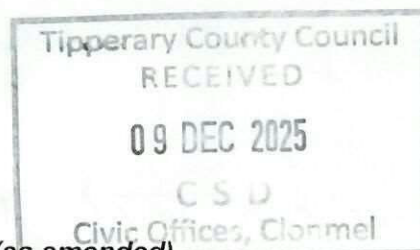




Comhairle Contae Thiobraid Árann  
Tipperary County Council



PLANNING & DEVELOPMENT ACT, 2000 (as amended)

Application for a Section 5 Declaration  
Development / Exempted Development

1. Applicant's address/contact details:

Applicant	DAVID & PULOMENA & BARRY
Address	35 ABBEY MEADOWS, CLONMEL, CLONMEL - E91 W867
Telephone No.	
E-mail	

2. Agent's (if any) address:

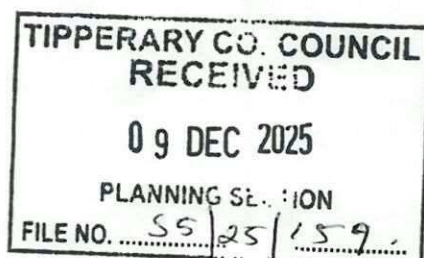
Agent	
Address	
Telephone No.	
E-mail	

Please advise where all correspondence in relation to this application is to be sent;

Applicant ☒ Agent ☐

3. Location of Proposed Development:

Postal Address or Townland or Location (as may best identify the land or structure in question)	35 ABBEY MEADOWS, CLONMEL, CLONMEL
---	--



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.

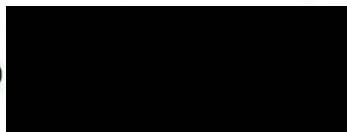
(Note: only works and uses listed and described under this section will be assessed under this Section 5 Application. Use additional sheets if required.)

20m <sup>2</sup> sunroom (5m x 4m) at the rear	
of the property, constructed in 2010.	
Also internal conversion of garage to a	
living room, area 18.4m <sup>2</sup> . This did not	
impact the footprint of the property.	
Proposed floor area of proposed works/uses:	sqm 38.4m <sup>2</sup>

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"/>	B. Occupier
	C. Other	
Where legal interest is 'Other', please expand further on your interest in the land or structure	N/A	
If you are not the legal owner, please state the name and address of the owner	Name: N/A Address: N/A	

Signature of Applicant(s)



Date:

4<sup>th</sup> Dec, 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:

<b>Planning Section, Tipperary County Council, Civic Offices, Limerick Road, Nenagh, Co. Tipperary</b>	<b><u>OR</u></b>	<b>Planning Section, Tipperary County Council, Civic Offices, Emmet Street, Clonmel, Co. Tipperary</b>
<b>Enquires:</b>  <b>Telephone 0818 06 5000</b>  <b>E-Mail <a href="mailto:planning@tipperarycoco.ie">planning@tipperarycoco.ie</a></b>		

<b>FOR OFFICE USE ONLY</b>	
<b>Fee Recd. €</b> <u>80</u> <b>Receipt No</b> <u>198887</u> <b>Date</b> <u>08/12/2025</u> <b>Received by</b> <u>Hebe Pratt</u>	<div style="text-align: center;"><b><u>DATE STAMP</u></b></div> <div style="text-align: center;"></div>



Clárúcháin Luachail,  
Suirbhíreacha  
Rialaithe, Valúcháin,  
Suirbhíreacha

**Tailte  
Éireann**

### Official Tailte Éireann Registration Map

This map should be read in conjunction with the folio

Tailte Éireann (TE) Registration mapping is based on TE Surveying mapping. Where TE Registration maps are printed at a scale that is larger than the TE Surveying scale, accuracy is limited to that of the TE Surveying map scale.

For details of the terms of use and limitations of scale, accuracy and other conditions relating to TE Registration maps, see [www.tailte.ie](http://www.tailte.ie).

This map incorporates TE Surveying map data under a licence from TE. Copyright © Tailte Éireann and Government of Ireland.

(centre-line of parcel(s) edged)

- Freehold
- Leasehold
- SubLeasehold
- 'S' Register

(see Section 8(b)(ii) of Registration of Title Act 1964 and Rules 224 & 225 Land Registration Rules 1972 - 2010).

Burdens (may not all be represented on map)

- Right of Way / Wayleave
- Turbary
- Pipeline
- Well
- Pump
- Septic Tank
- Soak Pit

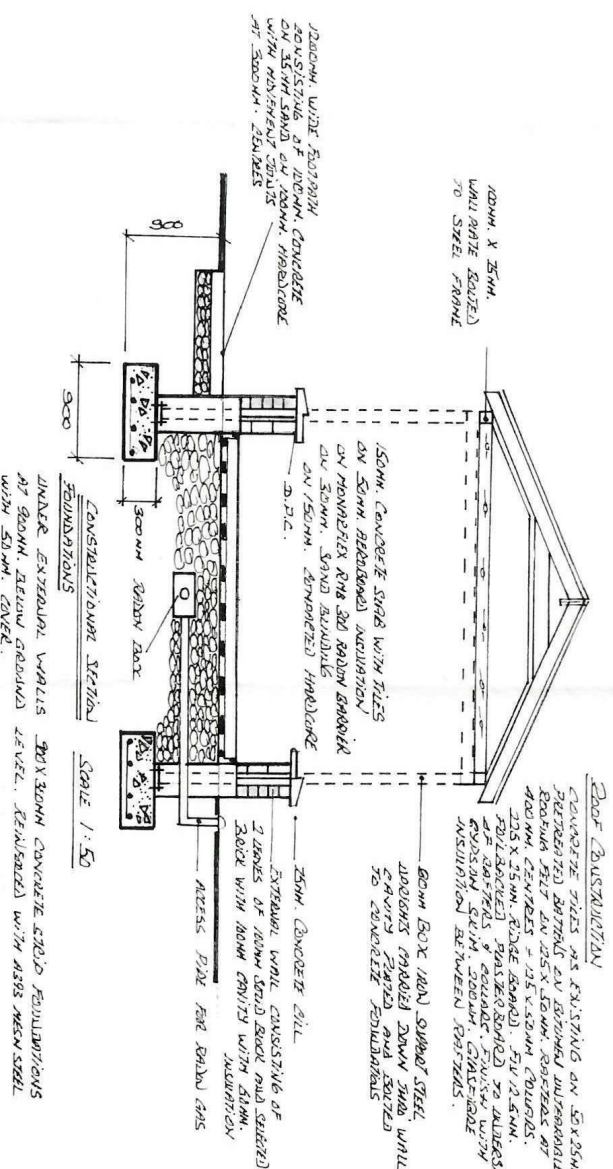
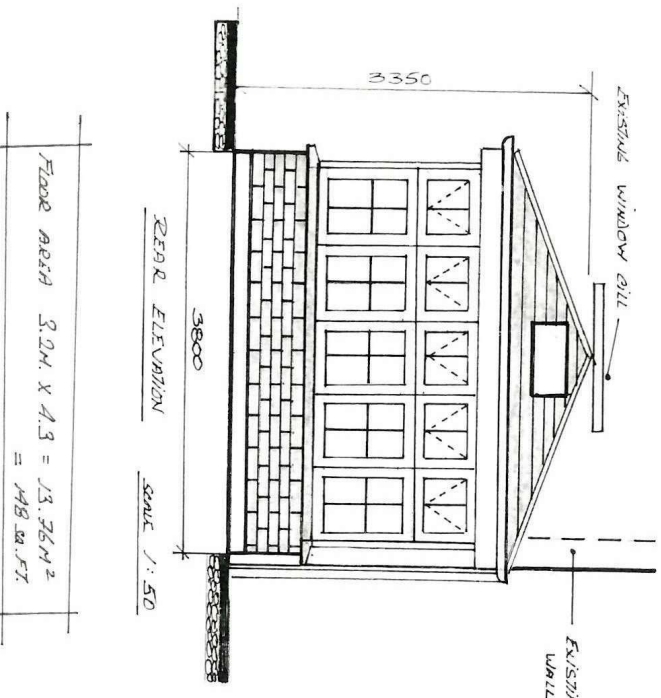
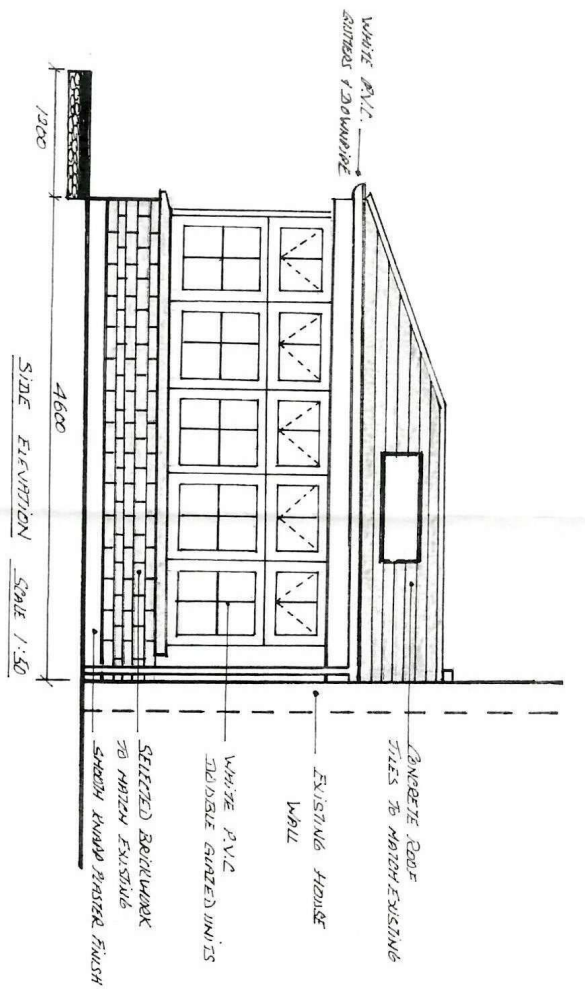
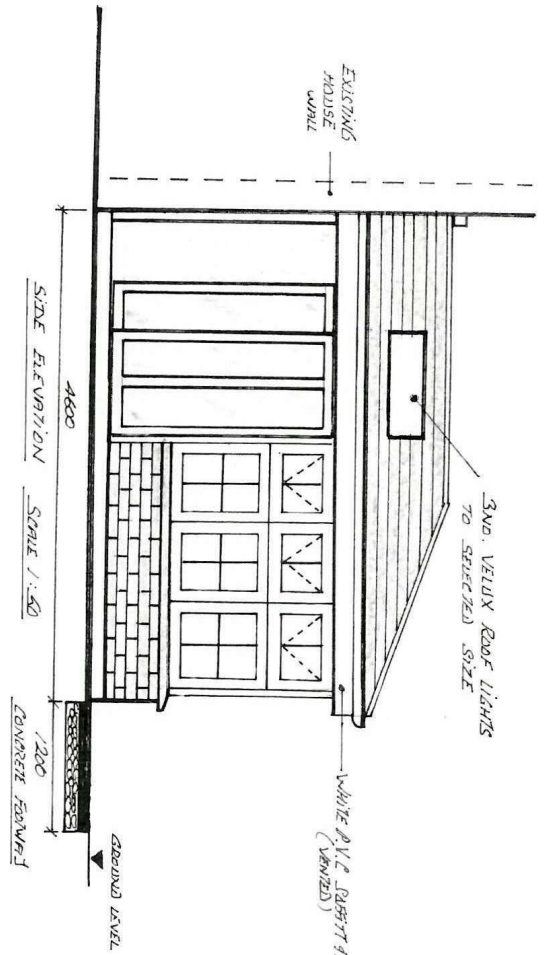
A full list of burdens and their symbology can be found at: [www.landdirect.ie](http://www.landdirect.ie)

Tailte Éireann Registration operates a non-conclusive boundary system. The TE Registration map identifies properties not boundaries meaning neither the description of land in a folio nor its identification by reference to a TE Registration map is conclusive as to the boundaries or extent.

(see Section 85 of the Registration of Title Act, 1964). As Inserted by Section 62 of the Registration of Deed and Title Act 2006.







Note - Velux Not Put In

FLOOR AREA 3.2M. X 4.3 = 13.76M<sup>2</sup>  
= 148 SQ. FT.

PROJECT: NEW CONSERVATORY  
AT BARRYMEADOWS,  
GLIMMEL.



Project Management & Design

Damian Hyland

Technical Draughtsman

Phone: 087 9905428

052 6122472

22 O'Rahilly Avenue, Clonmel.



REAR 35 ABBEY MEADOWS

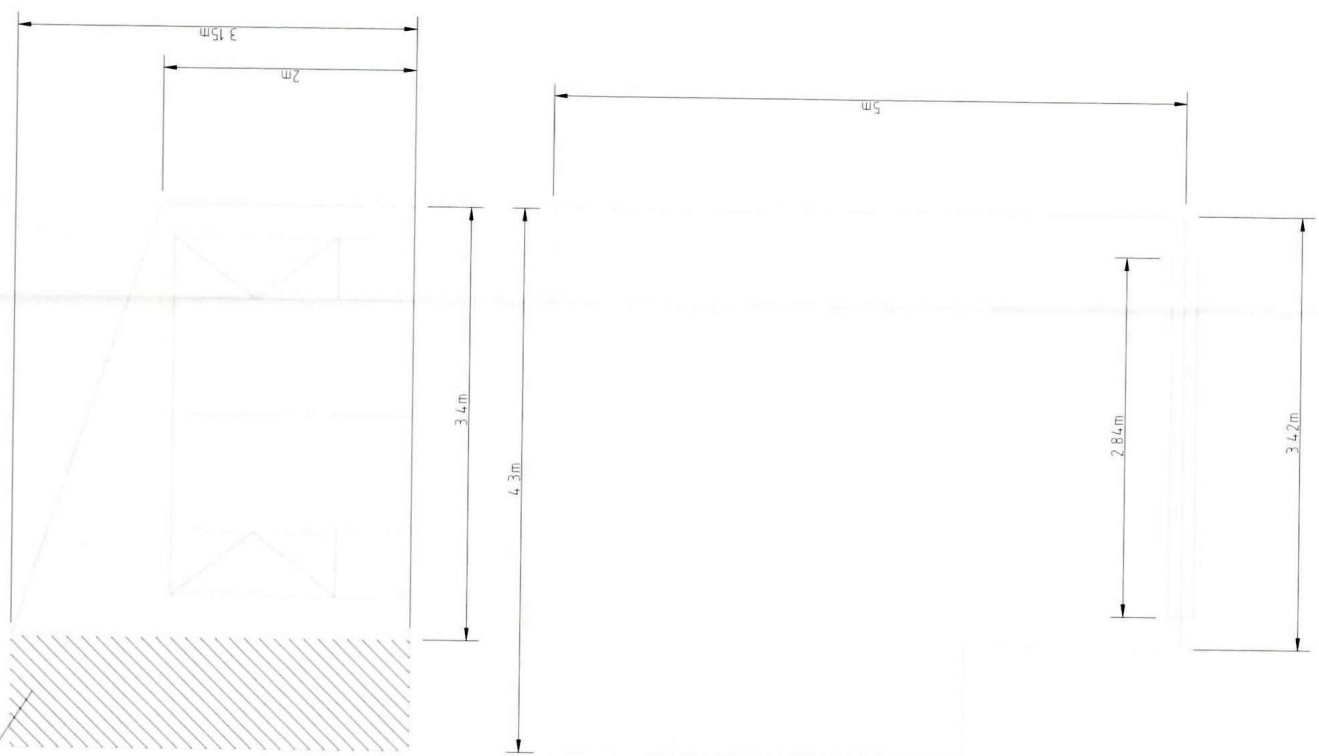




REAR 35 ABBEY MEADOWS

Change of  
use from garage  
to living room.

EXISTING DWELLING



1	MS	Rev: 2025	Drawn							
MS	Initials	Date	Description							
Project:										
Drawing Title:										
GARAGE CONVERSION										
Design:	Checked:									
Final	Approved:									
Drawn:										
MS										
Scale:	Date :- DEC 2025									
Drawing Name :-										
Ridgale Abbey Meadows										



# SITE LAYOUT



55/25/159



The total area  
of the remaining  
back yard is not less  
than 25sq.m.

D Barry

SITE LAYOUT





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 5000/600  
e customerservice  
@tipperarycoco.ie  
[tipperarycoco.ie](http://tipperarycoco.ie)

Date: 10<sup>th</sup> December 2025

Our Ref: S5/25/159

Civic Offices, Clonmel

**David and Philomena Barry,  
35 Abbey Meadows,  
Cahir Road,  
Clonmel,  
Co Tipperary.**

**Re: Application for a Section 5 Declaration – proposed development consisting of a 20m<sup>2</sup> sunroom (4mx4m) at the rear of the property, constructed in 2010. Also, internal conversion of garage to a living room area, 18.4m<sup>2</sup> at 35 Abbey Meadows, Cahir Road, Clonmel, Co. Tipperary.**

A Chara,

I acknowledge receipt of your application for a Section 5 Declaration received on 9<sup>th</sup> December 2025, in connection with the above.

I wish to advise that you will be notified of a decision on your application in due course.

Mise le meas,

**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

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**Planning Reference:** S5.25.159

**Applicant:** David & Philomena Barry

**Development Address:** 35 Abbey Meadows, Cahir Road, Clonmel E91 W867

**Proposed Development:** Construction of a 20m<sup>2</sup> sunroom at the rear of the property, constructed in 2010. Also, internal conversion of garage to a living room area, 18.4m<sup>2</sup>.

---

#### 1. GENERAL

On 9<sup>th</sup> December 2025 a request was made for a declaration under Section 5 of the Planning and Development Act, 2000 as amended by David & Philomena Barry as to whether or not the following works constituted development and if so, whether same was exempted development:

- Construction of a 20 sq m sunroom at the rear of the property, constructed in 2010. Also, internal conversion of garage to a living room area, 18.4 sq 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 (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.

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

*(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.

### **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

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.

## **5. ASSESSMENT**

### **a. *Site Location***

The site is located at 35 Abbey Meadows, Cahir Road, Clonmel

### **b. *Relevant Planning History***

None recorded. GIS and I Plan reviewed for INISHLOUNAGHT townland.



### **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"**

I have assessed the proposal relative to the Class 1 Exemption below;

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. **The house has not been extended previous to the extensions subject to this exemption. The floor area does not exceed 40 sq m.**

(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. **NA**

(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. **NA as ground floor extension only.**

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. **NA – Dwelling was not extended prior to the extensions subject to this application.**

(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. **NA**

(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. **NA**

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

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 height of the walls of the conservatory do 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. **NA**

(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 height of the conservatory does 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 rear amenity space will not be reduced 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. **The windows in the conservatory and converted garage are not 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. **NA**

(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. **NA**

7. The roof of any extension shall not be used as a balcony or roof garden. **The roof of the conservatory/converted garage is not in use as a balcony or roof garden.**

C) Restrictions under Article 9

The restrictions under Article 9 do not apply.

D) Requirement for Appropriate Assessment and Environmental Impact Assessment

**AA**

An Appropriate Assessment Screening has been undertaken that determines AA is not required.

**EIA**

The proposal is not a category of development that requires EIA.

## 6. **RECOMMENDATION**

**WHEREAS** a question has arisen as to whether the construction of a 20 sq m sunroom at the rear of the property, constructed in 2010. Also, internal conversion of garage to a living room area, 18.4m<sup>2</sup>. is development and is or is not exempted development:

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

- (a) Sections 2, 3 and 4 of the Planning and Development Act, 2000, as amended
- (b) Articles 6 and 9 of the Planning & Development Regulations 2001, as amended,
- (c) Class 1 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001, as amended,
- (d) The declaration application and supporting information submitted.

**AND WHEREAS** Tipperary County Council has concluded that –

The proposal is works and development and is “exempted development” as it DOES fall under the exempted development provisions as set out under Section 4 of the Planning and Development Act 2000, as amended.

*Eoin Buckley*

Signed: \_\_\_\_\_

Date: 17/12/2025

*C. Conway*

Signed:

Date: 13.1.2026



## HABITATS DIRECTIVE APPROPRIATE ASSESSMENT (AA) SCREENING REPORT

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

(a) File Reference No:	S5/25/159
(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:	N/a. No referrals made.

### 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 <sup>1</sup>	Distance from proposed development <sup>2</sup> (km)	Connections (Source-Pathway-Receptor)	Considered further screening in Y/N
002137 Lower River Suir	<a href="https://www.npws.ie/protected-sites/sac/002137">https://www.npws.ie/protected-sites/sac/002137</a>	Within 10km	None	No
000668 Nire Valley Woodlands	<a href="https://www.npws.ie/protected-sites/sac/000668">https://www.npws.ie/protected-sites/sac/000668</a>	Within 10km	None	No
001952 Comeragh Mountains	<a href="https://www.npws.ie/protected-sites/sac/001952">https://www.npws.ie/protected-sites/sac/001952</a>	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.)
<b>Construction phase e.g.</b> <ul style="list-style-type: none"> <li>Vegetation clearance</li> <li>Demolition</li> <li>Surface water runoff from soil excavation/infill/landscaping (including borrow pits)</li> <li>Dust, noise, vibration</li> <li>Lighting disturbance</li> <li>Impact on groundwater/dewatering</li> <li>Storage of excavated/construction materials</li> </ul>	No impacts

<ul style="list-style-type: none"> <li>• Access to site</li> <li>• Pests</li> </ul>	
<b>Operational phase e.g.</b> <ul style="list-style-type: none"> <li>• Direct emission to air and water</li> <li>• Surface water runoff containing contaminant or sediment</li> <li>• Lighting disturbance</li> <li>• Noise/vibration</li> <li>• Changes to water/groundwater due to drainage or abstraction</li> <li>• Presence of people, vehicles and activities</li> <li>• Physical presence of structures (e.g. collision risks)</li> <li>• Potential for accidents or incidents</li> </ul>	No impacts
<b>In-combination/Other</b>	No impacts
<b>(b) Describe any likely changes to the European site:</b>	
<p>Examples of the type of changes to give consideration to include:</p> <ul style="list-style-type: none"> <li>• Reduction or fragmentation of habitat area</li> <li>• Disturbance to QI species</li> <li>• Habitat or species fragmentation</li> <li>• Reduction or fragmentation in species density</li> <li>• Changes in key indicators of conservation status value (water or air quality etc.)</li> <li>• Changes to areas of sensitivity or threats to QI</li> <li>• Interference with the key relationships that define the structure or ecological function of the site</li> </ul>	
<b>(c) Are ‘mitigation’ measures necessary to reach a conclusion that likely significant effects can be ruled out at screening?</b>	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<b>STEP 4. Screening Determination Statement</b>	
<b>The assessment of significance of effects:</b>	
Describe how the proposed development (alone or in-combination) is/is <b>not likely</b> to have <b>significant</b> effects on European site(s) in view of its conservation objectives.	
<p>On the basis of the information on file, which is considered adequate to undertake a screening determination and having regard to:</p> <ul style="list-style-type: none"> <li>• the nature and scale of the proposed development,</li> <li>• the proposed land use and distance from European sites,</li> <li>• the lack of direct connections with regard to the Source-Pathway-Receptor model,</li> </ul> <p>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.</p> <p>An appropriate assessment is not, therefore, required.</p>	

Conclusion:			
	Tick as Appropriate:	Recommendation:	
(i) It is clear that there is <b>no likelihood</b> of significant effects on a European site.	<input checked="" type="checkbox"/>	The proposal can be screened out: Appropriate assessment not required.	
(ii) It is <b>uncertain</b> 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) <b>Significant effects</b> 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:	17/12/2025



EIA Pre-Screening Establishing a development is a 'sub-threshold development'	
<b>File Reference:</b>	S5/25/159
<b>Development Summary:</b>	As per planners report.
<b>Was a Screening Determination carried out under Section 176A-C?</b>	<input type="checkbox"/> Yes, no further action required <input checked="" type="checkbox"/> No, Proceed to <b>Part A</b>
<b>A. Schedule 5 Part 1</b> - Does the development comprise a project listed in Schedule 5, <b>Part 1</b> , of the Planning and Development Regulations 2001 (as amended)? (Tick as appropriate)	
<input type="checkbox"/> Yes, specify class _____	<b>EIA is mandatory</b>  No Screening required
<input checked="" type="checkbox"/> No	Proceed to <b>Part B</b>
<b>B. Schedule 5 Part 2</b> - Does the development comprise a project listed in Schedule 5, <b>Part 2</b> , of the Planning and Development Regulations 2001 (as amended) <b>and</b> 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	<b>No Screening required</b>
<input type="checkbox"/> Yes the project is listed in Schedule 5, Part 2 <b>and</b> meets/exceeds the threshold, specify class (including threshold): _____	<b>EIA is mandatory</b>  No Screening required
<input type="checkbox"/> Yes the project is of a type listed <b>but</b> is <i>sub-threshold</i> : _____	Proceed to <b>Part C</b>
<b>C. If Yes</b> , has Schedule 7A information/screening report been submitted?	
<input type="checkbox"/> Yes, Schedule 7A information/screening report has been submitted by the applicant	<b>Screening Determination required</b>
<input type="checkbox"/> No, Schedule 7A information/screening report has not been submitted by the applicant	<b>Preliminary Examination required</b>



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,  
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Civic Offices, Nenagh,  
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Date: 14<sup>th</sup> January 2025

Our Ref: S5/25/159

Civic Offices, Nenagh

**David and Philomena Barry**  
**35 Abbey Meadows**  
**Cahir Road**  
**Clonmel**  
**Co Tipperary**

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

Dear David and Philomena,

I refer to your application for a Section 5 Declaration received on 9<sup>th</sup> December 2025 in relation to the following proposed works:

Construction of a 20m<sup>2</sup> sunroom at the rear of the property, constructed in 2010. Also, internal conversion of garage to a living room area, 18.4m<sup>2</sup> at 35 Abbey Meadows, Cahir Road, Clonmel E91 W867.

**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 –

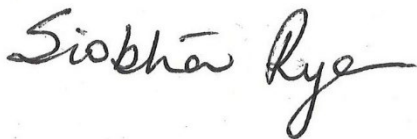
- a) Sections 2, 3 and 4 of the Planning and Development Act, 2000, as amended
- b) Articles 6 and 9 of the Planning & Development Regulations 2001, as amended,
- c) Class 1 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001, as amended,
- d) The declaration application and supporting information submitted.

**AND WHEREAS** Tipperary County Council has concluded that –

The proposal is works and development and is "**exempted development**" as it DOES fall under the exempted development provisions as set out under Section 4 of the Planning and Development Act 2000, as amended.

**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 long horizontal stroke at the end.

---

for **Director of Services**



**Original**

**TIPPERARY COUNTY COUNCIL**

**DELEGATED EMPLOYEE'S ORDER**

File Ref: **S5/25/159**

**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 3<sup>rd</sup> 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 David and Philomena Barry, 35 Abbey Meadows, Cahir Road, Clonmel, Co Tipperary re: Construction of a 20m<sup>2</sup> sunroom at the rear of the property, constructed in 2010. Also, internal conversion of garage to a living room area, 18.4m<sup>2</sup> at 35 Abbey Meadows, Cahir Road, Clonmel E91 W867 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) Articles 6 and 9 of the Planning & Development Regulations 2001, as amended,
- c) Class 1 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001, as amended,
- d) The declaration application and supporting information submitted.

Tipperary County Council has concluded that the proposal is works and development and is **"exempted development"** as it DOES fall under the exempted development provisions as set out under Section 4 of the Planning and Development Act 2000, as amended.

**Signed:**



**Brian Beck**  
**Director of Services**

**Date: 14/01/2025**