



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	Byron Distributors Ltd (Paul Byron SHOES)
Address	GOLF LINKS ROAD ROSCOMMON TOWN Co. ROSCOMMON F42XU09
Telephone No.	[REDACTED]
E-mail	[REDACTED]

2. Agent's (if any) address:

Agent	JOAN GORMIN ENGINEERING SERVICES
Address	KNOCKAKELLY BORRISOLEIGH THULES E41 H3 K1
Telephone No.	[REDACTED]
E-mail	[REDACTED]
Please advise when the declaration 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)	THULES SHOPPING CENTRE UNITS 30, 31 + 32
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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.)

Change of use of Existing Hair
Salon Unit 32 into Extension
to Existing Paul Byron Shoe Shop
Units 30+31.
Proposed floor area of proposed works/uses: sqm 92 Sqm

Hair Salon = 92 Sqm Area to be converted into shoe shop. Existing shoe shop unit = 190 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	
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: INTERNATIONAL INVESTMENT Address: ICAU 5th Floor 76 Sir John Rogerson's Quay Dublin D02 C9 D0	

Signature of Applicant(s)

Date: 24/04/25

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

FOR OFFICE USE ONLY

Fee Recd. € 80
Receipt No 132216
Date 8/10/25
Received by Deirdre O'Brien

DATE STAMP

RECEIVED
03 OCT 2025
55/25/130

Photos of the Existing Shop units from the front



Front of existing Hair Salon. The doors are to be removed and a shutter door system installed to match the existing Paul Byron Shoe Shop



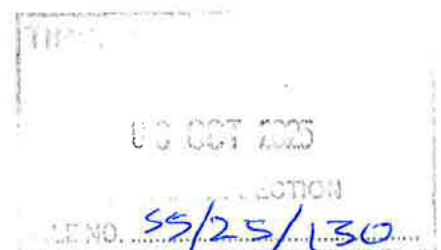
Front of existing Paul Byron Shoe Shop and Existing Hair Salon

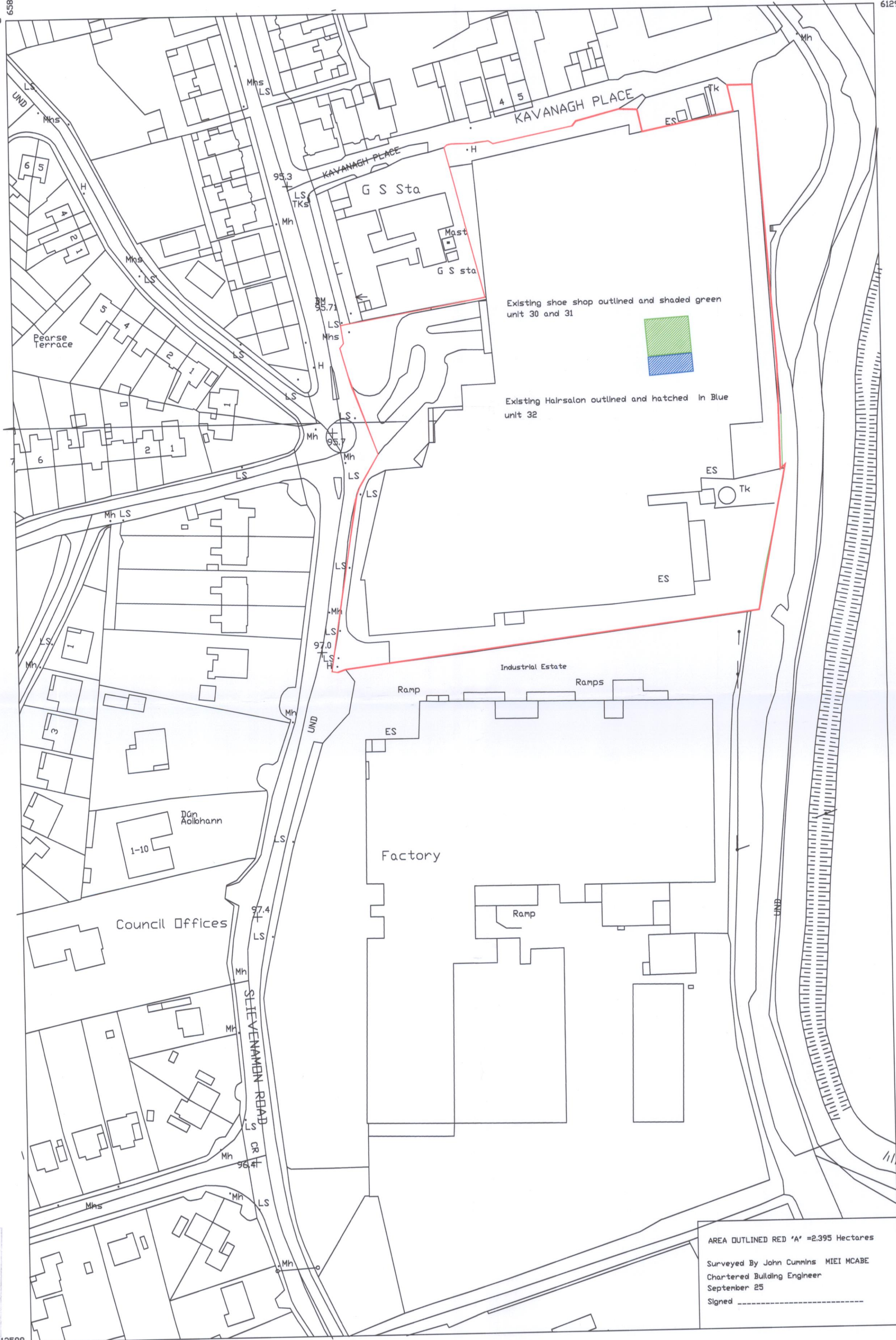
U.S. OCT 2025

55/25/130



View of the internal existing hair salon to be integrated into the existing Paul Byron Shoe Shop

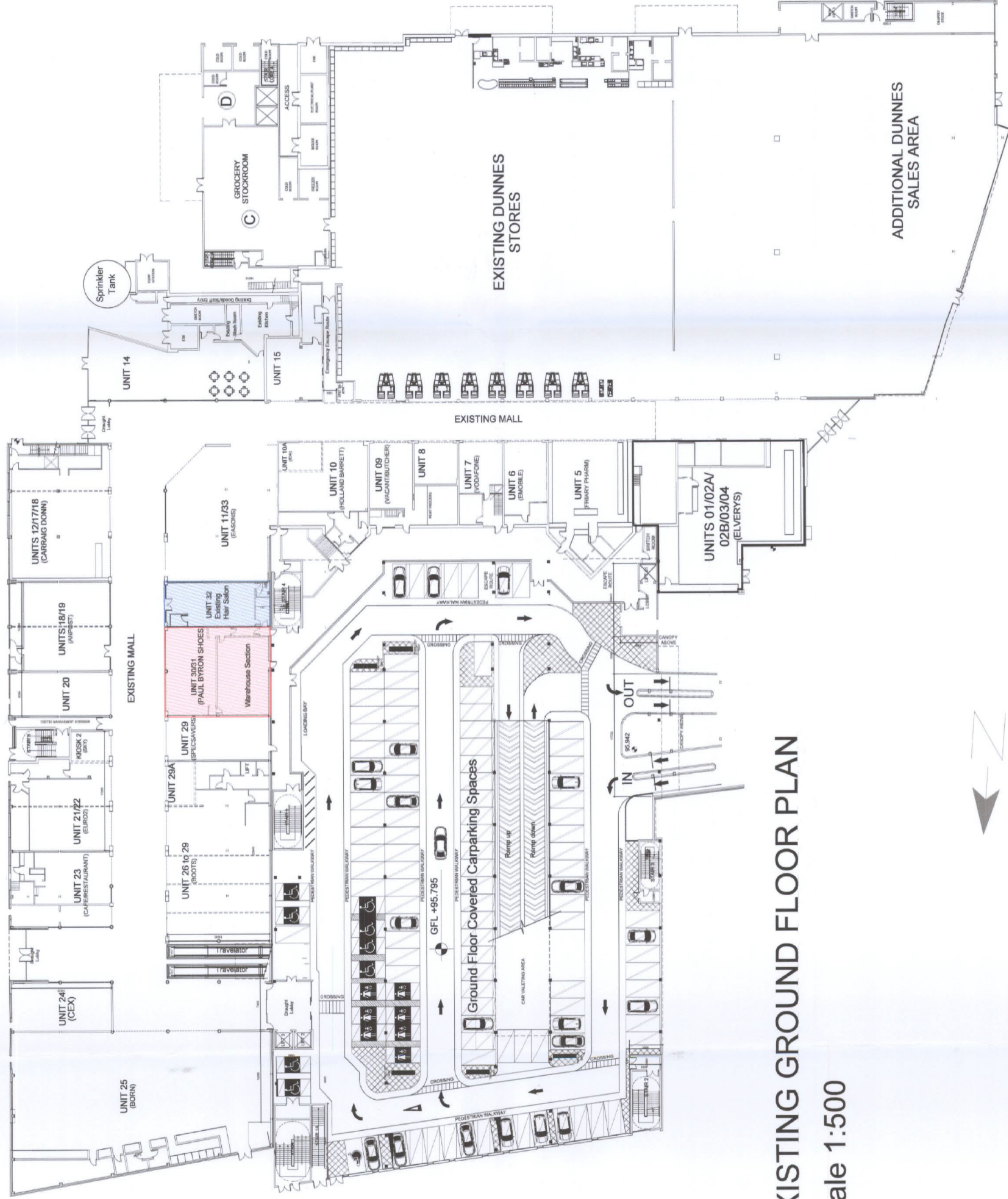




AREA OUTLINED RED 'A' = 2.395 Hectares
Surveyed By John Cummins MIEI MCABE
Chartered Building Engineer
September 25
Signed _____

Existing Paul Byron
 Shop unit hatched red
 (unit 30 and 31)

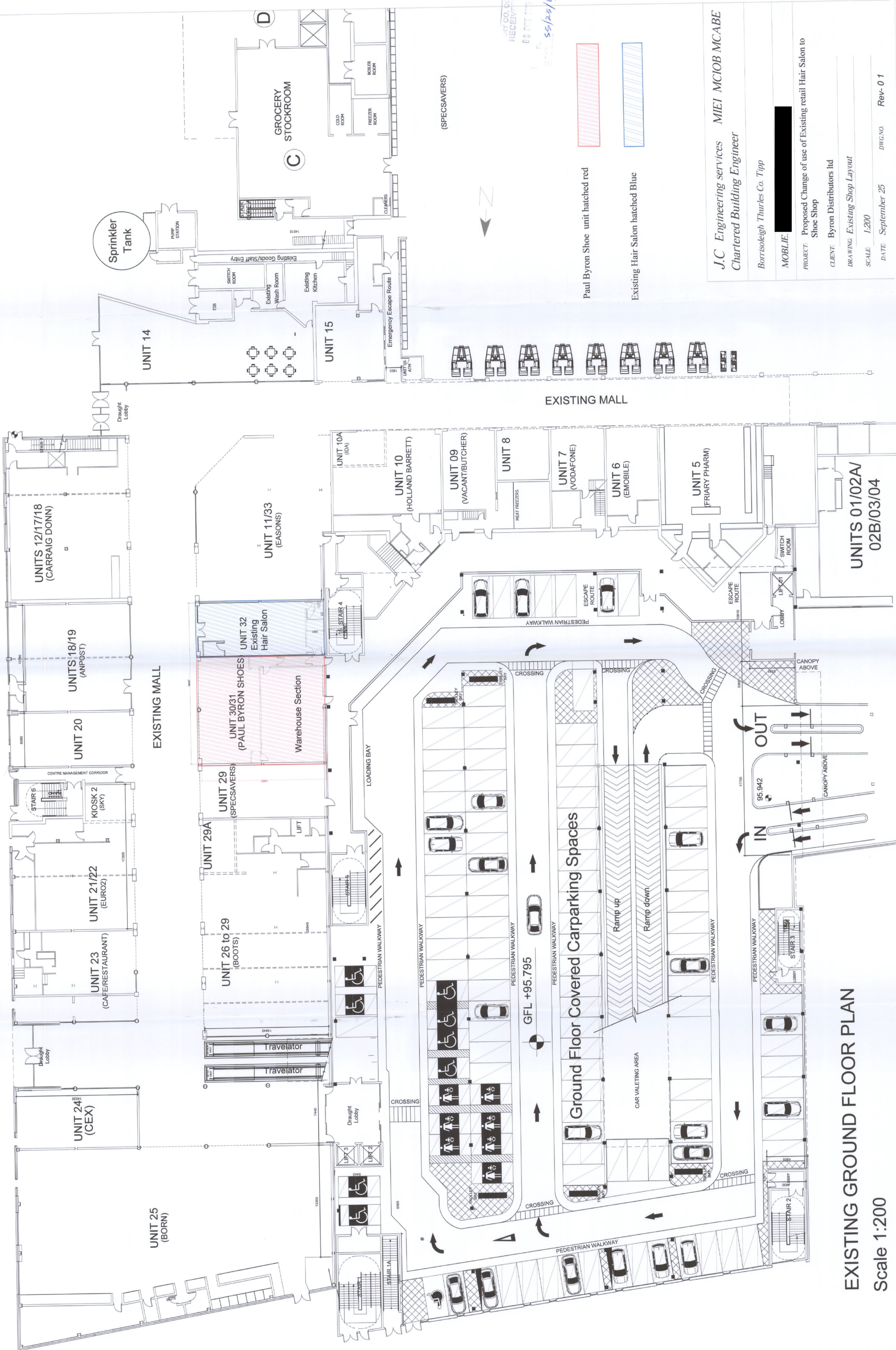
Existing Hair Salon unit
 32 hatched blue



EXISTING GROUND FLOOR PLAN
 Scale 1:500

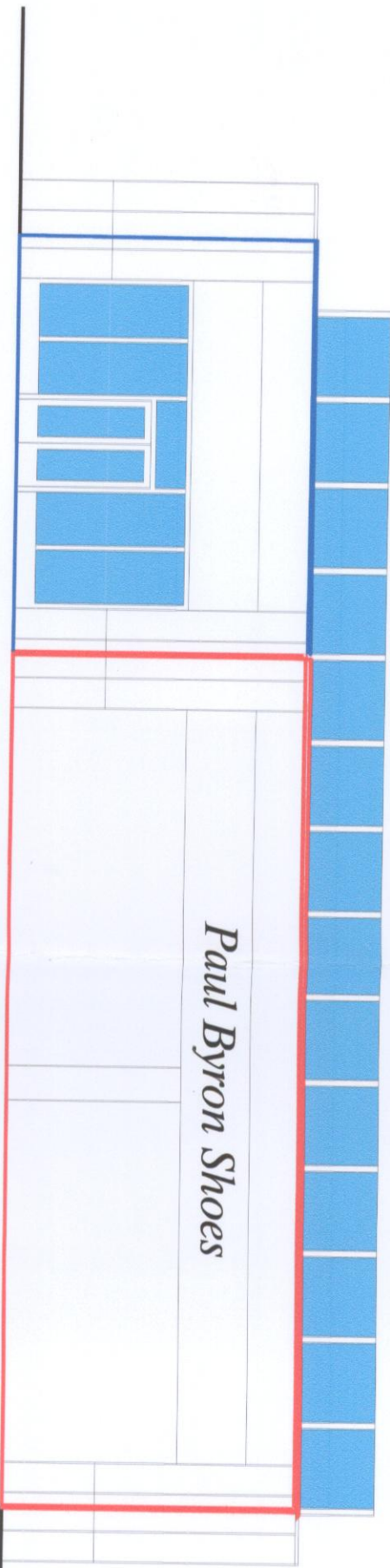
1000-1000
 RECEIVED
 08 OCT 1993
 PLANT
 FILE NO. 55/25/130

J.C. Engineering services	MIET MCI0B MCABE
Chartered Building Engineer	
Bortisleigh Thurles Co. Tipp	
PROJECT: Proposed Change of use of Existing retail Hair Salon to Shoe Shop unit	
CLIENT: Byron Distributors Ltd	
DRAWING: Plans	
SCALE: 1:500	
DATE: September 25	DWG NO. Rev-01

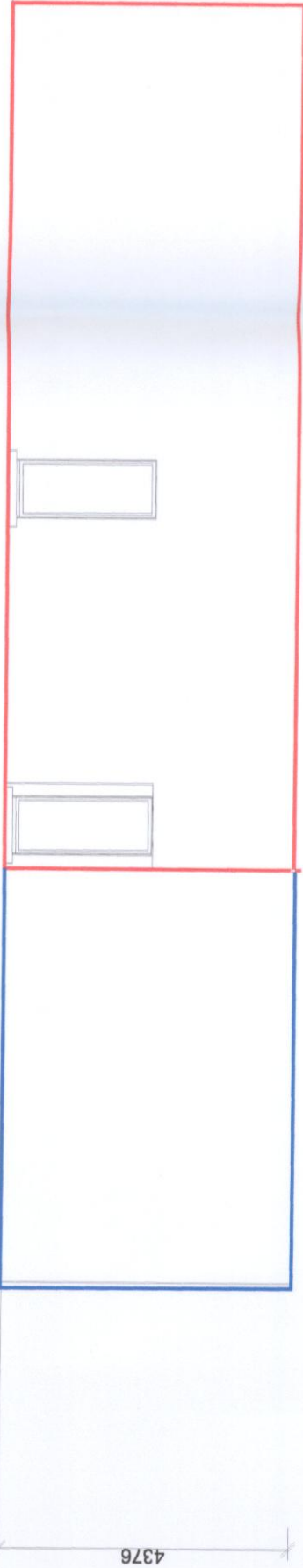


EXISTING GROUND FLOOR PLAN

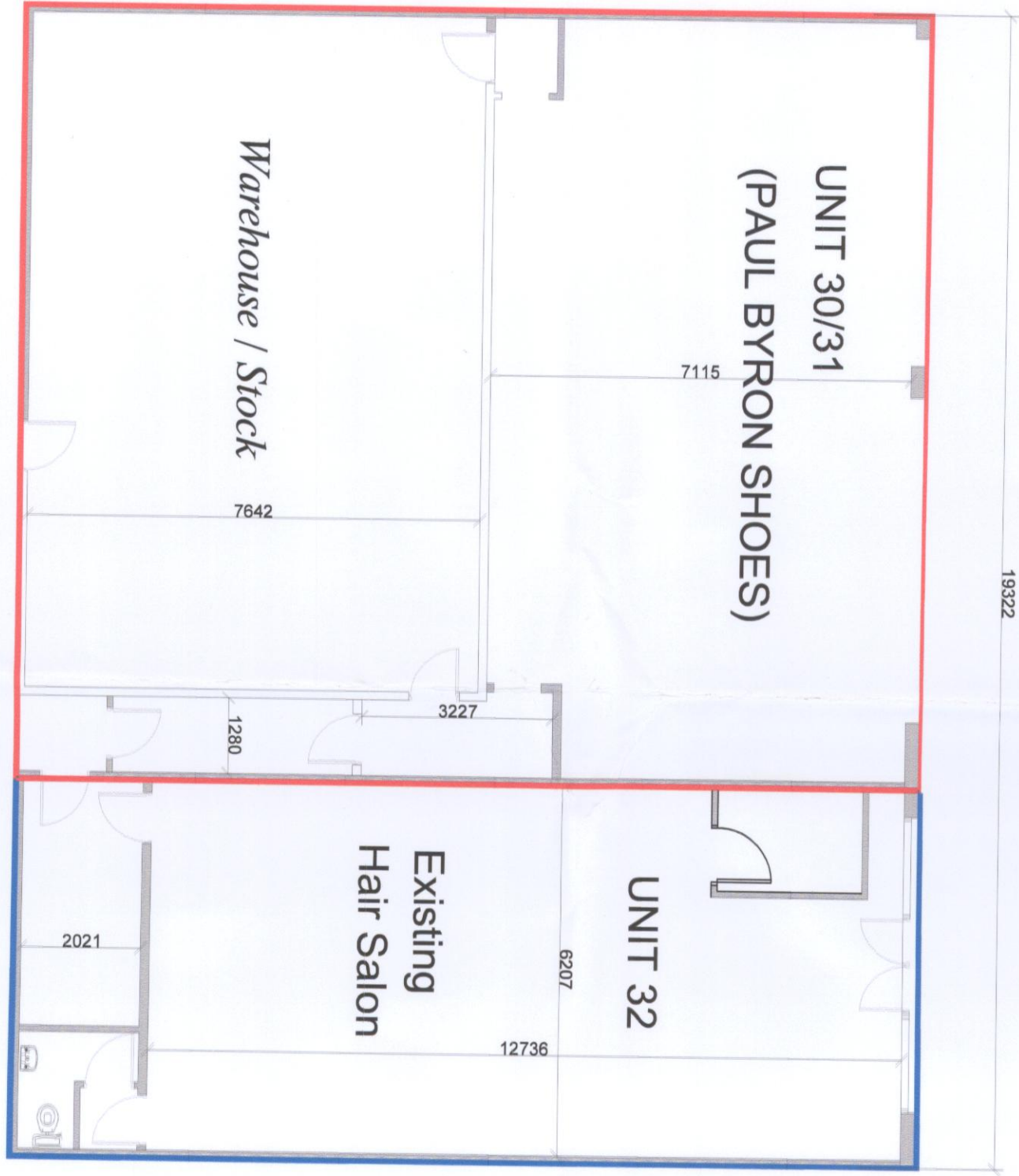
Scale 1:200



Existing Front Elevation units 30,31 & 32



Rear Elevation



Sectional Elevation A-A

John Cummins

Construction Management Planning & Engineering Services
MIEI MCIOB MCABE Chartered Building Engineer

Borrisoleigh Thurles Co. Tipp

MOBILE. 087 2906635 info@jcengineering.ie

PROJECT: Proposed Change of use of Existing retail Hair Salon to Shoe Shop

CLIENT Byron Distributors Ltd

DRAWING: Elevation & Plans of Existing units 30, 31 and 32

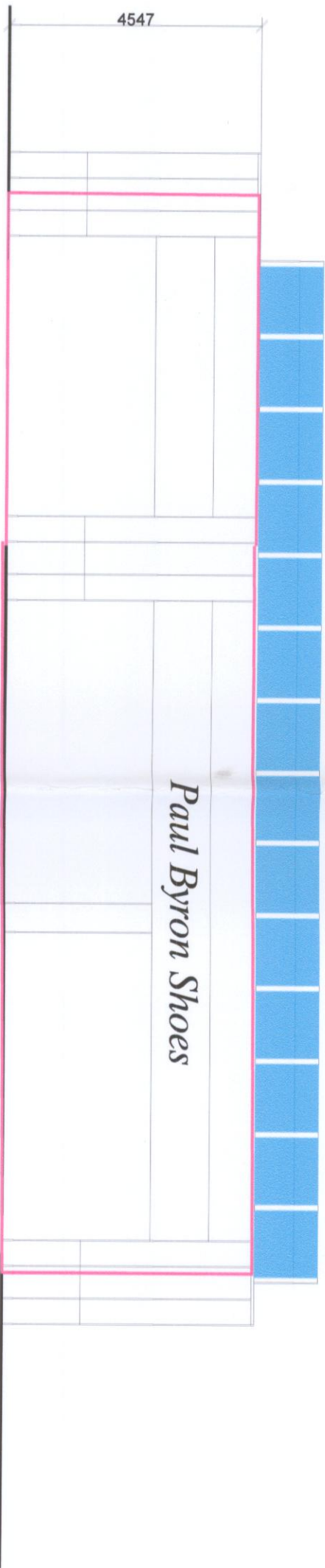
SCALE: 1:100

DATE: September 25

DWG.NO.

04

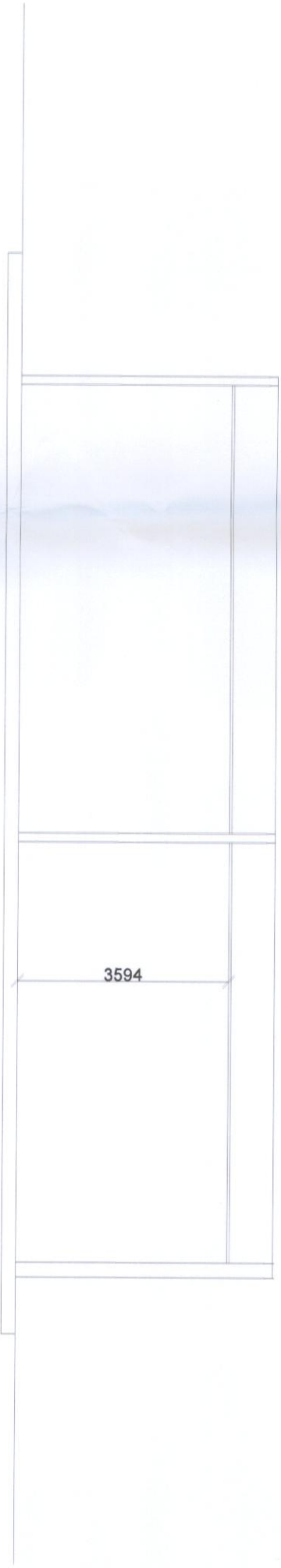




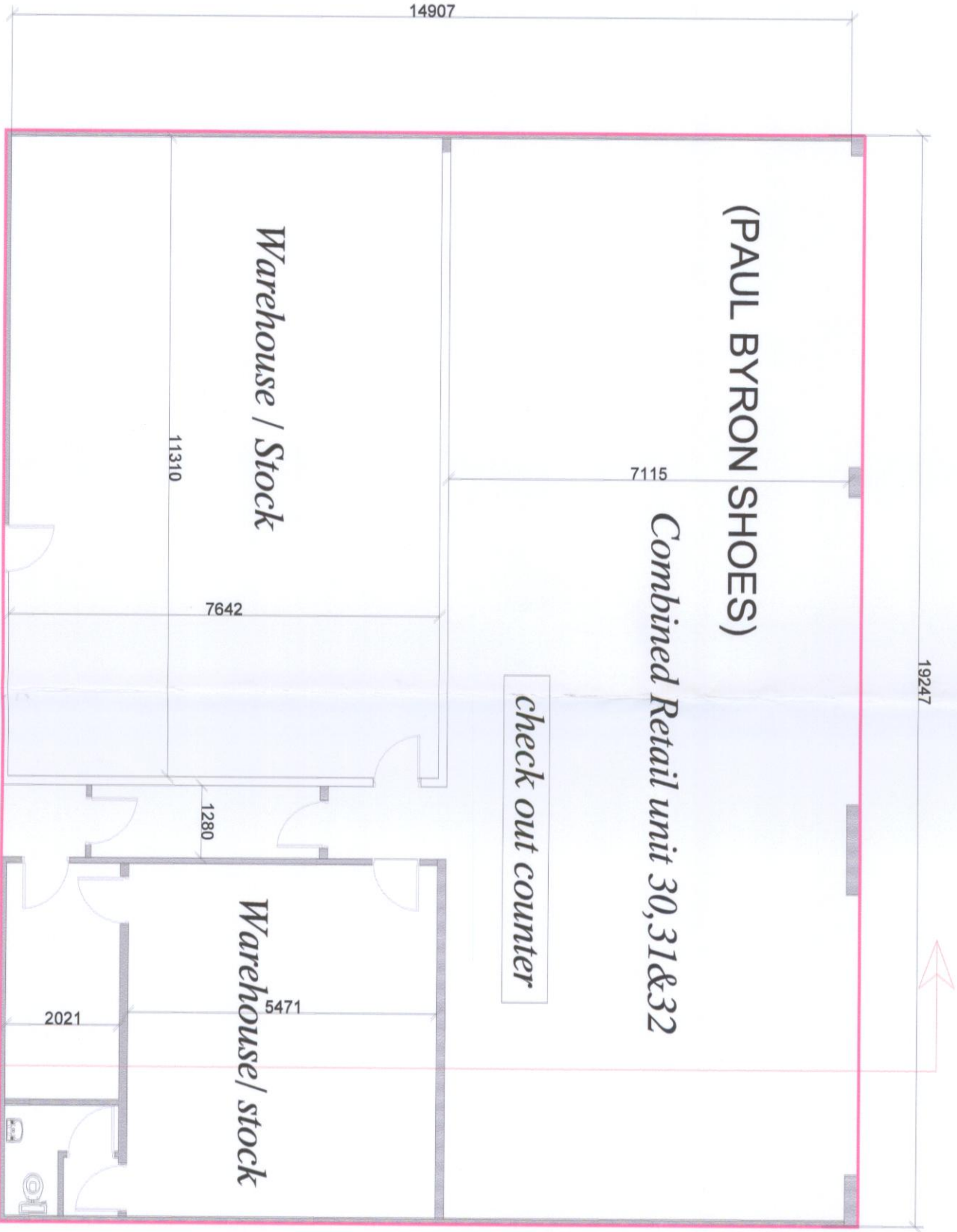
Proposed Front Elevation



Rear Elevation



Sectional Elevation A-A



Revised layout of units outlined in purple



John Cummins

Construction Management Planning & Engineering Services
MIEI MCI OB MCABE Chartered Building Engineer

Borrisoleigh Thurles Co. Tipp

MOBILE. 087 2906635 info@jcengineering.ie

PROJECT: Proposed new layout of Paul Byron Shoe Shop units 30 31 and 32

CLIENT Byron Distributors ltd

DRAWING: Proposed plans of new retail unit

SCALE: 1:100

DATE: September 25

DWG.NO.

01





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 5000/601
e customerservice
@tipperarycoco.ie

tipperarycoco.ie

Date: 10th October 2025

Our Ref: S5/25/130

Civic Offices, Nenagh

Byron Distributors Ltd
C/O John Cummins Engineering Services
Knockakelly
Borrisoleigh
Thurles
Co. Tipperary
E41 H3K1

Re: Application for a Section 5 Declaration – Change of use of existing hair salon, unit 32 into extension to the existing Paul Byron shoe shop, units 30 & 31 at Thurles Shopping Centre, Thurles, Co Tipperary.

Dear Mr Cummins,

I acknowledge receipt of your application for a Section 5 Declaration received on 8th October 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 Reference: S5.25.130

Applicant: Byron Distributors Ltd C/O John Cummins Engineering Services

Development Address: Thurles Shopping centre units 30,31 and 32

Proposed Development: Change of use of existing hair salon unit 32 into extension to existing Paul Byron shoe shop 30 & 31

1. GENERAL

On 08/10/2025 a request was made for a declaration under Section 5 of the Planning and Development Act, 2000 as amended by Byron Distributors Ltd C/O John Cummins Engineering Services as to whether or not the following works constituted development and if so, whether same was exempted development:

- Change of use of existing hair salon unit 32 into extension to existing Paul Byron shoe shop 30 & 31

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

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

- (i) by reason of the size, nature or limited effect on its surroundings, of development belonging to that class, the carrying out of such development would not offend against principles of proper planning and sustainable development, or*
- (ii) the development is authorised, or is required to be authorised, by or under any enactment (whether the authorisation takes the form of the grant of a licence, consent, approval or any other type of authorisation) where the enactment concerned requires there to be consultation (howsoever described) with members of the public in relation to the proposed development prior to the granting of the authorisation (howsoever described).*

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

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

Planning and Development Regulations 2001, as amended

Article 6 of the Planning and Development Regulations 2001,

Article 6, as amended states in relation to 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.

Article 10 of the Planning and Development Regulations 2001, as amended Article 10 provides an exemption for development which consists of a change of use within any one of the classes of use specified in Part 4 of Schedule 2, provided that the development if carried out would not

- (a) involve the carrying out of any works other than works which are exempted development,
- (b) contravene a condition attached to a permission under the Act,
- (c) be inconsistent with any use specified or included in such a permission, or
- (d) be a development where the existing use is an unauthorised use, save where such change of use consists of the resumption of a use which is not unauthorised and which has not been abandoned.

Schedule 2, Part 1 'Exempted Development - General:

Class 14 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001, as amended sets out planning exemptions of changes of use. There is no exemption under this Class for the change of use from a hair salon to an existing shoe shop.

Schedule 2, Part 4 'Exempted Development – Classes of Use:

Class 1: Use as a shop

Definition of "shop" as defined under Article 5(1) of the P & D Regulations, 2001 as amended includes use for (a) the retail sale of goods and (e) hairdressing.

3. ASSESSMENT

a. Site Location

The site to which the question relates is within the Thurles Shopping Centre, Slievenamon Rd, Thurles and relates to units 30,31 and 32 within the shopping centre.

b. Relevant Planning History

PI Ref 06/540032	Grant of permission for extension & expansion of the existing retail units to include, 16 new commercial units, extensions and alterations to existing units, a cafe and outdoor eating area, a covered street, a four screen cinema, a medical centre, office accommodation, totem signage, a new service yard and loading bay, a new service entrance and revisions to existing entrance, a Four level multi storey car park, amenity space and river walk, demolition of existing sheds, and all associated site works
PI Ref 08/540032	Grant of permission for creation of one storage unit above retail units 27 and 28;one storage unit above retail units 29 and 30 and one storage unit above units 17 to 20 in lieu of the previously permitted voids over the aforementioned permitted retail units as per planning application 06540032
PI Ref 08/540032	Grant of permission for 3 No. offices, staff room, canteen and store room in lieu of void over permitted retail unit 21 as per planning permission ref. 06540032
PI Ref 08/540034	Grant of permission for change of permitted use as medical centre(planning ref 06540032) to office space with a total floor area of 310sqm.
PI Ref 09/540002	Grant of permission for change of use of previously granted permission (06/54/0032) from management suite to retail use and all ancillary site works
PI Ref 09/540003	Grant of permission for Change of use from previously granted permission (06/54/0032) from retail use to cafe/restaurant use and all ancillary site works
PI Ref 09/540005	Grant of permission for Extension of existing retail store from 249m2 to 305m2, demolish part of existing party wall and relocate existing entrance to internal Mall via existing Unit 1 and all ancillary site works.
PI Ref 09/540006	Grant of permission for Retention of car valet area consisting of 205m2 on ground floor of previously approved application ref (06-540032) and all ancillary site works
PI Ref 17601235	Grant of permission for retention the amalgamation of 4 No. existing retail units (No's,. 1,2 3 & 4) at ground floor level, including a first floor unit for ancillary storage/retail, for use by a sporting goods retailer
PI Ref 17601236	Grant of permission for retention for the subdivision of existing retail unit N29 at ground floor level for use as optometrist/retail and planning permission for the subdivision and change of use of existing first floor fallow area incorporating 2 No. offices, staff rooms,

	laboratory and connecting hallway space for use by optometrist business
PI Ref 19601249	Grant of permission for retention for of use of the vehicular access to the rear of the shopping centre via Kavanagh Place for deliveries/servicing and the existing set down area to the front of the shopping centre. Permission is also sought for landscaping and pedestrian access improvement works to the front and rear of the shopping centre, vehicular and pedestrian access improvement works to the front of the shopping centre including reconfiguration of existing set down area and associated signage, vehicular and pedestrian access improvement works to the front of the shopping centre including reconfiguration of existing set down area and associated signage, vehicular and pedestrian access improvement works to the rear of the shopping centre including set down area, traffic bollards and associated signage, lighting bollards, improvement works to existing set down area within the car park at ground floor level including signage and pedestrian crossing and all associated site works necessary to facilitate the development

TUD-19-066-Non compliance with planning permission. Case closed.

Relevant Precedent cases:

Under RL3578 An Bord Pleanala determined that the amalgamation of 2 no. retail units within the internal layout of the Pavilions Shopping Centre, Swords, Co. Dublin was development and not exempted development.

Under RL2603 An Bord Pleanala determined that works to retail units within the Butlerstown Retail Park, Waterford was development and not exempted development.

RL3056: This referral related to the change of use of a unit from commercial bank to retail use and its amalgamation with four adjoining retail units in Waterford Shopping Centre, Lisduggan, Co. Waterford. The Board concluded, inter alia, that:

- the original Unit 7 constituted a planning unit within the overall shopping centre and was subdivided on its southeast side from the adjoining units by means of a wall,
- the amalgamation of four units into one unit to be used in conjunction with unit 7A involve works of construction that would constitute development as defined under Section 3 of the Planning and Development Act, 2000,
- the carrying out of such works for the amalgamation of these permitted individual units would not come within the scope of section 4(1)(h) of the 2000 Act, in that they did not involve works for the maintenance, improvement or other alteration of a structure, but rather of a group of individual permitted units,
- the amalgamation of the permitted smaller retail units into larger unit constitutes a change of use which is considered to be a material change of use, having regard to the character and material external impacts of the larger units (such as their possible impact on the pattern of retailing in the wider geographical area, and the proper planning and sustainable development of the area), and
- the material change of use in the amalgamation of permitted units into a single larger unit would, by reason of article 10(1) of the said Regulations, not be exempted development.

RL2562: This referral related to development at Butlerstown Retail Park, Co. Waterford, which included the use of a number of units, and the amalgamation of three units into one single unit. The Board concluded that:

- the buildings on site have a permitted use as retail warehouses,
- the proposed use of the units constitutes a change of use as the retailing activity does not come within the scope of the definition of activities of a retail warehouse,
- the said change of use constitutes development, being a material change of use, having regard to its character and its material external impacts (such as its possible impacts on city centre retailing, traffic or parking) on the proper planning and sustainable development of the area, and
- the internal alterations to the units to amalgamate same are directly related to the change of use in question and are, therefore, not exempted development:

06F.RL3578: Whether the amalgamation of 2 no. retail units is or is not exempted development. The Board concluded that the works were development and were not exempted development as the works would not come within the scope of Section 4(1)(h) of the Planning and Development Act, 2000 (as amended) in that they would not involve works for the maintenance, improvement or other alteration of a structure, but rather of two individual permitted units.

PL28.RL3344: Whether the internal re-arrangement of space at ground floor is development or is exempted development. The Board concluded that the internal rearrangement resulted in a material change of use that would not come within the scope of Section 4(1)(h) of the Planning and Development Act, 2000 (as amended). Therefore, the works were development and were not exempted development.

c. Assessment

A) “Is or is not Development”

Having considered all of the details and documentation on file and having examined precedent cases on the An Coimisiún Pleanála website with regards the question asked the Planning Authority is satisfied that the proposal would constitute “development” within the meaning of Section 3 of the Act. The proposal involves the undertaking of physical works required to give effect to the amalgamation and the proposal involves amalgamation of units into a larger unit that involves a change of use, which is material for planning purposes and which was not envisaged or allowed for in the original permission.

B) “Is or is not Exempted Development”

I note case reference RL3578 and RL2603 and consider that the works proposed would not come within the scope of Section 4(1)(h) of the Planning and Development Act, 2000 (as amended) in that they would not involve works for the maintenance, improvement or other alteration of **a structure**, but rather of two individual permitted units

The other aspect of exempted development relates to use. Under Article 10 of the Act, it is exempted development to change a use within any one of the classes of use in Part 4 of Schedule 2, and Class 1 is “use as a shop”. However, this exemption is qualified under Article 10(1) which states that such a change of use would not be exempted development if any of four tests is not met.

The first test is if the development would involve the carrying out of any works other than works which are exempted development. As noted above, I do not consider that the works proposed are exempted development.

The second test is whether the development would contravene a condition attached to a permission under the Act. I note condition 4 of PI Ref 06/540032 precludes amalgamation/subdivision of units without prior permission.

The third test is whether the development is inconsistent with any use specified or included in such a permission. The final test is whether the development is one where the existing use is an unauthorised use. These tests are satisfied.

C) Restrictions under Article 9
Not applicable.

D) Requirement for Appropriate Assessment and Environmental Impact Assessment
AA

The proposal has been screened as to the requirement for AA and same is not required in respect of the proposal (see Screening Report attached).

EIA

The proposal has been screened as to the requirement for EIA and same is not required in respect of the proposal (see Screening Report attached).

4. **RECOMMENDATION**

A question has arisen as to whether the change of use of existing hair salon unit 32 into extension to existing Paul Byron shoe shop (units 30 & 31) is development and is or is not exempted development:

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

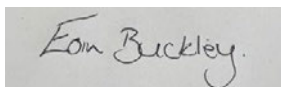
- (a) Sections 2, 3 and 4 of the Planning and Development Act, 2000, as amended
- (b) Article 6 and 10 of the Planning and Development Regulations 2001, as amended.
- (c) The planning history of the site.

Tipperary County Council has concluded that –

The development consisting of the change of use of existing hair salon unit 32 into extension to existing Paul Byron shoe shop (units 30 & 31) is development and is not exempted development as it DOES NOT fall under the exempted development provisions as set out under Section 4 of the Planning and Development Act 2000, as amended.

Tipperary County Council, in exercise of the powers conferred on it by section 5(2)(a) of the Planning and Development Act 2000 as amended, it is hereby decided that the change of use of existing hair salon unit 32 into extension to existing Paul Byron shoe shop (units 30 & 31) is development and IS NOT exempted development.

Signed:



Date: 21/10/2025

Signed:



Date: 29/10/2025

HABITATS DIRECTIVE APPROPRIATE ASSESSMENT (AA) SCREENING REPORT

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

(a) File Reference No:	S5/25/130
(b) Brief description of the project or plan:	As per planners report
(c) Brief description of site characteristics:	As per planners report
(d) Relevant prescribed bodies consulted: e.g. DHLGH (NPWS), EPA, OPW	None
(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 screening in Y/N
002137 Lower River Suir	https://www.npws.ie/protected-sites/sac/002137	Within 10km	None	No

STEP 3. Assessment of Likely Significant Effects

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

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

sediment <ul style="list-style-type: none"> • 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	None				
(b) Describe any likely changes to the European site:					
Examples of the type of changes to give consideration to include: <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?					
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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.					
.					
Conclusion:					
	<table border="1"> <thead> <tr> <th>Tick as Appropriate:</th> <th>Recommendation:</th> </tr> </thead> <tbody> <tr> <td> <input checked="" type="checkbox"/> </td> <td> The proposal can be screened out: Appropriate assessment not required. </td> </tr> </tbody> </table>	Tick as Appropriate:	Recommendation:	<input checked="" type="checkbox"/>	The proposal can be screened out: Appropriate assessment not required.
Tick as Appropriate:	Recommendation:				
<input checked="" type="checkbox"/>	The proposal can be screened out: Appropriate assessment not required.				
(i) It is clear that there is no likelihood of significant effects on a European site.					

(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:	Eoin Buckley, Graduate Planner	Date: 21/10/2025

EIA Pre-Screening Establishing a development is a 'sub-threshold development'	
File Reference:	S5/25/130
Development Summary:	As per planners report
Was a Screening Determination carried out under Section 176A-C?	<input type="checkbox"/> Yes, no further action required <input checked="" type="checkbox"/> No, Proceed to Part A
A. Schedule 5 Part 1 - Does the development comprise a project listed in Schedule 5, Part 1 , of the Planning and Development Regulations 2001 (as amended)? (Tick as appropriate)	
<input type="checkbox"/> Yes, specify class _____	EIA is mandatory No Screening required
<input checked="" type="checkbox"/> No	Proceed to Part B
B. Schedule 5 Part 2 - Does the development comprise a project listed in Schedule 5, Part 2 , of the Planning and Development Regulations 2001 (as amended) and does it meet/exceed the thresholds? (Tick as appropriate)	
<input checked="" type="checkbox"/> No, the development is not a project listed in Schedule 5, Part 2	No Screening required
<input type="checkbox"/> Yes the project is listed in Schedule 5, Part 2 and meets/exceeds the threshold, specify class (including threshold): _____	EIA is mandatory No Screening required
<input type="checkbox"/> Yes the project is of a type listed but is <i>sub-threshold</i> : _____	Proceed to Part C
C. If Yes, has Schedule 7A information/screening report been submitted?	
<input type="checkbox"/> Yes, Schedule 7A information/screening report has been submitted by the applicant	Screening Determination required
<input type="checkbox"/> No, Schedule 7A information/screening report has not been submitted by the applicant	Preliminary Examination required



Comhairle Contae Thiobraid Árann
Tipperary County Council

Comhairle Contae
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,
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E45 A099

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Date: 31st October, 2025

Our Ref: S5/25/130

Civic Offices, Nenagh

**Byron Distributors Ltd
C/O John Cummins Engineering Services
Knockakelly
Borrisoleigh
Thurles
Co. Tipperary
E41 H3K1**

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

Dear Mr Cummins,

I refer to your application for a Section 5 Declaration received on 8th October 2025 in relation to the following proposed works:

Change of use of existing hair salon unit 32 into extension to existing Paul Byron shoe shop 30 & 31 at Thurles Shopping centre units 30,31 and 32, Thurles, 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) Article 6 and 10 of the Planning and Development Regulations 2001, as amended.
- c) The planning history of the site.

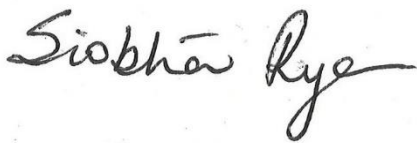
Tipperary County Council has concluded that –

The development consisting of the change of use of existing hair salon unit 32 into extension to existing Paul Byron shoe shop (units 30 & 31) is development and is not exempted development as it DOES NOT fall under the exempted development provisions as set out under Section 4 of the Planning and Development Act 2000, as amended.

Tipperary County Council, in exercise of the powers conferred on it by section 5(2)(a) of the Planning and Development Act 2000 as amended, it is hereby decided that the change of use of existing hair salon unit 32 into extension to existing Paul Byron shoe shop (units 30 & 31) is development and **IS NOT 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



for **Director of Services**

CC: International Investment ICAU, 5TH Floor, 76 Sir John Rogersons Quay, Dublin , D02C9D0.

Original

TIPPERARY COUNTY COUNCIL

DELEGATED EMPLOYEE'S ORDER

File Ref: **S5/25/130**

Delegated Employee's Order No: _____

SUBJECT: Section 5 Declaration

I, Brian Beck, 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. 44188 dated 3rd October, 2025, hereby order that pursuant to the provisions of the Planning and Development Act 2000, as amended, that an application under Section 5 from Byron Distributors Ltd C/O John Cummins Engineering Services, Knockakelly, Borrisoleigh, Thurles, Co.Tipperary, E41 H3K1, re: Change of use of existing hair salon unit 32 into extension to existing Paul Byron shoe shop 30 & 31 at Thurles Shopping centre units 30,31 and 32 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 6 and 10 of the Planning and Development Regulations 2001, as amended.
- c) The planning history of the site.

Tipperary County Council has concluded that –

The development consisting of the change of use of existing hair salon unit 32 into extension to existing Paul Byron shoe shop (units 30 & 31) is development and is not exempted development as it DOES NOT fall under the exempted development provisions as set out under Section 4 of the Planning and Development Act 2000, as amended.

Tipperary County Council, in exercise of the powers conferred on it by section 5(2)(a) of the Planning and Development Act 2000 as amended, it is hereby decided that the change of use of existing hair salon unit 32 into extension to existing Paul Byron shoe shop (units 30 & 31) is development and **IS NOT exempted** development.

Signed:



Brian Beck
Director of Services

Date: 31/10/2025