

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.)

CONSTRUCTION OF 8METRE X 24METRE POLYTUNNEL
FOR THE PURPOSE OF GROWING VEGETABLES IN
ORGANIC MARKET GARDENING BUSINESS.
PROPOSED DEVELOPMENT WILL REPLACE A POLYTUNNEL
(OF EXACT SAME DIMENSIONS) DESTROYED BY STORM EOWAN
ON 24 <sup>TH</sup> JANUARY 2025
Proposed floor area of proposed works/uses: 192 sqm

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

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

Signature of Applicant(s) C. Pate Date: 19/2/25

**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 0818 06 5000**

**E-Mail [planning@tipperarycoco.ie](mailto:planning@tipperarycoco.ie)**

### **FOR OFFICE USE ONLY**

#### **DATE STAMP**

**Fee Recd. € 80.00** \_\_\_\_\_

Receipt No NENAM1/0/126510

Date 19/2/2025

Received by Maura Lillis

593610 mE, 707780 mN

The Property  
Registration Authority  
An tÚdarás  
Clárúcháin Maoine  
Folio: TY64204F



This map should be read in conjunction with the folio.

Registry maps are based on OSI topographic mapping. Where registry maps are printed at a scale that is larger than the OSI published scale, accuracy is limited to that of the original OSI map scale.

For details of the terms of use and limitations as to scale, accuracy and other conditions relating to Land Registry maps, see [www.pral.ie](http://www.pral.ie).

This map incorporates Ordnance Survey Ireland (OSI) mapping data under a licence from OSI. Copyright © OSI and Government of Ireland.

(centre-line of parcel(s) edged)

Freehold

Leasehold

SubLeasehold

Burdens (may not all be represented on map)

Right of Way / Wayleave

Turbary

Pipeline

Well

Pump

Septic Tank

Soak Pit

A full list of burdens and their symbology can be found at:  
[www.landdirect.ie](http://www.landdirect.ie)

The registry operates a non-conclusive boundary system. The Registry Map identifies properties not boundaries meaning neither the description of land in a register nor its identification by reference to a registry map is conclusive as to the boundaries or extent. (see Section 85 of the Registration of Title Act, 1964). As inserted by Section 62 of the Registration of Deed and Title Act 2006.

1:1000 Scale

1:1000 SCALE

SHED

Dwelling House

Proposed  
Polytunnel

(8m x 24m x 4.1m)  
L x W x H

REDWOOD

DIKK2

Existing  
Polytunnel

(9m x 28m)

TIPPERARY CO. COUNCIL  
RECEIVED  
19 FEB 2025  
PLANNING SECTION  
FILE NO. ....



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: 19<sup>th</sup> February, 2025      Our Ref: S5/25/13      Civic Offices, Nenagh

**Conor Foxton  
Redwood  
Lorrha  
Nenagh  
Co. Tipperary  
E45 NR71**

**Re: Application for a Section 5 Declaration – Replace a polytunnel for exact measurements 8 metre x 24 metre destroyed by Storm Eowyn on 24/1/2025 at Redwood, Lorrha, Nenagh, Co. Tipperary, E45 NR71.**

Dear Mr Foxton,

I acknowledge receipt of your application for a Section 5 Declaration received on 19<sup>th</sup> 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**

**Original**

**TIPPERARY COUNTY COUNCIL**

**DELEGATED EMPLOYEE'S ORDER**

File Ref: **S5/25/13**      **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 2<sup>nd</sup> 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 Conor Foxton, Redwood, Lorrha, Nenagh, Co. Tipperary re: Construction of an 8m x 24m polytunnel for the purpose of growing vegetables 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 –

- (a) Sections 2, 3 and 4 of the Planning and Development Act, 2000 (as amended)
- (b) Schedule 2 Part 3 Class 9 of the Planning and Development Regulations 2001 (as amended)
- (c) Article 9 of the Planning and Development Regulations 2001 (as amended)

It is concluded that the:

- Construction of an 8m x 24m polytunnel for the purpose of growing vegetables

**Is development and is exempted development** as the works meet the conditions/ limitations of Class 9 Schedule 2 Part 3 of the Planning and Development Regulations 2001 (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: 07/03/2025**



Comhairle Contae Thiobraid Árann  
Tipperary County Council

Comhairle Contae  
Thiobraid Árann,  
Oifigí Cathartha,  
Cluain Meala,  
Co. Thiobraid Árann  
Tipperary County Council,  
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t 0818 06 5000/6000  
e customerservice  
@tipperarycoco.ie  
[tipperarycoco.ie](http://tipperarycoco.ie)

Date: 7<sup>th</sup> March, 2025

Our Ref: S5/25/13

Civic Offices, Nenagh

**Conor Foxton  
Redwood  
Lorrha  
Nenagh  
Co. Tipperary**

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

Dear Mr Foxton,

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

**Construction of an 8m x 24m polytunnel for the purpose of growing vegetables at Redwood, Lorrha, 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, 3 and 4 of the Planning and Development Act, 2000 (as amended)
- (b) Schedule 2 Part 3 Class 9 of the Planning and Development Regulations 2001 (as amended)
- (c) Article 9 of the Planning and Development Regulations 2001 (as amended)

It is concluded that the:

- Construction of an 8m x 24m polytunnel for the purpose of growing vegetables

**Is development and is exempted development** as the works meet the conditions/ limitations of Class 9 Schedule 2 Part 3 of the Planning and Development Regulations 2001 (as amended)

Yours sincerely

  
for **Director of Services**