



PLANNING & DEVELOPMENT ACT, 2000 (as amended)

Application for a Section 5 Declaration
Development / Exempted Development

1. Applicant's address/contact details:

<i>Applicant</i>	Eden Social Care Ltd
<i>Address</i>	Chapelstown Business Park, Tullow Road, Co. Carlow
<i>Telephone No.</i>	[REDACTED]
<i>E-mail</i>	[REDACTED]

2. Agent's (if any) address:

<i>Agent</i>	Peter Bolger Consulting Ltd
<i>Address</i>	Newton House, Bachelors Walk, Bagenalstown, Co. Carlow
<i>Telephone No.</i>	[REDACTED]
<i>E-mail</i>	[REDACTED]
<i>Please advise where all correspondence in relation to this application is to be sent;</i>	
Applicant [<input type="checkbox"/>] Agent [<input checked="" type="checkbox"/>]	

3. Location of Proposed Development:

<i>Postal Address or Townland or Location (as may best identify the land or structure in question)</i>	Weston's Lot Country House, Grovelawn, Dundrum, Co. Tipperary, E34 RW86
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4. Development Details:

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

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

The change of use from a house to use to provide a residential care facility for children at risk, including those with learning difficulties (under schedule 2, part 1 class 14 (f))	
The property will function as a small living care facility, providing personal care and support to children at risk, including those with learning difficulties and persons requiring moderate assistance.	
This change of use is covered under Class 14(f) of Part 1, Schedule 2 of the Planning & Development Regulations (as amended), which specifically exempts from planning permission the conversion of a house to a care facility for up to six residents.	
No further structural alterations or extensions are proposed all accommodation uses the existing layout.	

Proposed floor area: 252sq.m

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

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

Signature of Applicant(s)



Date 06-10-2025

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.

Tipperary County Council
 Planning Section by email
 Received 28/11/2025
 File ref: S5/25/149

GUIDANCE NOTES

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

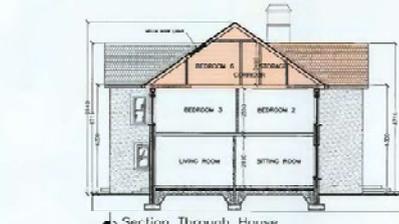
(All dimensions must be given in metric scale and drawings should be accompanied by a brief description outlining the use of the proposed development)
- (3) Where a proper and complete application is received, a decision must be conveyed to the applicant within four (4) weeks except where additional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

This application form and relevant fee should be submitted to:

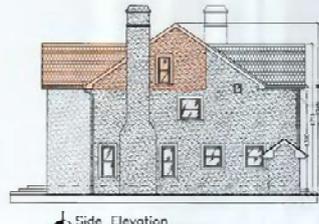
Planning Section, Tipperary County Council, Civic Offices, Limerick Road, Nenagh, Co. Tipperary	<u>OR</u>	Planning Section, Tipperary County Council, Civic Offices, Emmet Street, Clonmel, Co. Tipperary
Enquires:		
Telephone 0818 06 5000		
E-Mail planning@tipperarycoco.ie		

FOR OFFICE USE ONLY

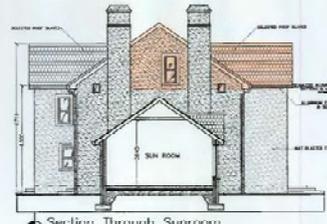
<u>DATE STAMP</u>	
Fee Recd. € <u>80</u>	Tipperary County Council
Receipt No <u>133470</u>	Planning Section by email
Date <u>28/11/2025</u>	Received 28/11/2025
Received by _____	File ref: S5/25/149



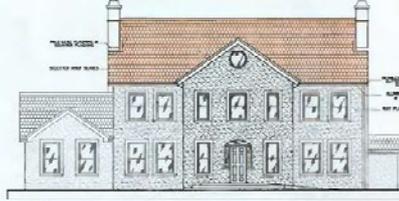
Section Through House
Typical
1:100 (A1)



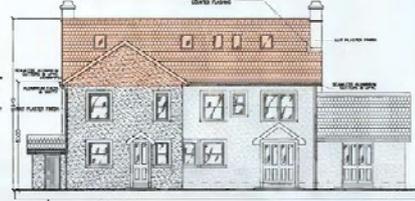
Side Elevation
Facing South West
1:100 (A1)



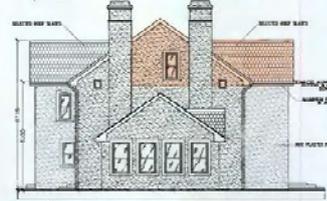
Section Through Sunroom
Typical
1:100 (A1)



Front Elevation
Facing South East
1:100 (A1)



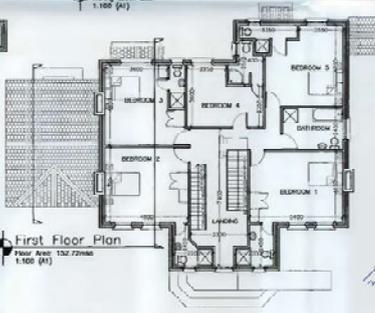
Rear Elevation
Facing North West
1:100 (A1)



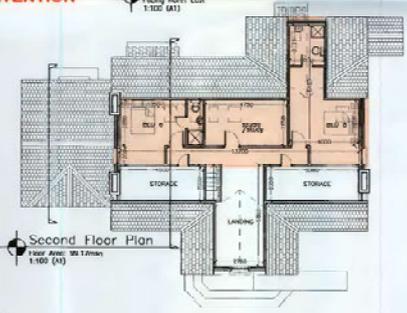
Side Elevation
Facing North East
1:100 (A1)



Ground Floor Plan
Floor Area 185.72sqm
1:100 (A1)



First Floor Plan
Floor Area 157.72sqm
1:100 (A1)



Second Floor Plan
Floor Area 98.12sqm
1:100 (A1)

NOTES:
FOUNDATION:
Deep foundation (as shown) as confirmed by Structural Engineer upon inspection of site (and soil conditions) in minimum depth of 1.00m below ground level, concrete (minimum 20) in minimum of 100mm to support and anchor. Vertical & lateral reinforcement shall be provided in accordance with Structural Engineers details & specifications.
Batter walls to be formed vertically with tapered walls as shown upon as required to be carried up internally within ducts or later post building perimeter and suitably capped. All required tops to floor level as required by Current Building Regulations.
EXTERNAL WALLS:
Cavity wall construction/brickwork with external block leaf construction with render plaster finish/brick cavity as indicated. Concrete cills to all windows. Smooth plaster finish.
ROOF:
Roofing shall be as shown to meet structural with all required slope and vent details as appropriate. Appropriate weight load fixings to junctions of chimney stacks & soles.

CONCRETE:
Concrete floor/paths around house as indicated.
WINDOWS & DOORS:
Minimum aluminium/PVC frames to all windows & double doors to rear with thermally broken Low-E double glazing horizontal fixed & rear doors with glazing as indicated.
WALLS & CEILING:
Bathrooms/PVC facade & soffit with colour to Clients approval to match that of window frames.
INTERIOR FINISHES:
Minimum quality & materials will relate to Clients approval.
All vertical vent pipes (ie. vent stacks from WC's and vent from Boiler Room), to be carried up externally within face ducts & into attic space and connected to suitable vent outlets within roof finish. No waste water pipes from downstairs are to be brought to the external roof of walls, as to be carried down to under floor slab level and brought to outside to be connected near existing gully or A.U. or appropriate.

GLASS INSULATION:
Minimum 100mm EPS (Green track) to external & internal of 25%
For up some Kingspan insulation (Green track) at edge of floor slabs.
GLAZING:
Minimum 100mm PVB (Green track) to provide a U-value of 0.27
WINDING ROOF (flat ceiling and):
Minimum 100mm EPS (Green track) on upper border between slabs, with Kingspan Transporec 1000/12.2 (200mm thick) over to complete of roof to achieve a U-value of 0.18
INTERIOR ROOF (sloped ceiling level):
Minimum 100mm PVB (100mm track) on upper border between parties, with Kingspan Transporec 1000/12.2 (200mm thick) laid to underside of soffit to achieve a U-value of 0.20

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NOTES:
ALL DIMENSIONS TO BE CHECKED ON SITE BEFORE WORK PROCEEDS.
ALL DIMENSIONS TO BE CHECKED ON SITE BEFORE WORK PROCEEDS.
CLIENT SHALL USE PLANS PROVISIONAL ONLY. NOT FOR CONSTRUCTION UNLESS STATED OTHERWISE.

Tipperary County Council
Planning Section by email
Received 28/11/2025
File ref: 55/25/149



DATE: 28/11/2025
BY: [Signature]
FOR: [Signature]
Ryan Architectural Solutions Ltd
Architectural & Planning Services
100, [Address]
[City], [County], [Postcode]
PLANNING
TYPE: Dwelling & Lodge Plans
APP: Ryan
APP NO: 55/25/149
PROJ: PROPOSED REFINISH APPLICATION AT DUNDRIUM CO. TIPPERARY
DND NO: HP 106
DND REV: 1 of 1
SCALE: 1:100 (A1)
DATE: AUG 2000
CHECK: [Signature]

South Tipperary Co. Council
Viewing Purposes Only



RYAN ARCHITECTURAL SOLUTIONS LTD.,
 Architectural & Planning Consultants
 29 Liberty Square, Thurles, Co. Tipperary
 Tel: 0504-90244 Fax: 0504-90245
 Email: info@ras.ie

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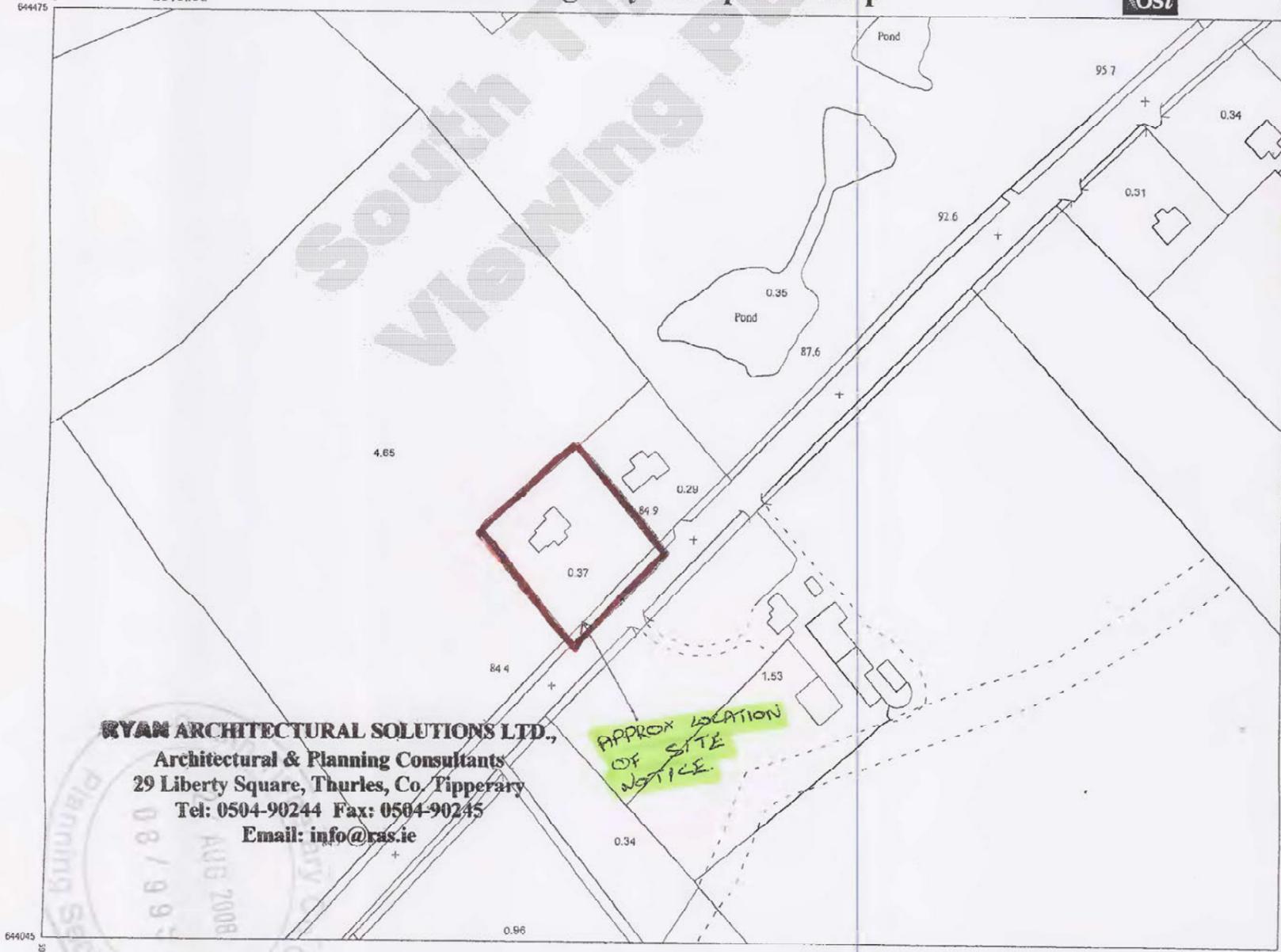
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Land Registry Compliant Map



Surveyed 1997
 Revised 2002
 Levelled



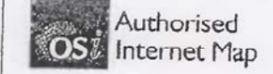
ITM CENTRE PT. COORDS.
 597411,644260

DESCRIPTION
 T+M Ryan

PP-101

MAP SHEETS
 1:2500
 4998-A

Tipperary County Council
 Planning Section by email
 Received 28/11/2025
 File ref: S5/25/149



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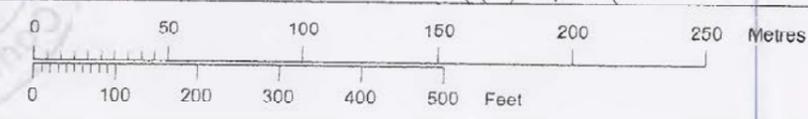
Ní hionann díláir, bealach nó cead a bheith ar an léaráil seo agus léaráil ar léaráil. The representation on this map of a road, track or footpath is not evidence of the existence of a right of way.

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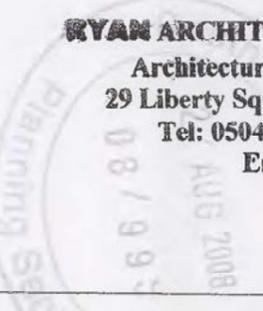


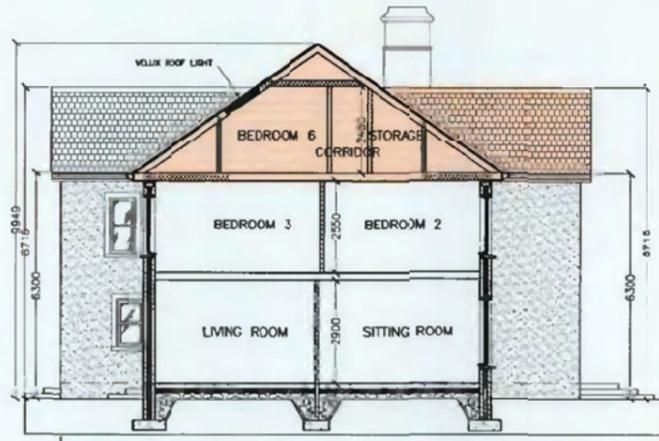
RYAN ARCHITECTURAL SOLUTIONS LTD.,
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 Tel: 0504-90244 Fax: 0504-90245
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Scale - 1:2,500
 Scála - 1:2,500



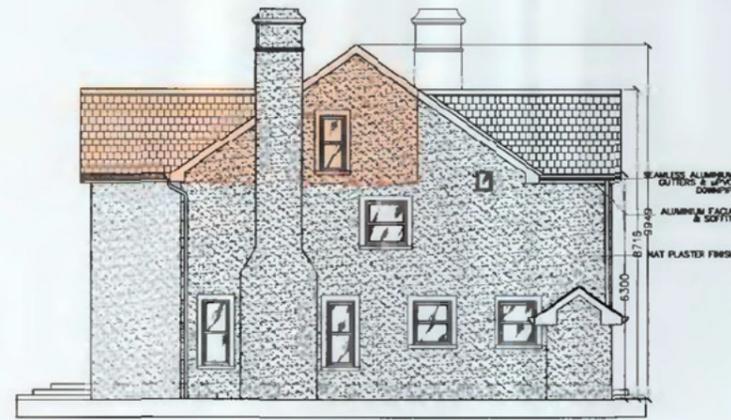
Plot Ref. No. 8001732_1_1
 Plot Date 18-FEB-2008





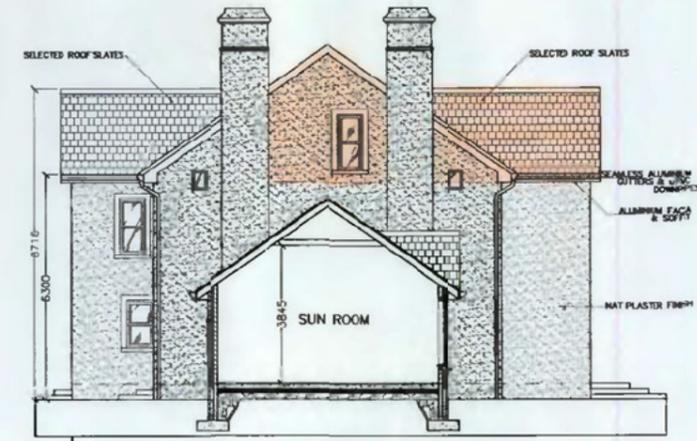
Section Through House

Typical
1:100 (A1)



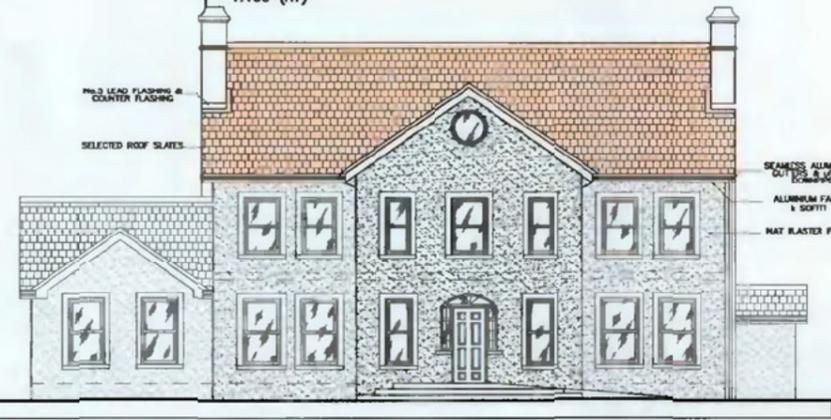
Side Elevation

Facing South West
1:100 (A1)



Section Through Sunroom

Typical
1:100 (A1)



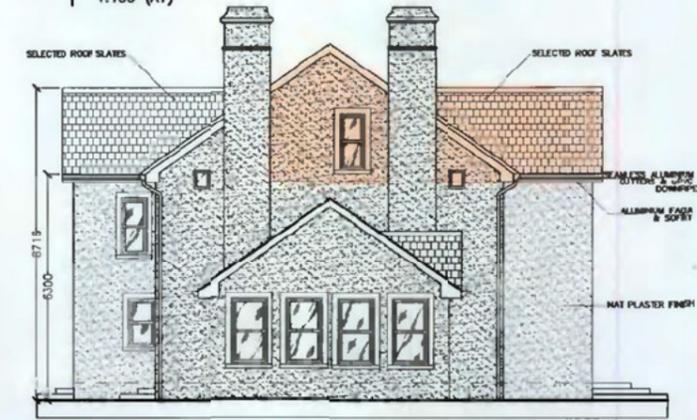
Front Elevation

Facing South East
1:100 (A1)



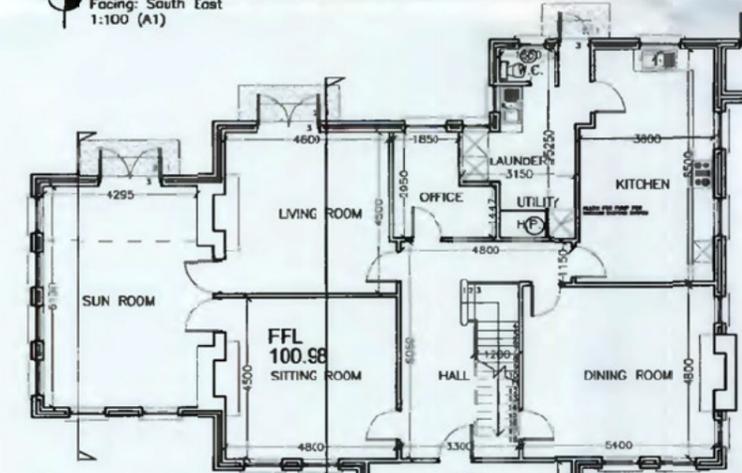
Rear Elevation

Facing North West
1:100 (A1)



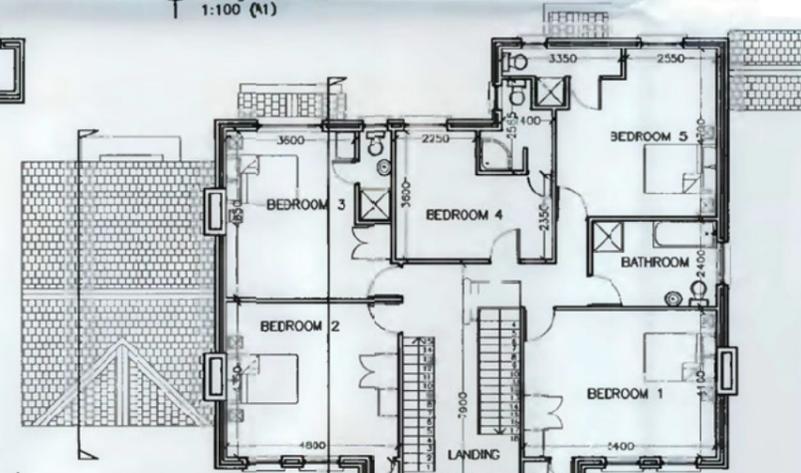
Side Elevation

Facing North East
1:100 (A1)



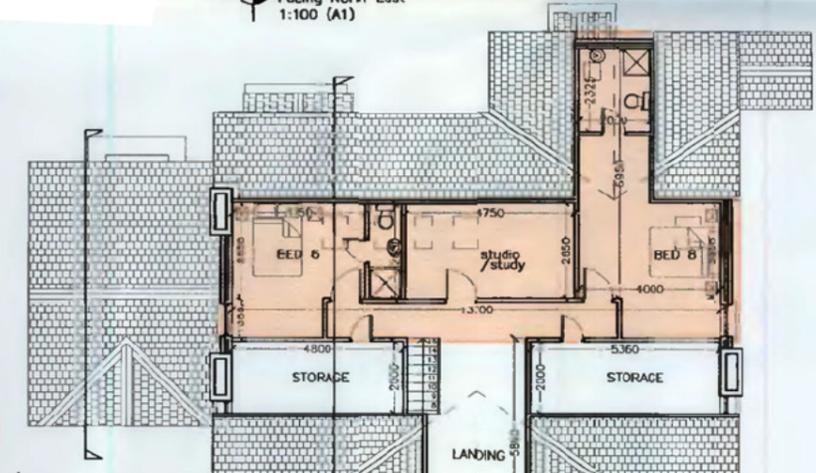
Ground Floor Plan

Floor Area: 186.25msq
1:100 (A1)



First Floor Plan

Floor Area: 152.72msq
1:100 (A1)



Second Floor Plan

Floor Area: 99.17msq
1:100 (A1)

SECTION 5 APPLICATION

Weston's Lot Country House,
Grovelawn,
Dundrum,
Co. Tipperary,
E34 RW86

DATE: SEPT 2025
SCALE 1:100

The change of use from residential to provide a residential care facility for children at risk, including those with learning difficulties (under schedule 2, part 1 class 14 (f))



Comhairle Contae Thiobraid Árann
Tipperary County Council

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

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

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

tipperarycoco.ie

Date: 28th November, 2025 Our Ref: S5/25/149 Civic Offices, Nenagh

**Eden Social Care Ltd
C/O Peter Bolger Consulting Ltd
Newton House
Bachelors Walk
Bagenalstown
Co. Carlow**

Re: Application for a Section 5 Declaration – Change of use from a house to a Residential Care Facility for children at risk, including those with learning difficulties at Weston’s Lot Country House, Grovelawn, Dundrum, Co. Tipperary.

Dear Sir/Madam,

I acknowledge receipt of your application for a Section 5 Declaration received on 28th November, 2025, in connection with the above.

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

Yours faithfully,


for **Director of Services**

TIPPERARY COUNTY COUNCIL

Application for Declaration under Section 5

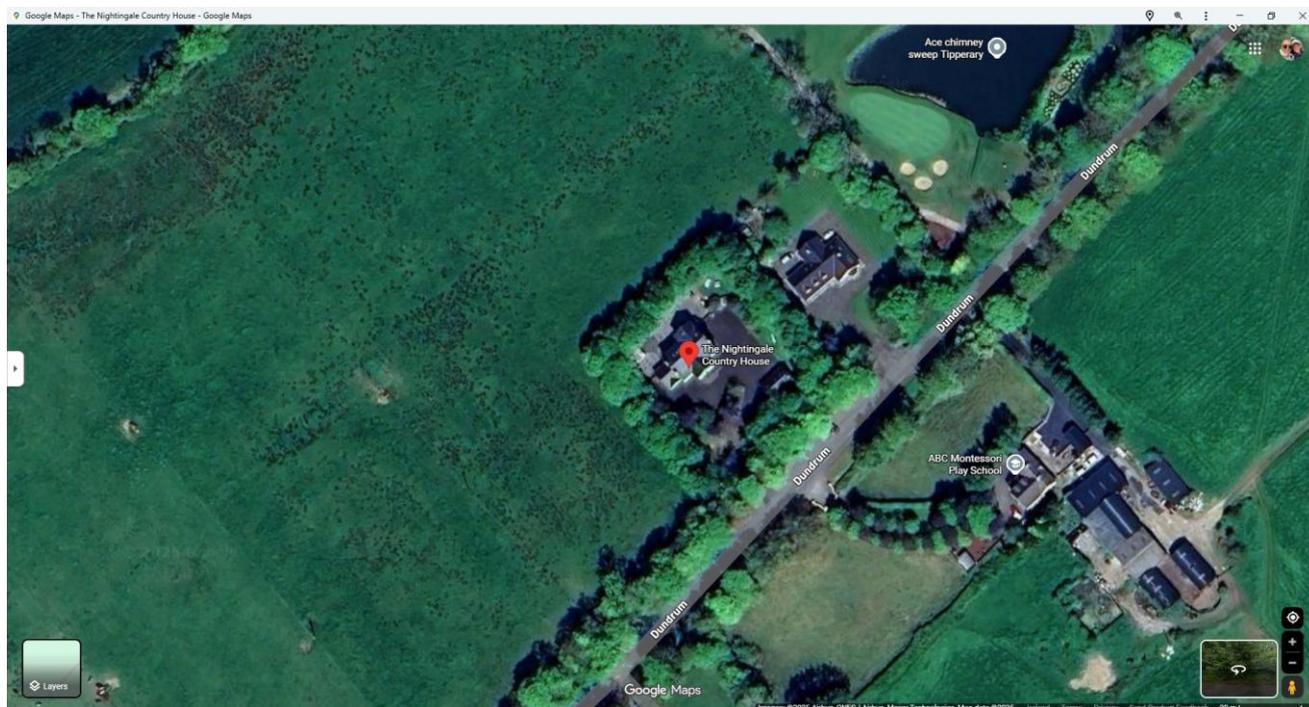
Planning & Development Act 2000, as amended
Planning & Development Regulations 2001, as amended

Planning Reference:	S5/25/149
Applicant:	Eden Social Care Ltd
Development Address:	Westons Lot, Grovelawn, Dundrum, Co. Tipperary.
Proposed Development:	Change of use from a house to use to provide a residential care facility for children at risk, including those with learning difficulties . The property will function as a small living care facility providing personal care and support for up to six residents. No further structural alterations or extension are proposed all accommodations uses the existing layout.

1. GENERAL

On the 28th November 2025, a request was made for a declaration under Section 5 of the Planning and Development Act, 2000 as amended in respect of the following development at Westons Lot, Grovelawn, Dundrum, Co. Tipperary E34RW86

Change of use from a house to use to provide a residential care facility for children at risk, including those with learning difficulties. The property will function as a small living care facility providing personal care and support for up to six residents. No further structural alterations or extension are proposed all accommodations uses the existing layout.



The application is accompanied by:

- Section 5 Declaration Application form
- Plans of the dwelling
- Map of site

2. STATUTORY PROVISIONS

The following statutory provisions are relevant to this referral case;

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 2(1) of the Planning and Development Act, 2000, as amended, defines “works” as:-

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

(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 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.

The Planning and Development Regulations 2001 (as amended) contain the following relevant provisions;

Article 5 (Definitions)

“care” means personal care, including help with physical, intellectual, or social needs.

Article 6 (Exempted Development)

- (1) Subject to article 9, development of a class specified in column 1 of Part 1 of Schedule 2 shall be exempted development for the purposes of the Act, provided that such development complies with the conditions and limitations specified in column 2 of the said Part 1 opposite the mention of that class in the said column 1.

Article 9 sets out Restrictions on Exemptions.

Article 10 (1) states that development which consists of a change of use within any one of the classes of use specified in Part 4 of Schedule 2, shall be exempted development for the purposes of the Act, provided that the development, if carried out would not –

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

Schedule 2 Part 1 Change of use
CLASS 14

Development consisting of a change of use—

- | | |
|---|--|
| <ul style="list-style-type: none">(f) from use as a house, to use as a residence for persons with an intellectual or physical disability or mental illness and persons providing care for such persons. | <p>The number of persons with an intellectual or physical disability or a mental illness living in any such residence shall not exceed 6 and the number of resident carers shall not exceed 2.</p> |
|---|--|

SI No. 397/1996 - Child Care (Standards in Children's Residential Centres) Regulations, 1996

Part I (Preliminary Provisions) Section 3 (Definitions) states that in these Regulations: - "children's residential centre" means any home or other institution for the residential care of children in the care of health boards or other children who are not receiving adequate care and protection excluding –

- (a) an institution managed by or on behalf of a Minister of the Government or a health board,
- (b) an institution in which a majority of the children being maintained are being treated for acute illnesses,
- (c) an institution for the care and maintenance of physically or mentally handicapped children,
- (d) a mental institution within the meaning of the Mental Treatment Acts, 1945 to 1966,
- (e) an institution which is a "certified school" within the meaning of Part IV of the Children Act, 1908, functions in relation to which stand vested in the Minister for Education;

3. ASSESSMENT

a. Site Location

The site comprises of an existing dwelling Westons Lot, Grovelawn, Dundrum, Co. Tipperary.

b. Relevant Planning History

S5/22/94 A question was asked as to whether a residence for persons/ children with intellectual or physical disability or mental illness was development and was exempted development.

Further information requested and not responded to.

08/995 Permission GRANTED for conversion of existing garage to granny flat with facade change and conversion of attic storage space to private accommodation with all associated site work.

00/661 Permission GRANTED for a two storey house, garage, garden shed, septic tank/puraflo system, new site entrance and associated site work. **It is noted there was 8 no. bedrooms permitted under this permission.**

c. Assessment

The question posed under the Section 5 Declaration application form is whether the change of use from a house to use to provide a residential care facility for children at risk, including those with learning difficulties. The property will function as a small living care facility providing personal care and support for up to six residents is development and is or is not exempted development.

i. “Is or is not Development”

Section 3 of the Act defines development as ‘the carrying out of any works on, in, over or under land or the making of any material change in the use of any structures or other land’. As defined in section 2(1) of the Act, works include “any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal”. It is apparent from the information contained on file that no physical ‘works’ are to be undertaken as part of the proposed development. Whilst no works are to be undertaken, the change of use from use as a private dwelling house to use as a residential care facility for children at risk represents a material change of use of the structure, and as such, I am satisfied that the proposal constitutes development

ii. “Is or is not Exempted Development”

There is an exemption under Class 14 (f) of Part 1 of Schedule 2 Planning & Development Regulations 2001, as amended for development consisting of a change of use:

*from use as a house, to use as **a residence for persons with an intellectual or physical disability or mental illness** and persons providing care for such persons.*

This exemption is subject to the following limitation:

The number of persons with an intellectual or physical disability or a mental illness living in any such residence shall not exceed 6 and the number of resident carers shall not exceed 2.

The details provided with the declaration application states that the facility will be a residential care facility for children at risk including those with learning difficulties. There is no reference in the submitted documentation to the number of carers.

Having reviewed the information submitted I am not satisfied that the proposed change of use of the dwelling falls under the exemption provided under Class 14 (f) of Part 1 of Schedule 2 Planning & Development Regulations 2001, as amended. The available exemption is for use as a residence **for persons with an intellectual or physical disability or mental illness** whereas this application refers to **use as a residential care facility for children at risk including those with learning difficulties and requiring moderate assistance. Further information is required on the intended use.**

iii. Restrictions under Article 9 and Article 10

I note the property has operated as an bed and breakfast accommodation called *The Nightingale Country House*. I note no previous grant of permission for use as a B&B. It is difficult to ascertain if the use as a B&B falls within the scope of Article 10 (4) and if same is still operating noting the different owner to the last application. Further information should be requested.

It is noted that this information was requested in 2022 under S5/22/94 and was not responded to.

iv. Requirement for Appropriate Assessment (AA) and Environmental Impact Assessment (EIA)

AA

The proposal has been assessed having regard to the requirements of the EU Habitats Directive. The proposal has been screened as to the requirements for AA and the screening assessment considers that the proposal does not impact on any Natura 2000 site. See also Appropriate Assessment (AA) screening report attached as Appendix 1.

EIA

The proposed development has been subject to a pre-screening (Appendix 2) to determine the requirement for EIA. EIA is not required in respect of the development.

4. RECOMMENDATION

It is recommended that **further information** should be requested as follows;

1. The applicant is advised that the Planning Authority is not satisfied that the proposed change of use of the dwelling falls under the exemption provided under Class 14 (f) of Part 1 of Schedule 2 Planning & Development Regulations 2001, as amended. The available exemption is for use as a residence for persons with an **intellectual or physical disability or mental illness** whereas this application refers to use as a residential care facility for children at risk including those with learning difficulties and requiring moderate assistance. The applicant is requested to clearly detail the manner in which the proposed use satisfied this exemption. This should clearly state that the residents will all be persons with an **intellectual or physical disability or mental illness**. The response to this item shall also clearly set out the number of resident and non resident carers.
2. The Planning Authority is aware that the house, to which the Declaration application relates, has been used as guest accommodation called *The Nightingale Country House/ Weston's Lot County House*. The Planning Authority note no grant of permission for the use of the dwelling as Guest Accommodation.

Please confirm the current use of the property to which the subject application relates. Where overnight guest accommodation is provided please provide the following information in respect of same:

- Number of bedrooms used to provide overnight accommodation.
- Capacity of each bedroom (Number of persons accommodated in each)
- Whether a permanent residential use is maintained while the property is used as guest accommodation.
- Whether the entire house is used as a holiday let.

Article 10 (4) of the Planning and Development Regulations 2001 (as amended) states that *development consisting of the use of not more than 4 bedrooms in a house, where each bedroom is used for the accommodation of not more than 4 persons as overnight guest accommodation, shall be exempted development for the purposes of the Act, provided that such development would not contravene a condition attached to a permission under the Act or be inconsistent with any use specified or included in such a permission.*

In the event the use of the property does not come within the above exemption the current use of the dwelling would be unauthorised and this would restrict the ability of the applicant to avail of a planning exemption. Where the entire dwelling is used to provide short term rental its use would be considered to have materially changed and this would restrict the availing of a planning exemption.

District Planner:

L. Butler-Lynn

Date: 16/12/2025

Senior Executive Planner:

C. Conway

Date: 18.12.2025

Dundrum Rentals > Ireland > County Tipperary > Dundrum

Westons Lot Country House (8 BR Georgian House) | House in Tipperary

New | Pet Friendly | 8 Bedrooms | 9 Bathrooms | 20 Guests



8 Bedroom House in Dundrum, Tipperary

Westons Lot Country House (8 BR Georgian House) is set in Tipperary and offers a shared lounge and a garden. The accommodation is 1.2 km from Dundrum, and guests benefit from private parking available on site and free WiFi. Limerick is 47 km from the holiday home, while Clonmel is 37 km from the property. The nearest airport is Shannon Airport, 74 km from Westons Lot Country House (8 BR Georgian House).

Westons Lot Country House (8 BR Georgian House) is located in Tipperary.

Show more

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HABITATS DIRECTIVE APPROPRIATE ASSESSMENT (AA) SCREENING REPORT

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

(a) File Reference No:	S5/25/149
(b) Brief description of the project or plan:	Change of use from a house to use to provide a residential care facility for children at risk, including those with learning difficulties. The property will function as a small living care facility providing personal care and support for up to six residents. No further structural alterations or extension are proposed all accommodations uses the existing layout
(c) Brief description of site characteristics:	Existing dwelling rural
(d) Relevant prescribed bodies consulted: e.g. DHLGH (NPWS), EPA, OPW	None
(e) Response to consultation:	None

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

European Site (code)	List of Qualifying Interest/Special Conservation Interest ¹	Distance from proposed development ² (km)	Connections (Source-Pathway-Receptor)	Considered further in screening Y/N
002137 Lower River Suir SAC	https://www.npws.ie/protected-sites/sac/002137	Within 0.5km	None	No
001847 Philipston Marsh SAC	https://www.npws.ie/protected-sites/sac/001847	Within 10km	None	No
004165 Slievefelim To Silvermines Mountains SPA	https://www.npws.ie/protected-sites/spa/004165	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.)
Construction phase e.g. <ul style="list-style-type: none"> • Vegetation clearance • Demolition • Surface water runoff from soil excavation/infill/landscaping (including borrow pits) • Dust, noise, vibration • Lighting disturbance • Impact on groundwater/dewatering • Storage of excavated/construction materials • Access to site • Pests 	No potential for impacts
Operational phase e.g. <ul style="list-style-type: none"> • Direct emission to air and water • Surface water runoff containing contaminant or 	No potential for impacts

<ul style="list-style-type: none"> sediment • Lighting disturbance • Noise/vibration • Changes to water/groundwater due to drainage or abstraction • Presence of people, vehicles and activities • Physical presence of structures (e.g. collision risks) • Potential for accidents or incidents 	
---	--

In-combination/Other	No potential for impacts
----------------------	--------------------------

(b) Describe any likely changes to the European site:

<p>Examples of the type of changes to give consideration to include:</p> <ul style="list-style-type: none"> • Reduction or fragmentation of habitat area • Disturbance to QI species • Habitat or species fragmentation • Reduction or fragmentation in species density • Changes in key indicators of conservation status value (water or air quality etc.) • Changes to areas of sensitivity or threats to QI • Interference with the key relationships that define the structure or ecological function of the site 	No potential for impacts
---	--------------------------

(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.

The proposed development is not likely to have significant effects.

Conclusion:

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

EIA Pre-Screening Establishing a development is a 'sub-threshold development'	
File Reference:	S5/25/149
Development Summary:	Change of use from a house to use to provide a residential care facility for children at risk, including those with learning difficulties. The property will function as a small living care facility providing personal care and support for up to six residents. No further structural alterations or extension are proposed all accommodations uses the existing layout
Was a Screening Determination carried out under Section 176A-C?	<input type="checkbox"/> Yes, no further action required <input checked="" type="checkbox"/> No, Proceed to Part A
A. Schedule 5 Part 1 - Does the development comprise a project listed in Schedule 5, Part 1, of the Planning and Development Regulations 2001 (as amended)? (Tick as appropriate)	
<input type="checkbox"/> Yes, specify class _____	EIA is mandatory No Screening required
<input checked="" type="checkbox"/> No	Proceed to Part B
B. Schedule 5 Part 2 - Does the development comprise a project listed in Schedule 5, Part 2, of the Planning and Development Regulations 2001 (as amended) and does it meet/exceed the thresholds? (Tick as appropriate)	
<input checked="" type="checkbox"/> No, the development is not a project listed in Schedule 5, Part 2	No Screening required
<input type="checkbox"/> Yes the project is listed in Schedule 5, Part 2 and meets/exceeds the threshold, specify class (including threshold): _____	EIA is mandatory No Screening required
<input type="checkbox"/> Yes the project is of a type listed but is <i>sub-threshold</i> : _____	Proceed to Part C
C. If Yes, has Schedule 7A information/screening report been submitted?	
<input type="checkbox"/> Yes, Schedule 7A information/screening report has been submitted by the applicant	Screening Determination required
<input type="checkbox"/> No, Schedule 7A information/screening report has not been submitted by the applicant	Preliminary Examination required

Planning Section Map Viewer

Map Viewer Guide

Find address or place

S5/25/149 - Eden Care Soical Limited

Zoom to

REFNO	S5/25/149
APPLICANT	Eden Care Soical Limited
RECEIVED	28/11/2025
LOCATION	Westons Lot, Grovelawn, Dundrum, Co. Tipperary
ENGINEERING AREA	Tipperary
DECISION	Unknown
DATE OF DECISION	18/12/2025
DESCRIPTION	Change of use from a house to use to provide a residential care facility for children at risk, including those with learning difficulties. The propert
YEAR	2025
COMMENTS	

Last edited by lauren.butler-ryan_top_ie on 16/12/2025, 16:56

80 m
200 ft

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Comhairle Contae Thiobraid Árann
Tipperary County Council

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

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e customerservice
@tipperarycoco.ie
tipperarycoco.ie

Date: 18th December 2025

Our Ref: S5/25/149

Civic Offices, Nenagh

**Eden Social Care Ltd
C/O Peter Bolger Consulting Ltd
Newton House
Bachelors Walk
Bagenalstown
Co. Carlow**

Re: Application for a Section 5 Declaration – Change of use from a house to use to provide a residential care facility for children at risk, including those with learning difficulties. The property will function as a small living care facility providing personal care and support for up to six residents. No further structural alterations or extension are proposed all accommodations uses the existing layout at Westons Lot, Grovelawn, Dundrum, Co. Tipperary.

Dear Peter,

I refer to an application received from you on 28th 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;

1. The applicant is advised that the Planning Authority is not satisfied that the proposed change of use of the dwelling falls under the exemption provided under Class 14 (f) of Part 1 of Schedule 2 Planning & Development Regulations 2001, as amended. The available exemption is for use as a residence for persons with an intellectual or physical disability or mental illness whereas this application refers to use as a residential care facility for children at risk including those with learning difficulties and requiring moderate assistance. The applicant is requested to clearly detail the manner in which the proposed use satisfied this exemption. This should clearly state that the residents will all be persons with an intellectual or physical disability or mental illness. The response to this item shall also clearly set out the number of resident and non resident carers.

2. The Planning Authority is aware that the house, to which the Declaration application relates, has been used as guest accommodation called *The Nightingale Country House/ Weston's Lot County House*. The Planning Authority note no grant of permission for the use of the dwelling as Guest Accommodation.

Please confirm the current use of the property to which the subject application relates. Where overnight guest accommodation is provided please provide the following information in respect of same:

- Number of bedrooms used to provide overnight accommodation.
- Capacity of each bedroom (Number of persons accommodated in each)
- Whether a permanent residential use is maintained while the property is used as guest accommodation.
- Whether the entire house is used as a holiday let.

Article 10 (4) of the Planning and Development Regulations 2001 (as amended) states that *development consisting of the use of not more than 4 bedrooms in a house, where each bedroom is used for the accommodation of not more than 4 persons as overnight guest accommodation, shall be exempted development for the purposes of the Act, provided that such development would not contravene a condition attached to a permission under the Act or be inconsistent with any use specified or included in such a permission.*

In the event the use of the property does not come within the above exemption the current use of the dwelling would be unauthorised and this would restrict the ability of the applicant to avail of a planning exemption. Where the entire dwelling is used to provide short term rental its use would be considered to have materially changed and this would restrict the availing of a planning exemption.

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

Yours sincerely



for **Director of Services**



PETER BOLGER CONSULTING LTD

CONSULTING ENGINEERS

Newton House, Bachelors Walk, Bagenalstown, Co. Carlow
Phone: (059) 9158005 Email: info@pbconsulting.ie

Your Ref: S5/25/149

Date: 22nd January 2026

Tipperary County Council
Civic Offices
Clonmel
Co. Tipperary
E91 N512

Re: Section 5 Declaration Application – Westons Lot, Grovelawn, Dundrum, Co. Tipperary

Further-Information Response

To whom it concerns,

I refer to above and your letter of 18th December 2025 requesting further information in respect of Section 5 Declaration application S5/25/149.

Please see the items outlined below and our response reference as they appear on your letter:

1. The applicant is advised that the Planning Authority is not satisfied that the proposed change of use of the dwelling falls under the exemption provided under Class 14 (f) of Part 1 Schedule 2 Planning & Development Regulations 2001, as amended. The available exemption is for use as a residence for persons with an intellectual or physical disability or mental illness whereas the application refers to use as a residential care facility for children at risk including those with learning difficulties and requiring moderate assistance. The applicant is requested to clearly detail the manner in which the proposed use satisfied this exemption.

Applicants response:

All residents will be persons with an intellectual or physical disability or mental illness and persons providing care for such persons. It is proposed to accommodate a maximum of six residents, each in their own bedroom and two resident carers.

The above occupancy complies with the limit, Under Class 14(f) of Part 1, Schedule 2 of the Planning & Development Regulations (as amended), “the number of persons with an intellectual or physical disability or a mental illness living in any such residence shall not exceed 6 and the number of resident carers shall not exceed 2.

2. The planning authority is aware that the house to which the Declaration application relates, has been used as guest accommodation called The Nightingale Country House / Weston's Lot County House. The planning authority note no grant of permission for the use of the dwelling as Guest Accommodation.

Please confirm the current use of the property to which the subject application relates. Where overnight guest accommodation is provided please provide the following information in respect to same:

- Number of bedrooms used to provide overnight accommodation.
- Capacity of each bedroom
- Weather a permanent residential use is maintained while the property is used as guest house accommodation.
- Weather the entire house is used as a holiday let.

Applicant Response:

The current use of the property is as a residential dwelling as per approved planning permission, there is no guest accommodation provided and it is currently not proposed to provide guest accommodation in the future at the property.

We trust the above fully addresses the queries raised. Should you require any further information, please do not hesitate to contact us.

Yours Sincerely,



Signed: _____

Peter Bolger B. Eng. MIEI C. Build E



Comhairle Contae Thiobraid Árann
Tipperary County Council

Comhairle Contae
Thiobraid Árann,
Oifigi Cathartha,
Cluain Meala,
Co. Thiobraid Árann
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Date: 28th January 2026 Our Ref: S5/25/149 Civic Offices, Clonmel

Eden Social Care Ltd
C/O Peter Bolger Consulting Ltd
Newton House
Bachelors Walk
Bagenalstown
Co. Carlow

Re: Application for a Section 5 Declaration – Change of use from a house to a Residential Care Facility for children at risk, including those with learning difficulties at Weston’s Lot Country House, Grovelawn, Dundrum, Co. Tipperary

A Chara,

I acknowledge receipt of Further Information received on 27th 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


for **Director of Services**

TIPPERARY COUNTY COUNCIL

Application for Declaration under Section 5

Report No. 2

Planning & Development Act 2000, as amended
Planning & Development Regulations 2001, as amended

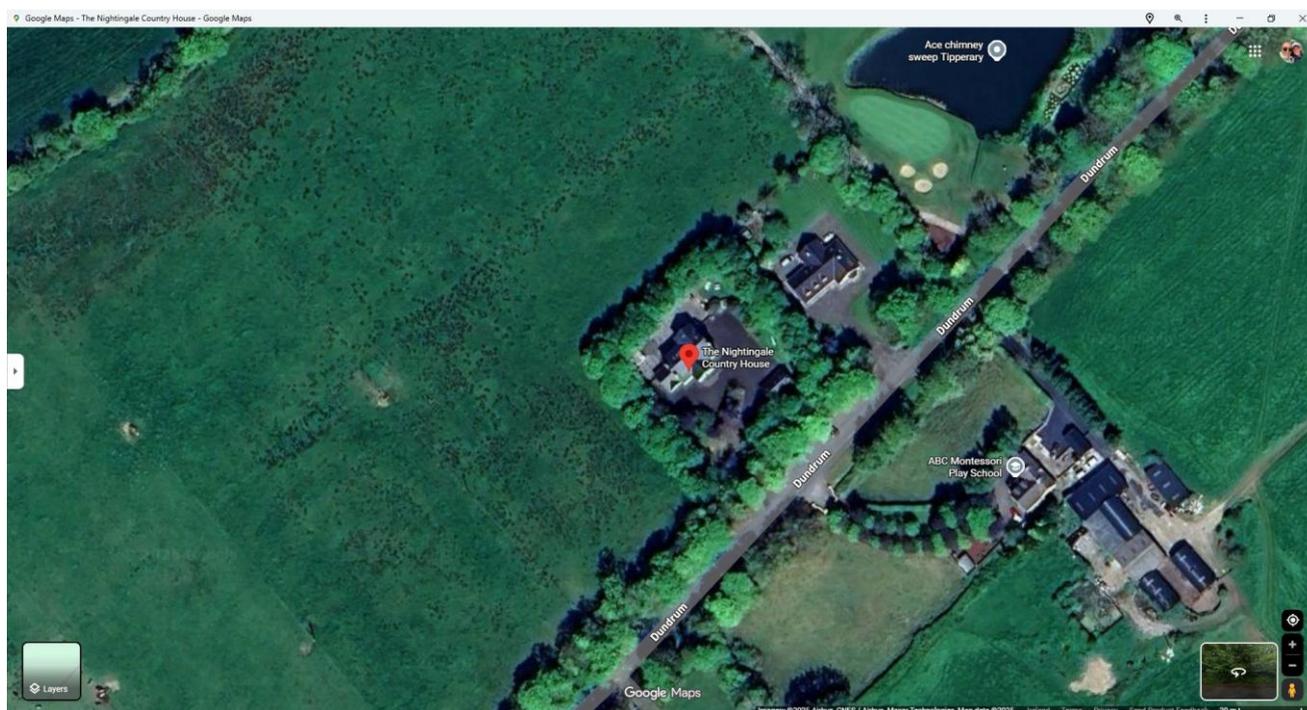
Planning Reference:	S5/25/149
Applicant:	Eden Social Care Ltd
Development Address:	Westons Lot, Grovelawn, Dundrum, Co. Tipperary.
Proposed Development:	Change of use from a house to use to provide a residential care facility for children at risk, including those with learning difficulties . The property will function as a small living care facility providing personal care and support for up to six residents. No further structural alterations or extension are proposed all accommodations uses the existing layout.

Further information was requested on 18th December 2025 under Section 5(2) of the above cited Act. Further information response was received on 27th January 2026.

1. GENERAL

On the 28th November 2025, a request was made for a declaration under Section 5 of the Planning and Development Act, 2000 as amended in respect of the following development at Westons Lot, Grovelawn, Dundrum, Co. Tipperary E34RW86

Change of use from a house to use to provide a residential care facility for children at risk, including those with learning difficulties. The property will function as a small living care facility providing personal care and support for up to six residents. No further structural alterations or extension are proposed all accommodations uses the existing layout.



The application is accompanied by:

- Section 5 Declaration Application form
- Plans of the dwelling
- Map of site

2. STATUTORY PROVISIONS

The following statutory provisions are relevant to this referral case;

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 2(1) of the Planning and Development Act, 2000, as amended, defines “works” as:-

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

(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 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.

The Planning and Development Regulations 2001 (as amended) contain the following relevant provisions;

Article 5 (Definitions)

“care” means personal care, including help with physical, intellectual, or social needs.

Article 6 (Exempted Development)

(1) Subject to article 9, development of a class specified in column 1 of Part 1 of Schedule 2 shall be exempted development for the purposes of the Act, provided that such development complies with the conditions and limitations specified in column 2 of the said Part 1 opposite the mention of that class in the said column 1.

Article 9 sets out Restrictions on Exemptions.

Article 10 (1) states that *development which consists of a change of use within any one of the classes of use specified in Part 4 of Schedule 2, shall be exempted development for the purposes of the Act, provided that the development, if carried out would not –*

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

Schedule 2 Part 1 Change of use
CLASS 14

Development consisting of a change of use—

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

SI No. 397/1996 - Child Care (Standards in Children's Residential Centres) Regulations, 1996

Part I (Preliminary Provisions) Section 3 (Definitions) states that in these Regulations: - "children's residential centre" means any home or other institution for the residential care of children in the care of health boards or other children who are not receiving adequate care and protection excluding –

- (a) an institution managed by or on behalf of a Minister of the Government or a health board,*
- (b) an institution in which a majority of the children being maintained are being treated for acute illnesses,*
- (c) an institution for the care and maintenance of physically or mentally handicapped children,*
- (d) a mental institution within the meaning of the Mental Treatment Acts, 1945 to 1966,*
- (e) an institution which is a "certified school" within the meaning of Part IV of the Children Act, 1908, functions in relation to which stand vested in the Minister for Education;*

3. ASSESSMENT

a. Site Location

The site comprises of an existing dwelling Westons Lot, Grovelawn, Dundrum, Co. Tipperary.

b. Relevant Planning History

S5/22/94 A question was asked as to whether a residence for persons/ children with intellectual or physical disability or mental illness was development and was exempted development.

Further information requested and not responded to.

08/995 Permission GRANTED for conversion of existing garage to granny flat with facade change and conversion of attic storage space to private accommodation with all associated site work.

00/661 Permission GRANTED for a two storey house, garage, garden shed, septic tank/puraflo system, new site entrance and associated site work. **It is noted there was 8 no. bedrooms permitted under this permission.**

c. Assessment

The question posed under the Section 5 Declaration application form is whether the change of use from a house to use to provide a residential care facility for children at risk, including those with learning difficulties. The property will function as a small living care facility providing personal care and support for up to six residents is development and is or is not exempted development.

i. “Is or is not Development”

Section 3 of the Act defines development as ‘the carrying out of any works on, in, over or under land or the making of any material change in the use of any structures or other land’. As defined in section 2(1) of the Act, works include “any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal”. It is apparent from the information contained on file that no physical ‘works’ are to be undertaken as part of the proposed development. Whilst no works are to be undertaken, the change of use from use as a private dwelling house to use as a residential care facility for children at risk represents a material change of use of the structure, and as such, I am satisfied that the proposal constitutes development

ii. “Is or is not Exempted Development”

There is an exemption under Class 14 (f) of Part 1 of Schedule 2 Planning & Development Regulations 2001, as amended for development consisting of a change of use:

*from use as a house, to use as **a residence for persons with an intellectual or physical disability or mental illness** and persons providing care for such persons.*

This exemption is subject to the following limitation:

The number of persons with an intellectual or physical disability or a mental illness living in any such residence shall not exceed 6 and the number of resident carers shall not exceed 2.

The details provided with the declaration application states that the facility will be a residential care facility for children at risk including those with learning difficulties. There is no reference in the submitted documentation to the number of carers.

Having reviewed the information submitted I am not satisfied that the proposed change of use of the dwelling falls under the exemption provided under Class 14 (f) of Part 1 of Schedule 2 Planning & Development Regulations 2001, as amended. The available exemption is for use as a residence **for persons with an intellectual or physical disability or mental illness** whereas this application refers to **use as a residential care facility for children at risk including those with learning difficulties and requiring moderate assistance. Further Information is required on the intended use.**

iii. Restrictions under Article 9 and Article 10

I note the property has operated as an bed and breakfast accommodation called *The Nightingale Country House*. I note no previous grant of permission for use as a B&B. It is difficult to ascertain if the use as a B&B falls within the scope of Article 10 (4) and if same is still operating noting the different owner to the last application. Further information should be requested.

It is noted that this information was requested in 2022 under S5/22/94 and was not responded to.

iv. Requirement for Appropriate Assessment (AA) and Environmental Impact Assessment (EIA)

AA

The proposal has been assessed having regard to the requirements of the EU Habitats Directive. The proposal has been screened as to the requirements for AA and the screening assessment considers that the proposal does not impact on any Natura 2000 site. See also Appropriate Assessment (AA) screening report attached as Appendix 1.

EIA

The proposed development has been subject to a pre-screening (Appendix 2) to determine the requirement for EIA. EIA is not required in respect of the development.

4. **FUTHER INFORMATION REQUEST, RESPONSE & ASSESSMENT**

Further Information was requested on 18th December 2025 under Section 5(2) of the Act as follows;

1. *The applicant is advised that the Planning Authority is not satisfied that the proposed change of use of the dwelling falls under the exemption provided under Class 14 (f) of Part 1 of Schedule 2 Planning & Development Regulations 2001, as amended. The available exemption is for use as a residence for persons with an **intellectual or physical disability or mental illness** whereas this application refers to use as a residential care facility for children at risk including those with learning difficulties and requiring moderate assistance. The applicant is requested to clearly detail the manner in which the proposed use satisfied this exemption. This should clearly state that the residents will all be persons with an **intellectual or physical disability or mental illness**. The response to this item shall also clearly set out the number of resident and non-resident carers.*

Response: A cover letter has been submitted which states that all residents will be persons with an intellectual or physical disability or mental illness and persons providing care for such persons. It is proposed to accommodate a maximum of 6 residents, each in their own bedroom and 2 carers.

Assessment: Having regard to the information submitted by the applicant I am satisfied that the proposal avails of the exemption set out under Class 14(f) of Part 1, Schedule 2 of the Planning & Development Regulations (as amended).

2. *The Planning Authority is aware that the house, to which the Declaration application relates, has been used as guest accommodation called The Nightingale Country House/ Weston's Lot County House. The Planning Authority note no grant of permission for the use of the dwelling as Guest Accommodation.*

Please confirm the current use of the property to which the subject application relates. Where overnight guest accommodation is provided please provide the following information in respect of same:

- *Number of bedrooms used to provide overnight accommodation.*
- *Capacity of each bedroom (Number of persons accommodated in each)*
- *Whether a permanent residential use is maintained while the property is used as guest accommodation.*
- *Whether the entire house is used as a holiday let.*

Article 10 (4) of the Planning and Development Regulations 2001 (as amended) states that development consisting of the use of not more than 4 bedrooms in a house, where each bedroom is used for the accommodation of not more than 4 persons as overnight guest accommodation, shall be exempted development for the purposes of the Act, provided that such development would not contravene a condition attached to a permission under the Act or be inconsistent with any use specified or included in such a permission.

In the event the use of the property does not come within the above exemption the current use of the dwelling would be unauthorised and this would restrict the ability of the applicant to avail of a planning exemption. Where the entire dwelling is used to provide short term rental its use would be considered to have materially changed and this would restrict the availing of a planning exemption.

Response: The cover letter states the current use of the property is as a residential dwelling as per approved planning permission, there is no guest accommodation provided and it is currently not proposed to provide guest accommodation in the future at the property.

Assessment: The response is noted and it has been confirmed the existing structure is a private dwelling and is not used for guest accommodation.

5. RECOMMENDATION

WHEREAS a question (**rephrased having regard to the FI submitted**) has arisen as to whether the change of use from residential to use as a residence for persons with an intellectual or physical disability or mental illness and persons providing care for such persons. The number of residents not exceed 6 and the number of careers will not exceed 2, at Westons Lot, Grovelawn, Dundrum, Co. Tipperary is “development” and is or is not “exempted development”,

AND WHERE AS Tipperary County Council in considering this referral had regard particularly to -
(a) Sections 2, 3 and 4 of the Planning and Development Act, 2000 as amended,
(b) Article 5, 6 and Article 9 of the Planning and Development Regulations, 2001, as amended,
(c) Schedule 2, Part 1, Class 14(f) of the Planning and Development Regulations, 2001, as amended.
(d) Details submitted with the application on 15th January 2025 and further information on 27th January 2026.

AND WHEREAS Tipperary County Council has concluded that the change of use from residential use to use as a residence for persons with an intellectual or physical disability or mental illness and persons providing care for such persons. The number of residents not exceed 6 and the number of careers will not exceed 2, at Westons Lot, Grovelawn, Dundrum, Co. Tipperary constitutes “development” within the meaning of the Planning and Development Act 2000, as amended and IS “exempted development”.

The development has been screened as to the requirement for Appropriate Assessment and Environmental Impact Assessment and it has been determined that same are not required.

District Planner: 

Date: 09/02/2026



Senior Executive Planner:

Date: 10.2.2026

HABITATS DIRECTIVE APPROPRIATE ASSESSMENT (AA) SCREENING REPORT

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

(a) File Reference No:	S5/25/149
(b) Brief description of the project or plan:	Change of use from a house to use to provide a residential care facility for children at risk, including those with learning difficulties. The property will function as a small living care facility providing personal care and support for up to six residents. No further structural alterations or extension are proposed all accommodations uses the existing layout
(c) Brief description of site characteristics:	Existing dwelling rural
(d) Relevant prescribed bodies consulted: e.g. DHLGH (NPWS), EPA, OPW	None
(e) Response to consultation:	None

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

European Site (code)	List of Qualifying Interest/Special Conservation Interest ¹	Distance from proposed development ² (km)	Connections (Source-Pathway-Receptor)	Considered further in screening Y/N
002137 Lower River Suir SAC	https://www.npws.ie/protected-sites/sac/002137	Within 0.5km	None	No
001847 Philipston Marsh SAC	https://www.npws.ie/protected-sites/sac/001847	Within 10km	None	No
004165 Slievefelim To Silvermines Mountains SPA	https://www.npws.ie/protected-sites/spa/004165	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.)
Construction phase e.g. <ul style="list-style-type: none"> ● Vegetation clearance ● Demolition ● Surface water runoff from soil excavation/infill/landscaping (including borrow pits) ● Dust, noise, vibration ● Lighting disturbance 	No potential for impacts

<ul style="list-style-type: none"> ● Impact on groundwater/dewatering ● Storage of excavated/construction materials ● Access to site ● Pests 		
<p>Operational phase e.g.</p> <ul style="list-style-type: none"> ● Direct emission to air and water ● Surface water runoff containing contaminant or sediment ● Lighting disturbance ● Noise/vibration ● Changes to water/groundwater due to drainage or abstraction ● Presence of people, vehicles and activities ● Physical presence of structures (e.g. collision risks) ● Potential for accidents or incidents 	No potential for impacts	
In-combination/Other	No potential for impacts	
(b) Describe any likely changes to the European site:		
<p>Examples of the type of changes to give consideration to include:</p> <ul style="list-style-type: none"> ● Reduction or fragmentation of habitat area ● Disturbance to QI species ● Habitat or species fragmentation ● Reduction or fragmentation in species density ● Changes in key indicators of conservation status value (water or air quality etc.) ● Changes to areas of sensitivity or threats to QI ● Interference with the key relationships that define the structure or ecological function of the site 	No potential for impacts	
(c) Are 'mitigation' measures necessary to reach a conclusion that likely significant effects can be ruled out at screening?		
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
STEP 4. Screening Determination Statement		
<p>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.</p>		
The proposed development is not likely to have significant effects.		
Conclusion:		
	Tick as Appropriate:	Recommendation:
(i) It is clear that there is no likelihood of significant effects on a European site.	<input checked="" type="checkbox"/>	The proposal can be screened out: Appropriate assessment not required.

(ii) It is uncertain whether the proposal will have a significant effect on a European site.	<input type="checkbox"/>	<input type="checkbox"/> Request further information to complete screening <input type="checkbox"/> Request NIS <input type="checkbox"/> Refuse planning permission
(iii) Significant effects are likely.	<input type="checkbox"/>	<input type="checkbox"/> Request NIS <input type="checkbox"/> Refuse planning permission

EIA Pre-Screening Establishing a development is a 'sub-threshold development'	
File Reference:	S5/25/149
Development Summary:	Change of use from a house to use to provide a residential care facility for children at risk, including those with learning difficulties. The property will function as a small living care facility providing personal care and support for up to six residents. No further structural alterations or extension are proposed all accommodations uses the existing layout
Was a Screening Determination carried out under Section 176A-C?	<input type="checkbox"/> Yes, no further action required <input checked="" type="checkbox"/> No, Proceed to Part A
A. Schedule 5 Part 1 - Does the development comprise a project listed in Schedule 5, Part 1, of the Planning and Development Regulations 2001 (as amended)? (Tick as appropriate)	
<input type="checkbox"/> Yes, specify class _____	EIA is mandatory No Screening required
<input checked="" type="checkbox"/> No	Proceed to Part B
B. Schedule 5 Part 2 - Does the development comprise a project listed in Schedule 5, Part 2, of the Planning and Development Regulations 2001 (as amended) and does it meet/exceed the thresholds? (Tick as appropriate)	
<input checked="" type="checkbox"/> No, the development is not a project listed in Schedule 5, Part 2	No Screening required
<input type="checkbox"/> Yes the project is listed in Schedule 5, Part 2 and meets/exceeds the threshold, specify class (including threshold): _____	EIA is mandatory No Screening required
<input type="checkbox"/> Yes the project is of a type listed but is <i>sub-threshold</i> : _____	Proceed to Part C
C. If Yes, has Schedule 7A information/screening report been submitted?	
<input type="checkbox"/> Yes, Schedule 7A information/screening report has been submitted by the applicant	Screening Determination required
<input type="checkbox"/> No, Schedule 7A information/screening report has not been submitted by the applicant	Preliminary Examination required

Planning Section Map Viewer

Map Viewer Guide

Find address or place

S5/25/149 - Eden Care Soical Limited

Zoom to

REFNO	S5/25/149
APPLICANT	Eden Care Soical Limited
RECEIVED	28/11/2025
LOCATION	Westons Lot, Grovelawn, Dundrum, Co. Tipperary
ENGINEERING AREA	Tipperary
DECISION	Unknown
DATE OF DECISION	18/12/2025
DESCRIPTION	Change of use from a house to use to provide a residential care facility for children at risk, including those with learning difficulties. The propert
YEAR	2025
COMMENTS	

Last edited by lauren.butler-ryan_top_ie on 16/12/2025, 16:56

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Original

TIPPERARY COUNTY COUNCIL

DELEGATED EMPLOYEE'S ORDER

File Ref: **S5/25/149** **Delegated Employee's Order No:** _____

SUBJECT: Section 5 Declaration

I, Brian Beck, Director of Services, Tipperary County Council, by virtue of the powers delegated to me in accordance with the provisions of Section 154 of the Local Government Act 2001, as amended by Schedule 1, Part 1 of the Local Government Reform Act 2014 under Chief Executive's Order No. 44188 dated 3rd October, 2025, hereby order that pursuant to the provisions of the Planning and Development Act 2000, as amended, that an application under Section 5 from Eden Social Care Ltd, C/O Peter Bolger Consulting Ltd, Newton House, Bachelors Walk, Bagenalstown, Co. Carlow, re: Change of use from a house to use to provide a residential care facility for children at risk, including those with learning difficulties. The property will function as a small living care facility providing personal care and support for up to six residents. No further structural alterations or extension are proposed all accommodations uses the existing layout at Weston's Lot Country House, Grovelawn, Dundrum, Co. Tipperary

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

- a) Sections 2, 3 and 4 of the Planning and Development Act, 2000 as amended,
- b) Article 5, 6 and Article 9 of the Planning and Development Regulations, 2001, as amended,
- c) Schedule 2, Part 1, Class 14(f) of the Planning and Development Regulations, 2001, as amended.
- d) Details submitted with the application on 15th January 2025 and further information on 27th January 2026.

Tipperary County Council has concluded that the change of use from residential use to use as a residence for persons with an intellectual or physical disability or mental illness and persons providing care for such persons. The number of residents not exceed 6 and the number of careers will not exceed 2, at Westons Lot, Grovelawn, Dundrum, Co. Tipperary constitutes "development" within the meaning of the Planning and Development Act 2000, as amended and **IS "exempted development"**.

The development has been screened as to the requirement for Appropriate Assessment and Environmental Impact Assessment and it has been determined that same are not required.

Signed: 
Brian Beck
Director of Services

Date: 11/02/2026



Comhairle Contae Thiobraid Árann
Tipperary County Council

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

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

t 0818 06 5000/6000
e customerservice
@tipperarycoco.ie
tipperarycoco.ie

Date: 11th February 2026

Our Ref: S5/25/149

Civic Offices, Nenagh

Eden Social Care Ltd
C/O Peter Bolger Consulting Ltd
Newton House
Bachelors Walk
Bagenalstown
Co. Carlow

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

Dear sir/madam,

I refer to your application for a Section 5 Declaration received on 28th November, 2025, and Further Information received on 27th January 2026 in relation to the following proposed works:

Change of use from a house to use to provide a residential care facility for children at risk, including those with learning difficulties. The property will function as a small living care facility providing personal care and support for up to six residents. No further structural alterations or extension are proposed all accommodations uses the existing layout at Weston's Lot Country House, Grovelawn, Dundrum, Co. Tipperary

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

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

- a) Sections 2, 3 and 4 of the Planning and Development Act, 2000 as amended,
- b) Article 5, 6 and Article 9 of the Planning and Development Regulations, 2001, as amended,

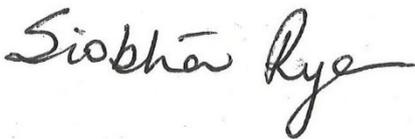
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The development has been screened as to the requirement for Appropriate Assessment and Environmental Impact Assessment and it has been determined that same are not required.

NOTE: Any person issued with a Declaration of a Planning Authority may refer the Declaration for review to An Coimisiún Pleanála, 64 Marlborough Street, Dublin 1, within four (4) weeks of the date of issue of the Declaration and on payment of the prescribed fee.

Yours sincerely



for **Director of Services**