



TIPPERARY CO. COUNCIL
 RECEIVED
 1 - FEB 2024
 PLANNING SECTION
 FILE NO. SS/24/14

PLANNING & DEVELOPMENT ACT, 2000 (as amended)

Application for a Section 5 Declaration
Development / Exempted Development

1. Applicant's address/contact details:

<i>Applicant</i>	Orla and Gerard Ryan
<i>Address</i>	17 Hawthornes, Nenagh, Co. Tipperary
<i>Telephone No.</i>	[REDACTED]
<i>E-mail</i>	[REDACTED]

2. Agent's (if any) address:

<i>Agent</i>	
<i>Address</i>	
<i>Telephone No.</i>	
<i>E-mail</i>	
<i>Please advise where all correspondence in relation to this application is to be sent;</i>	
Applicant []	Agent []

3. Location of Proposed Development:

<i>Postal Address or Townland or Location (as may best identify the land or structure in question)</i>	17 Hawthornes, Nenagh E45 H924
--	-----------------------------------

4. Development Details:

Please provide details of the proposed development for which an exemption under Section 5 of the Planning and Development Act is applied for.

(Note: only works and uses listed and described under this section will be assessed under this Section 5 Application. Use additional sheets if required.)

Wheelchair accessible bedroom and bathroom
extension to the rear of the existing property
Proposed floor area of proposed works/uses: 40 sqm

5. Legal Interest of Applicant in the Land or Structure:

<i>Please tick appropriate box to show applicant's legal interest in the land or structure</i>	A. Owner <input checked="" type="checkbox"/>	B. Occupier <input type="checkbox"/>
	C. Other <input type="checkbox"/>	<input type="checkbox"/>
<i>Where legal interest is 'Other', please expand further on your interest in the land or structure</i>		
<i>If you are not the legal owner, please state the name and address of the owner</i>	Name: _____ Address: _____	

Signature of Applicant(s) Ode Ryan
 S Ryan

Date: 31/01/24

Note: If the proposed development consists of works to a (Proposed) Protected Structure and/or any structure within the curtilage of a (Proposed) Protected Structure, an application for a Section 57 Declaration may be more appropriate.

GUIDANCE NOTES

- (1) All queries on the form must be completed and the form must be accompanied by the relevant fee. The amount of the fee is currently **€80.00**.
- (2) This application should be accompanied by **TWO COPIES** of the following documentation
 - OSI Site Location Map with the site outlined clearly – 1:1000 in urban areas and 1:2500 in rural areas
 - Floor Plans & Elevations at a scale of not less than 1:200
 - Site layout plan indicating position of proposed development relative to premises and adjoining properties
 - Other details e.g. brochures, photographs if appropriate.

(All dimensions must be given in metric scale and drawings should be accompanied by a brief description outlining the use of the proposed development)

- (3) Where a proper and complete application is received, a decision must be conveyed to the applicant within four (4) weeks except where additional necessary information is required.

This application form and relevant fee should be submitted to:

Planning Section, Tipperary County Council, Civic Offices, Limerick Road, Nenagh, Co. Tipperary	<u>OR</u>	Planning Section, Tipperary County Council, Civic Offices, Emmet Street, Clonmel, Co. Tipperary
Enquires:		
Telephone 0818 06 5000		
E-Mail planning@tipperarycoco.ie		

FOR OFFICE USE ONLY

DATE STAMP

Fee Recd. € 80.00
Receipt No CLONMEL/0/177847
Date 31/01/24
Received by C.A



Tipperary County Council
Civic Offices
Clonmel
Co Tipperary

31/01/2024 12:08:03

Receipt No. : CLONMEL/0/177847

NIAMH JULIAN
KILBEG
CAPPAWHITE
CO TIPPERARY

SECTION5 EXEMPTION DECLARATION 80.00
GOODS 80.00
VAT Exempt/Non-vatable

Total : 80.00 EUR

Tendered :
Credit Card 80.00

Change : 0.00

Issued By : CATHERINE AHERN
From : CLONMEL TOWN RECEIPTS DESK
Vat reg No.3258712MH

TIPPERARY COUNTY COUN
Emmet Street
E91 N512

MERCHANT ID: *****3546
TERMINAL ID: *****4603
DATE: 31/01/2024 TIME: 12:07
BATCH: 000757-013 INVOICE: 000692
RRN: 110026423976 AUTH NO.: 015101
MasterCard SALE
*****8428 *

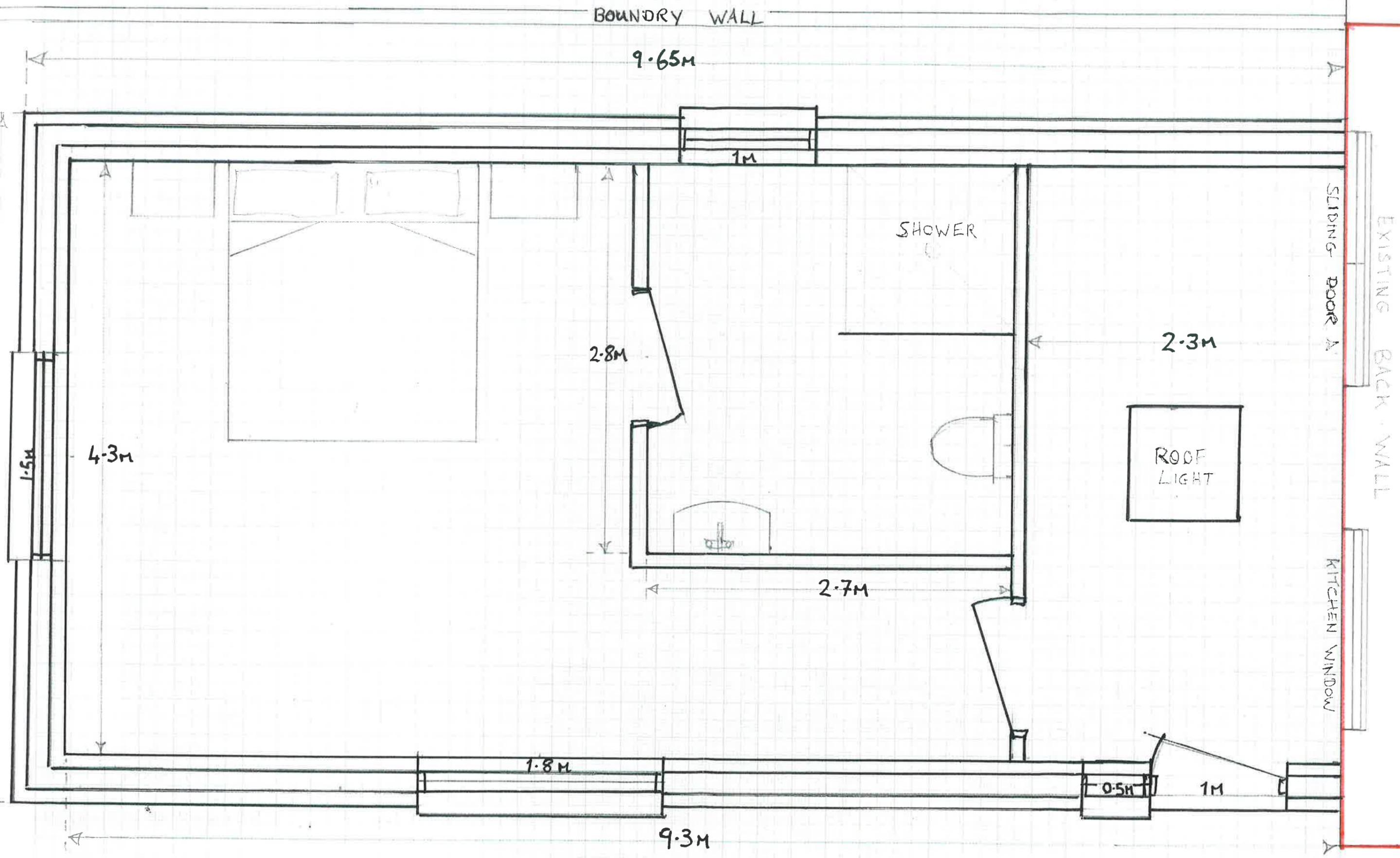
SALE AMOUNT €80.00

CUSTOMER NOT PRESENT

I agree to pay the final amount according
to the card/merchant issuer agreement

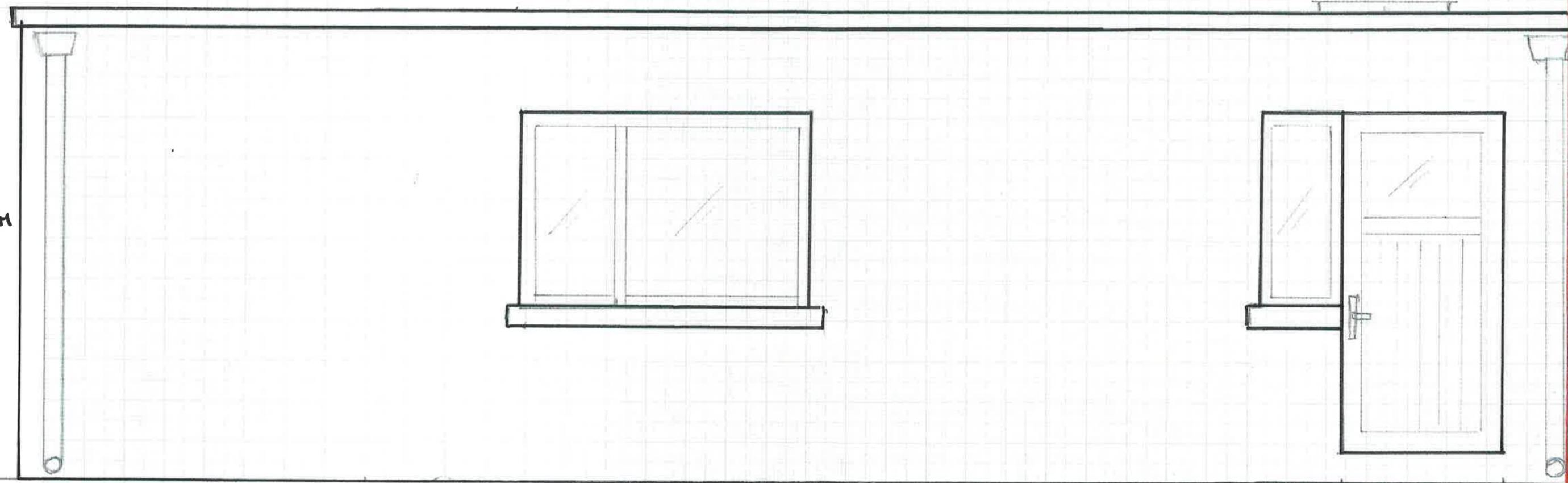
MERCHANT COPY

Scale 1:25



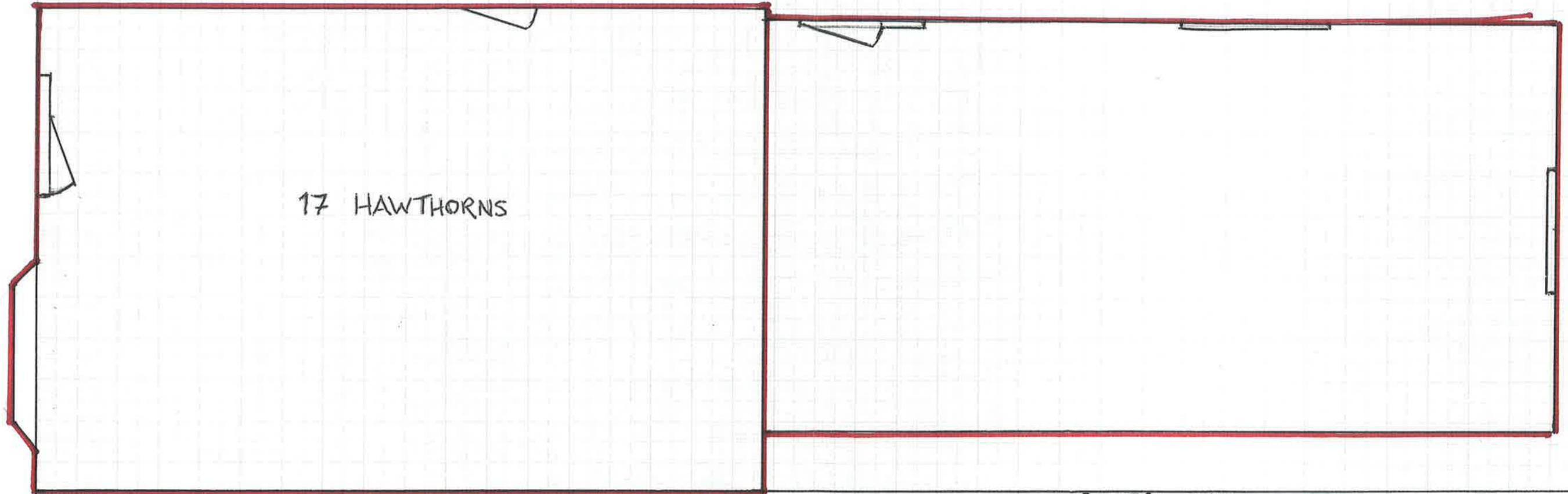
ELEVATION

Scale 1:25



9.65M

Scale 1:50



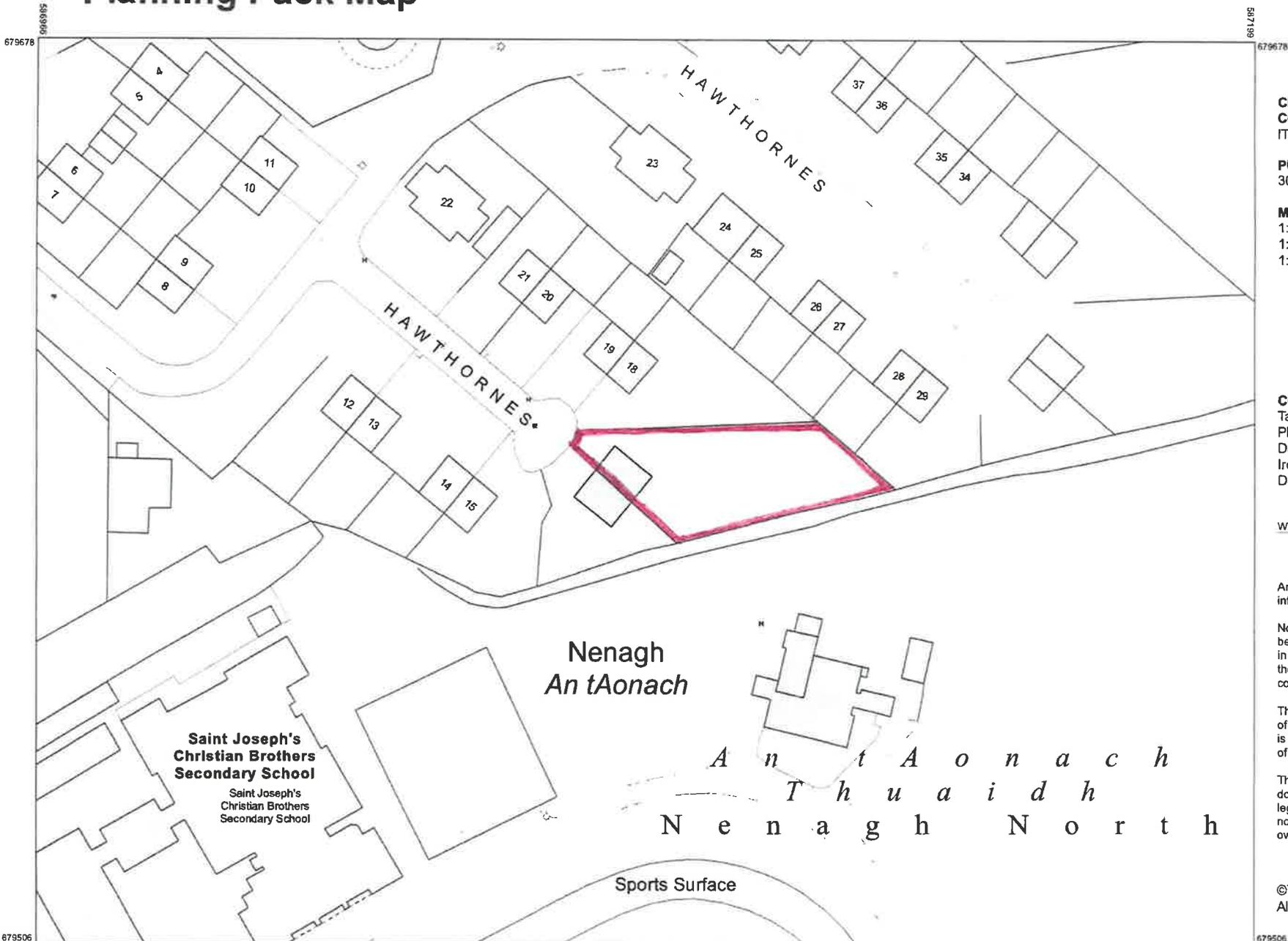
17 HAWTHORNS

BOUNDARY WALL

Planning Pack Map



Tailte Éireann



CENTRE COORDINATES:
ITM 587083,679592

PUBLISHED: 30/01/2024
ORDER NO.: 50380400_1

MAP SERIES: 1:1,000
1:2,500
1:2,500
MAP SHEETS: 4277-14
4277-B
4277-D

COMPILED AND PUBLISHED BY:
Tailte Éireann,
Phoenix Park,
Dublin 8,
Ireland,
D08F6E4

www.tailte.ie

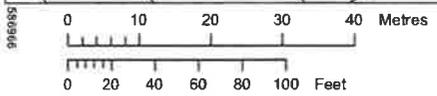
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OUTPUT SCALE: 1:1,000

CAPTURE RESOLUTION:
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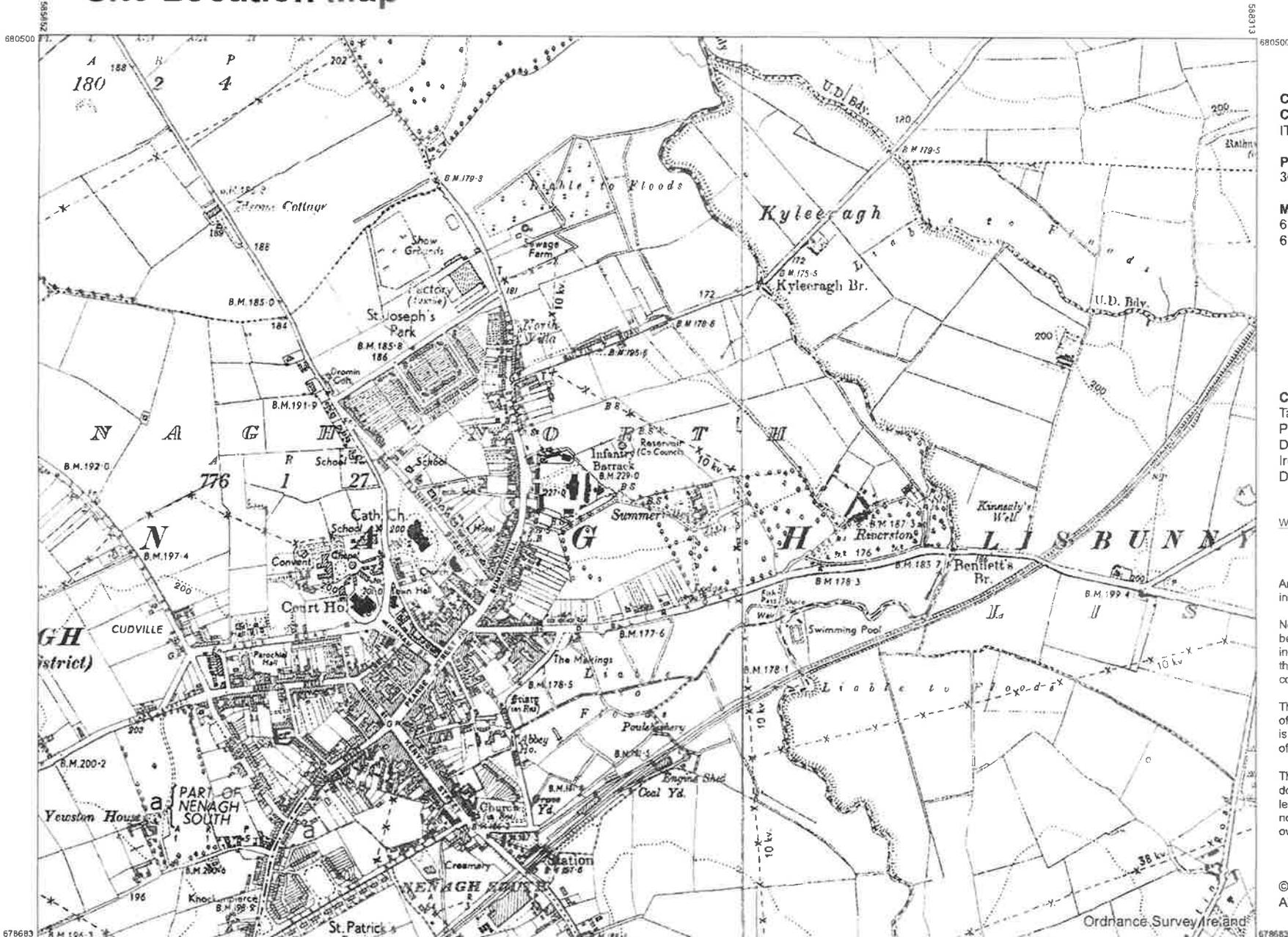
LEGEND:
To view the legend visit www.tailte.ie and search for 'Large Scale Legend'



Site Location Map



Tailte Éireann



CENTRE COORDINATES:
ITM 587083,679592

PUBLISHED: 30/01/2024
ORDER NO.: 50380400_1

MAP SERIES: 6 Inch Raster
MAP SHEETS: TY020
6 Inch Raster TY021

COMPILED AND PUBLISHED BY:
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0 110 220 330 440 Metres

0 200 400 600 800 1,000 Feet

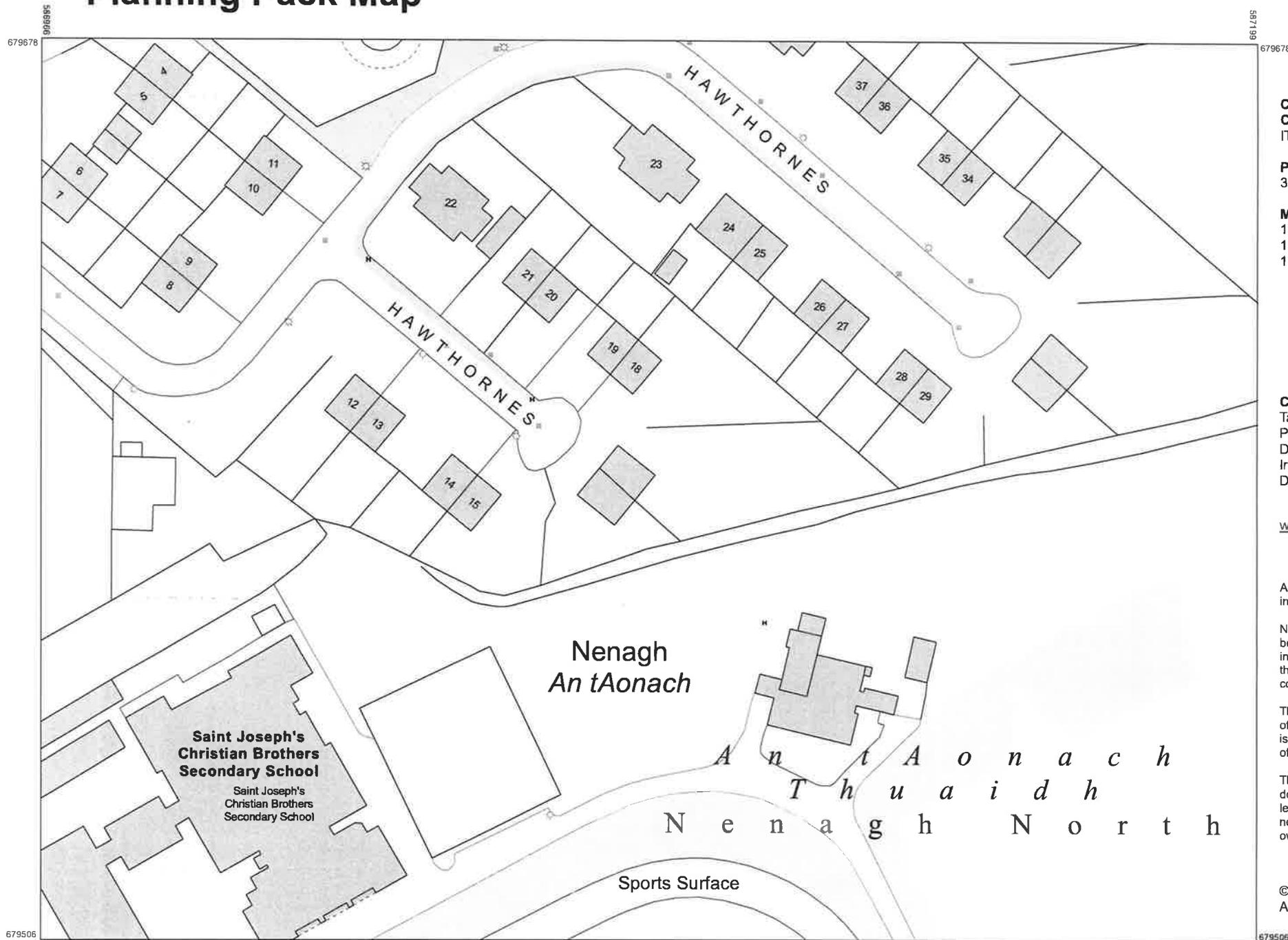
OUTPUT SCALE: 1:10,560

Ordnance Survey Ireland

Planning Pack Map



Tailte Éireann



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ITM 587083,679592

PUBLISHED: 30/01/2024
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MAP SERIES: 1:1,000
1:2,500
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4277-D

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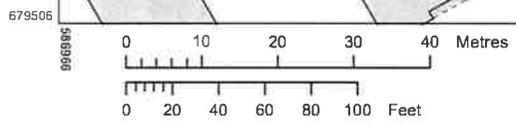
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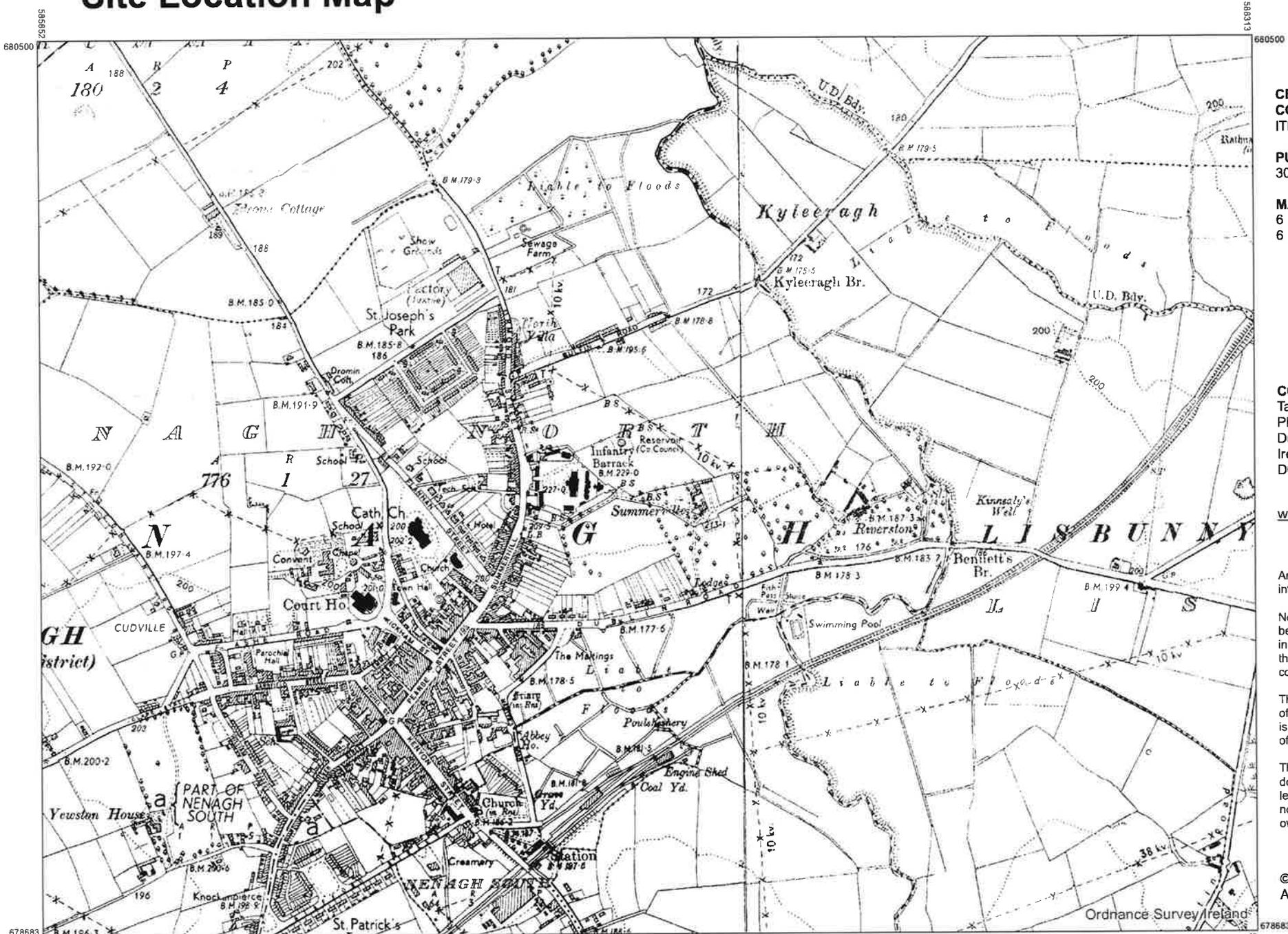
LEGEND:
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Site Location Map



Tailte
Éireann



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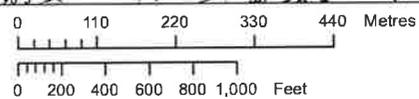
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Ordnance Survey (Ireland)



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Comhairle Contae Thiobraid Árann
Tipperary County Council

Comhairle Contae
Thiobraid Árann,
Oifigi Cathartha,
Cluain Meala,
Co. Thiobraid Árann
Tipperary County Council,
Civic Offices, Clonmel,
Co. Tipperary
E91 N512

Comhairle Contae
Thiobraid Árann,
Oifigi Cathartha,
An tAonach,
Co. Thiobraid Árann
Tipperary County Council,
Civic Offices, Nenagh,
Co. Tipperary
E45 A099

t 0818 06 5000
e customerservice
@tipperarycoco.ie
tipperarycoco.ie

Our Ref: S5/24/14

Date: 1 February 2024

Civic Offices, Nenagh

**Orla and Gerard Ryan,
17 Hawthorns,
Nenagh,
Co. Tipperary,
E45 H924.**

Re: Application for a Section 5 Declaration – Wheelchair accessible bedroom and bathroom extension to the rear of the existing property (40sqm) at 17 Hawthorns, Nenagh, Co Tipperary.

Dear Sir/Madam

I acknowledge receipt of your application for a Section 5 Declaration received on 1st February, 2024, in connection with the above.

I wish to advise that you will be notified of a decision on your application in due course.

Yours faithfully,



for **Director of Services**



Comhairle Contae Thiobraid Árann
Tipperary County Council

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Tipperary County Council,
Civic Offices, Nenagh,
Co. Tipperary
E45 A099

t 0818 06 5000
e customerservice
@tipperarycoco.ie
tipperarycoco.ie

SCANNED

Date: 27 February 2024

Our Ref: S5/24/14

Civic Offices, Nenagh

**Orla and Gerard Ryan,
17 Hawthorns,
Nenagh,
Co. Tipperary, E45 H924**

Re: Whether the construction of a wheelchair accessible bedroom and bathroom extension to the rear of the existing property is development and if so, does it constitute exempted development at 17 Hawthorns, Nenagh, Co. Tipperary, E45 H924.

Dear Sir/Madam,

I refer to an application received from you on 1st February, 2024 requesting a Declaration from this Planning Authority as to whether or not certain works constitute development within the meaning of the Planning and Development Act 2000, as amended.

Further information is required to determine this application as follows;

In order to determine this, the following further information under Section 5(2)(b) of the Planning and Development Act 2000, as amended is required.

1. The 1:25 scale plan submitted shows a window less than 1 metre from the boundary wall it faces. The 1:50 scale plan does not show this window. The applicant is requested to clarify if the extension is to include the bathroom window as indicated on the 1:25 drawing submitted,

The applicants are advised that under the Conditions and Limitations 6(a) of Class 1 Part 1 of Schedule 2 of the Planning and Development Regulations which states as follows:

6. (a) Any window proposed at ground level in any such extension shall not be less than 1 metre from the boundary it faces.

2. The applicant is also requested to submit revised plans indicating all proposed windows and site layout (1:500) demonstrating distance from proposed extension to site boundaries.

Further consideration of your request for a declaration cannot be considered until the above information is received.

Yours faithfully,



for **Director of Services**

SCANNED

TIPPERARY COUNTY COUNCIL

Application for Declaration under Section 5

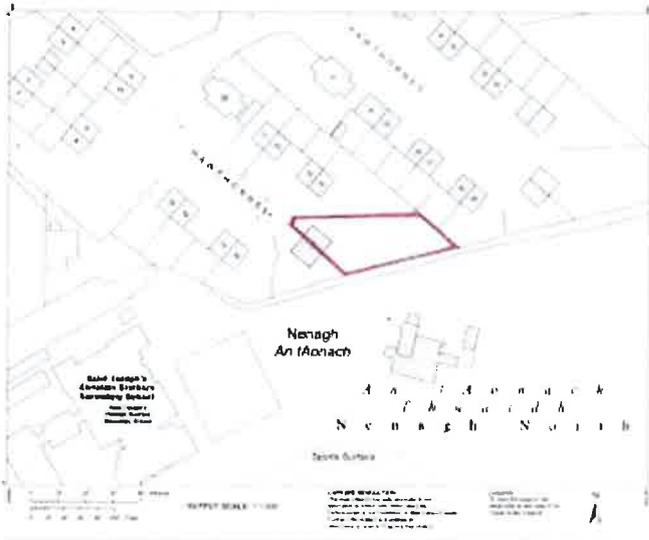
Planning & Development Act 2000, as amended
Planning & Development Regulations 2001, as amended

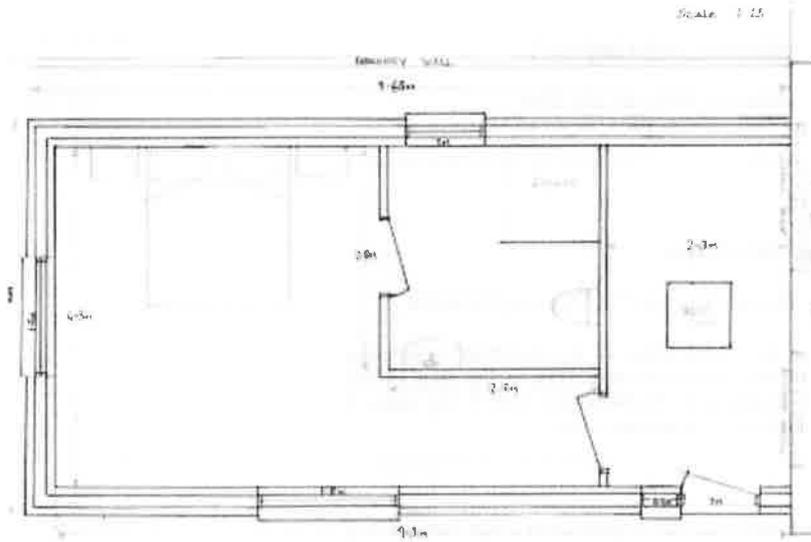
Planning Ref.: S5/24/14
Applicant: Orla and Gerard Ryan
Development Address: 17 Hawthornes, Nenagh, Co. Tipperary E45H924
Proposed Development: Whether the construction of a wheelchair accessible bedroom and bathroom extension to the rear of the existing property is development and if so, does it constitute exempted development.

1. GENERAL

On the 1st of February 2024 a request was made for a declaration under Section 5 of the Planning and Development Act, 2000 as amended by Orla and Gerard Ryan in respect of the following development at 17 Hawthornes, Nenagh, Co. Tipperary E45 H924 that is accessed via the L – 1234 Local Road.

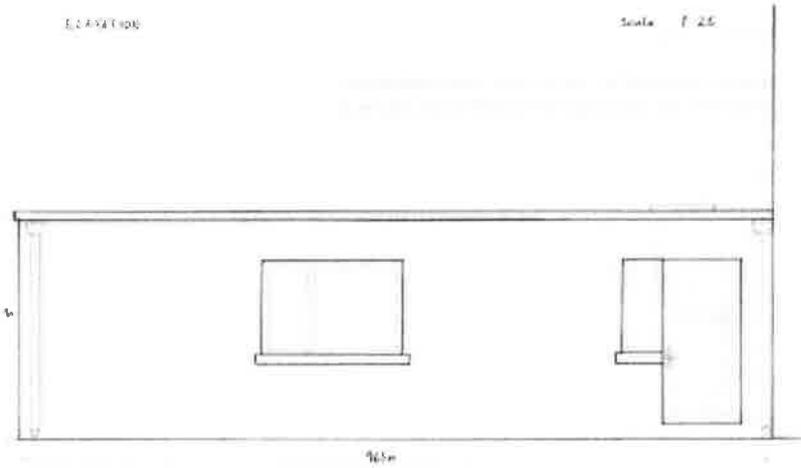
Whether the construction of a wheelchair accessible bedroom and bathroom extension to the rear of the existing property is development and if so, does it constitute exempted development

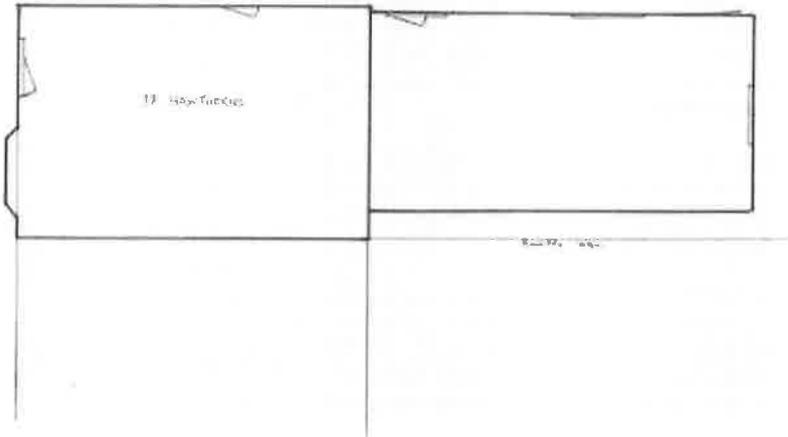




ELEVATION

Scale 1:25





2. PLANNING & DEVELOPMENT ACT 2000, as amended, / PLANNING & DEVELOPMENT REGULATIONS 2001, as amended, - STATUTORY PROVISIONS
Section 2 (1) of the Planning and Development Act 2000, as amended, states as follows:- "works" includes any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal...."

Section 3 (1) of the Planning and Development Act 2000, (as amended) states as follows:- "In this Act, 'development' means, except where the context otherwise requires, the carrying out of works on, in, over or under land or the making of any material change in the use of any structures or other land."

Section 4 (1)(h) of the Act states as follows:-

The following shall be exempted developments for the purposes of this Act

Development consisting of the carrying out of works for the maintenance, improvement or other alteration of any structure, being works which affect only the interior of the structure or which do not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure or of neighbouring structures;

Section 4(2)(a) of the Act states as follows: -

The Minister may by regulations provide for any class of development to be exempted development for the purposes of this Act where he or she is of the opinion that—

(i) by reason of the size, nature or limited effect on its surroundings, of development belonging to that class, the carrying out of such development

would not offend against principles of proper planning and sustainable development, or

(ii) the development is authorised, or is required to be authorised, by or under any enactment (whether the authorisation takes the form of the grant of a licence, consent, approval or any other type of authorisation) where the enactment concerned requires there to be consultation (howsoever described) with members of the public in relation to the proposed development prior to the granting of the authorisation (howsoever described).

Section 4(4) states that notwithstanding paragraphs (a), (i), (ia) and (l) of subsection (1) and any regulations under subsection (2), development shall not be exempted development if an environmental impact assessment or an appropriate assessment of the development is required.

Article 6(1) of the **Planning and Development Regulations** states that subject to Article 9, development of a class specified in Column 1 of Part 1 of Schedule 2 shall be exempted development for the purposes of the Act provided that such development complies with conditions and limitations specified in Column 2 of said Part 1 opposite the mention of that class in said Column 1.

In relation to this specific case, the following applies:

CLASS 1 of Part 1 of Schedule 2 of the Planning and Development Regulations reads as follows:

The extension of a house, by the construction or erection of an extension (including a conservatory) to the rear of the house or by the conversion for use as part of the house of any garage, store, shed or similar structure attached to the rear or to the side of the house.

Conditions and Limitations

1. (a) Where the house has not been extended previously, the floor area of any such extension shall not exceed 40 square metres.

(b) subject to paragraph (a), where the house is terraced or semi-detached, the floor area of any extension above ground level shall not exceed 12 square metres.

(c) subject to paragraph (a), where the house is detached, the floor area of any extension above ground shall not exceed 20 square metres.

The floor area of the extension does not exceed 40sqm and is single storey.

1.2. (a) Where the house has been extended previously, the floor area of any such extension, taken together with the floor area of any

previous extension or extensions constructed or erected after 1 October 1964, including those for which planning permission has been obtained, shall not exceed 40 square metres

(b) Subject to paragraph (a), where the house is terraced or semi detached and has been extended previously, the floor area of any extension above ground level taken together with the floor area of any previous extension or extensions above ground level constructed or erected after 1 October 1964, including those for which planning permission has been previously obtained, shall not exceed 12 square metres.

(c) Subject to paragraph (a), where the house is detached and has been extended previously, the floor area of any extension above ground level, taken together with the floor area of any previous extension or extensions above ground level constructed or erected after 1 October 1964, including those for which planning permission has been obtained, shall not exceed 20 square metres.

No previous extensions to existing dwelling

3. Any above ground extension shall be a distance of not less than 2 metres from any party boundary.

N/A - Single storey extension only

4. (a) Where the rear wall of the house does not include a gable, the height of the walls of any such extension shall not exceed the height of the rear wall of the house.

(b) Where the rear wall of the house includes a gable, the height of the walls of any such extension shall not exceed the height of the side walls of the house.

(c) The height of the highest part of the roof of any such extension shall not exceed, in the case of a flat roofed extension, the height of the eaves or parapet, as may be appropriate, or, in any other case, shall not exceed the height of the highest part of the roof of the dwelling.

N/A – flat roof extension proposed. The proposed extension does not exceed the height of the eaves.

2.5. The construction or erection of any such extension to the rear of the house shall not reduce the area of private open space, reserved exclusively for the use of the occupants of the house to less than 25 square metres.

The extension does not reduce the private open space to less than 25sqm.

3.6. (a) Any window proposed at ground level in any such extension shall not be less than 1 metre from the boundary it faces.

(b) Any window proposed above ground level in any such extension shall not be less than 11 metres from the boundary it faces.

(c) Where the house is detached and the floor area of the extension above ground levels exceeds 12 square metres, any window proposed at above ground level shall not be less than 4.1 metres from the boundary it faces.

A ground floor window may be less than 1 metre from the boundary it faces. Floor plans submitted with the application, marked 1:25 indicate a window facing on to the boundary wall. The distance between the window and the boundary wall is less than 1m. This window is not indicated on drawing marked 1:50. The proposed windows on other elevations are greater than 1m from the boundaries they face

4.7. The roof of any extension shall not be used as a balcony or roof garden.

The roof of the extension is not proposed to be used as a balcony or roof garden.

3. ASSESSMENT

a. **Site Location – The site comprises an existing semi-detached dwelling (116m²) at 17 Hawthornes, Nenagh, Co. Tipperary E45H924 that is accessed via the L -1234 Local Road.**

b. **Relevant Planning History - none**

c. **Assessment**

A) "Is or is not Development"

Having regard to Sections 2(1) and 3(1) of the Planning and Development Act 2000 (as amended), it is considered that the proposal as set out in section 3 (c) above, does constitute development as it does involve the carrying out of works on the subject land.

B) "Is or is not Exempted Development"

It is considered that the development of a wheelchair accessible domestic extension come under the planning exemption under Class 1 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001, as amended. In order to confirm the exemption, the presence of the bathroom window and its distance from the boundary wall it faces need to be confirmed.

C) "Restrictions to exemptions under the Planning and Development Act 2000, as amended or Planning and Development Regulations 2001, as amended"

i) *Requirement for Appropriate Assessment and Environmental Impact Assessment required*

Section 4 (4) of the Planning and Development Act 2000, as amended states:

Notwithstanding paragraphs (a), (i), (ia) and (l) of subsection (1) and any regulations under subsection (2), development shall not be exempted development if an environmental impact assessment or an appropriate assessment of the development is required.

Appropriate Assessment (AA):

The proposed development has been screened as to the requirement for AA and it has been determined that AA is not required. See Screening Report attached.

Environmental Impact Assessment (EIA):

—The proposed development is not a type of development included for under
—Schedule 5 of the Planning and Development Regulations 2001, as amended.
See screening report attached.đ

ii) *Restrictions under Article 9 of the Planning and Development Regulations 2001, as amended*

Under Article 9(a) development to which article 6 relates shall not be exempted development for the purposes of the Act if the carrying out of such development would include any of the following;

(i),(ii), (iii), (iia), (iv), (v), (vi), (vii),
(viiA), (viiB), (viiC), (viii), (ix), (x), (xi) and (xii).

N/A

4. RECOMMENDATION

Having regard to:

- Section 5 of the Planning and Development Act 2000 (as amended) which requires a Planning Authority to make a declaration on any question that arises as to what is or is not development and if development, is or is not exempted development.
- Sections 2, 3 and 4 of the Planning and Development Act 2000 (as amended).
- Articles 6 and 9 of the Planning and Development Regulations 2001 (as amended),
- Class 1 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001, as amended.
- **Details on file** the nature and scale of the proposed use, as outlined in submissions on file by the owner/occupier.
- ~~FI received~~—awaiting

Tipperary County Council has concluded that the proposal presented:

May constitute exempted development. Further information is required to determine the application.

In order to determine this, the following further information under Section 5(2)(b) of the Planning and Development Act 2000, as amended is required.

- The 1:25 scale plan submitted shows a window less than 1 metre from the boundary wall it faces. The 1:50 scale plan does not show this window. The applicant is requested to clarify if the extension is to include the bathroom window as indicated on the 1:25 drawing submitted, the presence or lack thereof of this window.
- The applicants are advised that under the Conditions and Limitations 6(a) of Class 1 Part 1 of Schedule 2 of the Planning and Development Regulations which states as follows:

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6. (a) *Any window proposed at ground level in any such extension shall not be less than 1 metre from the boundary it faces.*

that if the above noted criteria are met, the development cannot be considered exempted development. The applicant is also requested to submit revised plans indicating all proposed windows and site layout (1:500) demonstrating distance from proposed extension to site boundaries.

The development would not be likely to have significant effects on the environment and would not require an EIA.

Graduate Planner: Tara Gao Date: 21/02/2024

A/Senior Planner: Archie Dwyer Date: 26/02/2024



AA Screening Form

STEP 1. Description of the project/proposal and local site characteristics:

(a) File Reference No:	S5/24/14
(b) Brief description of the project or plan:	construction of a wheelchair accessible bedroom and bathroom extension to the rear of the existing property
(c) Brief description of site characteristics:	Existing dwelling
(d) Relevant prescribed bodies consulted: e.g. DHLGH (NPWS), EPA, OPW	n/a
(e) Response to consultation:	n/a

STEP 2. Identification of relevant Natura 2000 sites using Source-Pathway-Receptor model and compilation of information on Qualifying Interests and conservation objectives.

European Site (code)	List of Qualifying Interest/Special Conservation Interest ¹	Distance from proposed development ² (km)	Connections (Source-Pathway-Receptor)	Considered further in screening Y/N
Silvermine Mountains SAC 000939	Silvermine Mountains SAC National Parks & Wildlife Service (npws.ie)	Within 10km	No due to distance and the lack of any relevant ex-situ factors of significance to these species.	No
Lough Derg (Shannon) SPA 004058	Lough Derg (Shannon) SPA National Parks & Wildlife Service (npws.ie)	Within 10km	No due to distance and the lack of any relevant ex-situ factors of significance to these species.	No
Slievefelim to Silvermines Mountains SPA 004165	Slievefelim to Silvermines Mountains SPA National Parks & Wildlife Service (npws.ie)	Within 10km	No due to distance and the lack of any relevant ex-situ factors of significance to these species.	No

¹ Short paraphrasing and/or cross reference to NPWS is acceptable – it is not necessary to

reproduce the full text on the QI/SCI.

² If the site or part thereof is within the European site or adjacent to the European site, state here.

STEP 3. Assessment of Likely Significant Effects	
(a) Identify all potential direct and indirect impacts that may have an effect on the conservation objectives of a European site, taking into account the size and scale of the project under the following headings:	
Impacts:	Possible Significance of Impacts: (duration/magnitude etc.)
Construction phase e.g. <ul style="list-style-type: none"> • Vegetation clearance • Demolition • Surface water runoff from soil excavation/infill/landscaping (including borrow pits) • Dust, noise, vibration • Lighting disturbance • Impact on groundwater/dewatering • Storage of excavated/construction materials • Access to site • Pests 	<p>The construction phase will not result in significant environmental impacts that could affect European Sites within the wider catchment area.</p>
Operational phase e.g. <ul style="list-style-type: none"> • Direct emission to air and water • Surface water runoff containing contaminant or sediment • Lighting disturbance • Noise/vibration • Changes to water/groundwater due to drainage or abstraction • Presence of people, vehicles and activities • Physical presence of structures (e.g. collision risks) • Potential for accidents or incidents 	<p>No impact. Given the nature and scale of the development, it is considered that there is no real likelihood of any significant effects on European Sites in the wider catchment area.</p>
In-combination/Other	No impacts
(b) Describe any likely changes to the European site:	
Examples of the type of changes to give consideration to include: <ul style="list-style-type: none"> • Reduction or fragmentation of habitat area • Disturbance to QI species • Habitat or species fragmentation • Reduction or fragmentation in species density • Changes in key indicators of conservation status value (water or air quality etc.) • Changes to areas of sensitivity or threats to QI 	<p>None. The application site is not located within a European site, therefore there is no risk of habitat loss or fragmentation or any effects on QI species directly or ex-situ.</p> <p>Given the scale of the proposed development and the significant distance between the proposed development site and any European Sites is such that the proposal will not result in any likely changes to the</p>

- Interference with the key relationships that define the structure or ecological function of the site

European sites that comprise part of the Natura 2000 network

(c) Are 'mitigation' measures necessary to reach a conclusion that likely significant effects can be ruled out at screening?

Yes No

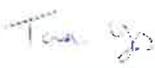
Step 4. Screening Determination Statement

The assessment of significance of effects:

Describe how the proposed development (alone or in-combination) is/is not likely to have significant effects on European site(s) in view of its conservation objectives.

On the basis of the information on file, which is considered adequate to undertake a screening determination and having regard to: the nature and scale of the proposed development, the proposed land use and distance from European sites, the lack of direct connections with regard to the Source-Pathway-Receptor model, it is concluded that the proposed development, individually or in-combination with other plans or projects, would not be likely to have a significant effect on the above listed European sites or any other European site, in view of the said sites' conservation objectives.

Conclusion:

	Tick as Appropriate:	Recommendation:
(i) It is clear that there is no likelihood of significant effects on a European site.	<input checked="" type="checkbox"/>	The proposal can be screened out: Appropriate assessment not required.
(ii) It is uncertain whether the proposal will have a significant effect on a European site.	<input type="checkbox"/>	<input type="checkbox"/> Request further information to complete screening <input type="checkbox"/> Request NIS <input type="checkbox"/> Refuse planning permission
(iii) Significant effects are likely.	<input type="checkbox"/>	<input type="checkbox"/> Request NIS <input type="checkbox"/> Refuse planning permission
Signature and Date of Recommending Officer:		21/02/2024
Signature and Date of the Decision Maker:		

EIA Screening

Establishing if the proposal is a 'sub-threshold development':	
Planning Register Reference:	S5/24/14
Development Summary:	construction of a wheelchair accessible bedroom and bathroom extension to the rear of the existing property
Was a Screening Determination carried out under Section 176A-C?	<input type="checkbox"/> Yes, no further action required <input checked="" type="checkbox"/> No, Proceed to Part A
A. Schedule 5 Part 1 - Does the development comprise a project listed in Schedule 5, Part 1 , of the Planning and Development Regulations 2001 (as amended)? (Tick as appropriate)	
<input type="checkbox"/> Yes, specify class <u>insert here</u>	EIA is mandatory No Screening required
<input checked="" type="checkbox"/> No	Proceed to Part B
B. Schedule 5 Part 2 - Does the development comprise a project listed in Schedule 5, Part 2 , of the Planning and Development Regulations 2001 (as amended) and does it meet/exceed the thresholds? (Tick as appropriate)	
<input checked="" type="checkbox"/> No, the development is not a project listed in Schedule 5, Part 2	No Screening required
<input type="checkbox"/> Yes the project is listed in Schedule 5, Part 2 and meets/exceeds the threshold, specify class (including threshold): <u>specify class & threshold here</u>	EIA is mandatory No Screening required
<input type="checkbox"/> Yes the project is of a type listed but is <i>sub-threshold</i> : <u>insert here</u>	Proceed to Part C
C. If Yes , has Schedule 7A information/screening report been submitted?	
<input type="checkbox"/> Yes, Schedule 7A information/screening report has been submitted by the applicant	Screening Determination required
<input type="checkbox"/> No, Schedule 7A information/screening report has not been submitted by the applicant	Preliminary Examination required
Signature and Date of Recommending Officer:	 21/02/2024



Comhairle Contae Thiobraid Árann
Tipperary County Council

Comhairle Contae
Thiobraid Árann,
Oifigi Cathartha,
Cluain Meala,
Co. Thiobraid Árann
Tipperary County Council,
Civic Offices, Clonmel,
Co. Tipperary
E91 N512

Comhairle Contae
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Date: 18th April 2024 Our Ref: S5/24/14 Civic Offices, Nenagh

**Orla and Gerard Ryan,
17 Hawthorns,
Nenagh,
Co. Tipperary, E45 H924**

SCANNED

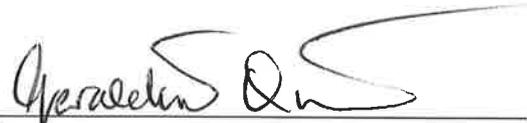
Re: Application for a Section 5 Declaration - The construction of a wheelchair accessible bedroom and bathroom extension to the rear of the existing property is development and if so, does it constitute exempted development at 17 Hawthorns, Nenagh, Co. Tipperary, E45 H924.

Dear Sir/Madam,

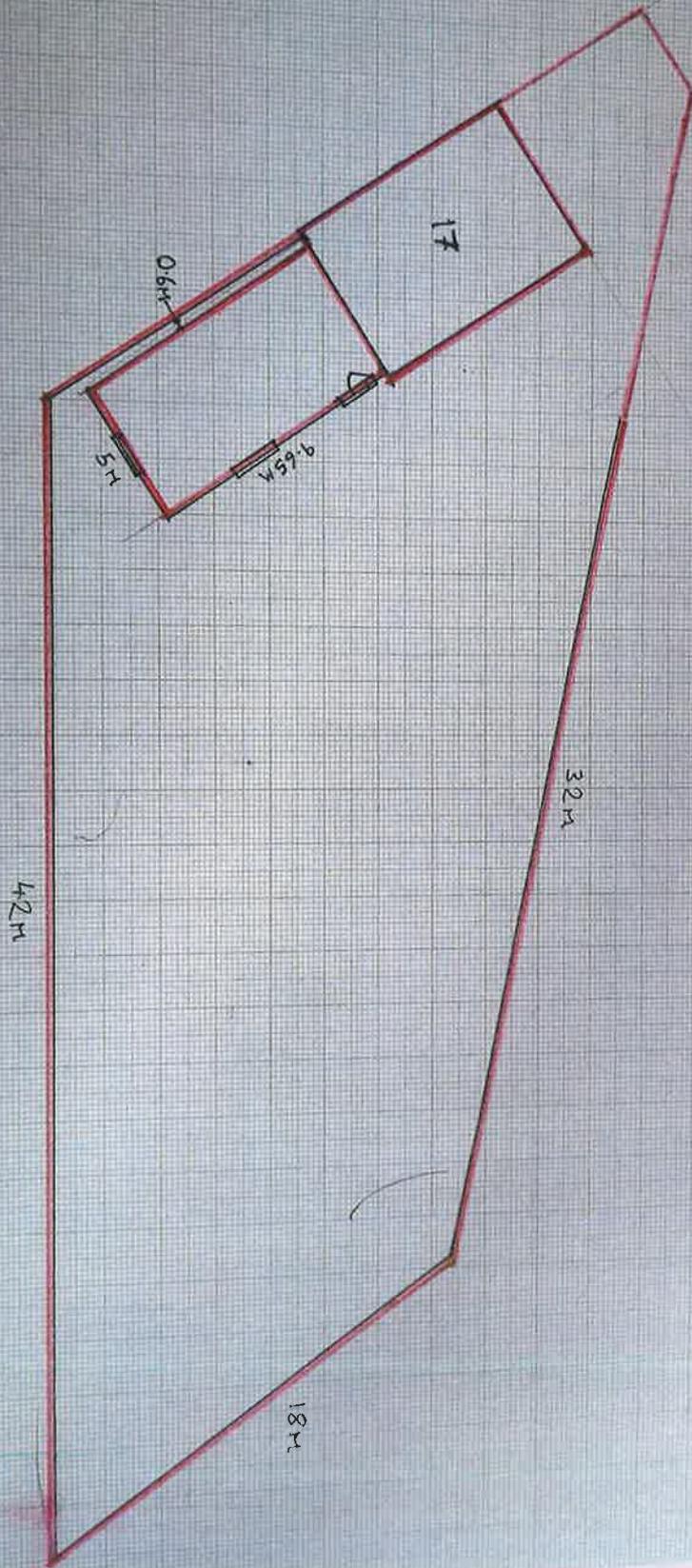
I acknowledge receipt of Further Information received on 16th April 2024 in connection with the above.

I wish to advise that you will be notified of a decision on your application in due course.

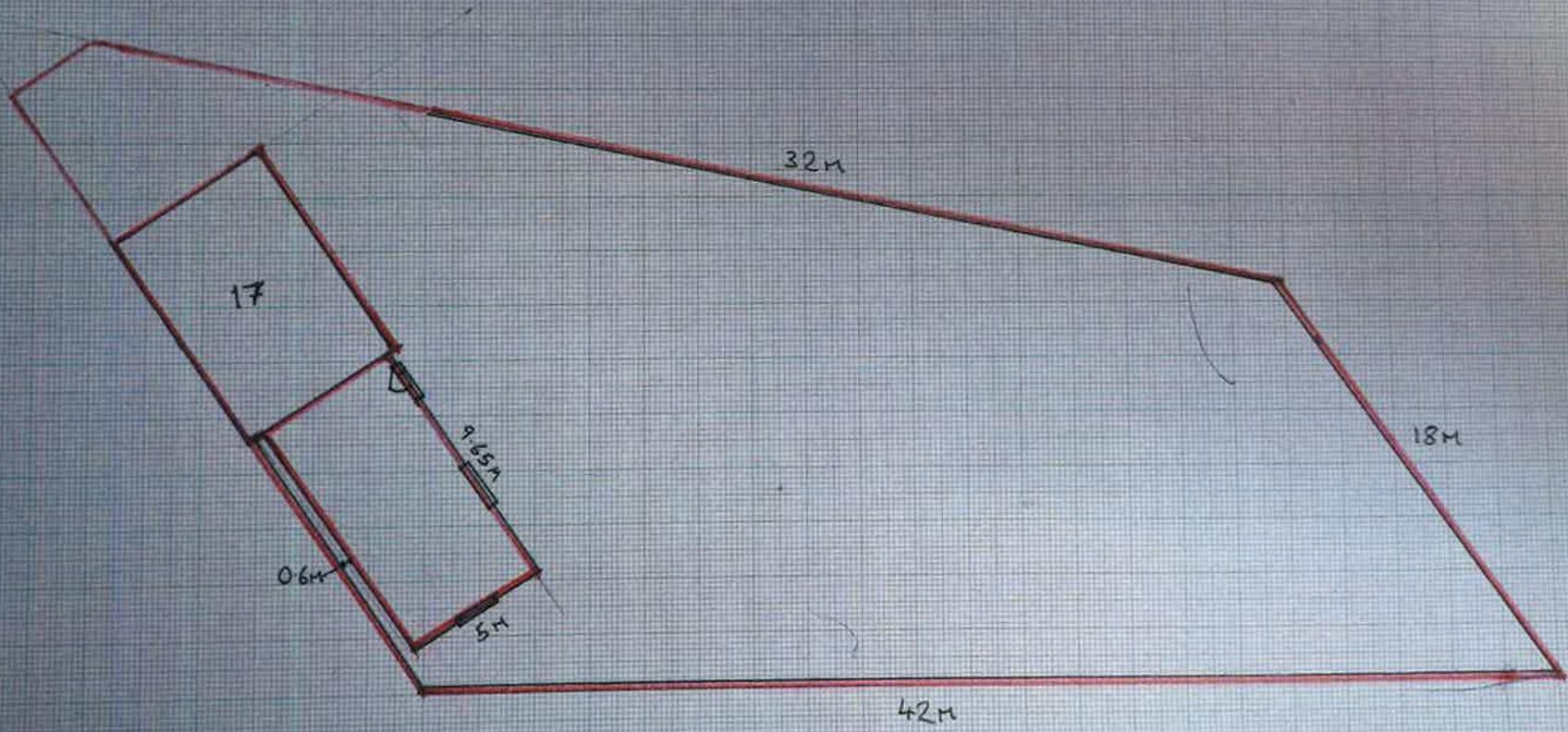
Yours sincerely

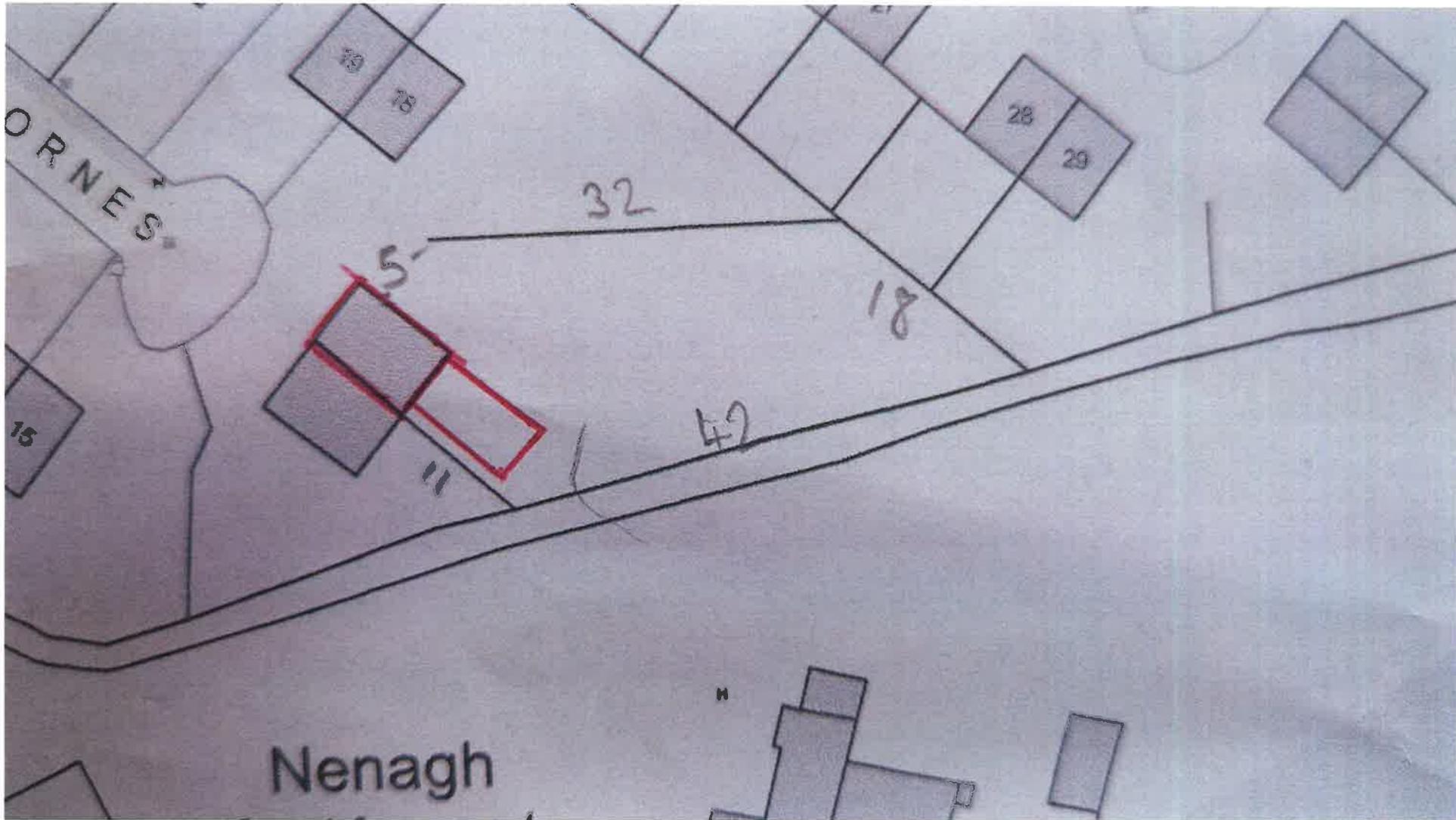

for **Director of Services**

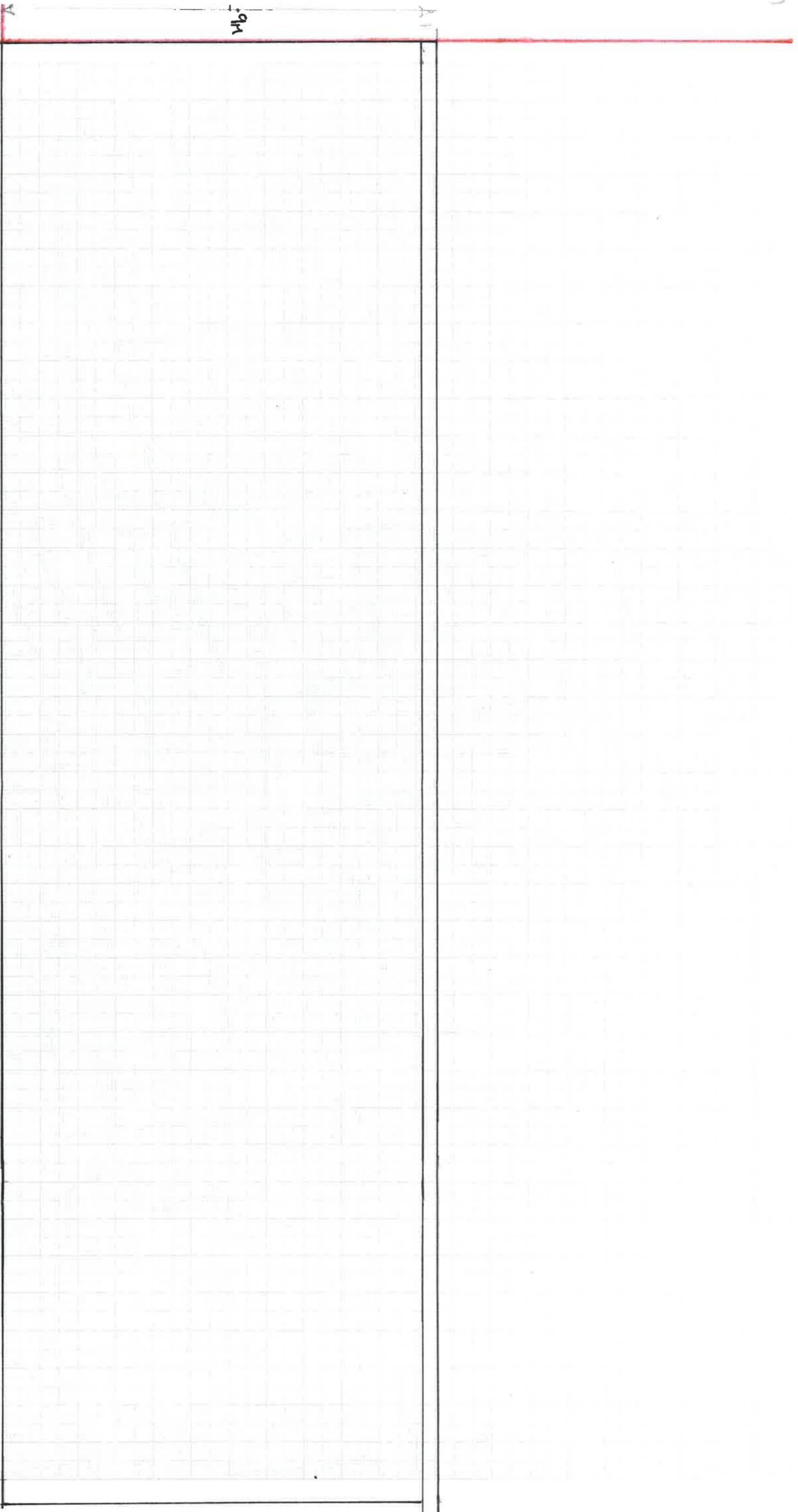
HAWTHORNES



HAWTHORNES





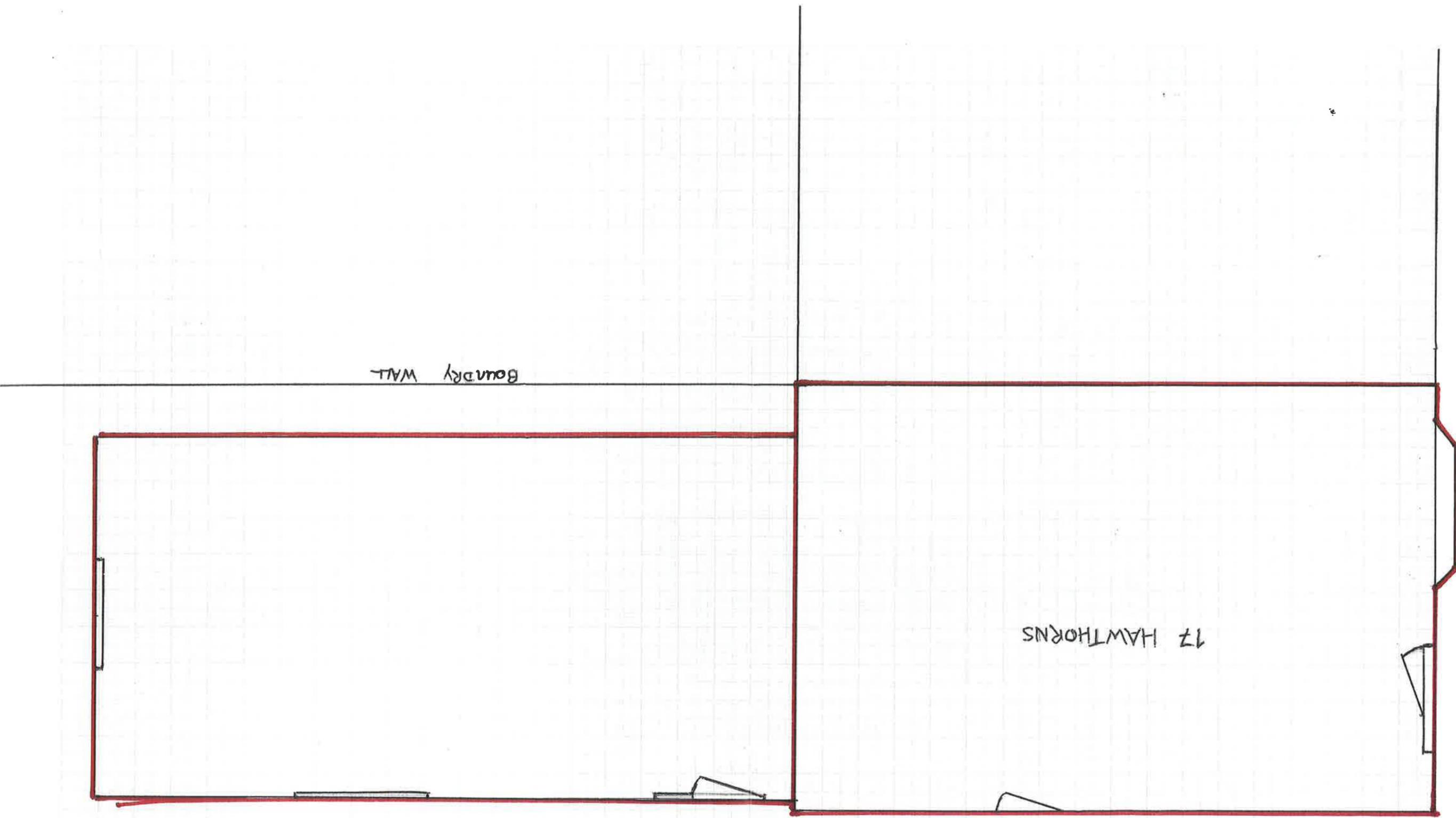


9m

9.65m

REAR ELEVATION

Scale 1:25



BOUNDARY WALL

17 HAWTHORNS

Scale 1:50

Scale 1:25

BOUNDARY WALL

9.65M

650MM

EXISTING BACK WALL

SLIDING DOOR A

KITCHEN WINDOW

2.3M

ROOF LIGHT

1M

0.5M

SHOWER

2.7M

2.8M

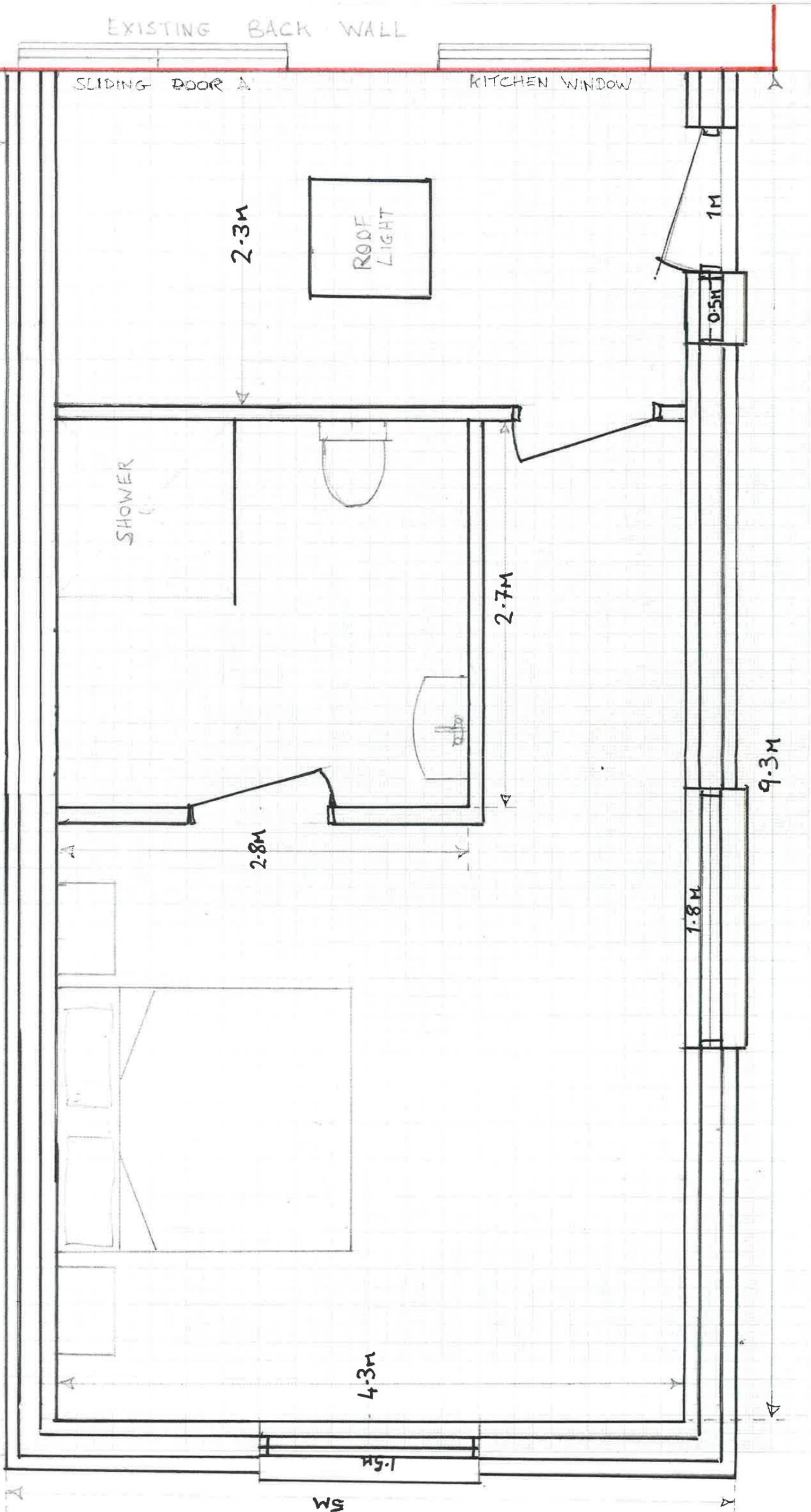
9.3M

1.8M

4.3M

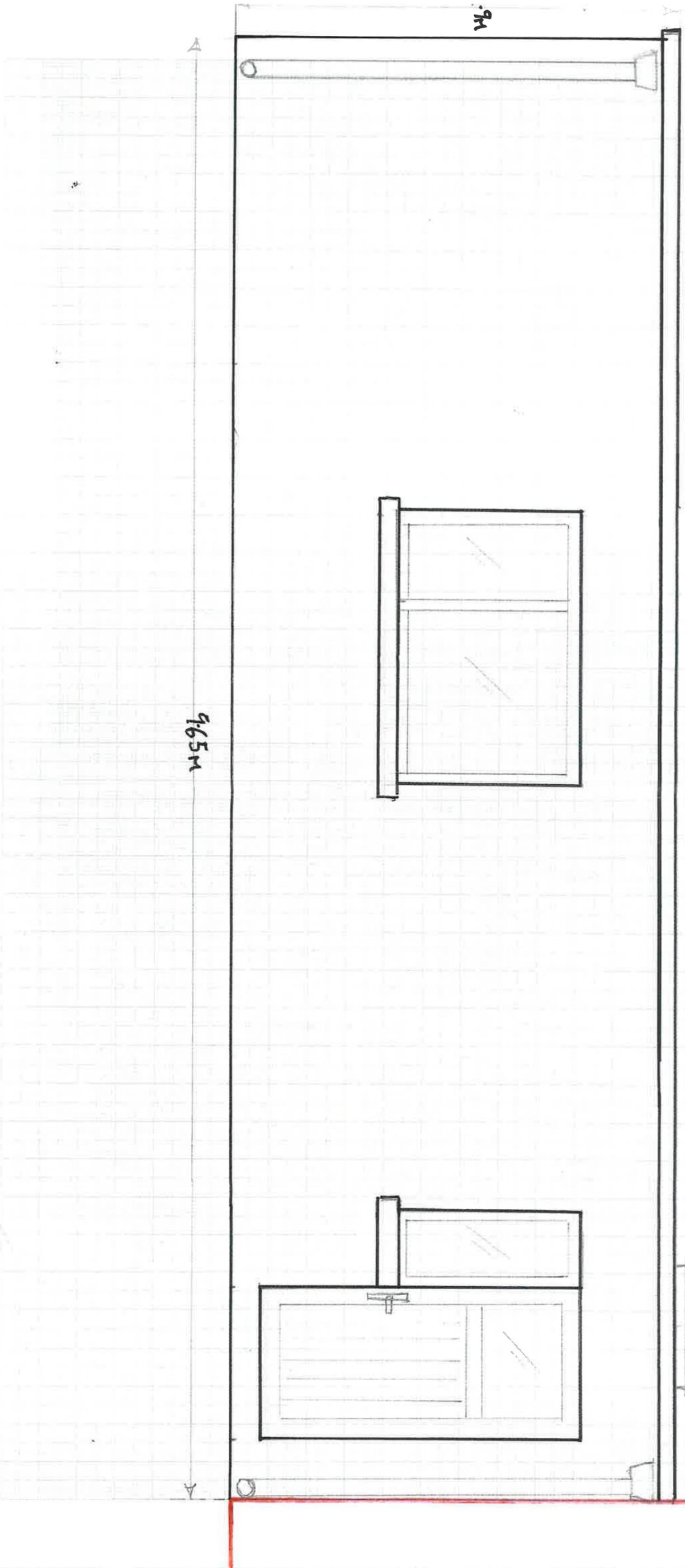
1.5M

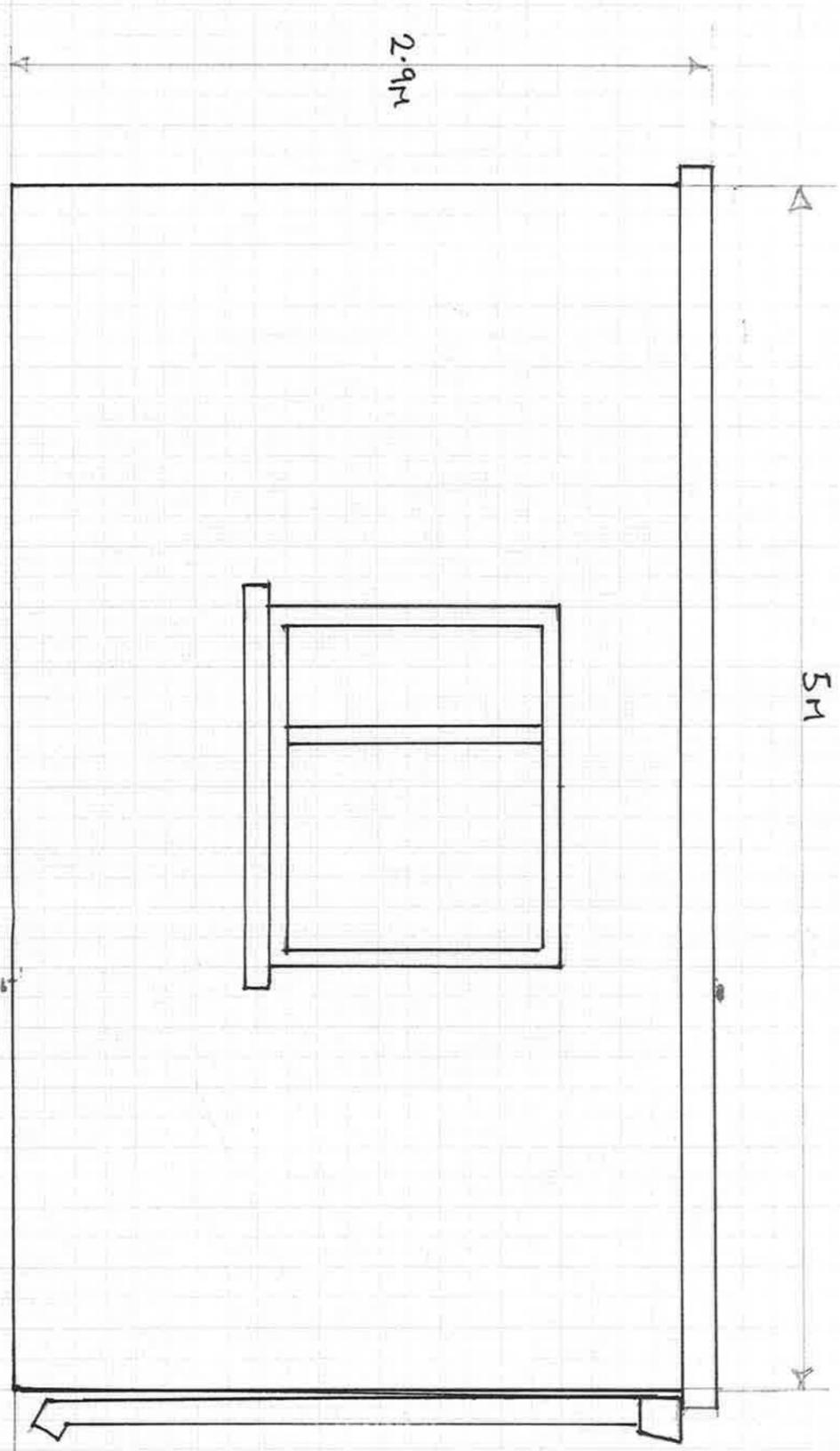
5M



ELEVATION

Scale 1:25





END ELEVATION

Scale 1:25



Comhairle Contae Thiobraid Árann
Tipperary County Council

Comhairle Contae
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Date: 30th April, 2024

Our Ref: S5/24/14

Civic Offices, Nenagh

Orla and Gerard Ryan
17 Hawthornes
Nenagh
Co. Tipperary
E45 H924

Re: Declaration under Section 5 of the Planning and Development Act 2000

Dear Mr Ryan,

I refer to your application for a Section 5 Declaration received on 15th February, 2024, in relation to the following proposed works:

Construction of a wheelchair accessible bedroom and bathroom extension to the rear of the existing property at 17 Hawthornes, Nenagh, Co. Tipperary

WHEREAS a question has arisen as to whether the proposed development is or is not exempted development:

AND WHEREAS Tipperary County Council, in considering this referral, had regard particularly to –

- a) Sections 2, 3 and 4 of the Planning and Development Act 2000, as amended
- b) Class 1 of Schedule 2, Part 1 of the Planning and Development Regulations 2001, as amended
- c) Article 6 and 9 of the Planning and Development Regulations 2001, as amended and
- d) The plans and particulars submitted by the querist.

Tipperary County Council has concluded that – The proposal as presented in the Declaration application, constitute “development” as understood by the Planning and Development Act 2000, as amended and is considered **“exempted development”**

NOTE: Any person issued with a Declaration of a Planning Authority may refer the Declaration for review to An Bord Pleanála, 64 Marlborough Street, Dublin 1, within four (4) weeks of the date of issue of the Declaration and on payment of the prescribed fee.

Yours sincerely



for **Director of Services**

Original

TIPPERARY COUNTY COUNCIL

DELEGATED EMPLOYEE'S ORDER

File Ref: **S5/24/14** **Delegated Employee's Order No:** _____

SUBJECT: Section 5 Declaration

I, Sharon Kennedy, Director of Services, Tipperary County Council, by virtue of the powers delegated to me in accordance with the provisions of Section 154 of the Local Government Act 2001, as amended by Schedule 1, Part 1 of the Local Government Reform Act 2014 under Chief Executive's Order No. 37256 dated 4th March, 2024, hereby order that pursuant to the provisions of the Planning and Development Act 2000, as amended, that an application under Section 5 from Orla & Gerard Ryan, 17 Hawthornes, Nenagh, Co. Tipperary, re: Construction of a wheelchair accessible bedroom and bathroom extension to the rear of the existing property at 17 Hawthornes, Nenagh, Co. Tipperary is development and is exempted development.

AND WHEREAS Tipperary County Council, in considering this referral, had regard particularly to –

- (a) Sections 2, 3 and 4 of the Planning and Development Act 2000, as amended
- (b) Class 1 of Schedule 2, Part 1 of the Planning and Development Regulations 2001, as amended
- (c) Article 6 and 9 of the Planning and Development Regulations 2001, as amended and
- (d) The plans and particulars submitted by the querist.

Tipperary County Council has concluded that – The proposal as presented in the Declaration application, constitute "development" as understood by the Planning and Development Act 2000, as amended and is considered **"exempted development"**

Signed:



Sharon Kennedy
Director of Services
Planning and Development (including Town Centre First),
Emergency Services and Emergency Planning and
Tipperary/Cahir/Cashel Municipal District

Date: 30/4/2024