



PLANNING & DEVELOPMENT ACT, 2000 (as amended)

Application for a Section 5 Declaration
Development / Exempted Development

1. Applicant's address/contact details:

Applicant	PATRICIA HENNESSY
Address	GRANGEMOCKLER, CARRICK - ON - SUIR, CO. TIPPERARY E32 NX 32
Telephone No.	[REDACTED]
E-mail	[REDACTED]

2. Agent's (if any) address:

Agent	MICHAEL MOLONEY
Address	BUTLERSWOOD, WINDGAP, CO. KILKENNY
Telephone No.	[REDACTED]
E-mail	[REDACTED]
Please advise where all correspondence in relation to this application is to be sent;	
Applicant [<input checked="" type="checkbox"/>]	Agent [<input type="checkbox"/>]

3. Location of Proposed Development:

Postal Address or Townland or Location (as may best identify the land or structure in question)	GRANGEMOCKLER, CARRICK - ON - SUIR, CO. TIPPERARY E32 NX 32
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Receipt NO 200 492
Issued 05/02/2026
€80.00 card

TIPPERARY CO. COUNCIL
RECEIVED
05 FEB 2026
PLANNING SECTION
FILE NO. 35/247

Tipperary County Council
RECEIVED
05 FEB 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.

CHANGE OF USE FROM COMMERCIAL TO RESIDENTIAL
AS EXTENSION TO DWELLING.
(CHANGE AFTER SCHOOL TO KITCHEN AND
DINNING).
Proposed floor area of proposed works/uses: 31.3 sqm

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 <input checked="" type="checkbox"/>	B. Occupier <input type="checkbox"/>
	C. Other <input type="checkbox"/>	<input type="checkbox"/>
Where legal interest is 'Other', please expand further on your interest in the land or structure		
If you are not the legal owner, please state the name and address of the owner	Name: Address:	

Signature of Applicant(s) 

Date: 29/01/2026

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

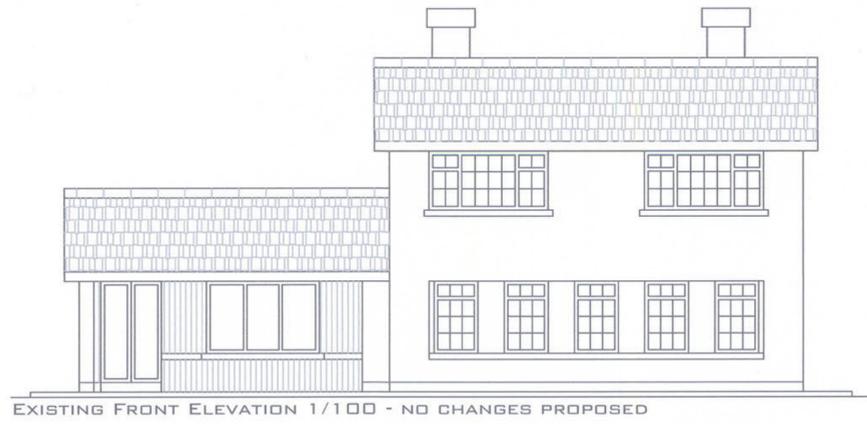
DATE STAMP

Fee Recd. € _____

Receipt No _____

Date _____

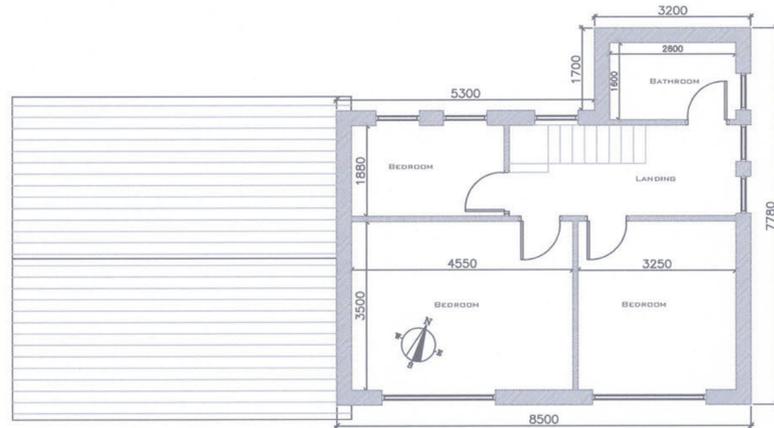
Received by _____



EXISTING FRONT ELEVATION 1/100 - NO CHANGES PROPOSED



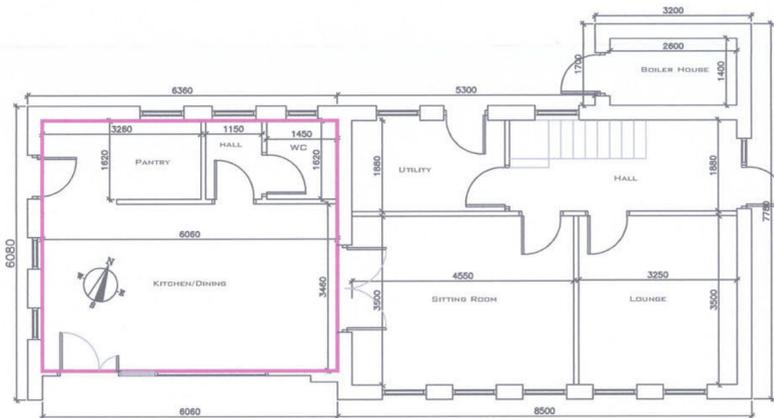
EXISTING REAR ELEVATION 1 /100 - NO CHANGES PROPOSED



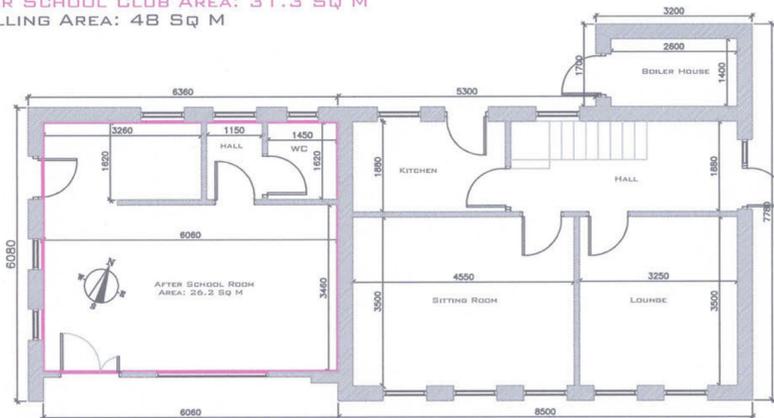
EXISTING FIRST FLOOR PLAN 1/100
AREA: 48 SQ M - NO CHANGES PROPOSED



EXISTING SIDE ELEVATION 1/100 - NO CHANGES PROPOSED



PROPOSED GROUND FLOOR PLAN 1/100
AFTER SCHOOL CLUB AREA: 31.3 SQ M
DWELLING AREA: 48 SQ M



EXISTING GROUND FLOOR PLAN 1/100
AFTER SCHOOL CLUB AREA: 31.3 SQ M
DWELLING AREA: 48 SQ M

LEGEND

PROPOSED CHANGE OF USE



SITE LAYOUT PLAN 1/250
AREA: 0.15 HA

NOTES:
CONSTRUCTION TO BE IN ACCORDANCE WITH THE CURRENT BUILDING REGULATIONS.
WORK TO BE CARRIED OUT BY CERTIFIED PEOPLE
DO NOT SCALE DRAWINGS USE FIGURED DIMENSIONS ONLY
DRAWINGS FOR PLANNING APPLICATION ONLY
NOT TO BE USED FOR CONSTRUCTION

ARCHITECTURAL DESIGN SERVICES
MICHAEL MCDONNEY, BUTLERSWOOD, WINDGAP, CO. KILKENNY
& COLLIGAN, DUNGARVAN, CO. WATERFORD
TEL: 087 841 2653 TEL: 051 64 88 34
EMAIL: ARCHITECTURALDESIGN@EIRCOM.NET

CLIENT: PATRICIA LONERGAN, BRANEMOCKLER, CO. TIPPERARY.
SCALE: AS SHOWN
DATE: 28-01-25
DRAWN: M. MCDONNEY
CHECKED: *****
APPROVED: *****

TITLE: PLANS, ELEVATIONS & SITE LAYOUT PLAN
DRAWING NO: MM_PL_D1
REV: 0

Site Location Map



Taite
Eireann

CENTRE COORDINATES:
ITM 636028,632856

PUBLISHED: 05/02/2026
ORDER NO.: 50516255_1

MAP SERIES: 6 Inch Raster
6 Inch Raster
6 Inch Raster
6 Inch Raster
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TY071
TY072

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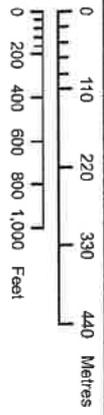
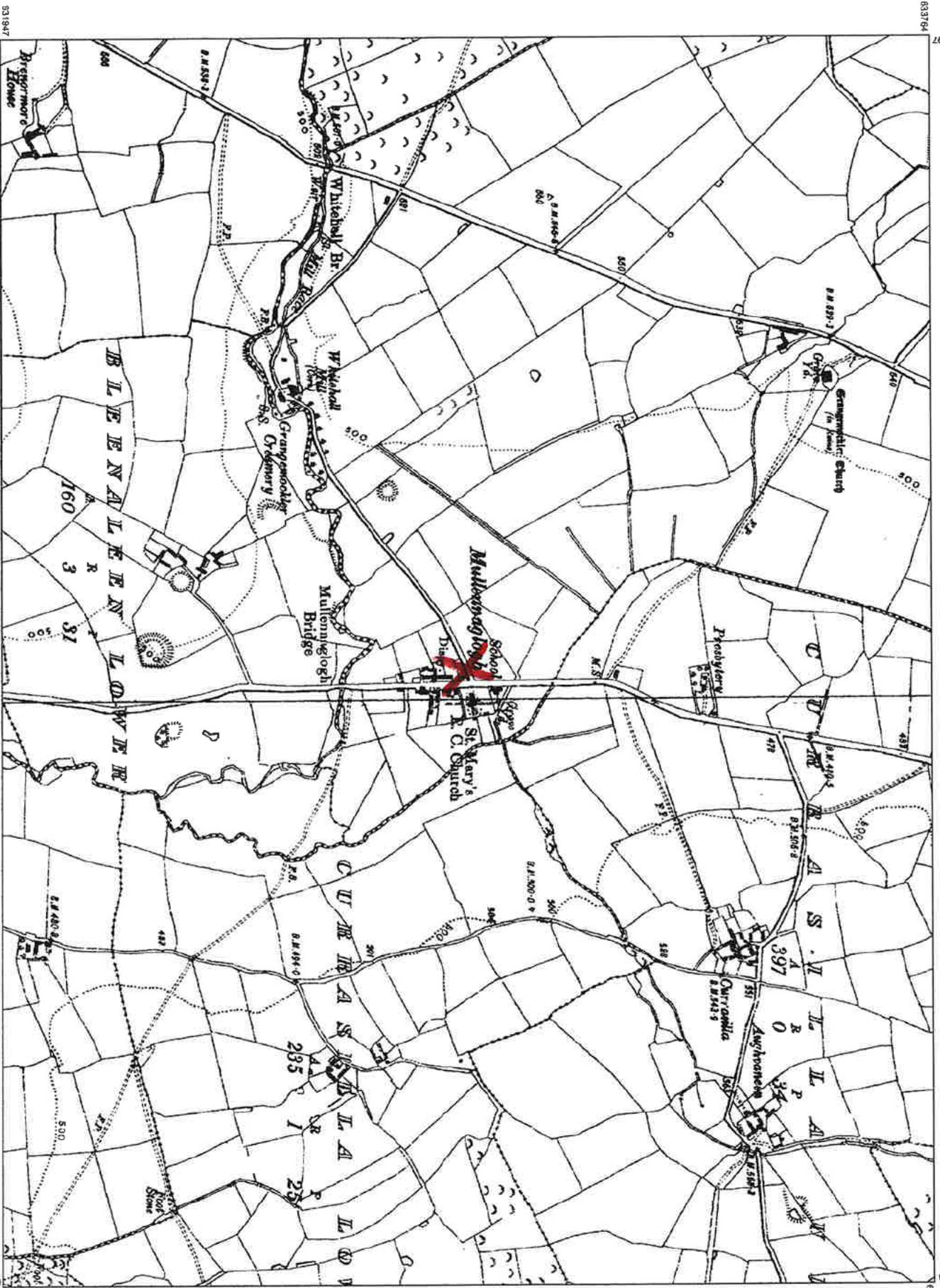
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LEGEND:

To view the legend visit www.taite.ie and search for 'Large Scale Legend'





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Tipperary County Council

Comhairle Contae
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Oifigí Cathartha,
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Tipperary County Council,
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E91 N512

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Co. Thiobraid Árann
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Civic Offices, Nenagh,
Co. Tipperary
E45 A099

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

Date: 5th February 2026 Our Ref: S5/26/7 Civic Offices, Clonmel

Patricia Hennessy
Grangemockler
Carrick on Suir
Co. Tipperary

Re: Application for a Section 5 Declaration – Change of use from commercial to residential to dwelling, change afterschool to kitchen and dining at Grangemockler, Carrick on Suir, Co. Tipperary, E32 NX32.

A Chara,

I acknowledge receipt of your application for a Section 5 Declaration received on 5th 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 Ref.: S5/26/7

Applicant: Patricia Hennessey

Development Address: Grangemockler, Carrick on Suir, Co. Tipperary, E32 NX32.

Proposed Development: Change of use from commercial to residential to dwelling, change afterschool to kitchen and dining room.

1. GENERAL

On the 5th of February 2026, a request was made for a declaration under Section 5 of the Planning and Development Act, 2000 as amended as to whether the following is “development” and “exempt development”:

- Change of use from commercial to residential to dwelling, change afterschool to kitchen and dining room.

The site is located in Grangemockler, Carrick on Suir, Co. Tipperary. It is located within the development boundary of the village as defined in the Tipperary County Development Plan 2022. It is noted that the site is zoned for social and public use in the aforementioned plan.

2. STATUTORY PROVISION

The following statutory provisions are relevant to this referral case;

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 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.

Planning and Development Regulations 2001

Article 10 6(a)

(a) In this sub-article—

'habitable room' means a room used for living or sleeping purposes but does not include a kitchen that has a floor area of less than 6.5 square metres;

'relevant period' means the period from 8 February 2018 until 31 December 2025.

(b) This sub-article relates to a proposed development, during the relevant period, that consists of a change of use to residential use from Class 1, 2, 3, 6 or 12 of Part 4 to Schedule 2

(c) Notwithstanding sub-article (1), where in respect of a proposed development referred to in paragraph (b)—

(i) the structure concerned was completed prior to the making of the Planning and Development (Amendment) (No. 2) Regulations 2018,

(ii) the structure concerned has at some time been used for the purpose of its current use class, being Class 1, 2, 3, 6 or 12, and

(iii) the structure concerned, or so much of it that is the subject of the proposed development, has been vacant for a period of 2 years or more immediately prior to the commencement of the proposed development,

then the proposed development for residential use, and any related works, shall be exempted development for the purposes of the Act, subject to the conditions and limitations set out in paragraph (d).

(d)(i) The development is commenced and completed during the relevant period.

(ii) Subject to sub-paragraph (iii), any related works, including works as may be required to comply with sub-paragraph (vii), shall –

(I) primarily affect the interior of the structure,

(II) retain 50 per cent or more of the existing external fabric of the building,

And

(III) not materially affect the external appearance of the structure so as to render its appearance inconsistent with the character of the structure or of neighbouring structures.

(iii) Any related works for the alteration of existing ground floor shop fronts shall be consistent with the fenestration details and architectural and streetscape character of the remainder of the structure or of neighbouring structures.

(iv) No development shall consist of or comprise the carrying out of works to the ground floor area of any structure which conflicts with any objective of the relevant local authority development plan or local area plan, pursuant to the Part 1 of the First Schedule to the Act, for such to remain in retail use, with the exception of any works the purpose of which is to solely provide on street access to the upper floors of the structure concerned.

(v) No development shall consist of or comprise the carrying out of works which exceeds the provision of more than 9 residential units in any structure.

(vi) Dwelling floor areas and storage spaces shall comply with the minimum floor area requirements and minimum storage space requirements of the "Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities" issued under section 28 of the Act or any subsequent updated or replacement guidelines.

(vii) Rooms for use, or intended for use, as habitable rooms shall have adequate natural lighting.

(viii) No development shall consist of or comprise the carrying out of works to a protected

structure, as defined in section 2 of the Act, save where the relevant planning authority has issued a declaration under section 57 of the Act to the effect that the proposed works would not materially affect the character of the structure or any element, referred to in section 57(1)(b) of the Act, of the structure.

(ix) No development shall contravene a condition attached to a permission under the Act or be inconsistent with any use specified or included in such a permission.

(x) No development shall relate to any structure in any of the following areas:

(I) an area to which a special amenity area order relates;

(II) an area of special planning control;

(III) within the relevant perimeter distance area, as set out in Table 2 of Schedule 8, of any type of establishment to which the Major Accident Regulations apply.

(xi) No development shall relate to matters in respect of which any of the restrictions set out in sub-paragraph (iv), (vii), (viiA), (viiB), (viiC), (viii) or (ix) of article 9(1)(a), or paragraph (c) or (d) of article (9)(1), would apply.

(xii) No development shall consist of or comprise the carrying out of works for the provision of an onsite wastewater treatment and disposal system to which the code of practice made by the Environmental Protection Agency pursuant to section 76 of the Environmental Protection Agency Act 1992 relates and entitled Code of Practice – Wastewater Treatment and Disposal Systems Serving Single Houses together with any amendment to that Code or any replacement for it.

(e)(i) Where a person proposes to undertake development to which paragraph (b) relates, then he or she shall in the case of development relating to Class 1, 2, 3, 6 or 12 of Part 4 to Schedule 2, notify in writing the planning authority in whose functional area that the change of use will occur not less than 14 days prior to the commencement of the works related to the proposed change of use and any related works;

(ii) Details of each notification under subparagraph (i), which shall include information on—

(I) the location of the structure,

(II) the number of residential units involved, including the unit sizes and number of bedrooms in each unit, and

(III) the Eircode for the relevant property,

shall be entered in a record by the planning authority maintained for this purpose and the record shall be available for inspection at the offices of the planning authority during office hours and on the planning authority's website.

(iii) During the years 2019, 2020, 2021, 2022, 2023, 2024, 2025 and 2026 each planning authority shall provide information to the Minister on the number of notifications received by it under this paragraph during the preceding calendar year, including details of the information so received for the purposes of subparagraph (ii).

3. ASSESSMENT

a. Site Location

The site comprises of an existing detached structure in the village of Grangemockler, Carrick on Suir Co. Tipperary. The structure is not a protected structure.

Figure 1 Subject site

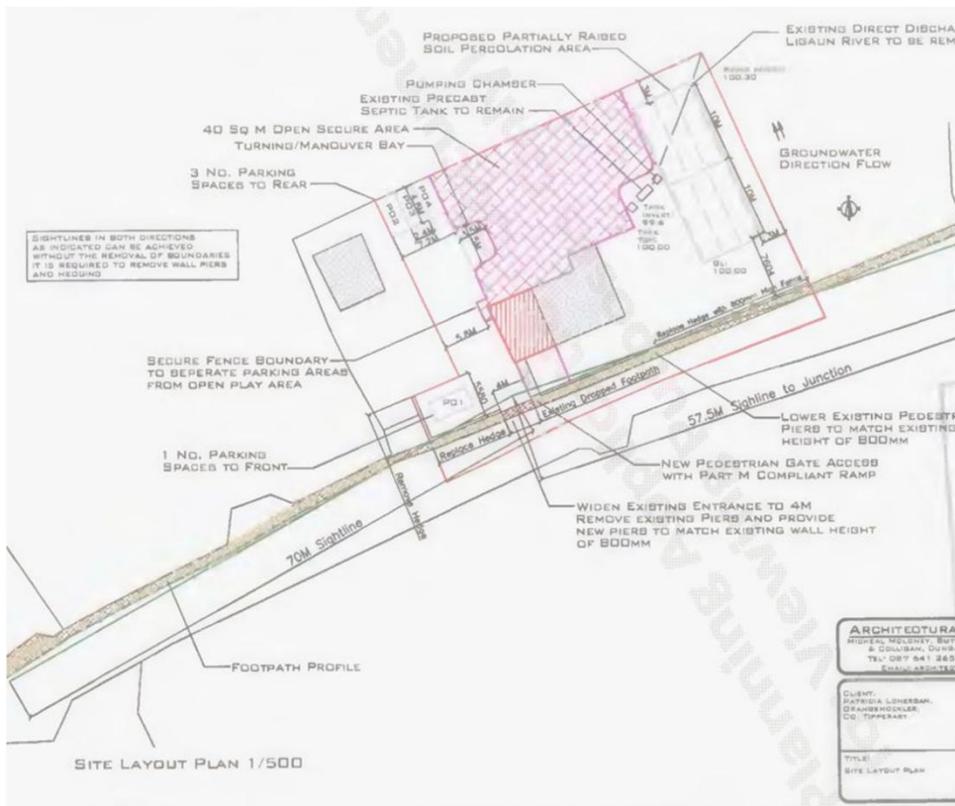


b. Relevant Planning History

On site

14/600041 change of use from Garda Station to an after school club, upgrade works to existing wastewater treatment system and all other associated site works.

Figure 2 Permitted site layout



Adjoining

08/527 demolish existing barn and stable block and construct two dwelling houses, entrances, two domestic garages, effluent treatment system, access roadway and all associated site works – granted

17/600010 removal of an existing sun room attached to rear of the house and to construct a larger kitchen/dining room to be attached to the rear of the house to replace the removed sun room, and all associated site works - granted

Figure 3 Planning history



c. Assessment

A) “Is or is not Development”

The site context is noted. The subject structure comprises of a disused after school club. The structure was a former garda station (31.3 sqms), that was attached to a residential property associated with the station. Permission was granted under 14/600041 to change the use of the garda station only to the after school club. The subject query relates to the change of use of the after school facility to residential use and the incorporation of same into the adjoining dwelling.

Figure 4 Existing and proposed floor plan



It is considered that 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”

Article 10(6) identifies conditions and limitations associated with the change of use of a commercial building to residential use. The subject proposal will be assessed against these requirements.

Article 10 (6) (b) This sub-article relates to a proposed development, during the relevant period, that consists of a change of use to residential use from Class 1, 2, 3, 6 or 12 of Part 4 to Schedule 1

‘relevant period’ means the period from 8 February 2018 until 31 December 2028.

The applicant has not expressly notified the Planning Authority of her intention to carry out the works proposed. She has sought a declaration, confirming that the works are exempt.

The submission of the Declaration can be read as a notification.

In terms of use class, it is noted that a school, pre school or after school facility does not fall in under **Class 1, 2, 3, 6 or 12** as set out in Schedule 2 Part 4 of the Planning and Development Regulations, 2001 as amended.

As such, the change of use proposed cannot be considered under article 10(6)(a) of the Planning and Development Regulations 2001 as amended.

There is no exemption provided for under Schedule 2 Part 1 to allow for the change of use of an after school to residential use.

Article 10 (6) (c) Notwithstanding sub-article (1), where in respect of a proposed development referred to in paragraph (b)—

- (i) the structure concerned was completed prior to the making of the Planning and Development (Amendment) (No. 2) Regulations 2018,**
- (ii) the structure concerned has at some time been used for the purpose of its current use class, being Class 1, 2, 3, 6 or 12 and**
- (iii) the structure concerned, or so much of it that is the subject of the proposed development, has been vacant for a period of 2 years or more immediately prior to the commencement of the proposed development, then the proposed development for residential use, and any related works, shall be exempted development for the purposes of the Act, subject to the conditions and limitations set out in paragraph (d).**

The building was completed prior to the regulations.

It is not clear when the use of the building as an after school ceased.

(d) (i) The development is commenced and completed during the relevant period.

As set out above, the relevant period is from 8 February 2018 until 31 December 2028.

It is not clear when works are set to be undertaken.

(ii) Subject to sub-paragraph (iii), any related works, including works as may be required to comply with sub-paragraph (vii), shall –

- (I) primarily affect the interior of the structure,**
- (II) retain 50 per cent or more of the existing external fabric of the building, and**
- (III) not materially affect the external appearance of the structure so as to render its appearance inconsistent with the character of the structure or of neighbouring structures**

No external works are proposed. A new internal connection is to be provided between the dwelling and the extended residential space.

(iii) Any related works for the alteration of existing ground floor shop fronts shall be consistent with the fenestration details and architectural and streetscape character of the remainder of the structure or of neighbouring structures

None required

- (iv) No development shall consist of or comprise the carrying out of works to the ground floor area of any structure which conflicts with any objective of the relevant local authority development plan or local area plan, pursuant to the Part 1 of the First Schedule to the Act, for such to remain in retail use, with the exception of any works the purpose of which is to solely provide on street access to the upper floors of the structure concerned.***

The subject structure is located within the development boundary of the village of Grangemockler. There are no specific policy objectives in the Tipperary County Development Plan 2022 requiring the retail use to remain in place.

- (v) No development shall consist of or comprise the carrying out of works which exceeds the provision of more than 9 residential units in any structure.***

The proposal is for a single unit.

- (vi) Dwelling floor areas and storage spaces shall comply with the minimum floor area requirements and minimum storage space requirements of the “Sustainable Urban Housing: Design Standards for New Apartments — Guidelines for Planning Authorities” issued under section 28 of the Act or any subsequent updated or replacement guidelines.***

- (vii) Rooms for use, or intended for use, as habitable rooms shall have adequate natural lighting.***

The proposal is for the change of use of one room, which previously functioned as an afterschool. It is served by large windows and does not present a concern in terms of natural lighting. The room is to be incorporated into the residential unit on site.

- (viii) No development shall consist of or comprise the carrying out of works to a protected structure, as defined in section 2 of the Act, save where the relevant planning authority has issued a declaration under section 57 of the Act to the effect that the proposed works would not materially affect the character of the structure or any element, referred to in section 57(1)(b) of the Act, of the structure.***

The building is not a Protected Structure.

- (ix) No development shall contravene a condition attached to a permission under the Act or be inconsistent with any use specified or included in such a permission.***

The conditions attached to Plan Reg No 14/600041 are noted and are not relevant.

- (x) No development shall relate to any structure in any of the following areas:***
(I) an area to which a special amenity area order relates
(II) an area of special planning control

(III) within the relevant perimeter distance area, as set out in Table 2 of Schedule 8, of any type of establishment to which the Major Accident Regulations apply

The proposal is not located within a designated ACA, an area of special planning controls or within the relevant perimeter distance area of an establishment to which the Major Accident Regulations apply.

(xi) No development shall relate to matters in respect of which any of the restrictions set out in subparagraph (iv), (vii), (viiA), (viiB), (viiC), (viii) or (ix) of article 9(1)(a), or paragraph (c) or (d) of article (9)(1), would apply.

The building is not located within Zone of Archaeological Potential (ZAP).

I confirm that the restrictions under (iv), (vii), (viiA) (viiB), (viiC) would not apply.

I have undertaken an Appropriate Assessment Screening which concludes that significant effects of the development on Natura 2000 sites can be excluded. The restriction under (viiB) does not apply.

(xii) No development shall consist of or comprise the carrying out of works for the provision of an onsite wastewater treatment and disposal system to which the code of practice made by the Environmental Protection Agency pursuant to section 76 of the Environmental Protection Agency Act 1992 relates and entitled Code of Practice — Wastewater Treatment and Disposal Systems Serving Single Houses together with any amendment to that Code or any replacement for it.

The development does not include the provision of an on-site wastewater treatment and disposal system.

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

The subject site is located 120ms ms from the Lower River Suir SAC 002137 and 11.2 kms from the River Barrow And River Nore SAC 002162.

The proposed development is located within a long established urban area and comprises of the change of use of a structure from an after school facility to residential use. The property is connected to a private on site waste water treatment system. .

Having regard to:

- the small scale nature of the development (change of use, with all works confined to the inside of the structure),
- the location of the development relevant to the closest European site (lower River Suir and
- The intervening land uses between the subject site and the SAC

it is considered that the proposed development would not be likely to have a significant effect individually, or in-combination with other plans and projects, on the Natura 2000 network and appropriate assessment is not therefore required.

The proposed development has been subject to a preliminary examination to determine the requirement for EIA. EIA is not required in respect of the development. See attached.

4. RECOMMENDATION

Query

A question has arisen as to whether the change of use from a former after school to a residential use and its incorporation into an adjoining dwelling in Grangemockler, Co. Tipperary is development and is or is not exempted development:

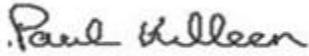
The Planning Authority had regard to;

- Sections 2, 3 and 4 of the Planning and Development Act 2000 (as amended),
- Article 10 of the Planning and Development Regulations 2001, as amended and,
- the nature and scale of the proposed use, as outlined in submissions on file by the owner/occupier.

Tipperary County Council has concluded that the development proposed constitutes “development” within the meaning of the Planning and Development Act 2000, as amended and is NOT “exempted development”.

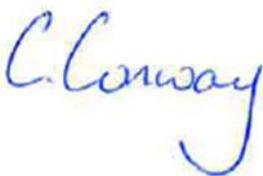
The development is NOT exempted development as it does not satisfy the planning exemption under Article 10(6)(a), of the Planning and Development Regulations 2001 (as amended) owing to the fact that an after school facility does not come under Class 1, 2, 3, 6 or 12 of Schedule 2 Part 4 of the planning 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.

Signed: 

Paul Killeen
District planner

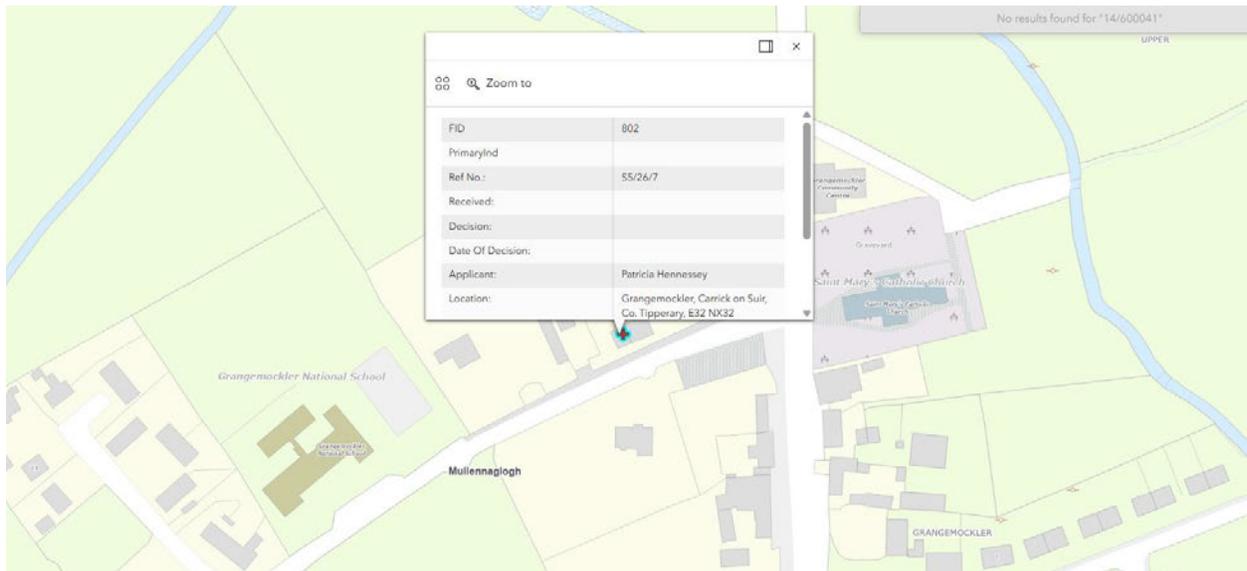
Date: 26/02/26

Signed: 
Senior Executive Planner

Date: 26.2.2026

EIA Pre-Screening	
Establishing a development is a 'sub-threshold development'	
File Reference:	S5/26/7
Development Summary:	Change of use from after school to residential
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 Determination required
<input type="checkbox"/> No, Schedule 7A information/screening report has not been submitted by the applicant	Preliminary Examination required

Figure 5 Site entered on Planning register



Original

TIPPERARY COUNTY COUNCIL

DELEGATED EMPLOYEE'S ORDER

File Ref: **S5/26/7** **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 Patricia Hennessy, Grangemockler, Carrick on Suir, Co. Tipperary re: Change of use from commercial to residential dwelling, change afterschool to kitchen and dining room at Grangemockler, Carrick on Suir, Co. Tipperary, E32 NX32 is development and is exempted development.

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

- Sections 2, 3 and 4 of the Planning and Development Act 2000 (as amended),
- Article 10 of the Planning and Development Regulations 2001, as amended and,
- the nature and scale of the proposed use, as outlined in submissions on file by the owner/occupier.

Tipperary County Council has concluded that the development proposed constitutes "development" within the meaning of the Planning and Development Act 2000, as amended and is **NOT "exempted development"**.

The development is NOT exempted development as it does not satisfy the planning exemption under Article 10(6)(a), of the Planning and Development Regulations 2001 (as amended) owing to the fact that an afterschool facility does not come under Class 1, 2, 3, 6 or 12 of Schedule 2 Part 4 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.

Signed: 
Brian Beck
Director of Services

Date: 27/02/2026



Date: 27th February 2026

Our Ref: S5/26/7

Civic Offices, Nenagh

Patricia Hennessy
Grangemockler
Carrick on Suir
Co. Tipperary

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

Dear Patricia,

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

Change of use from commercial to residential dwelling, change afterschool to kitchen and dining room at Grangemockler, Carrick on Suir, Co. Tipperary, E32 NX32.

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 –

- Sections 2, 3 and 4 of the Planning and Development Act 2000 (as amended),
- Article 10 of the Planning and Development Regulations 2001, as amended and,
- the nature and scale of the proposed use, as outlined in submissions on file by the owner/occupier.

Tipperary County Council has concluded that the development proposed constitutes “development” within the meaning of the Planning and Development Act 2000, as amended and is **NOT “exempted development”**.

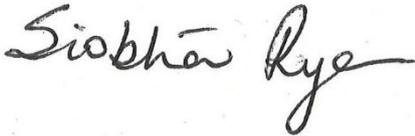
The development is NOT exempted development as it does not satisfy the planning exemption under Article 10(6)(a), of the Planning and Development Regulations 2001 (as amended) owing to the fact that an after school facility

does not come under Class 1, 2, 3, 6 or 12 of Schedule 2 Part 4 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: 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**