



Receipt No 199 996
Issued 20 01 2026
€80.00 Cash

PLANNING & DEVELOPMENT ACT, 2000 (as amended)

**Application for a Section 5 Declaration
Development / Exempted Development**

1. Applicant's address/contact details:

Applicant	BALLINGARRY GAA CLUB
Address	BALLINGARRY GAA CLUB GROUNDS BALLINGARRY Co. TIPPERARY E41 YF80
Telephone No.	[REDACTED]
E-mail	[REDACTED]

2. Agent's (if any) address:

Agent	PAUL FARRELL
Address	GLENGOOLE SOUTH, THURLES, Co. TIPPERARY
Telephone No.	[REDACTED]
E-mail	[REDACTED]
Please advise where all correspondence in relation to this application is to be sent;	
Applicant [] Agent [<input checked="" type="checkbox"/>]	

3. Location of Proposed Development:

Postal Address or Townland or Location (as may best identify the land or structure in question)	BALLINGARRY GAA CLUB GROUNDS, BALLINGARRY VILLAGE, Co. TIPPERARY E41 YF80
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**TIPPERARY CO. COUNCIL
RECEIVED
20 JAN 2026
PLANNING SECTION
FILE NO.**

**Tipperary County Council
RECEIVED
20 JAN 2026
CASH OFFICE
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.

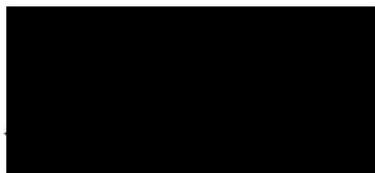
(Note: only works and uses listed and described under this section will be assessed under this Section 5 Application. Use additional sheets if required.)

Install a new layer of SMA surfacing to existing car park. Maintenance of existing structure.	
Proposed floor area of proposed works/uses:	sqm 2900m ²

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

Please tick appropriate box to show applicant's legal interest in the land or structure	A. Owner	B. Occupier
	C. Other Agent	
Where legal interest is 'Other', please expand further on your interest in the land or structure	I am assisting Ballygarry GAA Club with the resurfacing works to the GAA Grounds.	
If you are not the legal owner, please state the name and address of the owner	Name: Richard Goldsboro, Thomas P Maher Address: John Cahill, Simon Moroney, Timothy Floyd All Ballygarry, Co. Tipperary	

Signature of Applicant(s)



Date: 19/1/2026

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	<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. € _____
Receipt No _____
Date _____
Receipted by _____



LEGEND	
○	Manhole Cover
□	Road Gully
□	Hydrant
□	Water Meter
•	Street Valve
•	Stop Cock
□	Telephone Cabinet
□	Telephone Cabinet
○	Road Sign
□	Street Box
○	Traffic Light
○	Lamp Standard
○	Telegraph Pole
○	Drainage Pole
☁	Hedge Outline
⊙	Tier
□	Survey Station
□	Arresting Junction
□	Inspector Cover

Ballingarry
Baile an
Gharraí

Community
Centre

Saint Joseph's
National School

Baile an Gharraí
Uachtarach
Ballingarry Upper

CHURCHVIEW

Catholic
Church

Graveyard

Health Centre

OS Stn

OAKLANDS

NOTE:
AREA TO BE RESURFACED
OUTLINED IN RED
3320M² / 0.332 HA / 0.820 AC

NOTE:
(TM (IRISH TRANSVERSE MERCATOR)
CO-ORDINATE SYSTEM USED
NORTH SIGN REFERS TO GRID NORTH
LEVEL TIED TO ORDNANCE DATUM (MALIN HEAD)

Ballingarry GAA
Ballingarry, Co. Tipperary

PREMIER SURVEYS LTD.
Geo-surveying and Mapping Service
No. 4 Old Baker St., Thurles, Co. Tipperary Tel/Fax 0504-26714
E-mail info@premier-surveys.com

Date	05-09-25	Drawn	G.R.
Scale	1:10000 @ A1	Checked	
Drawing title	Site Survey	Drawing no.	250905G



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: 21st January 2026

Our Ref: S5/26/2

Civic Offices, Clonmel

**Ballingarry GAA Club
C/O Paul Farrell
Glengoole South
Thurles
Co. Tipperary**

Re: Application for a Section 5 Declaration – Install a new layer of SMA surfacing to existing car park. Maintenance of existing structure at Ballingarry GAA Grounds, Ballingarry Village, Thurles, Co. Tipperary.

A Chara,

I acknowledge receipt of your application for a Section 5 Declaration received on 20th January 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:	S5.26.2
Applicant:	Ballingarry GAA Club C/O Paul Farrell Glengoole South, Thurles, Co. Tipperary
Development Address:	Ballingarry GAA Grounds, Ballingarry Village, Thurles, Co. Tipperary
Proposed Development:	The installation of a new layer of SMA surfacing to an existing car park and the maintenance of existing structures.

1. GENERAL

On the 20th of January a request was made for a declaration under Section 5 of the Planning and Development Act, 2000 as amended by Ballingarry GAA Club C/O Paul Farrell as to whether or not the following works constituted development and if so, whether same was exempted development:

- The installation of a new layer of SMA surfacing to an existing car park and the maintenance of existing structures.

2. STATUTORY PROVISIONS

The following statutory provisions are relevant to this referral case;

Section 2(1) of the Planning and Development Act, 2000, as amended, states as follows;

“In this Act, except where the context otherwise requires – “development” has the meaning assigned to it by Section 3 and development shall be construed accordingly.”

And,

“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, 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 provides for Exempted Development and Section 4(1) sets out works which shall be exempted development for the purposes of the Planning and Development Act 2000, as amended.

Section 4(1)(h) of the Act considers 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; to be exempted development.

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

(2)(a) 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:-

4. (4) 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.

6. (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. ASSESSMENT

a. *Site Location*

The site is located at Ballingarry GAA Grounds, Ballingarry Village, Thurles, Co. Tipperary.

b. *Relevant Planning History*

Planning Reference No: 18601055 Permission GRANTED for the installation lighting to walkway and ball wall. Fit wheelchair ramp and steps from carpark to pitch level including associated site works on 25/04/2019.

Planning Reference No: 18601285 Permission GRANTED for the retention of hurling wall in location as built as it differs from permission granted under 12/197 on 17/01/2019.

Planning Reference No: 12197 Permission GRANTED for the installation of flood lighting & a hurling wall including associated site works on 20/08/2012.

Planning Reference No: 01880 Permission GRANTED for the construction of dressing rooms, toilets and meeting room, entrance, floodlights and stand on 09/11/2001.

Planning Reference No: 96372 Permission GRANTED to develop one playing pitch for G.A.A. activities and to provide entrance to same on 21/08/1996.

c. Assessment

A) "Is or is not Development"

Having considered all of the details and documentation on file with regards the question asked the Planning Authority is satisfied that the proposal would involve "works" and such works would constitute "development" within the meaning of Section 3 of the Act.

B) "Is or is not Exempted Development"

The proposed may avail of an exemption under Section 4(1)(h) of the Planning and Development Act 2000 (as amended) however the information submitted with respect to the nature and extent of the woks is not sufficient for the Planning Authority to determine same. Further Information is required.

C) Restrictions under Article 9

No restrictions under Article 9 apply.

D) Requirement for Appropriate Assessment and Environmental Impact 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.

EIA

EIA is not required in respect of the proposal.

4. RECOMMENDATION

A question has arisen as to whether the installation of a new layer of SMA surfacing to an existing car park and the maintenance of existing structures at Ballingarry GAA Grounds, Ballingarry Village, Thurles, Co. Tipperary is development and is or is not exempted development. The information on the file is not sufficient for the Planning Authority to make an informed determination.

It is duly recommended that the following further information be requested under Section 5(2)(b) of the Planning and Development Act 2000, as amended;

1. The applicant is requested to submit details of the proposed works to the existing structures. This should include:

(i) Identification of all existing structures on which the works are proposed to take place.

(ii) A clear description of the nature, extent, and purpose of the works proposed to each structure.

Sufficient information is required to allow the Planning Authority to understand precisely what elements of the existing buildings are being improved, altered or maintained.

2. The applicant is required to submit detailed information regarding the proposed new layer of Stone Mastic Asphalt (SMA) surfacing. A review of GIS aerial imagery indicates that the proposed surface specification may differ from the existing surface treatment. The applicant is required to submit the following regarding the proposed SMA surfacing;

(i) Details/specification and extent of the proposed SMA surface.

(ii) Details of the existing surface.

(iii) Details regarding the permeability or impermeability of the proposed surfacing, including any provision for surface water drainage.

Eoin Buckley

Graduate Planner: _____

Date: 11/02/2026

C. Conway

Senior Executive Planner:

Date: 12.2.2026

HABITATS DIRECTIVE APPROPRIATE ASSESSMENT (AA) SCREENING REPORT

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

(a) File Reference No:	S5/26/2
(b) Brief description of the project or plan:	As per planners report
(c) Brief description of site characteristics:	As per planners report
(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 screening in Y/N
002162 River Barrow and River Nore	https://www.npws.ie/protected-sites/sac/002162	Within 10km	None	No
002137 Lower River Suir	https://www.npws.ie/protected-sites/sac/002137	Within 15km	None	No
000407 The Loughlans	https://www.npws.ie/protected-sites/sac/000407	Within 15km	None	No
004233 River Nore SPA	https://www.npws.ie/protected-sites/sac/004233	Within 15km	None	No

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) 	No impacts

<ul style="list-style-type: none"> • Dust, noise, vibration • Lighting disturbance • Impact on groundwater/dewatering • Storage of excavated/construction materials • Access to site • Pests 	
<p>Operational phase e.g.</p> <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 	No impacts
In-combination/Other	

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

<p>Examples of the type of changes to give consideration to include:</p> <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 • Interference with the key relationships that define the structure or ecological function of the site 	No impacts
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(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 is not likely to have significant effects on the above listed European sites or any other European site, in view of the said sites' conservation objectives.

An appropriate assessment is not, therefore, required.

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:	Eoin Buckley, Graduate Planner	Date: 04/02/2026

EIA Pre-Screening Establishing a development is a 'sub-threshold development'	
File Reference:	S5/26/2
Development Summary:	As per planners report
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): <hr/>	EIA is mandatory No Screening required
<input type="checkbox"/> Yes the project is of a type listed but is <i>sub-threshold</i> : <hr/>	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



Date: 13th February 2026

Our Ref: S5/26/2

Civic Offices, Nenagh

Ballingarry GAA Club
C/O Paul Farrell
Glengoole South
Thurles
Co. Tipperary

Re: Application for a Section 5 Declaration – The installation of a new layer of SMA surfacing to an existing car park and the maintenance of existing structures at Ballingarry GAA Grounds, Ballingarry Village, Thurles, Co. Tipperary.

Dear Sir,

I refer to an application received from you on 20th January 2026 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 requested as follows;

It is duly recommended that the following further information be requested under Section 5(2)(b) of the Planning and Development Act 2000, as amended;

1. The applicant is requested to submit details of the proposed works to the existing structures. This should include:
 - (i) Identification of all existing structures on which the works are proposed to take place.
 - (ii) A clear description of the nature, extent, and purpose of the works proposed to each structure.

Sufficient information is required to allow the Planning Authority to understand precisely what elements of the existing buildings are being improved, altered or maintained.

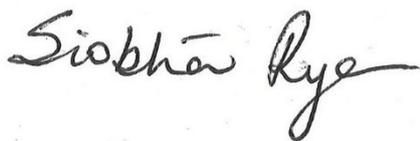
2. The applicant is required to submit detailed information regarding the proposed new layer of Stone Mastic Asphalt (SMA) surfacing. A review of GIS aerial imagery indicates that the proposed surface specification may differ from the existing surface treatment.

The applicant is required to submit the following regarding the proposed SMA surfacing;

- i. Details/specification and extent of the proposed SMA surface.
- ii. Details of the existing surface.
- iii. Details regarding the permeability or impermeability of the proposed surfacing, including any provision for surface water drainage.

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

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**

Date: 20th Feb 2026 TCC Ref: S5/26/2

Dear Sir,

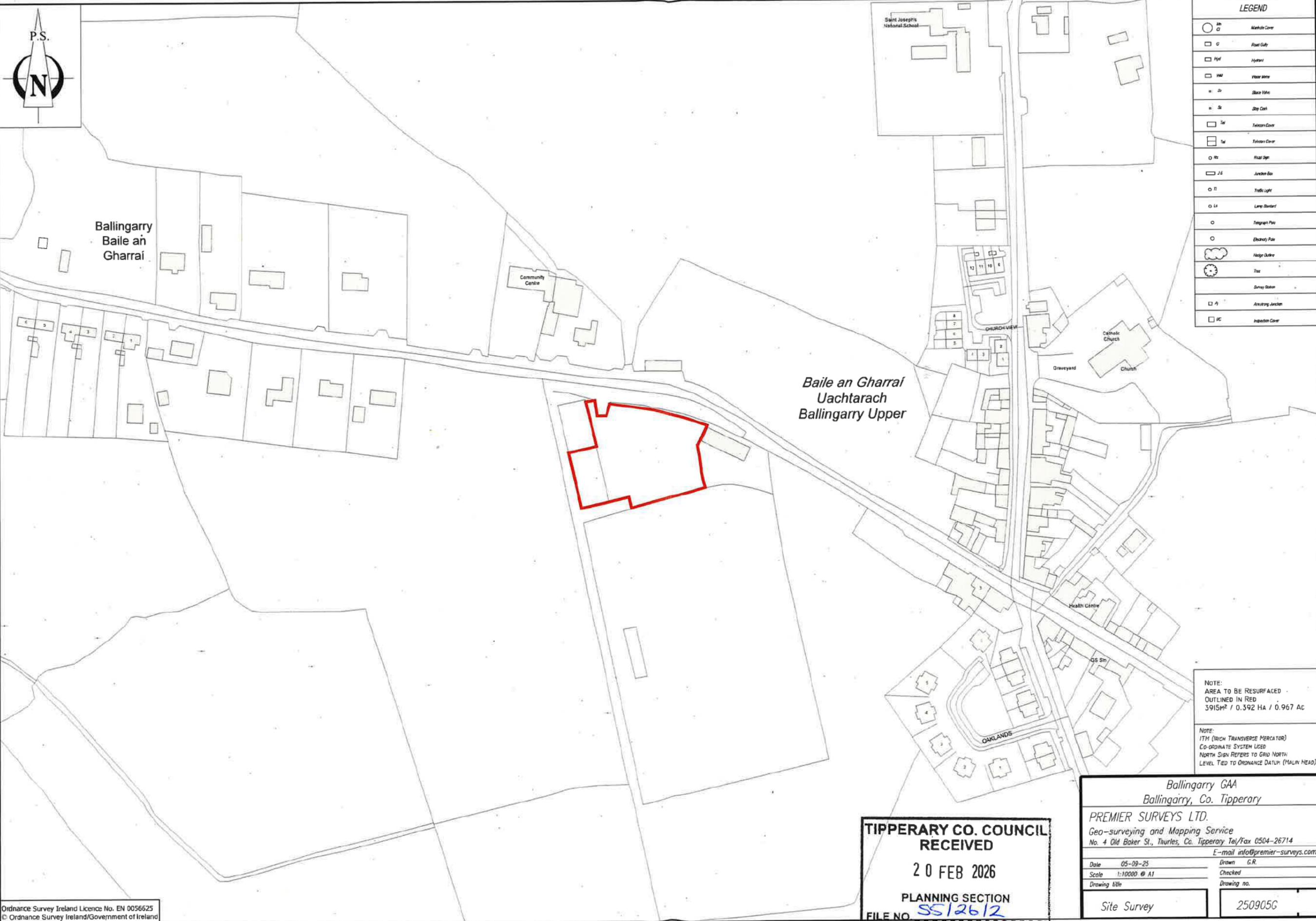
In response to FI request referenced above;

1. The works are to take place in the existing car park of Ballingarry GAA Club, no works will be carried out to the existing buildings on the site.
2. See attached site layout drawing, the red line shows the extent of SMA resurfacing to be carried out to the site, this area is an existing car park.
3. The existing surface is a well compacted layer of CI 804.
4. The proposed surface is a 50mm layer of 10mm SMA. This layer will have very low permeability. To offset this, we have consulted with LAWPRO and they have provided a design for the surface water runoff.
5. See attached drawings from LAWPRO. Works to be carried out with assistance from Tipperary County Council; Carrick on Suir Municipal District.
6. The main car park areas are to drain into two swails which will soak away the majority of the surface water runoff. During heavy rain, the excess runoff will drain to the rain garden located in the SW corner. The rain garden will soak away the remaining area of the car park.
7. These swails and rain garden will limit the outfall flow to very low levels. They will also filter the surface water runoff.

8. Regards

Paul Farrell





LEGEND	
○	Manhole Cover
□	Road Gully
□	Hydrant
□	Water Meter
⊞	Gate Valve
⊞	Stop Cock
□	Telecom Cover
□	Telecom Cover
○	Road Sign
□	Junction Box
○	Traffic Light
○	Lamp Standard
○	Telegraph Pole
○	Electricity Pole
☁	Hedge Outline
⊙	Taxi
○	Survey Station
□	Arising Junction
□	Injection Cover

NOTE:
 AREA TO BE RESURFACED
 OUTLINED IN RED
 3915M² / 0.392 HA / 0.967 AC

NOTE:
 ITM (IRISH TRANSVERSE MERCATOR)
 CO-ORDINATE SYSTEM USED
 NORTH SIGN REFERS TO GRID NORTH
 LEVEL TIED TO ORDNANCE DATUM (MALIN HEAD)

**TIPPERARY CO. COUNCIL
 RECEIVED**
 20 FEB 2026
 PLANNING SECTION
 FILE NO SS/26/2

Ballingarry GAA
 Ballingarry, Co. Tipperary
 PREMIER SURVEYS LTD.
 Geo-surveying and Mapping Service
 No. 4 Old Baker St., Thurles, Co. Tipperary Tel/Fax 0504-26714
 E-mail info@premier-surveys.com

Date	05-09-25	Drawn	G.R.
Scale	1:10000 @ A1	Checked	
Drawing title	Site Survey	Drawing no.	250905G



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PLANNING SECTION
FILE NO. SS/26/2

LEGEND	
○	Manhole Cover
□	Road Gully
□	Hydrant
□	Water Meter
≡	Baric Valve
≡	Step Down
□	Falcon Cover
□	Telecom Cover
○	Post Sign
□	Junction Box
○	Traffic Light
○	Lamp Standard
○	Telegraph Pole
○	Electric Pole
☁	Hedge Outline
⊙	Tree
⊙	Survey Station
□	Armstrong Junction
□	Aspersion Cover

Red line
Shows
Extent of Area
to be
resurfaced
with
SMA

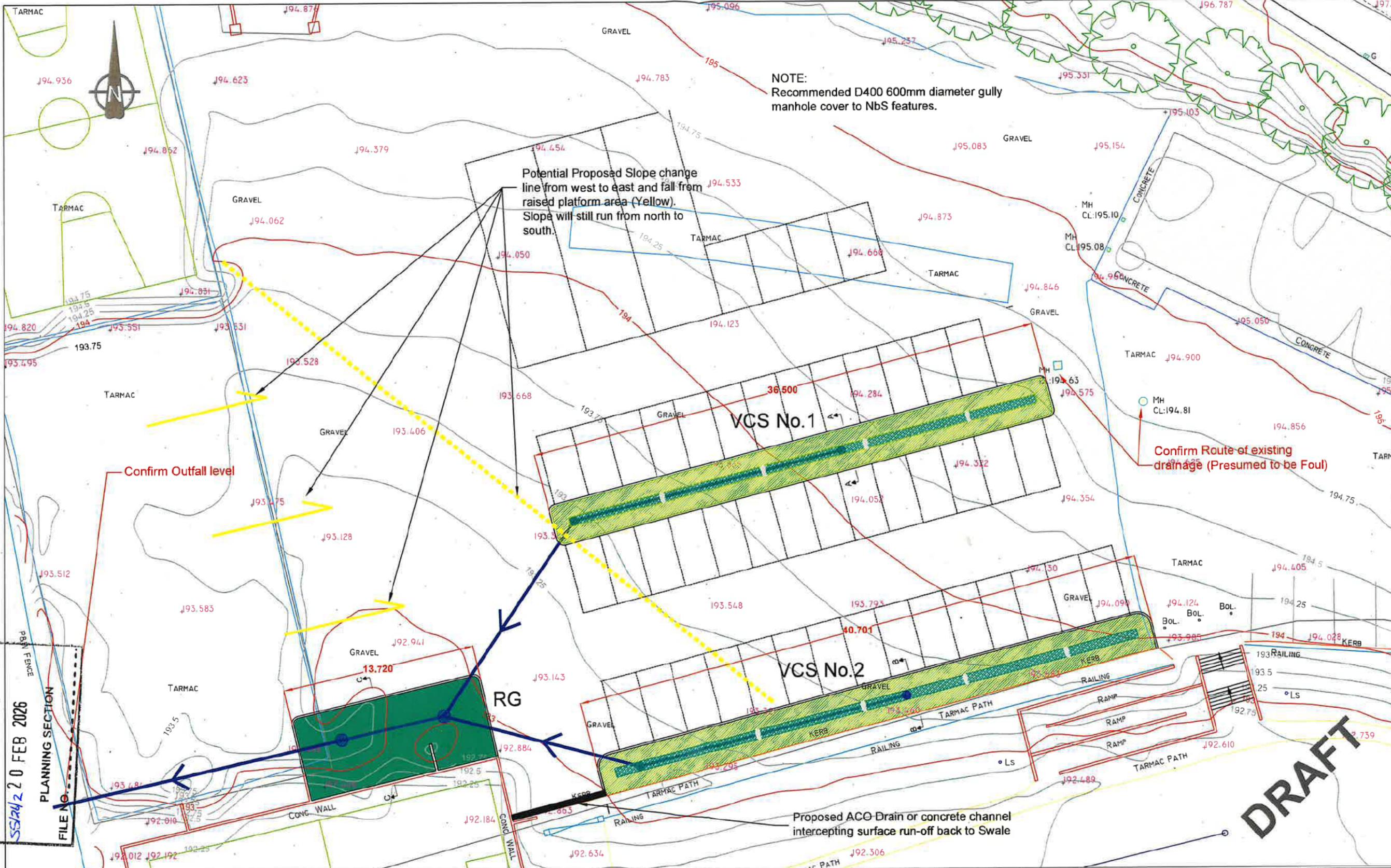
NOTE:
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NOTE:
ITM (IRISH TRANSVERSE MERCATOR)
COORDINATE SYSTEM USED
NORTH SIGN REFERS TO GRID NORTH
LEVEL TIED TO ORDNANCE DATUM (MALIN HEAD)

Ballingarry GAA
Ballingarry, Co. Tipperary

PREMIER SURVEYS LTD.
Geo-surveying and Mapping Service
No. 4 Old Baker St., Thurles, Co. Tipperary Tel/Fax 0504-26714
E-mail info@premier-surveys.com

Date	05-09-25	Drawn	G.R.
Scale	1:250 @ A1	Checked	
Drawing title	Site Survey	Drawing no.	250905G



NOTE:
Recommended D400 600mm diameter gully manhole cover to Nbs features.

Potential Proposed Slope change line from west to east and fall from raised platform area (Yellow). Slope will still run from north to south.

Confirm Outfall level

Confirm Route of existing drainage (Presumed to be Foul)

DRAFT

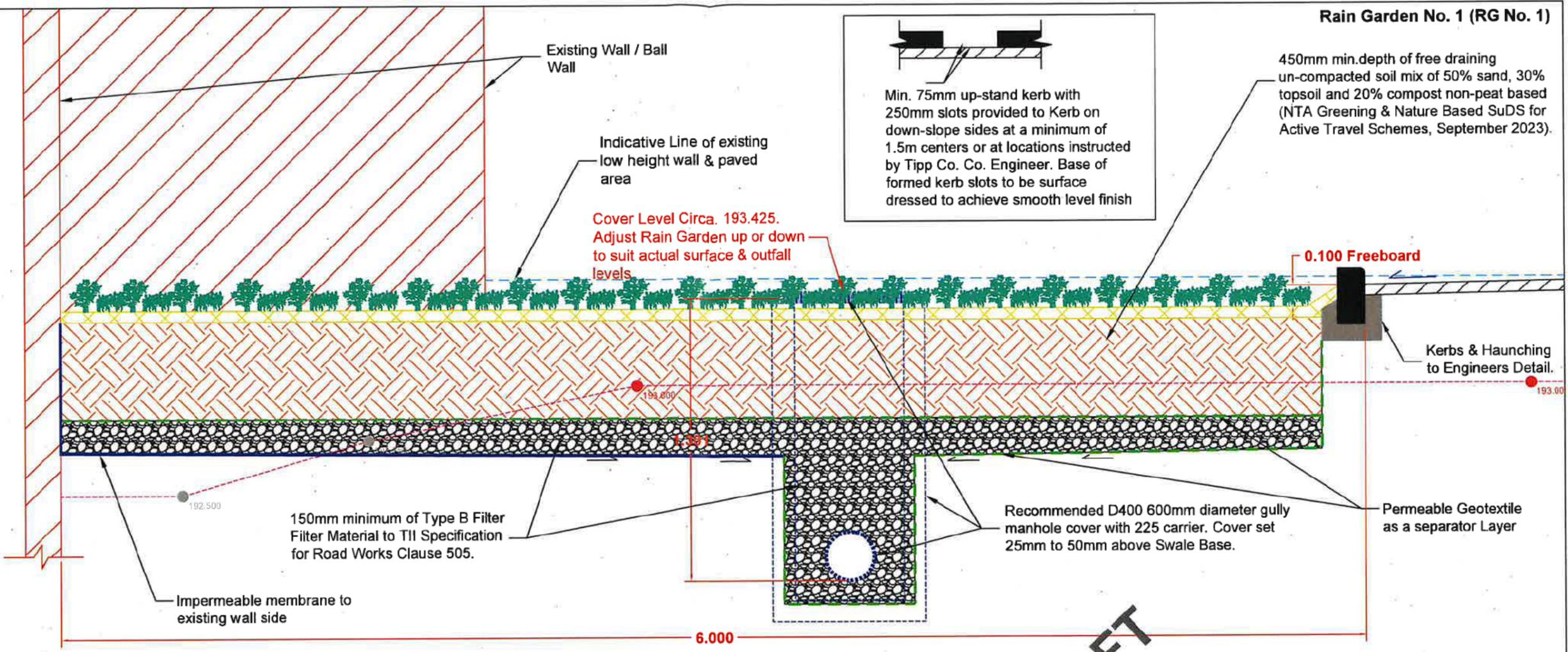
TIPPERARY CO. COUNCIL RECEIVED
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- NOTES:
1. The Contractor shall confirm the location of all overhead & underground services prior to commencement of work on site.
 2. Any proposed Contractor amendments shall be agreed with the Employers Representative or Tipperary Co. Council Engineer on site.
 3. Subject to agreement of Council Engineer Levels may be adjusted on site as required.
- DO NOT SCALE

Revision	Date	Description	Drawn by	Checked by	Approved by
01	23/01/2025	Drawing for discussion	TB	TB	TB

Originator: Local Authority Waters Programme <small>vibrant communities catchment assessment healthy waters</small> Tel: (052) 616 6230 e-mail: info@lawaters.ie	Approved by: T. Brennan (TB)	Project Title: Proposed Nature based Solution (Nbs) Ballygarry GAA Carpark - Carrick MD	Project No.: NBS-25-029
	Checked by: T. Brennan (TB)	Scale: 1:250 (A3-Plans)	Drawing Title: Site Layout Drawing Including proposed Nbs Drainage Layout
Drawn by: T. Brennan (TB)	Rev. Date: 23/09/2025	Drawing Number: BGAA-Carpark-001	Project Folder No.: NBS-25-029
DO NOT SCALE	DO NOT SCALE	DO NOT SCALE	Rev.: F1

TIPPERARY CO. COUNCIL
RECEIVED
20 FEB 2026
PLANNING SECTION
FILE NO. 2512612



Cross Section C-C SCALE: 1:10

Suggested Planting for Rain Garden:

Planting at a rate of 2 plants /m2 i.e. using plants tolerant to wet conditions, occasional flooding and dry weather (low maintenance). See Cross-Section A-A & B-B. See Plant Examples below. Other suitable plants / perennials may also be chosen.



- NOTES:
1. The Contractor shall confirm the location of all overhead & underground services prior to commencement of work on site.
 2. Any proposed Contractor amendments shall be agreed with the Employers Representative or Tipperary Co. Council Engineer on site.
 3. Subject to agreement of Council Engineer Levels may be adjusted on site as required.
- DO NOT SCALE**

Revision	Date	Description	Drawn by	Checked by	Approved by
01	23/01/2026	Drawing for discussion	TB	TB	TB

Originator: **Local Authority Waters Programme**
vibrant communities | catchment assessment | healthy waters
Tel: (052) 616 6230
e-mail: info@awaters.ie

Approved by: T. Brennan (TB)
Checked by: T. Brennan (TB)
Drawn by: T. Brennan (TB)
Scale: As Shown
Rev. Date: 21/09/2025

Project Title: **Proposed Nature based Solution (Nbs) Ballingarry GAA Carpark - Carrick MD**

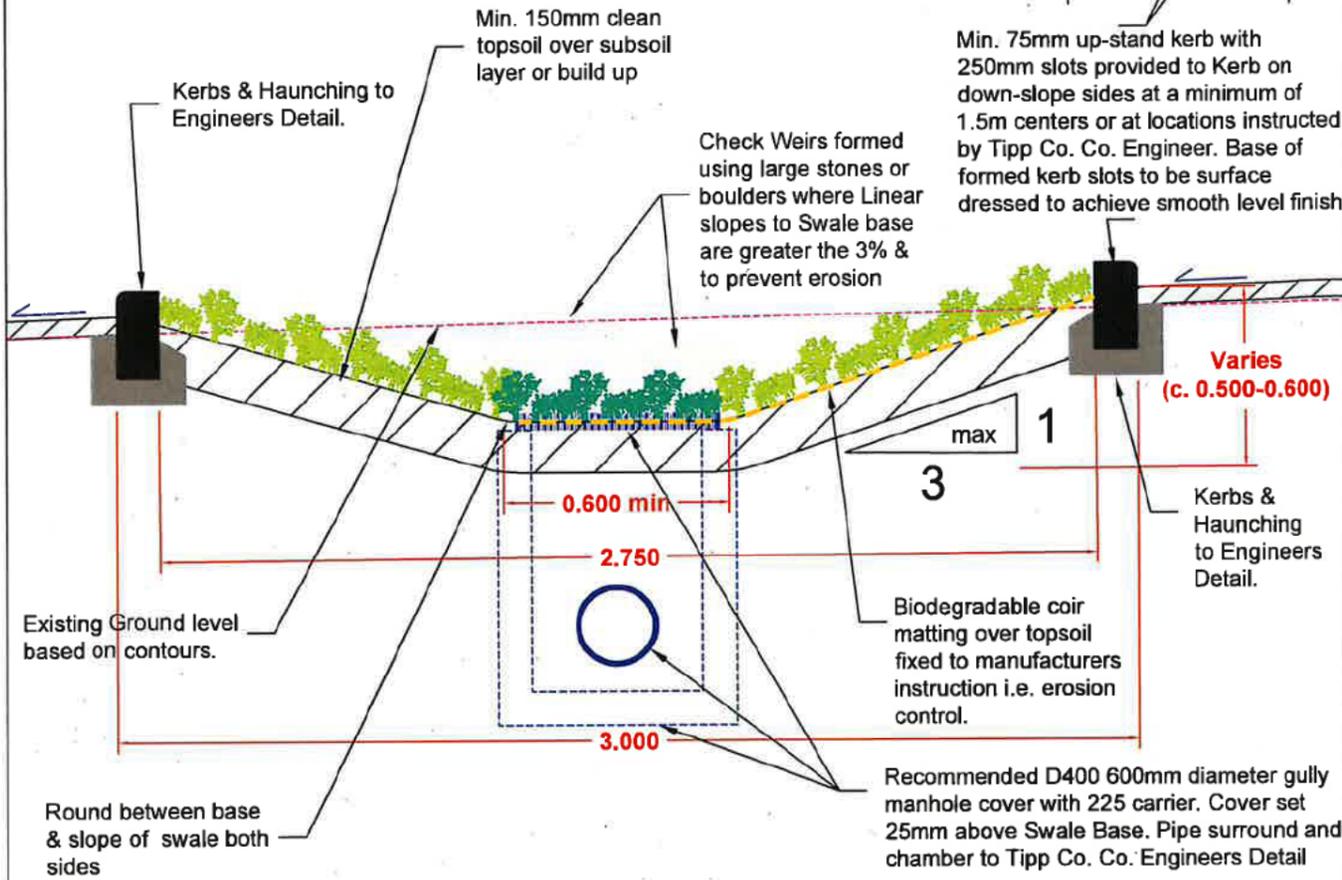
Project No.: **NBS-25-029**

Drawing Title: **Proposed Rain Garden**

Project Folder No.: **NBS-25-029** Rev.: **D1**

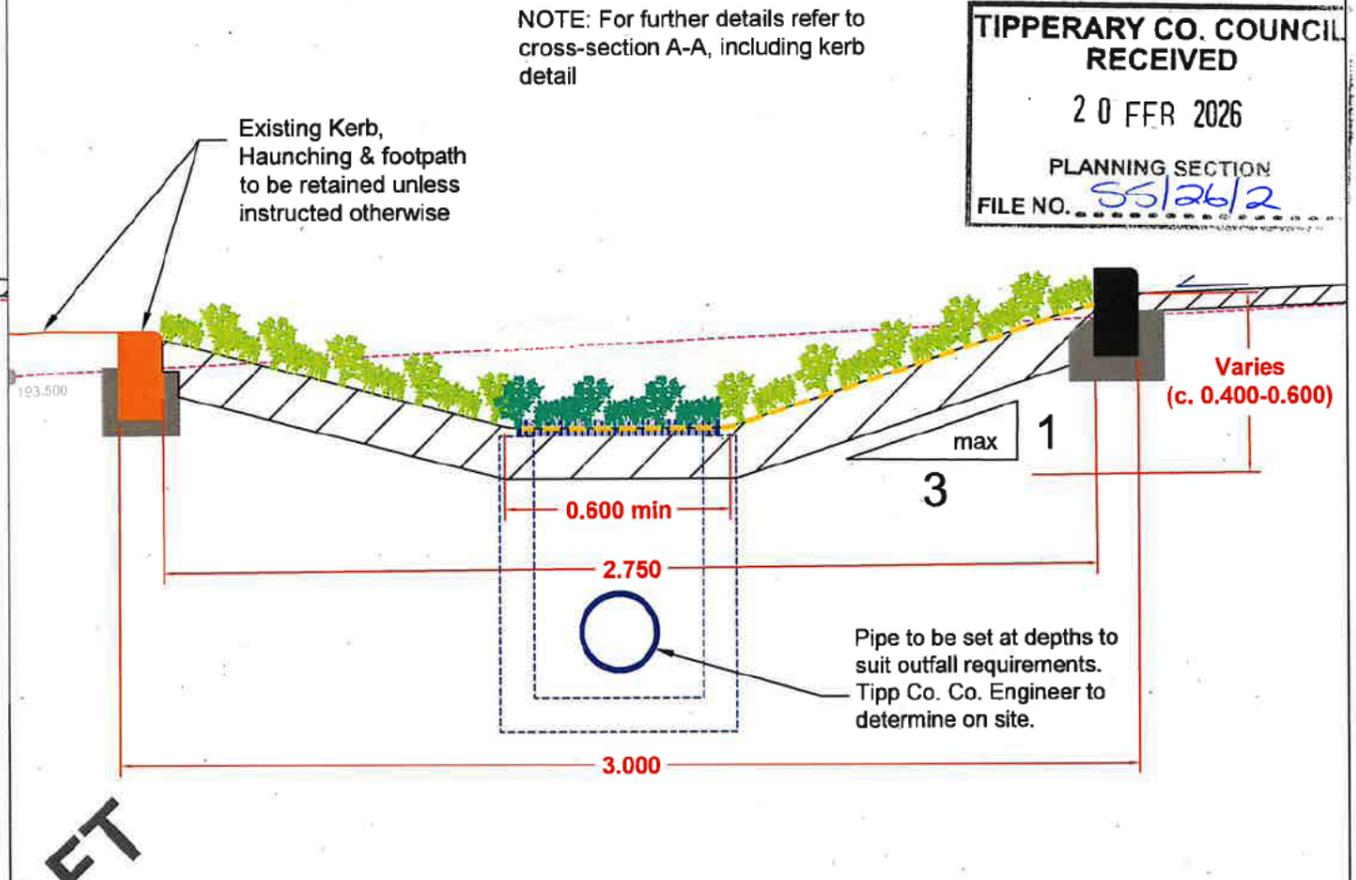
Drawing Number: **BGAA-Carpark-002**

Vegetated Conveyance Swale No. 1 (VCS No. 1)



Cross Section A-A SCALE: 1:10

Vegetated Conveyance Swale No. 2 (VCS No. 2)



Cross Section B-B SCALE: 1:10

TIPPERARY CO. COUNCIL RECEIVED
 20 FEB 2026
 PLANNING SECTION
 FILE NO. SS/26/2

DRAFT

Suggested Planting for Swale Base:

Planting at a rate of 2 plants /m2 i.e. using plants tolerant to wet conditions, occasional flooding and dry weather. See Cross-Section A-A & B-B. See Plant Examples below. Other suitable plants / perennials and trees may also be chosen.



Suggested Planting for Swale Side Slopes:

Individual Planting at a rate of 2 plants /m2. Low maintenance plants only. See Cross-Section A-A & B-B. Example provided below for wildflower planting mix. Wildflower planting should be planted at a rate of 1.5g/m2.



- NOTES:**
1. The Contractor shall confirm the location of all overhead & underground services prior to commencement of work on site.
 2. Any proposed Contractor amendments shall be agreed with the Employers Representative or Tipperary Co. Council Engineer on site.
 3. Subject to agreement of Council Engineer Levels may be adjusted on site as required.

DO NOT SCALE

Revision	Date	Description	Drawn by	Checked by	Approved by
D1	23/01/2025	Drawing for discussion	TB	TB	TB

Originator:
Local Authority Waters Programme
 vibrant communities | catchment assessment | healthy waters
 Tel: (052) 616 6230
 e-mail: info@lawaters.ie

Approved by: T. Brennan (TB)
 Checked by: T. Brennan (TB)
 Drawn by: T. Brennan (TB)
 Scale: As Shown
 Rev. Date: 23/09/2025

Project Title:
Proposed Nature based Solution (NbS) Ballygarry GAA Carpark - Carrick MD
 Drawing Title:
Vegetated Conveyance Swale Cross-Sections & Planting
 Drawing Number: **BGAA-Carpark-002**

Project No.: **NBS-25-029**
 Project Folder No.: **NBS-25-029**
 Rev.: **D1**
 BGAA-Carpark-002



Comhairle Contae Thiobraid Árann
Tipperary County Council

Comhairle Contae
Thiobraid Árann,
Oifigí Cathartha,
Cluain Meala,
Co. Thiobraid Árann
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Date: 23rd February 2026 Our Ref: S5/26/2 Civic Offices, Clonmel

Ballingarry GAA Club
C/O Paul Farrell
Glengoole South
Thurles
Co. Tipperary

Re: Application for a Section 5 Declaration – Install a new layer of SMA surfacing to existing car park. Maintenance of existing structure at Ballingarry GAA Grounds, Ballingarry Village, Thurles, Co. Tipperary.

A Chara,

I acknowledge receipt of Further Information received on 20th 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:	S5.26.2
Applicant:	Ballingarry GAA Club C/O Paul Farrell Glengoole South, Thurles, Co. Tipperary
Development Address:	Ballingarry GAA Grounds, Ballingarry Village, Thurles, Co. Tipperary
Proposed Development:	The installation of a new layer of SMA surfacing to an existing car park and the maintenance of existing structures.

1. GENERAL

On the 20th of January a request was made for a declaration under Section 5 of the Planning and Development Act, 2000 as amended by Ballingarry GAA Club C/O Paul Farrell as to whether or not the following works constituted development and if so, whether same was exempted development:

- The installation of a new layer of SMA surfacing to an existing car park and the maintenance of existing structures.

2. STATUTORY PROVISIONS

The following statutory provisions are relevant to this referral case;

Section 2(1) of the Planning and Development Act, 2000, as amended, states as follows;

“In this Act, except where the context otherwise requires – “development” has the meaning assigned to it by Section 3 and development shall be construed accordingly.”

And,

“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, 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 provides for Exempted Development and Section 4(1) sets out works which shall be exempted development for the purposes of the Planning and Development Act 2000, as amended.

Section 4(1)(h) of the Act considers 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; to be exempted development.

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

(2)(a) 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:-

4. (4) 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.

6. (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. ASSESSMENT

a. *Site Location*

The site is located at Ballingarry GAA Grounds, Ballingarry Village, Thurles, Co. Tipperary.

b. *Relevant Planning History*

Planning Reference No: 18601055 Permission GRANTED for the installation lighting to walkway and ball wall. Fit wheelchair ramp and steps from carpark to pitch level including associated site works on 25/04/2019.

Planning Reference No: 18601285 Permission GRANTED for the retention of hurling wall in location as built as it differs from permission granted under 12/197 on 17/01/2019.

Planning Reference No: 12197 Permission GRANTED for the installation of flood lighting & a hurling wall including associated site works on 20/08/2012.

Planning Reference No: 01880 Permission GRANTED for the construction of dressing rooms, toilets and meeting room, entrance, floodlights and stand on 09/11/2001.

Planning Reference No: 96372 Permission GRANTED to develop one playing pitch for G.A.A. activities and to provide entrance to same on 21/08/1996.

c. Assessment

A) "Is or is not Development"

Having considered all of the details and documentation on file with regards the question asked the Planning Authority is satisfied that the proposal would involve "works" and such works would constitute "development" within the meaning of Section 3 of the Act.

B) "Is or is not Exempted Development"

The proposed may avail of an exemption under Section 4(1)(h) of the Planning and Development Act 2000 (as amended) however the information submitted with respect to the nature and extent of the woks is not sufficient for the Planning Authority to determine same. Further Information is required.

C) Restrictions under Article 9

No restrictions under Article 9 apply.

D) Requirement for Appropriate Assessment and Environmental Impact 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.

EIA

EIA is not required in respect of the proposal.

4. FURTHER INFORMATION

Two points of further information were requested from the applicant in a letter dated 13/02/2026. The FI request is outlined below in italics with assessment under same in bold.

1. *The applicant is requested to submit details of the proposed works to the existing structures. This should include:*

(i) Identification of all existing structures on which the works are proposed to take place.

(ii) A clear description of the nature, extent, and purpose of the works proposed to each structure.

Sufficient information is required to allow the Planning Authority to understand precisely what elements of the existing buildings are being improved, altered or maintained.

A cover letter was submitted by the applicant as part of the further information request stating that the proposed works are to take place in the existing car park of Ballingarry GAA Club and that no works are proposed to be carried out to the existing buildings on the site.

2. *The applicant is required to submit detailed information regarding the proposed new layer of Stone Mastic Asphalt (SMA) surfacing. A review of GIS aerial imagery indicates that the proposed surface specification may differ from the existing surface treatment. The applicant is required to submit the following regarding the proposed SMA surfacing;*

(i) Details/specification and extent of the proposed SMA surface.

(ii) Details of the existing surface.

(iii) Details regarding the permeability or impermeability of the proposed surfacing, including any provision for surface water drainage.

The applicant has submitted details regarding the specification and extent of the proposed SMA surface stating that the proposed surface is a 50mm layer of 10mm SMA with a very low level of permeability. To offset this issue the applicant has consulted with LAWPRO who have designed a suitable solution to contain surface water runoff.

The existing surface consists of a well compacted layer of CI 804.

The applicant has submitted a Site Layout Map and Section drawings of the proposed surface water drainage techniques which contains information regarding the main car park areas are to drain into two swails which will soak away the majority of the surface water runoff. During periods of heavy rainfall, the excess runoff will drain into a rain garden located in the southwest corner of the proposed development. The rain garden will also soakaway the remaining area of the car park. The proposed swails and rain garden will limit the outfall flow to very low levels and also filter the surface water runoff.

Having reviewed the information submitted I consider that the proposal is in exceeds the exemption provided for under Section 4(1)(h) of the above mentioned act. Notably the provision of new surface water collection and disposal infrastructure. There is no other exemption which the proposal could avail of.

5. RECCOMENDATION

A question has arisen as to whether the following proposal to be undertaken at Ballingarry GAA Grounds, Ballingarry Village, Thurles, Co. Tipperary is development and is or is not exempted development:

The installation of a new layer of SMA surfacing to an existing car park and the maintenance of existing structures. (As revised in response to the Further Information Request the proposal also requires the installation of surface water collection and disposal infrastructure i.e. swales and rain garden).

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

- (a) Sections 2, 3 and 4 of the Planning & Development Act, 2000, as amended,
- (b) Articles 6 of the Planning & Development Act, 2000, as amended, and the exemptions set out under Schedule 2 of the Planning and Development Regulations 2001, as amended,
- (c) The declaration application and supporting information, including further information,

Tipperary County Council has concluded that the proposal as set out above is “development” within the meaning of the Planning and Development Act 2000 as amended and **IS NOT exempted development.**

Eoin Buckley

Graduate Planner: _____

Date: 23/02/2026

C. Conway

Senior Executive Planner:

Date: 09.03.2026

HABITATS DIRECTIVE APPROPRIATE ASSESSMENT (AA) SCREENING REPORT

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

(a) File Reference No:	S5/26/2
(b) Brief description of the project or plan:	As per planners report
(c) Brief description of site characteristics:	As per planners report
(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 screening in Y/N
002162 River Barrow and River Nore	https://www.npws.ie/protected-sites/sac/002162	Within 10km	None	No
002137 Lower River Suir	https://www.npws.ie/protected-sites/sac/002137	Within 15km	None	No
000407 The Loughlans	https://www.npws.ie/protected-sites/sac/000407	Within 15km	None	No
004233 River Nore SPA	https://www.npws.ie/protected-sites/sac/004233	Within 15km	None	No

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 	No impacts.

<ul style="list-style-type: none"> • Lighting disturbance • Impact on groundwater/dewatering • Storage of excavated/construction materials • Access to site • Pests 	
<p>Operational phase e.g.</p> <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 	No impacts.
In-combination/Other	
(b) Describe any likely changes to the European site:	
<p>Examples of the type of changes to give consideration to include:</p> <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 • Interference with the key relationships that define the structure or ecological function of the site 	No impacts.
(c) Are 'mitigation' measures necessary to reach a conclusion that likely significant effects can be ruled out at screening?	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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 is not likely to have significant effects on the above listed European sites or any other European site, in view of the said sites' conservation objectives.

An appropriate assessment is not, therefore, required.

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:	Eoin Buckley, Graduate Planner	Date: 04/02/2026

EIA Pre-Screening	
Establishing a development is a 'sub-threshold development'	
File Reference:	S5/26/2
Development Summary:	As per planners report
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> : <hr/>	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

Original

TIPPERARY COUNTY COUNCIL

DELEGATED EMPLOYEE'S ORDER

File Ref: **S5/26/2** **Delegated Employee's Order No:** _____

SUBJECT: Section 5 Declaration

go
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 Ballingarry GAA Club, C/O Paul Farrell, Glengoole South, Thurles, Co. Tipperary Re: The installation of a new layer of SMA surfacing to an existing car park and the maintenance of existing structures at Ballingarry GAA Grounds, Ballingarry Village, Thurles, 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 & Development Act, 2000, as amended,
- b) Articles 6 of the Planning & Development Act, 2000, as amended, and the exemptions set out under Schedule 2 of the Planning and Development Regulations 2001, as amended,
- c) The declaration application and supporting information, including further information.

Tipperary County Council has concluded that the proposal as set out above is "development" within the meaning of the Planning and Development Act 2000 as amended and **IS NOT exempted development.**

Signed: *Brian Beck*
Brian Beck
Director of Services

Date: 10/3/2026



Comhairle Contae Thiobraid Árann
Tipperary County Council

Comhairle Contae
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Oifigí Cathartha,
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Date: 10th March 2026

Our Ref: S5/26/2

Civic Offices, Nenagh

**Ballingarry GAA Club
C/O Paul Farrell
Glengoole South
Thurles
Co. Tipperary**

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

Dear Paul,

I refer to your application for a Section 5 Declaration received on 20th January, 2026, and Further Information received on 20th February, 2026 in relation to the following proposed works:

The installation of a new layer of SMA surfacing to an existing car park and the maintenance of existing structures at Ballingarry GAA Grounds, Ballingarry Village, Thurles, 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 & Development Act, 2000, as amended,
- b) Articles 6 of the Planning & Development Act, 2000, as amended, and the exemptions set out under Schedule 2 of the Planning and Development Regulations 2001, as amended,
- c) The declaration application and supporting information, including further information.

Tipperary County Council has concluded that the proposal as set out above is "development" within the meaning of the Planning and Development Act 2000 as amended and **IS NOT exempted development.**

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

Geraldine Quinn

for **Director of Services**