



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>	Sean Lynch
<i>Address</i>	Ballymorris, Cratloe, Clare
<i>Telephone No.</i>	
<i>E-mail</i>	

2. Agent's (if any) address:

<i>Agent</i>	
<i>Address</i>	
<i>Telephone No.</i>	
<i>E-mail</i>	
<i>Please advise where all correspondence in relation to this application is to be sent;</i>	
Applicant [X] Agent []	

3. Location of Proposed Development:

<i>Postal Address or Townland or Location (as may best identify the land or structure in question)</i>	V94YA8D Scraggeen, Newport, 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.)

The proposed construction of an extension containing a living area, bedroom and bathroom. The total floor area of proposed construction is 37.9m ²	
Proposed floor area of proposed works/uses:	sqm 37.9m ²

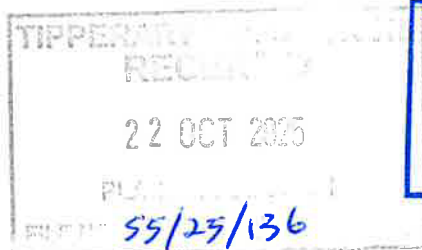
5. Legal Interest of Applicant in the Land or Structure:

Please tick appropriate box to show applicant's legal interest in the land or structure	A. Owner <input checked="" type="checkbox"/> S.L.	B. Occupier
	C. Other <input checked="" type="checkbox"/>	
Where legal interest is 'Other', please expand further on your interest in the land or structure	Inheriting Property transfer of title taking place, can provide proof if requested	
If you are not the legal owner, please state the name and address of the owner	Name: Dominic Lynch Address: Ballymorris Crutloe Clare V45F5Y8	

Signature of Applicant(s)

Date: 21st Oct 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.

Postal order in envelope

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 132535

Date 22/10/25

Received by ~~Patricia Harty~~ Maria Quinlan

DATE STAMP



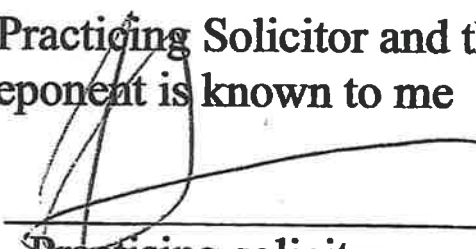
AFFIDAVIT OF DOMINIC LYNCH

I Dominic Lynch of Dun Mhuire, Ballymorris, Cratloe, Co Clare aged 18 years and upwards hereby make oath and say as follows:

1. I am the registered owner of property known as scrageen, Newport, Co Tipperary V94ya8d being a single story cottage at that address.
2. In that regard I say that the said property was built prior to the planning acts 1963.
3. I say that the history of the property of which I am familiar is that it was built in 1948 by a Mr Fred pole, my wife's grandfather
4. I say that there was an extension built to said property being a single room, flat roof which was in the mid 1950s
5. I say that there were no further developments or extensions to the said property that would require planning permission.

Sworn before me by the said
Dominic Lynch on the 14 day of
October 2025

At Steamboat quay, Dock road,
in the City of Limerick
before me a ~~Commissioner for Oaths~~
/ Practising Solicitor and the
deponent is known to me


Practising solicitor

James St. John Dundon, BCL,LLM
Solicitor,
Dundon Callanan LLP Solicitors,
17, The Crescent,
Limerick



Photographs of current dwelling



TIPPERARY
RECEIVED
22 OCT 2025
PLANNING
FILE NO. 55/25/136



TIPPERAIRE COUNTY COUNCIL
RECEIVED
22 OCT 2025
PLANNING SECTION
FILE NO. 55/25/136

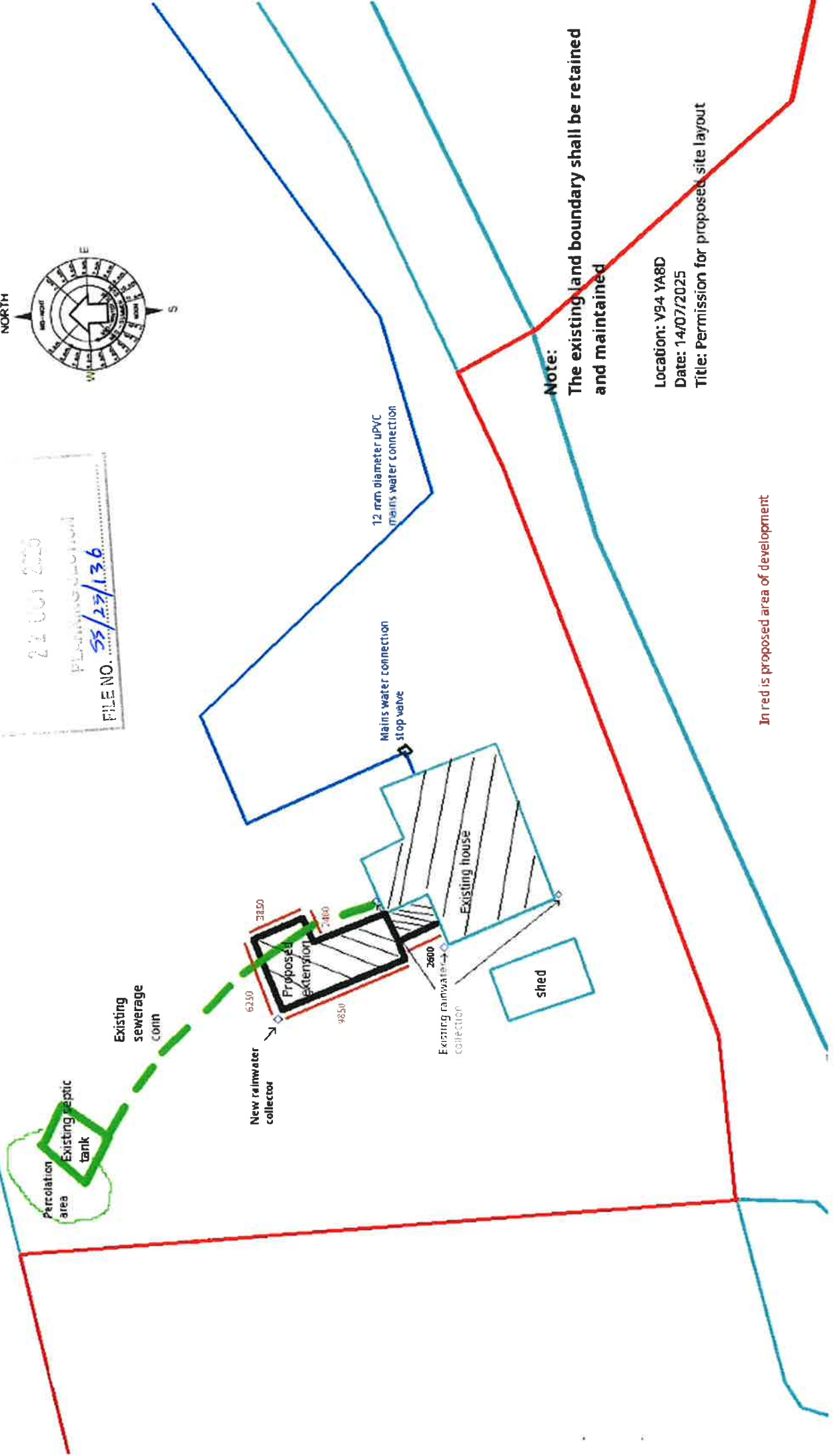
Site Layout Plan

Site outlined in red

Scale 1:250



22/01/2025
PLANNING DEPARTMENT
FILE NO. 55/23/136



Location: V94 YA8D
Date: 14/07/2025
Title: Permission for proposed site layout

Planning Pack Map



**Tailte
Éireann**

**CENTRE
COORDINATES:**
ITM 575117,660637

PUBLISHED: 30/06/2025
ORDER NO.: 50475043_1

MAP SERIES: 4626-D
MAP SHEETS: 1:2,500

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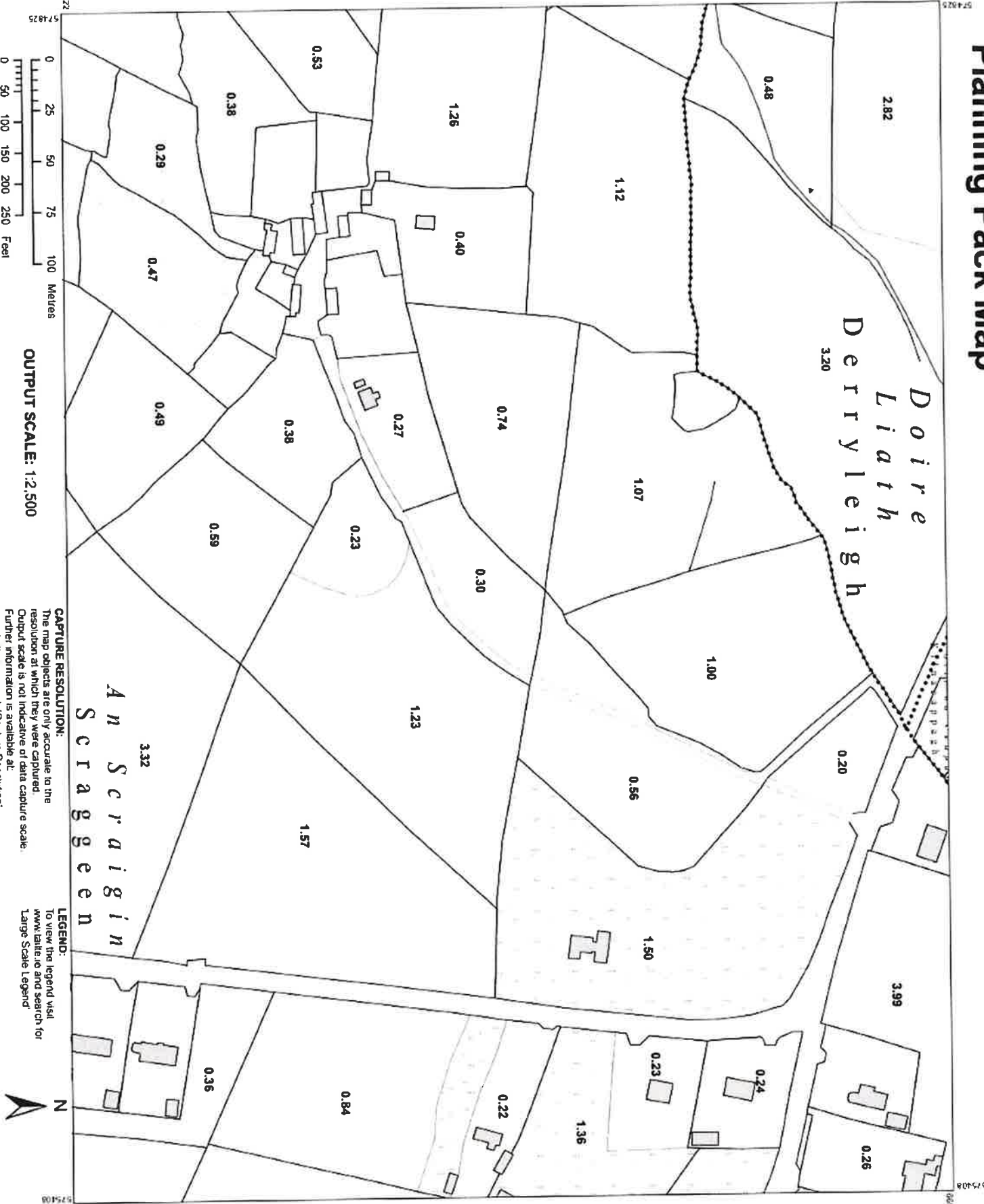
The representation on this map
of a road, track or footpath
is not evidence of the existence
of a right of way.

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nor does it show
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*Doire
Liaith
Derryleigh*

*An Scaigin
Scrageen*



OUTPUT SCALE: 1:2,500

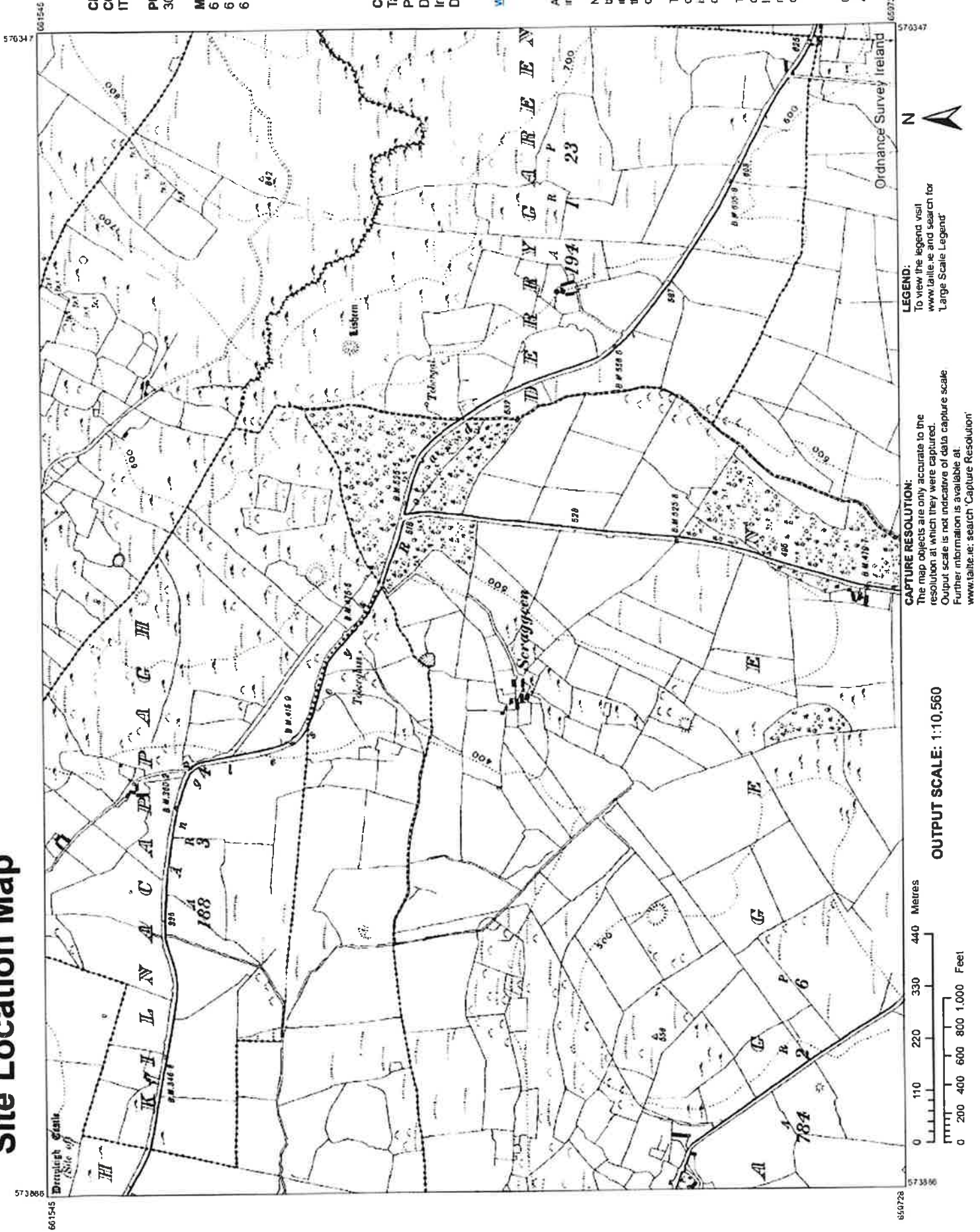
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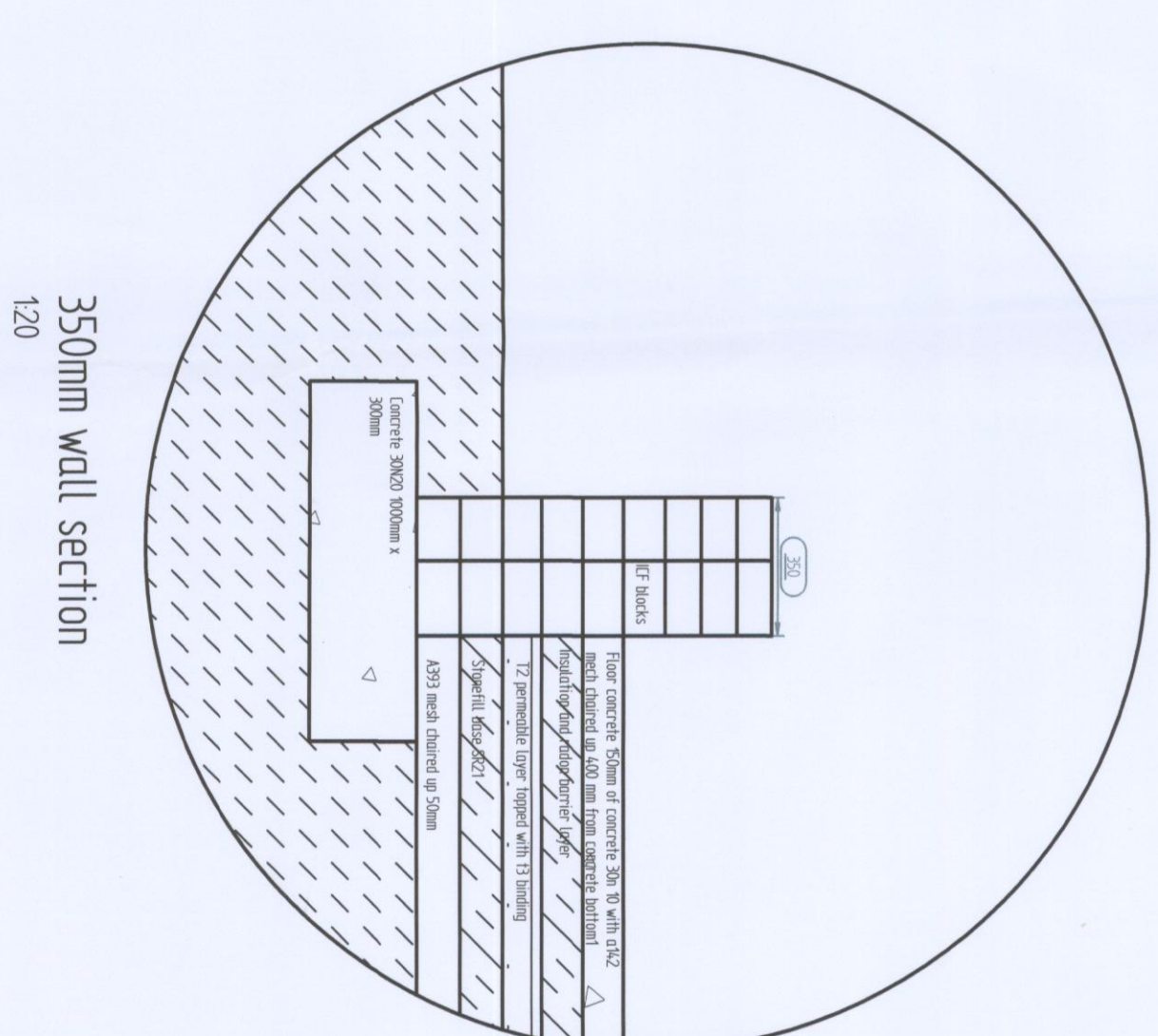
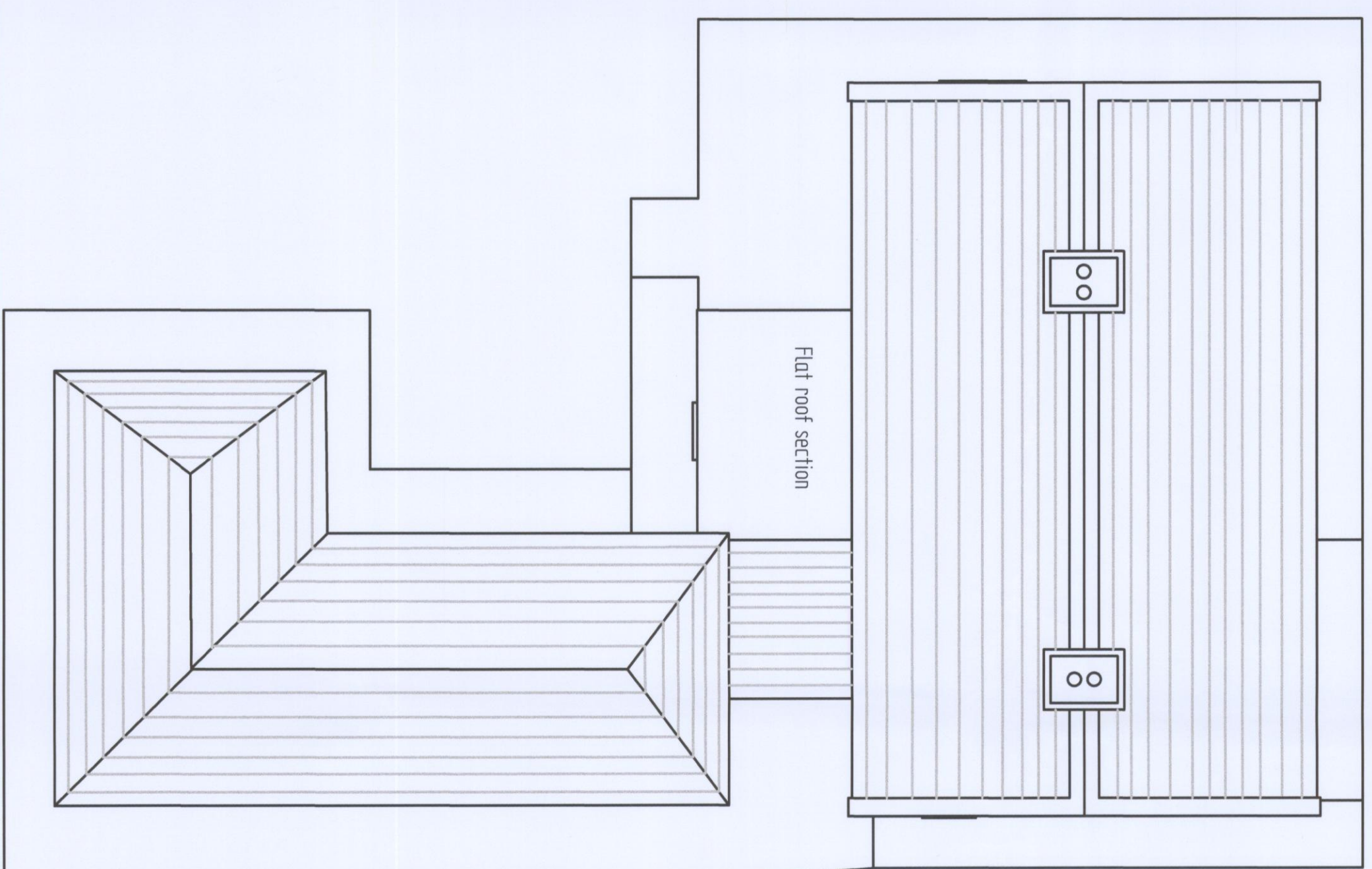
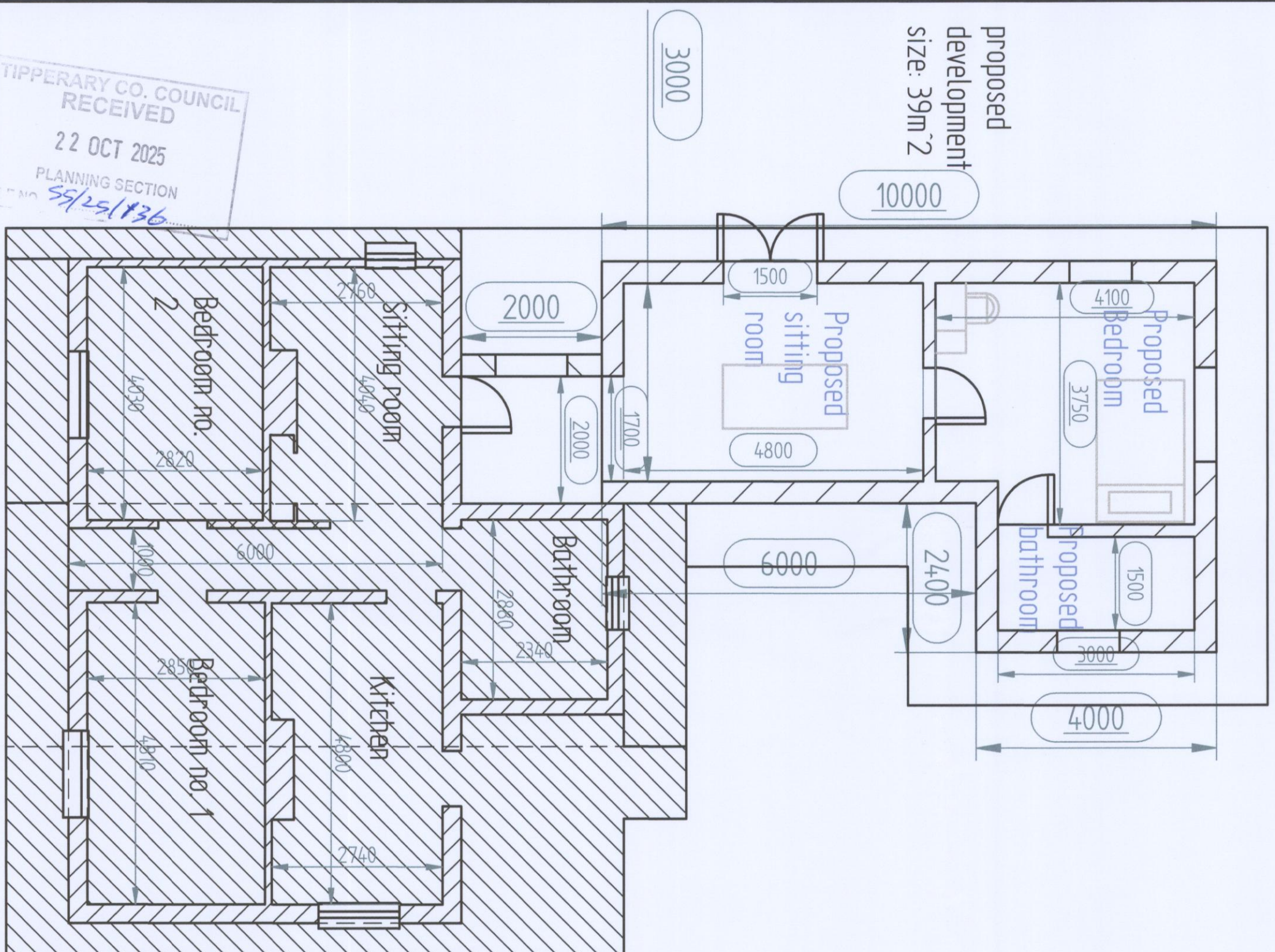
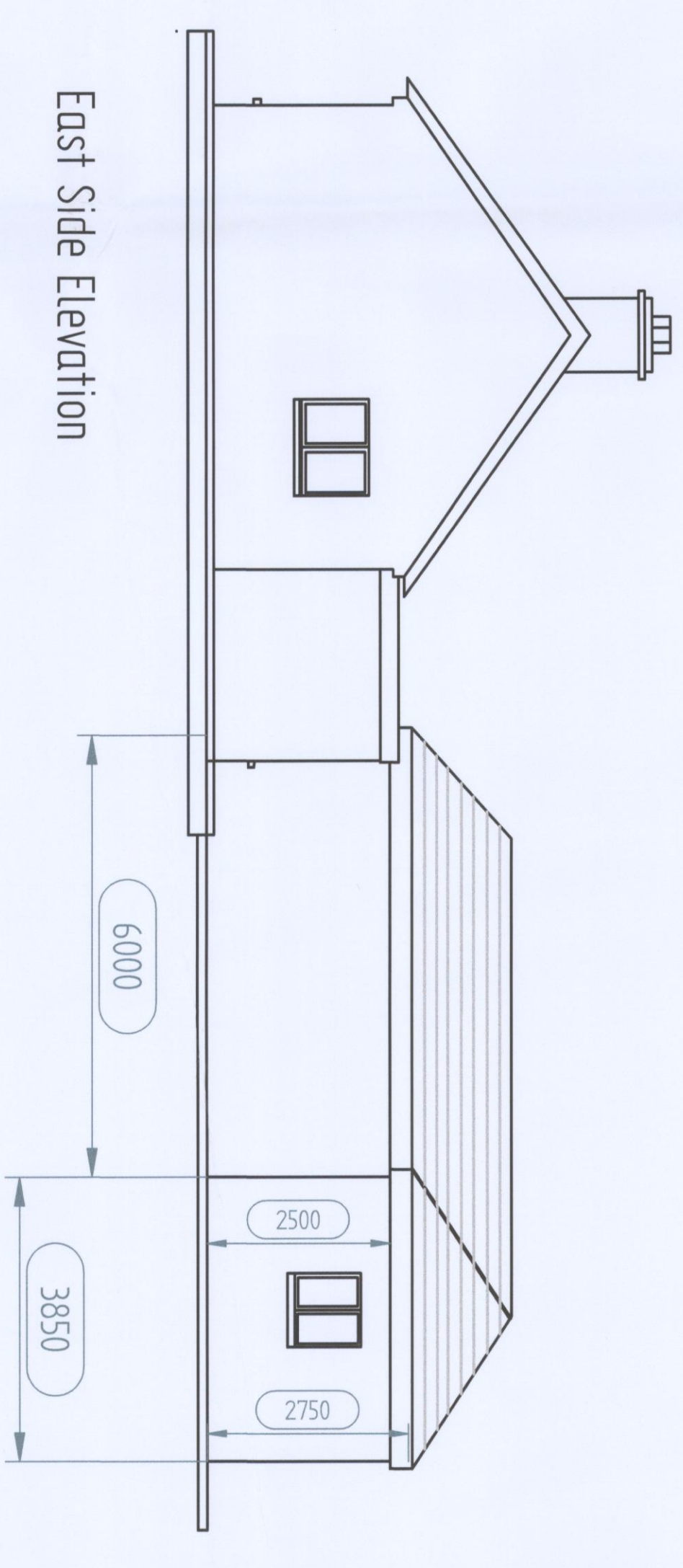
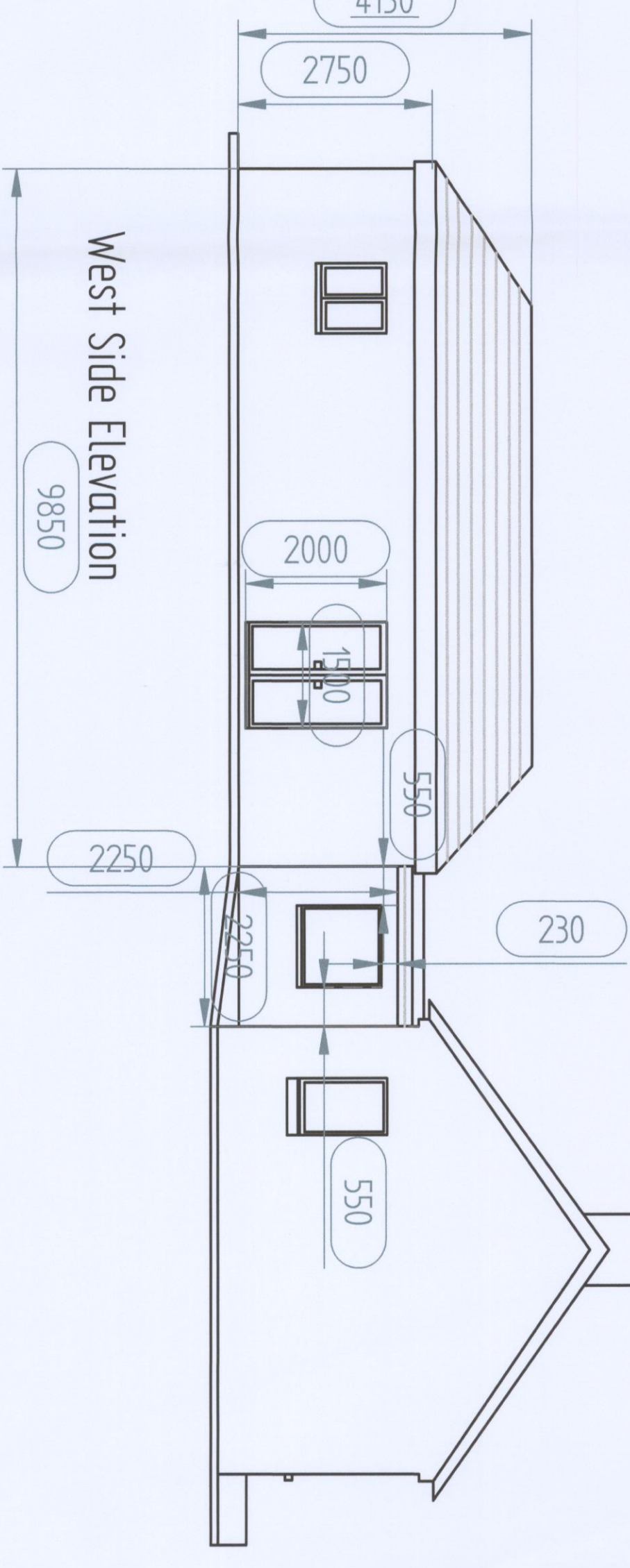
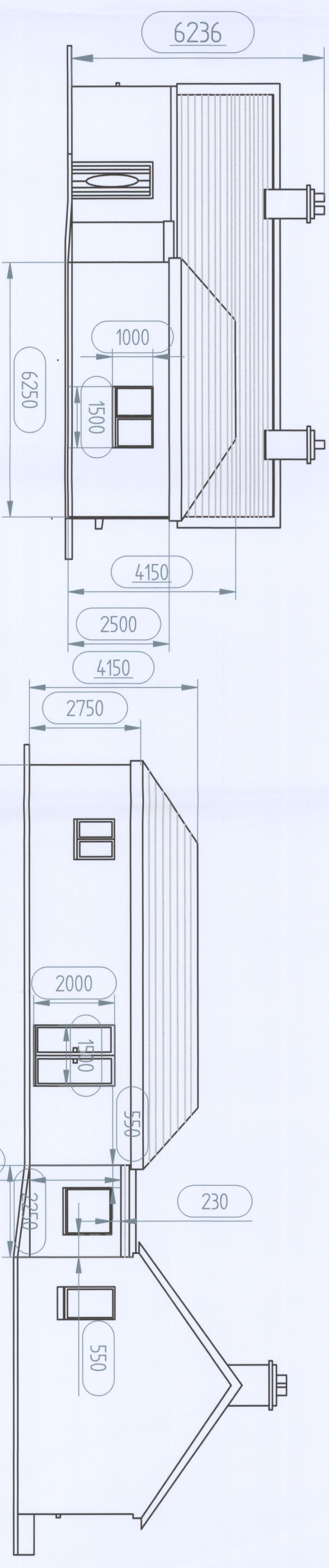
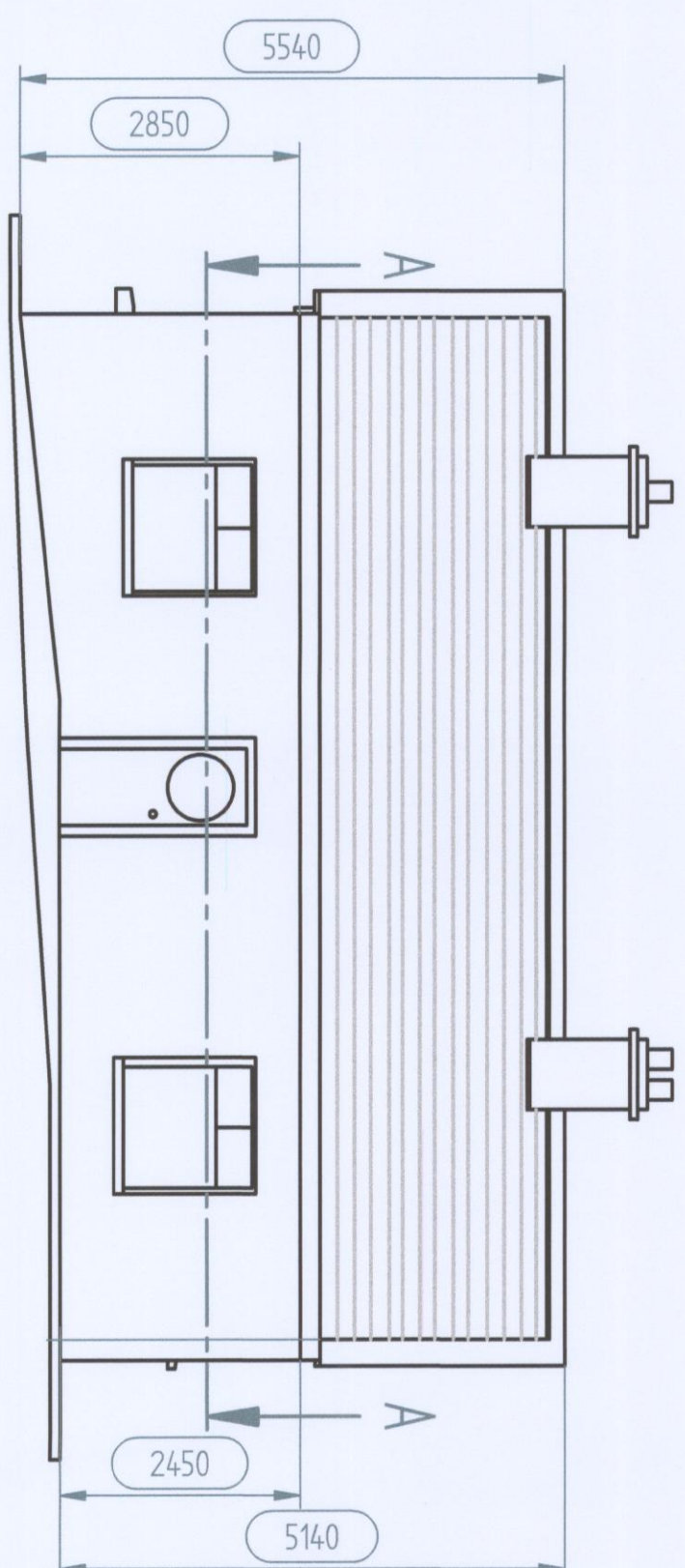
LEGEND:
To view the legend visit
www.tailte.ie and search for
'Large Scale Legend'





Site Location Map



[illegible]

Existing Floor Area 622 m²
Proposed Floor Area 379 m²
Proposed bathroom 4.5m²
Proposed Bedroom 6m²
Proposed Sitting Room 18.4m²
Total Area 100.1m²

TITLE	Permission for housing extension @ Scruggreen, Newport, Tipterrary		
SIZE	Location		
A1	Scruggreen, Newport, Tipterrary		
DATE: 17/5	DATE: 12/07/2025	Eircroide V94, Y880	



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: 22nd October 2025

Our Ref: S5/25/136

Civic Offices, Nenagh

Sean Lynch
Ballymorris
Cratloe
Co Clare

Re: Application for a Section 5 Declaration – The proposed construction of an extension containing a living area, bedroom and bathroom. The total floor area of proposed construction is 37.9m² at Scraggeen, Newport, Co Tipperary V94YA8D.

Dear Mr Lynch,

I acknowledge receipt of your application for a Section 5 Declaration received on 22nd 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: S5.25.136

Applicant: Sean Lynch

Development Address: Scraggeen, Newport, Co Tipperary V94YA8D

Proposed Development: The construction of an extension containing a living area, bedroom and bathroom with a total proposed floor area of 37.9sq.m

1. GENERAL

On 22nd October a request was made for a declaration under Section 5 of the Planning and Development Act, 2000 as amended by Sean Lynch as to whether or not the following works constituted development and if so, whether same was exempted development:

- The construction of an extension containing a living area, bedroom and bathroom with a total proposed floor area of 37.9sq.m

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) states that notwithstanding paragraphs 9a0, (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.

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, 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.

(3) Subject to article 9, in areas other than a city, a town or an area specified in section 19(1)(b) of the Act or the excluded areas as defined in section 9 of the Local Government (Reorganisation) Act, 1985 (No. 7 of 1985), development of a class specified in column 1 of Part 3 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 3 opposite the mention of that class in the said column 1.

Class 1 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001, as amended states:

Development within the curtilage of a house

Class 1

The extension of a house, by the construction or erection of an extension (including a conservatory) to the rear of the house or by the conversion for use as part of the house of any garage, store, shed or other similar structure attached to the rear or to the side of the house.

Conditions and Limitations

1. (a)

Where the house has not been extended previously, the floor area of any such extension shall not exceed 40 square metres.

(b)

Subject to paragraph (a), where the house is terraced or semi-detached, the floor area of any extension above ground level shall not exceed 12 square metres.

(c)

Subject to paragraph (a), where the house is detached, the floor area of any extension above ground level shall not exceed 20 square metres.

2. (a)

Where the house has been extended previously, the floor area of any such extension, taken together with the floor area of any previous extension or extensions constructed or erected after 1 October 1964, including those for which planning permission has been obtained, shall not exceed 40 square metres.

(b)

Subject to paragraph (a), where the house is terraced or semi-detached and has been extended previously, the floor area of any extension above ground level taken together with the floor area of any previous extension or extensions above ground level constructed or erected after 1 October 1964, including those for which planning permission has been obtained, shall not exceed 12 square metres.

(c)

Subject to paragraph (a), where the house is detached and has been extended previously, the floor area of any extension above ground level, taken together with the floor area of any previous extension or extensions above ground level constructed or erected after 1 October 1964, including those for which planning permission has been obtained, shall not exceed 20 square metres.

3. Any above ground floor extension shall be a distance of not less than 2 metres from any party boundary.

4. (a)

Where the rear wall of the house does not include a gable, the height of the walls of any such extension shall not exceed the height of the rear wall of the house.

(b)

Where the rear wall of the house includes a gable, the height of the walls of any such extension shall not exceed the height of the side walls of the house.

(c)

The height of the highest part of the roof of any such extension shall not exceed, in the case of a flat roofed extension, the height of the eaves or parapet, as may be appropriate, or, in any other case, shall not exceed the height of the highest part of the roof of the dwelling.

5. The construction or erection of any such extension to the rear of the house shall not reduce the area of private open space, reserved exclusively for the use of the occupants of the house, to the rear of the house to less than 25 square metres.

6. (a)

Any window proposed at ground level in any such extension shall not be less than 1 metre from the boundary it faces.

(b)

Any window proposed above ground level in any such extension shall not be less than 11 metres from the boundary it faces.

(c)

Where the house is detached and the floor area of the extension above ground level exceeds 12 square metres, any window proposed at above ground level shall not be less than 11 metres from the boundary it faces.

7. The roof of any extension shall not be used as a balcony or roof garden.

3. **ASSESSMENT**

a. Site Location

The site is located at Scraggeen, Newport, Co Tipperary V94YA8D

b. Relevant Planning History

S5/25/111 Extension sized 37.9 sq m not considered exempted development.

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 would involve "works" and such works would constitute "development" within the meaning of Section 3 of the Act.

B) "Is or is not Exempted Development"

The proposal is for an extension to an existing dwelling. The proposed extension would extend beyond the rear wall of the existing dwelling and beyond the western flank wall of an existing outrigger of the dwelling.

A review of the Classes of exempted development has been carried out.

The following exemption, which pertains specifically to Development within the curtilage of a house, is noted:

- Class 1 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001, as amended

The extension of a house, by the construction or erection of an extension (including a conservatory) to the rear of the house or by the conversion for use as part of the house of any garage, store, shed or other similar structure attached to the rear or to the side of the house.

In the first instance, it is noted that there is no planning history pertaining to the existing dwelling on site. The application includes an Affidavit sworn by Dominic Lynch which confirms the property was constructed in 1948 and extended by a single room flat roof extension in the mid 1950s.. Noting the contents of the affidavit and date of constructed of the dwelling and return to the rear I consider the proposed extension can be considered to be to the rear of the dwelling. The Affidavit received with the subject application addresses the issue with the lack of information on the ate of development of the dwelling and rear return raised under S5.25.111.

The following is an assessment against the conditions / limitations of Class 1:

1.

(a) Where the house has not been extended previously, the floor area of any such extension shall not exceed 40 square metres.

(b) Subject to paragraph (a), where the house is terraced or semi-detached, the floor area of any extension above ground level shall not exceed 12 square metres.

(c) Subject to paragraph (a), where the house is detached, the floor area of any extension above ground level shall not exceed 20 square metres.

As per the development description, the proposal is for an extension with a floor area of 37.9sqm.

The house was extended previously. See condition/limitation 2.

2.

(a) Where the house has been extended previously, the floor area of any such extension, taken together with the floor area of any previous extension or extensions constructed or erected after 1 October 1964, including those for which planning permission has been obtained, shall not exceed 40 square metres.

The details submitted show the return to the rear was constructed in the 1950s. The development therefore meets the requirements of this condition.

(b) Subject to paragraph (a), where the house is terraced or semi-detached and has been extended previously, the floor area of any extension above ground level taken together with the floor area of any previous extension or extensions above ground level constructed or erected after 1 October 1964, including those for which planning permission has been obtained, shall not exceed 12 square metres.

Not applicable as the proposal relates to a detached house.

(c) Subject to paragraph (a), where the house is detached and has been extended previously, the floor area of any extension above ground level, taken together with the floor area of any previous extension or extensions above ground level constructed or erected after 1 October 1964, including those for which planning permission has been obtained, shall not exceed 20 square metres.

Not applicable as the proposal relates to a ground floor extension only.

3. Any above ground floor extension shall be a distance of not less than 2 metres from any party boundary.

Not applicable as the proposal relates to a ground floor extension only.

4.

(a) Where the rear wall of the house does not include a gable, the height of the walls of any such extension shall not exceed the height of the rear wall of the house.

The rear wall of the house does not include a gable and the height of the walls of the proposed extension would not exceed the height of the rear wall of the house.

(b) Where the rear wall of the house includes a gable, the height of the walls of any such extension shall not exceed the height of the side walls of the house.

The rear wall of the house does not include a gable.

(c) The height of the highest part of the roof of any such extension shall not exceed, in the case of a flat roofed extension, the height of the eaves or parapet, as may be appropriate, or, in any other case, shall not exceed the height of the highest part of the roof of the dwelling.

The proposed extension would have a part flat roof and a part pitched roof.

The proposed flat roof would not exceed the height of the eaves of the dwelling. The proposed pitched roof would not exceed the height of the highest part of the roof of the dwelling.

5. The construction or erection of any such extension to the rear of the house shall not reduce the area of private open space, reserved exclusively for the use of the occupants of the house, to the rear of the house to less than 25 square metres.

The extension would not reduce the area of private open space to the rear of the house to less than 25 sq m.

6. (a) Any window proposed at ground level in any such extension shall not be less than 1 metre from the boundary it faces.

(b) Any window proposed above ground level in any such extension shall not be less than 11 metres from the boundary it faces.

The proposed extension would not contain a window less than 1 metre from the boundary it faces.

7. The roof of any extension shall not be used as a balcony or roof garden.

Not stated

C) Restrictions under Article 9
None applicable.

D) Requirement for Appropriate Assessment and Environmental Impact Assessment
AA

Screening for AA is not required in respect of the proposal which is not considered to constitute development.

EIA

Screening for EIA is not required in respect of the proposal which is not considered to constitute development.

4. RECOMMENDATION

A question has arisen as to whether the construction of an extension containing a living area, bedroom and bathroom with a total proposed floor area of 37. 9sq.m is development and is or is not exempted development:

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

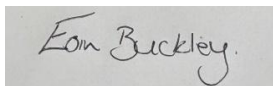
- (a) Sections 2, 3 and 4 of the Planning and Development Act, 2000, as amended
- (b) Article 6 and 9 of the Planning and Development Regulations 2001, as amended,
- (c) Class 1 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001, as amended.

Tipperary County Council has concluded that –

The development consisting of the construction of an extension containing a living area, bedroom and bathroom with a total proposed floor area of 37. 9sq.m to a property at Scraggeen, Newport, Co Tipperary V94YA8D is development and is exempted development

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 construction of an extension containing a living area, bedroom and bathroom with a total proposed floor area of 37. 9sq.m is **development and IS exempted development.**

Signed:

A rectangular box containing a handwritten signature in black ink that reads "Eoin Buckley".

Date: 10/11/2025

Signed: _____

A handwritten signature in black ink that reads "Jonathan Flood".

Date: 10/11/2025

HABITATS DIRECTIVE APPROPRIATE ASSESSMENT (AA) SCREENING REPORT

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

(a) File Reference No:	S5/25/136
(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 Y/N
002258 Silvermines Mountains West	https://www.npws.ie/protected-sites/sac/002258	Within 10km	None	No
002165 Lower River Shannon SAC	https://www.npws.ie/protected-sites/sac/002165	Within 10km	None	No
004132 Glenstal Wood	https://www.npws.ie/protected-sites/sac/004132	Within 10km	None	No
001197 Keeper Hill	https://www.npws.ie/protected-sites/sac/001197	Within 10km	None	No
000930 Clare Glen	https://www.npws.ie/protected-sites/sac/000930	Within 10km	None	No
002124 Boling Brook Hill	https://www.npws.ie/protected-sites/sac/002124	Within 15km	None	No

000939 Silvermine Mountains	https://www.npws.ie/protected-sites/sac/000939	Within 15km	None	No
004165 Slievefelim to Silvermine Mountains SPA	https://www.npws.ie/protected-sites/sac/004165	Within 500m	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 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 	None
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.) 	None
--	------

- Changes to areas of sensitivity or threats to QI
- Interference with the key relationships that define the structure or ecological function of the site

(c) Are '*mitigation*' measures necessary to reach a conclusion that likely significant effects can be ruled out at screening?

☐ Yes ☒ No

STEP 4. Screening Determination Statement

The assessment of significance of effects:

Describe how the proposed development (alone or in-combination) is/is **not likely** to have **significant** effects on European site(s) in view of its conservation objectives.

On the basis of the information on file, which is considered adequate to undertake a screening determination and having regard to:

- the nature and scale of the proposed development,
- the proposed land use and distance from European sites,
- the lack of direct connections with regard to the Source-Pathway-Receptor model,

it is concluded that the proposed development, individually or in-combination with other plans or projects is not likely to have significant effects on the above listed European sites or any other European site, in view of the said sites' conservation objectives.

An appropriate assessment is not, therefore, required.

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:	Eoin Buckley Planner	Date: 06/11/2025

EIA Pre-Screening	
Establishing a development is a 'sub-threshold development'	
File Reference:	S5/25/136
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



Date: 11th November 2025

Our Ref: S5/25/136

Civic Offices, Nenagh

Sean Lynch
Ballymorris
Cratloe
Co Clare

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

Dear Mr Lynch,

I refer to your application for a Section 5 Declaration received on 22nd October, 2025 in relation to the following proposed works:

The construction of an extension containing a living area, bedroom and bathroom with a total proposed floor area of 37. 9sq.m at Scraggeen, Newport, Co Tipperary V94YA8D.

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 –

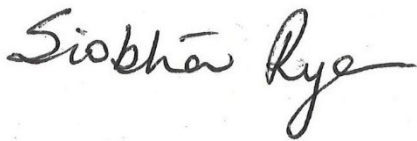
- a) Sections 2, 3 and 4 of the Planning and Development Act, 2000, as amended
- b) Article 6 and 9 of the Planning and Development Regulations 2001, as amended,
- c) Class 1 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001, as amended.

Tipperary County Council has concluded that the development consisting of the construction of an extension containing a living area, bedroom and bathroom with a total proposed floor area of 37. 9sq.m to a property at Scraggeen, Newport, Co Tipperary V94YA8D is development and is exempted development

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 construction of an extension containing a living area, bedroom and bathroom with a total proposed floor area of 37.9sq.m 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**

CC: Dominic Lynch, Ballymorris, Cratloe, Co.Clare V95F5Y8.

Original

TIPPERARY COUNTY COUNCIL

DELEGATED EMPLOYEE'S ORDER

File Ref: **S5/25/136**

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 Sean Lynch, Ballymorris, Cratloe, Co Clare, re: The construction of an extension containing a living area, bedroom and bathroom with a total proposed floor area of 37. 9sq.m at Scraggeen, Newport, Co Tipperary V94YA8D 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 9 of the Planning and Development Regulations 2001, as amended,
- c) Class 1 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001, as amended.

Tipperary County Council has concluded that the development consisting of the construction of an extension containing a living area, bedroom and bathroom with a total proposed floor area of 37. 9sq.m to a property at Scraggeen, Newport, Co Tipperary V94YA8D is development and is exempted development

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 construction of an extension containing a living area, bedroom and bathroom with a total proposed floor area of 37. 9sq.m is **development and IS exempted development.**

Signed:



Brian Beck
Director of Services

Date: 11/11/2025