



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	PADEL SPORTS 100 LTD
Address	2413 EURO BUSINESS PARK, LITTLE ISLAND, CO. CORK T45 AY89
Telephone No.	
E-mail	

2. Agent's (if any) address:

Agent	GERALD MCCARTHY ARCHITECTS LTD.
Address	72 MAIN ST. MACROOM, CO. CORK
Telephone No.	
E-mail	
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)	BORRIS-ILEAGH GAA CLUB, BORRISLAND SOUTH, BORRISOLEIGH, THURLES, 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.)

<p>CONSTRUCTION of 2 NO. PADEL COURTS AT BORRIS-ILEAGH GAA CWD, BORRISLAND SOUTH, BORRISOLEIGH, THURLES, Co. KIPPERARY UNDER CLASS 33, PART 1, SCHEDULE 2 of the PLANNING AND DEVELOPMENT REGULATIONS 2001.</p>
<p>Proposed floor area of proposed works/uses: 400 sqm (200 sq.m PER COURT)</p>

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 ✓	
Where legal interest is 'Other', please expand further on your interest in the land or structure	LEASEHOLD.	
If you are not the legal owner, please state the name and address of the owner	Name: CHAIRPERSON of BORRIS-ILEAGH GAA CWD Address: BORRIS-ILEAGH GAA CWD, BORRISLAND SOUTH BORRISOLEIGH, THURLES, Co. KIPPERARY	

Signature of Applicant(s)

[Redacted Signature]

Date: 27/8/25.

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	<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	
Fee Recd. <u>€80 —</u> Receipt No <u>131170</u> Date <u>28/8/2025</u> Received by <u>Maura Lillis</u>	<u>DATE STAMP</u>

27th August 2025

Planning Department,
Tipperary County Council,
Civic Offices,
Clonmel Civic Offices,
Nenagh
Co. Tipperary



Re: Declaration of Exemption for 2 no. Proposed Padel Courts at Borrisland South, Borrisoleigh, Thurles, Co. Tipperary.

A Chara,

In respect of the proposed development outlined above we are hereby applying for a Declaration of Exemption from the obligation to apply for planning permission Under Class 33, Part 1, Schedule 2 of the Planning and Development Regulations 2001 (Ireland) on behalf of our client, Padel 100 for the construction of 2 no. Padel Courts at Borrisland South, Borrisoleigh, Thurles, Co. Tipperary.

These courts are temporary and reversible, they can be installed and dismantled in a matter of hours, leaving no lasting impact on the ground. The ZeroS stick-on mat system is removable without damage to the surface. This distinguishes them from a fixed tennis court or all-weather pitch.

The courts are designed to be low-impact visually, the fencing is lightweight fiberglass with transparent comfort glass.

These courts are certified for safety and wind resistance to 130km/h and designed as semi-permanent, not fixed buildings.

In support of this application, please find enclosed the following documents:

- 2 no. Section 5 Declaration Application Form
- 2 no. copies 6" record place map
- 2 no. copies 1:2500 rural place map
- 2 no. copies existing site layout @ scale 1:500
- 2 no. copies of proposed site layout @ scale 1:500
- 2 no. copies of plans, section & elevations of proposed development @scale 1:100
- Application fee of €80.00.

We trust you will find the enclosed documents in order, and we await your response.

Yours Sincerely,



Gerald McCarthy
Registered Architect

- Existing stone ditches to be retained.
- New boundary hedgerows to be mixed native species including, hawthorn, dog rose, and guelder rose.
- New broadleaf trees to be planted on site to screen house from road and to provide shelter.
- New trees to be a mix of crab apple, birch, hawthorn, alder and rowan.
- Hard landscaping to include patio area and a pea gravel driveway.
- Remainder of site to be a mix of cut lawn and strimmed grass.

- All trees in this planting scheme are to be 16/18cm in girth and rootballed.
- Planting holes for the trees are to be 600mm deep and 900mm wide.
- Well rotted farm yard manure is to be incorporated into the base of the planting hole.
- The backfill is to be a mixture of good quality topsoil and well rotted farm yard manure.
- For root balled trees ensure that the tree is placed at the correct depth prior to backfilling.
- All of the trees are to be staked on the windward side using 2 no. 1500 x 75mm treated timber stakes, a fixed treated timber crossbar and a PVC tree tie.

All planting is to take place in the bare root season. This starts at the beginning of November and finishes in mid March. Planting is to start in the first bare root season after construction commences. Any failures are to be replaced in the following bare root season.

All plantings are to be carried out in good weather conditions. Excessive foot and vehicular traffic in wet conditions, along with machinery, can damage the soil structure.

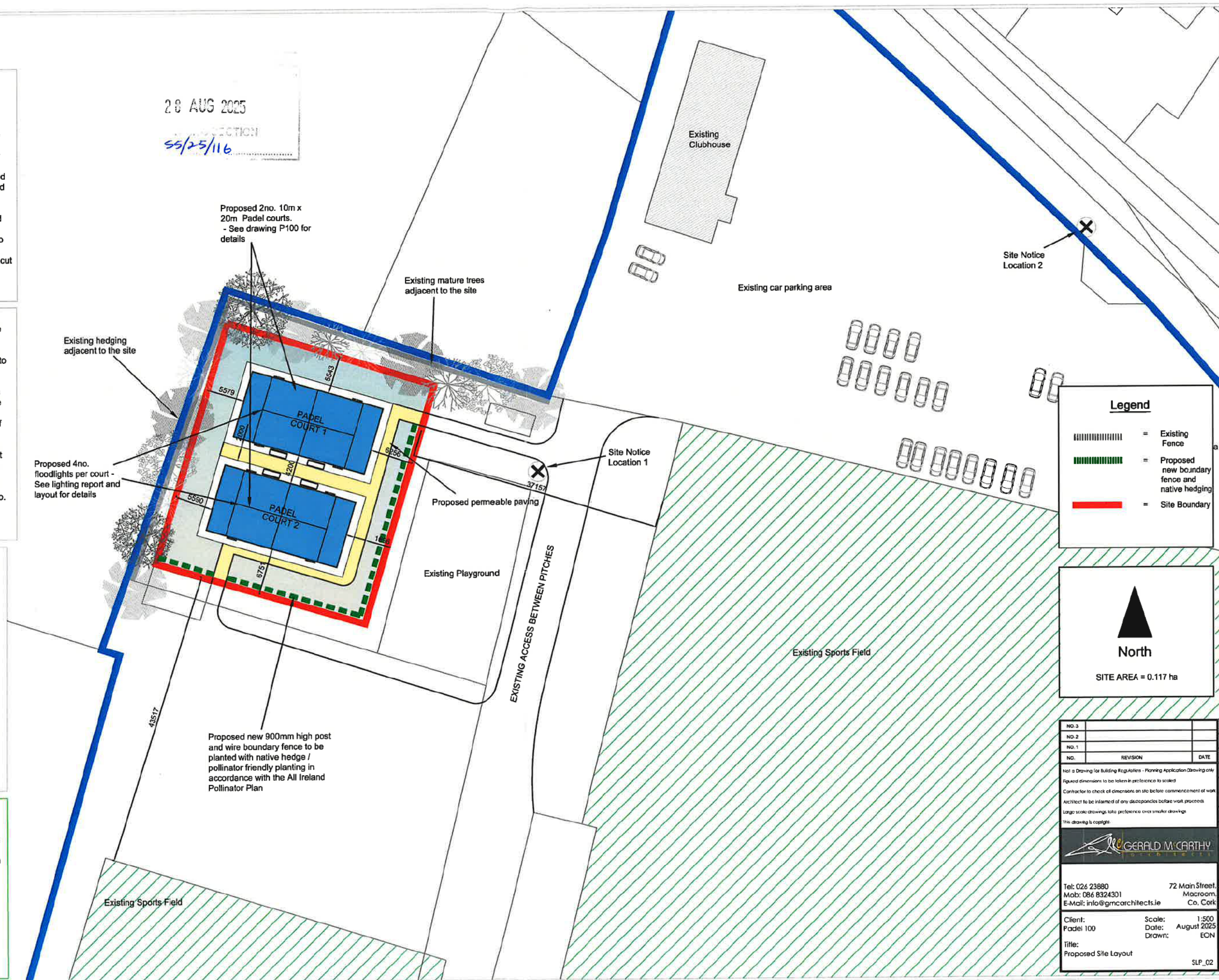
Planting operations shall be performed during periods within the bare root season when weather and soil conditions are suitable and in accordance with local practice.

Planting shall not be carried out in excessively frosty conditions.

No.	Type	Status	Height
<u>TREE:</u>			
A.	Alder	New	2-2.5m
B.	Crab Apple	New	
C.	Hawthorn	New	
D.	Birch	New	
E.	Rowan	New	

F.	Guelder Rose	New
G.	Hawthorn	New
H.	Dog Rose	New

55/25/116



NO. 3		
NO. 2		
NO. 1		
NO.	REVISION	DATE

Not a Drawing for Building Regulations - Planning Application Drawing
Figured dimensions to be taken in preference to scaled
Contractor to check all dimensions on site before commencement of work
Architect to be informed of any discrepancies before work proceeds
Large scale drawings take preference over smaller drawings
This drawing is complete



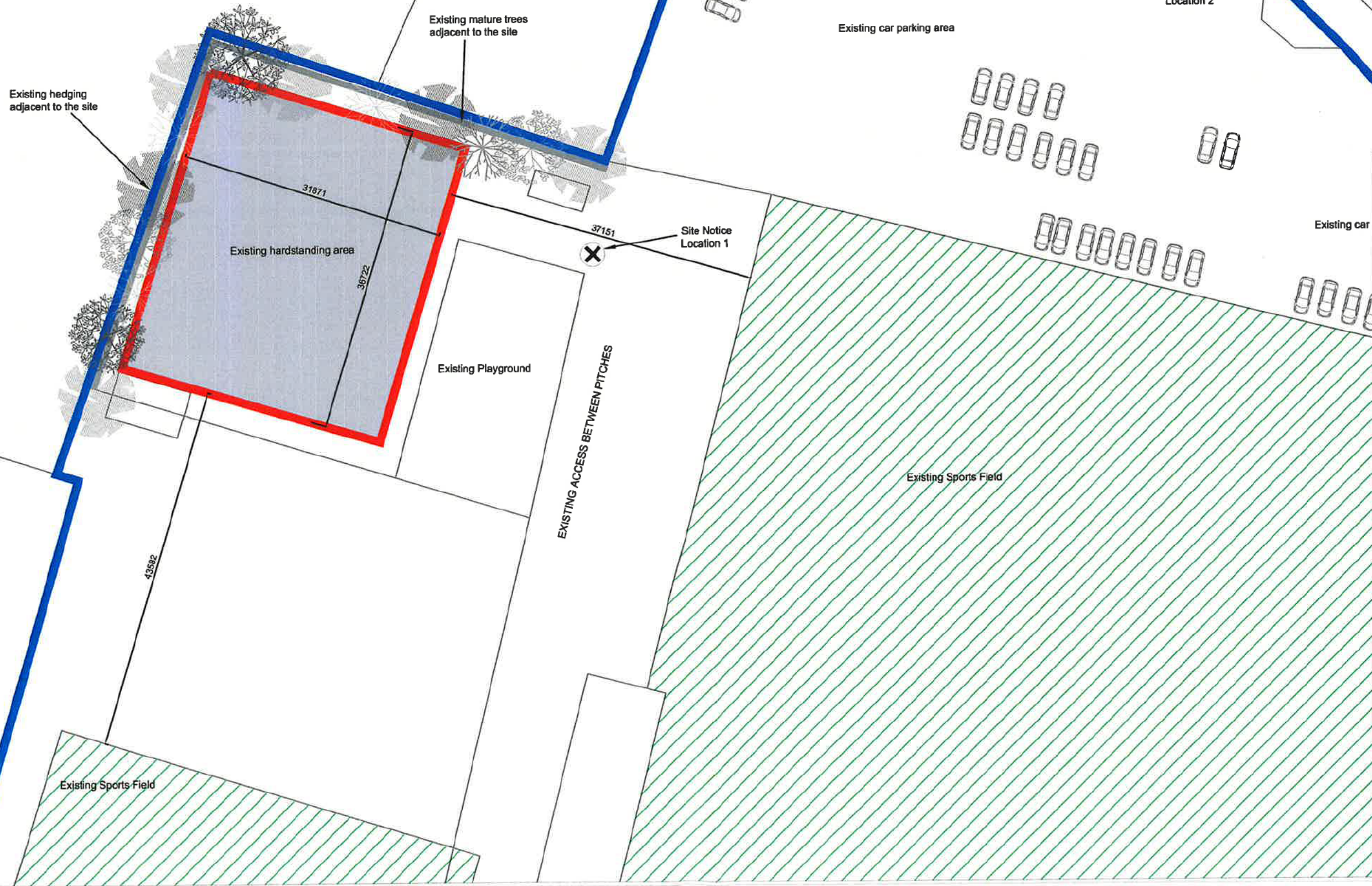
GERALD MCCARTHY
ARCHITECTS

Tel: 026 23680 72 Main Street
Mob: 086 8324301 Macroom
E-Mail: info@gmcarchitects.ie Co. Cork

Client:	Scale:	1:50
Padel 100	Date:	August 20
	Drawn:	EC

Title:
Proposed Site Layout

UPPER
REC
28 AUG 2025
PLANNING SECTION
FILE NO. 35/24/116



Legend

- Existing Fence
- Proposed new boundary fence and native hedging
- Site Boundary

North
SITE AREA = 0.117 ha

NO. 3		
NO. 2		
NO. 1		
NO.	REVISION	DATE

Not a Drawing for Building Regulations - Planning Application Drawing only
Figured dimensions to be taken in preference to scaled
Contractor to check all dimensions on site before commencement of work
Architect to be informed of any discrepancies before work proceeds
Large scale drawings take preference over smaller drawings
This drawing is copyright.

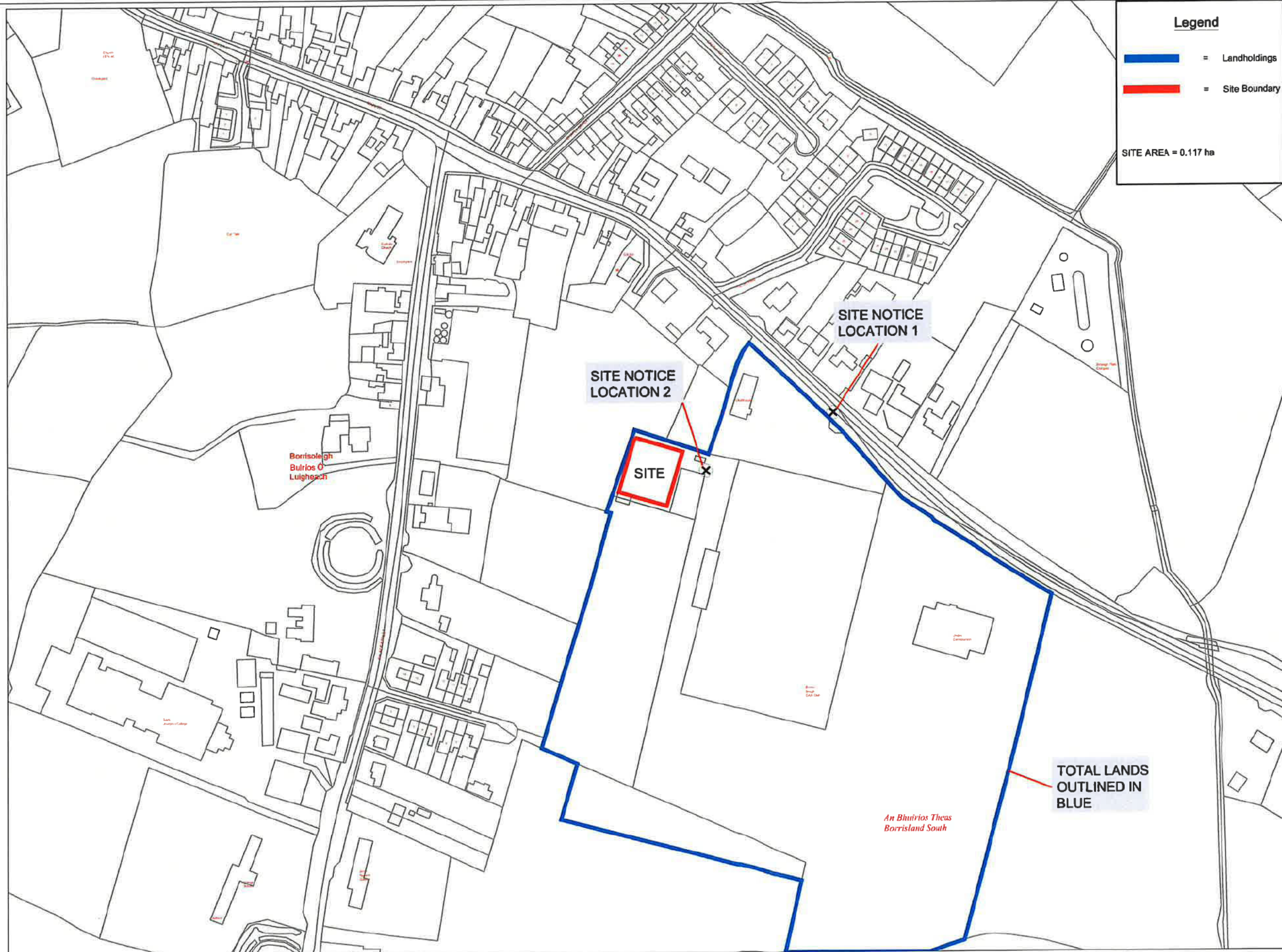
GERALD MCCARTHY

Tel: 026 23880 72 Main Street,
Mob: 086 8324301 Muckroom,
E-Mail: info@gmcarthitects.ie Co. Cork

Client: Scale: 1:500
Padel 100 Date: August 2025
Drawn: EON

Title:
Existing Site Layout

SLP_01



Legend

Blue line = Landholdings

Red line = Site Boundary

SITE AREA = 0.117 ha

Description:
Digital Landscape Model (DLM)

Publisher / Source:
Tallie Éireann

Data Source / Reference:
PRIME2

File Format:
Autodesk AutoCAD (DWG_R2013)

File Name:
v_50485475_2.dwg

Clip Extent / Area of Interest (AOI):
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LRX,LRX= 603442.3524,666275.2491
ULX,ULY= 602612.3524,666890.2491
URX,URY= 603442.3524,666890.2491

Projection / Spatial Reference:
Projection= RENET95_Irish_Transverse_Mercator

Centre Point Coordinates:
X,Y= 603027.3524,666582.7491

Reference Index:
Map Series | Map Sheets
1:2,500 | 4514-D

Data Extraction Date:
Date= 20-Aug-2025

Source Data Release:
DCMLS Release V1.190.121

Product Version:
Version= 1.4

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Ní ceadmhach aon chuid
den fhóilseachán seo
a chóipeáil, a athscríobhadh nó a thairgeadh
in aon fhorm nó a aon
bhealach gan cead i scríbhinn roimh
ré ó úinéirí an chóipeáil.

Ní hionann báthar,
bealach nó cosán a bheith
ar an léarscáil seo agus
fianaise ar chad si.

Ní thaispeánann an léarscáil
topagrafach seo teorainneacha
réadmhaoinne dlíthúla,
agus ní léiríonn sé úinéireacht
ar ghnéithe fisiceacha.

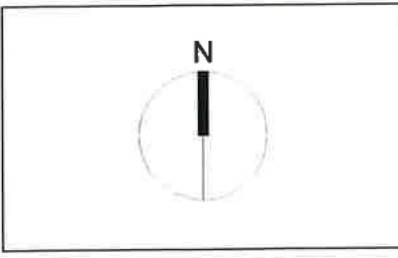
FILE NO. 28 AUG 2025
PLANNING SECTION
55/25/116

Lee GERALD M. CARTHY
architects

72 Main Street, Macroom, Co. Cork

Tel: [REDACTED]

Main Street, Millstreet, Co. Cork

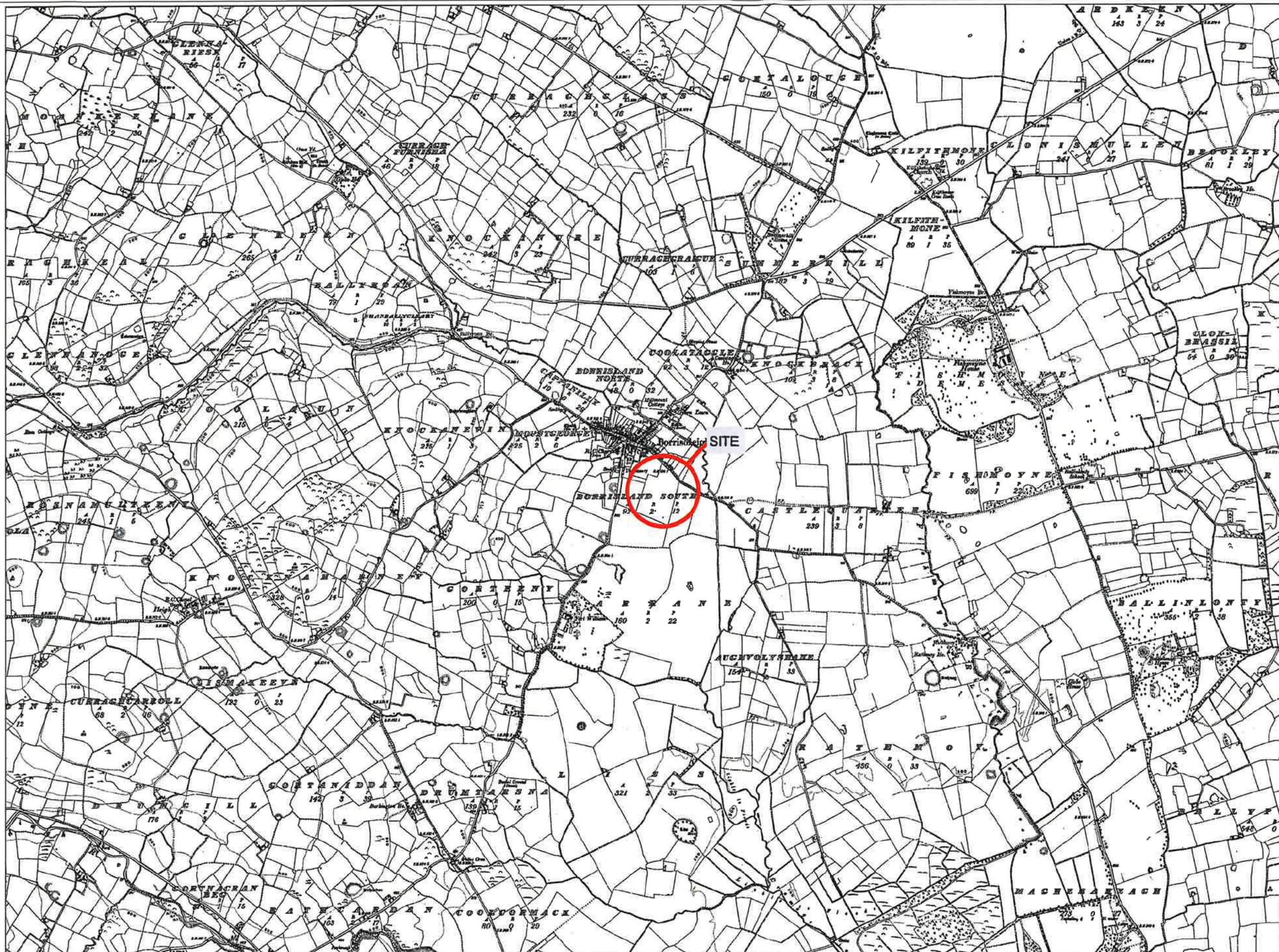


No.	Description	Date

CLIENT
Padel Sports 100 Limited

JOB TITLE
Proposed Padel Courts at Borrisland South, Borrisoleigh, Thurles, Co. Tipperary

DRAWING TITLE		
Rural Place Map		
Project number	20	OS- 02
Date	Aug 2025	
Drawn by	EON	
Checked by	GMC	
Scale		1 : 2:500



Description:
Historic 6" Latest Edition
Publisher / Source:
Tollie Breann
Data Source / Reference:
TY034
Revision Date =
Survey Date =
Levelled Date = 31-Dec-1904

File Format:
Tagged Image File Format (TIFF)
File Name:
R_50485475_2.tif

Clip Extent / Area of Interest (AOI):
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LRX.LRY= 606532.3524,663985.7491
ULX.ULY= 599522.3524,669179.7491
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Projection / Spatial Reference:
IRENET95_Irish_Transverse_Mercator

Centre Point Coordinates:
X,Y = 603027.3524,666582.7491

Data Extraction Date:
20-Aug-2025

Product Version:
1.4

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Gach cead ar cosnamh.

Ní ceadmhach aon chuid
den fhaiscáil seo
a chóipeáil, a atáirgeadh nó a thairgeadh
In aon thiomn ná ar aon
bhealach gan cead i scríbhinn roimh
ré ó úinéir an chóipchirt

Ní hionann báthar,
bealach nó cosán a bheith
ar an léarscáil seo agus
fianaise ar chead sí.

Ní thaispeánann an léarscáil
topagrafaic seo teorainneacha
réadmhaíne dlíthiúla,
agus ní léiríonn sé úinéireacht
ar ghnéithe fisiceacha.

FILE NO. 28 AUG 2025
PLANNING SECTION
55/25/116

OS Ireland Licence No: AR 0119816

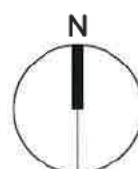


GERALD MCCARTHY
architects

72 Main Street,
Macroom
Co. Cork

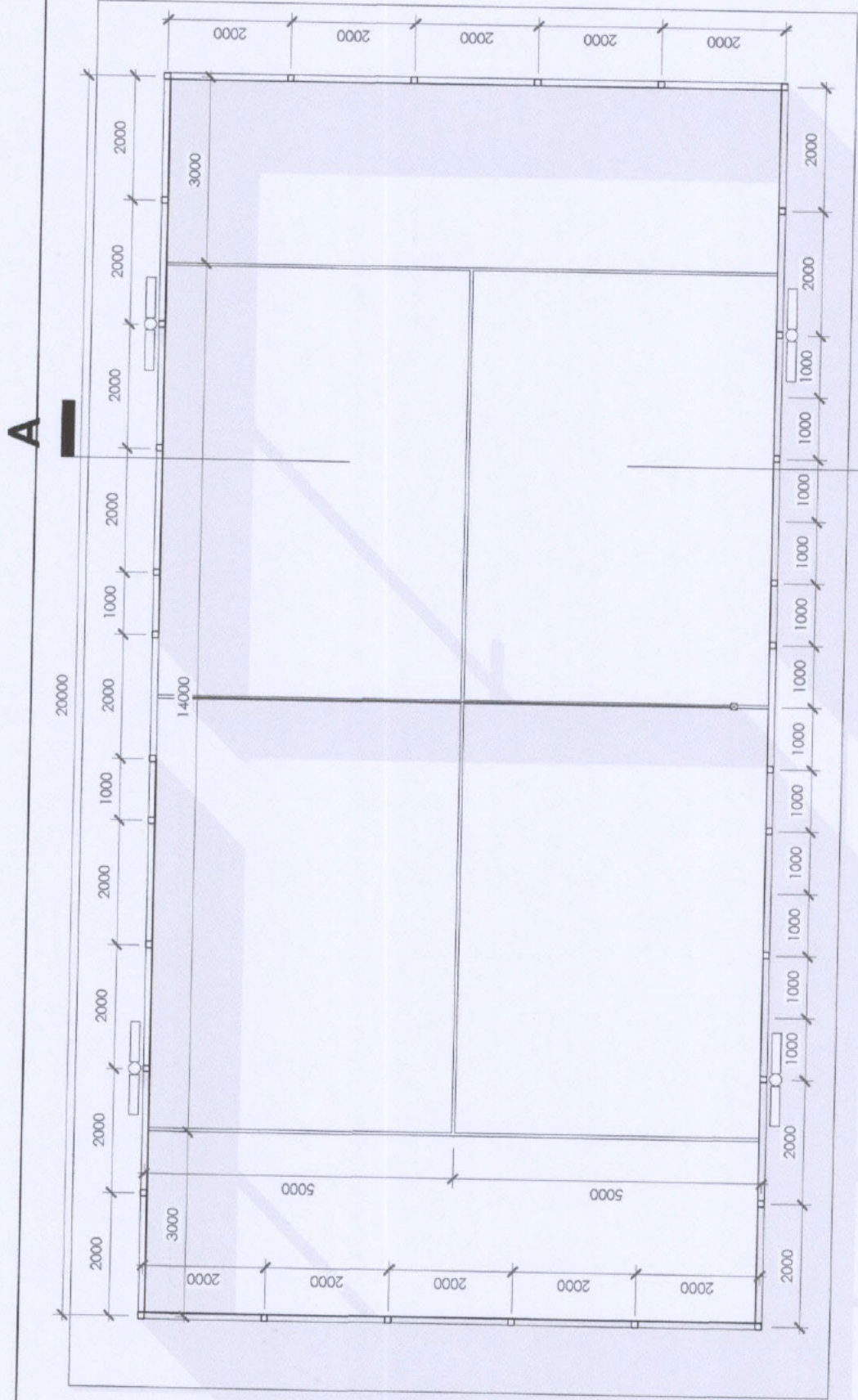
Te [redacted]
Em [redacted]

Main Street,
Millstreet,
Co. Cork

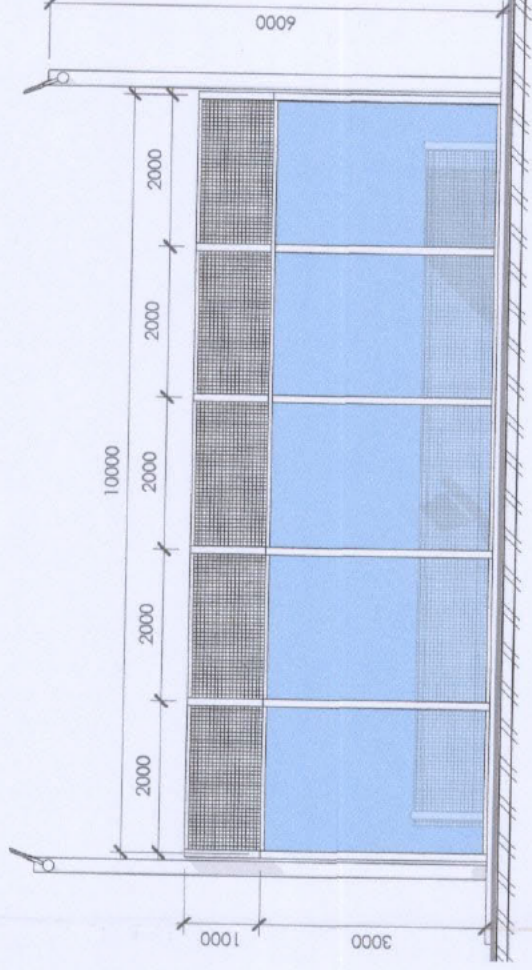


No.	Description	Date

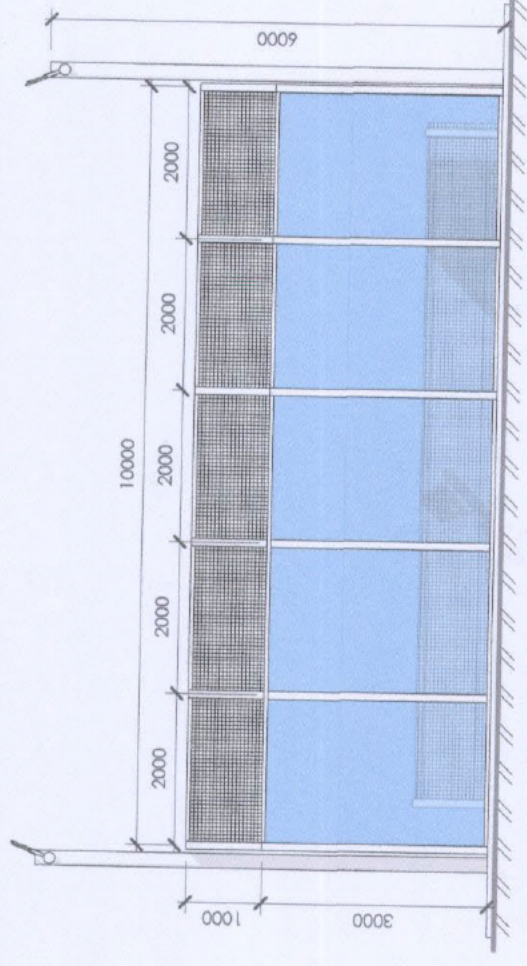
CLIENT Padel Sports 100 Limited		DRAWING TITLE Record Place Map	
JOB TITLE Proposed Padel Courts at Borrisland South, Borrisoleigh, Thurles, Co. Tipperary		Project number 20	OS- 01
		Date Aug 2025	
		Drawn by EON	
		Checked by GMC	
		Scale 1 : 10,560	



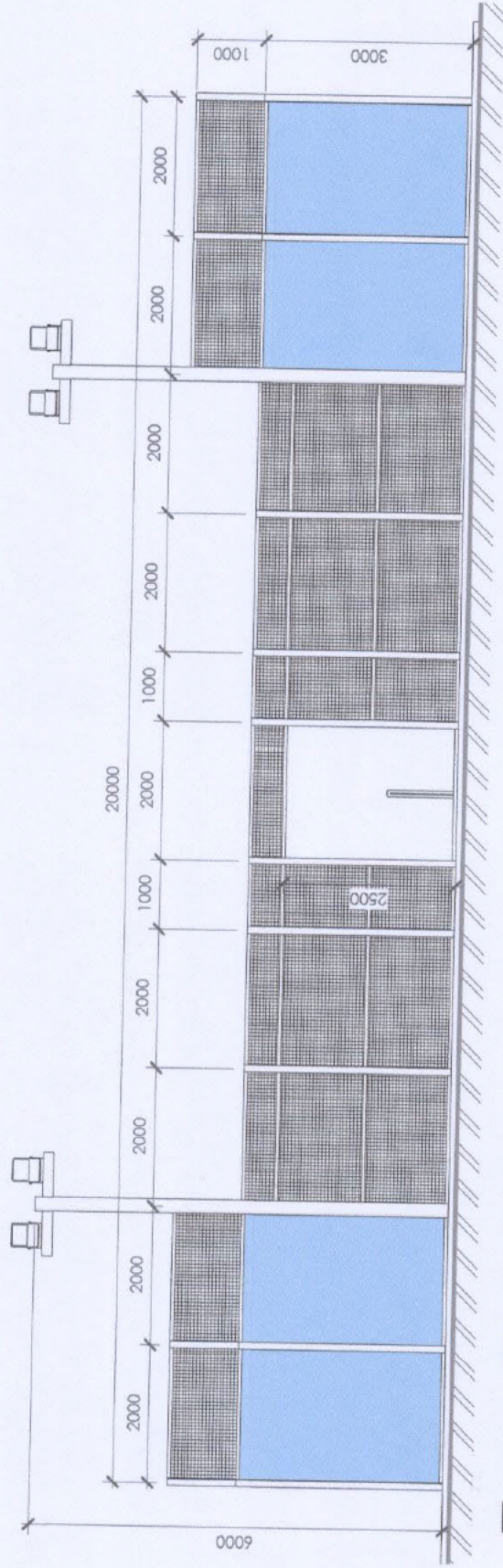
Plan
1 : 100



Side Elevation
1 : 100



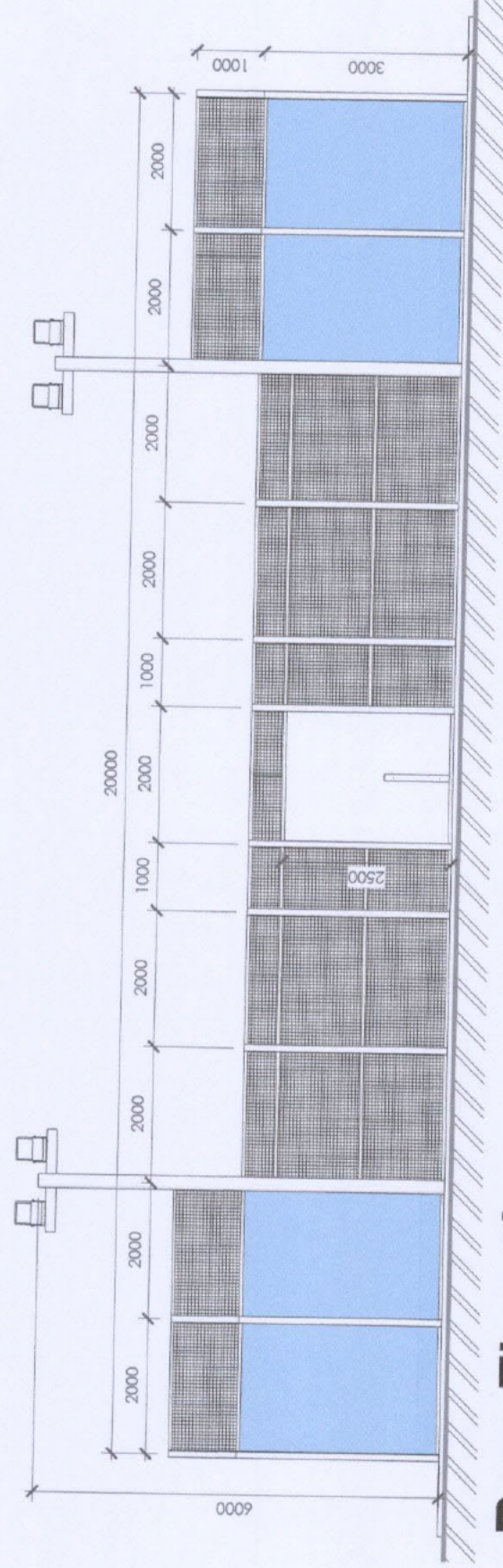
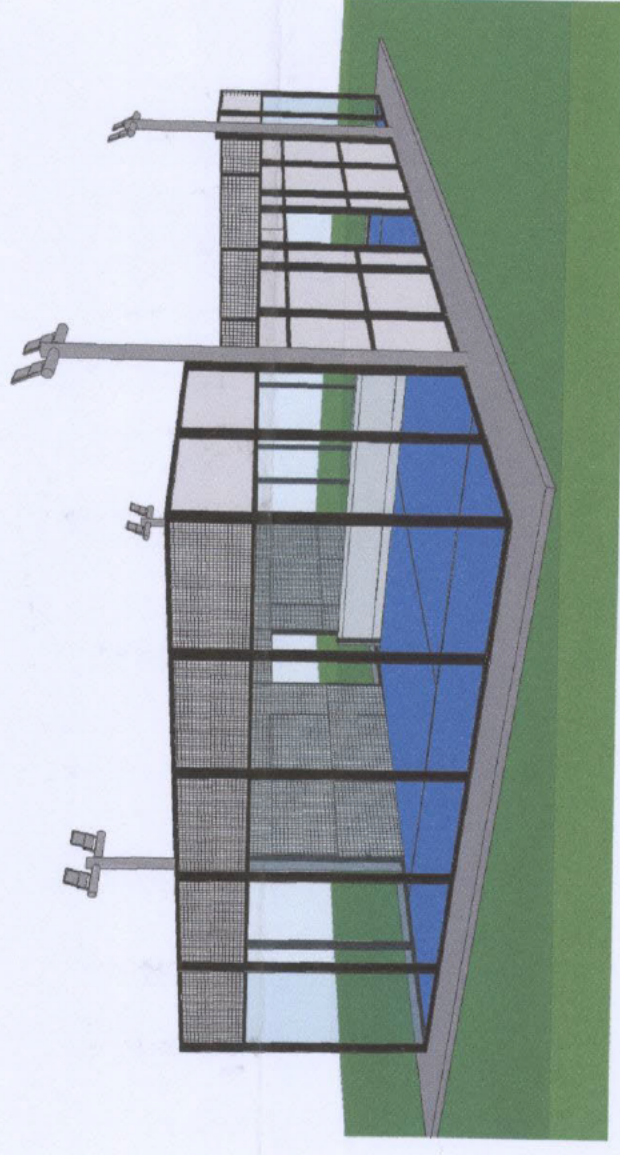
Side Elevation.
1 : 100



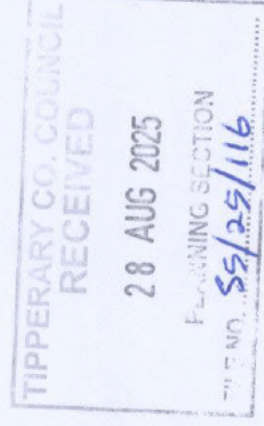
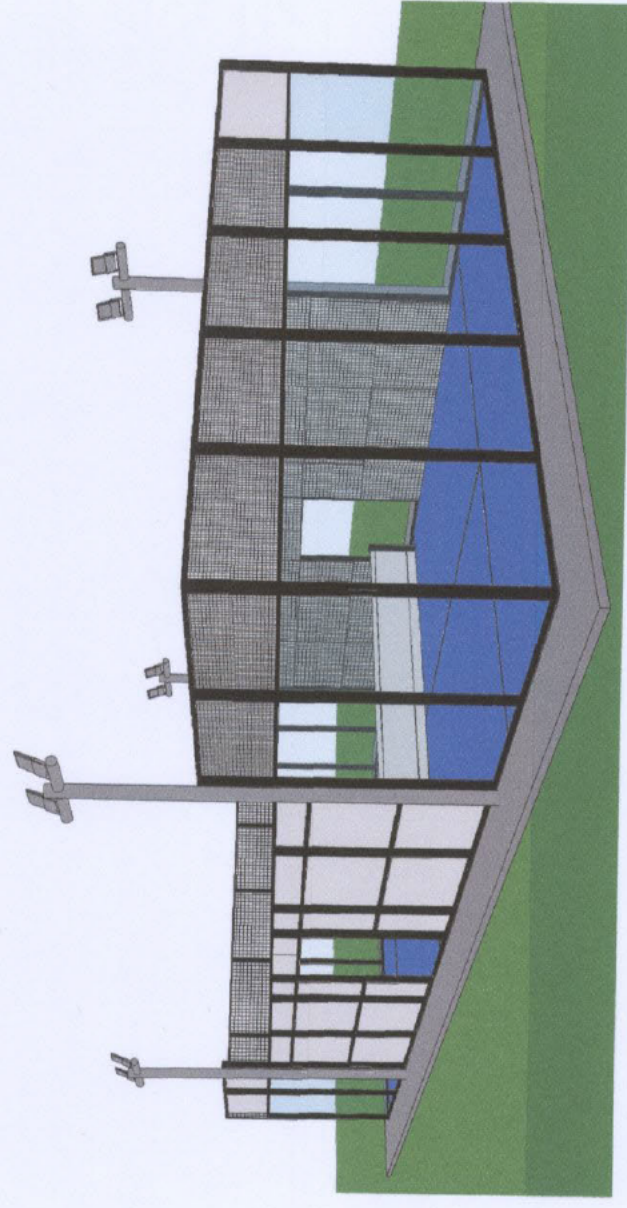
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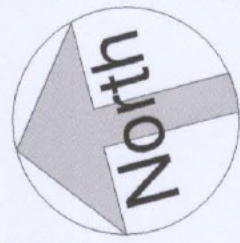
Section A-A
1 : 100



Rear Elevation
1 : 100



72 Main Street, Macroom, Co. Cork



Figured dimensions to be taken in preference to
Architect to be informed of any discrepancies before work
proceeds.
Contractor to check all dimensions on site before
commencement of work.
Large scale drawings take preference over smaller drawings.
This drawing is copyright.
IF IN DOUBT, ASK!

No.	Description	Date

CLIENT
Padel Sports 100 Limited

DRAWING TITLE
Padel Court G.A Drawings

JOB TITLE
Borrisland South, Borrisoleigh, Thurles,
Co. Tipperary

Project number 20
Date Aug 2025
Drawn by EON
Checked by GMC

P100

Scale

1 : 100



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

Date: 28th August 2025

Our Ref: S5/25/116

Civic Offices, Nenagh

Padel Sports 100 Ltd
C/O Gerard McCarthy Architects Ltd
72 Main St.
Macroom
Co. Cork

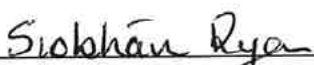
Re: Application for a Section 5 Declaration – Construction of 2 no. Padel courts at Borris-ileagh GAA Club under class 33, part 1, schedule 2 of the planning and development regulations 2001. 400 sqm. (200sq. m per court) at Borris-ileagh GAA Club, Borrisland South, Borrisoleigh, Thurles, Co Tipperary.

Dear Sir/Madam,

I acknowledge receipt of your application for a Section 5 Declaration received on 28th 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.: S5/25/116

Applicant: Padel Sports 100 Ltd

Development Address: Borris-Ileigh GAA Club, Borrisland South, Borrisoleigh

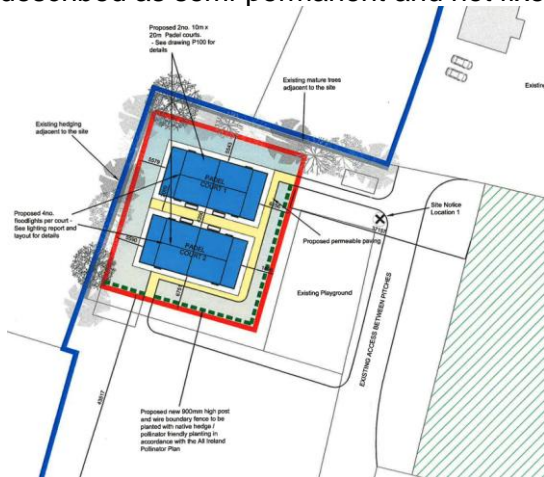
Proposed Development: 2 no. Padel Courts

1. GENERAL

On 28.08.2025 a request was received under Section 5 of the Planning and Development Act 2000, as amended, from Gerald McCarthy Architects on behalf of their client Padel 100 as to whether or not the following works constituted development and if so, whether same was exempted development:

- The construction of 2 no. Padel Courts at Borrisland South, Borrisoleigh.

It is noted that the site layout attached to the application proposes 2 no. 10m x 20m Padel Courts, Proposed new 900mm high post and wire boundary to be planted with native hedge, 4 no. floodlights and permeable paving. The applicant has advised that the courts are temporary and reversible and can be installed and dismantled in a matter of hours. The applicant also advised that the fencing is lightweight fiberglass with transparent comfortglass. The development is described as semi-permanent and not fixed.



2. PLANNING & DEVELOPMENT ACT 2000, as amended, / PLANNING & DEVELOPMENT REGULATIONS 2001, as amended, – STATUTORY PROVISIONS

The following statutory provisions are relevant to this referral case;

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

“In this Act, except where the context otherwise requires – “development” has the meaning assigned to it by Section 3 and development shall be construed accordingly.”

And,

“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 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 provides for Exempted Development and Section 4(1) sets out works which shall be exempted development for the purposes of the Planning and Development Act 2000, as amended.

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.

Section 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;

Section 4(4) states that notwithstanding paragraphs 9a, (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.

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 33 of Part 1 of Schedule 2 Planning & Development Regulations 2001, as amended, provides an exemption for

<i>Development for amenity or recreational purposes</i> CLASS 33 Development consisting of the laying out and use of land— (a) as a park, private open space or ornamental garden, (b) as a roadside shrine, or (c) for athletics or sports (other than golf or pitch and putt or sports involving the use of motor vehicles, aircraft or firearms), where no charge is made for admission of the public to the land.	The area of any such shrine shall not exceed 2 square metres, the height shall not exceed 2 metres above the centre of the road opposite the structure and it shall not be illuminated.
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Class 11 of Part 1 of Schedule 2 of the Planning and Development Regulations, 2001, as amended provides for an exemption for

<p><i>Sundry Works</i></p> <p>CLASS 11 The construction, erection, lowering, repair or replacement, other than within or bounding the curtilage of a house, of.</p> <p>(a) any fence (not being a hoarding or sheet metal fence), or (b) any wall of brick, stone, blocks with decorative finish, other concrete blocks or mass concrete.</p>	<p>1. The height of any new structure shall not exceed 1.2 metres or the height of the structure being replaced, whichever is the greater, and in any event shall not exceed 2 metres. 2. Every wall, other than a dry or natural stone wall, constructed or erected bounding a road shall be capped and the face of any wall of concrete or concrete blocks (other than blocks of a decorative finish) which will be visible from any road, path or public area, including a public open space, shall be rendered or plastered.</p>
--	--

Subject to complying with conditions and limitations.

Section 6(1) of the Regulations states as follows:

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

Article 9 has been considered in the assessment of the proposal as set out below.

3. **ASSESSMENT**

a. **Site Location**

The site is located at Borrisland South, Borrisoleigh and is situated in the existing townpark, adjacent to the playground and in the vicinity of the clubhouse, all-weather pitch and main playing field. The site currently accommodates two no. tennis courts, enclosed by with high steel mesh fencing to playground and with mature hedge to adjacent agricultural lands. The boundary wall to the walking track has been partially removed and is backed with a mesh fence.



b. **Planning History**

51/8644 Permission granted to Very Rev. Thomas Kennedy for improvement works to playing pitches, provision of a new boundary wall, entrance, childrens playground and car parking at Borrisland South, Borrisoleigh.

I notes that the this permission included the development of 2 no. tennis courts, albeit not constructed exactly as per the site layout plan below, and were constructed

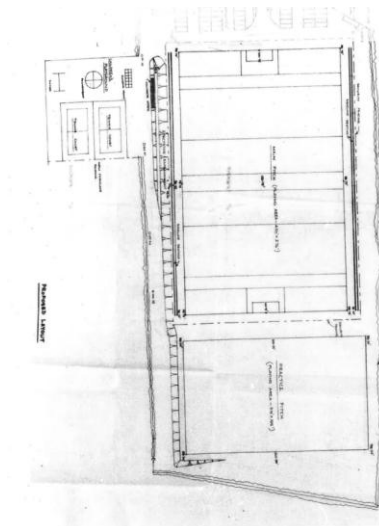


Figure 1 : Site layout - Ref 51/8644



Figure 2: GIS Image – Existing layout

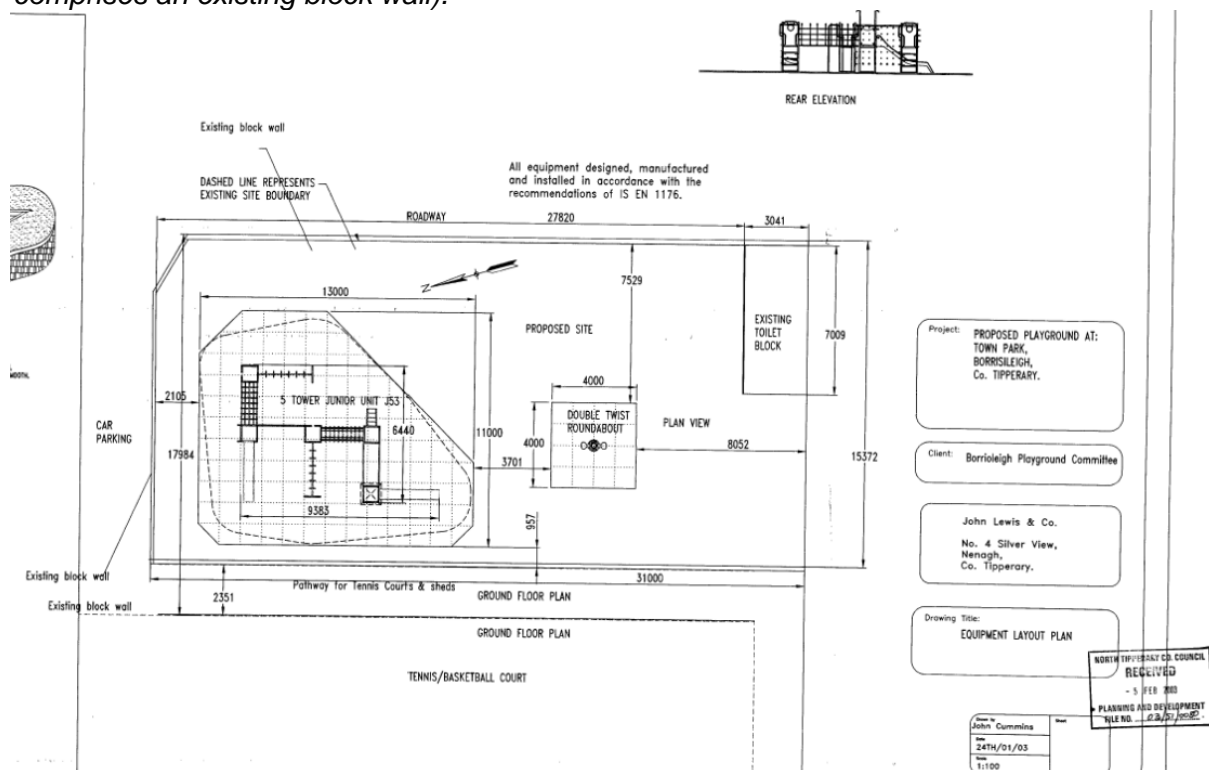


Figure 3: Existing site Layout

03511324 Permission granted for an extension to existing dressing rooms to include dressing room, referee changing room, kitchen and toilets. Also GAA viewing stand, 8 No. lighting poles (each to include 4 No Philips opti-vision lantern to each pole) to GAA field and 2 No lighting poles to soccer field

03510080 Permission granted for a five tower junior unit, double twist roundabout and associated site works to include hard surface area.

(I note the site layout plan attached to this application does not include for a boundary fence between the proposed playground and the existing tennis courts and indicates that such boundary comprises an existing block wall).



11510239 Permission granted for the extension to existing dressing rooms for sports complex which includes indoor football area, meeting rooms, dressing rooms, storage area also connection to sewer and associated site works

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 construction of 2 no. Padel Courts (which includes includes a number of elements including

- (i) Permeable paving and laying out of Padel Courts,
- (ii) Proposed boundary fence comprising lightweight fibreglass fence with transparent comfort glass.
- (iii) Proposed floodlights,

constitutes “works” and “development” within the meaning of Section 3 of the Act.

B) “Is or is not Exempted Development”

I note the following precedent cases similar to this proposal dealt with by An Bord Pleanala :

RF1061 – The board considered that development consisting of the laying out of a public tennis courts/ball courts and associated perimeter fencing where no charge is made for admission of the public to the land is exempted development.

RL2069 – The Board considered that the development of a tennis court/multisport court and 2.4metres surround fencing was not exempted development as the works involved (extent of works, raising of levels, importation of material) did not come within the scope of the layout out and use of land.

There is an exemption under Class 33, Part1, Schedule 2 of the Planning and Development Regulations 2001, as amended for “Development consisting of the laying out and use of land—
(c) for athletics or sports (other than golf or pitch and putt or sports involving the use of motor vehicles, aircraft or firearms), where no charge is made for admission of the public to the land.”

The application is made in the name of Padel 100, who I understand will be operating the facility. The use of the facility for padel tennis comes within the Class 33 exemption as it is used for sports.

I note the nature and extent of the infrastructure proposed and consider the laying of the padel court surface on the ground may reasonably be considered to come within the planning exemption under Class 33. I do not consider the other elements boundary enclosures and lighting) meet the planning exemption as same do not comprise the laying out of the lands.

I have examined the company website (www.padel100.ie) and note that same shows pricing arrangements for use of the padel courts. The development would not meet the planning exemption under Class 33 where a charge is made for admission. This would appear to be the case

4. RECOMMENDATION

WHEREAS a question has arisen as to whether the construction of 2 no. Padel Courts which includes the following:

- (i) Permeable paving and laying out of Padel Courts,**
- (ii) Proposed boundary fence comprising lightweight fibreglass fence with transparent comfort glass.**
- (iii) Proposed floodlights,**

is development and 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) Class 33 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended)

AND WHEREAS Tipperary County Council has concluded that the proposals as presented in the Declaration application constitutes “development” within the meaning of the Planning and Development Act 2000, as amended and is **Not Exempted Development**.

The Planning Authority is not satisfied that the proposals come within the planning exemption under Class 33 noting:

1. the nature and extent of the boundary enclosures and lighting which do not comprise the laying out of the lands
2. The requirement for no charge for admission of the public to the lands.

Signed:

Jonathan Flood

Senior Executive Planner

Date: 19/09/2025

HABITATS DIRECTIVE APPROPRIATE ASSESSMENT (AA) SCREENING REPORT

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

(a) File Reference No:	S5.25.116
(b) Brief description of the project or plan:	2 Padel Courts
(c) Brief description of site characteristics:	Borrisland South, Borrisoleigh
(d) Relevant prescribed bodies consulted: e.g. DHLGH (NPWS), EPA, OPW	None
(e) Response to consultation:	None

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
Lower River Suir SAC 002147	https://www.npws.ie/protected-sites/sac/002147	Within 15km	None	No
Kilduff Devilsbit Mountains SAC000934	https://www.npws.ie/protected-sites/sac/000934	Within 15km	None	No
Lower River Shannon SAC 002165	https://www.npws.ie/protected-sites/spa/002165	Within 15km	None	No
Anglesey Road SAC 002125	https://www.npws.ie/protected-sites/spa/002125	Within 15km	None	No
Bolingbrook Hill SAC 002124	https://www.npws.ie/protected-sites/sac/002124	Within 15km	None	No
Slievefelim to Silvermines Mountains SPA 004165	https://www.npws.ie/protected-sites/spa/004165	Within 15km	None	No
002332 Coolrain Bog SAC	https://www.npws.ie/protected-sites/sac/002332	Within 15km	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.)
<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 	No potential impacts
<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 	No potential impacts
In-combination/Other	No potential impacts

(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 	No potential impacts
---	----------------------

(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:	Jonathan Flood	Date: 19/9/2025

EIA Pre-Screening Establishing a development is a 'sub-threshold development'		
File Reference:	S5/25/116	
Development Summary:	2 no Padel Courts	
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:	Jonathan Flood	Date: 19/9/2025



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

Date: 19th September, 2025

Our Ref: S5/25/116

Civic Offices, Nenagh

Padel Sports 100 Ltd
C/O Gerard McCarthy Architects Ltd
72 Main St.
Macroom
Co. Cork

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

Dear sir/madam,

I refer to your application for a Section 5 Declaration received on 28th August 2025 in relation to the following proposed works:

2 no. Padel Courts at Borris-Ileigh GAA Club, Borrisland South, Borrisoleigh

WHEREAS a question has arisen as to whether the construction of 2 no. Padel Courts which includes the following:

- i. **Permeable paving and laying out of Padel Courts,**
- ii. **Proposed boundary fence comprising lightweight fibreglass fence with transparent comfort glass.**
- iii. **Proposed floodlights,**

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) Class 33 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended)

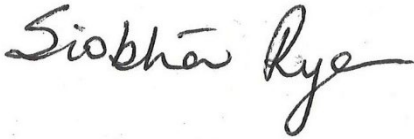
Tipperary County Council has concluded that the proposals as presented in the Declaration application constitutes “development” within the meaning of the Planning and Development Act 2000, as amended and is **Not Exempted Development.**

The Planning Authority is not satisfied that the proposals come within the planning exemption under Class 33 noting:

1. The nature and extent of the boundary enclosures and lighting which do not comprise the laying out of the lands
2. The requirement for no charge for admission of the public to the lands.

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 written in a cursive, flowing style.

for **Director of Services**

Original

TIPPERARY COUNTY COUNCIL

DELEGATED EMPLOYEE'S ORDER

File Ref: **S5/25/116** **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 Padel Sports 100 Ltd C/O Gerard McCarthy Architects Ltd, 72 Main St., Macroom Co. Cork, re: 2 no. Padel Courts at Borris-Ileigh GAA Club, Borrisland South, Borrisoleigh, 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) Class 33 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended)

Tipperary County Council has concluded that the proposals as presented in the Declaration application constitutes "development" within the meaning of the Planning and Development Act 2000, as amended and is **Not Exempted Development**.

The Planning Authority is not satisfied that the proposals come within the planning exemption under Class 33 noting:

- 1. The nature and extent of the boundary enclosures and lighting which do not comprise the laying out of the lands
- 2. The requirement for no charge for admission of the public to the lands.

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