

An
Coimisiún
Pleanála

Direction
ACP-323794-25

The submissions on this file and the Inspector's report were considered at a meeting held on 14/07/2026.

The Commission decided, as set out in the following Order, that

Commission Order as follows:-

WHEREAS a question has arisen as to whether the reactivation and use of the existing sheds for housing pigs and associated works at Rathiddy Road, Knockbridge, County Louth is or is not development or is or is not exempted development,

AND WHEREAS Brendan Marry requested a declaration on this question from Louth County Council and the Council issued a declaration on the 12th day of September, 2025 stating that the matter is not development,

AND WHEREAS Brendan Marry referred this declaration for review to An Coimisiún Pleanála on the 7th day of October, 2025,

AND WHEREAS An Coimisiún Pleanála, in considering this referral, had regard particularly to:

- (a) the documentation on file, including the information provided by the referrer regarding an alleged case of abandonment of use,

- (b) Section 2(1) of the Planning and Development Act 2000, as amended,
- (c) Section 3(1) of the Planning and Development Act 2000, as amended,
- (d) Section 4(1)(h) of the Planning and Development Act 2000, as amended,
- (e) Section 4(4) of the Planning and Development Act 2000, as amended,
- (f) the planning history of the site,
- (g) the submissions on file from all parties,
- (h) relevant case law, and
- (i) the report and recommendation of the Inspector,

AND WHEREAS An Coimisiún Pleanála has concluded that:

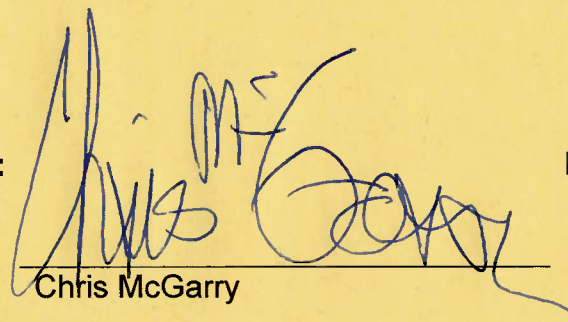
- (a) the buildings in question are existing agricultural piggery sheds within an established farmyard,
- (b) the onus of proof regarding an alleged case of abandonment is on the referrer in this case,
- (c) on the basis of the information submitted, the referrer has not demonstrated that the use of the piggery sheds was abandoned by the owner, nor has demonstrated an evinced intention on the part of the owner to abandon their use as a piggery,
- (d) the reactivation and use of the existing sheds for the housing of pigs would represent a continuation of use which is not a material change of use and, therefore, is not development,

- (e) the associated works comprising of the removal of ventilation chimneys on the roof and internal works to the structures constitutes development as they involved works in, on, over or under land, and
- (f) the associated works consisted of the maintenance, improvement or other alteration of the structures, being works which affected only the interior of the structures and which did not materially affect the external appearance of the structures so as to render the appearance inconsistent with the character of the structures or of neighbouring structures, and, therefore, are considered exempted development under Section 4(1)(h) of the Planning and Development Act 2000, as amended.

NOW THEREFORE An Coimisiún Pleanála, in exercise of the powers conferred on it by section 5(3)(a) of the Planning and Development Act 2000, as amended, hereby decides that the reactivation and use of the existing sheds for housing pigs at Rathiddy Road, Knockbridge, County Louth is not development, and the associated works constitute development and are exempted development.

**Planning
Commissioner:**

Date: 14/07/2026



Chris McGarry