



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:

<i>Applicant</i>	Kevin Ryan
<i>Address</i>	Kilodiernan House, Glebe, Puckane, Nenagh, Co. Tipperary
<i>Telephone No.</i>	[REDACTED]
<i>E-mail</i>	[REDACTED]

2. Agent's (if any) address:

<i>Agent</i>	Shoreline Property Consultancy c/o Derek Horan
<i>Address</i>	Slevoyre, Terryglass, Nenagh, Co. Tipperary
<i>Telephone No.</i>	[REDACTED]
<i>E-mail</i>	[REDACTED]
<i>Please advise where all correspondence in relation to this application is to be sent;</i>	
Applicant [<input type="checkbox"/>] Agent [<input checked="" type="checkbox"/>]	

3. Location of Proposed Development:

<i>Postal Address or Townland or Location (as may best identify the land or structure in question)</i>	Kilodiernan House, Glebe, Puckane, Nenagh, Co. Tipperary
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4. Development Details:

Please provide details of the proposed development for which an exemption under Section 5 of the Planning and Development Act is applied for.

(Note: only works and uses listed and described under this section will be assessed under this Section 5 Application. Use additional sheets if required.)

As-built agricultural shed measuring 350sq.m in area. Half of the shed (175sq.m) accomodates livestock (calf) pens. The second half of the shed (175sq.m) is used as farm storage for straw/hay/animal feed. Concrete apron, livestock yard & crush.

Proposed floor area of proposed works/uses: 350 sqm

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

Date: 26/08/2025

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
- 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	<u>OR</u>	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. € _____

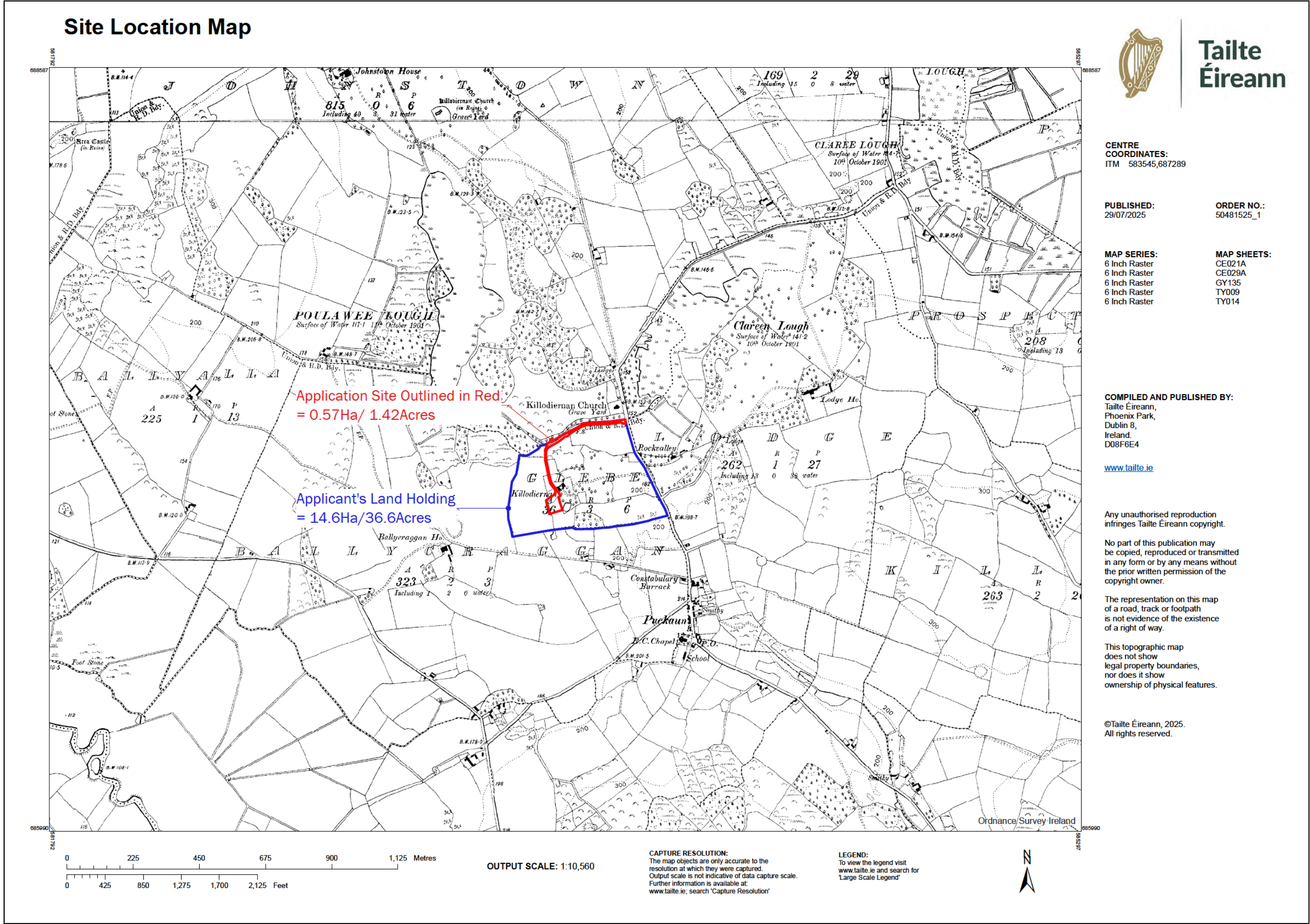
Receipt No _____

Date _____

Received by _____

 Application Site Outlined in Red
= 0.57Hectares/1.42Acres

 Applicant's Land Holding
Outlined in Blue =
14.8Hectares/36.6Acres



**Tailte
Éireann**

**CENTRE
COORDINATES:**
ITM 583545,687289

PUBLISHED:
29/07/2025

ORDER NO.:
50481525_1

MAP SERIES:
6 Inch Raster
6 Inch Raster
6 Inch Raster
6 Inch Raster
6 Inch Raster

MAP SHEETS:
CE021A
CE029A
GY135
TY009
TY014

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**Shoreline
Property Consultancy**

CHARTERED BUILDING SURVEYORS & BUILDING DESIGN CONSULTANTS

Derek Horan, Building Surveyor, MCSI, MRICS  Chartered property,
land and construction
surveyors.

A Slevoyre, Terryglass, Nenagh, Co. Tipperary

M +353(0)87 2226674 E info@shorelinepc.ie 

☐ Design ☒ Section 5 Application ☐ DAC Application

☐ FSC Application ☐ Tender ☐ Construction

CLIENT
Kevin Ryan,
Kilodiernan House,
Glebe, Puckane,
Nenagh, Co. Tipperary

SITE ADDRESS
Kilodiernan House,
Glebe, Puckane,
Nenagh, Co. Tipperary

DRAWING TITLE

Site Location Map

SCALE 1:10,560@A2 **DRAWN BY** D Horan

DATE August 2025 **CHECKED BY** D Horan

DRAWING NO. 24.042.S5-100	REV. -
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Site Aerial Map
1:1,000 @ A0

Application Site Outlined in Red
= 0.57Hectares/1.42Acres

Shoreline

Property Consultancy

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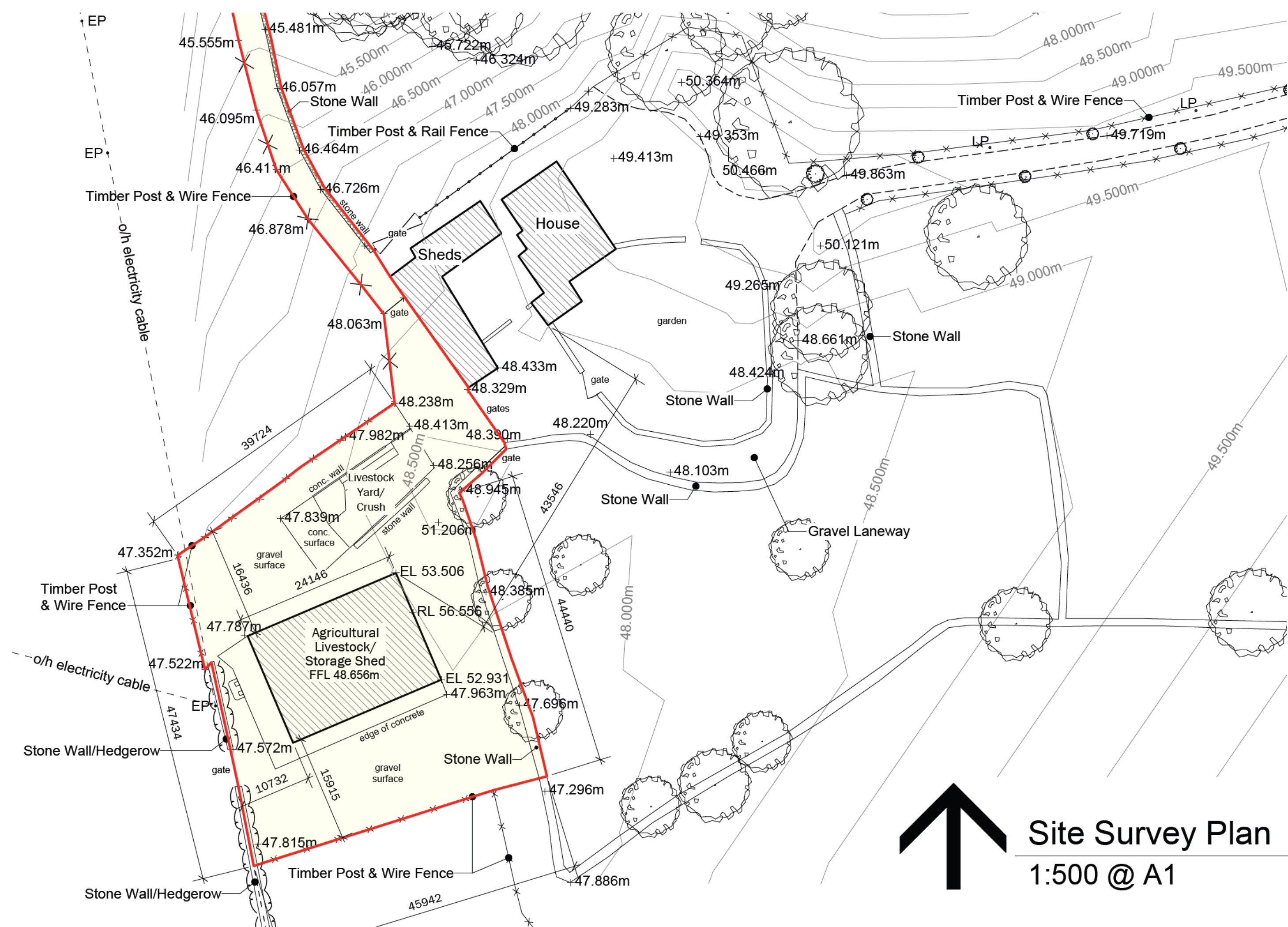
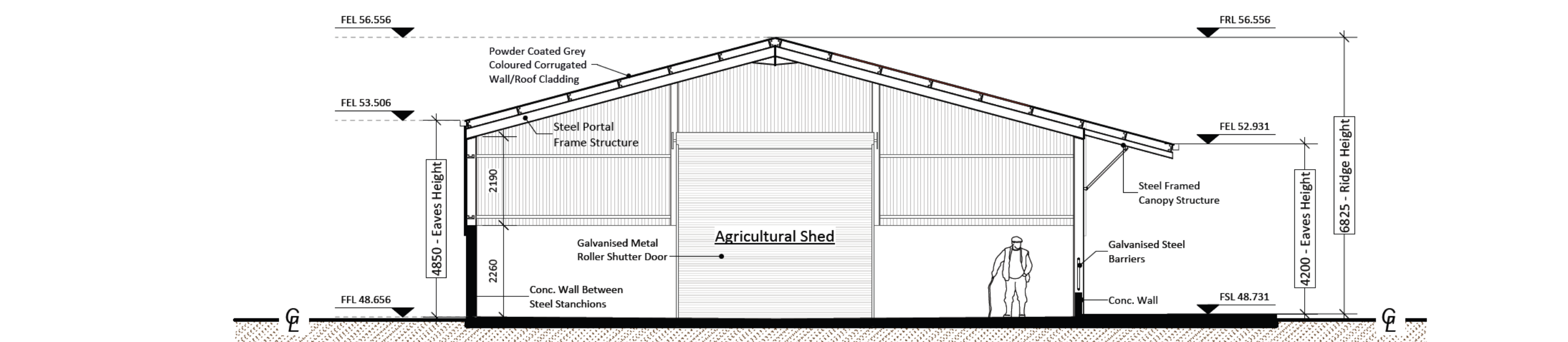
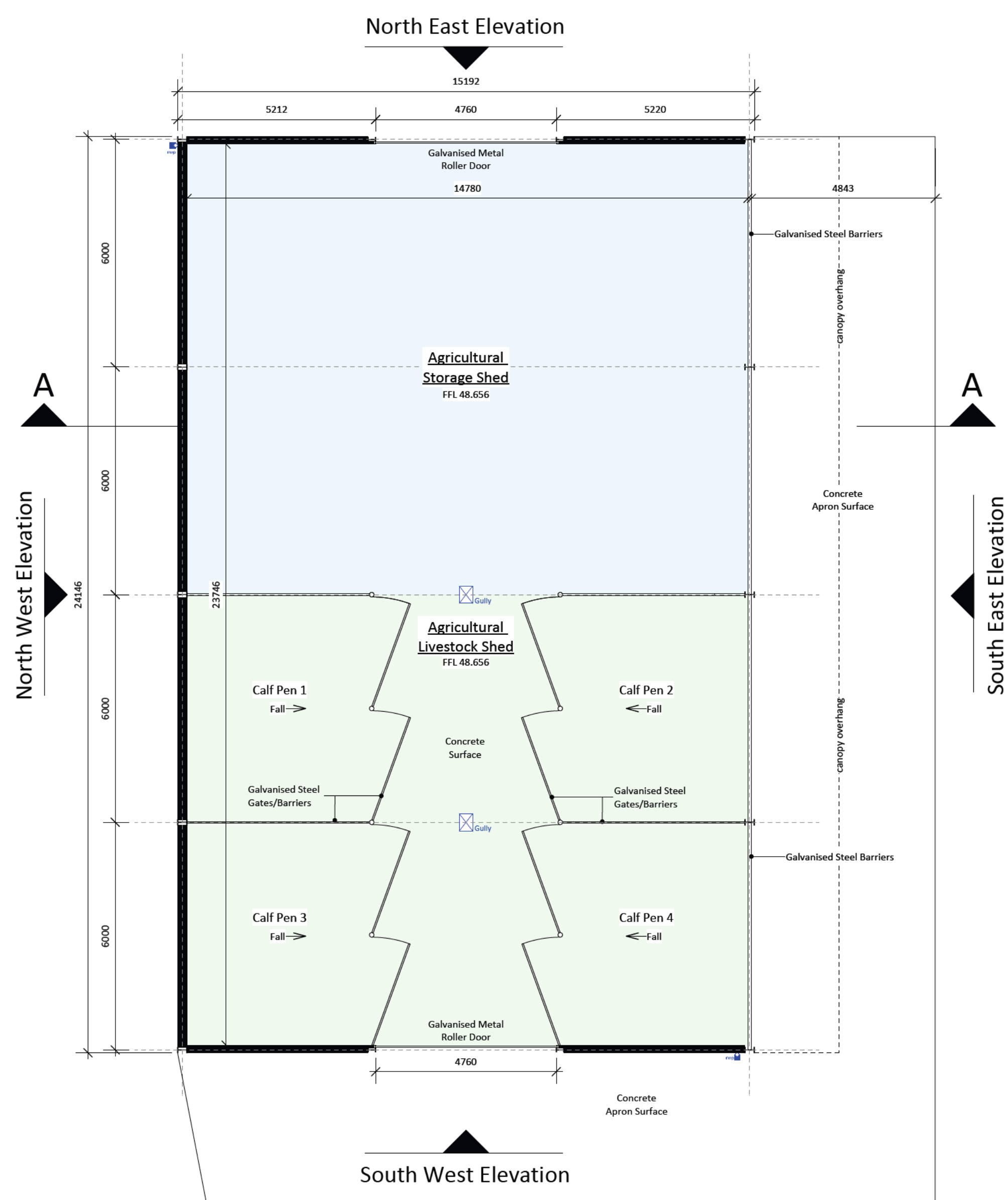
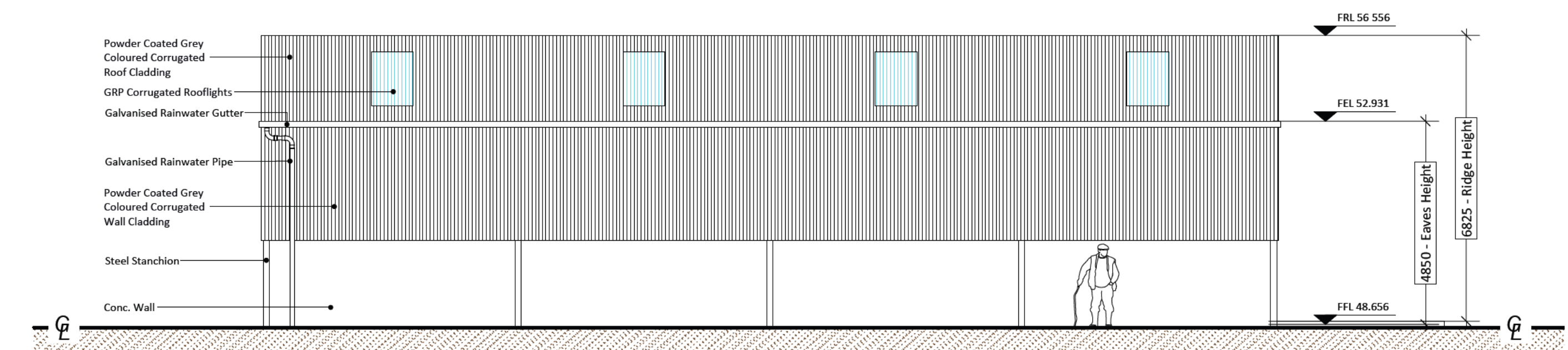
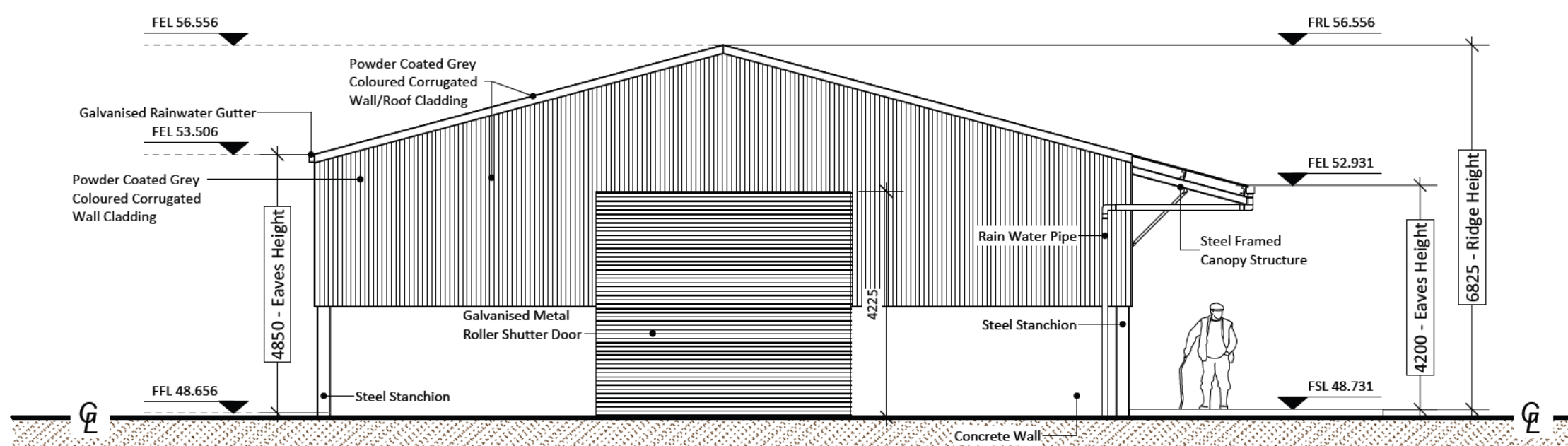
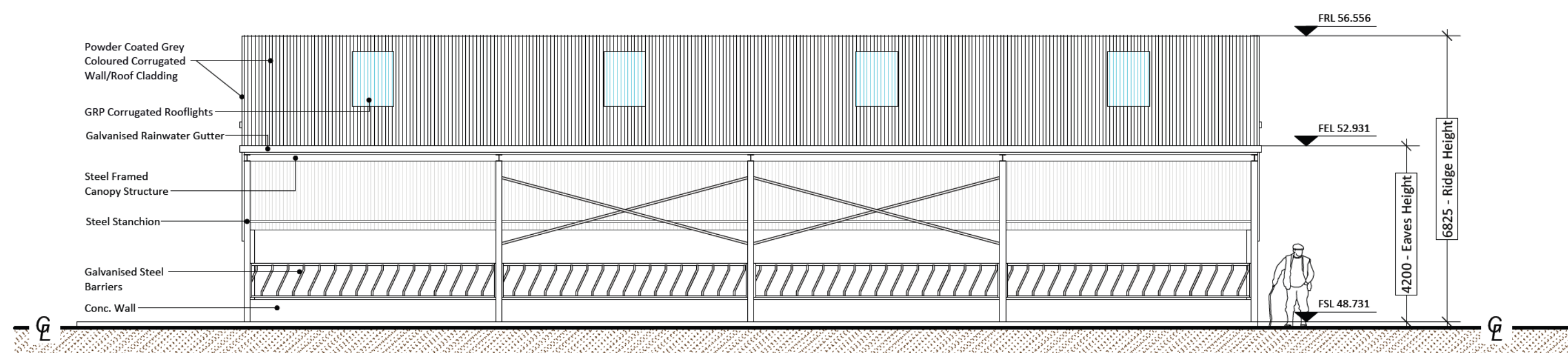
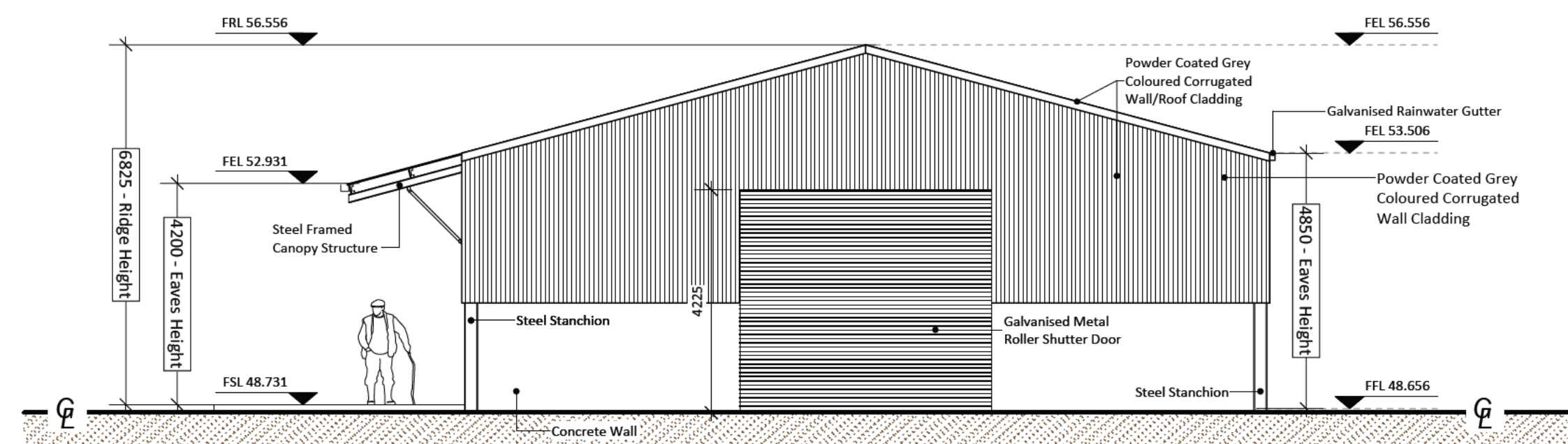
DRAWING TITLE

Site Survey Plan & Site Aerial Map

SCALE 1:500/1,000@A0 DRAWN BY D Horan
DATE August 2025 CHECKED BY D Horan

DRAWING NO.	REV.
24.042.S5-102	-

Site Survey Plan
1:500 @ A0



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 Application Site Outlined in Red
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☐ Design ☒ Section 5 Application ☐ DAC Application
☐ FSC Application ☐ Tender ☐ Construction

CLIENT

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Kilodiernan House, Glebe,
Puckane, Nenagh, Co. Tipperary

SITE ADDRESS


Kilodiernan House, Glebe,
Puckane, Nenagh,
Co. Tipperary


DRAWING TITLE

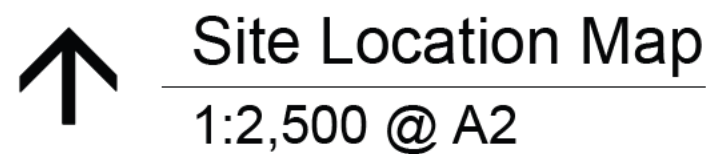
Site Survey Plan, Agricultural
Shed Floor Plan, Elevations
& Section A-A

SCALE 1:500/100@A1	DRAWN BY D Horan
DATE August 2025	CHECKED BY D Horan

DRAWING NO.	REV.
24.042.S5 - 103	-

 Application Site Outlined in Red
= 0.57Hectares/1.42Acres

 Applicant's Land Holding
Outlined in Blue =
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DRAWING NO.	REV.
24.042.S5-101	-



Comhairle Contae Thiobraid Árann
Tipperary County Council

Comhairle Contae
Thiobraid Árann,
Oifigi Cathartha,
Cluain Meala,
Co. Thiobraid Árann
Tipperary County Council,
Civic Offices, Clonmel,
Co. Tipperary
E91 N512

Comhairle Contae
Thiobraid Árann,
Oifigi Cathartha,
An tAonach,
Co. Thiobraid Árann
Tipperary County Council,
Civic Offices, Nenagh,
Co. Tipperary
E45 A099

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

Date: 28th August 2025

Our Ref: S5/25/115

Civic Offices, Clonmel

Kevin Ryan
c/o Derek Horan
Shoreline Property Consultancy
Slevoyre, Terryglass
Nenagh
Co. Tipperary

Re: Application for a Section 5 Declaration - as built agricultural shed measuring 350sq.m in area which accommodates livestock pens and farm storage. Concrete apron, livestock yard & crush at Kilodiernan House, Glebe, Puckane, Nenagh, Co. Tipperary

Dear Mr Horan

I acknowledge receipt of your application for a Section 5 Declaration received on 27th August 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.: S5/25/115

Applicant: Kevin Ryan

Development Address: Kilodiernan House, Glebe, Puckane, Nenagh, Co. Tipperary

Proposed Development: As-built agricultural shed measuring 350sq.m in area which accommodates livestock pens and farm storage. Concrete apron, livestock yard & crush.

1. Summary

On 27/08/2025, a request was made for a declaration under Section 5 of the Planning and Development Act, 2000, as amended, by Kevin Ryan as to whether or not the following constituted development and if so, whether same was exempted development:

- As-built agricultural shed measuring 350sq.m in area which accommodates livestock pens and farm storage. Concrete apron, livestock yard & crush.

Figure 1: Proposed Site Location Plan

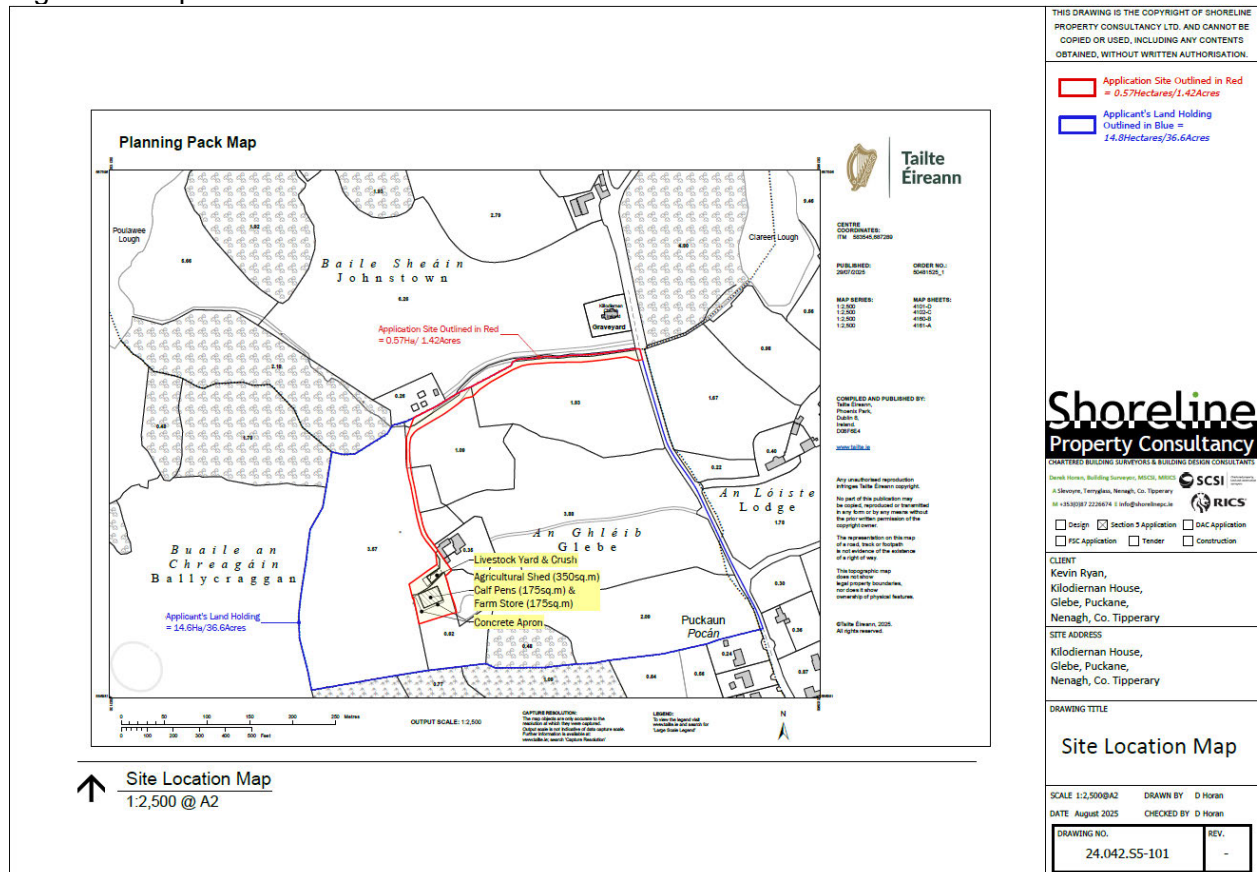
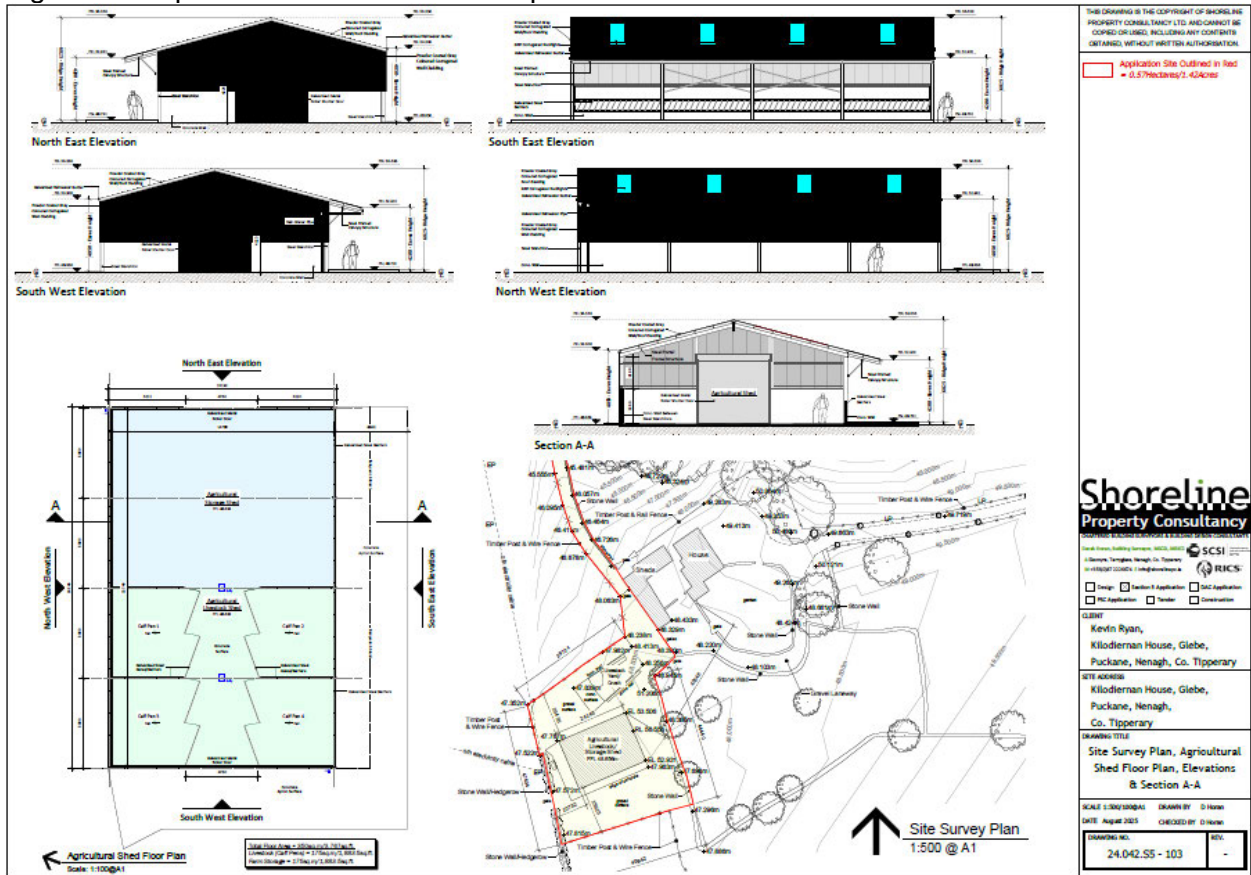


Figure 2: Proposed Elevations and Floorplans



2. Legislation

Section 2 (1) of the Planning and Development Act 2000, as amended, states as follows:-

“works” includes any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal....’

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 4 of the Planning and Development Act 2000, as amended, provides for Exempted Development and Section 4(1) sets out works which shall be exempted development for the purposes of this act. Section 4(2) (a) of the same Act states that ‘the Minister may by regulations provide for any class of development to be exempted development for the purposes of this Act.

Article 6 (1) of the Regulations states the following:

“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.”

Schedule 2

PART 3

Exempted Development — Rural

Column 1

Description of Development

Agricultural Structures

Column 2

Conditions and Limitations

<p>CLASS 6 Works consisting of the provision of a roofed structure for the housing of cattle, sheep, goats, donkeys, horses, deer or rabbits, having a gross floor space not exceeding 200 square metres (whether or not by extension of an existing structure), and any ancillary provision for effluent storage.</p>	<ol style="list-style-type: none"> 1. No such structure shall be used for any purpose other than the purpose of agriculture. 2. The gross floor space of such structure together with any other such structures situated within the same farmyard complex or within 100 metres of that complex shall not exceed 300 square metres gross floor space in aggregate. 3. Effluent storage facilities adequate to serve the structure having regard to its size, use and location shall be constructed in line with Department of Agriculture, Food and Rural Development and Department of the Environment and Local Government requirements and shall have regard to the need to avoid water pollution. 4. No such structure shall be situated, and no effluent from such structure shall be stored, within 10 metres of any public road. 5. No such structure within 100 metres of any public road shall exceed 8 metres in height. 6. No such structure shall be situated, and no effluent from such structure shall be stored, within 100 metres of any house (other than the house of the person providing the structure) or other residential building or school, hospital, church or building used for public assembly, save with the consent in writing of the owner and, as may be appropriate, the occupier or person in charge thereof. 7. No unpainted metal sheeting shall be used for roofing or on the external finish of the structure.
<p>CLASS 8 Works consisting of the provision of roofless cubicles, open loose yards, self-feed silo or silage areas, feeding aprons, assembly yards, milking parlours or structures for the making or storage of silage or any other structures of a similar character or description, having an aggregate gross floor space not exceeding 200 square metres, and any ancillary provision for effluent storage.</p>	<ol style="list-style-type: none"> 1. No such structure shall be used for any purpose other than the purpose of agriculture. 2. The gross floor space of such structures together with any other such structures situated within the same farmyard complex or within 100 metres of that complex shall not exceed 300 square metres gross floor space in aggregate. 3. Effluent storage facilities adequate to serve the structure having regard to its size, use and location shall be constructed in line with Department of Agriculture, Food and Rural Development and the Department of the Environment and Local Government requirements and shall have regard to the need to avoid water pollution. 4. No such structure shall be situated, and no effluent from such structure shall be stored, within 10 metres of any public road.

	<ol style="list-style-type: none"> 5. No such structure within 100 metres of any public road shall exceed 8 metres in height. 6. No such structure shall be situated, and no effluent from such structure shall be stored, within 100 metres of any house (other than the house of the person providing the structure) or other residential building or school, hospital, church or building used for public assembly, save with the consent in writing of the owner and, as may be appropriate, the occupier or person in charge thereof. 7. No unpainted metal sheeting shall be used for roofing or on the external finish of the structure.
<p>CLASS 9 Works consisting of the provision of any store, barn, shed, glass-house or other structure, not being of a type specified in class 6, 7 or 8 of this Part of this Schedule, and having a gross floor space not exceeding 300 square metres.</p>	<ol style="list-style-type: none"> 1. No such structure shall be used for any purpose other than the purpose of agriculture or forestry, but excluding the housing of animals or the storing of effluent. 2. The gross floor space of such structures together with any other such structures situated within the same farmyard complex or complex of such structures or within 100 metres of that complex shall not exceed 900 square metres gross floor space in aggregate. 3. No such structure shall be situated within 10 metres of any public road. 4. No such structure within 100 metres of any public road shall exceed 8 metres in height. 5. No such structure shall be situated within 100 metres of any house (other than the house of the person providing the structure) or other residential building or school, hospital, church or building used for public assembly, save with the consent in writing of the owner and, as may be appropriate, the occupier or person in charge thereof. 6. No unpainted metal sheeting shall be used for roofing or on the external finish of the structure.

3. ASSESSMENT

a. Site Location

The site is located at south of Kilodiernan House, Glebe approximately 500m north of Puckane. The site is accessed from the R493 via a long private road. Kilodiernan House is a Protected Structure (S173), as per the Tipperary County Development Plan.

b. Planning History

5115903 – Planning permission granted to erect a shed for livestock

c. Assessment

A) "Is or is not Development"

Having considered all of the details and documentation on file with regards the question asked the Planning Authority is satisfied that the proposal constitutes "development" within the meaning of Section 3 of the Act.

B) "Is or is not Exempted Development"

- **LIVESTOCK SHED: Part of the overall structure is being used for housing calves and has a floor area of 175sqm.**

Class 6 of Part 3 of Schedule 2 provides for:

Works consisting of the provision of a roofed structure for the housing of cattle, sheep, goats, donkeys, horses, deer or rabbits, having a gross floor space not exceeding 200 square metres (whether or not by extension of an existing structure), and any ancillary provision for effluent storage.

The following assesses the proposal under the conditions and limitations specified in column 2 for the class of development (Class 1) in column 1.

1. *No such structure shall be used for any purpose other than the purpose of agriculture.*

The structure is used for the purposes of agriculture.

2. *The gross floor space of such structure together with any other such structures situated within the same farmyard complex or within 100 metres of that complex shall not exceed 300 square metres gross floor space in aggregate.*

The livestock shed has a floor area of 175sqm. It is attached to a farm storage shed that is also subject to this Declaration. The farm storage shed has a floor area of 175sqm. The drawings submitted show that this requirement is complied with. The overall area of Class 6 structures within the farmyard and within 100 metres of same do not exceed 300 sqm.

3. *Effluent storage facilities adequate to serve the structure having regard to its size, use and location shall be constructed in line with Department of Agriculture, Food and Rural Development and Department of the Environment and Local Government requirements and shall have regard to the need to avoid water pollution.*

This requirement is complied with.

4. *No such structure shall be situated, and no effluent from such structure shall be stored, within 10 metres of any public road.*

The shed is greater than 10m from the local road.

5. *No such structure within 100 metres of any public road shall exceed 8 metres in height.*

The shed is greater than 100m from the local road. It has a height of 6.825m.

6. *No such structure shall be situated, and no effluent from such structure shall be stored, within 100 metres of any house (other than the house of the person providing the structure) or other residential building or school, hospital, church or building used for public*

assembly, save with the consent in writing of the owner and, as may be appropriate, the occupier or person in charge thereof.

The shed is located within 100m of Kilodiernan House. This dwelling is noted to be within the applicant's ownership, as per the blue line boundary on the submitted site location plan. There are no other houses or other residential building or school, hospital, church or building used for public assembly within 100m of the shed.

7. *No unpainted metal sheeting shall be used for roofing or on the external finish of the structure.*

This requirement is complied with.

- **FARM STORAGE SHED: Part of the overall structure is being used for the storage of straw, hay, animal feed. It has a floor area of 175sqm.**

CLASS 9 of Part 3 of Schedule 2 provides for:

Works consisting of the provision of any store, barn, shed, glass-house or other structure, not being of a type specified in class 6, 7 or 8 of this Part of this Schedule, and having a gross floor space not exceeding 300 square metres

The following assesses the proposal under the conditions and limitations specified in column 2 for the class of development (Class 1) in column 1.

1. *No such structure shall be used for any purpose other than the purpose of agriculture or forestry, but excluding the housing of animals or the storing of effluent.*

The structure is used for the purposes of agriculture (storage of straw, hay, animal feed).

2. *The gross floor space of such structures together with any other such structures situated within the same farmyard complex or complex of such structures or within 100 metres of that complex shall not exceed 900 square metres gross floor space in aggregate.*

The farm storage shed has a floor area of 175sqm. It is attached to a livestock shed that is also subject to this Declaration. The livestock shed has a floor area of 175sqm. The drawings submitted show that this requirement is complied with. The overall area of Class 9 structures within the farmyard and within 100 metres of same do not exceed 900 sqm.

3. *No such structure shall be situated within 10 metres of any public road.*

The shed is greater than 10m from the local road.

4. *No such structure within 100 metres of any public road shall exceed 8 metres in height.*

The shed is greater than 100m from the local road. It has a height of 6.825m.

5. *No such structure shall be situated within 100 metres of any house (other than the house of the person providing the structure) or other residential building or school, hospital, church or building used for public assembly, save with the consent in writing of the owner and, as may be appropriate, the occupier or person in charge thereof.*

The shed is located within 100m of Kilodiernan House. This dwelling is noted to be within the applicant's ownership, as per the blue line boundary on the submitted site location

plan. There are no other houses or other residential building or school, hospital, church or building used for public assembly within 100m of the shed.

6. *No unpainted metal sheeting shall be used for roofing or on the external finish of the structure.*

This requirement is complied with.

▪ **CONCRETE APRON, LIVESTOCK YARD & CRUSH**

CLASS 8 of Part 3 of Schedule 2 provides for:

Works consisting of the provision of roofless cubicles, open loose yards, self-feed silo or silage areas, feeding aprons, assembly yards, milking parlours or structures for the making or storage of silage or any other structures of a similar character or description, having an aggregate gross floor space not exceeding 200 square metres, and any ancillary provision for effluent storage.

The following assesses the proposal under the conditions and limitations specified in column 2 for the class of development (Class 1) in column 1.

1. No such structure shall be used for any purpose other than the purpose of agriculture.

The structure is used for the purposes of agriculture

2. The gross floor space of such structures together with any other such structures situated within the same farmyard complex or within 100 metres of that complex shall not exceed 300 square metres gross floor space in aggregate.

The drawings submitted show that this requirement is complied with. The overall area of Class 8 structures within the farmyard and within 100 metres of same do not exceed 300 sqm.

3. Effluent storage facilities adequate to serve the structure having regard to its size, use and location shall be constructed in line with Department of Agriculture, Food and Rural Development and the Department of the Environment and Local Government requirements and shall have regard to the need to avoid water pollution.

This requirement is complied with.

4. No such structure shall be situated, and no effluent from such structure shall be stored, within 10 metres of any public road.

The structure is greater than 10m from the local road.

5. No such structure within 100 metres of any public road shall exceed 8 metres in height.

The structure is greater than 100m from the local road.

6. No such structure shall be situated, and no effluent from such structure shall be stored, within 100 metres of any house (other than the house of the person providing the structure) or other residential building or school, hospital, church or building used for public assembly, save with the consent in writing of the owner and, as may be appropriate, the occupier or person in charge thereof.

The structure is located within 100m of Kilodiernan House. This dwelling is noted to be within the applicant's ownership, as per the blue line boundary on the submitted site location plan. There are no other houses or other residential building or school, hospital, church or building used for public assembly within 100m of the structure.

7. No unpainted metal sheeting shall be used for roofing or on the external finish of the structure.

This requirement is complied with.

C) Is the exemption restricted

None applicable under Article 9.

4. APPROPRIATE ASSESSMENT (AA)/ ENVIRONMENTAL IMPACT ASSESSMENT

The development has been screened as to the requirement for AA (see attached) and it has been determined that same is not required.

The proposed development has been subject to a preliminary examination to determine the requirement for EIA. EIA is not required in respect of the development. See attached.

5. RECOMMENDATION

WHEREAS a question has arisen as to whether the

As-built agricultural shed measuring 350sq.m in area which accommodates livestock pens and farm storage. Concrete apron, livestock yard and crush.

is development and is or is exempted development:

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

—

- (a) Sections 2, 3 & 4 of the Planning and Development Act 2000 (as amended)
- (b) Article 6 & 9 (1) (vii) of the Planning and Development Regulations 2001, as amended,
- (c) Class 6, Class 8 and Class 9 of Schedule 2, Part 3 of the Planning and Development Regulations 2001 (as amended)

AND WHEREAS Tipperary County Council has concluded that —

The development consisting of:

As-built agricultural shed measuring 350sq.m in area which accommodates livestock pens and farm storage. Concrete apron, livestock yard and crush.

is development and is exempted development.

NOW WHEREAS Tipperary County Council, in exercise of the powers conferred on it by section 5(2)(a) of the Planning and Development Act, 2000 Act, as amended, it is hereby decided that the as-built agricultural shed measuring 350sq.m in area which accommodates livestock pens and farm storage; Concrete apron, livestock yard and crush **is development and is exempted development.**

Executive Planner *Olive O'Donnell*

Date: 16/09/2025

Senior Executive Planner: *Jonathan Flood*

Date: 18/9/2025

Appendix 1

HABITATS DIRECTIVE APPROPERiate ASSESSMENT (AA) SCREENING REPORT

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

(a) File Reference No:	S5 25 115
(b) Brief description of the project or plan:	As per Planners report
(c) Brief description of site characteristics:	Existing dwelling and outbuildings on site
(d) Relevant prescribed bodies consulted: e.g. DHLGH (NPWS), EPA, OPW	N/A
(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 ² (km)	Connections (Source-Pathway-Receptor)	Considered further in screening Y/N
Lough Derg NE Shore SAC	https://www.npws.ie/protected-sites/sac/002241	15	None	N
Lough Derg SPA	https://www.npws.ie/protected-sites/spa/004058	15	None	N
Clareen Lough pNHA	000929	140m	None	N

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 	<p>During the construction phase, the site will be cleared and topsoil removed.</p>
<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 	<p>there is no real likelihood of any significant effects on European Sites in the wider catchment area</p>
<p>In-combination/Other</p>	<p>No likely significant in-combination effects are identified.</p>

(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.

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: 16/09/2025

APPENDIX 2

EIA Pre-Screening Establishing a development is a 'sub-threshold development'			
File Reference:	S5 25 115		
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	
Signature and Date of Recommending Officer:	Olive O'Donnell	Date:	16/09/2025



Date: 19th September, 2025

Our Ref: S5/25/115

Civic Offices, Nenagh

Kevin Ryan
C/O Derek Horan
Shorelilne Property Consultancy
Slevoyre
Terryglass
Nenagh
Co. Tipperary

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

Dear Mr Ryan,

I refer to your application for a Section 5 Declaration received on 27th August, 2025, in relation to the following proposed works:

As-built agricultural shed measuring 350sq.m in area which accommodates livestock pens and farm storage. Concrete apron, livestock yard & crush at Kilodiernan House, Glebe, Puckane, 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 –

- (a) Sections 2, 3 & 4 of the Planning and Development Act 2000 (as amended)
- (b) Article 6 & 9 (1) (vii) of the Planning and Development Regulations 2001, as amended,
- (c) Class 6, Class 8 and Class 9 of Schedule 2, Part 3 of the Planning and Development Regulations 2001 (as amended)

AND WHEREAS Tipperary County Council has concluded that –

The development consisting of:

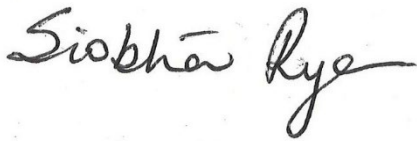
As-built agricultural shed measuring 350sq.m in area which accommodates livestock pens and farm storage. Concrete apron, livestock yard and crush.

is development and is exempted development.

NOW WHEREAS Tipperary County Council, in exercise of the powers conferred on it by section 5(2)(a) of the Planning and Development Act, 2000 Act, as amended, it is hereby decided that the as-built agricultural shed measuring 350sq.m in area which accommodates livestock pens and farm storage; Concrete apron, livestock yard and crush **is development and is exempted development.**

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

Yours sincerely

A handwritten signature in black ink, reading "Siobhán Rye". The signature is fluid and cursive, with the first name "Siobhán" and the surname "Rye" clearly legible.

for **Director of Services**

Original

TIPPERARY COUNTY COUNCIL

DELEGATED EMPLOYEE'S ORDER

File Ref: **S5/25/115** **Delegated Employee's Order No:** _____

SUBJECT: Section 5 Declaration

I, Dave Carroll, A/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. 41983 dated 17th April, 2025, hereby order that pursuant to the provisions of the Planning and Development Act 2000, as amended, that an application under Section 5 from Kevin Ryan, C/O Derek Horan, Shoreline Property Consultancy, Slevoyre, Terryglass, Nenagh, Co. Tipperary, re: As-built agricultural shed measuring 350sq.m in area which accommodates livestock pens and farm storage. Concrete apron, livestock yard & crush at Kilodiernan House, Glebe, Puckane, 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 & 4 of the Planning and Development Act 2000 (as amended)
- (b) Article 6 & 9 (1) (vii) of the Planning and Development Regulations 2000, as amended,
- (c) Class 6, Class 8 and Class 9 of Schedule 2, Part 3 of the Planning and Development Regulations 2001 (as amended)

AND WHEREAS Tipperary County Council has concluded that –
The development consisting of:

As-built agricultural shed measuring 350sq.m in area which accommodates livestock pens and farm storage. Concrete apron, livestock yard and crush.

is development and is exempted development.

NOW WHEREAS Tipperary County Council, in exercise of the powers conferred on it by section 5(2)(a) of the Planning and Development Act, 2000 Act, as amended, it is hereby decided that the as-built agricultural shed measuring 350sq.m in area which accommodates livestock pens and farm storage; Concrete apron, livestock yard and crush **is development and is exempted development**

Signed:



Dave Carroll

A/Director of Services

**Planning and Development (including Town Centre First),
Emergency Services and Emergency Planning and
Tipperary/Cahir/Cashel Municipal District**

Date: 19/09/2025