



LOUTH COUNTY COUNCIL

Dillon Corcoran
Administrative Assistant
An Coimisiún Pleanála
64 Marlborough Street
Dublin 1
D01 V902

04th November 2025

Re: Whether the reinstatement of the use of an existing agricultural building for the housing of pigs is or is not development or is or is not exempted development at Rathiddy Road, Knockbridge, Co. Louth, A91 P8RC.

Planning Ref. No. S5 2025/64

An Coimisiún Pleanála Ref: ACP-323794-25

Dear Sir/Madam,

I refer to your letter of 10th October 2025 in relation to the above and enclose herewith planners' submission as requested.

Yours faithfully,

Niamh Lynch

Niamh Lynch
Planning Office

LOUTH COUNTY COUNCIL

APPEAL STATEMENT

ABP Reference: ACP-323794-25

PA Reference: S5 2025/64

Applicant Name: Brendan Marry

Location Address: Rathiddy Road, Knockbridge, Co. Louth A91 P8RC

Description of Development: Is the reactivation and use of a building:
a) treated in 1995 planning files (95271) as not housing livestock for planning exemptions
b) submitted in 2010 (10146) and 2017 (17548) planning files as an 'Old Piggery (Disused)'
c) not considered as an active piggery for granting my planning permission in 2019 for the housing of pigs and associated works, development and is it or is it not exempted development?

Dear Inspector,

This report is in response to the 1st party appeal received on 13th October 2025 from Brendan Marry of Rathiddy Road, Knockbridge, Dundalk, Co. Louth A91 H57K.

The Council's Declaration of Exemption was refused as follows:

***"WHEREAS** a question as to whether the reinstatement of the use of an existing agricultural building for the housing of pigs is development and is or is not exempted development at Rathiddy Road, Knockbridge, Co Louth, A91 P8RC is exempted development.*

AND WHEREAS the said question was referred to Louth County Council by Brendan Marry of Rathiddy Road, Knockbridge. Co.Louth A91 H57K

AND WHEREAS Louth County Council in considering this application, had regard reference particularly to:

- (a) The definition of “development” in Section 2 of the Planning & Development Act 2024 (as amended);
- (b) Articles 6, 9 and 10 of the Planning & Development Regulations 2001, (as amended);
- (c) The plans and particulars submitted to the Planning Authority and;
- (d) The planning history pertaining to the site.

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

- (i) The use of the shed has not been abandoned.
- (ii) The use of the shed for the storage of pigs is not a material change of use and is not considered to constitute development under Section 2, Planning and Development Act 2024.

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 reinstatement of the use of an existing agricultural building for the housing of pigs is **not development.**”

The submitted appeal particulars includes a statement from Brendan Marry. The grounds of the appeal contained therein references the following headings:

- The planning history pertaining to the site.
- Relevant legal provisions and interpretations.
- Evidence of abandonment.
- Four pillars of abandonment.

- Structural alterations
- Louth County Council erred in their S.5 determination.
 - Ignoring the owner's own admissions.
 - Ignoring the applicant's own permission for a dwelling.
 - Ignoring the absence of a herd number.
 - Overreliance on aerial imagery.
 - Misinterpretation of precedents and case law.
- Evidence of reactivation.
- Absence of required herd number (corroborating abandonment).
- Environmental and amenity impacts of the reactivated piggery.
- Summary of legal precedents and an Coimisiún Pleanála Decisions.
- Conclusion and Order Sought.
- Plans and particulars associated with the sites planning history.
- Emails from Louth County Council Environmental Officer
- Letter from Department of Agriculture, Food and the Marine.
- Chimney removal photographic evidence.

I have reviewed the submitted appeal statement which presents that the use of the building as a piggery is development and is not exempted development. The Planning Authority considers that the key and pertinent planning issues pertaining to this site and subject to this assessment have been fully considered and are set out in the planning report dated 9th September 2025. The assessment was carried out following a site inspection and a full assessment of the assertions of the applicant and the submitted plans and particulars, in light of the planning history and the relevant legislation, policy and case law.

In assessing the first-party appeal grounds, the Planning Authority's recommendation to refuse the Declaration of Exemption remains unchanged.

Conclusion

The Planning Authority respectfully requests the Coimisiún to take the assessment contained within the Planner's report dated 9th September 2025, which provides justification for the recommended refusal of the Declaration of Exemption and to subsequently uphold the decision of the Planning Authority.



Niamh Boyle

Assistant Planner

Date: 29/10/2025

