



PLANNING & DEVELOPMENT ACT, 2000 (as amended)

Application for a Section 5 Declaration
Development / Exempted Development

1. Applicant's address/contact details:

<i>Applicant</i>	John Darmody
<i>Address</i>	Monameagh, Cashel, Co. Tipperary E25 Y971
<i>Telephone No.</i>	[REDACTED]
<i>E-mail</i>	

2. Agent's (if any) address:

<i>Agent</i>	Aidan Kelly
<i>Address</i>	Molough, Newcastle, Clonmel, Co Tipperary
<i>Telephone No.</i>	[REDACTED]
<i>E-mail</i>	[REDACTED]
<i>Please advise where all correspondence in relation to this application is to be sent;</i>	
Applicant [<input type="checkbox"/>] Agent [<input checked="" type="checkbox"/>]	

3. Location of Proposed Development:

<i>Postal Address or Townland or Location (as may best identify the land or structure in question)</i>	Monameagh, Cashel, Co. Tipperary
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TIPPERARY CO. COUNCIL RECEIVED
11 FEB 2026
PLANNING SECTION
FILE NO. 55126/12

Tipperary County Council RECEIVED
11 FEB 2026
CSD
Civic Offices, Clonmel

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.

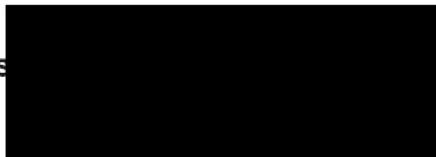
(Note: only works and uses listed and described under this section will be assessed under this Section 5 Application. Use additional sheets if required.)

To build slatted tank of 492m3 under Class 6A for slurry storage exemption
Existing slurry storage in farmyard is 808.3m2
Proposed floor area of proposed works/uses: 210 sqm see above

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
	C. Other	
<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:	

Signature of Applicant(s)



Date: 8-2-2026

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**

OR

**Planning Section,
Tipperary County Council,
Civic Offices,
Emmet Street,
Clonmel,
Co. Tipperary**

Enquires:

Telephone 0761 06 5000

E-Mail planning@tipperarycoco.ie

FOR OFFICE USE ONLY

DATE STAMP

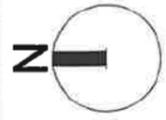
Fee Recd. € _____

Receipt No _____

Date _____

Received by _____

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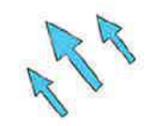


AGRICULTURAL LAND

119470 [392']



Site Notice To Be Located on Main Entrance



PREVAILING WIND

- CLEAN WATER
- SOILED WATER
- STONE SOAK AWAY
- EXISTING BUILDING
- PROPOSED BUILDING

Existing Site Layout Plan
Scale 1:500

- LAND HOLDING BOUNDARY
- PROPOSED DEVELOPMENT (AREA 1.15 Ha)

Proposed

PLANNING

AIDAN KELLY
B Arch. B.scArch Tech
ARCHITECTURE & AGRICULTURAL DESIGN SERVICES
MOLOUGH,
NEWCASTLE,
CLONMEL,
CO. TIPPERARY.
EMAIL: AIDANKELLY2000@YAHOO.IE
WEBSITE: WWW.ADPS.IE

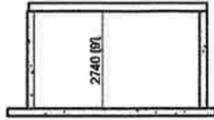
ADPI
PROJECT: Proposed building for John Darmody at Monameagh, Cashel, Co. Tipperary E25 Y971

DRAWING TITLE:
Existing Site Layout

DRAWN BY	DATE	SCALE	DWG NO.	JOB NO.
A KELLY	May 2025	1:500	01	65

AGRICULTURAL LAND

Section A-A
Scale 1:200



Tank also 41.9m x
4.7m (10ft 8" SLAT) x (90)
2.5m= 482m3.



41915 (137' 5")



Floor Plan
Scale 1:200

NOTE
ALL BUILDING WORKS TO BE CARRIED OUT IN
ACCORDANCE WITH THE DEPARTMENT OF
AGRICULTURE AND FOOD SPES
DEPARTMENT OF AGRICULTURE AND FOOD
S. 100 TO S.171A
MINIMUM SPECIFICATIONS FOR THE
STRUCTURE OF AGRICULTURAL BUILDINGS

ALL STEEL SIZING AND DESIGN TO BE CHECKED
BY AN ENGINEER PRIOR TO CONSTRUCTION

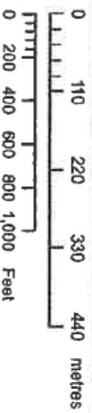
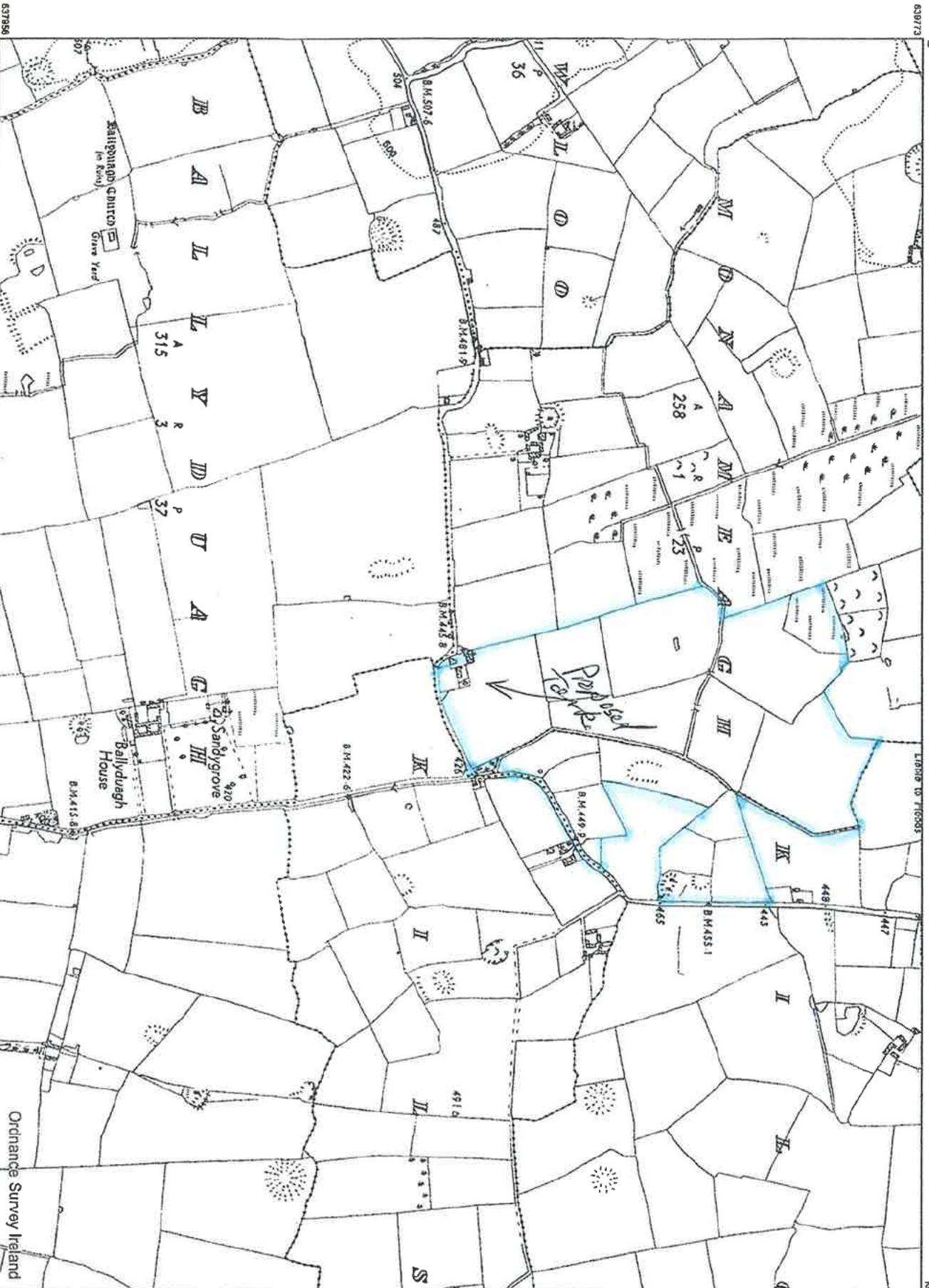
Planning drawing only
NOT CONSTRUCTION DRAWING

NOTE
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CONSTRUCTION

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PLANNING				
AIDAN KELLY		B.Arch. B.sc Arch Tech		
ARCHITECTURE & AGRICULTURAL DESIGN SERVICES				
MOLOUGH, NEWCASTLE, CLONMEL, CO. TIPPERARY. EMAIL: AIDANKELLY2000@YAHOO.IE WEBSITE : WWW.ADPS.IE		TEL: 052 7462844 MOB: 085 7466211		
				
PROJECT: Proposed building for John Darmody at Monameagh, Cashel, Co. Tipperary E25 Y971				
DRAWING TITLE: Plan Section and Elevations				
DRAWN BY A KELLY	DATE Jan 2026	SCALE	DWG NO. 03	JOB NO. 65

Site Location Map



OUTPUT SCALE: 1:10,560

CAPTURE RESOLUTION:
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Ordnance Survey Ireland



CENTRE COORDINATES:
 ITM 612302,638865

PUBLISHED: ORDER NO.: 02/02/2021 50169533_1

MAP SERIES: MAP SHEETS: 6 Inch Raster TT061

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Planning Pack Map



National Mapping Agency

CENTRE COORDINATES:
ITM 612302.639865

PUBLISHED: 02/02/2021
ORDER NO.: 50169533_1

MAP SERIES: 1:5,000 5062
1:2,500 5062-C
1:5,000 5122
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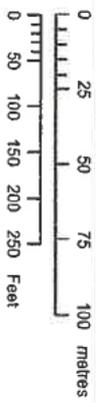
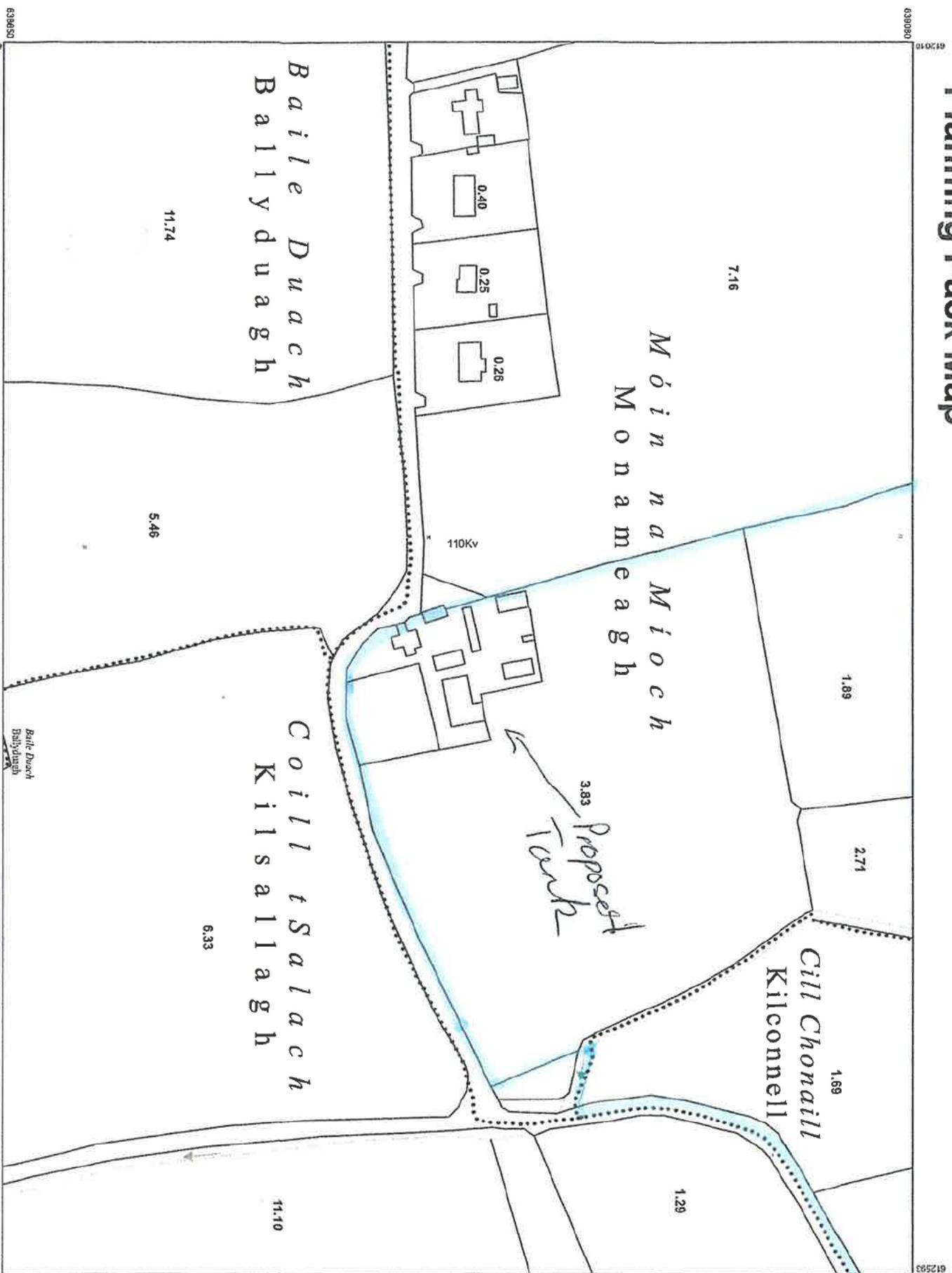
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LEGEND:
<http://www.osi.ie>,
search 'Large Scale Legend'



Comhairle Contae Thiobraid Árann
Tipperary County Council

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

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

t 0818 06 5000/6000
e customerservice
@tipperarycoco.ie
tipperarycoco.ie

Date: 11th February 2026

Our Ref: S5/26/12

Civic Offices, Clonmel

John Darmody
C/O Aidan Kelly
Molough
Newcastle
Clonmel
Co. Tipperary

Re: Application for a Section 5 Declaration –To build a slatted tank of 492m³ under class 6A for slurry storage at Monameagh, Cashel, Co. Tipperary.

A Chara,

I acknowledge receipt of your application for a Section 5 Declaration received on 11th February 2026, 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**

TIPPERARY COUNTY COUNCIL

Application for Declaration under Section 5

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

Planning Reference: S5/26/12

Applicant: John Darmody

Development Address: Monameagh, Cashel, Co. Tipperary

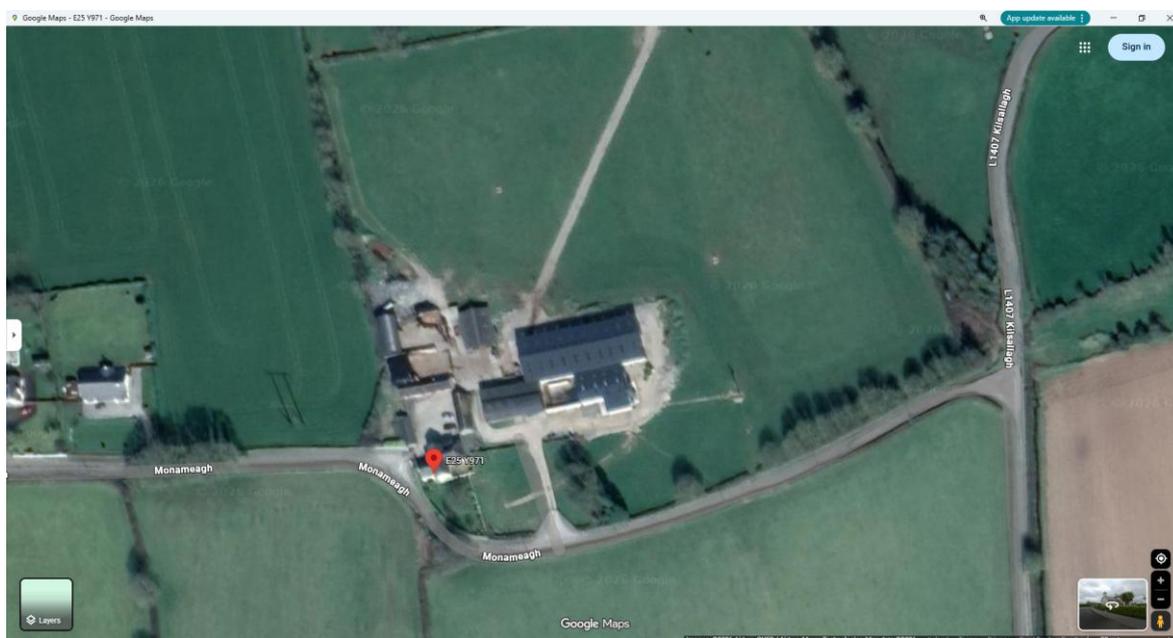
Proposed Development: To build a slatted tank of 492m³

1. GENERAL

On the 11th February 2026 a request was made for a declaration under Section 5 of the Planning and Development Act, 2000 as amended, by John Darmody c/o Aidan Kelly as to whether or not the following (as per application form) constitutes development and if so, whether same constitutes exempted development at Monameagh, Cashel, Co. Tipperary

To build a slatted tank of 492m³

- Section 5 Declaration Application Form,
- Site Location Maps,
- Site Layout Plan,
- Section and Plan drawings.



Site 1 Site Location

2. STATUTORY PROVISIONS

The following statutory provisions are relevant to this referral case;

Planning and Development Act 2000, as amended

Section 2(1) of the Planning and Development Act, 2000, as amended, defines “works” as:-
“works” includes any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal and, in relation to a protected structure or proposed protected structure, includes any act or operation involving the application or removal of plaster,

paint, wallpaper, tiles or other material to or from the surfaces of the interior or exterior of a structure.

Section 3 (1) of the Planning and Development Act 2000, as amended, defined “development” 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 2(1) of the Planning and Development Act, 2000, as amended, defines “Agriculture” as:-
“agriculture” includes horticulture, fruit growing, seed growing, dairy farming, the breeding and keeping of livestock (including any creature kept for the production of food, wool, skins or fur, or for the purpose of its use in the farming of land), the training of horses and the rearing of bloodstock, the use of land as grazing land, meadow land, osier land, market gardens and nursery grounds, and “agricultural” shall be construed accordingly;

Section 4(2)(a) of the Planning and Development Act 2000, as amended, 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) of the Planning and Development Act 2000, as amended, states as follows:-
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.

Planning and Development Regulations 2001 (as amended)

Article 6 of the Planning and Development Regulations 2001, as amended states;

Exempted Development.

(1) 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 the conditions and limitations specified in column 2 of the said Part 1 opposite the mention of that class in the said column 1.

(3) Subject to article 9, in areas other than a city, a town or an area specified in section 19(1)(b) of the Act or the excluded areas as defined in section 9 of the Local Government (Reorganisation) Act, 1985 (No. 7 of 1985), development of a class specified in column 1 of Part 3 of Schedule 2 shall be exempted development for the purposes of the Act, provided that such development complies with the conditions and limitations specified in column 2 of the said Part 3 opposite the mention of that class in the said column 1.

Schedule 2, Part 3 ‘Exempted Development - Rural:

Class 6A is inserted by article 4 of S.I. No. 649/2025 Planning and Development (Exempted Development (Act of 2000)) (No. 2) Regulations 2025

Column 1 Description of Development	Column 2 Conditions and Limitations
<p>CLASS 6A Works consisting of a structure for the storage of slurry, effluent or soiled water collected from agricultural buildings, agricultural farmyards and any ancillary provision to aid in the handling of the slurry, effluent or soiled water.</p>	<ol style="list-style-type: none"> 1. No such structure shall be used for any purpose other than the purpose of agriculture. 2. The maximum storage capacity of any such storage facility shall not exceed 1000 cubic metres. 3. The aggregate capacity of tanks, situated within the same farmyard complex, shall not exceed 1,500 cubic metres 4. The structure having regard to its size, use and location shall be constructed in accordance with Department of Agriculture, Food and the Marine and Department of Housing, Local Government and Heritage requirements and shall have regard to the need to avoid water pollution. The structure shall not be an earth lined Slurry/Effluent Store. 5. No such structure shall be situated, and no effluent from such structure shall be stored, within 10 metres of any public road. 6. No such structure within 100 metres of any public road shall exceed 8 metres in height. 7. No such structure shall be situated, and no effluent from such structure shall be stored, within 100 metres of any house (other than the house of the person providing the structure) or other residential building or school, hospital, church or building used for public assembly, save with the consent in writing of the owner and, as may be appropriate, the occupier or person in charge thereof. 8. No such structure shall be constructed within a flood zone identified in statutory land use plans as Flood Zone A or Flood Zone B or where the probability of flooding is moderate to high or erosion control zone. 9. No such structure shall be within 60 metres of a public or private water source. 10. No such structure shall be situated, at the closest point, less than 50 metres from a water course or water body in the case of new farmyards, and not less than 10m in the case of extensions/modifications to an existing facility. 11. All such tanks shall be constructed in accordance with the relevant specification published by the Department of Agriculture, Food and the Marine in force at the time of construction of the tank. 12. No unpainted metal sheeting shall be used for roofing or on the external finish of the structure. 13. The use of this Class of exemption requires a declaration from the relevant Planning authority under section 5 of the Principal Act, declaring the exemption is applicable prior to commencement of construction.

	14. Ancillary provision shall include as appropriate the installation of any signage, fencing or other safety infrastructure as recommended by the Health and Safety Authority regarding Slurry Safety.
--	---

Article 9 of the Planning and Development Regulations 2001, as amended sets out restrictions on exemptions and states:

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—*

(iii) *endanger public safety by reason of traffic hazard or obstruction of road users*

(vii) *consist of or comprise the excavation, alteration or demolition (other than peat extraction) of places, caves, sites, features or other objects of archaeological, geological, historical, scientific or ecological interest, the preservation, conservation or protection of which is an objective of a development plan or local area plan for the area in which the development is proposed or, pending the variation of a development plan or local area plan, or the making of a new development plan or local area plan, in the draft variation of the development plan or the local area plan or the draft development plan or draft local area plan,*

(viiA) *consist of or comprise the excavation, alteration or demolition of any archaeological monument included in the Record of Monuments and Places, pursuant to section 12 (1) of the National Monuments (Amendment) Act 1994, save that this provision shall not apply to any excavation or any works, pursuant to and in accordance with a consent granted under section 14 or a licence granted under section 26 of the National Monuments Act 1930 (No. 2 of 1930) as amended,*

(viiB) *comprise development in relation to which a planning authority or An Bord Pleanála is the competent authority in relation to appropriate assessment and the development would require an appropriate assessment because it would be likely to have a significant effect on the integrity of a European site,*

(viiC) *consist of or comprise development which would be likely to have an adverse impact on an area designated as a natural heritage area by order made under section 18 of the Wildlife (Amendment) Act 2000.*

(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,*

3. **ASSESSMENT**

i. Site Location

The site is occupied by an existing farm holding on lands at Monameagh, Cashel, Co. Tipperary. The site is c. 5km south-east of Cashel and is served by the L-5410 Local Road.

ii. Relevant Planning History

21/205 Permission GRANTED (i) milking parlour building incorporating holding yard with crush/drafting yard, meal bin, office, flow channel, storage rooms and plant rooms, (ii) cubicle shed with under effluent tanks and all associated site works

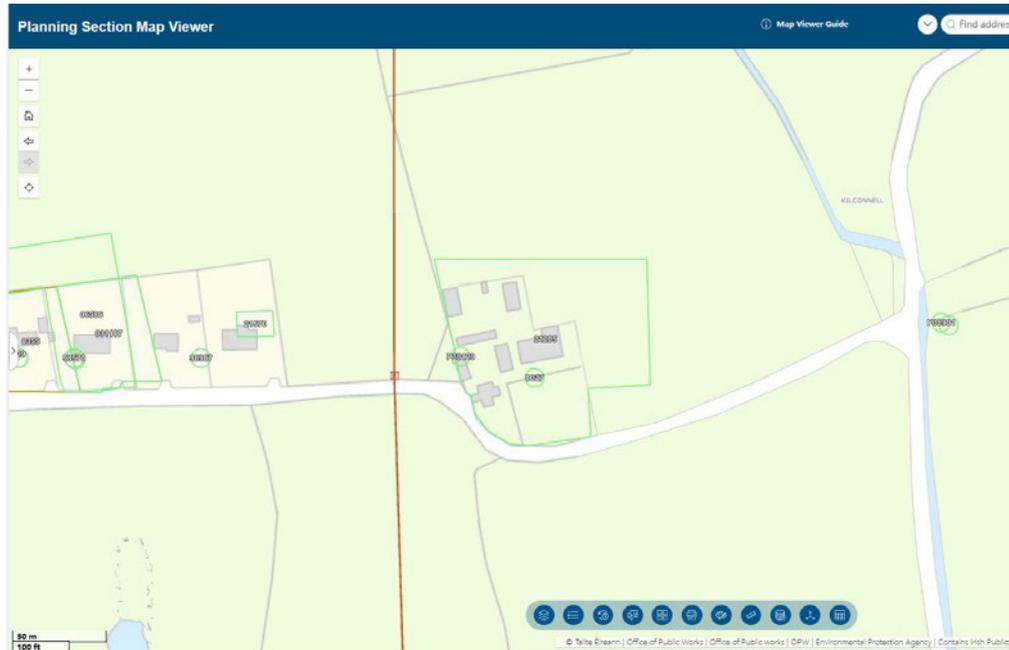


Figure 2 Planning Register

iii. Assessment

The question posed under the Section 5 Declaration application form is whether to build a slatted tank of 492m³ (cubic metres) is development and is or is not exempted development.

A) “Is or is not Development”

It is considered the above listed proposals constitute “works” as understood by the Planning and Development Act 2000, as amended. The above listed proposals therefore constitute “development” within the meaning of the Planning and Development Act 2000, as amended.

B) “Is or is not Exempted Development”.

Class 6A of Part 3 of Schedule 2 of the above cited Regulations is the relevant class subject to 14 limitations assessed below:

Works consisting of a structure for the storage of slurry, effluent or soiled water collected from agricultural buildings, agricultural farmyards and any ancillary provision to aid in the handling of the slurry, effluent or soiled water.

The proposed tank is to be used for the purposes of collected soiled water from the milking parlour and dirty yards.

1. No such structure shall be used for any purpose other than the purpose of agriculture.

The structure will be used for agricultural purposes as defined under Section 2 of the Act.

2. The maximum storage capacity of any such storage facility shall not exceed 1000 cubic metres.

The maximum storage capacity of the tank is 492m³.

3. The aggregate capacity of tanks, situated within the same farmyard complex, shall not exceed 1,500 cubic metres

The aggregate capacity of tanks within the yard is 803 cubic meters as set out in the Farm Structures shown on the Site Layout Plan. The proposed tank meets this limitation.

4. The structure having regard to its size, use and location shall be constructed in accordance with Department of Agriculture, Food and the Marine and Department of Housing, Local Government and Heritage requirements and shall have regard

to the need to avoid water pollution. The structure shall not be an earth lined Slurry/Effluent Store.

The structure could be constructed in accordance with the Department standards. The structure is not an earth lined Slurry/Effluent Store.

5. No such structure shall be situated, and no effluent from such structure shall be stored, within 10 metres of any public road.

The tank is not within 10m of any public road.

6. No such structure within 100 metres of any public road shall exceed 8 metres in height.

The structure is at ground level and therefore does not exceed 8m in height.

7. No such structure shall be situated, and no effluent from such structure shall be stored, within 100 metres of any house (other than the house of the person providing the structure) or other residential building or school, hospital, church or building used for public assembly, save with the consent in writing of the owner and, as may be appropriate, the occupier or person in charge thereof.

The structure is in excess of 100m of any other structure as listed above.

8. No such structure shall be constructed within a flood zone identified in statutory land use plans as Flood Zone A or Flood Zone B or where the probability of flooding is moderate to high or erosion control zone.

The structure is at a remove from any identified flood risk zone.

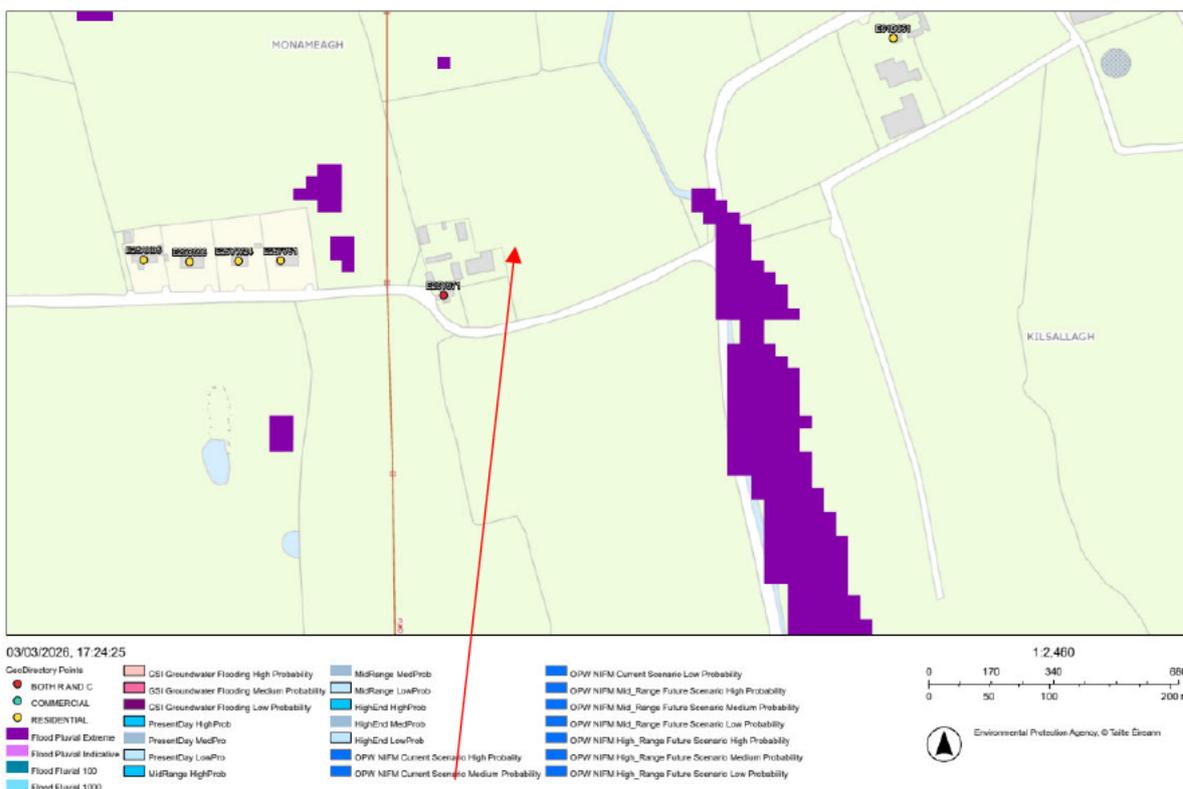


Figure 3 Planning Register showing flood risk areas in proximity to the site

9. No such structure shall be within 60 metres of a public or private water source.

There is no public or private water source identified within 60m of the tank. The public water mains runs through the public road adjoining the site.

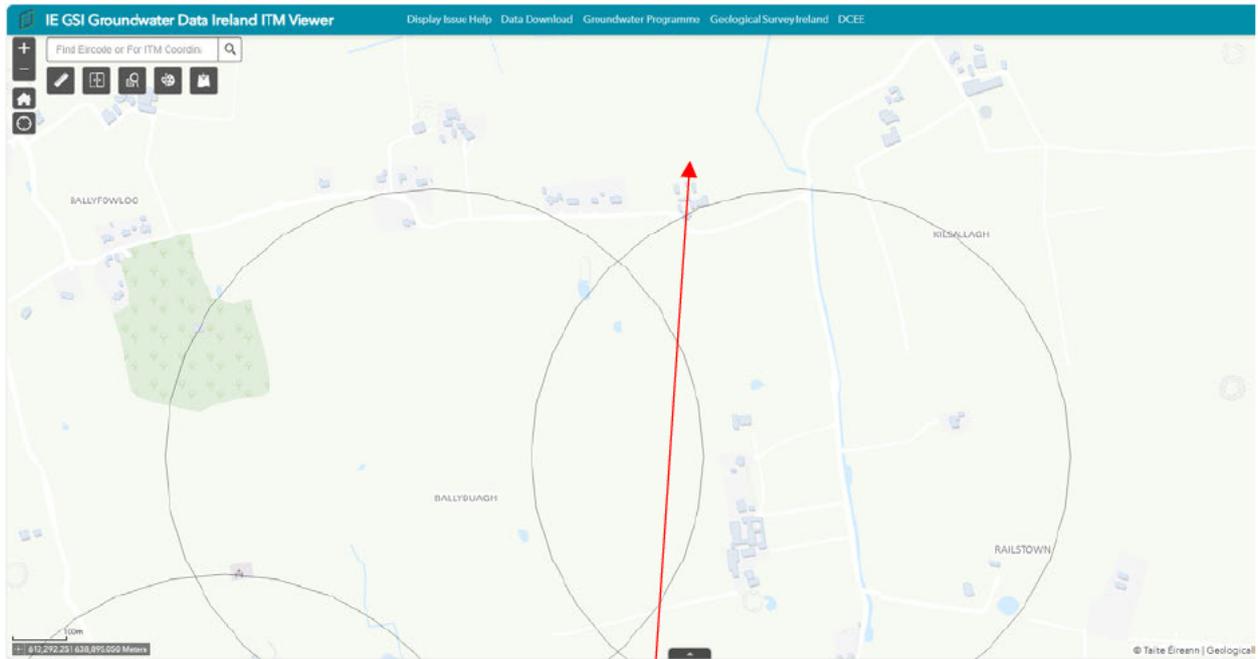


Figure 4 GSI Map View showing Wells and Springs

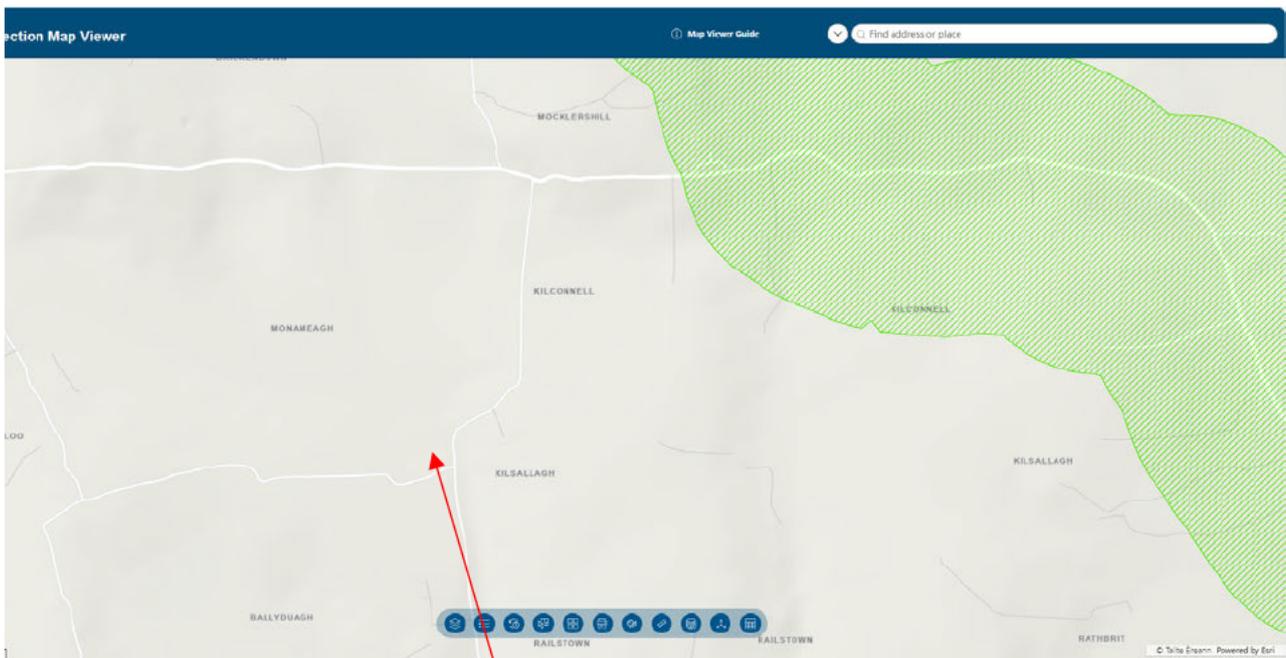


Figure 5 Site at a remove from draft source protection zone or abstraction point

10. No such structure shall be situated, at the closest point, less than 50 metres from a water course or water body in the case of new farmyards, and not less than 10m in the case of extensions/modifications to an existing facility.

There is no watercourse identified within 50m or 10m of the farmyard.

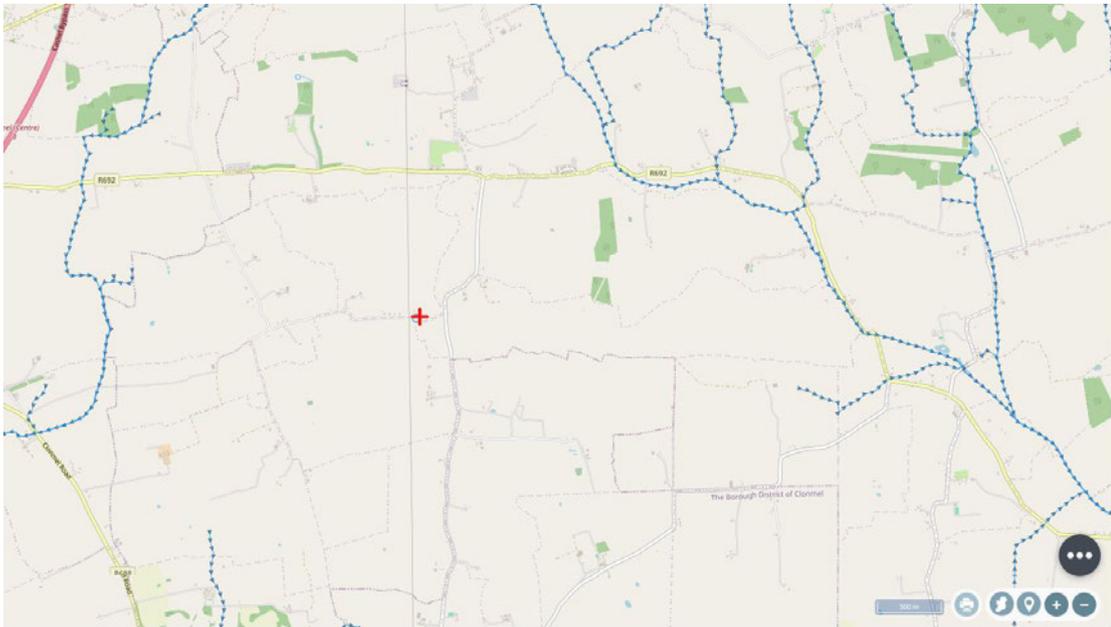


Figure 6 EPA Maps showing watercourses relative to the site

11. All such tanks shall be constructed in accordance with the relevant specification published by the Department of Agriculture, Food and the Marine in force at the time of construction of the tank.

The structure could be constructed in accordance with the Department standards.

12. No unpainted metal sheeting shall be used for roofing or on the external finish of the structure.

There is no unpainted metal sheeting proposed as this is a stand-alone tank.

13. The use of this Class of exemption requires a declaration from the relevant Planning authority under section 5 of the Principal Act, declaring the exemption is applicable prior to commencement of construction.

The applicant has satisfied this condition under this application S5/26/12.

14. Ancillary provision shall include as appropriate the installation of any signage, fencing or other safety infrastructure as recommended by the Health and Safety Authority regarding Slurry Safety.

There is no signage proposed under this declaration.

C) Requirement for Appropriate Assessment (AA) and Environmental Impact Assessment (EIA)

AA

The proposal has been screened as to the requirements for Appropriate Assessment under the EU Habitats Directive. See also Appropriate Assessment screening report attached. The tank is located outside of the areas identified as being at risk of flooding on the most up to date flood risk mapping.

EIA

The proposed development is not a type of development included for under Schedule 5 of the Planning and Development Regulations 2001, as amended. EIA is not required in respect of the development. See all EIA Pre-Screening report attached.

D) Is the exemption restricted under Article 9 of the Regulations

I have reviewed the restrictions on exemption set out under Article 9 and I note no restrictions that would apply.

I am satisfied that the shed will not endanger public safety by reason of traffic hazard or obstruction of road users.

4. **RECOMMENDATION**

It is recommended that the following is issued:

WHEREAS a question has arisen as to whether to build a slatted tank of 492m³ at Monameagh, Cashel, Co. Tipperary is “development” and “exempted development”

AND WHERE AS 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) Article 6 and Article 9 of the Planning and Development Regulations, 2001, as amended,
- (c) Schedule 2, Part 1, Class 6A of the Planning and Development Regulations, 2001, as amended
(Class 6A is inserted by article 4 of S.I. No. 649/2025 Planning and Development (Exempted Development (Act of 2000)) (No. 2) Regulations 2025)
- (d) The details as submitted with the application on 11th February 2026

AND WHEREAS Tipperary County Council has concluded that a slatted tank of 492m³ at Monameagh, Cashel, Co. Tipperary constitutes “development” within the meaning of the Planning and Development Act 2000, as amended and **IS** “exempted development”.

The development **IS** exempted development as same satisfies the planning exemption under Class 6A, Schedule 2, Part 3 of the Planning and Development Regulations 2001 (as amended).

The development has been screened as to the requirement for Appropriate Assessment and Environmental Impact Assessment and it has been determined that same are not required.

Note:

The tank shall be constructed in accordance with relevant specification published by the Department of Agriculture, Food and the Marine in force at the time of construction of the tank.

District Planner:



Date: 03/03/2026

Senior Executive Planner:



Date: 4.3.2026

HABITATS DIRECTIVE APPROPRIATE ASSESSMENT (AA) SCREENING REPORT

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

(a) File Reference No:	S5/26/12
(b) Brief description of the project or plan:	To build a slatted tank of 492m ³
(c) Brief description of site characteristics:	Agricultural Farm Complex
(d) Relevant prescribed bodies consulted: e.g. DHLGH (NPWS), EPA, OPW	None
(e) Response to consultation:	None

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
002137 Lower River Suir	https://www.npws.ie/protected-sites/sac/002137	Within 10km	None	None

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 	No potential impacts. Surface water drains to soakpits on the site. Structure located outside of areas identify at risk of flooding
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 	No potential impacts. Surface water drains to soakpits on the site. Structure located outside of areas identify at risk of flooding

- 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

In-combination/Other

No potential impacts

(b) Describe any likely changes to the European site:

- Examples of the type of changes to give consideration to include:
- 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
 - Interference with the key relationships that define the structure or ecological function of the site

No potential impacts

(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.

The proposed development is not likely to have significant effects.

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.**

Request NIS

Refuse planning permission

EIA Pre-Screening	
Establishing a development is a 'sub-threshold development'	
File Reference:	S5/26/12
Development Summary:	To build a slatted tank of 492m3
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 _____	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): _____	EIA is mandatory No Screening required
<input type="checkbox"/> Yes the project is of a type listed but is <i>sub-threshold</i> : _____	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 required Determination
<input type="checkbox"/> No, Schedule 7A information/screening report has not been submitted by the applicant	Preliminary Examination required

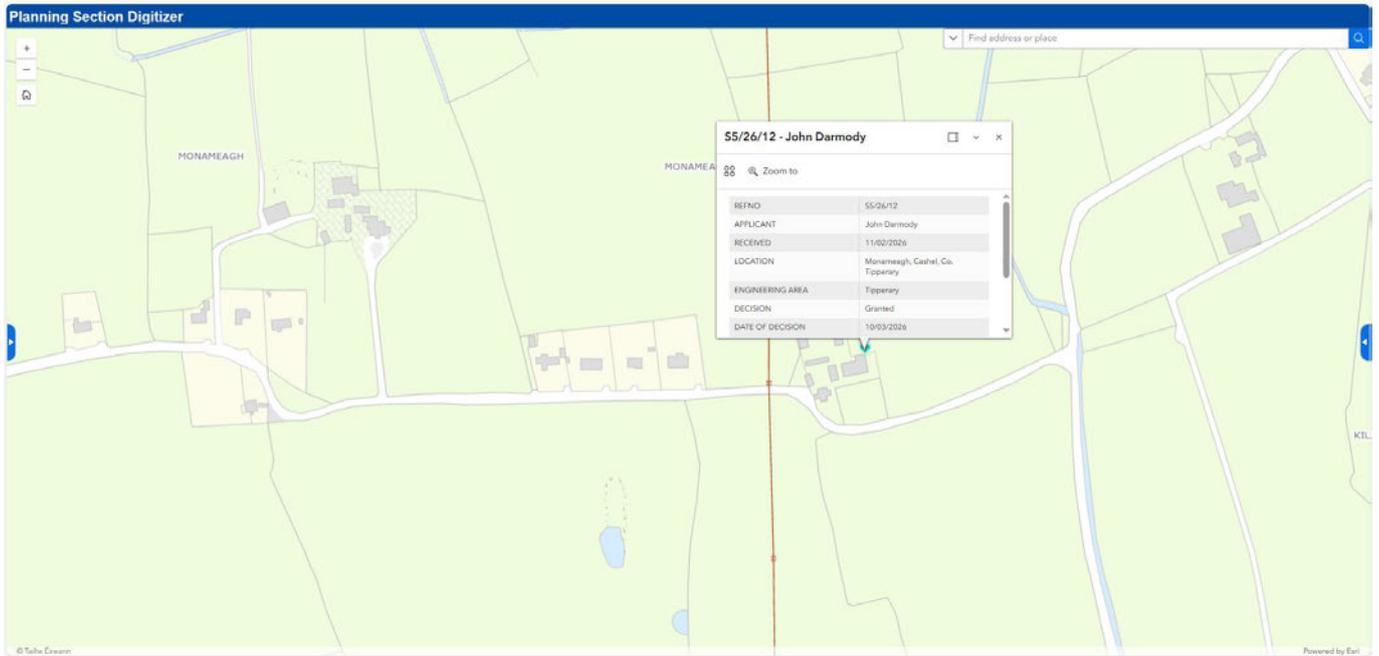


Figure 7 Planning Register

Original

TIPPERARY COUNTY COUNCIL

DELEGATED EMPLOYEE'S ORDER

File Ref: **S5/26/12** **Delegated Employee's Order No:** _____

SUBJECT: Section 5 Declaration

I, Brian Beck, 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. 44188 dated 3rd October, 2025, hereby order that pursuant to the provisions of the Planning and Development Act 2000, as amended, that an application under Section 5 from John Darmody, C/O Aidan Kelly, Molough, Newcastle, Clonmel, Co. Tipperary in relation to build a slatted tank of 492m³ at Monameagh, Cashel, 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) Article 6 and Article 9 of the Planning and Development Regulations, 2001, as amended,
- c) Schedule 2, Part 1, Class 6A of the Planning and Development Regulations, 2001, as amended (*Class 6A is inserted by article 4 of S.I. No. 649/2025 Planning and Development (Exempted Development (Act of 2000)) (No. 2) Regulations 2025*)
- d) The details as submitted with the application on 11th February 2026

Tipperary County Council has concluded that a slatted tank of 492m³ at Monameagh, Cashel, Co. Tipperary constitutes "development" within the meaning of the Planning and Development Act 2000, as amended and IS "exempted development".

The development **IS** exempted development as same satisfies the planning exemption under Class 6A, Schedule 2, Part 3 of the Planning and Development Regulations 2001 (as amended).

The development has been screened as to the requirement for Appropriate Assessment and Environmental Impact Assessment, and it has been determined that same are not required.

Note:

The tank shall be constructed in accordance with relevant specification published by the Department of Agriculture, Food and the Marine in force at the time of construction of the tank.

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

Signed: Brian Beck
Brian Beck
Director of Services

Date: 04/03/2026



Comhairle Contae Thiobraid Árann
Tipperary County Council

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

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

t 0818 06 5000/6000
e customerservice
@tipperarycoco.ie
tipperarycoco.ie

Date: 4th March 2026

Our Ref: S5/26/12

Civic Offices, Nenagh

John Darmody
C/O Aidan Kelly
Molough
Newcastle
Clonmel
Co. Tipperary

Re: Declaration under Section 5 of the Planning and Development Act 2000, as amended.

Dear Aidan,

I refer to your application for a Section 5 Declaration received on 11th February 2026 in relation to the following proposed works:

To build a slatted tank of 492m³ at Monameagh, Cashel, 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) Article 6 and Article 9 of the Planning and Development Regulations, 2001, as amended,
- c) Schedule 2, Part 1, Class 6A of the Planning and Development Regulations, 2001, as amended (*Class 6A is inserted by article 4 of S.I. No. 649/2025 Planning and Development (Exempted Development (Act of 2000)) (No. 2) Regulations 2025*)
- d) The details as submitted with the application on 11th February 2026

AND WHEREAS Tipperary County Council has concluded that a slatted tank of 492m³ at Monameagh, Cashel, Co. Tipperary constitutes “development” within the meaning of the Planning and Development Act 2000, as amended and **IS** “exempted development”.

The development **IS** exempted development as same satisfies the planning exemption under Class 6A, Schedule 2, Part 3 of the Planning and Development Regulations 2001 (as amended).

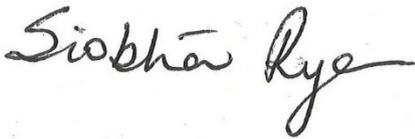
The development has been screened as to the requirement for Appropriate Assessment and Environmental Impact Assessment and it has been determined that same are not required.

Note:

The tank shall be constructed in accordance with relevant specification published by the Department of Agriculture, Food and the Marine in force at the time of construction of the tank.

NOTE: Any person issued with a Declaration of a Planning Authority may refer the Declaration for review to An Coimisiún 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

A handwritten signature in black ink that reads "Siobhán Rye". The signature is written in a cursive style with a long, sweeping tail on the letter 'y'.

for **Director of Services**