



**Comhairle Contae Thibraid Árann**  
Tipperary County Council

TIPPERARY CO. COUNCIL  
RECEIVED  
23 MAR 2026  
PLANNING SECTION  
FILE NO. 55126/37

**PLANNING & DEVELOPMENT ACT, 2000 (as amended)**

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

**1. Applicant's address/contact details:**

<b>Applicant</b>	MR. GARRY SLATTERY.
<b>Address</b>	CARRON TIPPERARY E34 V209
<b>Telephone No.</b>	[REDACTED]
<b>E-mail</b>	[REDACTED]

**2. Agent's (if any) address:**

<b>Agent</b>	CATHERINE O'BRIEN URBIAI
<b>Address</b>	LONGSTONE HOUSE, LONGSTONE, CULLEN, CO. TIPPERARY
<b>Telephone No.</b>	[REDACTED]
<b>E-mail</b>	[REDACTED]
<b>Please advise where all correspondence in relation to this application is to be sent;</b>	
Applicant [ ]	Agent <input checked="" type="checkbox"/>

**3. Location of Proposed Development:**

<b>Postal Address or Townland or Location (as may best identify the land or structure in question)</b>	CARRON, TIPPERARY, E34 V209.
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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.)

renovation works only - No extension outside of the current house envelope.
Works did include the provision of a 1.5msq entrance porch & the conversion of a garage to a kitchen.
Proposed floor area of proposed works/uses: 23.4sqm

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 

Date: 23/03/2026

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.

\* 202031 - Receipt No for €80 fee paid over the phone on March 23<sup>rd</sup>.

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PLANNING SECTION  
FILE NO. 55/26137

## 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.

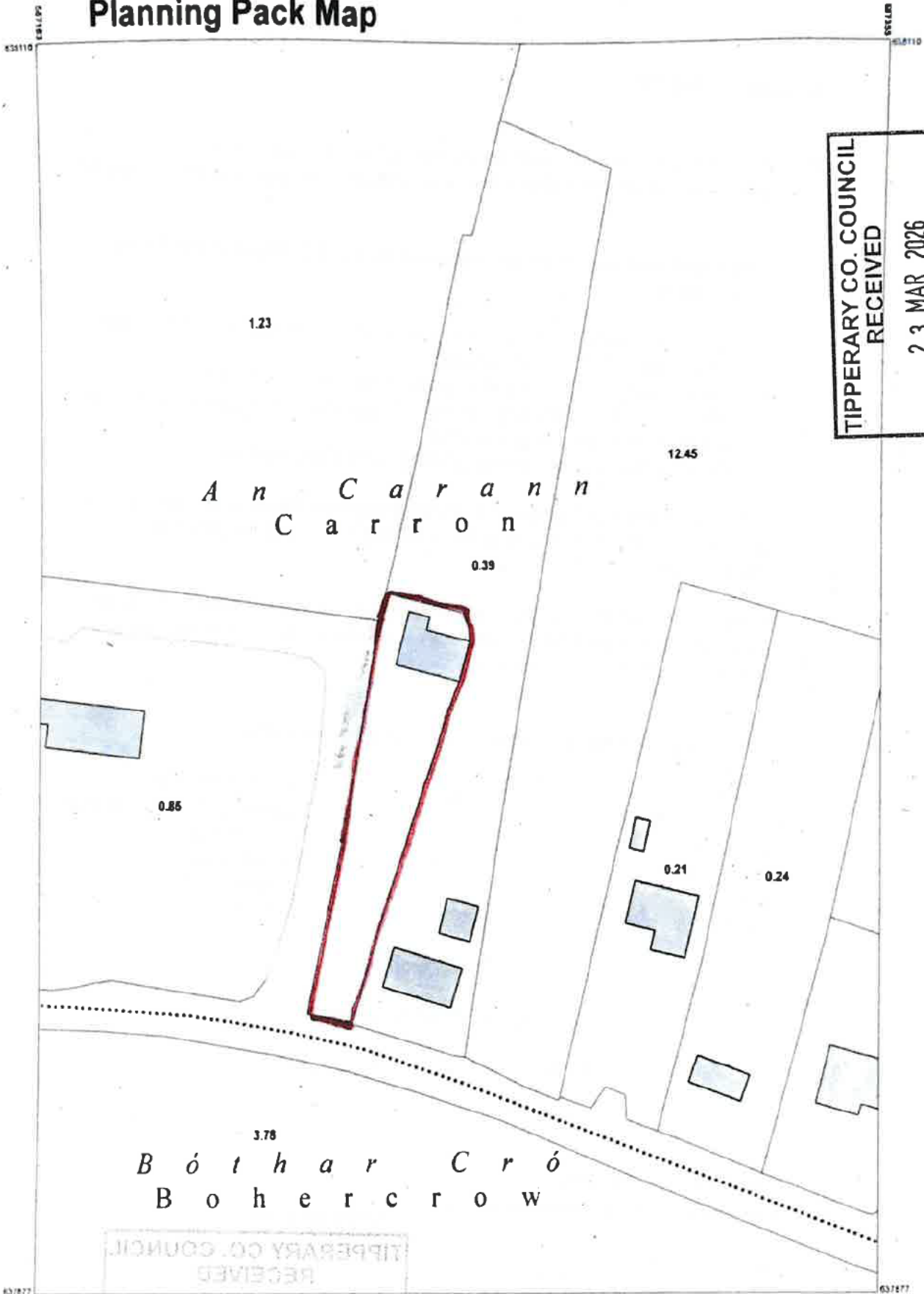
This application form and relevant fee should be submitted to:

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

### FOR OFFICE USE ONLY

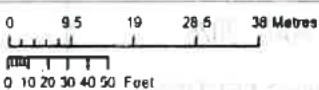
<b>Fee Recd. €</b> <u>80.00</u>	<b>DATE STAMP</b> <b>TIPPERARY CO. COUNCIL RECEIVED</b> <b>23 MAR 2026</b> <b>PLANNING SECTION</b> <b>FILE NO. 55126137</b>
<b>Receipt No</b> <u>202031</u>	
<b>Date</b> <u>23/03/2026</u>	
<b>Received by</b> <u>C. Ahearn</u>	

# Planning Pack Map



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PLANNING SECTION  
FILE NO. **SS126137**

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OUTPUT SCALE: 1:1,000



CENTRE COORDINATES:  
ITM 587269.637964

PUBLISHED: 23/03/2026  
MAP SERIES: 1:2,500  
ORDER NO.: 60525503\_1  
MAP SHEETS: 5115-B

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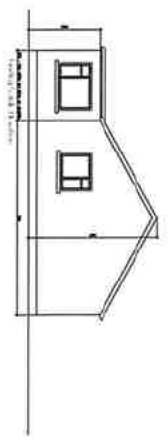
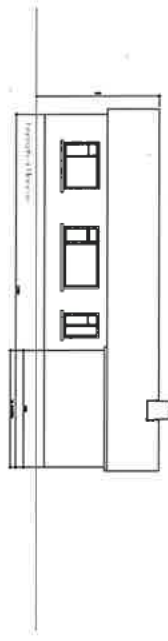
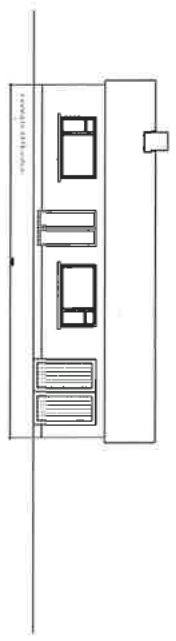
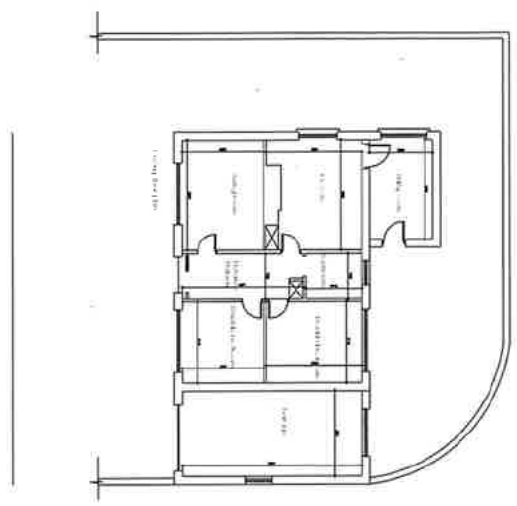
The representation on this map of a road, track or footpath is not evidence of the existence of a right of way.

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**23 MAR 2026**

PLANNING SECTION  
FILE NO. **55126137**

SECTION 5 DECLARATION

DATE: 20/03/26

BY: MR. GARRY SLATTERY

Catharine O'Brien architect  
Landscape Architect  
CARRON, LIMBERICK JUNCTION  
CO. TIPPERARY  
PLANNING

EXISTING ELEVATIONS  
GENERAL ARRANGEMENT  
EXISTING GROUND FL PLAN

NO.	DATE	BY	FOR
00224	20/03/26	COB	P01



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PLANNING SECTION  
FILE NO. 55/26/37



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23 MAR 2026  
PLANNING SECTION  
FILE NO. 55126133

Tipperary County Council  
Civic Offices  
Clonmel  
Co Tipperary

23/03/2026 11:51:56

Receipt No. : CLONMEL/0/202031

CATHERINE O BRIEN  
ARCHITECT  
LONGSTONE HOUSE  
LONGSTONE, CULLEN  
CO TIPPERARY

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

Total : 80.00 EUR

Tendered :  
Credit Card 80.00

Change : 0.00

Issued By : CATHERINE AHERN  
From : CLONMEL TOWN RECEIPTS DESK  
Vat reg No.3259712MH



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](http://tipperarycoco.ie)

**Date: 23<sup>rd</sup> March 2026      Our Ref: S5/26/37      Civic Offices, Clonmel**

Garry Slattery,  
C/O Catherine O Brien,  
Longstone House,  
Longstone,  
Cullen,  
Co. Tipperary.

**Re: Application for a Section 5 Declaration – Provision of an entrance porch and the conversion of a garage to a kitchen at Carron, Tipperary, Co. Tipperary, E34 V209.**

A Chara,

I acknowledge receipt of your application for a Section 5 Declaration received on 23<sup>rd</sup> March 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

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<b>Planning Reference:</b>	S5/26/37
<b>Applicant:</b>	Garry Slattery
<b>Development Address:</b>	Carron, Tipperary, Co. Tipperary, E34 V209.
<b>Proposed Development:</b>	Provision of an entrance porch and the conversion of a garage to a kitchen

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### 1. GENERAL

On 23<sup>rd</sup> March 2026 a request was made for a declaration under Section 5 of the Planning and Development Act, 2000 as amended by Garry Slattery c/o Catherine O'Brien as to whether or not the following works constituted development and if so, whether same was exempted development:

***Provision of a 1.5sq.m entrance porch and the conversion of a garage to a kitchen***

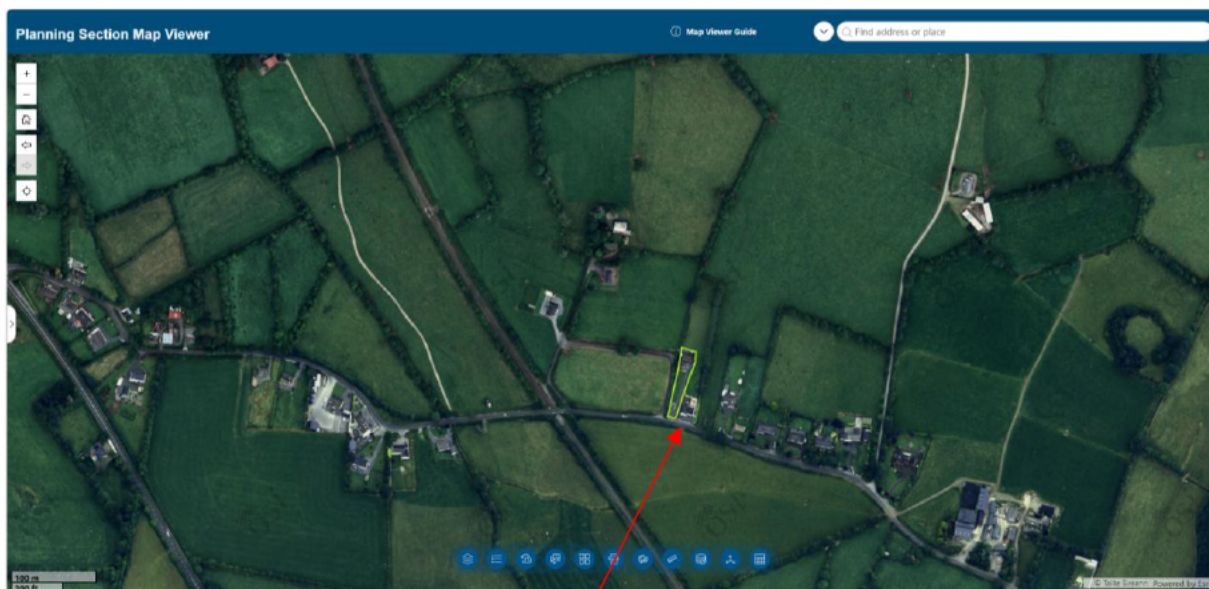


Figure 1 Site Location

### 2. STATUTORY PROVISIONS

The following statutory provisions are relevant to this case;

#### **Planning and Development Act 2000, as amended**

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.”*

Section 2(1) of the Act 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 (hereafter referred to as the Act), 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 states:

(1) *The following shall be exempted developments for the purposes of this Act—*  
 (h) *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.*

(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).*

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.*

Class 1 and Class 7 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001, as amended states:

Column 1 Description of Development	Column 2 Conditions and Limitations
<p><b>CLASS 1</b>  <i>The extension of a house, by the construction or erection of an extension (including a conservatory) to the rear of the house or by <b>the conversion for use as part of the house of any garage, store, shed or other similar structure attached to the rear or to the side of the house.</b></i></p>	<p>1.  <i>(a) Where the house has not been extended previously, the floor area of any such extension shall not exceed 40 square metres.</i>   <i>(b) Subject to paragraph (a), where the house is terraced or semi-detached, the floor area of any extension above ground level shall not exceed 12 square metres.</i></p>

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

*2.*

*(a) Where the house has been extended previously, the floor area of any such extension, taken together with the floor area of any previous extension or extensions constructed or erected after 1 October 1964, including those for which planning permission has been obtained, shall not exceed 40 square metres.*

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

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

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

*4.*

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

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

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

*5. The construction or erection of any such extension to the rear of the house shall not*

	<p><i>reduce the area of private open space, reserved exclusively for the use of the occupants of the house, to the rear of the house to less than 25 square metres.</i></p> <p>6.</p> <p>(a) <i>Any window proposed at ground level in any such extension shall not be less than 1 metre from the boundary it faces.</i></p> <p>(b) <i>Any window proposed above ground level in any such extension shall not be less than 11 metres from the boundary it faces.</i></p> <p>(c) <i>Where the house is detached and the floor area of the extension above ground level exceeds 12 square metres, any window proposed at above ground level shall not be less than 11 metres from the boundary it faces.</i></p> <p>7. <i>The roof of any extension shall not be used as a balcony or roof garden</i></p>
<p><b>CLASS 7</b> <i>The construction or erection of a porch outside any external door of a house.</i></p>	<p>1. <i>Any such structure shall be situated not less than 2 metres from any road.</i></p> <p>2. <i>The floor area of any such structure shall not exceed 2 square metres.</i></p> <p>3. <i>The height of any such structure shall not exceed, in the case of a structure with a tiled or slated pitched roof, 4 metres or, in any other case, 3 metres.</i></p>
<p><b>Class 50</b> <i>(b) The demolition of part of a habitable house in connection with the provision of an extension or porch in accordance with Class 1 or 7, respectively, of this Part of this Schedule or in accordance with a permission for an extension or porch under the Act.</i></p>	

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—*

(iv) *except in the case of a porch to which class 7 specified in column 1 of Part 1 of Schedule 2 applies and which 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, comprise the construction, erection, extension or renewal of a building on any street so as to bring forward the building, or any part of the building, beyond the front wall of the building on either side thereof or beyond a line determined as the building*

line in a development plan for the area or, pending the variation of a development plan or the making of a new development plan, in the draft variation of the development plan or the draft development plan,

(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**

#### a. **Site Location**

The subject site is located at Carron, Tipperary, Co. Tipperary, E34 V209. The dwelling on the site is not protected and is not located within a zone of archaeological potential.



Figure 2 Google Street View 2024

#### b. **Relevant Planning History**

P3/6070 Permission GRANTED for retention of dwelling (1979).

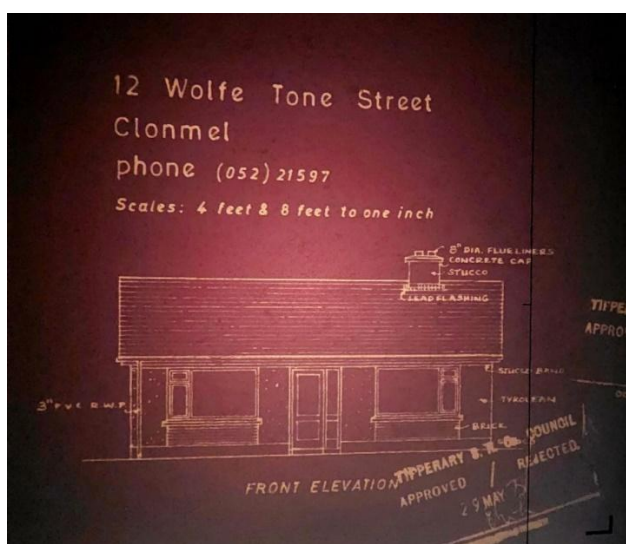


Figure 3 Front Elevation

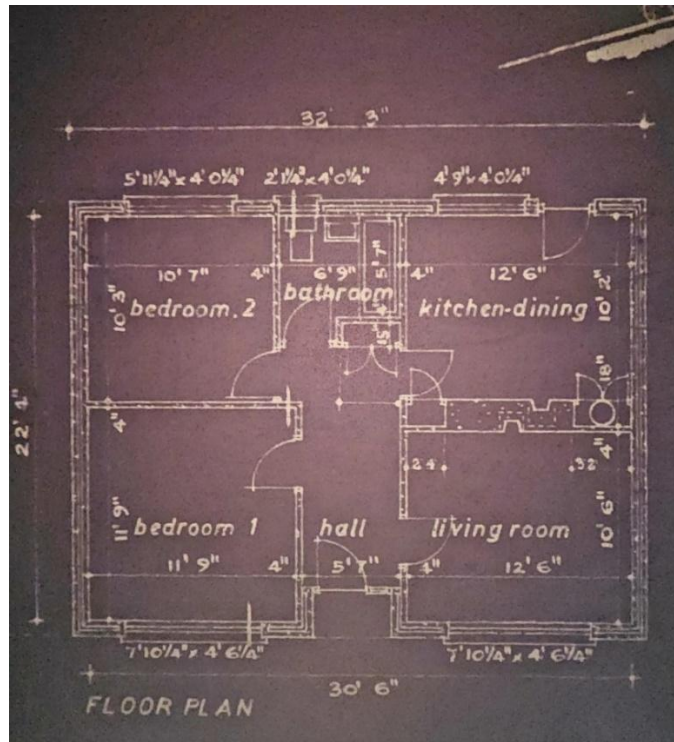


Figure 4 Floor Plan

**c. Assessment**

**A) “Is or is not Development”**

Having considered all of the details and documentation on file with regards the question posed and the description of the proposal, 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 Planning and Development Act 2000, as amended. The question arises as to whether or not these works constitute exempted development.

**B) “Is or is not Exempted Development”**

The application for a Section 5 Declaration refers to the conversion for use as part of the house of the existing garage, which is to the side of the house. I note following a review of the planning history that the garage was built after the application for retention was granted in 1979 and is under 25sq.m. However, the garage is directly attached (same roof covering) to the side of the house and is better described as an extension.

I have reviewed the various Regulations in effect from 1979 to present (cited below) and note that there is no exemption for an extension to the side of the dwelling or for a garage attached to the dwelling:

- Local Government (Planning and Development) Regulations, 1977.
- Local Government (Planning and Development) (Exempted Development and Amendment) Regulations, 1984
- Local Government (Planning and Development) Regulations 1994 -1999
- Planning and Development Regulations 2001, as amended

Therefore, the pre-existing garage did not avail of an exemption, does not benefit from planning permission and is considered to be unauthorised.

In the interest of completeness the proposal subject to the current application is assessed relative to Class 1 of Part 1 of Schedule 2 of the Regulations below. With respect to same I note as follows;

## CLASS 1

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

Subject to the following conditions and limitations;

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

*The conversion of the garage to the dwelling has a floor area of 23.4sq.m.*

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

*N/A*

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

*N/A*

2. (a) *Where the house has been extended previously, the floor area of any such extension, taken together with the floor area of any previous extension or extensions constructed or erected after 1 October 1964, including those for which planning permission has been obtained, shall not exceed 40 square metres.*

*N/A. There was a small flat roofed extension constructed to the rear of the dwelling post the grant of retention issued in 1979 but same appears to have been demolished more recently.*

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

*N/A*

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

*N/A*

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

*N/A.*

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

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

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

*There are no external changes to the walls.*

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

*The open space remaining to the rear of the dwelling will exceed 25 sq.m.*

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

It is unclear of the eastern window within the converted garage is more than 1m from the boundary it faces. No photographs have been provided for the side of the dwelling.

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

N/A

(c) Where the house is detached and the floor area of the extension above ground level exceeds 12 square metres, any window proposed at above ground level shall not be less than 11 metres from the boundary it faces.

N/A

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

N/A

The porch is assessed relative to Class 4 of Part 1 of Schedule 2 below. With respect to same I note as follows;

#### CLASS 7

The construction or erection of a porch outside any external door of a house.

The structure comprises of a front porch.

1. Any such structure shall be situated not less than 2 metres from any road.

The porch is more than 2m from any road.

2. The floor area of any such structure shall not exceed 2 square metres.

The floor area of the porch is 1.5sq.m

3. The height of any such structure shall not exceed, in the case of a structure with a tiled or slated pitched roof, 4 metres or, in any other case, 3 metres.

The roof of the pitch is pitched with a tiled finish and does not exceed 4m.

Whilst the application for the Section Declaration does not refer to same it appears that a flat roof extension which had been constructed to the rear of the dwelling has been demolished. I am not satisfied that the demolition of the rear extension avails of an exemption under Class 50(b) of the Planning and Development Regulations 2001, as amended. I note a splayed entrance and front boundary wall has been recently constructed and is first evident of the 2024 Google Street View maps. It is unclear from the available evidence if the walls are less than 1.2m in height and if same avail of an exemption.

The determination issued by the Planning Authority will be limited to the query posed under the application.

#### C) Restrictions under Article 9

As set out above the side extension to the dwelling within which the pre-existing garage was located is considered to be unauthorised. The restriction set out under Article 9(1)(a)(viii) applies.

#### D) Requirement for Appropriate Assessment and Environmental Impact Assessment

##### AA

Screening for AA is not required in respect of the proposal which is not considered to constitute development.

##### EIA

Screening for EIA is not required in respect of the proposal which is not considered to constitute development.

**4. RECOMMENDATION**

**WHEREAS** a question has arisen as to whether provision of an entrance porch and the conversion of garage to a kitchen at Carron, Tipperary, Co. Tipperary, E34 V209 constitutes “development” and 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) Class 1 and Class 7 of Part 1 of Schedule 2 of the Planning and Development Regulations, 2001, as amended.
- (d) The planning history and details submitted by the applicant.

**AND WHEREAS** Tipperary County Council has concluded that

The provision of an entrance porch and the conversion of garage to a kitchen constitutes “works” and “development” within the meaning of the Planning and Development Act 2000, as amended, and is NOT “exempted development”.

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 to Applicant:**

The conversion of the garage cannot avail of the exemption available under Class 1, Part 1 of Schedule 2 of the Planning and Development Regulations 2001, as amended, as the pre-existing garage constructed as an extension to the side of the dwelling did not avail of an exemption at the time of its construction. The exemption available under Class 1 is therefore restricted by Article 9(1)(a)(viii) of the above-mentioned Regulations. Similarly, the exemption available under Class 7 is restricted by the same sub-article.

**District Planner:**



**Date:** 13/04/2026

**Senior Executive Planner:**



**Date:** 15.4.2026

## HABITATS DIRECTIVE APPROPRIATE ASSESSMENT (AA) SCREENING REPORT

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

(a) File Reference No:	S5/26/37
(b) Brief description of the project or plan:	As per development description
(c) Brief description of site characteristics:	Existing dwelling in rural area
(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 <sup>1</sup>	Distance from proposed development <sup>2</sup> (km)	Connections (Source-Pathway-Receptor)	Considered further in screening Y/N
002137 Lower River Suir SAC	<a href="https://www.npws.ie/protected-sites/sac/002137">https://www.npws.ie/protected-sites/sac/002137</a>	Within 10km	None	No
002165 Lower River Shannon SAC	<a href="https://www.npws.ie/protected-sites/sac/002165">https://www.npws.ie/protected-sites/sac/002165</a>	Within 15km	None	No
002257 Moanour Mountains SAC	<a href="https://www.npws.ie/protected-sites/sac/002257">https://www.npws.ie/protected-sites/sac/002257</a>	Within 10km	None	No
001847 Philipston Marsh SAC	<a href="https://www.npws.ie/protected-sites/sac/001847">https://www.npws.ie/protected-sites/sac/001847</a>	Within 1km	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"> <li>• Vegetation clearance</li> <li>• Demolition</li> <li>• Surface water runoff from soil excavation/infill/landscaping (including borrow pits)</li> <li>• Dust, noise, vibration</li> <li>• Lighting disturbance</li> <li>• Impact on groundwater/dewatering</li> <li>• Storage of excavated/construction materials</li> <li>• Access to site</li> <li>• Pests</li> </ul>	No potential impacts.

Operational phase e.g. <ul style="list-style-type: none"> <li>• Direct emission to air and water</li> <li>• Surface water runoff containing contaminant or sediment</li> <li>• Lighting disturbance</li> <li>• Noise/vibration</li> <li>• Changes to water/groundwater due to drainage or abstraction</li> <li>• Presence of people, vehicles and activities</li> <li>• Physical presence of structures (e.g. collision risks)</li> <li>• Potential for accidents or incidents</li> </ul>	No potential impacts.
In-combination/Other	No potential impacts
<b>(b) Describe any likely changes to the European site:</b>	
Examples of the type of changes to give consideration to include: <ul style="list-style-type: none"> <li>• Reduction or fragmentation of habitat area</li> <li>• Disturbance to QI species</li> <li>• Habitat or species fragmentation</li> <li>• Reduction or fragmentation in species density</li> <li>• Changes in key indicators of conservation status value (water or air quality etc.)</li> <li>• Changes to areas of sensitivity or threats to QI</li> <li>• Interference with the key relationships that define the structure or ecological function of the site</li> </ul>	No potential impacts
<b>(c) Are 'mitigation' measures necessary to reach a conclusion that likely significant effects can be ruled out at screening?</b>	
<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.

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.	<input type="checkbox"/>	<input type="checkbox"/> Request NIS <input type="checkbox"/> Refuse planning permission

EIA Pre-Screening Establishing a development is a 'sub-threshold development'	
File Reference:	S5/26/37
Development Summary:	As per development description
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 <b>Part A</b>
<b>A. Schedule 5 Part 1</b> - Does the development comprise a project listed in Schedule 5, <b>Part 1</b> , of the Planning and Development Regulations 2001 (as amended)? (Tick as appropriate)	
<input type="checkbox"/> Yes, specify class _____	<b>EIA is mandatory</b>  No Screening required
<input checked="" type="checkbox"/> No	Proceed to <b>Part B</b>
<b>B. Schedule 5 Part 2</b> - Does the development comprise a project listed in Schedule 5, <b>Part 2</b> , of the Planning and Development Regulations 2001 (as amended) <b>and</b> 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	<b>No Screening required</b>
<input type="checkbox"/> Yes the project is listed in Schedule 5, Part 2 <b>and</b> meets/exceeds the threshold, specify class (including threshold): _____	<b>EIA is mandatory</b>  No Screening required
<input type="checkbox"/> Yes the project is of a type listed <b>but</b> is <i>sub-threshold</i> : _____	Proceed to <b>Part C</b>
<b>C. If Yes</b> , has Schedule 7A information/screening report been submitted?	
<input type="checkbox"/> Yes, Schedule 7A information/screening report has been submitted by the applicant	<b>Screening required</b> <b>Determination</b>
<input type="checkbox"/> No, Schedule 7A information/screening report has not been submitted by the applicant	<b>Preliminary Examination required</b>

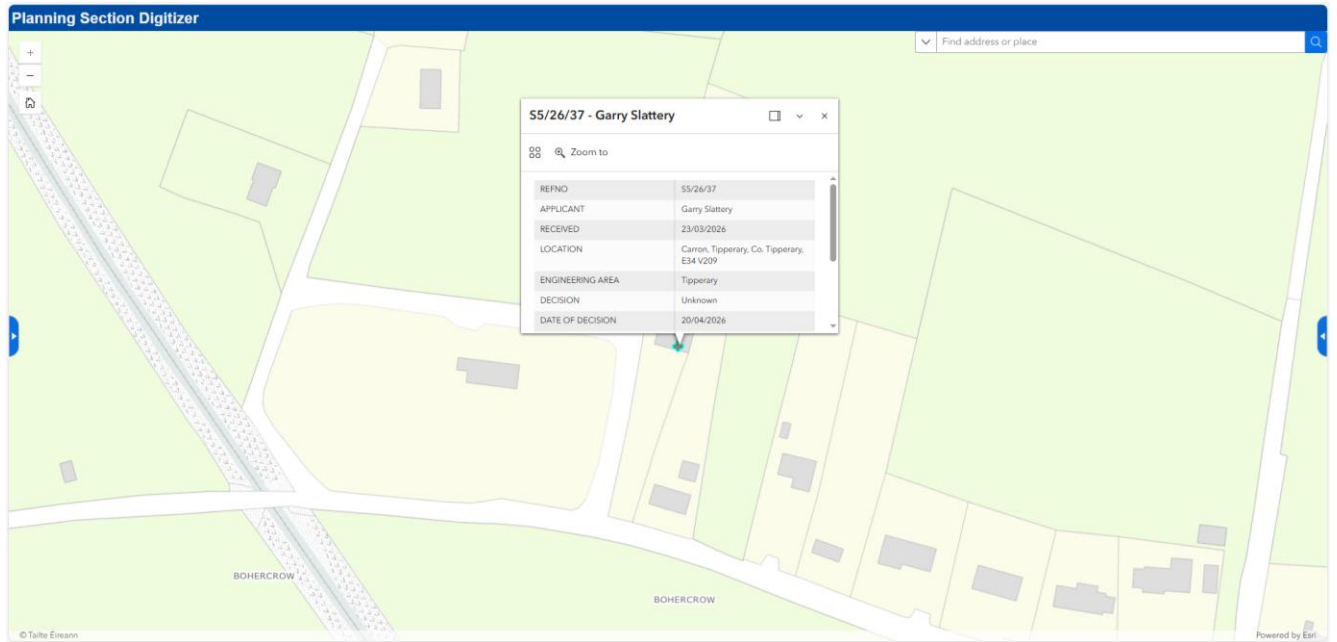


Figure 5 Planning Register

**Original**

**TIPPERARY COUNTY COUNCIL**

**DELEGATED EMPLOYEE'S ORDER**

File Ref: **S5/26/37**      **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 3<sup>rd</sup> 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 Garry Slattery, C/O Catherine O'Brien, Longstone House, Longstone, Cullen, Co. Tipperary, Re: Provision of an entrance porch and the conversion of a garage to a kitchen at Carron, Tipperary, Co. Tipperary, E34 V209 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,
- gq* c) Class 1 and Class 7 of Part 1 of Schedule 2 of the Planning and Development Regulations, 2001, as amended.
- d) The planning history and details submitted by the applicant on 23<sup>rd</sup> March, 2026.

Tipperary County Council has concluded that the provision of an entrance porch and the conversion of garage to a kitchen constitutes "works" and "development" within the meaning of the Planning and Development Act 2000, as amended, and is **NOT "exempted development"**.

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 to Applicant:**

The conversion of the garage cannot avail of the exemption available under Class 1, Part 1 of Schedule 2 of the Planning and Development Regulations 2001, as amended, as the pre-existing garage constructed as an extension to the side of the dwelling did not avail of an exemption at the time of its construction. The exemption available under Class 1 is therefore restricted by Article 9(1)(a)(viii) of the above-mentioned Regulations. Similarly, the exemption available under Class 7 is restricted by the same sub-article.

**Signed:**

  
\_\_\_\_\_

**Brian Beck**  
**Director of Services**

**Date: 16/04/2026**



Date: 16<sup>th</sup> April 2026

Our Ref: S5/26/37

Civic Offices, Nenagh

Garry Slattery,  
C/O Catherine O'Brien,  
Longstone House,  
Longstone,  
Cullen,  
Co. Tipperary

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

Dear sir/madam,

I refer to your application for a Section 5 Declaration received on 23<sup>rd</sup> March 2026 in relation to the following proposed works:

**Provision of an entrance porch and the conversion of a garage to a kitchen at Carron, Tipperary, Co. Tipperary, E34 V209.**

**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) Class 1 and Class 7 of Part 1 of Schedule 2 of the Planning and Development Regulations, 2001, as amended.
- d) The planning history and details submitted by the applicant on 23<sup>rd</sup> March, 2026.

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**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**