



PLANNING & DEVELOPMENT ACT, 2000 (as amended)

Application for a Section 5 Declaration
Development / Exempted Development

1. Applicant's address/contact details:

<i>Applicant</i>	MOOREHAVEN
<i>Address</i>	THE LAURELS, Clonmel Road, Tipperary Town, Co. Tipperary
<i>Telephone No.</i>	
<i>E-mail</i>	[REDACTED]

2. Agent's (if any) address:

<i>Agent</i>	EOGHAN FRANKS
<i>Address</i>	10 RAILWAY VIEW, TEMPLEMORE, CO. TIPPERARY
<i>Telephone No.</i>	[REDACTED]
<i>E-mail</i>	[REDACTED]

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

Applicant [] Agent [x]

3. Location of Proposed Development:

<i>Postal Address or Townland or Location (as may best identify the land or structure in question)</i>	<i>THE LAURELS, Clonmel Road, Tipperary Town, Co. Tipperary</i>
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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.)

Ensuite extension to rear of existing dwelling
Staff bedroom to the rear of the existing dwelling
Proposed floor area of proposed works/uses: 23 sqm

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

<i>Please tick appropriate box to show applicant's legal interest in the land or structure</i>	A. Owner x	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) PP  Date: 5/02/2026

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

GUIDANCE NOTES

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

(All dimensions must be given in metric scale and drawings should be accompanied by a brief description outlining the use of the proposed development)

- (3) Where a proper and complete application is received, a decision must be conveyed to the applicant within four (4) weeks except where additional necessary information is required.

This application form and relevant fee should be submitted to:

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

DATE STAMP

Fee Recd. € 80.00

Receipt No 135582

Date 4.3.2026

Received by _____



Cash Office
Tipperary County Council
Civic Offices
Nenagh
Co Tipperary

=====
04/03/2026 14:40:37

Receipt No. : NENAM1/0/135582

MOORHAVEN,
THE LAURELS,
CLONMEL ROAD, TIPPERARY TOWN.

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

Total : 80.00 EUR

Tendered :
Credit Card 80.00

Change : 0.00

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

Description:

Digital Landscape Model (DLM)

Publisher / Source:

Taite Eireann

Data Source / Reference:

PRIME2

File Format:

Autodesk AutoCAD (DWG_R2013)

File Name:

v_50520248_1.dwg

Clip Extent / Area of Interest (AOI):

LX,LLY= 589336.8948,635755.7201
LRX,LRX= 589569.8948,635755.7201
ULX,ULY= 589336.8948,635927.7201
URX,URY= 589569.8948,635927.7201

Projection / Spatial Reference:

Projection= IREN95_Irsh_Transverse_Mercator

Centre Point Coordinates:

X,Y= 589453.3948,635841.7201

Reference Index:

Map Series | Map Sheets

1:1.000 | 5177-03

1:1.000 | 5177-02

Data Extraction Date:

Date= 24-Feb-2026

Source Data Release:

DCMLS Release V1.196.121

Product Version:

Version= 1.4

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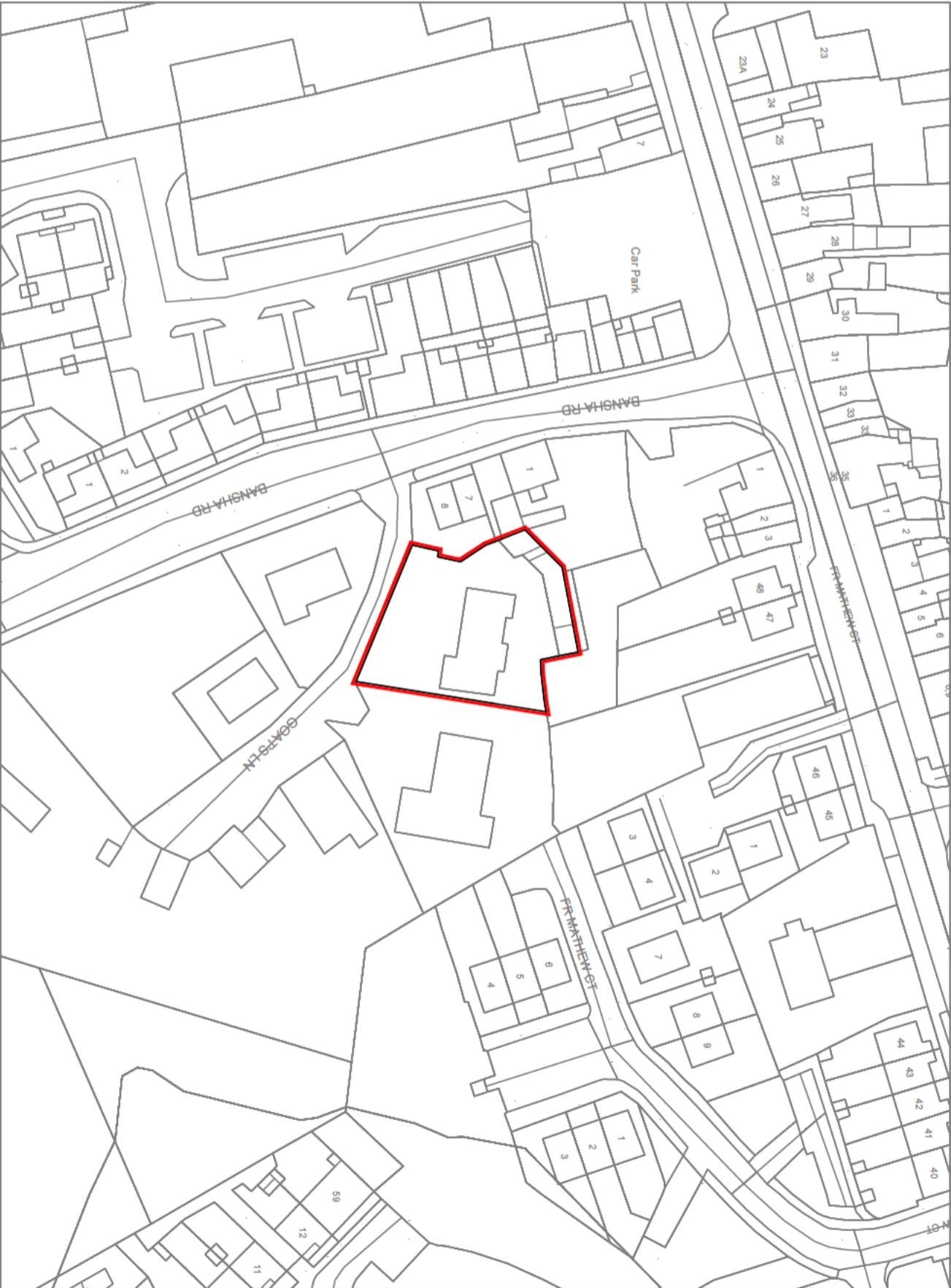
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This topographic map
does not show
legal property boundaries,
nor does it show
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- █ APPLICATION BOUNDARY
- █ LANDOWNERS LAND
- █ PERMISSION
- █ RETENTION



LOCATION MAP
SITE AREA:0.09HA
SCALE: 1:1000
 The Laurels, Clonmel Road,
 Tipperary Town

Location Map

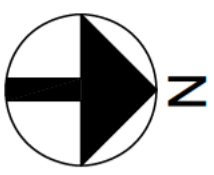
Project number	25-46
Date	Jan 26
Drawn by	DRW
Checked by	CHK
Scale	1 : 1000

MOOREHAVEN

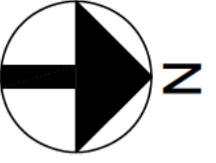
The Laurels
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 Tipperary Town

Eoghan Franks Design & Planning

Cobbs, Templemore, Co. Tipperary
 E: eoghanfranks@gmail.com M: 087 713781



GENERAL NOTES:
 WORK TO FIGURED DIMENSIONS ONLY. DO NOT SCALE PRINT.
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 NOTE: THAT BEFORE ANY WORK COMMENCES ON SITE GROUND CONDITIONS MUST FIRST BE DETERMINED BY A NOMINATED ENGINEER.
 THESE DRAWINGS ARE NOT WORKING DRAWINGS.
 CONSTRUCTION TO BE IN ACCORDANCE WITH ALL IRISH BUILDING REGULATIONS AND CODES OF PRACTICE AT THE TIME OF CONSTRUCTION.
 THE CONTRACTOR MUST ENSURE THAT ALL WORK PRACTICES ON SITE COMPLY WITH B.S. 8000.



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Eoghan Franks
Design & Planning

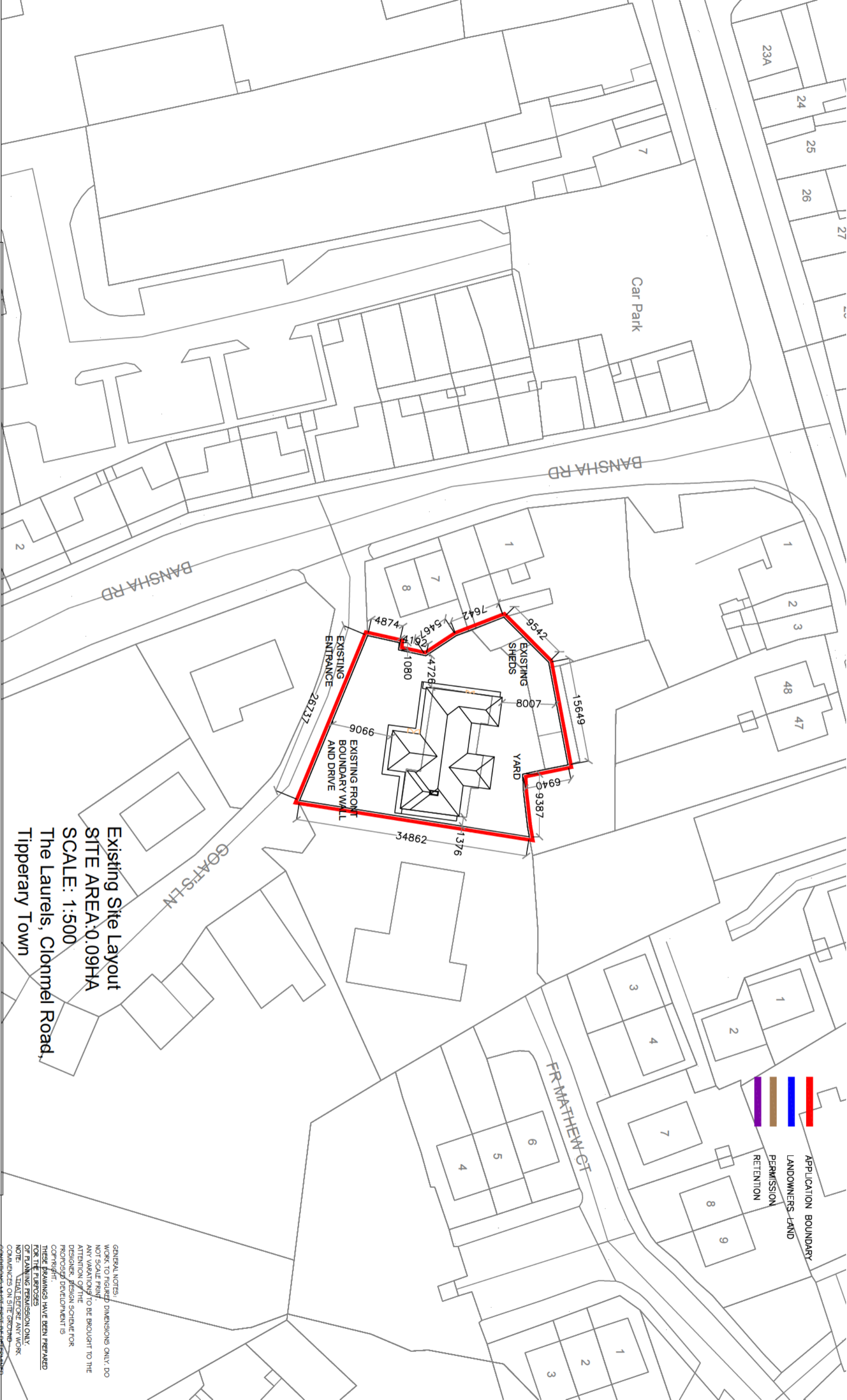
Existing Site Layout

Project number	25-46
Date	Jan 26
Drawn by	DRW
Checked by	CHK
Scale	1 : 1000

MOOREHAVEN

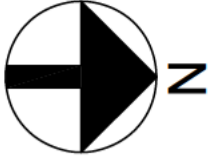
The Laurels
Clonmel Road
Tipperary Town

Existing Site Layout
SITE AREA: 0.09HA
SCALE: 1:500
The Laurels, Clonmel Road,
Tipperary Town



- APPLICATION BOUNDARY
- LANDOWNERS LAND PERMISSION RETENTION

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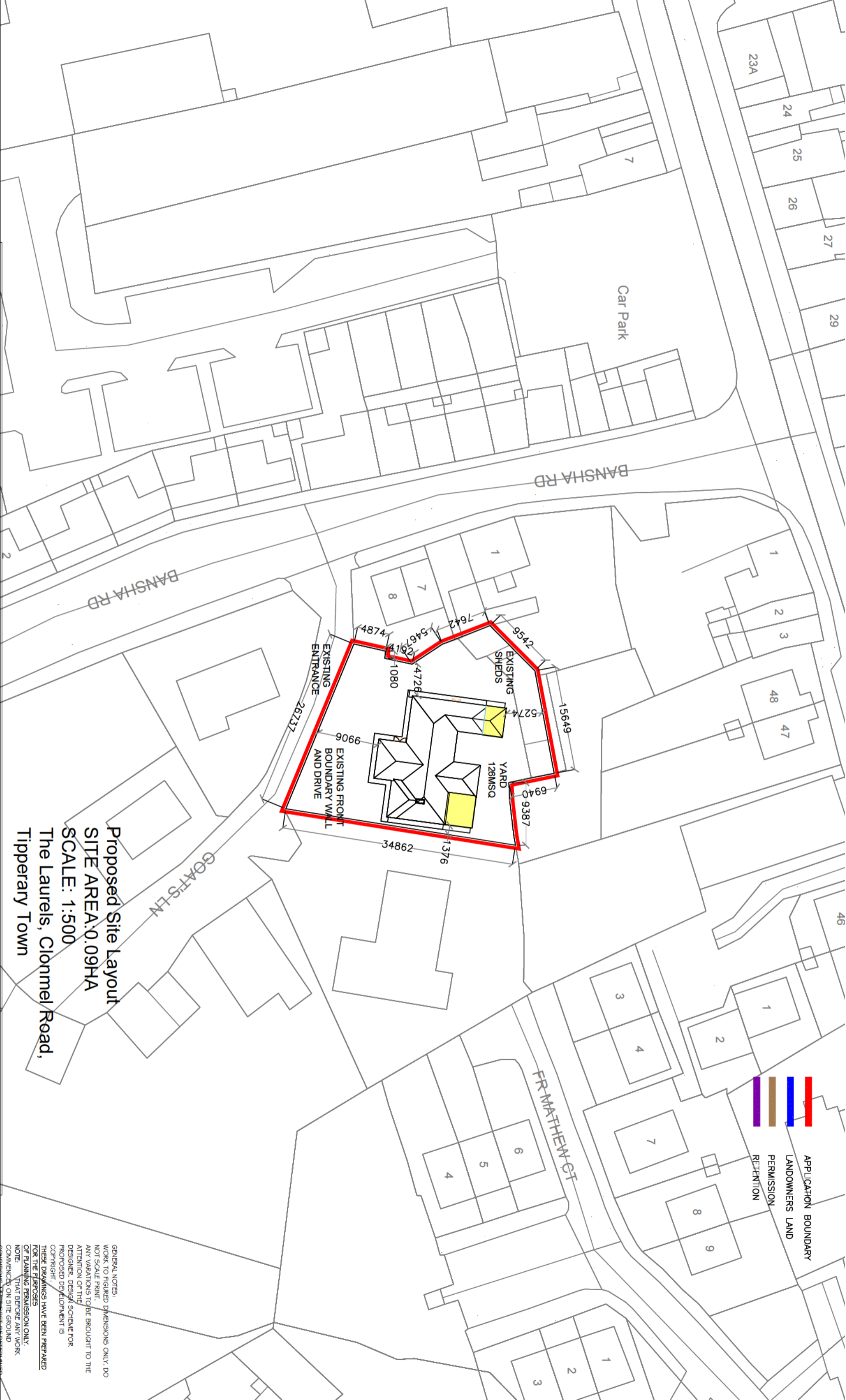
Proposed Site Layout

Project number	25-46
Date	Jan 26
Drawn by	DRW
Checked by	CHK
Scale	1 : 1000

MOOREHAVEN

The Laurels
Clonmel Road
Tipperary Town

Proposed Site Layout
SITE AREA: 0.09HA
SCALE: 1:500
The Laurels, Clonmel Road,
Tipperary Town



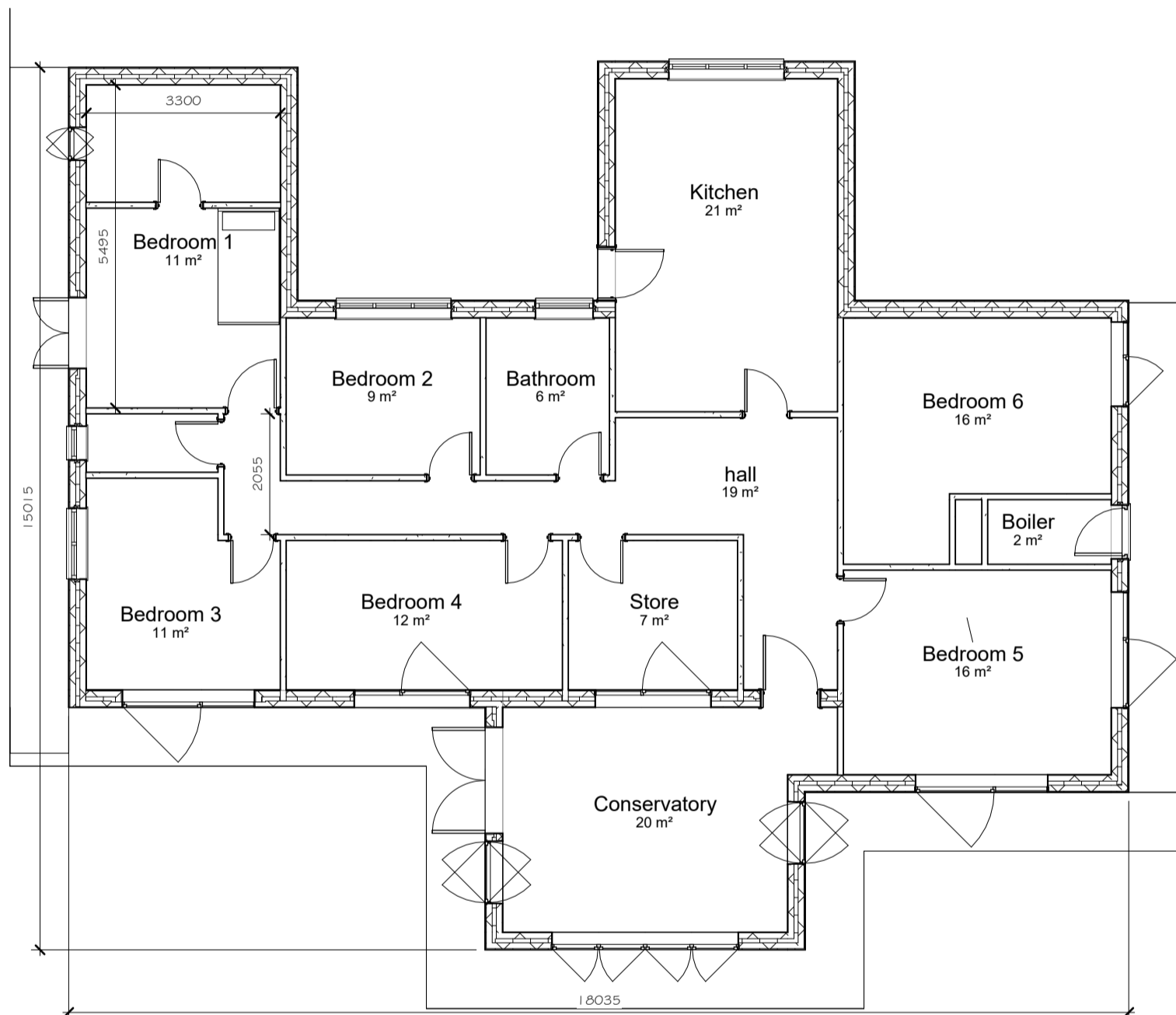
- █ APPLICATION BOUNDARY
- █ LANDOWNERS LAND
- █ PERMISSION RETENTION

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1 **Ground Floor Plan**
 1 : 100

**PLANNING
 DRAWINGS ONLY
 NOT FOR
 CONSTRUCTION**

ALL WORKS TO COMPLY WITH BUILDING REGULATIONS. DRAWINGS ARE NOT TO BE SCALED AND ALL DIMENSIONS SHOULD BE CHECKED ON SITE PRIOR TO COMMENCEMENT



Eoghan Franks
 Design & Planning

Cobbs, Templemore, Co. Tipperary
 E: eoghanfranks@gmail.com M: 087 7103781

Existing Layout

Project number	25-46
Date	Oct 25
Drawn by	E.F.
Checked by	E.F.
Scale	1 : 100

PP-103

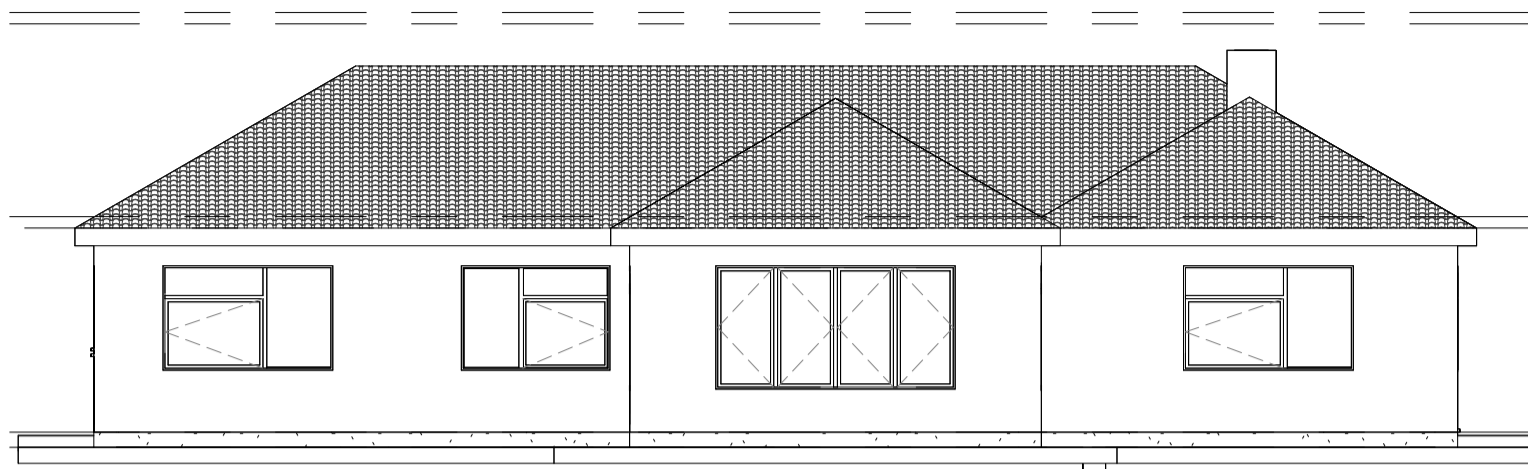
Moorehaven

The Laurels
 Clonmel Road
 Tipperary Town

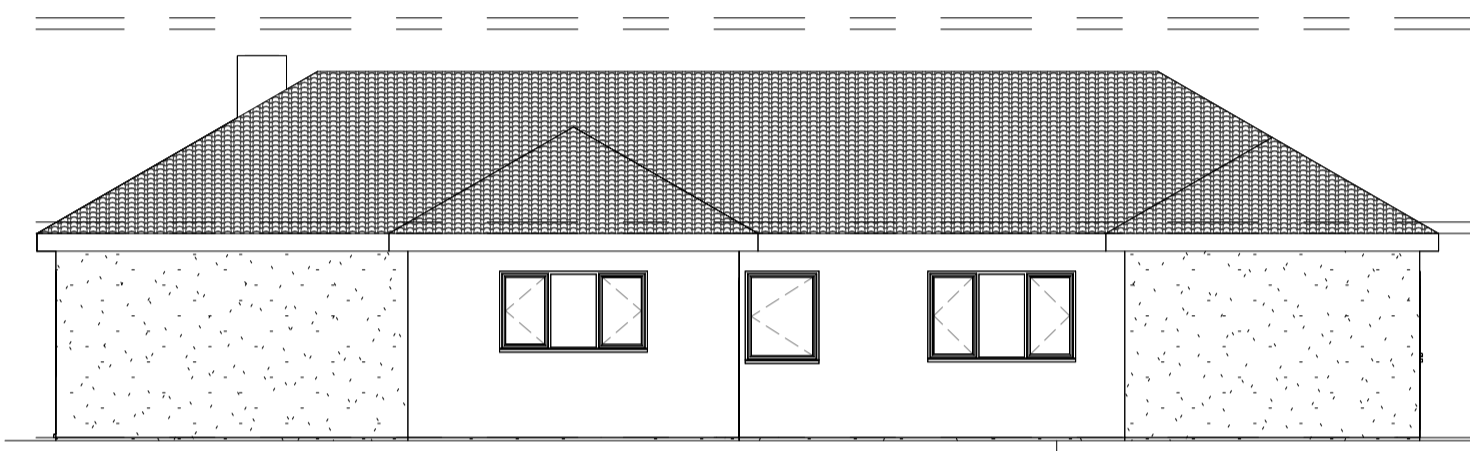
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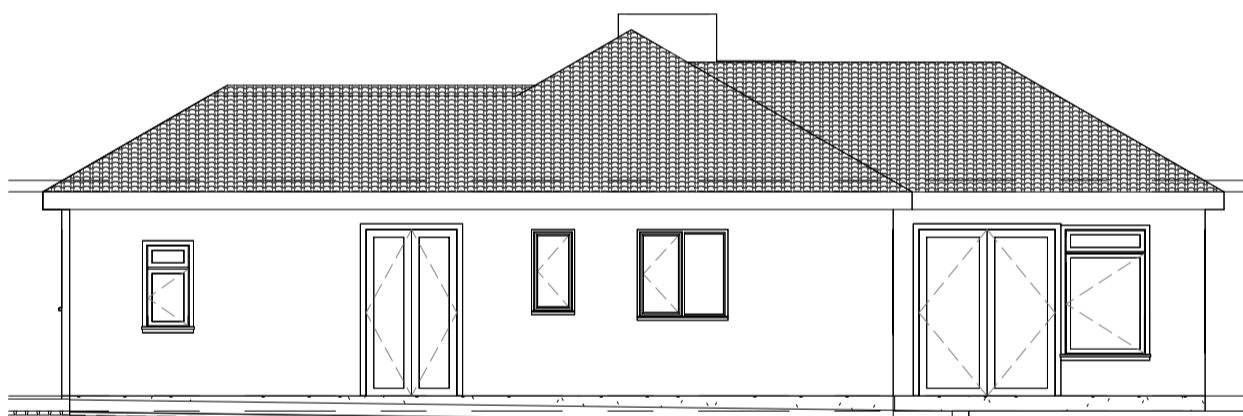
THE CONTRACTOR MUST ENSURE THAT ALL WORK PRACTICES ON SITE COMPLY WITH B.S. 8000.



1 Front Elevation
1 : 100



2 Rear Elevation
1 : 100



3 Side elevation 1
1 : 100



4 Side Elevation 2
1 : 100

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Existing Elevations

Project number	25-46	PP-104
Date	Oct 25	
Drawn by	Author	
Checked by	Checker	
Scale	1 : 100	

Moorehaven

The Laurels
 Clonmel Road
 Tipperary Town



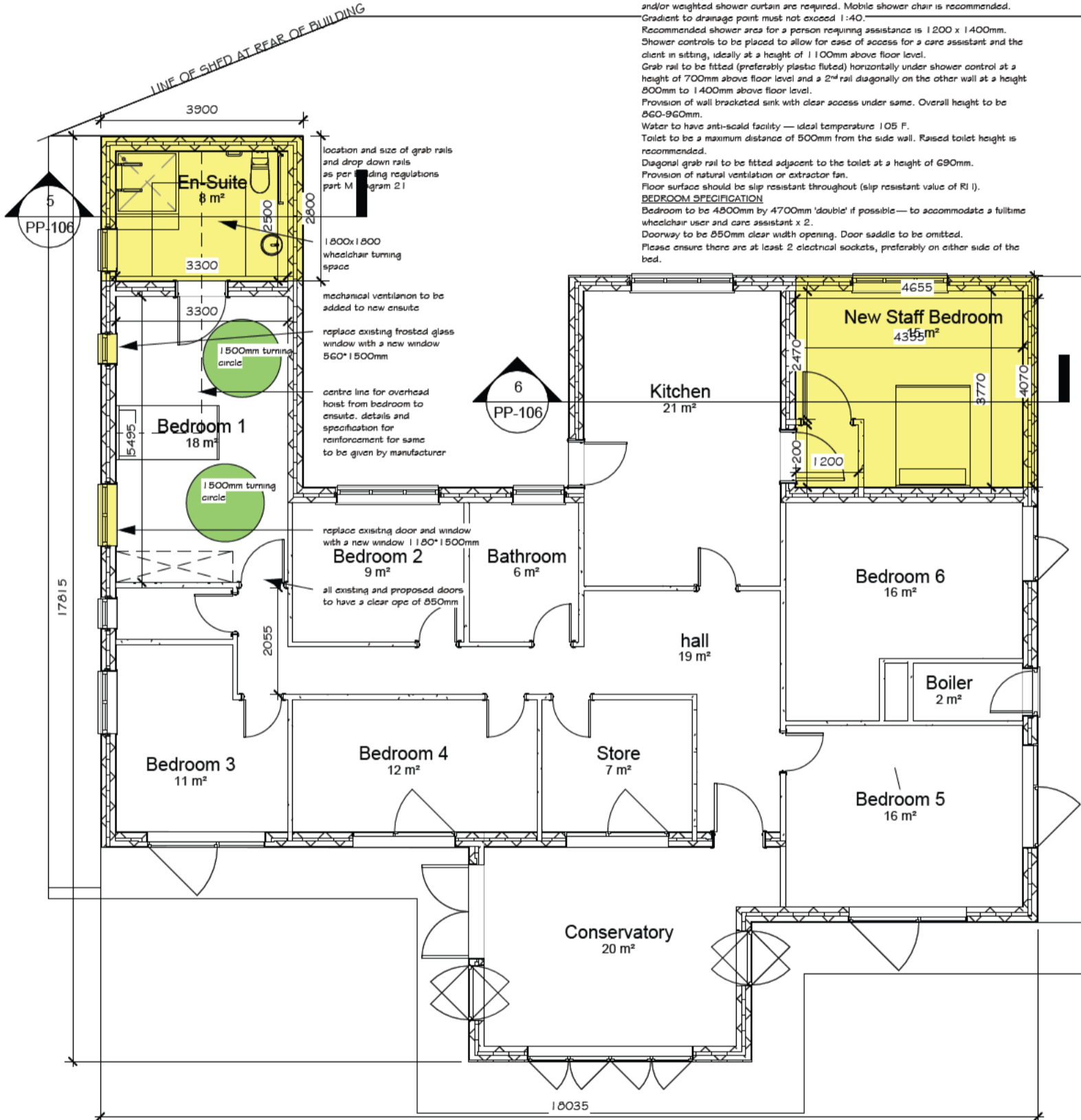
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ADAPTED ENSUITE SPECIFICATION BY OT

Doorway to be widened to 850mm clear width opening if possible. Existing doorway may need to be re-positioned.
 Recommended bathroom dimensions 3000mm x 4200mm, with a clear turning space of 1800mm, to accommodate wheelchair user and care assistant x 2.
 Provision of space for level access shower tray or shower bed. Half screen shower doors and/or weighted shower curtain are required. Mobile shower chair is recommended.
 Gradient to drainage point must not exceed 1:40.
 Recommended shower area for a person requiring assistance is 1200 x 1400mm.
 Shower controls to be placed to allow for ease of access for a care assistant and the client in sitting, ideally at a height of 1100mm above floor level.
 Grab rail to be fitted (preferably plastic fluted) horizontally under shower control at a height of 700mm above floor level and a 2nd rail diagonally on the other wall at a height 800mm to 1400mm above floor level.
 Provision of wall bracketed sink with clear access under same. Overall height to be 860-960mm.
 Water to have anti-scald facility — ideal temperature 105 F.
 Toilet to be a maximum distance of 500mm from the side wall. Raised toilet height is recommended.
 Diagonal grab rail to be fitted adjacent to the toilet at a height of 690mm.
 Provision of natural ventilation or extractor fan.
 Floor surface should be slip resistant throughout (slip resistant value of RI 1).
BEDROOM SPECIFICATION
 Bedroom to be 4800mm by 4700mm 'double' if possible — to accommodate a fulltime wheelchair user and care assistant x 2.
 Doorway to be 850mm clear width opening. Door saddle to be omitted.
 Please ensure there are at least 2 electrical sockets, preferably on either side of the bed.



1 Ground Floor Plan
 1 : 100

PLANNING DRAWINGS ONLY NOT FOR CONSTRUCTION

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 Design & Planning

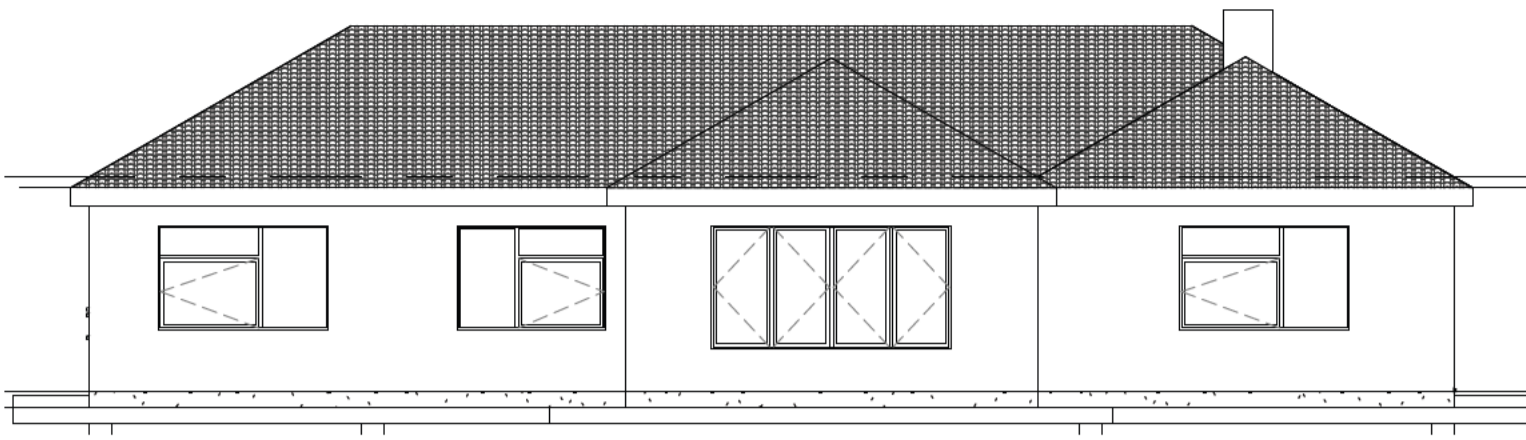
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Proposed Layout

Project number	25-46	PP-105
Date	Oct 25	
Drawn by	E.F.	
Checked by	E.F.	
Scale	1 : 100	

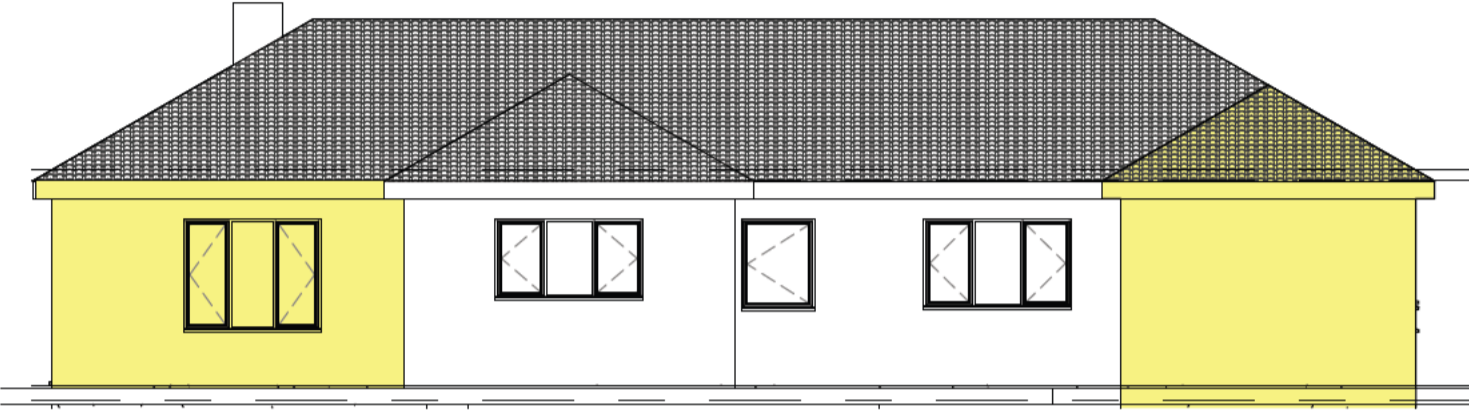
Moorehaven

The Laurels
 Clonmel Road
 Tipperary Town



1 Front Elevation

1 : 100



2 Rear Elevation

1 : 100



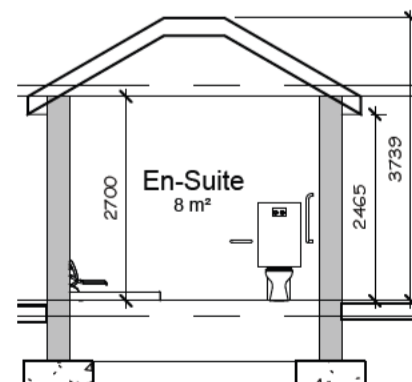
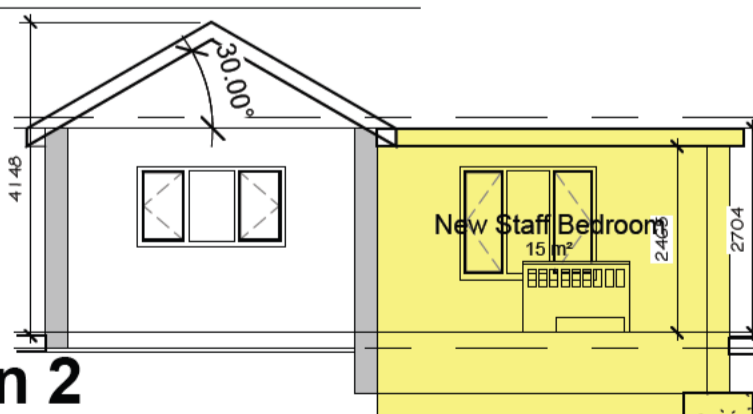
3 Side elevation 1

1 : 100



4 Side Elevation 2

1 : 100



5 Section 1

1 : 100

6 Section 2

1 : 100

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Elevations & Sections

Project number	25-46	PP-106
Date	Oct 25	
Drawn by	Author	
Checked by	Checker	
Scale	1 : 100	

Moorehaven

The Laurels
 Clonmel Road
 Tipperary Town



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

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

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

tipperarycoco.ie

Date: 4th March 2026

Our Ref: S5/26/21

Civic Offices, Nenagh

Moorehaven
C/O Eoghan Franks
10 Railway View
Templemore
Co Tipperary


Re: Application for a Section 5 Declaration – Ensuite extension to rear of existing dwelling. Staff bedroom to the rear of the existing dwelling, 23sqm at The Laurels, Clonmel Rd, Tipperary Town., Co Tipperary

A Chara,

I acknowledge receipt of your application for a Section 5 Declaration received on 4th March 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

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

Planning Reference:	S5/26/21
Applicant:	Moorehaven
Development Address:	The Laurels, Goats Lane, Clonmel Road, Tipperary Town, Co. Tipperary
Proposed Development:	Ensuite extension to rear of existing dwelling. Staff bedroom to the rear of the existing dwelling. 23sqm

1. GENERAL

On 4th March 2026 a request was made for a declaration under Section 5 of the Planning and Development Act, 2000 as amended by Moorehaven c/o Eoghan Franks as to whether or not the following works constituted development and if so, whether same was exempted development:

Ensuite extension to rear of existing dwelling. Staff bedroom to the rear of the existing dwelling. 23sqm

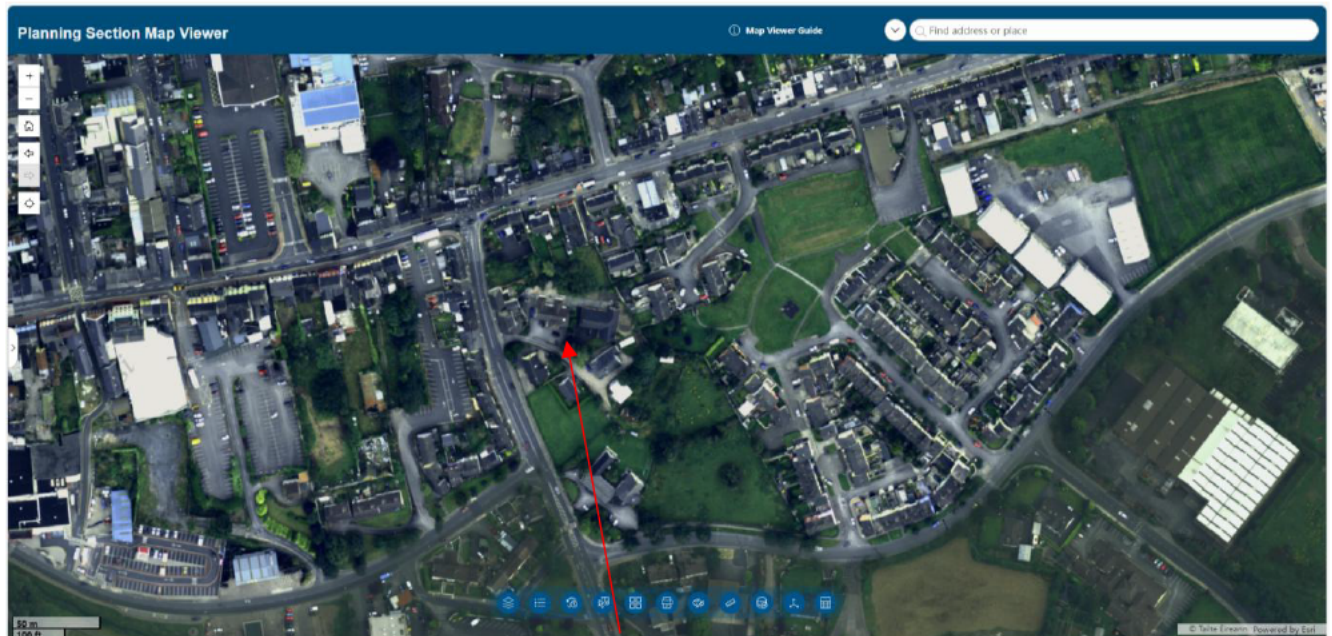


Figure 1 Site Location

2. STATUTORY PROVISIONS

The following statutory provisions are relevant to this case;

Planning and Development Act 2000, as amended

Section 2(1) of the Planning and Development Act 2000, as amended (hereafter referred to as the Act), 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 2(1) of the Act defines “house” as:-

“house” means a building or part of a building which is being or has been occupied as a dwelling or was provided for use as a dwelling but has not been occupied, and where appropriate, includes a building which was designed for use as 2 or more dwellings or a flat, an apartment or other dwelling within such a building;

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

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

Section 4 of the Act 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).*

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 5 of the Planning and Development Regulations 2001, as amended states:

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

Article 6 of the Planning and Development Regulations 2001, as amended states:

Exempted Development.

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

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

<p>CLASS 1 <i>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.</i></p>	<p>1. <i>(a) Where the house has not been extended previously, the floor area of any such extension shall not exceed 40 square metres.</i></p> <p><i>(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.</i></p> <p><i>(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.</i></p>
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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

Article 9 of the Planning and Development Regulations 2001, as amended sets out restrictions on exemptions and states:

9. (1) Development to which article 6 relates shall not be exempted development for the purposes of the Act—

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

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

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

3. **ASSESSMENT**

a. **Site Location**

The subject site is located at The Laurels, Clonmel Road within the settlement of Tipperary Town. The dwelling on the site is not protected and is not located within a zone of archaeological potential. The property is used by patrons of Moorehaven Centre.



Figure 2 Google Street View 2024

b. **Relevant Planning History**

08581811 Permission GRANTED to construct a conservatory to the front of a dwelling house and ancillary site works at "Laurels"

09/581828 Permission GRANTED for changes to the conservatory permitted under Planning Permission Ref. No. PD2 1811 to include an increase in floor area and the provision of a slate roof and all ancillary site works.

c. **Assessment**

A) "Is or is not Development"

Having considered all of the details and documentation on file with regards the question posed and the description of the proposal, 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 Planning and Development Act 2000, as amended.

The question has been rephrased as to ***whether ensuite extension and staff bedroom to the rear of the existing property used for residential care*** constitutes "development" and is or is not "exempted development".

B) "Is or is not Exempted Development"

The questions arises as to whether the proposed extension can be considered under Class Class 1 of Part 1 of Schedule 2 of the Regulations which allows for an *extension of a house, by the construction or erection of an extension.*

I note that the property is and has been operated by Moorehaven and the planning history confirms same. The building is operating akin to a residential care facility as opposed to a private domestic dwelling. This is a material change of use and whilst a Section Declaration has not been sought or issued in relation to same it appears that same may avail of an exemption available under Class 14(f) Part 1 of Schedule 2 of the Planning and Developments Regulations 2001, as amended i.e.

(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.

Section 2 of the Act states that a "house" means "...a building or part of a building which is being or has been occupied as a dwelling..." Therefore, I consider that as the property does not function as single private dwelling. A residential care home is not considered a "house" for the purposes of exempted domestic development.

Class 1 exemption apply exclusively to domestic houses, extensions to care homes fall outside this category and therefore is considered to be development and not exempted development.

I have reviewed An Coimisiún Pleanála Section 5 Referrals and there are no similar precedent cases.

C) Restrictions under Article 9

I note no restrictions that apply. The dwelling is not located within a Zone of Archaeology.

D) Requirement for Appropriate Assessment and Environmental Impact Assessment

AA

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

EIA

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

4. **RECOMMENDATION**

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

Ensuite extension to rear of existing dwelling. Staff bedroom to the rear of the existing dwelling 23sqm

As set out above, having regard to the planning history on the subject site and the existing use the question posed by the applicant was re-phrased to state;

WHEREAS a question has arisen as to whether ensuite extension and staff bedroom to the rear of the existing property used for residential care at The Laurels, Goats Lane, Clonmel Road, Tipperary Town, Co. Tipperary constitutes “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 6 and Article 9 of the Planning and Development Regulations, 2001, as amended,
- (c) Class 1 of Part 1 of Schedule 2 of the Planning and Development Regulations, 2001, as amended
- (d) The application and details submitted by the applicant

AND WHEREAS Tipperary County Council has concluded that ensuite extension and staff bedroom to the rear of the existing property used for residential care at The Laurels, Goats Lane, Clonmel Road, Tipperary Town, Co. Tipperary constitutes “development” within the meaning of the Planning and Development Act 2000, as amended and is NOT “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.

Note to Applicant:

The development cannot avail of the exemption available under Class 1, Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended) as the property is not a “house” as defined under Section 2 of the Act Planning and Development Act, 2000 as amended,

District Planner:



Date: 25/03/2026

Senior Executive Planner:



Date: 25.3.2026

HABITATS DIRECTIVE APPROPRIATE ASSESSMENT (AA) SCREENING REPORT

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

(a) File Reference No:	S5/26/21
(b) Brief description of the project or plan:	The Laurels, Goats Lane, Clonmel Road, Tipperary Town, Co. Tipperary
(c) Brief description of site characteristics:	Residential care home in urban serviced area
(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 10km	None	No
002165 Lower River Shannon SAC	https://www.npws.ie/protected-sites/sac/002165	Within 15km	None	No
002257 Moanour Mountains SAC	https://www.npws.ie/protected-sites/sac/002257	Within 10km	None	No
001847 Philipston Marsh SAC	https://www.npws.ie/protected-sites/sac/001847	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 impacts.

Operational phase e.g. <ul style="list-style-type: none"> • Direct emission to air and water • Surface water runoff containing contaminant or sediment • Lighting disturbance • Noise/vibration • Changes to water/groundwater due to drainage or abstraction • Presence of people, vehicles and activities • Physical presence of structures (e.g. collision risks) • Potential for accidents or incidents 	No potential impacts.
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In-combination/Other	No potential impacts
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(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 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:	S5/26/21
Development Summary:	Residential care home in urban serviced area
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 required Determination
<input type="checkbox"/> No, Schedule 7A information/screening report has not been submitted by the applicant	Preliminary Examination required

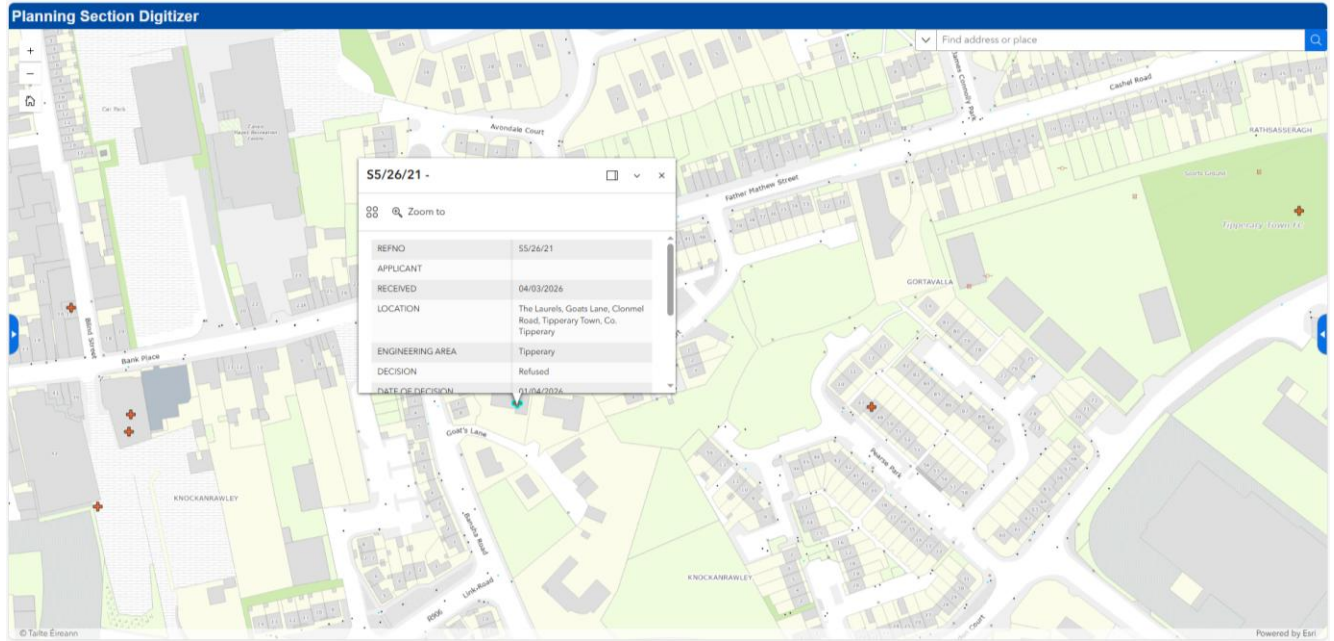


Figure 3 Planning Register

Original

TIPPERARY COUNTY COUNCIL

DELEGATED EMPLOYEE'S ORDER

File Ref: **S5/26/21** **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 Moorehaven, C/O Eoghan Franks, 10 Railway View, Templemore, Co Tipperary, RE: Ensuite extension to rear of existing dwelling. Staff bedroom to the rear of the existing dwelling. 23sqm at The Laurels, Goats Lane, Clonmel Road, Tipperary Town, Co. Tipperary is development and is exempted development.

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

- a) Sections 2, 3 and 4 of the Planning and Development Act, 2000 as amended,
- b) Article 6 and Article 9 of the Planning and Development Regulations, 2001, as amended,
- c) Class 1 of Part 1 of Schedule 2 of the Planning and Development Regulations, 2001, as amended
- d) The application and details submitted by the applicant

Tipperary County Council has concluded that the ensuite extension and staff bedroom to the rear of the existing property used for residential care at The Laurels, Goats Lane, Clonmel Road, Tipperary Town, Co. Tipperary constitutes "development" within the meaning of the Planning and Development Act 2000, as amended and is **NOT "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.

Note to Applicant:

The development cannot avail of the exemption available under Class 1, Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended) as the property is not a "house" as defined under Section 2 of the Act Planning and Development Act, 2000 as amended,

Signed:



Brian Beck
Director of Services

Date: 25/03/2026



Date: 25th March 2026

Our Ref: S5/26/21

Civic Offices, Nenagh

Moorehaven
C/O Eoghan Franks
10 Railway View
Templemore
Co Tipperary

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

Dear Eoghan,

I refer to your application for a Section 5 Declaration received on 4th March 2026 in relation to the following proposed works:

Ensuite extension to rear of existing dwelling. Staff bedroom to the rear of the existing dwelling. 23sqm at The Laurels, Goats Lane, Clonmel Road, Tipperary Town, 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 6 and Article 9 of the Planning and Development Regulations, 2001, as amended,
- c) Class 1 of Part 1 of Schedule 2 of the Planning and Development Regulations, 2001, as amended
- d) The application and details submitted by the applicant

AND WHEREAS Tipperary County Council has concluded that ensuite extension and staff bedroom to the rear of the existing property used for residential care at The Laurels, Goats Lane, Clonmel Road, Tipperary Town, Co. Tipperary constitutes “development” within the meaning of the Planning and Development Act 2000, as amended and is **NOT “exempted development”**.

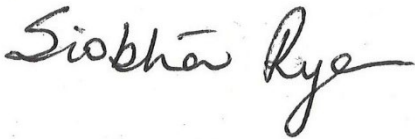
The development has been screened as to the requirement for Appropriate Assessment and Environmental Impact Assessment and it has been determined that same are not required.

Note to Applicant:

The development cannot avail of the exemption available under Class 1, Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended) as the property is not a "house" as defined under Section 2 of the Act Planning and Development Act, 2000 as amended,

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

Yours sincerely

A handwritten signature in black ink that reads "Siobhán Rye". The signature is written in a cursive style with a long, sweeping tail on the letter 'y'.

for **Director of Services**