



PLANNING & DEVELOPMENT ACT, 2000 (as amended)

Application for a Section 5 Declaration
Development / Exempted Development

SCANNED

1. Applicant's address/contact details:

Applicant	David Collins
Address	Keeperview Monaleen Rd. Monaleen / Limerick, U94UAx9
Telephone No.	
E-mail	

2. Agent's (if any) address:

Agent	JOSEPH BARRY.
Address	CASTLECONNOR Co. Limerick
Telephone No.	[REDACTED]
E-mail	_____
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)	Derryglough Newport Co. Tipperary U94Y5Y3
---	---

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.)

DINING ROOM, UTILITY ROOM EXTENSION TO ROOF OF HOUSE.
Proposed floor area of proposed works/uses: sqm 27 m ²

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

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

Signature of Applicant(s) 

Date: 11/04/2024

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

- 2 ✓ OSI Site Location Map with the site outlined clearly – 1:1000 in urban areas and 1:2500 in rural areas
- ✓ Floor Plans & Elevations at a scale of not less than 1:200
- Site layout plan indicating position of proposed development relative to premises and adjoining properties
- Other details e.g. brochures, photographs if appropriate.

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

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

This application form and relevant fee should be submitted to:

**Planning Section,
Tipperary County Council,
Civic Offices,
Limerick Road,
Nenagh,
Co. Tipperary**

OR

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

Enquires:

Telephone 0818 06 5000

E-Mail planning@tipperarycoco.ie

FOR OFFICE USE ONLY

DATE STAMP

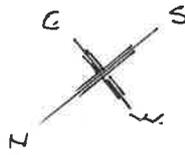
Fee Recd. € 80.00 _____

Receipt No NENAM 1/0/119155

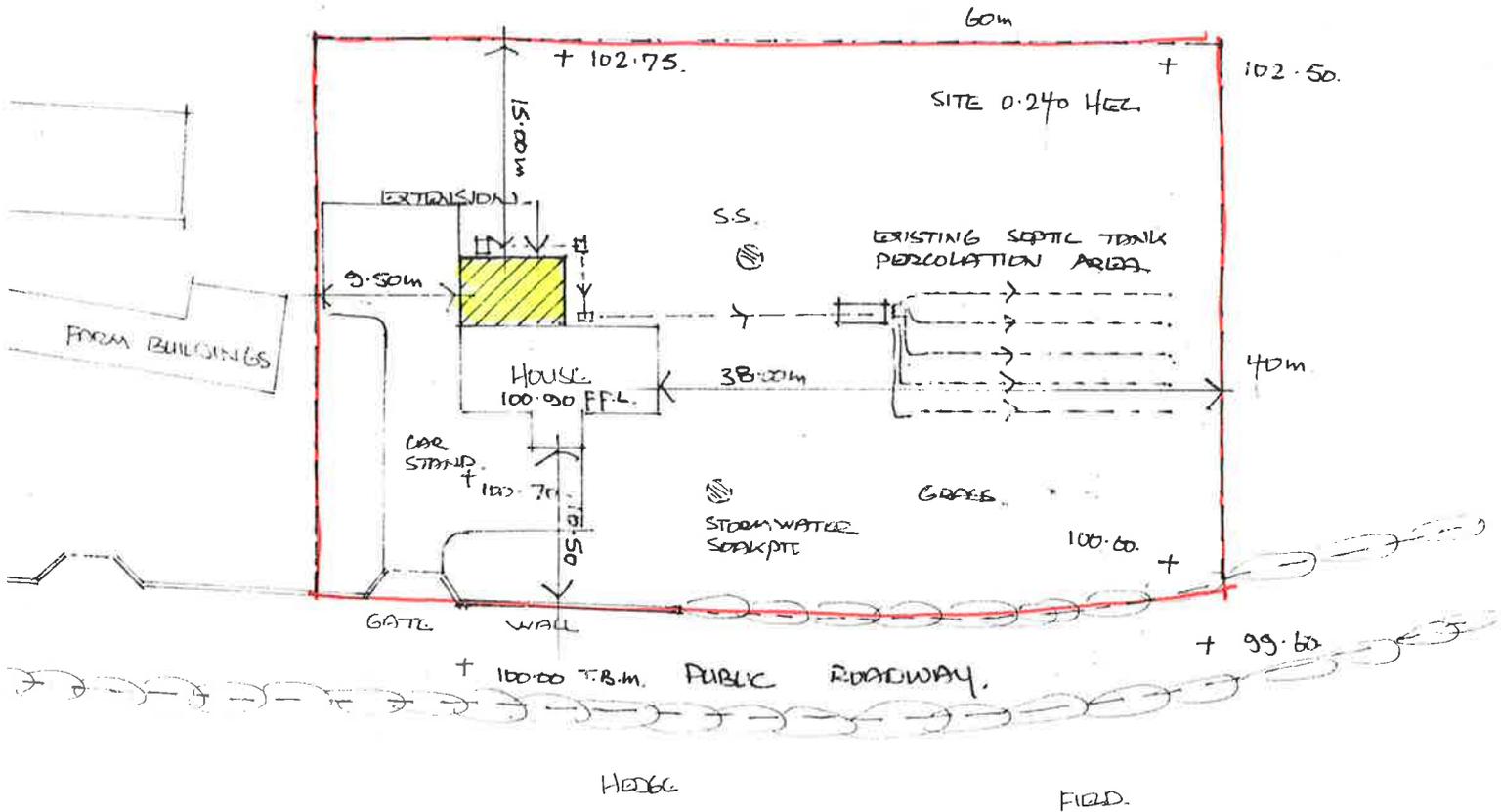
Date 15/4/2024

Received by _____

SCANNED



FIELD



MARIE & DAVID COLLINS DERBY LEIGH, NEMPOT. CO. TIPPERARY.
SITE LAYOUT PLAN 1:500
JOSEPH BARRY Architectural Technician & Surveyor Castleconnell, Co. Limerick. Tel. 061-377 378

CENTRE
COORDINATES:
ITM 573600,842170

PUBLISHED: 07/04/2022 OR 502

MAP SERIES: 1:2,500 MA 482
1:2,500 482

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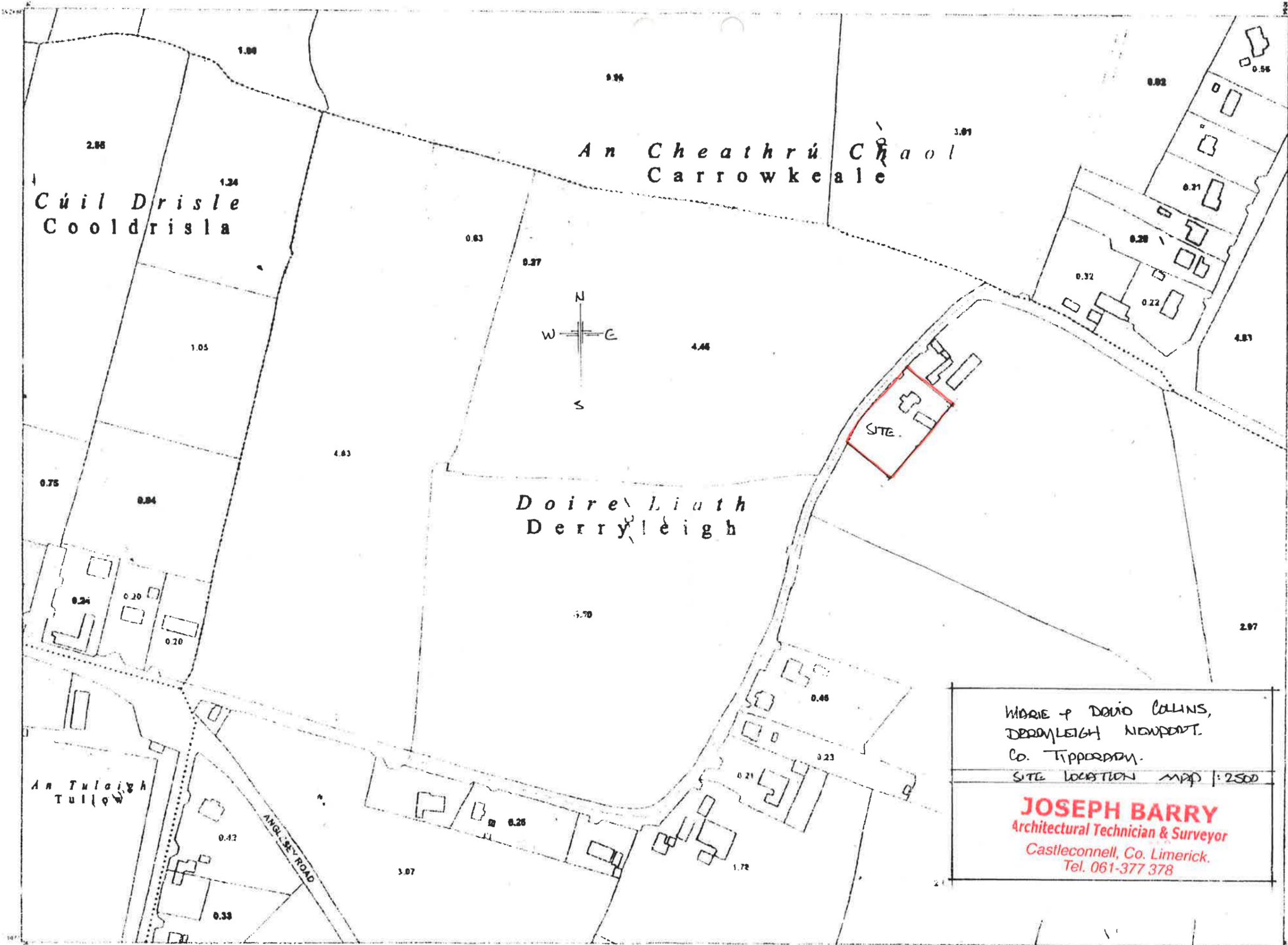
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search 'Large Scale Legend'

SCANNED



MARIE + DAVID COLLINS,
DERRYLEIGH NEWPORT,
Co. TIPPERARY.
SITE LOCATION MAP 1:2500

JOSEPH BARRY
Architectural Technician & Surveyor
Castleconnell, Co. Limerick.
Tel. 061-377 378



OUTPUT SCALE: 1:2,500

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Tipperary County Council

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Oifigí Cathartha,
Cluain Meala,
Co. Thiobraid Árann
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t 0818 06 5000
e customerservice@tipperarycoco.ie
tipperarycoco.ie

Date: 16th April, 2024

Our Ref: S5/24/45

Civic Offices, Nenagh

David Collins
Keeperview
Monaleen Rd
Monaleen
Limerick
V94 VAX9

Re: Application for a Section 5 Declaration – Dining Room, Utility Room extension to rear of house at Derryleigh, Newport, Co. Tipperary U94 Y5Y

Dear Sir/Madam

I acknowledge receipt of your application for a Section 5 Declaration received on 15th April, 2024, in connection with the above.

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

Yours faithfully


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.: S5/24/45

Applicant: David Collins

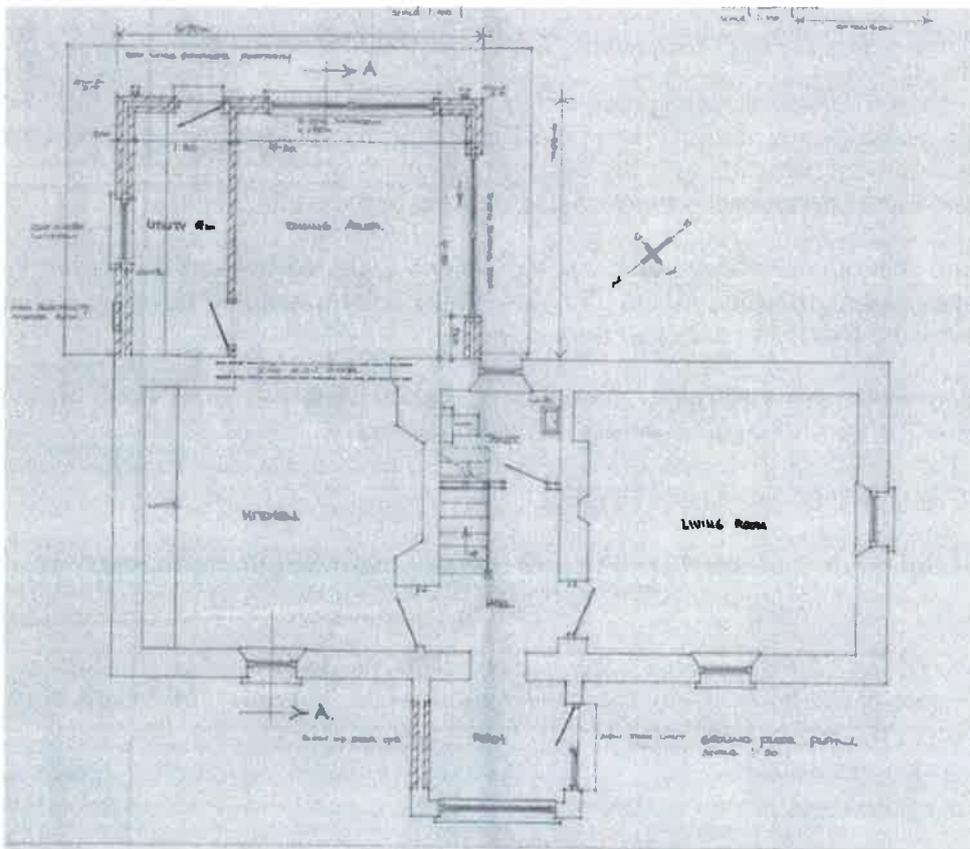
Development Address: Derryleigh, Newport, Co. Tipperary

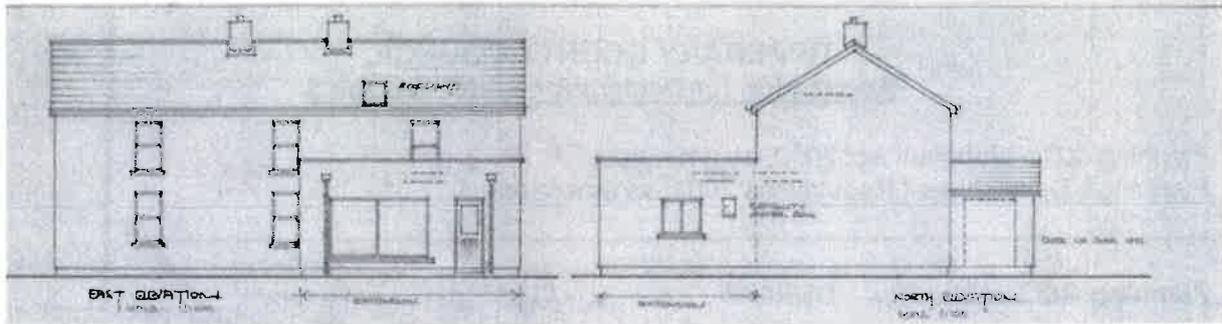
Proposed Development: Single-storey extension (27sq.m) to the rear of existing dwelling, to comprise a dining room and utility room.

1. GENERAL

On 15/04/2024 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":

- *Single-storey extension (27sq.m) to the rear of existing dwelling, to comprise a dining room and utility room.*





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.

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.

Article 9 (1) (a) of the Planning and Development Regulations 2001, as amended sets out the instances where development, to which Article 6 relates, shall not be exempted development for the purposes of the Act if the carrying out of works would-

(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

Schedule 2, Part 1 'Exempted Development - General:

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

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

Conditions and Limitations

1. (a) Where the house has not been extended previously, the floor area of any such extension shall not exceed 40 square metres. (b) Subject to paragraph (a), where the house is terraced or semi-detached, the floor area of any extension above ground level shall not exceed 12 square metres. (c) Subject to paragraph (a), where the house is detached, the floor area of any extension above ground 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 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.

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

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

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

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

Class 50 of Part 1 of Schedule 2 of the Planning and Development Regulations reads as follows:

CLASS 50

(a) The demolition of a building, or buildings, within the curtilage of—

- (i) a house,*
- (ii) an industrial building,*
- (iii) a business premises, or*
- (iv) a farmyard complex.*

(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.

Conditions and Limitations:

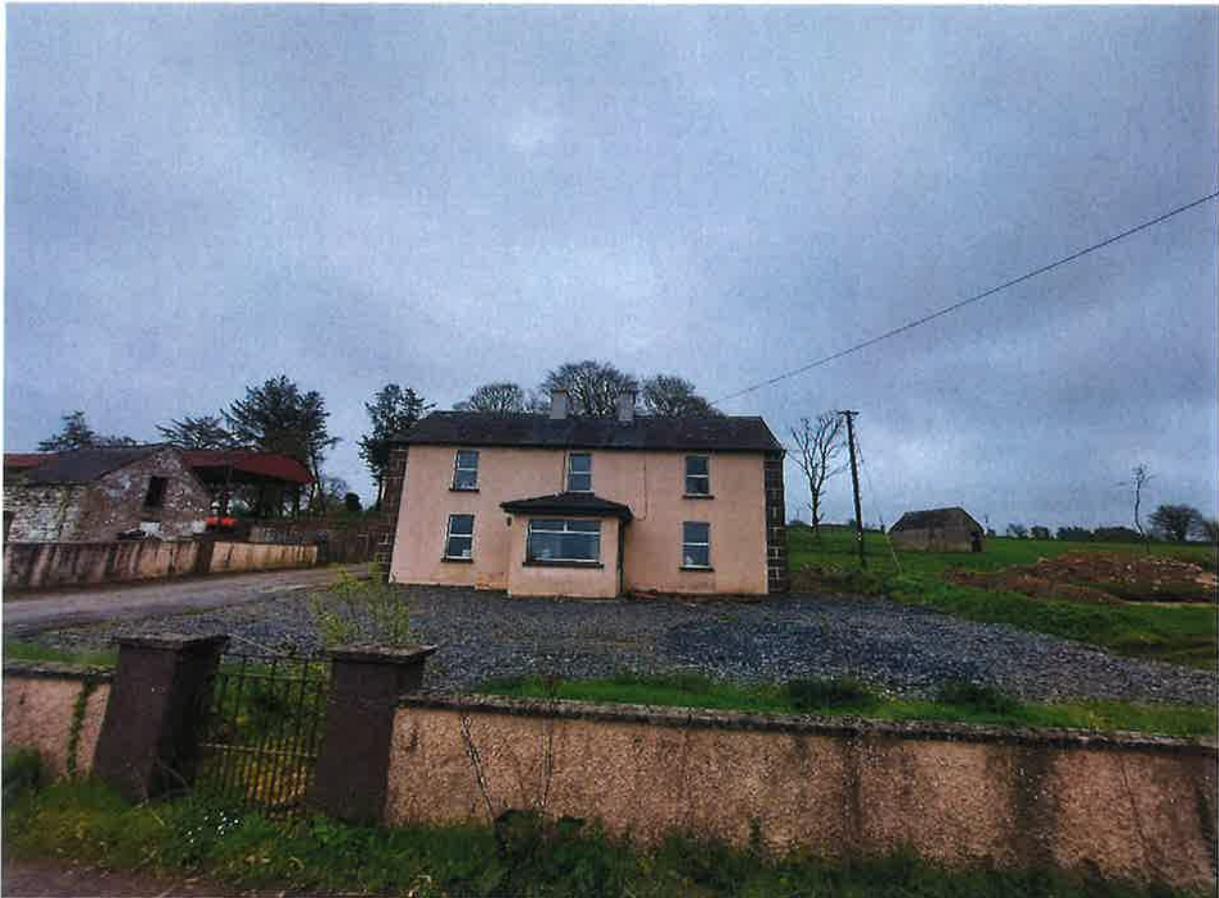
1. No such building or buildings shall abut on another building in separate ownership.
2. The cumulative floor area of any such building, or buildings, shall not exceed:
 - (a) in the case of a building, or buildings within the curtilage of a house, 40 square metres, and
 - (b) in all other cases, 100 square metres.
3. No such demolition shall be carried out to facilitate development of any class prescribed for the purposes of section 176 of the Act.

4. ASSESSMENT

a. *Site Location*

The site comprises an existing detached two-storey dwelling at Derryleigh, Newport, Co. Tipperary, accessed off the L6009, and located approx. 2km east of Newport town.

It is noted that the building is not included on the Record of Protected Structures (Volume 4 of the Tipperary County Development Plan 2022-2028).





b. Relevant Planning History

No recent planning history

Ref. 711 Permission granted to Daniel Ryan on 23/09/1967 for erection of walls and piers

Ref. 2682 Permission granted to Daniel Ryan on 09/09/1972 for a septic tank

Enforcement File TUD-24-044

Warning Letter issued on 16/04/2024 in respect of works to an outbuilding on the site.

Figure 1 Planning history

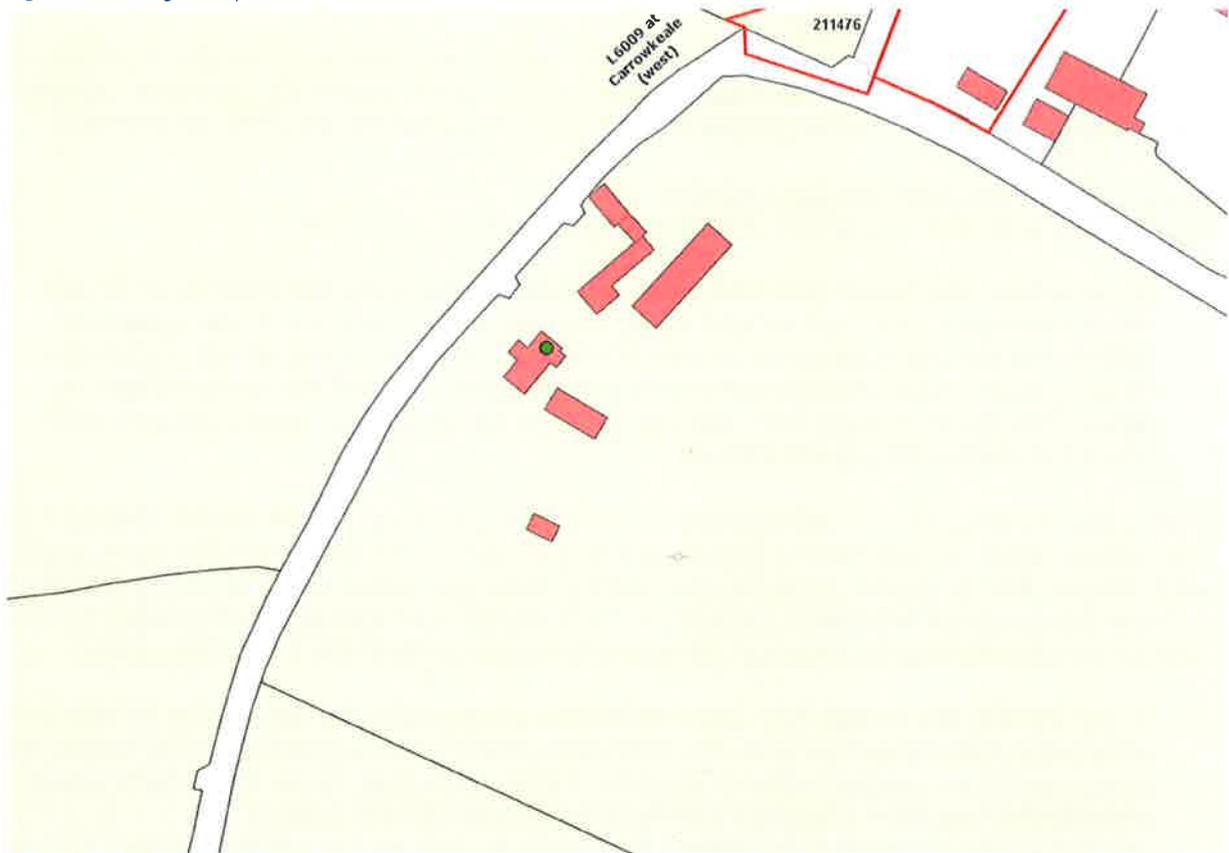
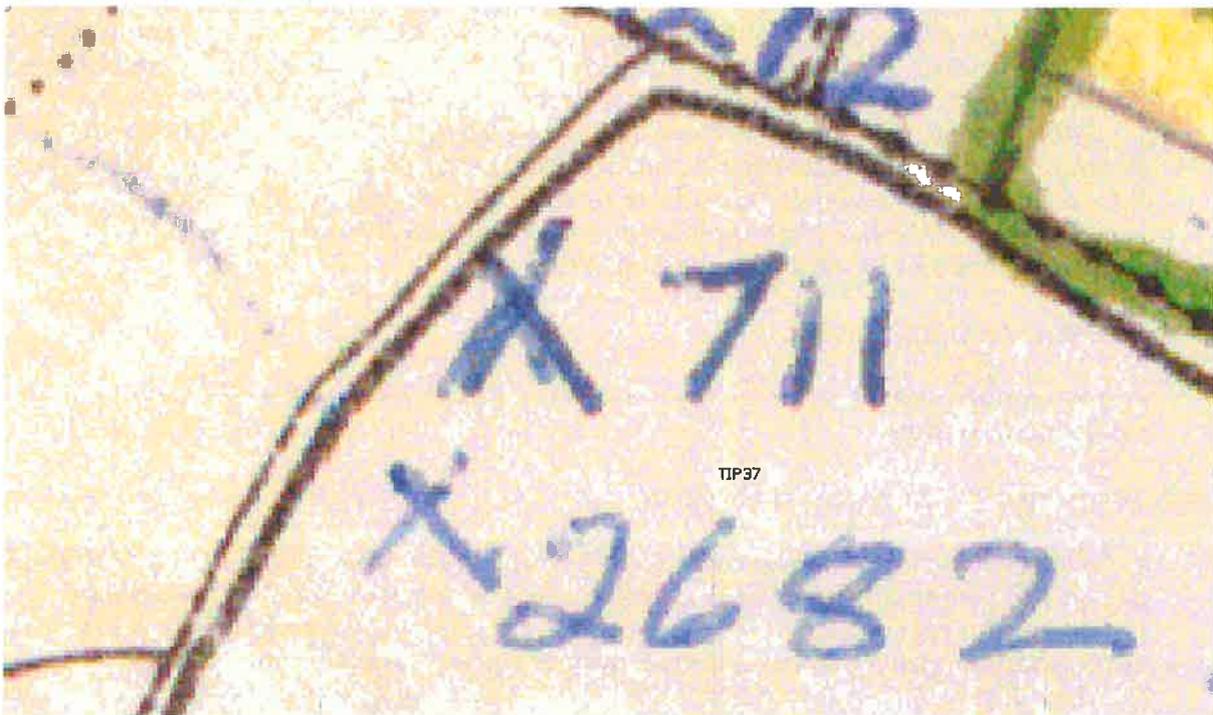


Figure 2 Historic planning history



c. Assessment

A) "Is or is not Development"

I consider 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"

Assessment against the conditions and limitations of Class 1, as follows:

1. (a) Where the house has not been extended previously, the floor area of any such extension shall not exceed 40 square metres. (b) Subject to paragraph (a), where the house is terraced or semi-detached, the floor area of any extension above ground level shall not exceed 12 square metres. (c) Subject to paragraph (a), where the house is detached, the floor area of any extension above ground level shall not exceed 20 square metres.

The proposal comprises the construction of 27sq.m single storey rear extension. During a site inspection I observed that there is already a rear extension to the dwelling in the same position generally as that proposed, meaning the existing extension would have to be demolished to construct the proposed extension. Referring to the drawings submitted and having regard to Class 50(b), I am satisfied that the proposal meets this condition under Class 1 and Class 50(b).

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.

As per discussion under Class 1.

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

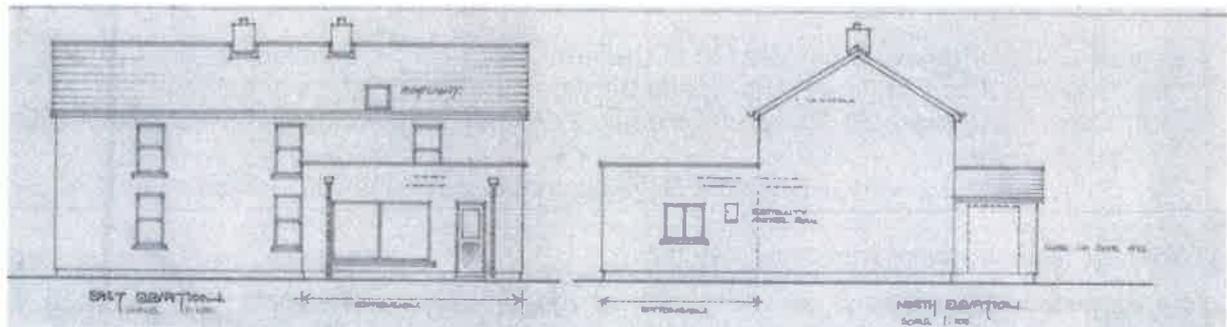
N/a. The proposed extension is single storey.

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.

The rear wall of the house does not include a gable. The height of the walls of the proposed extension do not exceed the height of the rear wall of the house.



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.

Rural site with large grounds to the rear and sides of the house.

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

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

Single storey extension with windows on the north-east and east elevations, in both cases in excess of 1m of any boundary.

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

Single storey extension with flat roof built to the rear of a two-storey dwelling. A first floor bedroom window would interface with the roof of the proposed extension. There is no indication that the roof of the extension is to be used as a balcony or roof garden.

C) Restrictions under Article 9

I note no restrictions on exemptions under Article 9 of the Planning and Development Regulations 2001, as amended that would apply.

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

Appropriate Assessment (AA)

The proposed development has been screened as to the requirement for AA and it has been determined that the requirement for Stage 2 AA does not arise. See Screening Report attached.

Environmental Impact Assessment (EIA):

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

4. RECOMMENDATION

A question has arisen as to whether the following to be undertaken at Derryleigh, Newport, Co. Tipperary is development and is or is not exempted development:

- *Single-storey extension (27sq.m) to the rear of existing dwelling, to comprise a dining room and utility room.*

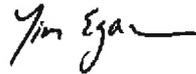
Tipperary County Council, in considering this referral, had regard particularly to -

- (a) Sections 2 and 3 of the Planning and Development Act, 2000, as amended
- (b) Class 1 and Class 50, Part 1 of Schedule 2, Planning & Development Regulations 2001, as amended.
- (c) Articles 6 and 9 of the Planning & Development Regulations 2001, as amended.

Tipperary County Council has concluded that –

The proposed development, as presented on the drawings and details provided with the Declaration application, constitutes “development” within the meaning of the Planning and Development Act 2000 as amended and is “exempted development”.

District Planner:



Date: 03/05/2024

A/Senior Executive Planner:



Date: 3/5/2024

HABITATS DIRECTIVE APPROPRIATE ASSESSMENT (AA) SCREENING REPORT

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

(a) File Reference No:	S5/24/45
(b) Brief description of the project or plan:	Single-storey extension (27sq.m) to the rear of existing dwelling, to comprise a dining room and utility room.
(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:	N/a

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

European Site (code)	List of Qualifying Interest/Special Conservation Interest ¹	Distance from proposed development (km)	Connections (Source-Pathway-Receptor)	Considered further in screening Y/N
Slievefelim to Silvermines Mountains SPA	https://www.npws.ie/protected-sites/spa/004165	Within 15km	None	No
Lower River Shannon SAC	https://www.npws.ie/protected-sites/sac/002165	Within 15km	None	No
Keeper Hill SAC	https://www.npws.ie/protected-sites/sac/001197	Within 15km	None	No
Silvermines Mountains West SAC	https://www.npws.ie/protected-sites/sac/002258	Within 15km	None	No

The following Natura 2000 sites come within 15km of the plication site but ae ruled out from further assessment due to distance from the site and lack of source pathway linkage:

- Clare Glen SAC
- Silvermine Mountains SAC
- Keeper Hill SAC
- Glenstall Wood SAC
- Bollingbrook Hill SAC
- Slieve Bernagh Bog SAC

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.)
<p>Construction phase e.g.</p> <ul style="list-style-type: none"> ● Vegetation clearance ● Demolition ● Surface water runoff from soil excavation/infill/landscaping (including borrow pits) ● Dust, noise, vibration ● Lighting disturbance ● Impact on groundwater/dewatering ● Storage of excavated/construction materials ● Access to site ● Pests 	None.
<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 	None.
In-combination/Other	None.
(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 	None.
(c) Are 'mitigation' measures necessary to reach a conclusion that likely significant effects can be	

ruled out at screening?

Yes No

STEP 4. Screening Determination Statement

The assessment of significance of effects:

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

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

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
Signature and Date of Recommending Officer:	Jim Egan	Date: 03/05/2024

EIA Pre-Screening Establishing a development is a 'sub-threshold development'			
File Reference:	S5/24/45		
Development Summary:	Single-storey extension (27sq.m) to the rear of existing dwelling, to comprise a dining room and utility room.		
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	
No, the project is not 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	
Signature and Date of Recommending Officer:	Jim Egan	Date:	03/04/2024



Comhairle Contae Thiobraid Árann
Tipperary County Council

Comhairle Contae
Thiobraid Árann,
Oifigi Cathartha,
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Co. Tipperary

E91 N512

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Co. Thiobraid Árann

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

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t 0818 06 5000
e customerservice
@tipperarycoco.ie

tipperarycoco.ie

Date: 9th May, 2024

Our Ref: S5/24/45

Civic Offices, Nenagh

David Collins
Keeperview
Monaleen Rd
Monaleen
Co. Limerick
V94 VAX9

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

Dear Mr Collins,

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

Single-storey extension (27 sq.m) to the rear of existing dwelling to comprise a dining room and utility room at Derryleigh, Newport, 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 and 3 of the Planning and Development Act, 2000, as amended
- (b) Class 1 and Class 50, Part 1 of Schedule 2, Planning & Development Regulations 2001, as amended.
- (c) Articles 6 and 9 of the Planning & Development Regulations 2001, as amended.

Tipperary County Council has concluded that –

The proposed development, as presented on the drawings and details provided with the Declaration application, constitutes "development" within the meaning

of the Planning and Development Act 2000 as amended and is "**exempted development**".

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

Yours sincerely

A handwritten signature in blue ink, appearing to read "Geraldine Quinn".

for **Director of Services**

Original

TIPPERARY COUNTY COUNCIL

DELEGATED EMPLOYEE'S ORDER

File Ref: **S5/24/45** **Delegated Employee's Order No:** _____

SUBJECT: Section 5 Declaration

I, Sharon Kennedy, Director of Services, Tipperary County Council, by virtue of the powers delegated to me in accordance with the provisions of Section 154 of the Local Government Act 2001, as amended by Schedule 1, Part 1 of the Local Government Reform Act 2014 under Chief Executive's Order No. 37256 dated 4th March, 2024, hereby order that pursuant to the provisions of the Planning and Development Act 2000, as amended, that an application under Section 5 from David Collins, Keeperview, Monaleen Rd, Monaleen, Limerick, V94 VAX9, re: Single-storey extension (27 sq.m) to the rear of existing dwelling to comprise a dining room and utility room at Derryleigh, Newport, Co. Tipperary is development and is exempted development.

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

- (a) Sections 2 and 3 of the Planning and Development Act, 2000, as amended
- (b) Class 1 and Class 50, Part 1 of Schedule 2, Planning & Development Regulations 2001, as amended.
- (c) Articles 6 and 9 of the Planning & Development Regulations 2001, as amended.

Tipperary County Council has concluded that –

The proposed development, as presented on the drawings and details provided with the Declaration application, constitutes "development" within the meaning of the Planning and Development Act 2000 as amended and is "**exempted development**".

Signed:



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

Date: 9/05/2024