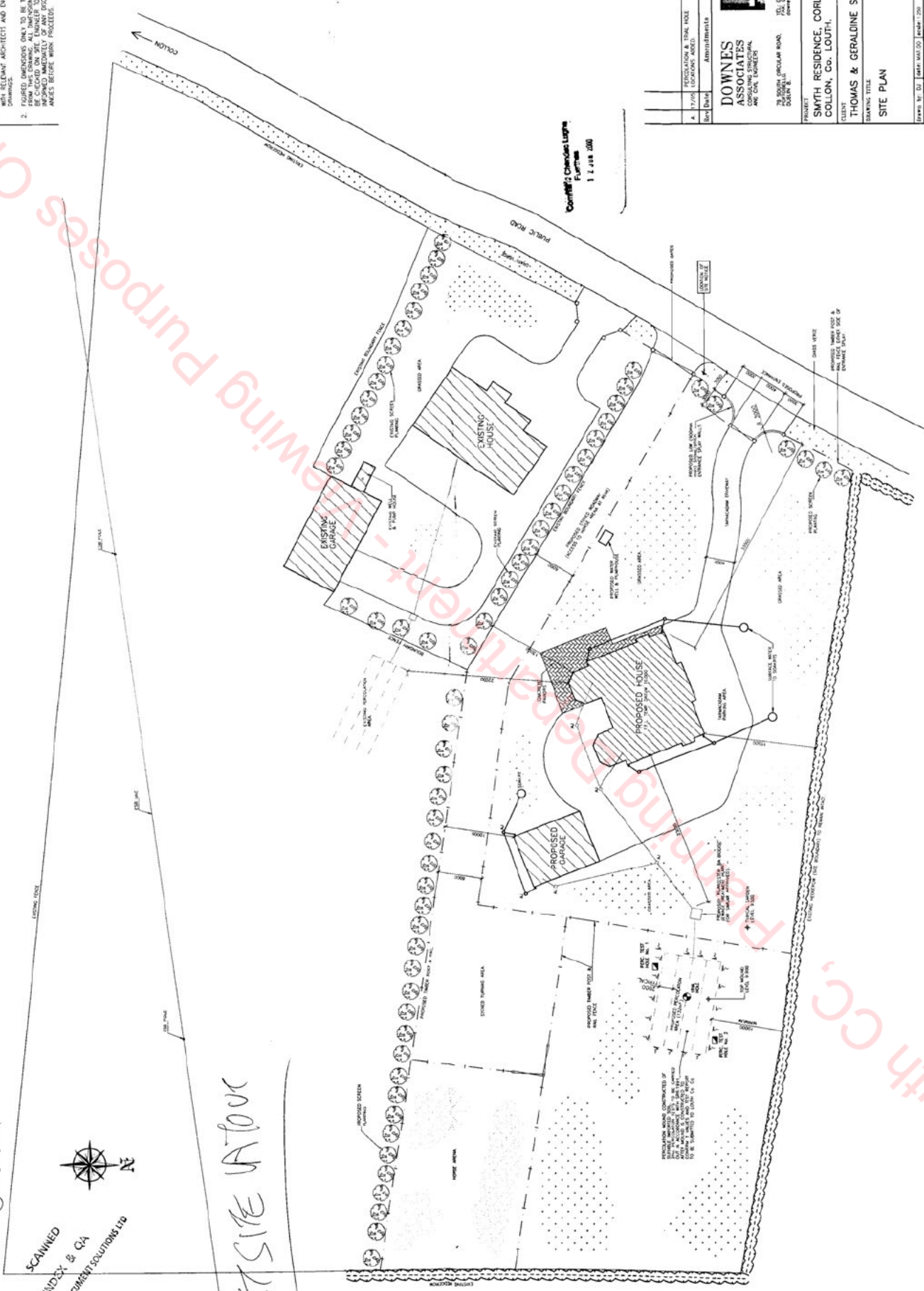
1. THIS DRAWING TO BE READ IN CONJUNCTION WITH RELEVANT ARCHITECTS AND ENGINEERS DRAWINGS.
2. FENCED ENCLOSURE ONLY TO BE TAKEN FROM THIS DRAWING. ALL DIMENSIONS TO BE CHECKED AGAINST LOCAL AUTHORITY DRAWINGS BEFORE WORK PROCEEDS.

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INDEX & QA  
MORRIS DOCUMENT SOLUTIONS LTD



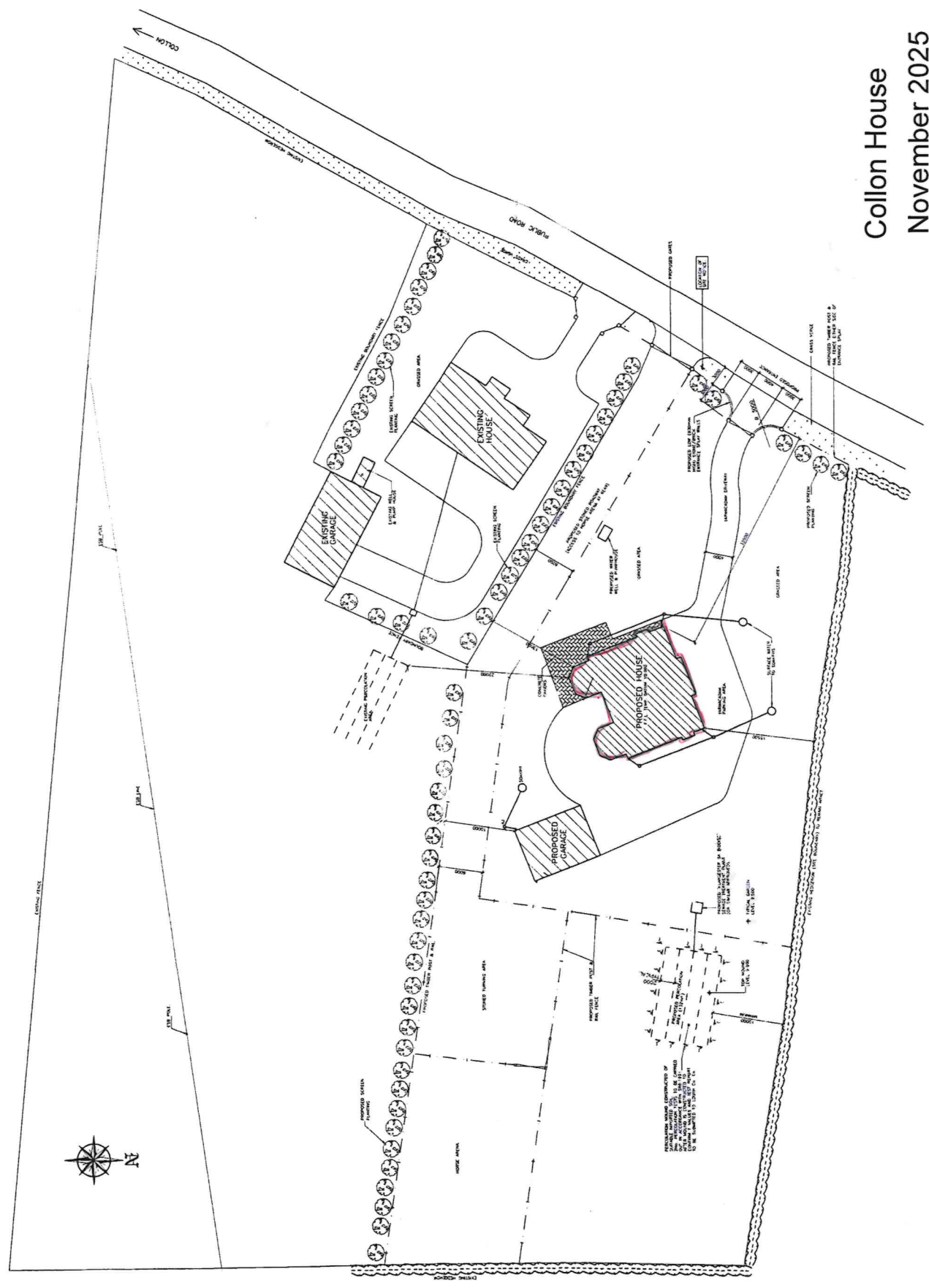
WATER SITE ABOVE



REGULATION & SEAL NO.	BY	DATE
17/06	CHAK	17/06
Amendments		
1	CHAK	17/06
<p><b>DOWNES ASSOCIATES</b> CONSULTING STRUCTURAL AND CIVIL ENGINEERS 25 SENECA AVE. SUITE 101 SCARBOROUGH, ONT. M1V 4S8 TEL: 416 291 8888 www.dnassoc.com</p>		
<p>PROJECT: SMYTH RESIDENCE, CORLISBANE, COLLON, Co. LOUTH.</p>		
<p>CLIENT: THOMAS &amp; GERALDINE SMYTH</p>		
<p>DRAWING TITLE: SITE PLAN</p>		
DRAWN BY	CHECKED BY	DATE
99061	02	A

Planning and Building Purposes Only - Not for Construction

# Collon House November 2025



## Louth County Council

### Section 5 Declaration

<b>Planning Ref:</b>	S5 2026/17
<b>Applicant's Name:</b>	Patrick McQuade
<b>Type of Application:</b>	Section 5 Declaration
<b>Development:</b>	Change of use of an existing dwelling for use as a residence to care for persons with an intellectual or physical disability or mental illness (6 people maximum with maximum 2 care staff.)
<b>Site Location:</b>	Woodstone, Corlis Road, Collon, Co. Louth, A92 TK63.
<b>Due Date:</b>	22 <sup>nd</sup> April 2026.

#### 1.0 SITE LOCATION & DESCRIPTION:

The subject dwelling is located in in the rural locality of Corlisbane, approximately 2.19km north-east of Collon. The established dwelling curtilage is positioned along the eastern side of the public road L-2295-0 ) with the site fronting onto the road and encompasses an existing two storey dwelling and detached garage, together with front and rear gardens, driveway and space for in curtilage parking.

This area falls within 'Rural Policy Zone 2' of the Louth County Development Plan 2021-2027, as varied. There are several other dwellings in the immediate locality of the site.



*Fig.1: Existing Dwelling (photo taken 08/04/2026.)*

## 2.0 PLANNING HISTORY

### a) Planning records

**File ref. 00327** (Thomas Smyth) – Dwellinghouse & Garage: Permission Granted 09/09/2000.

**File ref. 98457** (Tom Smyth) – 2 no. Dwellinghouses (1 Granted) – Permission Granted 10/12/1999.

### b) Enforcements

None.

### c) Other:

**S5 2025/81** (Patrick McQuade) – A previous Section 5 Declaration was sought in relation to “whether the change of use from a residential property to a centre providing care and accommodation to young people seeking international protection is exempted development.” It was determined that this would be development that was not exempted development.

## 3.0 QUESTION FOR DETERMINATION:

The applicant has confirmed within Question 7 of the application form (as updated at validation stage) that the question for determination is:

*“Would the change of use of an existing dwelling to use as a residence to care for persons with an intellectual or physical disability or mental illness (6 people maximum with maximum 2 care staff) be considered exempted development?”*

In addition to the application form, the following supporting details have been provided:

- Site Location Map (OS Folio LH22615F)
- Site Layout Plan (labelled Collon House, dated November 2025)

## 4.0 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 the information provided and having considered the minor nature, size and location of the development, there is no real likelihood of significant effects on the environment and as such, an EIAR is not required.

## **5.0 APPROPRIATE ASSESSMENT (AA)**

Article 6(3) of Council Directive 92/43/EEC (as amended) on the conservation of natural habitats and of wild fauna and flora ('the Habitats Directive') requires that any plan or project that is not directly connected with or necessary to the management of the Natura 2000 site concerned but is likely to have a significant effect on it, on its own or in combination with other plans and projects, is to be authorised only if it will not adversely affect the integrity of that site.

The applicant has not submitted an AA Screening Report in respect of the possible impacts ecological impacts of the proposal on the nearest Natura sites.

The Planning Authority's Screening for Appropriate Assessment has considered the potential effects including direct, indirect and in-combination effects of the proposed development, individually or in combination with the permitted developments and cumulatively with other plans or projects on European Sites using the source-pathway-receptor model.

On the basis of the nature of the application, the minor works proposed, and the significant distance to any European sites, it can reasonably be concluded that the proposal would not have a significant impact on any European site by reason of noise, emissions, lighting and human activity/disturbance.

Therefore, it is reasonable to conclude that on the basis of the information on the file, which I consider adequate, to issue a screening determination, that the proposed development, either individually or in combination with other plans or projects would not be likely to have a significant effect on any European Sites, in view of the site's conservation objectives and as such, a stage 2 AA is not required.

## **6.0 LEGISLATIVE CONTEXT:**

### **The Planning and Development Act 2000, as amended**

**Section 5 of the Planning and Development Act 2000, as amended, 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 of the Planning and Development Act 2000, as amended**

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.

### **The Planning and Development Act 2024**

#### **Section 2 of the Planning and Development Act 2024, states that:**

*“care” means personal care, including help with physical, intellectual or social needs;*

*“development” has the meaning assigned to it by Section 2, and “develop” shall be construed accordingly.*

*“exempted development” has the meaning specified in Section 2.*

*“habitable house” means a house which—*

- (a) is used as a dwelling,
- (b) is, or forms part of, a derelict site within the meaning of the [Derelict Sites Act 1990](#) that is not in use but was most recently used (disregarding any unauthorised use) as a dwelling, or
- (c) a house that was provided for use as a dwelling but has not been occupied as a dwelling.

*“house” means a building or part of a building that—*

- (a) is, or was most recently, occupied as a dwelling,
- (b) was most recently provided for use as a dwelling but has not been occupied as a dwelling, or
- (c) in the case of a building or part of a building containing more than one apartment, flat or other dwelling, each such apartment, flat or dwelling.

*“structure”* means

- (a) a building, edifice, construction, excavation, or other thing constructed or made on, in or under any land, or a maritime site, or any part thereof,
- (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.

*“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.

*“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,

**Section 2 of the Planning and Development Act 2024, states that:**

*“Development”* means –

- (a) the carrying out of works –
    - (i) on, in, over or under land, or
    - (ii) the sea, seabed or any structure, in 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 Planning and Development Regulations (PRD) 2001, as amended.**

**Class 14(f) of Part 1, Schedule 2 of the Planning & Development Regulations (PDR) 2001 (as amended) provides an exemption for:**

***Changes of Use***

*“From use as a house, to use as a residence for persons with an intellectual or physical disability or mental illness and persons providing care for such persons”.* This exemption is subject to certain conditions and limitations as outlined below:

**Conditions and Limitations:**

The number of persons with an intellectual or physical disability or a mental illness living in any such residence shall not exceed 6 and the number of resident carers shall not exceed 2.

**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.

**Article 9 of the Planning & Development Regulations (PDR) 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.*

## **7.0 ASSESSMENT**

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

It is considered that the proposed change of use of the existing dwelling for use as a residence to care for persons with an intellectual or physical disability or mental illness (6 people maximum with maximum 2 care staff) would constitute a ‘material change’ in the established use of the building and as such, would fall within the definition of ‘development’ as per Section 2 of the Planning and Development Act, 2024.

### **Do the works constitute exempted development?**

Having visited the site, it was apparent that the subject building falls within the definition of a ‘habitable house’ as defined within Section 2 of the Planning and Development Act, 2024.

Class 14(f) of Part 1 of Schedule 2 of the PDR 2001, as amended is relevant in the assessment of whether the proposed development is or is not exempted development.

The submitted documentation including application form specifically states that the maximum number of persons with an intellectual or physical disability or mental illness is 6 and the maximum number of care staff is 2. This would not contravene the conditions and limitations of Class 14(f) which permits up to 6 persons and 2 staff members maximum. As such, I am satisfied that the subject change of use falls within the provisions of Class 14 (f) of Part 1 of Schedule 2 of the PDR 2001, as amended.

As set out in Section 6.0 above, Article 9 (1)(a) of the PDR 2001, as amended sets out the general restrictions on exempted development. In having regard to the scale and nature of the proposed change of use, it would not result in the significant intensification of the existing access whereby the sight lines at the are adequate and as such, the development would not create a traffic hazard in this regard. In addition, there is sufficient space within the curtilage of the property to facilitate the associated parking for the development to prevent any cars parking or obstructing the public road.

In having regard to these restrictions and the nature of the proposed development, including details provided, which does not include any works being carried out, I am satisfied that the subject development does not contravene any of the restrictions within Article 9(1)(a.)

Accordingly, it is considered that the proposed change of use is **development and is exempted development.**

## **8.0 CONCLUSION:**

Having considered the established use of the building as a habitable dwelling and the proposed use of the building to provide a residence to care for persons with an intellectual or physical disability or mental illness (6 people maximum with maximum 2 care staff, having regard to the definition of “development” within Section 2 of the Planning and Development Act, 2024, it is considered that whilst a material change of use would occur, the proposed use falls within the definition of ‘exempted development’ in accordance with Class 14(f) of Part 1 of Schedule 2 of the Planning and Development Regulations 2001, as amended and the proposed use would not contravene any of the restrictions to exempted development, within Article 9(1)(a) of Part 2 of the Planning and Development Regulations, 2001, as amended.

## **9.0 RECOMMENDATION:**

Having regard to the foregoing, it is recommended that an Order is issued as follows:

**WHEREAS** a question has arisen pursuant to Section 5 of the Planning and Development Act (as amended) as to:

*“Whether the change of use of an existing dwelling for use as a residence to care for persons with an intellectual or physical disability or mental illness (6 people maximum with maximum 2 care staff) would be considered exempted development”* at Woodstone, Corlis Road, Collon, Co. Louth, A92 TK63

**AND WHEREAS** the said question was referred to Louth County Council by Patrick McQuade

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

- a) The definition of “*development*,” in Section 2 of the Planning and Development Act, 2024,
- b) The plans and particulars forwarded to the Planning Authority on 25<sup>th</sup> March 2026 and as updated on 30<sup>th</sup> March 2026,
- c) Class 14(f) of Part 1, Schedule 2 of the Planning and Development Regulations, 2001, as amended,
- d) Article 9 of Part 2 of the Planning and Development Regulations, 2001 as amended,
- e) The planning history of the site and,
- f) The current condition of the subject building as a habitable house,

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

- (i) The existing building has an established use as a habitable house.
- (ii) This Section 5 relates to the intended use of the subject property and there are no physical works proposed.
- (iii) The proposed use of the building as *“a residence to care for persons with an intellectual or physical disability or mental illness (6 people maximum with maximum 2 care staff)”* would constitute a material change in the use of the building and would therefore, **constitute ‘development’** as defined by Section 2 of the Planning and Development Act, 2004 and;
- (iv) The proposed use would fall within the definition of **‘exempted development’** as per Class 14(f) of Part 1, Schedule 2 of the Planning and Development Regulations, 2001, as amended and;
- (v) The proposed use would not contravene any of the restrictions on exemptions, as outlined within Article 9(1) of Part 2 of the Planning and Development Regulations, 2001, as amended.

**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

*“change of use of an existing dwelling for use as a residence to care for persons with an intellectual or physical disability or mental illness (6 people maximum with maximum 2 care staff)”* at Woodstone, Corlis Road, Collon, Co. Louth, A92 TK63

is **development** and is **exempted development**.



**Orla Rooney**  
**Assistant Planner**  
**Date: 09/04/2026**



**Turlough King**  
**A/Senior Planner**  
**Date: 10/04/2026**



**Thomas McEvoy**  
**Director of Services**  
**Date: 17/04/2026**

**LOUTH COUNTY COUNCIL**

**CHIEF EXECUTIVE'S ORDER**

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

**Section 5 Exempted Development**

<b>Chief Executive's Order No:</b>	258/2026
<b>Reference No:</b>	S5 2026/17
<b>Date Application Received:</b>	25/03/2026
<b>Description of Development:</b>	Whether the change of use of an existing dwelling for use as a residence to care for persons with an intellectual or physical disability or mental illness (6 people maximum with maximum 2 care staff) is or is not development and is or is not exempted development.
<b>Name of Applicant:</b>	Patrick McQuade
<b>Location of Development</b>	Woodstone, Corlis Road, Collon, Co. Louth, A92 TK63

**WHEREAS** a question has arisen pursuant to Section 5 of the Planning and Development Act (as amended) as to:

*"Whether the change of use of an existing dwelling for use as a residence to care for persons with an intellectual or physical disability or mental illness (6 people maximum with maximum 2 care staff) would be considered exempted development"* at Woodstone, Corlis Road, Collon, Co. Louth, A92 TK63

**AND WHEREAS** the said question was referred to Louth County Council by Patrick McQuade

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

- (a) The definition of "*development*," in Section 2 of the Planning and Development Act, 2024,
- (b) The plans and particulars forwarded to the Planning Authority on 25<sup>th</sup> March 2026 and as updated on 30<sup>th</sup> March 2026,
- (c) Class 14(f) of Part 1, Schedule 2 of the Planning and Development Regulations, 2001, as amended,
- (d) Article 9 of Part 2 of the Planning and Development Regulations, 2001 as amended,
- (e) The planning history of the site and,
- (f) The current condition of the subject building as a habitable house,

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

- (i) The existing building has an established use as a habitable house.
- (ii) This Section 5 relates to the intended use of the subject property and there are no physical works proposed.
- (iii) The proposed use of the building as *“a residence to care for persons with an intellectual or physical disability or mental illness (6 people maximum with maximum 2 care staff)”* would constitute a material change in the use of the building and would therefore, **constitute ‘development’** as defined by Section 2 of the Planning and Development Act, 2024 and;
- (iv) The proposed use would fall within the definition of **‘exempted development’** as per Class 14(f) of Part 1, Schedule 2 of the Planning and Development Regulations, 2001, as amended and;
- (v) The proposed use would not contravene any of the restrictions on exemptions, as outlined within Article 9(1) of Part 2 of the Planning and Development Regulations, 2001, as amended.

**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


*“change of use of an existing dwelling for use as a residence to care for persons with an intellectual or physical disability or mental illness (6 people maximum with maximum 2 care staff)”* at Woodstone, Corlis Road, Collon, Co. Louth, A92 TK63

is **development** and is **exempted development**.

**SIGNED:**   
Orla Rooney  
Assistant Planner

**Date:** 14/04/2026

**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 Services

**Date:** 17/04/2026

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

Mr Patrick McQuade



By email only to: [REDACTED]

17<sup>th</sup> April 2026

Re: Ref. S5 2026/17

Application for Declaration of “Exempted Development” Part 1, Section 5 Planning & Development Act, 2000 (as amended) as to ‘Whether the change of use of an existing dwelling for use as a residence to care for persons with an intellectual or physical disability or mental illness (6 people maximum with maximum 2 care staff)’ at Woodstone, Colis Road, Collon, Co. Louth, A92 TK63 is or is not development and is or is not exempted development.

Dear Sir/Madam,

I wish to acknowledge receipt of your application received on 25<sup>th</sup> March 2026 and as updated on 30<sup>th</sup> March 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 (as amended) as to:

*“Whether the change of use of an existing dwelling for use as a residence to care for persons with an intellectual or physical disability or mental illness (6 people maximum with maximum 2 care staff) would be considered exempted development”* at Woodstone, Corlis Road, Collon, Co. Louth, A92 TK63

**AND WHEREAS** the said question was referred to Louth County Council by Patrick McQuade

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

- (a) The definition of “*development*,” in Section 2 of the Planning and Development Act, 2024,
- (b) The plans and particulars forwarded to the Planning Authority on 25<sup>th</sup> March 2026 and as updated on 30<sup>th</sup> March 2026,
- (c) Class 14(f) of Part 1, Schedule 2 of the Planning and Development Regulations, 2001, as amended,

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- (d) Article 9 of Part 2 of the Planning and Development Regulations, 2001 as amended,
- (e) The planning history of the site and,
- (f) The current condition of the subject building as a habitable house,

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

- (i) The existing building has an established use as a habitable house.
- (ii) This Section 5 relates to the intended use of the subject property and there are no physical works proposed.
- (iii) The proposed use of the building as *“a residence to care for persons with an intellectual or physical disability or mental illness (6 people maximum with maximum 2 care staff)”* would constitute a material change in the use of the building and would therefore, **constitute ‘development’** as defined by Section 2 of the Planning and Development Act, 2004 and;
- (iv) The proposed use would fall within the definition of **‘exempted development’** as per Class 14(f) of Part 1, Schedule 2 of the Planning and Development Regulations, 2001, as amended and;
- (v) The proposed use would not contravene any of the restrictions on exemptions, as outlined within Article 9(1) of Part 2 of the Planning and Development Regulations, 2001, as amended.

**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

*“change of use of an existing dwelling for use as a residence to care for persons with an intellectual or physical disability or mental illness (6 people maximum with maximum 2 care staff)”* at Woodstone, Corlis Road, Collon, Co. Louth, A92 TK63

is **development** and is **exempted development**.

### **In Summary**

**A Declaration of Exemption is hereby GRANTED for the development as detailed on the plans and particulars submitted on 25<sup>th</sup> and 30<sup>th</sup> March 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