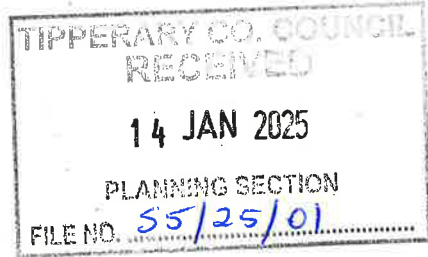




Comhairle Contae Thiobraid Árann
Tipperary County Council



PLANNING & DEVELOPMENT ACT, 2000 (as amended)

Application for a Section 5 Declaration
Development / Exempted Development

1. Applicant's address/contact details:

Applicant	Megan O'Meara
Address	Redwood, Lorcha, Nenagh, Co. Tipperary
Telephone No.	[REDACTED]
E-mail	[REDACTED]

2. Agent's (if any) address:

Agent	Kenneth Rice
Address	Bridgeway, Newbridge st, Birr, Co. Offaly R42 A895.
Telephone No.	[REDACTED]
E-mail	[REDACTED]
Please advise where all correspondence in relation to this application is to be sent;	
Applicant []	Agent [<input checked="" type="checkbox"/>]

3. Location of Proposed Development:

Postal Address or Townland or Location (as may best identify the land or structure in question)	Redwood, Lorcha, Nenagh, Co. Tipperary.
---	---

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.

<p>40m² Extension to the rear of the existing property. Replace existing damaged roof. Re-build damaged sections of existing property and all associated works as per attached drawings.</p>
<p>Proposed floor area of proposed works/uses: 40 sqm</p>

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

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

Signature of Applicant(s) Megan O'Heara

Date: 13/01/2025.

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
 - o OSI Site Location Map with the site outlined clearly – 1:1000 in urban areas and 1:2500 in rural areas
 - o Floor Plans & Elevations at a scale of not less than 1:200
 - o Site layout plan indicating position of proposed development relative to premises and adjoining properties
 - o 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. € <u>80.00</u>	
Receipt No <u>CLONMEL/0/188660</u>	
Date <u>14/1/2025</u>	
Received by <u>Megan O'Meara</u>	

Ryan, Siobhan Anne

From: Ahern, Catherine
Sent: 14 January 2025 14:44
To: Ryan, Siobhan Anne
Subject: Copy Receipt - € 80.00 payment

Tipperary County Council
Civic Offices
Clonmel
Co Tipperary

14/01/2025 10:55:47

Receipt No. : CLONMEL/0/188660

KENNETH RICE
BRIDGE VIEW
NEWBRIDGE STREET
BIRR
CO OFFALY
R42 A895

SECTION5 EXEMPTION DECLARATION 80.00
GOODS 80.00
VAT Exempt/Non-vatable
MEGAN O MEARA

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

Catherine Ahern
Finance
Tipperary County Council
Civic Offices
Emmet Street

Clonmel
Co. Tipperary


0818 06 5000

Ryan, Siobhan Anne

From: Kenneth Rice [REDACTED]
Sent: 14 January 2025 11:50
To: Planning Group
Subject: [External] Megan O'Meara Section 5
Attachments: Megan O'Meara Section 5.pdf; Elevations.pdf; Ground Floor Plan.pdf; Site Layout.pdf; Site Location Map.pdf

Follow Up Flag: Follow up
Flag Status: Completed

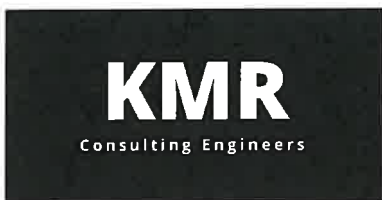
CAUTION FROM TIPPERARY COUNTY COUNCIL IT SECTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi,

Please see attached documentation for a section 5 request for Megan O'Meara. I've paid the €80 fee and the receipt ref number is 188660. If there are any issues, please contact me. Thanks.

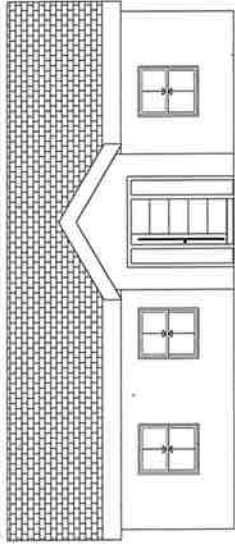
Kind Regards,

Kenneth Rice
BEng, MIEI



KMR Consulting Engineers
[REDACTED]

TIPPINAHRY CO. COUNCIL
 RECEIVED
 14 JAN 2025
 PLANNING SECTION
 FILE NO. S5/25/01

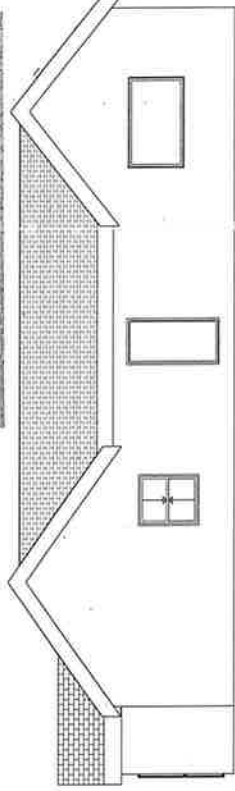


Attached Shed
Located Here

West/Front

4

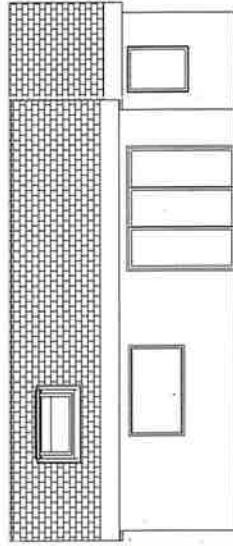
1 : 100



South/Side

1

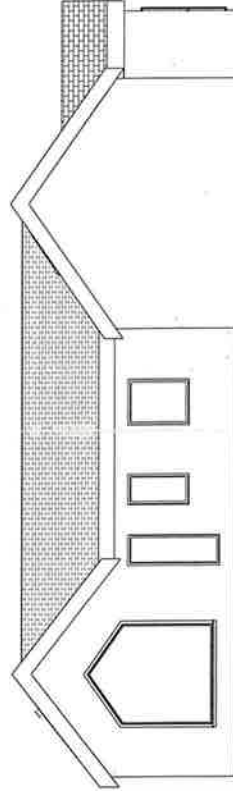
1 : 100



East/Back

3

1 : 100



North/Side

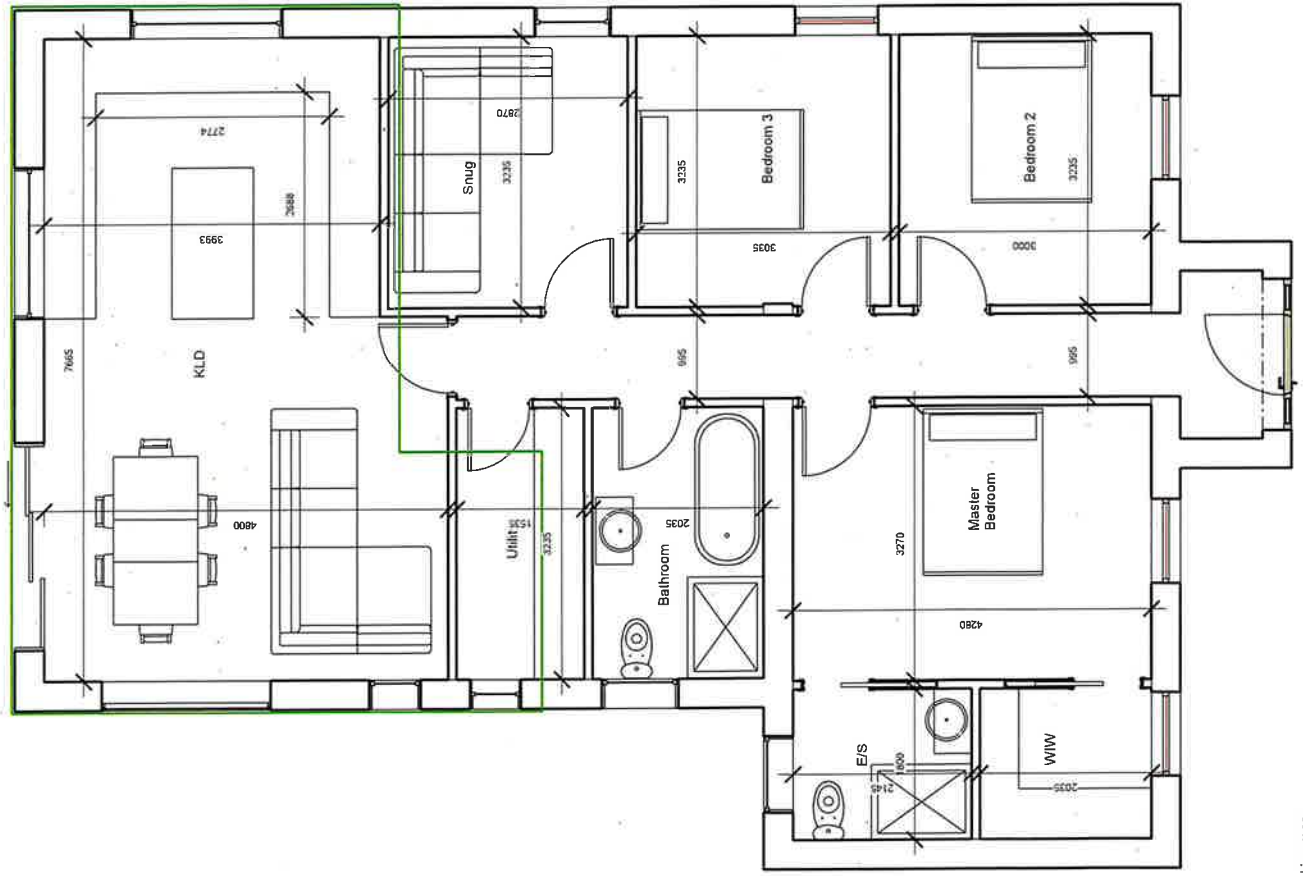
2

1 : 100

Notes:
 - Extension shown outlined in green.
 - Attached shed removed from drawings for clarity purposes.

PROJECT	Proposed Extension	CLIENT	Megan O'Meara
SHEET	Elevations	Date	21/11/2024
		Project number	24.127
		Scale (@ A3)	1 : 100
		Drawn by	KR
		DRAWING NUMBER	24.127/04
		Checked by	KR
		REV	

TIPPERARY CO. COUNCIL
 RECEIVED
 14 JAN 2025
 PLANNING SECTION
 FILE NO. 55/25/01



1 Ground Floor Plan
 1 : 60

PROJECT	Proposed Extension		
	Ground Floor		
CLIENT	Megan O'Meara		
	Date	Project number	Scale (@ A3)
	21/11/2024	24,127	1 : 60
	Drawn by	DRAWING NUMBER	REV
KR	24,127/03		
Checked by			
KR			

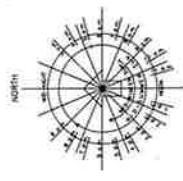
Notes:
 - Extension shown outlined in green.
 - Attached shed removed from drawings for clarity purposes.

Redwood

SITE AREA = 0.303Ha/075 AC
D.S Digital
ITM Cords 593046, 708712

SITE OUTLINED IN RED
SCALE 1:500

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14 JAN 2025
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FILE NO. 55/25/01



PROPOSED 7.0M EXTENSION SHOWN OUTLINED IN GREEN

EXISTING DWELLING

EXISTING ENTRANCE

EXISTING FUEL SHED

EXISTING SEPTIC TANK

Project: PROPOSED EXTENSION AT REDWOOD, RATHCABBIN, CO. TIPPERARY		Client: Megan O'Meara	
Date: 07/01/2025	Project NO: 24.127	Scale(0A3): 1:500	Rev:
Drawn By: KR	DRAWING NO: 24.127/02	Checked By: KR	Prepared: K. Rice, Newbridge St, Bllr., Dffaly Tel: 085 7450742
Sheet: Site Layout Plan			

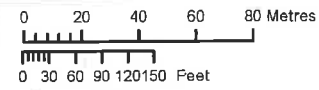
Planning Pack Map

PREPARED BY: KENNETH RICE

DATE: 08/01/2025



TIPPERARY CO. COUNCIL
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14 JAN 2025
PLANNING SECTION
FILE NO. 55/25/01



OUTPUT SCALE: 1:2,500



CENTRE COORDINATES:
ITM 593049,708712

PUBLISHED: 06/01/2025
MAP SERIES: 1:5,000
ORDER NO.: 50441335_1
MAP SHEETS: 3698

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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
e customerservice
@tipperarycoco.ie

tipperarycoco.ie

Date: 14th January, 2025

Our Ref: S5/25/01

Civic Offices, Nenagh

**Megan O'Meara
C/O Kenneth Rice
Bridgeview
Newbridge Street
Birr
Co. Offally**

Re: Application for a Section 5 Declaration – Construction of an extension to rear of dwelling 40sqm, replace existing damaged roof and rebuild damaged sections of existing property and all associated works at Redwood, Lorrha, Nenagh, Co. Tipperary.

Dear Ms O'Meara,

I acknowledge receipt of your application for a Section 5 Declaration received on 14th January, 2025, 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.: S5/25/01

Applicant: Megan O'Meara

Development Address: Redwood, Lorrha, Nenagh

Proposed Development: 40m² extension to rear of existing property. Replace existing damaged roof. Rebuild damaged sections of existing property and all associated works as per the attached drawings.

1. GENERAL

On the 14/01/2025, a request was made for a declaration under Section 5 of the Planning and Development Act, 2000 as amended in respect of the following development at Redwood, Lorrha.

2. STATUTORY PROVISIONS

Planning and Development Act 2000, as amended

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.

Section 4(1) of the Planning and Development Act, 2000, as amended states:

4.- (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.

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

(2)(a) *The Minister may by regulations provide for any class of development to be exempted development for the purposes of this Act where he or she is of the opinion that—*

(i) by reason of the size, nature or limited effect on its surroundings, of development belonging to that class, the carrying out of such development would not offend against principles of proper planning and sustainable development, or

(ii) the development is authorised, or is required to be authorised, by or under any enactment (whether the authorisation takes the form of the grant of a licence, consent, approval or any other type of authorisation) where the enactment concerned requires there to be consultation (howsoever described) with members of the public in relation to the proposed development prior to the granting of the authorisation (howsoever described).

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

4 (4) Notwithstanding paragraphs (a), (i), (ia) and (l) of subsection (1) and any regulations under subsection (2), development shall not be exempted development if an environmental impact assessment or an appropriate assessment of the development is required.

Planning and Development Regulations 2001, as amended

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

Exempted Development.

6. (1) Subject to article 9, development of a class specified in column 1 of Part 1 of Schedule 2 shall be exempted development for the purposes of the Act, provided that such development complies with the conditions and limitations specified in column 2 of the said Part 1 opposite the mention of that class in the said column 1.

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

Description of Development

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.

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—

(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.

(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.

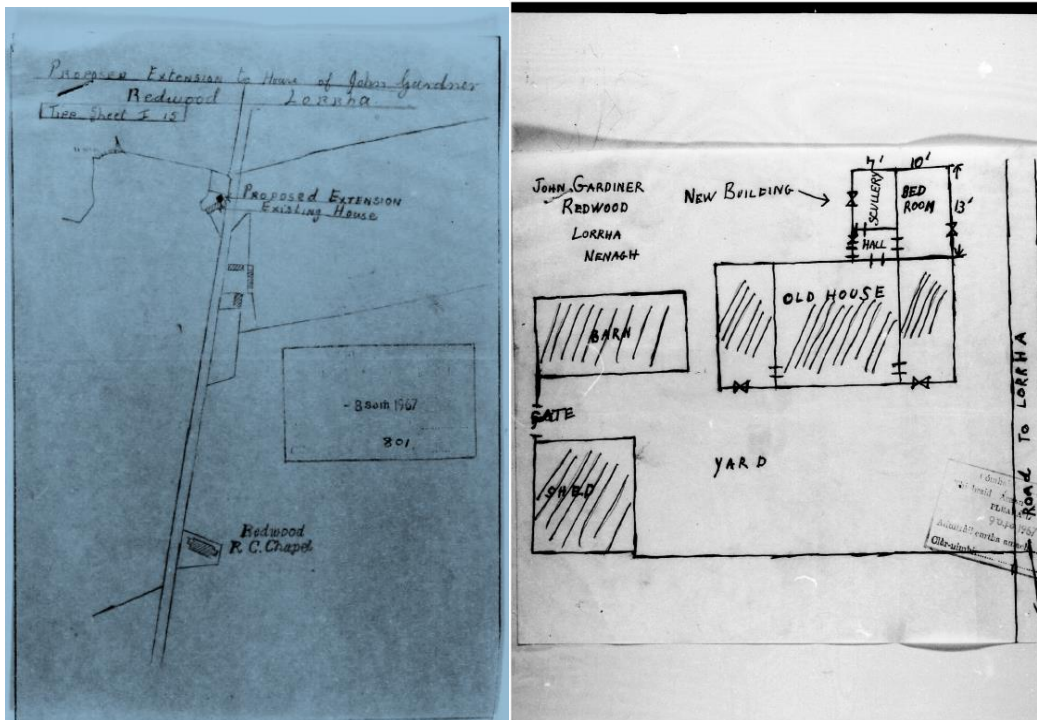
3. ASSESSMENT

a. Site Location

The site is located at Redwood, Lorrha. It contains a detached dwelling and outbuildings

b. Relevant Planning History

801 – Planning permission granted on in 1967 for a single storey rear extension.



c. Assessment

▪ CONSTRUCTION OF SINGLE STOREY EXTENSION

A) “Is or is not Development”

It is considered that the above listed proposal constitutes “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 / limitations of Class 1:

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.

As per the above planning history, the dwellinghouse has been previously extended. Planning permission was granted for this extension in 1967. The proposal is for an extension with a stated floorarea of 40sqm. The floor area of the proposed extension and the floor area of this previous extension (constructed after 1st October 1964) exceeds 40 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.

As per the above planning history, the dwellinghouse has been previously extended. Planning permission was granted for this extension in 1967. The proposal is for an extension with a stated floorarea of 40sqm. The floor area of the proposed extension and the floor area of this previous extension (constructed after 1st October 1964) exceeds 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.

Not applicable as the proposal relates to a detached house.

(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.

Not applicable as the proposal relates to a ground floor extension only.

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

Not applicable as the proposal relates to a ground floor extension only.

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.

Not applicable as the rear wall of the house includes a gable.

(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.

The rear wall of the house includes a gable and the height of the walls of the proposed extension would 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 proposed extension would have a pitched roof, and the height of the roof of the proposed extension would 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.

The extension would not reduce the area of private open space to the rear of the house to less than 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.

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

The proposed extension would not contain a window less than 1 metre from the boundary it faces.

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

A pitched roof is proposed

- **REPLACE EXISTING DAMAGED ROOF. REBUILD DAMAGED SECTIONS OF EXISTING PROPERTY AND ALL ASSOCIATED WORKS AS PER THE ATTACHED DRAWINGS.**

Details have not been provided in relation to the nature, scale and extent of these works and it is therefore not possible to conclude on same.

C) Restrictions under Article 9

It is considered that no restrictions on exemptions under Article 9 of the Planning and Development Regulations 2001, as amended 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 proposed development at Redwood, Lorrha, Nenagh is or is not exempted development:

40m² extension to rear of existing property. Replace existing damaged roof. Rebuild damaged sections of existing property and all associated works as per the attached drawings.

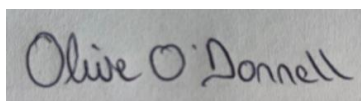
Tipperary County Council, in considering this proposal has had regard to:

- Sections 2, 3 and 4 of the Planning and Development Act, 2000, as amended,
- Articles, 6 and 9 of the Planning and Development Regulations 2001, as amended,
- Schedule 2, Part 1 Class 1 of the Planning and Development Regulations 2001 as amended.
- The declaration application and supporting information.
- The Planning history of the site.

Tipperary County Council has concluded that the *single storey extension to rear of the property*, is development and is **not exempted development**. The proposal fails to satisfy condition / limitation 2(a) of Class 1 which stipulates that ***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.***

Regarding the other items of the Declaration (replace damaged roof, Rebuild damaged sections of existing property and all associated works) insufficient information has been provided to described the nature and extent of these works.

District Planner:



Date: 07/02/2025

A/Senior Executive Planner:



Date: 7/2/2025

HABITATS DIRECTIVE APPROPRIATE ASSESSMENT (AA) SCREENING REPORT

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

(a) File Reference No:	S5/25/01
(b) Brief description of the project or plan:	As per planners report
(c) Brief description of site characteristics:	As per planners report
(d) Relevant prescribed bodies consulted: e.g. DHLGH (NPWS), EPA, OPW	None
€ 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
River Shannon Callows SAC	https://www.npws.ie/protected-sites/spa/000216	Within 10km	None	No
Middle Shannon Callow SPA	https://www.npws.ie/protected-sites/spa/004096	Within 15km	None	No
Ardgraique Bog SAC	https://www.npws.ie/protected-sites/sac/002356	Within 10km	None	No
Lough Derg, North East Shore SAC	https://www.npws.ie/protected-sites/sac/002241	Within 10km	None	No
Ballyduff/Clonfinane SAC	https://www.npws.ie/protected-sites/sac/000641	Within 10km	None	No
All Saints Bog and Esker SAC	https://www.npws.ie/protected-sites/sac/000566	Within 10km	None	No
Sharavogue Bog SAC	https://www.npws.ie/protected-sites/sac/000585	Within 15km	None	No
Kilcarren Firville Bog	https://www.npws.ie/protected-sites/spa/000647	Within 15km	None	No
Ridge Road, Sw of Rapemills SAC	https://www.npws.ie/protected-sites/spa/000919	Within 150km	None	No
Liskeenan Fen	https://www.npws.ie/protected-sites/spa/001683	Within 15km	None	No

Redwood Bog	https://www.npws.ie/protected-sites/spa/002353	Within 10km	None	No
Barroughter Bog SAC	https://www.npws.ie/protected-sites/spa/000231	Within 15km	None	No
River Little Brosna Callows SPA	https://www.npws.ie/protected-sites/spa/004103	Within 10km	None	No
All Saints Bog SPA	https://www.npws.ie/protected-sites/spa/004086	Within 10km	None	No
Dovegrove Callows SPA	https://www.npws.ie/protected-sites/spa/004137	Within 15km	None	No
Lough Derg (Shannon) SPA	https://www.npws.ie/protected-sites/sac/002165	Within 10km	None	No

STEP 3. Assessment of Likely Significant Effects

(a) Identify all potential direct and indirect impacts that may have an effect on the conservation objectives of a European site, taking into account the size and scale of the project under the following headings:

Impacts:	Possible Significance of Impacts: (duration/magnitude etc.)
Construction phase e.g. <ul style="list-style-type: none"> • Vegetation clearance • Demolition • Surface water runoff from soil excavation/infill/landscaping (including borrow pits) • Dust, noise, vibration • Lighting disturbance • Impact on groundwater/dewatering • Storage of excavated/construction materials • Access to site • Pests 	None.
Operational phase e.g. <ul style="list-style-type: none"> • Direct emission to air and water • Surface water runoff containing contaminant or sediment • Lighting disturbance • 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.
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(b) Describe any likely changes to the European site:

Examples of the type of changes to give consideration to include:

- Reduction or fragmentation of habitat area
- Disturbance to QI species
- Habitat or species fragmentation
- Reduction or fragmentation in species density
- Changes in key indicators of conservation status value (water or air quality etc.)
- Changes to areas of sensitivity or threats to QI
- Interference with the key relationships that define the structure or ecological function of the site

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:	Olive O'Donnell	Date: 07/02/2025

EIA PRE-SCREENING Establishing a development is a 'sub-threshold development'	
File Reference:	S5/25/01
Development Summary:	As per planners report
Was a Screening Determination carried out under Section 176A-C?	<input type="checkbox"/> Yes, no further action required <input checked="" type="checkbox"/> No, Proceed to Part A
A. Schedule 5 Part 1 - Does the development comprise a project listed in Schedule 5, Part 1 , of the Planning and Development Regulations 2001 (as amended)? (Tick as appropriate)	
<input type="checkbox"/> Yes, specify class _____	EIA is mandatory No Screening required
<input checked="" type="checkbox"/> No	Proceed to Part B
B. Schedule 5 Part 2 - Does the development comprise a project listed in Schedule 5, Part 2 , of the Planning and Development Regulations 2001 (as amended) and does it meet/exceed the thresholds? (Tick as appropriate)	
<input checked="" type="checkbox"/> No, the development is not a project listed in Schedule 5, Part 2	No Screening required
<input type="checkbox"/> Yes the project is listed in Schedule 5, Part 2 and meets/exceeds the threshold, specify class (including threshold): _____	EIA is mandatory No Screening required
<input type="checkbox"/> Yes the project is of a type listed but is <i>sub-threshold</i> : _____	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



Comhairle Contae Thiobraid Árann
Tipperary County Council

Comhairle Contae
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Oifigí Cathartha,
Cluain Meala,
Co. Thiobraid Árann

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Date: 7th February, 2025

Our Ref: S5/25/01

Civic Offices, Nenagh

Megan O'Meara
C/O Kenneth Rice
Bridgeview
Newbridge Street
Birr
Co. Offally

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

Dear Ms O'Meara,

I refer to your application for a Section 5 Declaration received on 14th January, 2025, in relation to the following proposed works:

40m² extension to rear of existing property. Replace existing damaged roof. Rebuild damaged sections of existing property and all associated works as per the attached drawings **at Redwood, Lorrha, Nenagh, 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 –

- Sections 2, 3 and 4 of the Planning and Development Act, 2000, as amended,
- Articles, 6 and 9 of the Planning and Development Regulations 2001, as amended,
- Schedule 2, Part 1 Class 1 of the Planning and Development Regulations 2001 as amended.
- The declaration application and supporting information.
- The Planning history of the site.

Tipperary County Council has concluded that the *single storey extension to rear of the property*, is development and is **not exempted development**. The proposal fails to satisfy condition / limitation 2(a) of Class 1 which stipulates that ***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.***

Regarding the other items of the Declaration (replace damaged roof, Rebuild damaged sections of existing property and all associated works) insufficient information has been provided to described the nature and extent of these works

NOTE: Any person issued with a Declaration of a Planning Authority may refer the Declaration for review to An Bord Pleanala, 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**

Original

TIPPERARY COUNTY COUNCIL

DELEGATED EMPLOYEE'S ORDER

File Ref: **S5/25/01** **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. 40781 dated 2nd January, 2025, hereby order that pursuant to the provisions of the Planning and Development Act 2000, as amended, that an application under Section 5 from Megan O'Meara, C/O Kenneth Rice, Bridgeview, Newbridge Street, Birr, Co. Offally, re: 40m² extension to rear of existing property. Replace existing damaged roof. Rebuild damaged sections of existing property and all associated works as per the attached drawings at Redwood, Lorrha, Nenagh, Co. Tipperary 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,
- Articles, 6 and 9 of the Planning and Development Regulations 2001, as amended,
- Schedule 2, Part 1 Class 1 of the Planning and Development Regulations 2001 as amended.
- The declaration application and supporting information.
- The Planning history of the site.

Tipperary County Council has concluded that the *single storey extension to rear of the property*, is development and is **not exempted development**. The proposal fails to satisfy condition / limitation 2(a) of Class 1 which stipulates that ***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.***

Regarding the other items of the Declaration (replace damaged roof, Rebuild damaged sections of existing property and all associated works) insufficient information has been provided to described the nature and extent of these works.

Signed:



Date: 07/02/2025

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