

**PLANNING & DEVELOPMENT ACT, 2000 (as amended)**

**Application for a Section 5 Declaration**  
**Development / Exempted Development**

**1. Applicant's address/contact details:**

<i>Applicant</i>	Christopher Ryan	
<i>Address</i>	St Conlons Rd, Nenagh, Co. Tipperary	
<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>	

*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)*

St Conlons Rd, Nenagh, Co. Tipperary, E45 E030

#### 4. Development Details:

Please provide details of the proposed development for which an exemption under Section 5 of the Planning and Development Act is applied for.

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

<p>The project involves a full internal renovation of an existing residential property, including structural alterations and a single-storey rear kitchen extension. Works include demolition of internal partitions, rewiring, replumbing, new heating system installation, floor insulation, new flooring throughout, and full redecoration. The kitchen extension (approx. 15 m<sup>2</sup>) includes new foundations, external walls, roof structure, and installation of modern kitchen units, appliances, and finishes.</p>
<p>Proposed floor area of proposed works/uses: Sqm = 15 aprox.</p>

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

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

Signature of Applicant(s)

Date: 11/11/25

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

## **GUIDANCE NOTES**

- (1) All queries on the form must be completed and the form must be accompanied by the relevant fee. The amount of the fee is currently **€80.00**.
- (2) This application should be accompanied by **TWO COPIES** of the following documentation
  - o OSI Site Location Map with the site outlined clearly – 1:1000 in urban areas and 1:2500 in rural areas
  - o Floor Plans & Elevations at a scale of not less than 1:200
  - o Site layout plan indicating position of proposed development relative to premises and adjoining properties
  - o Other details e.g. brochures, photographs if appropriate.

(All dimensions must be given in metric scale and drawings should be accompanied by a brief description outlining the use of the proposed development)
- (3) Where a proper and complete application is received, a decision must be conveyed to the applicant within four (4) weeks except where additional necessary information is required.

**This application form and relevant fee should be submitted to:**

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

OR

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

**Enquires:**

**Telephone 0818 06 5000**

**E-Mail [planning@tipperarycoco.ie](mailto:planning@tipperarycoco.ie)**

**FOR OFFICE USE ONLY**

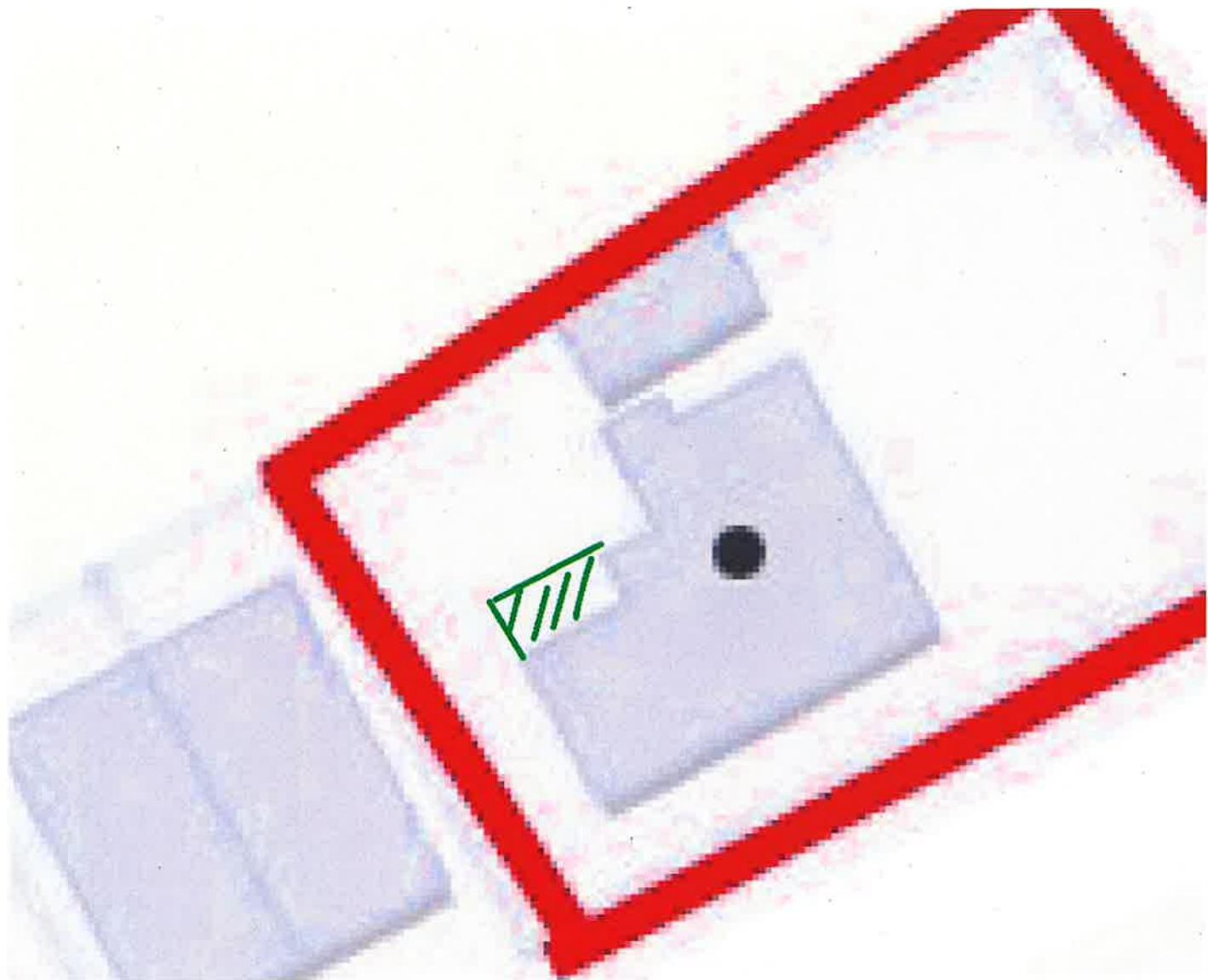
**DATE STAMP**

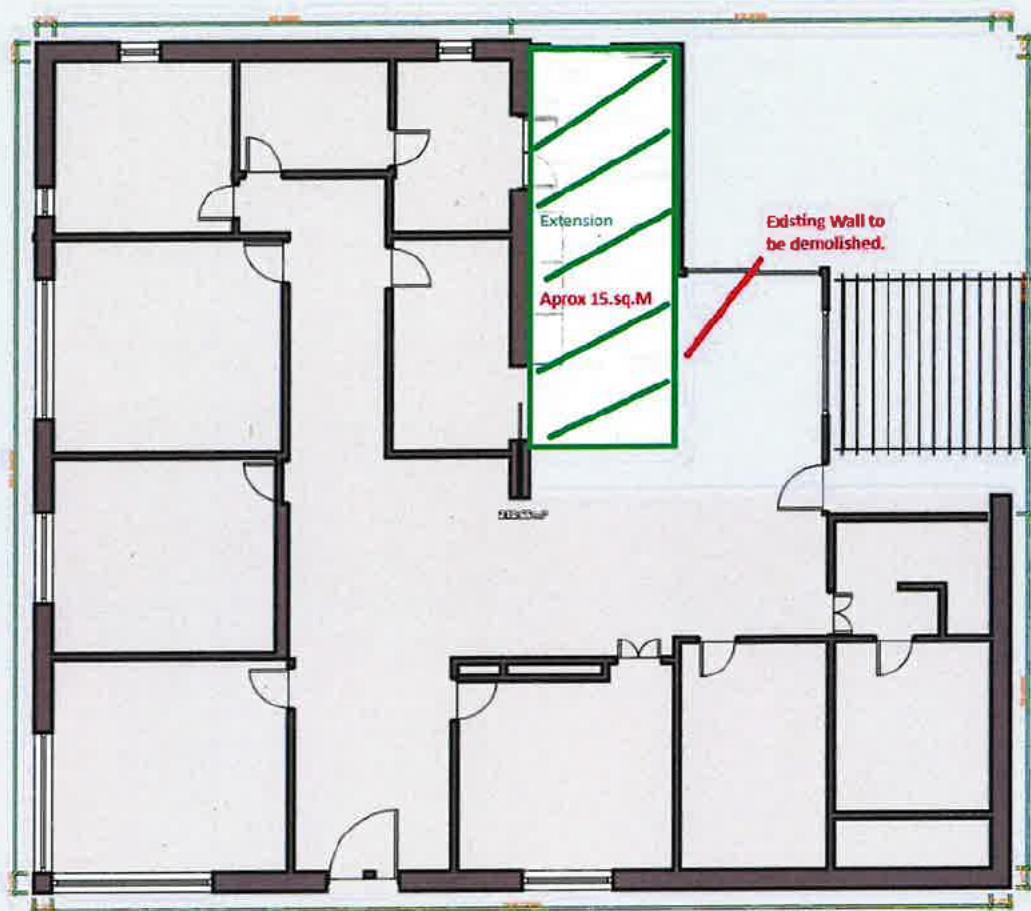
**Fee Recd. € 80.00**

Receipt No NENAM1/0133039

Date 11/11/2025

Received by Deirdre O'Brien







Cash Office  
Tipperary County Council  
Civic Offices  
Nenagh  
Co Tipperary

11/11/2025 15:05:28

Receipt No. : NENAM1/0/133039

CHRISTOPHER RYAN,  
ST. CONLONS ROAD,  
NENAGH.

SECTION5 EXEMPTION DECLARATION 80  
GOODS 80.00  
VAT Exempt/Non-vatable

Total : 80.00 EUR

Tendered : 80.00  
Credit Card

Change : 0.00

Issued By : DEIRDRE O BRIEN  
From : TIPP CC NENAGH CASH DESK  
Vat reg No.3259712MH



# John Cummins Construction Management Planning & Engineering Services

22/08/2025

Att: Christopher Ryan

Borrisoleigh

Thurles

Co Tipperary

**Re: Derelict house at Saint Conlan's Road Nenagh Co Tipperary E45 E030**

Dear John

I am the Chartered Building Engineer that inspected the property at the above address.

I can confirm on the date of inspection the property was derelict with no evidence of it being lived in please see attached photos



Front elevation of the existing house, moisture penetration evident on flat roof areas vegetation build up on the front wall and existing gullies





# John Cummins Construction Management Planning & Engineering Services



Photo shows ivy growing under the existing roof which is allowing water ingress through the eaves

## Internal photos of the existing house



Photos of water tank in the attic and pipework which require insulation to prevent frost damage in the future



# John Cummins Construction Management Planning & Engineering Services



Photos shows dampness evident on walls these walls due to dampness. This is resulting in mould growing on the walls Which is unhealthy and hazardous to any occupants





# John Cummins Construction Management Planning & Engineering Services



Photos shows L.C.B unit which  
requires labelling





# John Cummins Construction Management Planning & Engineering Services



Mould growth and water damage evident on the bathroom ceiling due to roof failure. This roof area will have to be replaced. (New ceiling joists and warm deck roof insulation)



Floor boards buckling due to water damage. Moisture penetration caused due to poor dpc detailing in the floor

Knockakelly Borrisoleigh Thurles Co. Tipperary



# John Cummins Construction Management Planning & Engineering Services



Photos shows mould growth on the front bedroom ceiling. This is due to flat roof failure.



Mould growth evident on the Flat roof and skylight window, again this flat roof area will need to be replaced





# John Cummins Construction Management Planning & Engineering Services



Flat roof and skylight window  
with mould growth evident on the  
ceiling on the front bedroom

## Conclusion

As can be seen from the photographic evidence the property is structurally unsound and dangerous as set out by the derelict property act section 3 1990. this section “derelict site” means any building which detracts, or is likely to detract, to a material degree from the amenity, character or appearance of land in the neighborhood of the land in question because of—

- (a) the existence on the land in question of structures which are in a ruinous, derelict or dangerous condition, or
- (b) the neglected, unsightly or objectionable condition of the land or any structures on the land in question, or



# John Cummins Construction Management Planning & Engineering Services

There is a lot of work to be carried to make this derelict house habitable, new roofs are required especially on all flat roof areas. The mould growth on the ceilings and roof as a result of dampness is an extreme health hazard. The existing heating ventilation power lighting CO2 and smoke detection sensors need to be upgraded. The existing walls and ceilings will require damp proofing. Sanitary ware and bathroom fittings also need to be installed to make the house livable.

Please Find attached a copy of my indemnity insurance. If you have any queries, please do not hesitate to call me

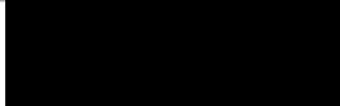
Signed:

John Cummins

MIEI MCABE

Chartered Building Engineer

Engineering services.









Cabinets where they can fit

Brick finish



Date: 11<sup>th</sup> November, 2025 Our Ref: S5/25/143 Civic Offices, Nenagh

**Christopher Ryan**  
**St. Conlons Road**  
**Nenagh**  
**Co. Tipperary**

**Re: Application for a - Full internal renovation to an existing residential property, including structural alterations and a single storey rear kitchen extension of approx. 15 sqm at St. Conlon's Road, Nenagh, Co. Tipperary.**

Dear Mr Ryan,

I acknowledge receipt of your application for a Section 5 Declaration received on 11<sup>th</sup> August, 2025, in connection with the above.

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

Yours sincerely

Seobhán Ryan  
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:** S5.25.143

**Applicant:** Christopher Ryan

**Development Address:** St. Conlons Road, Nenagh, Co. Tipperary E45 E030

**Proposed Development:** Full internal renovation to an existing residential property, including structural alterations and a single storey rear kitchen extension of approx. 15sqm.

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#### **1. GENERAL**

On 11<sup>th</sup> November 2025 a request was made for a declaration under Section 5 of the Planning and Development Act, 2000 as amended by Christopher Ryan as to whether or not the following works constituted development and if so, whether same was exempted development:

- Full internal renovation to an existing residential property, including structural alterations and a single storey rear kitchen extension of approx. 15sqm.

The application is accompanied by:

- A plan drawing and site plan drawing which are not to scale.
- A building inspection report prepared by John Cummins Construction Management Planning and Engineering Services.
- Marked up photographs.

#### **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(1) provides an exemption for *development consisting of the carrying out of works for the maintenance, improvement or other alteration of any structure, being works which affect only the interior of the structure or which do not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure or of neighbouring structures*

Section 4(4) states that notwithstanding paragraphs 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 (Exempted Development) states;

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 provides an exemption for:

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.

**Class 2** of Part 1 of Schedule 2 of the Planning and Development Regulations 2001, as amended provides an exemption for:

- (a) The provision as part of a heating system of a house, of a chimney or flue, boiler house or fuel storage tank or structure.

#### Conditions and Limitations

The capacity of an oil storage tank shall not exceed 3,500 litres.

- (b) The installation on or within the curtilage of a house of a ground heat pump system (horizontal and vertical) or an air source heat pump.

#### Conditions and Limitations

1. The level of the ground shall not be altered by more than 1 metre above or below the level of the adjoining ground.
2. The total area of such a heat pump, taken together with any other such pump previously erected, shall not exceed 2.5 square metres.
3. The heat pump shall be a minimum of 50cm from any edge of the wall or roof on which it is mounted.
4. No such structure shall be erected on, or forward of, the front wall or roof of the house.
5. Noise levels must not exceed 43db(A) during normal operation, or in excess of 5db(A) above the background noise, whichever is greater, as measured from the nearest neighbouring inhabited dwelling.

**Class 50** of Part 1 of Schedule 2 of the Planning and Development Regulations 2001, as amended provides an exemption for

- a) The demolition of a building, or buildings, within the curtilage of—
  - (i) a house

#### Conditions and Limitations

1. No such building or buildings shall abut on another building in separate ownership.
2. The cumulative floor area of any such building, or buildings, shall not exceed
  - (a) in the case of a building, or buildings within the curtilage of a house, 40 square metres, and
  - (b) in all other cases, 100 square metres.
3. No such demolition shall be carried out to facilitate development of any class prescribed for the purposes of section 176 of the Act.

The demolition of part of a habitable house in connection with the provision of an extension or porch in accordance with Class 1 or 7, respectively, of this Part of this

- b) The demolition of part of a habitable house in connection with the provision of an extension or porch in accordance with Class 1 or 7, respectively, of this Part of this

### **3. ASSESSMENT**

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

The site is located at St. Conlons Road, Nenagh, Co. Tipperary E45 E030. The site is occupied by a single dwelling and is served by the R-494-171 Regional Road to the east.

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

Planning Reference Number: 10520021 Permission Granted on 04/10/2010 to construct an extension to the front of dwelling. The extension area permitted under 10520021 had a floor area of 14.22 sq m.

#### ***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 drawings submitted are not to scale and are somewhat unclear. Further information is required to address the limitations with the drawings.

The development description refers to structural alterations. It is not fully clear what the structural alterations entail and same should be described and illustrated on suitably scaled drawings.

The drawings reference demolition and the extent of same is not clear.

A site layout plan to a scale of 1:500 is required showing the private open space remaining at the rear of the dwelling.

##### **C) Restrictions under Article 9**

Will be examined should an exemption under Article 6 be confirmed.

##### **D) Requirement for Appropriate Assessment and Environmental Impact Assessment**

###### **AA**

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

###### **EIA**

Screening for EIA is not required in respect of the proposal.

### **4. RECOMMENDATION**

A planning authority may require any person who made a request under subsection (1) to submit further information with regard to the request in order to enable the authority to issue the declaration on the question and, where further information is received under this paragraph, the planning authority shall issue the declaration within 3 weeks of the date of the receipt of the further information.

Therefore, it is recommended that the following further information is sought from the applicant:

1. The applicant is required to submit, for the consideration of the Planning Authority, plans and elevations (to a scale of not less than 1:200) showing the existing dwelling and proposed extension. The plans and elevations shall be marked to clearly show:
  - i) The area of the existing dwelling.
  - ii) The area of the proposed extension.
  - iii) Areas for demolition.
  - iv) Details of the height and proposed finishes of the proposed extension.
  - v) Details of all structural alterations to the dwelling.
2. The applicant is required to submit details regarding any new heating system installation in relation to its height, area and location within the development site.
3. The applicant is required to provide details of structural alterations to the dwelling. Structural alterations are referenced in the development description but the nature and extent of such alterations is unclear.
4. The applicant is requested to confirm whether the garage has been converted to residential use. The date of this conversion to be provided together with details of the planning permission or declaration of exemption for this development.

*Eoin Buckley*

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

Date: 01/12/2025

*Jonathan Flood*

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

Date: 2/12/2025

## HABITATS DIRECTIVE APPROPRIATE ASSESSMENT (AA) SCREENING REPORT

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

(a) File Reference No:	S5/25/143
(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 <sup>1</sup>	Distance from proposed development <sup>2</sup> (km)	Connections (Source-Pathway-Receptor)	Considered further in screening Y/N
002258 Silvermines Mountains West	<a href="https://www.npws.ie/protected-sites/sac/002258">https://www.npws.ie/protected-sites/sac/002258</a>	Within 10km	None	No
002241 Lough Derg, North-East Shore	<a href="https://www.npws.ie/protected-sites/sac/002241">https://www.npws.ie/protected-sites/sac/002241</a>	Within 10km	None	No
000939 Silvermine Mountains	<a href="https://www.npws.ie/protected-sites/sac/000939">https://www.npws.ie/protected-sites/sac/000939</a>	Within 10km	None	No
002165 Lower River Shannon SAC	<a href="https://www.npws.ie/protected-sites/sac/002165">https://www.npws.ie/protected-sites/sac/002165</a>	Within 10km	None	No
002124 Bolingbrook Hill	<a href="https://www.npws.ie/protected-sites/sac/002124">https://www.npws.ie/protected-sites/sac/002124</a>	Within 15km	None	No

002124 Keeper Hill	<a href="https://www.npws.ie/protected-sites/sac/001197">https://www.npws.ie/protected-sites/sac/001197</a>	Within 15km	None	No
004165 Slievefelim to Silvermines Mountains SPA	<a href="https://www.npws.ie/protected-sites/spa/004165">https://www.npws.ie/protected-sites/spa/004165</a>	Within 10km	None	No
004058 Lough Derg (Shannon) SPA	<a href="https://www.npws.ie/protected-sites/spa/004058">https://www.npws.ie/protected-sites/spa/004058</a>	Within 10km	None	No

### STEP 3. Assessment of Likely Significant Effects

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

Impacts:	Possible Significance of Impacts: (duration/magnitude etc.)
Construction phase e.g. <ul style="list-style-type: none"> <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> <li>Access to site</li> <li>Pests</li> </ul>	None
Operational phase e.g. <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>	None
In-combination/Other	None
<b>(b) Describe any likely changes to the European site:</b>	
Examples of the type of changes to give consideration to include: <ul style="list-style-type: none"> <li>Reduction or fragmentation of habitat area</li> </ul>	None

- 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

**(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:

	<b>Tick as Appropriate:</b>	<b>Recommendation:</b>
(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 are likely.</b>	<input type="checkbox"/>	<input type="checkbox"/> Request NIS <input type="checkbox"/> Refuse planning permission
<b>Signature and Date of Recommending Officer:</b>	Eoin Buckley Planner	<b>Date:</b> 18/11/2025

<b>EIA Pre-Screening</b> <b>Establishing a development is a 'sub-threshold development'</b>	
<b>File Reference:</b>	S5/25/143
<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) 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	<b>No Screening required</b>
<input type="checkbox"/> Yes the project is listed in Schedule 5, Part 2 and 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 but 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>





Date: 2<sup>nd</sup> December, 2025

Our Ref: S5/25/143

Civic Offices, Nenagh

**Christopher Ryan  
St. Conlon's Rd  
Nenagh  
Co. Tipperary**

**Re: Application for a Section 5 Declaration – Full internal renovation to an existing residential property, including structural alterations and a single storey rear kitchen extension of approx. 15sqm, is or is not development and if so is it exempted development at St. Conlons Road, Nenagh, Co. Tipperary E45 E030**

Dear Mr Ryan,

I refer to an application received from you on 11<sup>th</sup> November, 2025 requesting a Declaration from this Planning Authority as to whether or not certain works constitute development within the meaning of the Planning and Development Act 2000, as amended.

Further information is requested as follows;

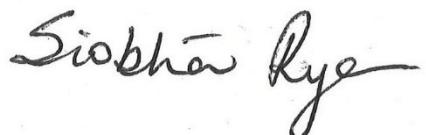
It is recommended to request the following further information pursuant to Section 5 (2) (b) of the Planning and Development Act 2000, as amended

1. The applicant is required to submit, for the consideration of the Planning Authority, plans and elevations (to a scale of not less than 1:200) showing the existing dwelling and proposed extension. The plans and elevations shall be marked to clearly show:
  - i) The area of the existing dwelling.
  - ii) The area of the proposed extension.
  - iii) Areas for demolition.
  - iv) Details of the height and proposed finishes of the proposed extension.
  - v) Details of all structural alterations to the dwelling.

2. The applicant is required to submit details regarding any new heating system installation in relation to its height, area and location within the development site.
3. The applicant is required to provide details of structural alterations to the dwelling. Structural alterations are referenced in the development description but the nature and extent of such alterations is unclear.
4. The applicant is requested to confirm whether the garage has been converted to residential use. The date of this conversion to be provided together with details of the planning permission or declaration of exemption for this development.

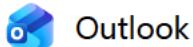
**Further consideration of your request for a declaration cannot be considered until the above information is received.**

Yours sincerely

A handwritten signature in black ink that reads "Siobhan Rye". The signature is fluid and cursive, with "Siobhan" on the top line and "Rye" on the bottom line.

---

for **Director of Services**



## Fw: [External] Re: C.Ryan Planning Exemption Form

**From** Planning Group <planning@tipperarycoco.ie>

**Date** Thu 22 Jan 2026 9:49 AM

**To** Ryan, Siobhan Anne <[REDACTED]>

**Cc** Hendy, Pauline <[REDACTED]>

5 attachments (789 KB)

A103-West Elevation.pdf; A100-Combined GA & Elevations.pdf; A102-North Elevation.pdf; A101-Site Layout.pdf; existing Kithcen wall\_window and steel Beam.jpg;

---

**From:** Christopher Ryan <[REDACTED]>

**Sent:** Thursday 22 January 2026 7:53 am

**To:** Planning Group <planning@tipperarycoco.ie>

**Cc:** katie ryan <[REDACTED]>

**Subject:** Re: [External] Re: C.Ryan Planning Exemption Form

**CAUTION FROM TIPPERARY COUNTY COUNCIL IT SECTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Thanks for the quick reply.

In response to requests referenced under S5/25/143, see documents attached and additional info below. Our contractors are about 2/3 weeks away from digging out perimeter foundation and pour.

1. Scaled drawings with extension marked in red dotted lines. The rest can be taken as existing. (Theres a mistake in north elevation where red dotted line exceeds planned extension).

In terms of demolition there is 1 internal wall that will be stripped out in the process of the extension.

Height and dimensions are included. In terms of structural alterations – these will only be additional for tying in the new roof of the extension to the existing build.

It is important to note that the new roof does not exceed the height the existing dwelling and existing roof.

2. For now There is no new heating system being installed only flushing out or upgrade to Rads / complete maintenance. If this changes you will be notified.

3. Structural alterations. The kitchen wall and window is being removed to open up for the extension. A steel beam will be installed to support roof. – See picture attached for more details.

4. There has been a bed and bath put into existing structure where there was a garage. I don't have any details regarding planning.

I hope this info helps us to move forward and let me know if there are any other questions. Phone or email is best for contact.

Kind Regards,

Christopher Ryan  
[REDACTED]

Sent from [Outlook for iOS](#)

---

**From:** Hendy, Pauline [REDACTED] > on behalf of Planning Group  
<planning@tipperarycoco.ie>

**Sent:** Wednesday, January 21, 2026 3:53 p.m.

**To:** Christopher Ryan <[REDACTED]>

**Cc:** katie ryan <[REDACTED]>

**Subject:** Re: [External] Re: C.Ryan Planning Exemption Form

EXTERNAL

Hi Christopher

You can send the documents by email to this email address or you can post to Planning Section  
Tipperary County Council,  
Civic Offices,  
Nenagh,  
Co. Tipperary

Or you can drop the documents to the planning sections in either the Nenagh or Clonmel Offices.

**Kind regards,**  
**Pauline Hendy**  
**Assistant Staff Officer**  
**Planning Section**  
Tipperary County Council, Civic Offices, Nenagh, Co. Tipperary

**T: 0818-065000**

**E: [planning@tipperarycoco.ie](mailto:planning@tipperarycoco.ie)**

**W: [www.tipperarycoco.ie](http://www.tipperarycoco.ie)**



Comhairle Contae Thiobraid Árann  
Tipperary County Council

**TIPPERARY THE PLACE, THE TIME**



---

**From:** Christopher Ryan [REDACTED]  
**Sent:** Wednesday 21 January 2026 2:42 pm  
**To:** Planning Group <planning@tipperarycoco.ie>  
**Cc:** katie ryan [REDACTED]  
**Subject:** [External] Re: C.Ryan Planning Exemption Form

Some people who received this message don't often get email from chryan@mercuryeng.com. [Learn why this is important](#)

**CAUTION FROM TIPPERARY COUNTY COUNCIL IT SECTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Afternoon,

I recently received a letter (reference: S5/25/143) with a request for some outstanding documents. - scaled drawings , heating info , site layout etc..

Who is the best point of contact to send all documents to?

Kind Regards,

Christopher Ryan

Sent from [Outlook for iOS](#)

---

**From:** Christopher Ryan  
**Sent:** Wednesday, November 5, 2025 4:59:13 PM  
**To:** planning@tipperarycoco.ie <planning@tipperarycoco.ie>  
**Cc:** katie ryan [REDACTED]  
**Subject:** C.Ryan Planning Exemption Form

Good Evening,

I have recently been approved for works under the vacant home grant. Please see attached application form for planning Exemption under Section 5.

Scope of works:

---

**Address:** St Conlons Rd, Nenagh, Co. Tipperary

Summary:

The project involves a full internal renovation of an existing residential property, including structural alterations and a single-storey rear kitchen extension. Works include demolition of internal partitions, rewiring, replumbing, new heating system installation, floor insulation, new flooring throughout, and full redecoration. The kitchen extension (approx. 20–25 m<sup>2</sup>) includes new foundations, external walls, roof structure, and installation of modern kitchen units, appliances, and finishes. The scope also covers new windows and doors, upgraded ventilation, and energy efficiency improvements in line with current building regulations.

Please let me know if you need any other info to proceed with the application.

Inspection can be organised for this Friday afternoon if suitable.

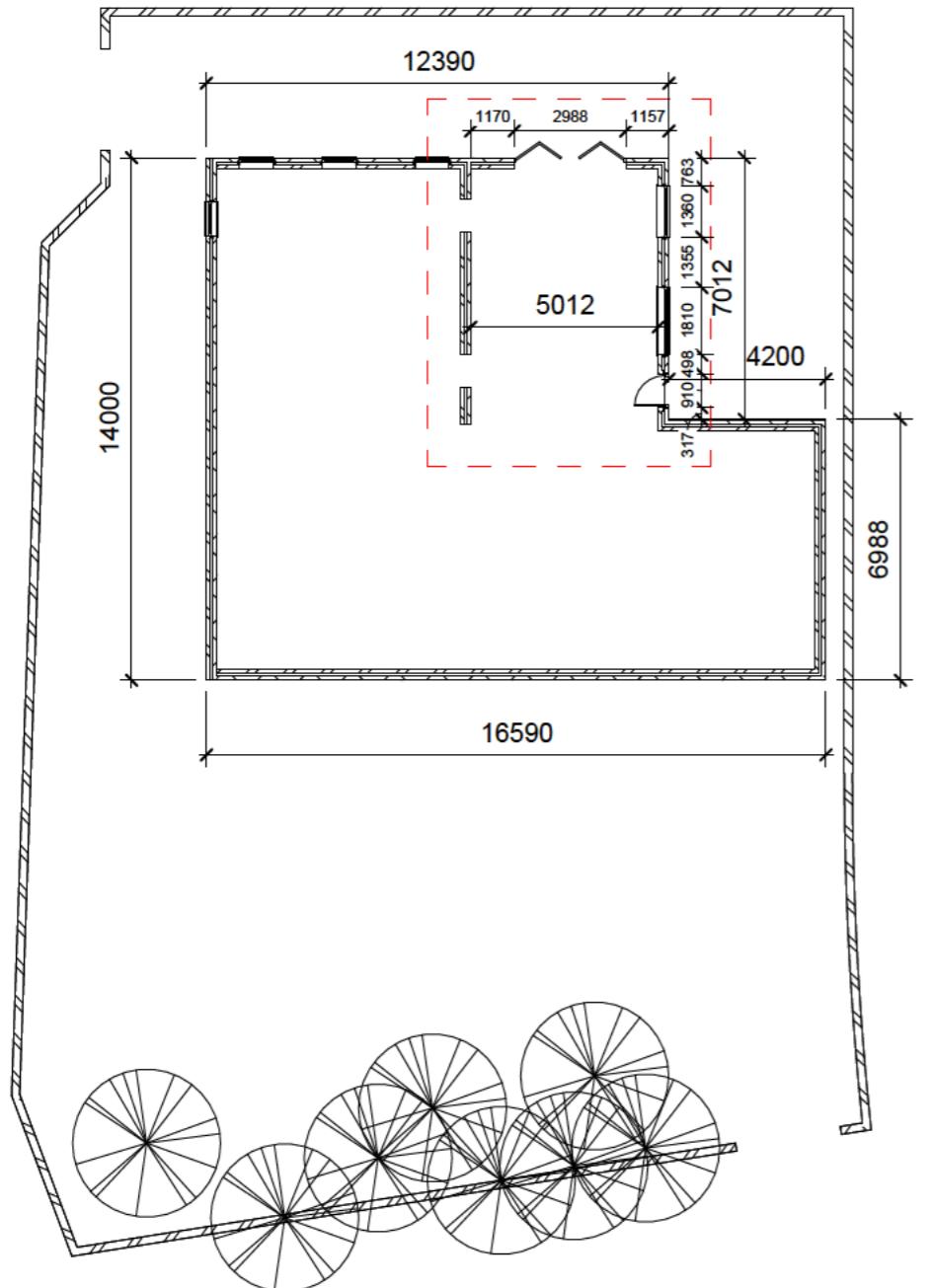
Kind regards.

metres

5 10 15 20 25

SCALE BAR: 1:100

SCALE BAR: 1:100



1 **GA**  
1 : 200

1 : 200

## Elevation - North

1 : 200

## Elevation - West

1 : 200

1 P01 14/01/2025

## PROJECT

## STAGE Planning

PROJECT Extension

PROJECT ADDRESS St. Conlans Rd, Nenagh, Co. Tipperary

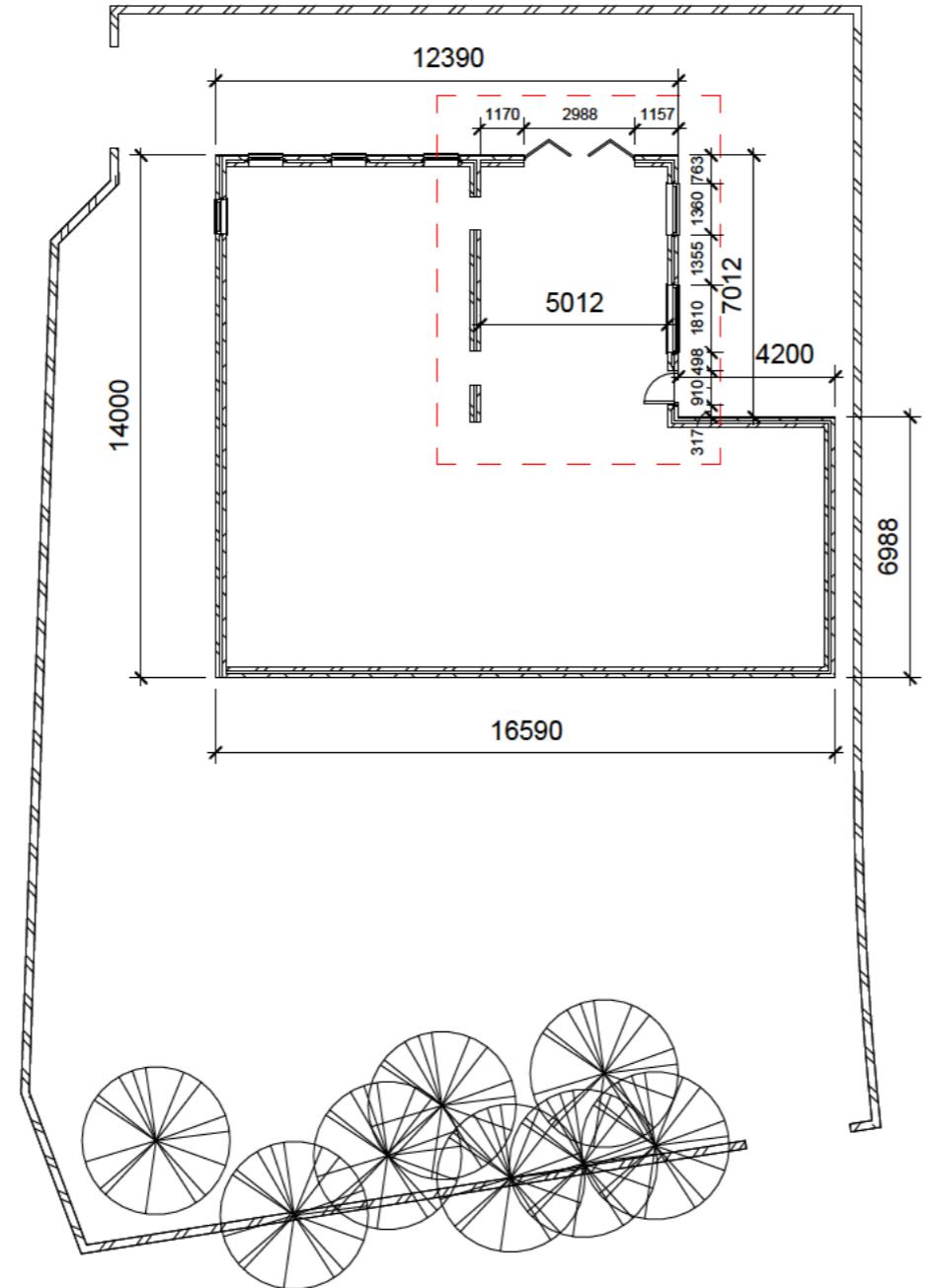
DWG TITLE Combined GA & Elevations

DWG NO.

REV.	STATUS	PROJECT NO. Project Number		DATE	Issue Date
		SCALE	1 : 200		
1		DRN	Author	CHK	Checker

metres 5 10 15 20 25

SCALE BAR: 1:100



1

## Site Layout

1 : 200

1	14/01/2025	P01
Rev	Date	Description
1 P01 14/01/2025		
PROJECT Extension		
STAGE Planning		
PROJECT Extension		
PROJECT ADDRESS	St. Conlans Rd, Nenagh, Co. Tipperary	
DWG TITLE	Ground Floor Layout	
DWG NO.	A101	
REV.	STATUS	PROJECT NO. Project Number
1		DATE Issue Date
	SCALE 1 : 200	DRN Author CHK Checker

Figured dimensions only are to be taken from this drawing. All dimensions are to be checked on site before any work is put in hand. This drawing to be read in conjunction with all relevant architects' and engineers' drawings and specifications.

A3

metres 5 10 15 20 25

SCALE BAR: 1:100

1	14/01/2025	P01
Rev	Date	Description

1	P01	14/01/2025

PROJECT Extension

STAGE Planning

PROJECT Extension

PROJECT ADDRESS St. Conlans Rd, Nenagh, Co. Tipperary

DWG TITLE North Elevation

DWG NO. A102

REV.	STATUS	PROJECT NO.	Project Number	DATE	Issue Date
1					
	SCALE	1 : 200	DRN	Autho	CHK



1 North Elevation  
1 : 200

Figured dimensions only are to be taken from this drawing. All dimensions are to be checked on site before any work is put in hand. This drawing to be read in conjunction with all relevant architects' and engineers' drawings and specifications.

A3

metres 5 10 15 20 25

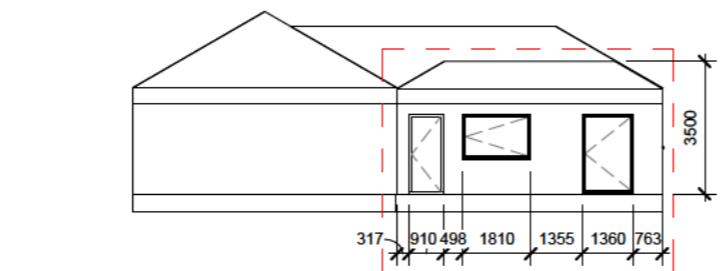
SCALE BAR: 1:100

1	14/01/2025	P01
Rev	Date	Description

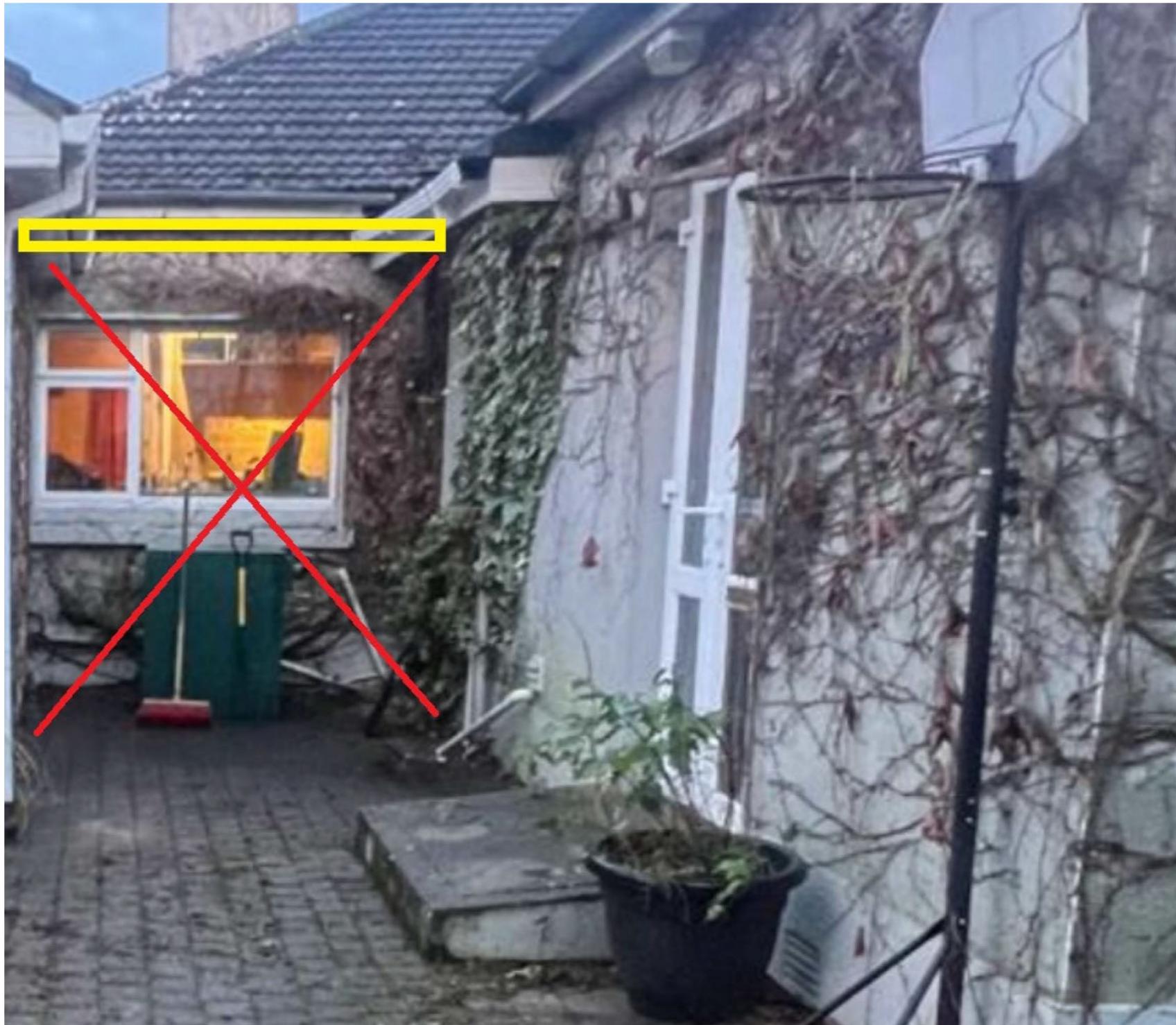
1	P01	14/01/2025

PROJECT	Extension
STAGE	Planning
PROJECT	Extension
PROJECT ADDRESS	St. Conlans Rd, Nenagh, Co. Tipperary
DWG TITLE	West Elevation

DWG NO.	A103
REV.	1
STATUS	
PROJECT NO.	Project Number
SCALE	1 : 200
DRN	Autho
CHK	Checker



1 West Elevation  
1 : 200





**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**

Date: 22<sup>nd</sup> January, 2026      Our Ref: S5/25/143 Civic Offices, Nenagh

**Christopher Ryan**  
**St Conlons Rd**  
**Nenagh**  
**Co. Tipperary**

**Re: Application for a Section 5 Declaration – Full internal renovation to an existing residential property, including structural alterations and a single storey rear kitchen extension of approx. 15sqm at St. Conlons Road, Nenagh, Co. Tipperary E45 E030**

Dear Mr Ryan,

I acknowledge receipt of Further Information received on 22<sup>nd</sup> January, 2026 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

Siobhán Ryan  
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:** S5.25.143

**Applicant:** Christopher Ryan

**Development Address:** St. Conlons Road, Nenagh, Co. Tipperary E45 E030

**Proposed Development:** Full internal renovation to an existing residential property, including structural alterations and a single storey rear kitchen extension of approx. 15sqm.

---

#### **1. GENERAL**

On 11<sup>th</sup> November 2025 a request was made for a declaration under Section 5 of the Planning and Development Act, 2000 as amended by Christopher Ryan as to whether or not the following works constituted development and if so, whether same was exempted development:

- Full internal renovation to an existing residential property, including structural alterations and a single storey rear kitchen extension of approx. 15sqm.

The application is accompanied by:

- A plan drawing and site plan drawing which are not to scale.
- A building inspection report prepared by John Cummins Construction Management Planning and Engineering Services.
- Marked up photographs.

#### **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(1) provides an exemption for *development consisting of the carrying out of works for the maintenance, improvement or other alteration of any structure, being works which affect only the interior of the structure or which do not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure or of neighbouring structures*

Section 4(4) states that notwithstanding paragraphs 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 (Exempted Development) states;

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 provides an exemption for:

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.

**Class 2** of Part 1 of Schedule 2 of the Planning and Development Regulations 2001, as amended provides an exemption for:

- (a) The provision as part of a heating system of a house, of a chimney or flue, boiler house or fuel storage tank or structure.

Conditions and Limitations

The capacity of an oil storage tank shall not exceed 3,500 litres.

- (b) The installation on or within the curtilage of a house of a ground heat pump system (horizontal and vertical) or an air source heat pump.

Conditions and Limitations

1. The level of the ground shall not be altered by more than 1 metre above or below the level of the adjoining ground.
2. The total area of such a heat pump, taken together with any other such pump previously erected, shall not exceed 2.5 square metres.
3. The heat pump shall be a minimum of 50cm from any edge of the wall or roof on which it is mounted.
4. No such structure shall be erected on, or forward of, the front wall or roof of the house.
5. Noise levels must not exceed 43db(A) during normal operation, or in excess of 5db(A) above the background noise, whichever is greater, as measured from the nearest neighbouring inhabited dwelling.

**Class 50** of Part 1 of Schedule 2 of the Planning and Development Regulations 2001, as amended provides an exemption for

- a) The demolition of a building, or buildings, within the curtilage of—
  - (i) a house

Conditions and Limitations

1. No such building or buildings shall abut on another building in separate ownership.
2. The cumulative floor area of any such building, or buildings, shall not exceed
  - (a) in the case of a building, or buildings within the curtilage of a house, 40 square metres, and
  - (b) in all other cases, 100 square metres.
3. No such demolition shall be carried out to facilitate development of any class prescribed for the purposes of section 176 of the Act.

b) The demolition of part of a habitable house in connection with the provision of an extension or porch in accordance with Class 1 or 7, respectively, of this Part of this

### **3. ASSESSMENT**

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

The site is located at St. Conlons Road, Nenagh, Co. Tipperary E45 E030. The site is occupied by a single dwelling and is served by the R-494-171 Regional Road to the east.

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

Planning Reference Number: 10520021 Permission Granted on 04/10/2010 to construct an extension to the front of dwelling. The extension area permitted under 10520021 had a floor area of 14.22 sq m.

#### ***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 drawings submitted are not to scale and are somewhat unclear. Further information is required to address the limitations with the drawings.

The development description refers to structural alterations. It is not fully clear what the structural alterations entail and same should be described and illustrated on suitably scaled drawings.

The drawings reference demolition and the extent of same is not clear.

A site layout plan to a scale of 1:500 is required showing the private open space remaining at the rear of the dwelling.

##### **C) Restrictions under Article 9**

Will be examined should an exemption under Article 6 be confirmed.

##### **D) Requirement for Appropriate Assessment and Environmental Impact Assessment**

###### **AA**

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

###### **EIA**

Screening for EIA is not required in respect of the proposal.

### **4. RECOMMENDATION**

A planning authority may require any person who made a request under subsection (1) to submit further information with regard to the request in order to enable the authority to issue the declaration on the question and, where further information is received under this paragraph, the planning authority shall issue the declaration within 3 weeks of the date of the receipt of the further information.

Therefore, it is recommended that the following further information is sought from the applicant:

1. The applicant is required to submit, for the consideration of the Planning Authority, plans and elevations (to a scale of not less than 1:200) showing the existing dwelling and proposed extension. The plans and elevations shall be marked to clearly show:

- i) The area of the existing dwelling.
- ii) The area of the proposed extension.
- iii) Areas for demolition.
- iv) Details of the height and proposed finishes of the proposed extension.
- v) Details of all structural alterations to the dwelling.

2. The applicant is required to submit details regarding any new heating system installation in relation to its height, area and location within the development site.
3. The applicant is required to provide details of structural alterations to the dwelling. Structural alterations are referenced in the development description but the nature and extent of such alterations is unclear.
4. The applicant is requested to confirm whether the garage has been converted to residential use. The date of this conversion to be provided together with details of the planning permission or declaration of exemption for this development.

## 5. FURTHER INFORMATION

Four points of further information were requested from the applicant in a letter dated 02/12/2026. The FI request is outlined below in *italics*, with assessment under same in **bold**.

1. *The applicant is required to submit, for the consideration of the Planning Authority, plans and elevations (to a scale of not less than 1:200) showing the existing dwelling and proposed extension. The plans and elevations shall be marked to clearly show:*
  - i) *The area of the existing dwelling.*
  - ii) *The area of the proposed extension.*
  - iii) *Areas for demolition.*
  - iv) *Details of the height and proposed finishes of the proposed extension.*
  - v) *Details of all structural alterations to the dwelling.*

**Drawings of plans and elevations have been submitted showing the existing dwelling and proposed extension. Area for demolition have been identified. The extension area is outlined in red and this shows an area of greater than 30 sq m.**

2. *The applicant is required to submit details regarding any new heating system installation in relation to its height, area and location within the development site.*

**The applicant has stated that there is no longer any new heating system being installed as part of the proposed development.**

3. *The applicant is required to provide details of structural alterations to the dwelling. Structural alterations are referenced in the development description but the nature and extent of such alterations is unclear.*

**The applicant has stated that the existing kitchen wall and window is being demolished to allow for the proposed extension.**

4. *The applicant is requested to confirm whether the garage has been converted to residential use. The date of this conversion to be provided together with details of the planning permission or declaration of exemption for this development.*

**The reply advises that a bed and bath have been put into the former attached garage. No details have been provided on the date this was undertaken or any planning exemption.**

The reply confirms that the dwelling has previously been extended through conversion of the garage. The plans provided do not show this area, a blank plan is provided by FI showing the existing dwelling.

I have used the plans under 10/520021 as a reference and same show the infill between the garage and dwelling to be sized 14.22 sq m. The garage is of a similar size. The combined floor area of the extensions and garage conversion is circa 28 sq m.

Noting the proposed extension area at 30 sq m approx. the proposal would not satisfy condition 2a) of Class 1

## 6. RECOMMENDATION

A question has arisen as to whether the following proposal to be undertaken at St. Conlons Road, Nenagh, Co. Tipperary E45 E030 is development and is or is not exempted development:

*Full internal renovation to an existing residential property, including structural alterations and a single storey rear kitchen extension of approx. 15sqm.*

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

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

Tipperary County Council has concluded as follows:

- The internal renovation of the existing dwelling is development within the meaning of the Planning and Development Act 2000, as amended and is exempted development. The internal renovation can be considered to meet planning exemptions set down under Section 4(1) (h) of the Planning and Development Act 2000, as amended.

- The proposed rear extension and associated structural alterations is development within the meaning of the Planning and Development Act 2000, as amended and is not exempted development. The rear extension and associated structural alterations do not satisfy condition / limitation 2a) of Class 1.



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

Date: 30/01/2026



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

Date: 30/01/2026

## HABITATS DIRECTIVE APPROPRIATE ASSESSMENT (AA) SCREENING REPORT

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

(a) File Reference No:	S5/25/143
(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 <sup>1</sup>	Distance from proposed development <sup>2</sup> (km)	Connections (Source-Pathway-Receptor)	Considered further in screening Y/N
002258 Silvermines Mountains West	<a href="https://www.npws.ie/protected-sites/sac/002258">https://www.npws.ie/protected-sites/sac/002258</a>	Within 10km	None	No
002241 Lough Derg, North-East Shore	<a href="https://www.npws.ie/protected-sites/sac/002241">https://www.npws.ie/protected-sites/sac/002241</a>	Within 10km	None	No
000939 Silvermine Mountains	<a href="https://www.npws.ie/protected-sites/sac/000939">https://www.npws.ie/protected-sites/sac/000939</a>	Within 10km	None	No
002165 Lower River Shannon SAC	<a href="https://www.npws.ie/protected-sites/sac/002165">https://www.npws.ie/protected-sites/sac/002165</a>	Within 10km	None	No
002124 Bolingbrook Hill	<a href="https://www.npws.ie/protected-sites/sac/002124">https://www.npws.ie/protected-sites/sac/002124</a>	Within 15km	None	No

002124 Keeper Hill	<a href="https://www.npws.ie/protected-sites/sac/001197">https://www.npws.ie/protected-sites/sac/001197</a>	Within 15km	None	No
004165 Slievefelim to Silvermines Mountains SPA	<a href="https://www.npws.ie/protected-sites/spa/004165">https://www.npws.ie/protected-sites/spa/004165</a>	Within 10km	None	No
004058 Lough Derg (Shannon) SPA	<a href="https://www.npws.ie/protected-sites/spa/004058">https://www.npws.ie/protected-sites/spa/004058</a>	Within 10km	None	No

### STEP 3. Assessment of Likely Significant Effects

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

Impacts:	Possible Significance of Impacts: (duration/magnitude etc.)
Construction phase e.g. <ul style="list-style-type: none"> <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> <li>Access to site</li> <li>Pests</li> </ul>	None
Operational phase e.g. <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>	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:  

- 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

**(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:

	<b>Tick as Appropriate:</b>	<b>Recommendation:</b>
(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 are likely.</b>	<input type="checkbox"/>	<input type="checkbox"/> Request NIS <input type="checkbox"/> Refuse planning permission
<b>Signature and Date of Recommending Officer:</b>	Eoin Buckley Planner	<b>Date:</b> 18/11/2025

EIA Pre-Screening Establishing a development is a 'sub-threshold development'	
File Reference:	S5/25/143
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
<b>A. Schedule 5 Part 1</b> - 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 _____	<b>EIA is mandatory</b>  No Screening required
<input checked="" type="checkbox"/> No	Proceed to Part B
<b>B. Schedule 5 Part 2</b> - 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	<b>No Screening required</b>
<input type="checkbox"/> Yes the project is listed in Schedule 5, Part 2 and 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 but is <i>sub-threshold</i> :  _____	Proceed to Part C
<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>

**Original**

**TIPPERARY COUNTY COUNCIL**

**DELEGATED EMPLOYEE'S ORDER**

File Ref: **S5/25/143**      **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 Christopher Ryan, St Conlons Rd, Nenagh, Co. Tipperary, re: Full internal renovation to an existing residential property, including structural alterations and a single storey rear kitchen extension of approx. 15sqm at St. Conlons Road, Nenagh, Co. Tipperary E45 E030 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 & Development Act, 2000, as amended,
- b) Articles 6 and 9 of the Planning & Development Act, 2000, as amended,
- c) Class 1 of Part 1 of Schedule 2 of the Planning & Development Regulations 2001, as amended,
- d) The declaration application and supporting information, including further information,

Tipperary County Council has concluded that the internal renovation of the existing dwelling is development within the meaning of the Planning and Development Act 2000, as amended and **is exempted development**. The internal renovation can be considered to meet planning exemptions set down under Section 4(1) (h) of the Planning and Development Act 2000, as amended.

-The proposed rear extension and associated structural alterations is development within the meaning of the Planning and Development Act 2000, as amended and **is not exempted development**. The rear extension and associated structural alterations do not satisfy condition/ limitation 2a) of Class 1.

**Signed:**



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

**Date: 03/02/2026**



Date: 3<sup>rd</sup> February 2026

Our Ref: S5/25/143

Civic Offices, Nenagh

**Christopher Ryan  
St Conlons Rd  
Nenagh  
Co. Tipperary**

Email: [REDACTED]

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

Dear Christopher,

I refer to your application for a Section 5 Declaration received on 11<sup>th</sup> November, 2025, and Further Information received on 22<sup>nd</sup> January 2026 in relation to the following proposed works:

**Full internal renovation to an existing residential property, including structural alterations and a single storey rear kitchen extension of approx. 15sqm at St. Conlons Road, Nenagh, Co. Tipperary E45 E030**

**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 –

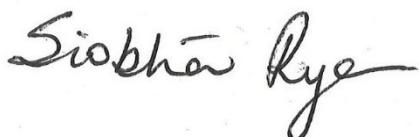
- a) Sections 2, 3 and 4 of the Planning & Development Act, 2000, as amended,
- b) Articles 6 and 9 of the Planning & Development Act, 2000, as amended,
- c) Class 1 of Part 1 of Schedule 2 of the Planning & Development Regulations 2001, as amended,
- d) The declaration application and supporting information,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

Tipperary County Council has concluded that the internal renovation of the existing dwelling is development within the meaning of the Planning and Development Act 2000, as amended and **is exempted development**. The internal renovation can be considered to meet planning exemptions set down under Section 4(1) (h) of the Planning and Development Act 2000, as amended.

-The proposed rear extension and associated structural alterations is development within the meaning of the Planning and Development Act 2000, as amended and **is not exempted development**. The rear extension and associated structural alterations do not satisfy condition/ limitation 2a) of Class 1.

**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, appearing to read "Siobhan Rye".

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for **Director of Services**