



PLANNING & DEVELOPMENT ACT, 2000 (as amended)

Application for a Section 5 Declaration
Development / Exempted Development

1. Applicant's address/contact details:

<i>Applicant</i>	John Ryan
<i>Address</i>	Garryard East, Silvermines, Nenagh, Co. Tipperary
<i>Telephone No.</i>	[REDACTED]
<i>E-mail</i>	[REDACTED]

2. Agent's (if any) address:

<i>Agent</i>	Sean A. Ryan - Ryan Architectural Solutions Ltd
<i>Address</i>	Parkstown, Horse and Jockey, Thurles, Co. Tipperary
<i>Telephone No.</i>	[REDACTED]
<i>E-mail</i>	[REDACTED]
<i>Please advise where all correspondence in relation to this application is to be sent;</i>	
Applicant [<input type="checkbox"/>] Agent [<input checked="" type="checkbox"/>]	

3. Location of Proposed Development:

<i>Postal Address or Townland or Location (as may best identify the land or structure in question)</i>	Garryard East, Silvermines, Nenagh, Co. Tipperary. E45 CC98
--	---

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.)

Application relates to the following - Change of use from domestic residential dwelling to provide residential care for a max of 6 residents and 2 carers at above address. in accordance with (a) Section 2,3, & 4 of the planning and development Act 2000 (as Amended), (b) Article 6 & 9 of the planning nad Development Regulation 2001, (as Amended), (c) Class 14 (f) of Part 1 of Schedule 2 of the planning and Development Regulation 2001 (as amended)
The building is proposed to be used by people with ID's People with intellectual disabilities, Mental Health Issue, Restricted Mobility, or person's constrained to a Wheelchair.
Building is proposed to be use by HSE for Residential Care or similar type use.
Proposed floor area of proposed works/uses: 272 sqm

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

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

Signature of Applicant(

(On Behalf of Client)

Date: 27/11/2025

Note: If the proposed development consists of works to a (Proposed) Protected Structure and/or any structure within the curtilage of a (Proposed) Protected Structure, an application for a Section 57 Declaration may be more appropriate.

GUIDANCE NOTES

- (1) All queries on the form must be completed and the form must be accompanied by the relevant fee. The amount of the fee is currently **€80.00**.
- (2) This application should be accompanied by **TWO COPIES** of the following documentation
- OSI Site Location Map with the site outlined clearly – 1:1000 in urban areas and 1:2500 in rural areas
 - Floor Plans & Elevations at a scale of not less than 1:200
 - Site layout plan indicating position of proposed development relative to premises and adjoining properties
 - Other details e.g. brochures, photographs if appropriate.
- (All dimensions must be given in metric scale and drawings should be accompanied by a brief description outlining the use of the proposed development)
- (3) Where a proper and complete application is received, a decision must be conveyed to the applicant within four (4) weeks except where additional necessary information is required.

This application form and relevant fee should be submitted to:

**Planning Section,
Tipperary County Council,
Civic Offices,
Limerick Road,
Nenagh,
Co. Tipperary**

OR

**Planning Section,
Tipperary County Council,
Civic Offices,
Emmet Street,
Clonmel,
Co. Tipperary**

Enquires:

Telephone 0761 06 5000

E-Mail planning@tipperarycoco.ie

FOR OFFICE USE ONLY

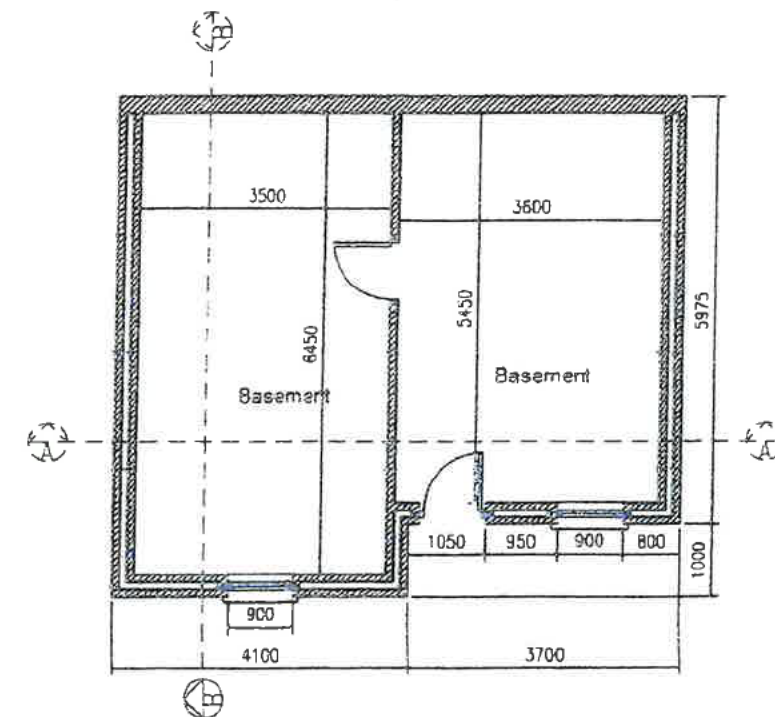
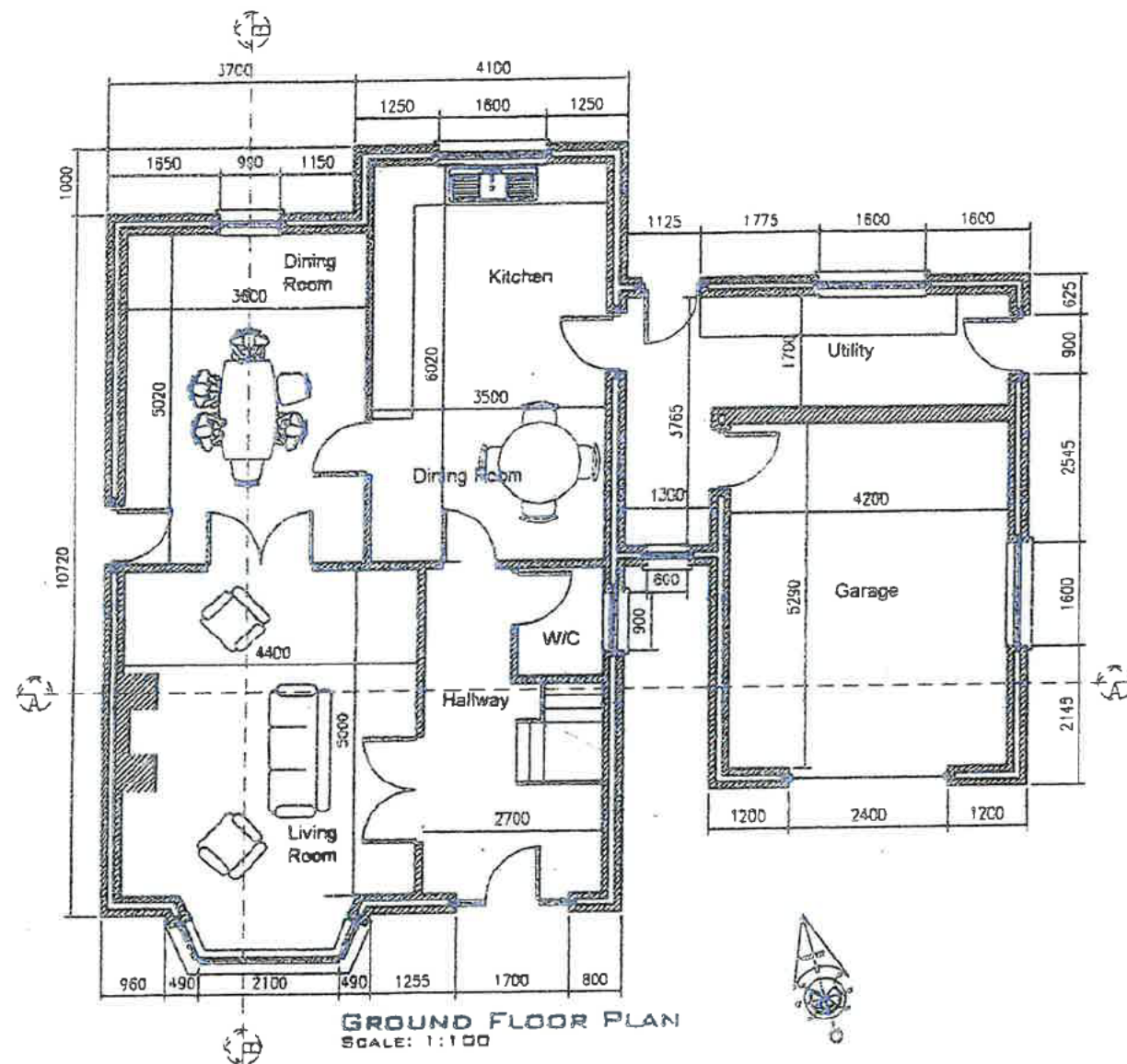
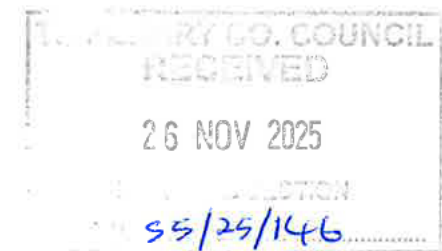
DATE STAMP

Fee Recd. € 80-

Receipt No 133399

Date 26/11/25

Received by _____



BASEMENT FLOOR AREA: 42.7M SQ.
 GROUND FLOOR AREA: 79.3M SQ.
 GARAGE FLOOR AREA: 36.3M SQ.
 FIRST FLOOR AREA: 90.7M SQ.
 ATTIC FLOOR AREA: 24.6M SQ.
 TOTAL FLOOR AREA: 272.5M SQ.

NOTES:
 ALL DRAWINGS SHALL BE READ IN CONJUNCTION
 WITH SPECIFICATIONS. ANY VARIATIONS OR
 DISCREPANCIES TO BE REPORTED IMMEDIATELY
 TO THE DESIGNER BEFORE ANY WORKS
 PROCEED.

ALL DIMENSIONS TO BE CHECKED ON SITE
 BEFORE WORK PROCEEDS. DO NOT SCALE USE
 FIGURED DIMENSIONS ONLY
 NOT FOR CONSTRUCTION UNLESS STATED
 OTHERWISE

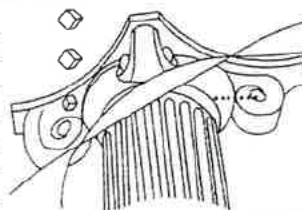
© Copyright
 THIS DRAWING AND ANY DESIGN HEREON IS THE
 COPYRIGHT OF THE RYAN ARCHITECTURAL
 SOLUTIONS Ltd AND MUST NOT BE REPRODUCED
 WITHOUT THEIR WRITTEN CONSENT

ALL DRAWINGS REMAIN THE PROPERTY OF THE
 RYAN ARCHITECTURAL SOLUTIONS Ltd.

ORDNANCE SURVEY LICENCE NO AR00067

REVISIONS

G
F
E
D
C
B
A



Ryan Architectural Solutions Ltd.

- Architectural Technologist
 & Planning Consultants -

Parkstown, Horse and Jockey,
 Thurles, County Tipperary
 Tel: +353 504 90244 Fax: +353 504 90245
 Email: info@ras.ie www.ras.ie

Project:

PROPOSED SECTION 5
 TYPICAL DO. COUNCIL
 RECEIVED

Drawn By:

Scale:

Date:

Stage:

SECTION 5

Title:

BASEMENT & GROUND FLOOR

Job No.:

Drg. No.:

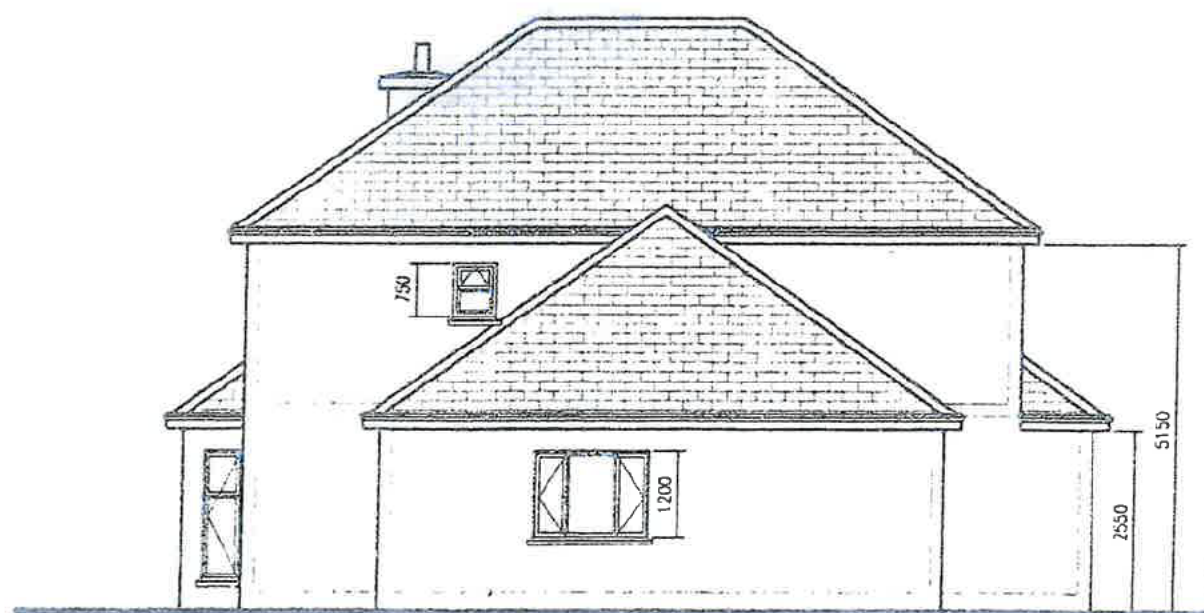
Issue



FRONT ELEVATION
SCALE: 1:100



END ELEVATION
SCALE: 1:100



END ELEVATION
SCALE: 1:100



REAR ELEVATION
SCALE: 1:100

NOTES
ALL DRAWINGS SHALL BE READ IN CONJUNCTION
WITH SPECIFICATIONS. ANY VARIATIONS OR
DISCREPANCIES TO BE REPORTED IMMEDIATELY
TO THE DESIGNER BEFORE ANY WORKS
PROCEED

ALL DIMENSIONS TO BE CHECKED ON SITE
BEFORE WORK PROCEEDS. DO NOT SCALE USE
FIGURED DIMENSIONS ONLY
NOT FOR CONSTRUCTION UNLESS STATED
OTHERWISE

© Copyright

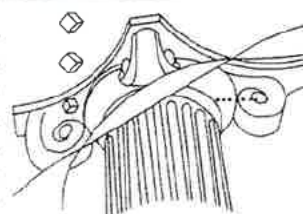
THIS DRAWING AND ANY DESIGN HEREON IS THE
COPYRIGHT OF THE RYAN ARCHITECTURAL
SOLUTIONS LTD AND MUST NOT BE REPRODUCED
WITHOUT THEIR WRITTEN CONSENT

ALL DRAWINGS REMAIN THE PROPERTY OF THE
RYAN ARCHITECTURAL SOLUTIONS LTD

ORDNANCE SURVEY LICENCE NO AR00067

REVISIONS

G
F
E
D
C
B
A



Ryan Architectural Solutions Ltd.

**~ Architectural Technologist
& Planning Consultants ~**

Parkstown, Horse and Jockey,
Thurles, County Tipperary
Tel: +353 504 90244 Fax: +353 504 90245
Email: info@ras.ie www.ras.ie

Project:

PROPOSED SECTION 5
TO HOUSE AT PARKTOWN
SILVERDALE, TIPPERARY
PLANNING SECTION

Drawn By:

Scale:

Date:

Stage:

SECTION 5

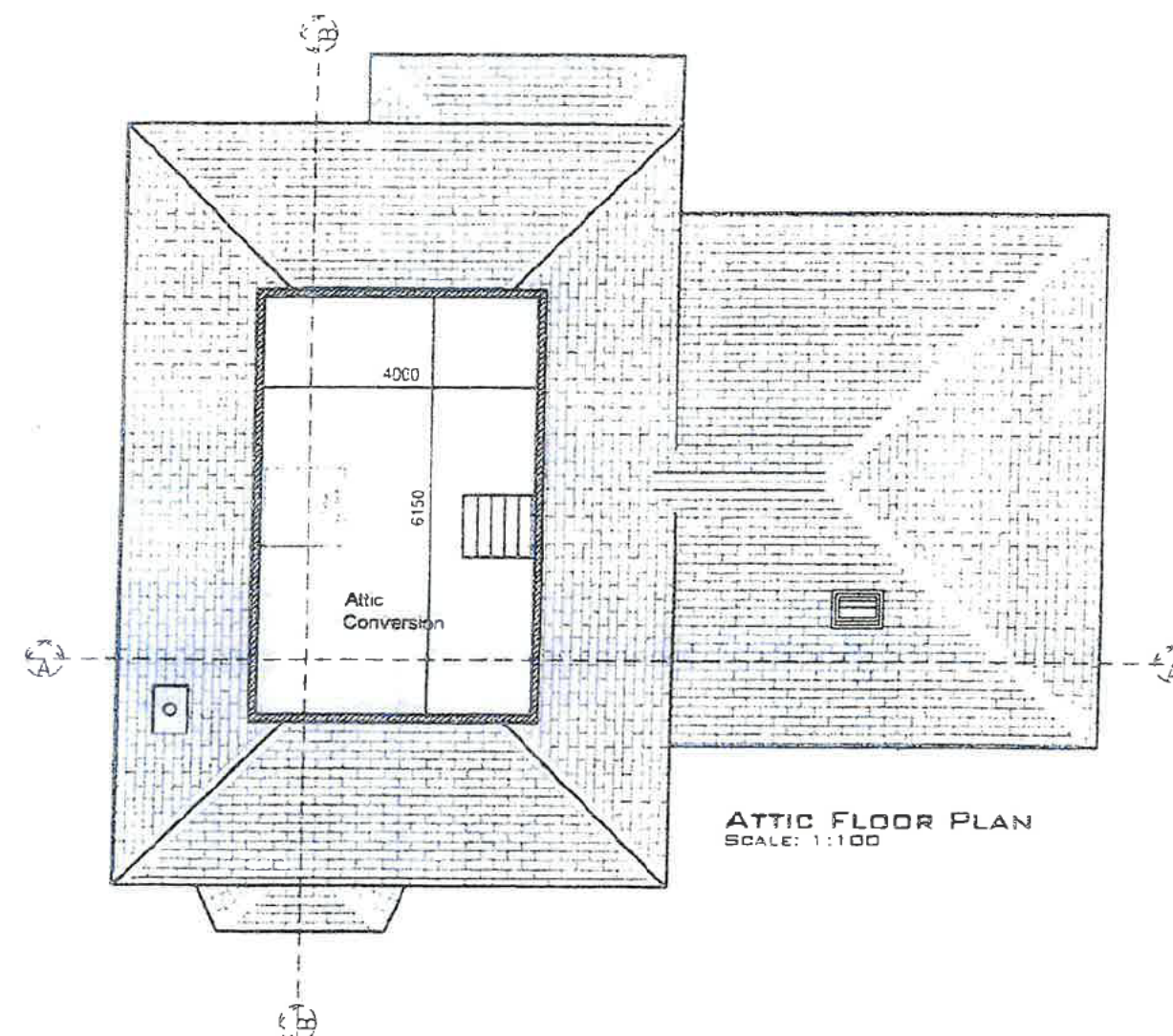
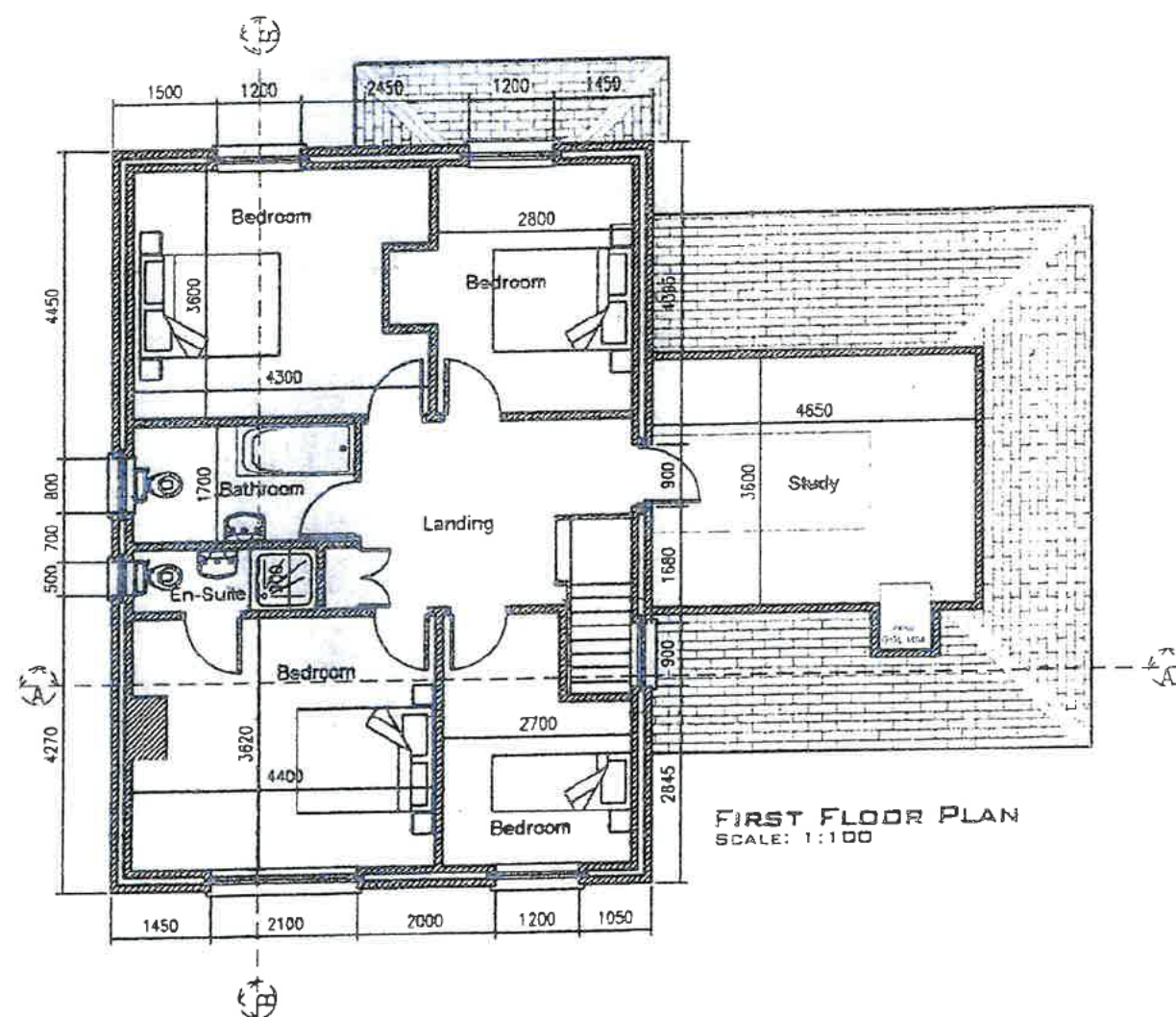
Title:

ELEVATIONS

Job No:

Drg. No:

Issue



BASEMENT FLOOR AREA: 42.7M SQ.
GROUND FLOOR AREA: 79.3M SQ.
GARAGE FLOOR AREA: 36.3M SQ.
FIRST FLOOR AREA: 90.7M SQ.
ATTIC FLOOR AREA: 24.6M SQ.
TOTAL FLOOR AREA: 272.6M SQ.

NOTES:
ALL DRAWINGS SHALL BE READ IN CONJUNCTION WITH SPECIFICATIONS. ANY VARIATIONS OR DISCREPANCIES TO BE REPORTED IMMEDIATELY TO THE DESIGNER BEFORE ANY WORKS PROCEED.

ALL DIMENSIONS TO BE CHECKED ON SITE BEFORE WORK PROCEEDS. DO NOT SCALE USE FIGURED DIMENSIONS ONLY.
NOT FOR CONSTRUCTION UNLESS STATED OTHERWISE.

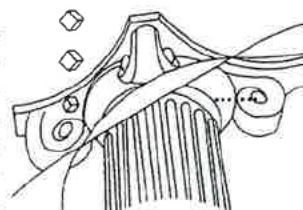
© Copyright
THIS DRAWING AND ANY DESIGN HEREON IS THE COPYRIGHT OF THE RYAN ARCHITECTURAL SOLUTIONS Ltd AND MUST NOT BE REPRODUCED WITHOUT THEIR WRITTEN CONSENT

ALL DRAWINGS REMAIN THE PROPERTY OF THE RYAN ARCHITECTURAL SOLUTIONS Ltd

ORDNANCE SURVEY LICENCE NO AR00067

REVISIONS

G
F
E
D
C
B
A



Ryan Architectural Solutions Ltd.

~ Architectural Technologist & Planning Consultants ~

Parktown, Horse and Jockey,
Thurles, County Tipperary
Tel: +353 504 90244 Fax: +353 504 90245
Email: info@ras.ie www.ras.ie

Project:

PROPOSED SECTION 5
TO HOUSE AT GARRYARD
SILVERMINES, MENCHION, TIPPERARY
FOR JOHN RYAN

Drawn By:

Scale:

Date:

Nov 25

Stage:

SECTION 5

Title:

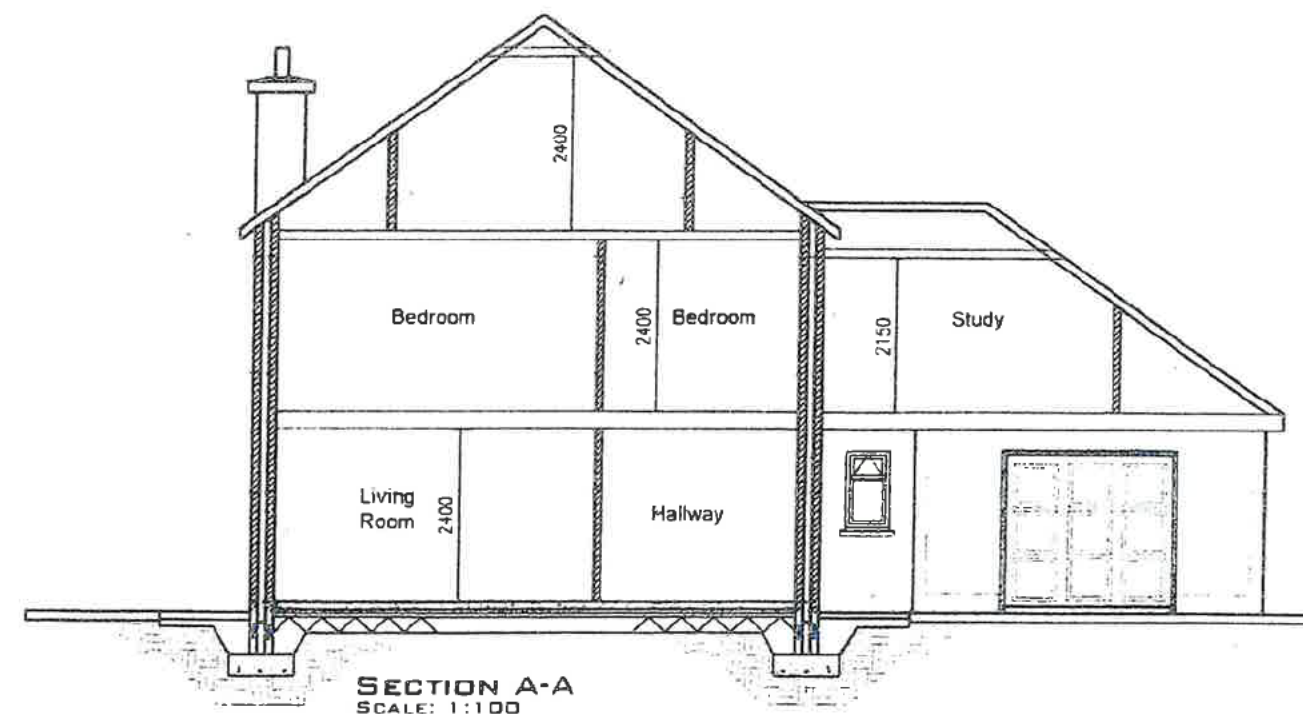
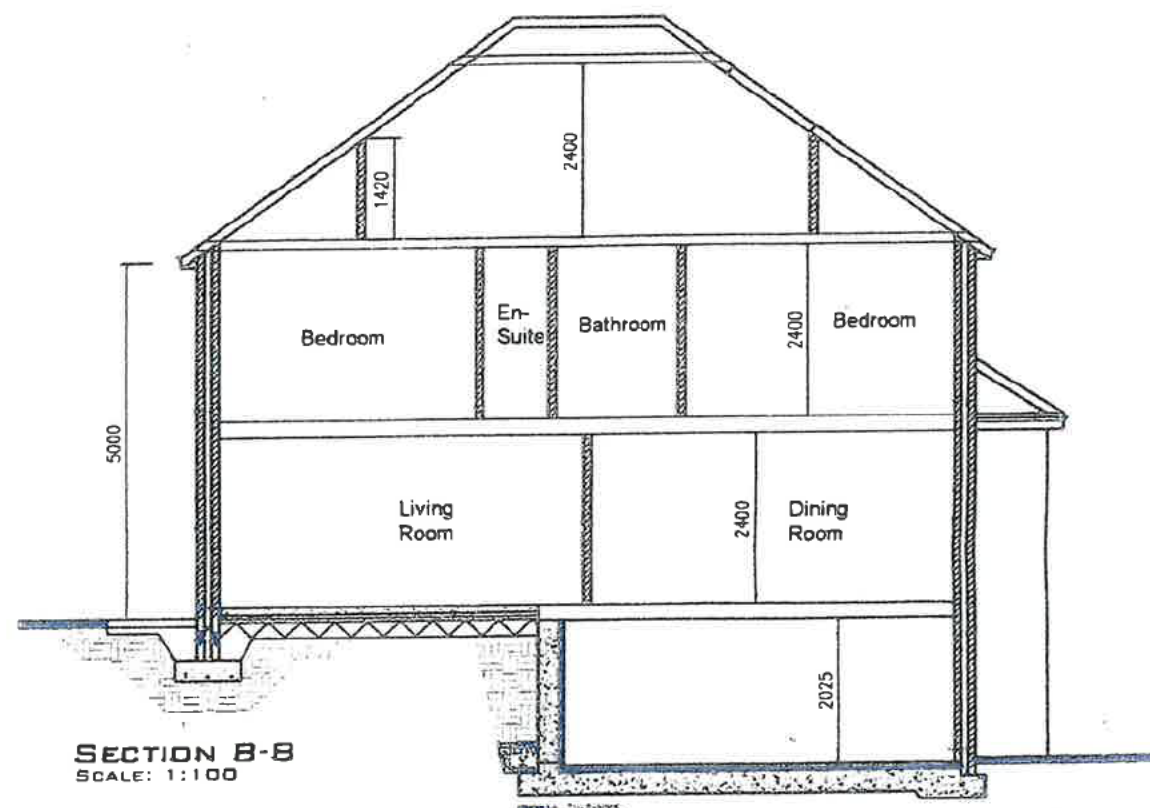
FIRST & ATTIC FLOOR

Job No.

Drg. No:

S-03

Issue



NOTES:
ALL DRAWINGS SHALL BE READ IN CONJUNCTION WITH SPECIFICATIONS. ANY VARIATIONS OR DISCREPANCIES TO BE REPORTED IMMEDIATELY TO THE DESIGNER BEFORE ANY WORKS PROCEED.

ALL DIMENSIONS TO BE CHECKED ON SITE BEFORE WORK PROCEEDS. DO NOT SCALE USE FIGURED DIMENSIONS ONLY.
NOT FOR CONSTRUCTION UNLESS STATED OTHERWISE.

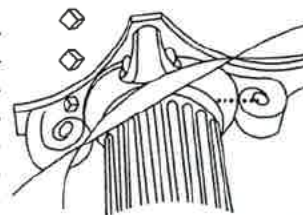
© Copyright
THIS DRAWING AND ANY DESIGN HEREON IS THE COPYRIGHT OF THE RYAN ARCHITECTURAL SOLUTIONS Ltd AND MUST NOT BE REPRODUCED WITHOUT THEIR WRITTEN CONSENT.

ALL DRAWINGS REMAIN THE PROPERTY OF THE RYAN ARCHITECTURAL SOLUTIONS Ltd.

ORDNANCE SURVEY LICENCE NO AR00067

REVISIONS

G
F
E
D
C
B
A



Ryan Architectural Solutions Ltd.

~ Architectural Technologist & Planning Consultants ~

Parkstown, Horse and Jockey,
Thurles, County Tipperary
Tel: +353 504 90244 Fax: +353 504 90245
Email: info@ras.ie www.ras.ie

Project:

PROPOSED SECTION 5
TO HOUSE AT GARRYARD,
SILVERMINES, NENAGH, TIPPERARY
FOR JOHN RYAN

Drawn By:

Scale:

1:100

Date:

Nov 25

Stage:

SECTION 5

Title:

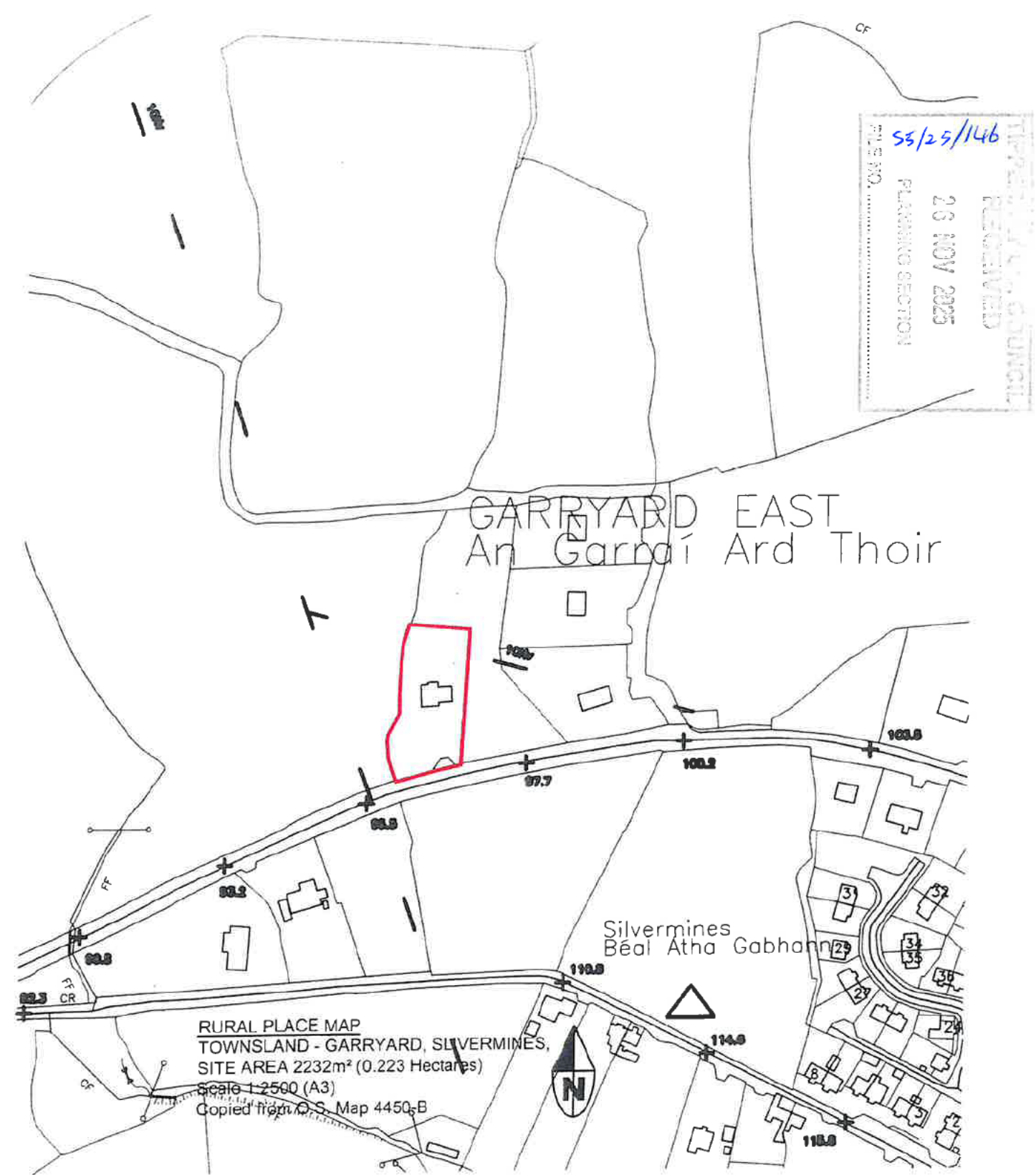
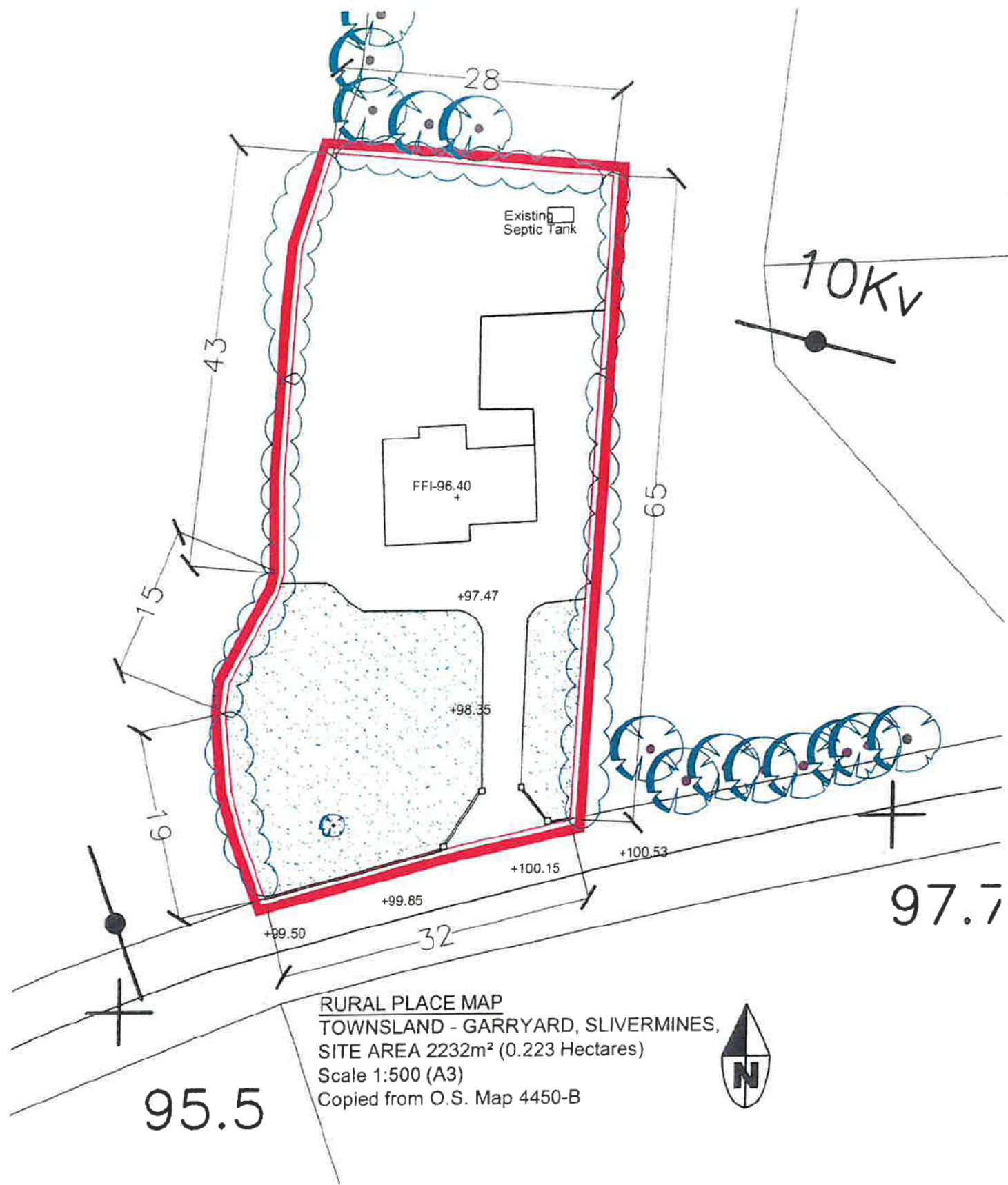
ELEVATIONS

Job No.

Drg. No:

S-05

Issue

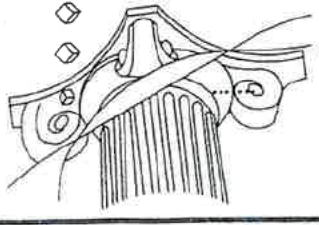


55/25/146
26 NOV 2025
PLANNING SECTION
RECEIVED
TIPPERARY COUNCIL

NOTES
ALL DRAWINGS SHALL BE READ IN CONJUNCTION WITH SPECIFICATIONS. ANY VARIATIONS OR DISCREPANCIES TO BE REPORTED IMMEDIATELY TO THE DESIGNER BEFORE ANY WORKS PROCEED
ALL DIMENSIONS TO BE CHECKED ON SITE BEFORE WORK PROCEEDS. DO NOT SCALE USE FIGURED DIMENSIONS ONLY
NOT FOR CONSTRUCTION UNLESS STATED OTHERWISE

© Copyright
THIS DRAWING AND ANY DESIGN HEREON IS THE COPYRIGHT OF THE RYAN ARCHITECTURAL SOLUTIONS LTD AND MUST NOT BE REPRODUCED WITHOUT THEIR WRITTEN CONSENT.
ALL DRAWINGS REMAIN THE PROPERTY OF THE RYAN ARCHITECTURAL SOLUTIONS LTD
ORDNANCE SURVEY LICENCE NO AR00067

REVISIONS
G
F
E
D
C
B
A



Ryan Architectural Solutions Ltd.
~ Architectural Technologist & Planning Consultants ~
Parkstown, Horse and Jockey,
Thurles, County Tipperary
Tel: +353 504 90244 Fax: +353 504 90245
Email: info@ras.ie www.ras.ie

Project: PROPOSED SET OUT FOR HOUSE AT GARRYARD SILVERMINES, NENAGH, TIPPERARY FOR JOHN RYAN		
Drawn By:	Scale:	Date:
	1:500 (A3)	14.11.25

Stage: SECTION 5		
Title: Site Plan & Location map		
Job No.	Org. No.	Issue
	S 01	



Comhairle Contae Thiobraid Árann
Tipperary County Council

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

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

t 0818 06 5000/601
e customerservice
@tipperarycoco.ie
tipperarycoco.ie

Date: 26th November, 2025 Our Ref: S5/25/146 Civic Offices, Nenagh

**John Ryan
C/O Sean A Ryan
Parkstown
Horse and Jockey
Thurles
Co Tipperary**

Re: Application for a Section 5 Declaration – change of use from domestic residential dwelling to provide residential care at Garryard East, Silvermines, Nenagh, Co Tipperary, E45CC98.

Dear Mr Ryan,

I acknowledge receipt of your application for a Section 5 Declaration received on 26th November 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.: S5/25/146

Applicant: John Ryan

Development Address: Garryard East, Silvermines, Nenagh, Co. Tipperary,

Proposed Development: Change of use from domestic residential dwelling to provide residential care for a max of 6 residents and 2 carers

1. SUMMARY

A request was made for a declaration under Section 5 of the Planning and Development Act, 2000, as amended as to whether or not the following constituted development and if so, whether same was exempted development:

- Change of use from domestic residential dwelling to provide residential care for a max of 6 residents and 2 carers

Section 4 of the application form further states that:

- The building is proposed to be used by people with intellectual disabilities, mental health issues, restricted mobility or persons constrained by a wheelchair.

2. LEGISLATION

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

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

Section 3 (1) of the Planning and Development Act 2000, as amended, states as follows:-

“In this Act, ‘development’ means, except where the context otherwise requires, the carrying out of works on, in, over or under land or the making of any material change in the use of any structures or other land.”

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

Section 4(1) (h) states:

4.—(1) The following shall be exempted developments for the purposes of this Act—
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

The Planning and Development Regulations 2001 (as amended) contain the following exemptions under Schedule 2 Part 1:

CLASS 14

Development consisting of a change of use—

- (f) from use as a house, to use as a residence for persons with an intellectual or physical disability or mental illness and persons providing care for such persons. The number of persons with an intellectual or physical disability or a mental illness living in any such residence shall not exceed 6 and the number of resident carers shall not exceed 2.

3. ASSESSMENT

a. *Site Location*

The site is located at Garryard East, just north-east of Silvermines village. The site is accessed off the Regional road, R499.

b. *Planning History*

On Site:

- 05511430 Retention permission granted for attic conversion, 1st floor area above garage, basement and modifications to elevations and to retain entrance
- 03511310 Permission consequent granted on a Grant of Outline Permission Ref: 03510120 to construct a two storey house, septic tank and entrance.
- 03510120 Outline permission granted for a dwellinghouse, septic tank and entrance.

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 change of use would involve “development” within the meaning of Section 3 of the Act as it would result in a material change of use of the premises.

B) “Is or is not Exempted Development”

It is considered that the proposed change of use comes within the criteria as set under Class 14 (f) Schedule 2 Part 1 of the Planning & Development Regulations 2001, as amended, which relates to ‘*Exempted Development - Change of Use*’.

C) “Restrictions on Exemption”

Article 9 of the Regulations sets out Restrictions on Exemptions and states:

Development to which Article 6 relates shall not be exempted development for the purposes of the Act—

(a) if the carrying out of such development would—

- (i) contravene a condition attached to a permission under the Act or be inconsistent with any use specified in a permission under the Act,
- (iii) endanger public safety by reason of traffic hazard or obstruction of road users,

(viiB) comprise development in relation to which a planning authority or An Bord Pleanála is the competent authority in relation to appropriate assessment and the development would require an appropriate assessment because it would be likely to have a significant effect on the integrity of a European site,

(viii) consist of or comprise the extension, alteration, repair or renewal of an unauthorised structure or a structure the use of which is an unauthorised use.

Having examined the planning history for the site, it is noted that the proposal does not contravene any condition attached to planning permissions on this site. The exemption is not restricted under Article 9 (a) (i).

The site is served by an existing access off the Regional road, R499 that offers clear visibility in both directions of the entrance. Having regard to the use proposed, which is unlikely to generate significant additional traffic movements to and from the site and would be similar to that of a dwelling, it is considered that the development would not endanger public safety by reason of traffic hazard or obstruction of road users. The exemption is not restricted under Article 9 (a) (ii).

An Appropriate Assessment Screening Assessment of the project has been undertaken which concludes that the project would not give rise to significant impacts on a Natura 2000 (European) and that appropriate assessment would not be required. The exemption is not restricted under Article 9 (a) (viiB).

The proposed development is for change of use of existing dwelling to Class 14 (f) and therefore is not a class of development for which EIA is required. See EIA Screening Assessment attached.

Article 9 places a restriction on the Class 14 exemption if the carrying out of such development would—

(viii) consist of or comprise the extension, alteration, repair or renewal of an unauthorised structure or a structure the use of which is an unauthorised use.

The structure on site is not considered to be unauthorised. It is noted that retention permission was granted under planning reference 05511430 for retention of an attic conversion, 1st floor area above garage, basement and modifications to elevations and to retain entrance

There are no restrictions noted under Article 6 and 9 which apply to the proposed development

D) “Environmental Assessments”

The development proposed has been screened for AA and it has been determined that an AA is not required.

The development is not a type of development included for under Schedule 5 of the Planning and Development Regulations 2001, as amended. See also Environmental Impact Assessment (EIA) pre-screening report attached as Appendix 2 of this planning report.

4. RECOMMENDATION

WHEREAS a question has arisen as to whether the ‘Change of use from domestic residential dwelling to provide residential care for a max of 6 residents and 2 carers’ at Garryard East, Silvermines constitutes “development” and “exempted development”.

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

- Sections 2, 3 and 4 of the Planning and Development Act 2000 (as amended)
- Article 6 & 9 of the Planning and Development Regulations 20001, as amended,

- Class 14 (f) of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended)

AND WHEREAS Tipperary County Council has concluded that –

The proposed development, as presented on the drawings and details provided with the Declaration application, constitutes “development” within the meaning of the Planning and Development Act 2000 as amended and is “**exempted development**”.

District Planner:

Olive O'Donnell

Date: 16/12/2025

Senior Executive Planner:

Jonathan Flood

Date: 17/12/2025

HABITATS DIRECTIVE APPROPRIATE ASSESSMENT (AA) SCREENING REPORT

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

(a) File Reference No:	S5/25/146
(b) Brief description of the project or plan:	As per planner's report
(c) Brief description of site characteristics:	As per planner's report
(d) Relevant prescribed bodies consulted: e.g. DHLGH (NPWS), EPA, OPW	None
(e) Response to consultation:	N/a

STEP 2. Identification of relevant Natura 2000 sites using Source-Pathway-Receptor model and compilation of information on Qualifying Interests and conservation objectives.

European Site (code)	List of Qualifying Interest/Special Conservation Interest ¹	Distance from proposed development ² (km)	Connections (Source-Pathway-Receptor)	Considered further in screening Y/N
Slievefelim to Silvermines Mountains SPA	https://www.npws.ie/protected-sites/spa/004165	Within 1km	None	No
Lough Derg (Shannon) SPA	https://www.npws.ie/protected-sites/spa/004058	Within 15km	None	No
Lower River Shannon SAC	https://www.npws.ie/protected-sites/sac/002165	Within 15km	None	No
Keeper Hill SAC	https://www.npws.ie/protected-sites/sac/001197	Within 15km	None	No
Silvermines Mountains West SAC	https://www.npws.ie/protected-sites/sac/002258	Within 10km	None	No

Silvermine Mountains SAC	https://www.npws.ie/protected-sites/sac/000939	Within 1km	None	No
Bolingbrook Hill SAC	https://www.npws.ie/protected-sites/sac/002124	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 impacts anticipated
<p>Operational phase e.g.</p> <ul style="list-style-type: none"> • Direct emission to air and water • Surface water runoff containing contaminant or sediment • Lighting disturbance • Noise/vibration • Changes to water/groundwater due to drainage or abstraction • Presence of people, vehicles and activities • Physical presence of structures (e.g. collision risks) • Potential for accidents or incidents <p>In-combination/Other</p>	Given the scale and nature of the proposed development and the distance to the nearest Natura 2000 site it is considered that there is no likelihood of significant effects on European Sites in the wider catchment area.

(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 	It is considered that there is no likelihood of significant effects on European Sites in the wider catchment area.
---	--

(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, it is concluded that the proposed development, individually or in-combination with other plans or projects, will not have an impact on the above listed European sites

Conclusion:

	Tick as Appropriate:	Recommendation:
(i) It is clear that there is no likelihood of significant effects on a European site.	<input checked="" type="checkbox"/>	The proposal can be screened out: Appropriate assessment not required.
(ii) It is uncertain whether the proposal will have a significant effect on a European site.	<input type="checkbox"/>	<input type="checkbox"/> Request further information to complete screening <input type="checkbox"/> Request NIS <input type="checkbox"/> Refuse planning permission
(iii) Significant effects are likely.	<input type="checkbox"/>	<input type="checkbox"/> Request NIS <input type="checkbox"/> Refuse planning permission
Signature and Date of Recommending Officer:	Olive O'Donnell	Date: 16/12/2025

EIA PRE-SCREENING

Establishing a development is a 'sub-threshold development'

File Reference:	S5/25/146
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

Original

TIPPERARY COUNTY COUNCIL

DELEGATED EMPLOYEE'S ORDER

File Ref: **S5/25/146** **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 John Ryan, C/O Sean A Ryan, Parkstown, Horse and Jockey, Thurles, Co. Tipperary, re: Change of use from domestic residential dwelling to provide residential care for a max of 6 residents and 2 carers at Garryard East, Silvermines, Nenagh, Co. Tipperary is development and is exempted development.

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

- Sections 2, 3 and 4 of the Planning and Development Act 2000 (as amended)
- Article 6 & 9 of the Planning and Development Regulations 20001, as amended,
- Class 14 (f) of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended)

AND WHEREAS Tipperary County Council has concluded that –
The proposed development, as presented on the drawings and details provided with the Declaration application, constitutes "development" within the meaning of the Planning and Development Act 2000 as amended and is "**exempted development**".

Signed:



Brian Beck
Director of Services

Date: 18/12/2025



Date: 18th December, 2025

Our Ref: S5/25/146

Civic Offices, Nenagh

John Ryan
C/O Sean A Ryan
Parkstown
Horse & Jockey
Thurles
Co. Tipperary

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

Dear Mr Ryan,

I refer to your application for a Section 5 Declaration received on 26th November, 2025, in relation to the following proposed works:

Change of use from domestic residential dwelling to provide residential care for a max of 6 residents and 2 carers at Garryard East, Silvermines, Nenagh, Co. Tipperary,

WHEREAS a question has arisen as to whether the proposed development is or is not exempted development:

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

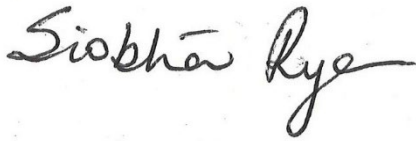
- Sections 2, 3 and 4 of the Planning and Development Act 2000 (as amended)
- Article 6 & 9 of the Planning and Development Regulations 2000, as amended,
- Class 14 (f) of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended)

AND WHEREAS Tipperary County Council has concluded that –

The proposed development, as presented on the drawings and details provided with the Declaration application, constitutes "development" within the meaning of the Planning and Development Act 2000 as amended 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 written in a cursive style with a large, stylized 'S' and 'R'.

for **Director of Services**