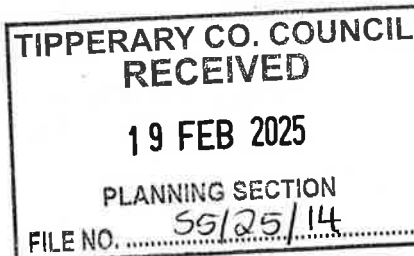




Comhairle Contae Thiobraid Árann
Tipperary County Council



PLANNING & DEVELOPMENT ACT, 2000 (as amended)

Application for a Section 5 Declaration
Development / Exempted Development

1. Applicant's address/contact details:

Applicant	GREG BROWNE ON BEHALF OF NENAGH CHORAL SOCIETY LTD
Address	ASHE ROAD NENAGH CO. TIPPERARY E45 PK25
Telephone No.	[REDACTED]
E-mail	[REDACTED]

2. Agent's (if any) address:

Agent	MARGARET KURWAN LIMPORD BUILDING SURVEYORS LTD
Address	21, THE ORCHARD MILLERSBROOK NENAGH, CO. TIPPERARY E45 HE06
Telephone No.	[REDACTED]
E-mail	[REDACTED]

Please advise where all correspondence in relation to this application is to be sent;

Applicant []

Agent [✓]

3. Location of Proposed Development:

Postal Address or Townland or Location (as may best identify the land or structure in question)	SCOUTS HALL ASHE ROAD NENAGH CO. TIPPERARY E45 PK25
---	--

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.)

An exemption under Section 5 of the
Planning and development Act is being
applied for the installation of 100mm
external wall insulation to the
SCOUTS HALL BUILDING ON ASHE ROAD, NENAGH.
Proposed floor area of proposed works/uses: N/A sqm

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

Please tick appropriate box to show applicant's legal interest in the land or structure	A. Owner	B. Occupier
	C. Other <input checked="" type="checkbox"/>	
Where legal interest is 'Other', please expand further on your interest in the land or structure	THE NENAGH CHORAL SOCIETY HAS A 35 year LEASE ON THE BUILDING	
If you are not the legal owner, please state the name and address of the owner	Name: Address: TIPPERARY COUNTY COUNCIL CIVIC OFFICES NENAGH, CO. TIPPERARY	

Signature of Applicant(s) Margaret Simlar Date: 18.2.2025
(Agent)

Note: If the proposed development consists of works to a (Proposed) Protected Structure and/or any structure within the curtilage of a (Proposed) Protected Structure, an application for a Section 57 Declaration may be more appropriate.

GUIDANCE NOTES

- (1) All queries on the form must be completed and the form must be accompanied by the relevant fee. The amount of the fee is currently **€80.00**.
- (2) This application should be accompanied by **TWO COPIES** of the following documentation
 - ✓○ OSI Site Location Map with the site outlined clearly – 1:1000 in urban areas and 1:2500 in rural areas
 - ✓○ Floor Plans & Elevations at a scale of not less than 1:200
 - ✓○ Site layout plan indicating position of proposed development relative to premises and adjoining properties
 - Other details e.g. brochures, photographs if appropriate.

(All dimensions must be given in metric scale and drawings should be accompanied by a brief description outlining the use of the proposed development)
- (3) Where a proper and complete application is received, a decision must be conveyed to the applicant within four (4) weeks except where additional necessary information is required.

This application form and relevant fee should be submitted to:

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

OR

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

Enquires:

Telephone 0761 06 5000

E-Mail planning@tipperarycoco.ie

FOR OFFICE USE ONLY

DATE STAMP

Fee Recd. € N/A - Charitable Status
Receipt No N/A Ref: CH420520
Date 19.02.25
Received by _____

Surveyed 1984-1985
Revised 2012
Levelled 1984

Urban PLACE Map ncs-25-01S5



ITM CENTRE PT COORDS

586277.679226

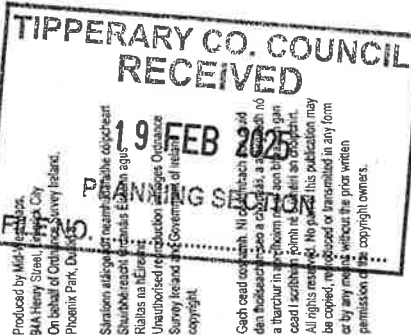
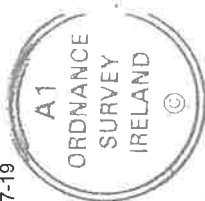
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MAP SHEETS

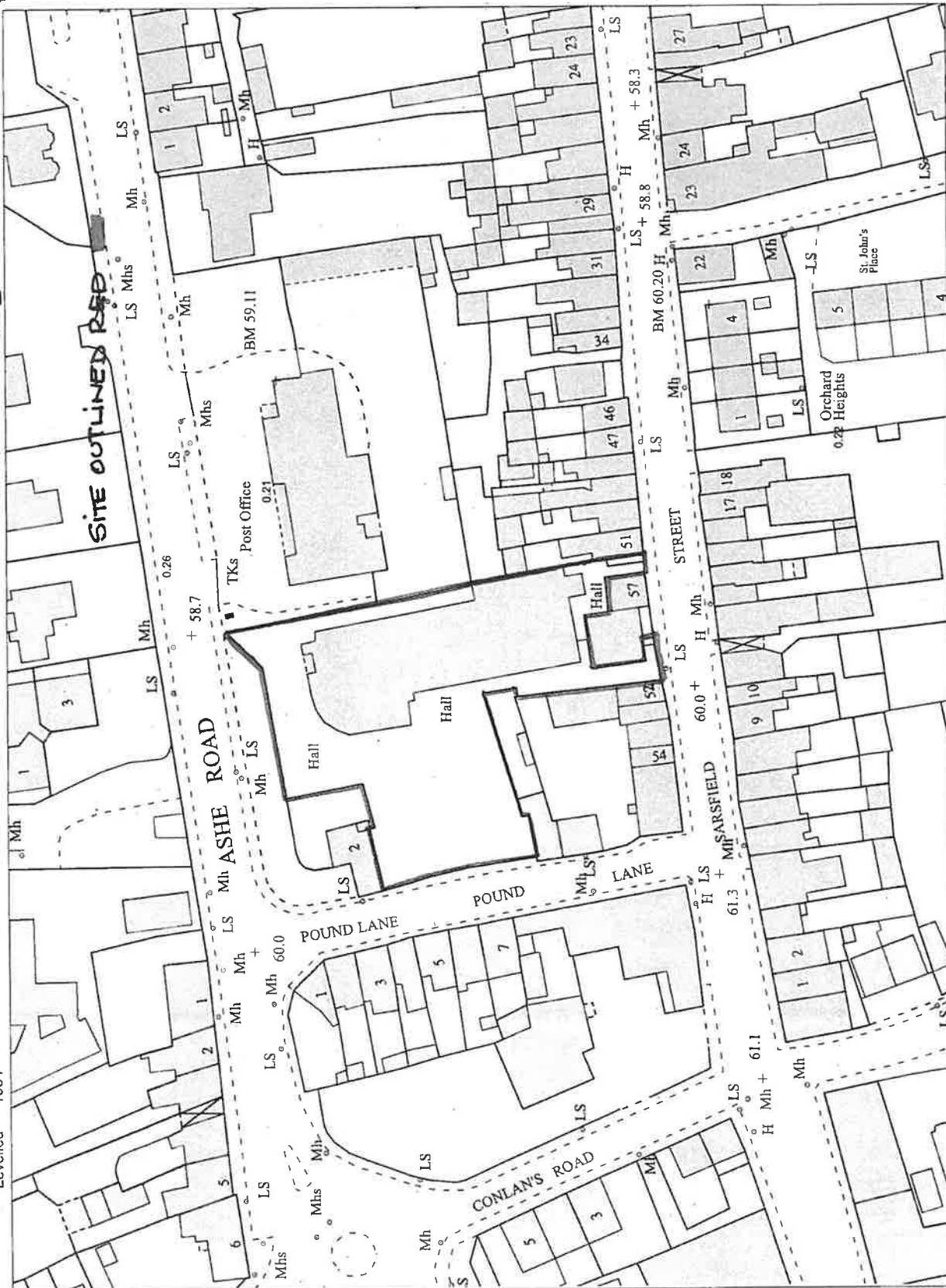
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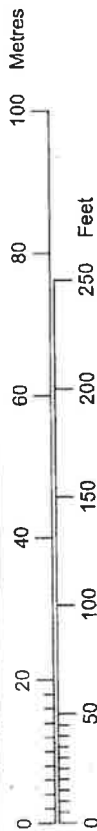
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© Ordnance Survey Ireland, 2012



Plot Ref. No. 25/38142_1_5
Plot Date 28-SEP-2012

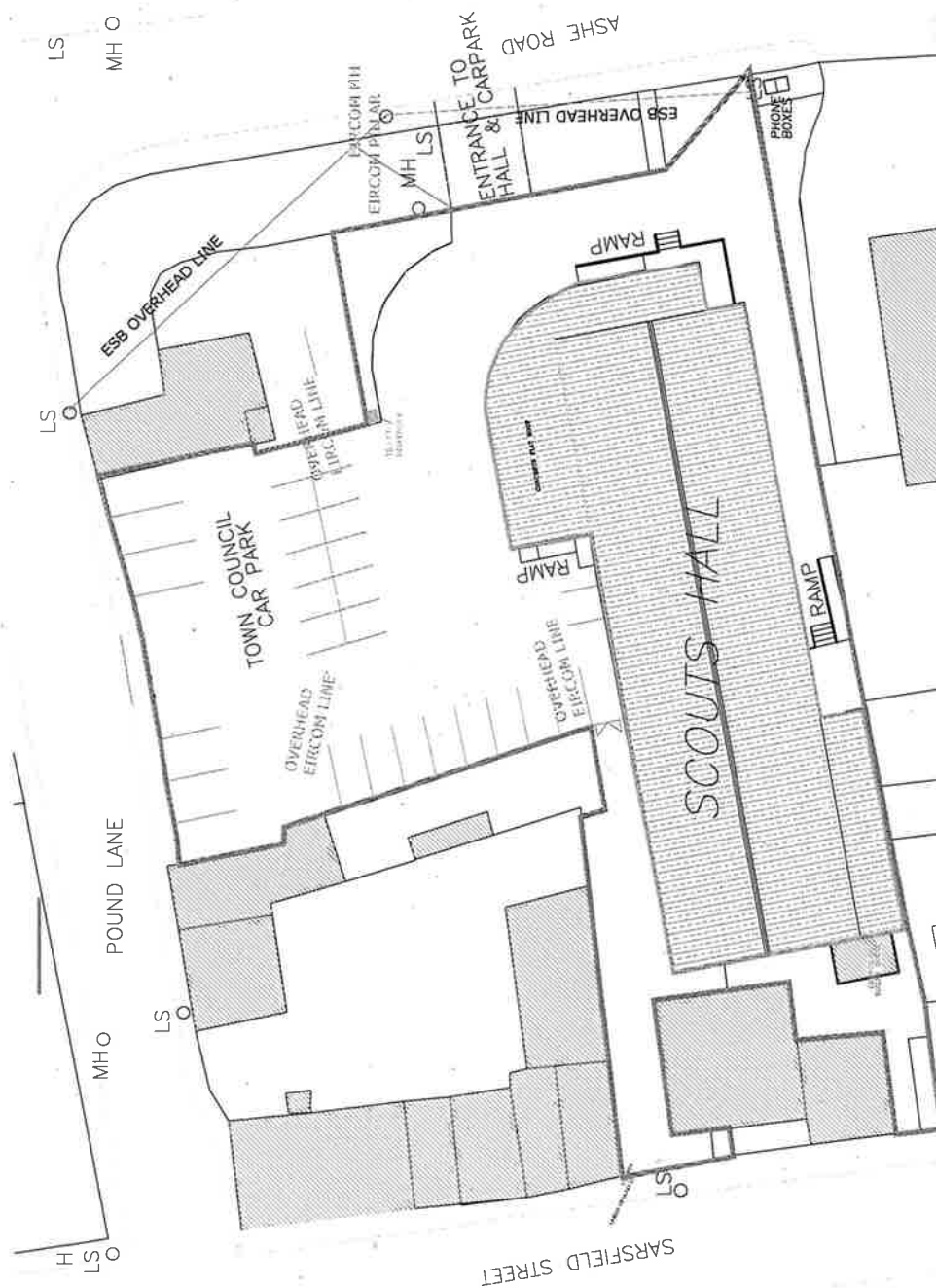


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19 FEB 2025
PLANNING SECTION
FILE NO.

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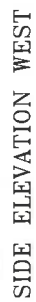
THIS DRAWING IS NOT TO BE RELIED ON FOR ANY OTHER PURPOSE OTHER THAN FOR WHAT IT WAS GENERATED FOR - ie SECTION 5 APPLICATION





SITE LAYOUT PLAN

TOWN COUNCIL'S SITE OUTLINED IN RED
 AREA OF SITE - CIRCA 2.31sq.m - 0.57 ACRES - 0.233 HECTARE
 SCOUTS HALL LOCATED WITHIN THE SITE
 100mm EXTERNAL INSULATION INDICATED

[illegible][illegible]

[illegible]

100mm EXTERNAL INSULATION INDICATED  

NOTE: THE COLOURS SHOWN ARE NOT THE CHOSEN COLOURS.

COLOURS ARE TO BE AGREED WITH THE COUNCIL BEFORE INSTALLATION

NOTE: THE BUILDING IS NOT A PROTECTED STRUCTURE

THIS DRAWING IS NOT TO BE RELIED ON FOR ANY OTHER PURPOSE OTHER THAN FOR WHAT IT WAS GENERATED FOR - ie SECTION 5 APPLICATION



Limford Building Surveyors Ltd

Margaret Kirwan MIBCI/FCABE

087 9396512

Registered Building Surveyor B0156

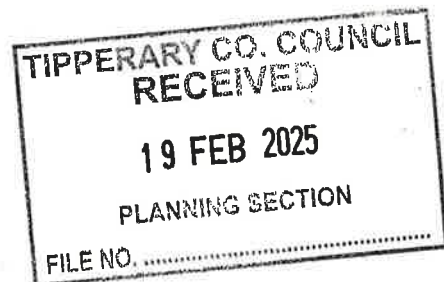
Limford House, 21 The Orchard, Millersbrook, Nenagh, Co. Tipperary

Tel./Fax.: 06741944 Email: limfordcbs@gmail.com

- Full Planning Services • Fire Safety Certificates • Disability • Supervision • Mapping • Licencing
- PI Insurance

18/02/2025

Secretary
Planning Authority
Tipperary County Council
Civic Offices
Limerick Road
Nenagh
Co. Tipperary



Re: Section 5 Application for Nenagh Choral Society

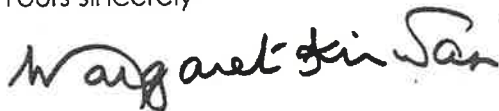
Development: Installation of External Insulation to the Scouts Hall, Ashe Road, Nenagh

Dear Secretary

Nenagh Choral Society Ltd. wish to apply to Tipperary County Council for a waiver of fee on the attached Section 5 application on the grounds that the applicant is a non-profit making voluntary cultural organisation (Choral Society) used for the social, recreational, educational and entertainment benefit of the community.

Nenagh Choral Society Ltd. has charitable status – Ref: CHY20520.

Yours sincerely



Margaret Kirwan C.Build E FCABE, MIBCI
Registered Building Surveyor B0156
Chartered Building Engineer

Ryan, Siobhan Anne

From: Clifford, Kathleen
Sent: 19 February 2025 10:01
To: 'Mgt Rose Kirwan'
Cc: Ryan, Siobhan Anne
Subject: RE: [External] Section 5 -Nenagh Choral Society

Hello Margaret,
Acknowledge receipt of your e-mail and attachments and advise that I have forwarded same to Siobhan Ryan who deals with same.

Regards.
Kathleen

From: [REDACTED]
Sent: 18 February 2025 16:49
To: Clifford, Kathleen [REDACTED]
Subject: [External] Section 5 -Nenagh Choral Society

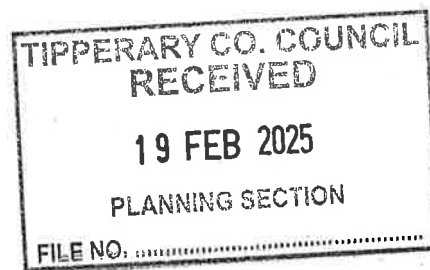
CAUTION FROM TIPPERARY COUNTY COUNCIL IT SECTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Kathleen

Attached is a Section 5 application for the Nenagh Choral Society -regarding the Scouts Hall, Nenagh.
Can I submit this online or do I need to hand in a hard copy application at the counter?

Regards
Margaret

Margaret Kirwan FCABE, MIBCI
Registered Building Surveyor B0156
Chartered Building Engineer
Limford Building Surveyors Ltd
Limford House
21 The Orchard
Millersbrook
Nenagh
Co. Tipperary
Post Code: E45 HE06
[REDACTED]



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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: 19th February, 2025 Our Ref: S5/25/14 Civic Offices, Nenagh

Greg Browne on behalf of Nenagh Choral Society Ltd
C/O Margaret Kirwan
Limford Building Surveyors Ltd
21 The Orchard
Millersbrook
Nenagh
Co. Tipperary

Re: Application for a Section 5 Declaration – Installation of 100 mm external wall insulation at Scouts Hall, Nenagh, Co. Tipperary.

Dear Mr Browne,

I acknowledge receipt of your application for a Section 5 Declaration received on 19th February, 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.: S5/25/14

Applicant: Greg Browne on behalf of Nenagh Choral Society Ltd

Development Address: Ashe Road, Nenagh, Co. Tipperary, E45 PK25

Proposed Development: Installation of 100mm external wall insulation to the Scouts Hall building

1. GENERAL

On 19/02/2025, a request was made for a declaration under Section 5 of the Planning and Development Act, 2000 as amended by Greg Browne on behalf of Nenagh Choral Society Ltd as to whether or not the following works constitute development and if so, whether same was exempted development:

- Installation of 100mm external wall insulation to the Scouts Hall building

2. STATUTORY PROVISIONS

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

3. ASSESSMENT

a. Site Location

The Scouts Hall building is a detached building with a community use.

b. Relevant Planning History

None identified

c. Assessment

Pursuant to Section 5 of the Planning & Development Acts this report will examine whether the proposal constitutes a) development and b) exempted development.

A) "Is or is not Development"

It is considered that the proposal for the installation of 100mm external wall insulation to the Scouts Hall building constitutes works and development as provided for under Sections 2 and 3 of the Act.

B) "Is or is not Exempted Development"

It is considered that the development comes within the criteria as set under Section 4(1)(h) of the Planning & Development Regulations 2001, as amended, which relates to 'Exempted Development' as the proposed development would not materially affect the external appearance of the structure so as to render its appearance inconsistent with the character of the structure or of neighbouring structures.

4. 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.

5. RECOMMENDATION

WHEREAS a question has arisen as to whether or not the following constitutes development and if so, whether same constitutes exempted development:

- Installation of 100mm external wall insulation to the Scouts Hall building

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 9 of the Planning and Development Regulations 2001 (as amended)

It is concluded that the:

- Installation of 100mm external wall insulation to the Scouts Hall building

is development and is exempted development as it falls under the exempted development provisions as set out under Section 4 of the Planning and Development Act 2000, as amended.

District Planner:

Olive O'Donnell

Date: 12/03/2025

A/Senior Executive Planner:

Jonathan Flood

Date: 12/3/2025

HABITATS DIRECTIVE APPROPRIATE ASSESSMENT (AA) SCREENING REPORT

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

(a) File Reference No:	S5/25/14
(b) Brief description of the project or plan:	As per planner's report
(c) Brief description of site characteristics:	As per planner's report
(d) Relevant prescribed bodies consulted: e.g. DHLGH (NPWS), EPA, OPW	None
(e) Response to consultation:	No

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

European Site (code)	List of Qualifying Interest/Special Conservation Interest ¹	Distance from proposed development ² (km)	Connections (Source-Pathway-Receptor)	Considered further in screening Y/N
004058 Lough Derg (Shannon) SPA	https://www.npws.ie/protected-sites/sapa/004058	10Km	None	No
004165 Slievefelim to Silvermines Mountains SPA	https://www.npws.ie/protected-sites/sapa/004165	10Km	None	No
000939 Silvermine Mountains SAC	https://www.npws.ie/protected-sites/sac/000939	10Km	None	No

002165 Lower River Shannon SAC	https://www.npws.ie/protected-sites/sac/0002165	15Km	None	No
001197 Keeper Hill SAC	https://www.npws.ie/protected-sites/sac/001197	10Km	None	No
002258 Silvermines Mountains West SAC	https://www.npws.ie/protected-sites/sac/002258	10Km	None	No
002124 Bollingbrook Hill SAC	https://www.npws.ie/protected-sites/sac/002124	15Km	None	No
002241 Lough Derg, North-East Shore SAC	https://www.npws.ie/protected-sites/sac/002241	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 	No direct impacts as dwellings have already been constructed
Operational phase e.g.	No direct impacts

<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 	
In-combination/Other	No

(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 and having regard to the proximity of the proposed development, the provision of an on-site waste water treatment system and the short distance from a European site, it is concluded that the proposed development, individually or in-combination with other plans or projects, will not have an impact on the above listed European sites

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:	12/03/2025

EIA Pre-Screening	
Establishing if the proposal is a 'sub-threshold development':	
Planning Register Reference:	S5/25/14
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 <u> [insert here] </u>	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): <u> [specify class & threshold here] </u>	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
Signature and Date of Recommending Officer:	Olive O'Donnell 12/03/2025



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,
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An tAonach,
Co. Thiobraid Árann
Tipperary County Council,
Civic Offices, Nenagh,
Co. Tipperary
E45 A099

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

Date: 14th March, 2025 Our Ref: S5/25/14 Civic Offices, Nenagh

Greg Browne on behalf of Nenagh Choral Society Ltd.,
C/o Margaret Kirwan
Limford Building Surveyors Ltd
21 The Orchard
Millersbrook
Nenagh
Co. Tipperary

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

Dear sir/madam,

I refer to your application for a Section 5 Declaration received on
19th February, 2025 in relation to the following proposed works:

installation of 100mm external wall insulation at Scouts Hall, Nenagh,
Co. Tipperary is development and is exempted development.

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 9 of the Planning and Development Regulations 2001, as amended.
- c) The details as submitted with the application

Tipperary County Council has concluded that installation of 100mm external wall insulation at Scouts Hall, Nenagh, Co. Tipperary is development and is **exempted development** as it falls under the exempted development provisions as set out under Section 4 of the Planning and Development Act 2000, as amended.

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: **S5/25/14** **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 Greg Browne on behalf of Nenagh Choral Society Ltd., re: installation of 100mm external wall insulation at Scouts Hall, Nenagh, Co. Tipperary is development and is exempted development.

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

- a) Sections 2, 3 and 4 of the Planning and Development Act, 2000, as amended
- b) Article 9 of the Planning and Development Regulations 2001, as amended.

Tipperary County Council has concluded that – The installation of 100mm external wall insulation to the Scouts Hall building **is development and is exempted development** as it falls under the exempted development provisions as set out under Section 4 of the Planning and Development Act 2000, as amended.

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: 14/03/2025