



Tipperary County Council  
RECEIVED  
10 MAR 2026  
CSD  
Civic Offices, Nenagh

TIPPERARY CO COUNCIL  
RECEIVED  
10 MAR 2026  
PLANNING SECTION  
FILE NO. 53/26/27

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

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

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

Applicant	MICHAEL & COLLEEN TOBIN
Address	GARRANROE LANE MOYNE, THURLES CO. TIPPERARY E41 XA52
Telephone No.	[REDACTED]
E-mail	[REDACTED]

**2. Agent's (if any) address:**

Agent	
Address	
Telephone No.	
E-mail	
Please advise where all correspondence in relation to this application is to be sent;	
Applicant [ <input checked="" type="checkbox"/> ]      Agent [ <input type="checkbox"/> ]	

**3. Location of Proposed Development:**

Postal Address or Townland or Location (as may best identify the land or structure in question)	GARRANROE LANE MOYNE, THURLES CO. TIPPERARY E41 XA52
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**4. Development Details:**

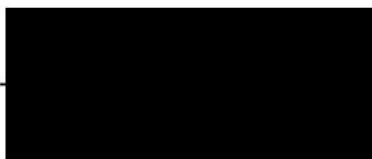
Please provide details of the proposed development for which an exemption under Section 5 of the Planning and Development Act is applied for.

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

We are applying for an exemption for a wet room extension. The extension would be added to our downstairs sitting room, which has now become our bedroom. We live in a cul-de-sac, thereby there is no through traffic. The proposed extension can not be seen from the road, as shown in the attached photos. Also enclosed is a drawing of the proposed extension + recommendations relating to works from Tipperary. Proposed floor area of proposed works/uses: 14.4 sqm / County Council O. The exist  
 michael Kelly

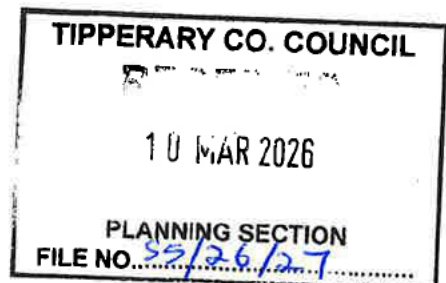
**5. Legal Interest of Applicant in the Land or Structure:**

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

Signature of Applicant(s) 

Date: 8.3.26

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



## GUIDANCE NOTES

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

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

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

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

**OR**

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

**Enquires:**

**Telephone 0818 06 5000**

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

### FOR OFFICE USE ONLY

Fee Recd. € 80  
Receipt No 135721  
Date 10/3/26  
Received by \_\_\_\_\_

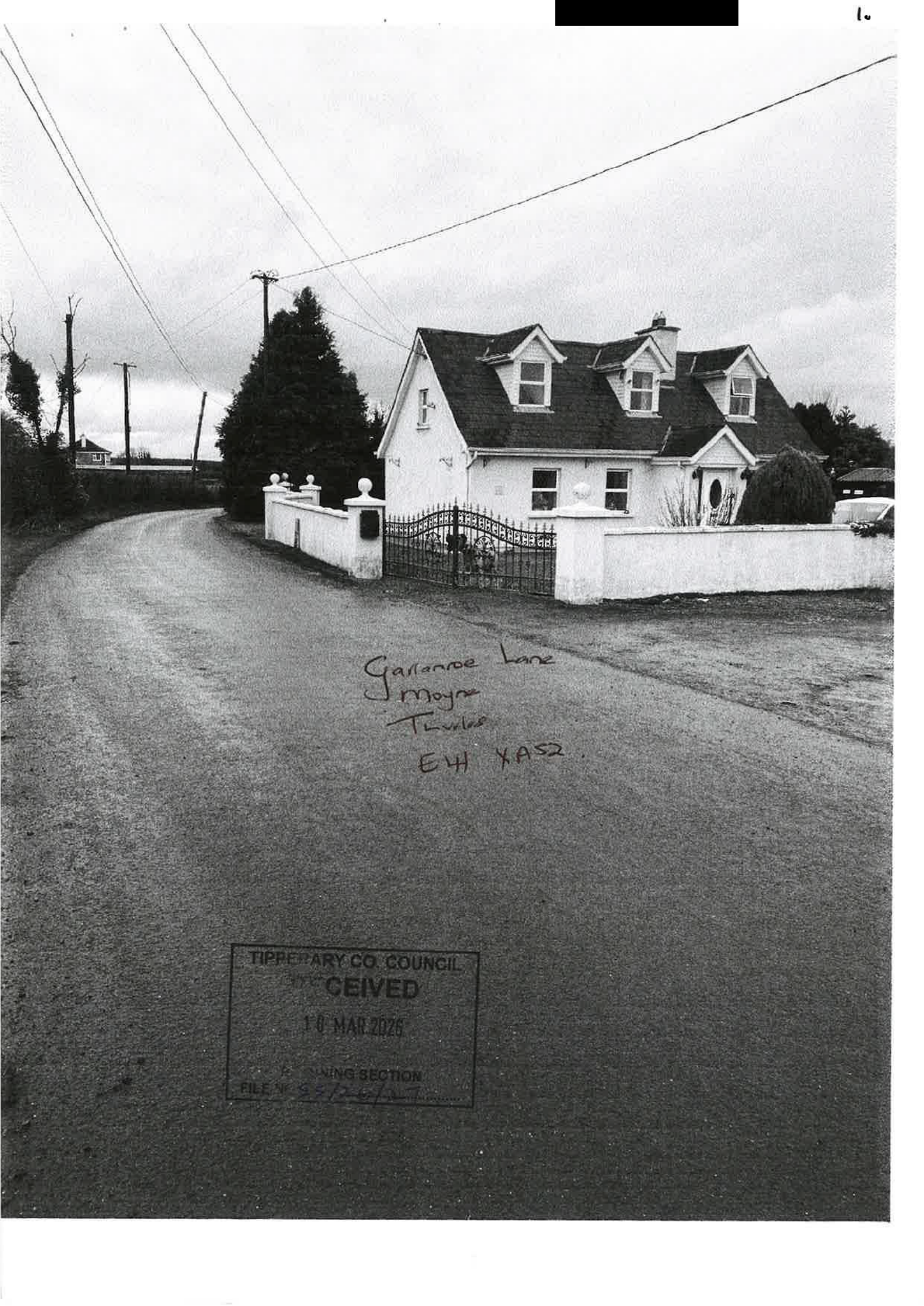
### DATE STAMP

**TIPPERARY CO. COUNCIL**

**10 MAR 2026**

**PLANNING SECTION**

FILE NO 25726/21



Gallanoe Lane  
Moyn  
Thurles  
EH XAS2

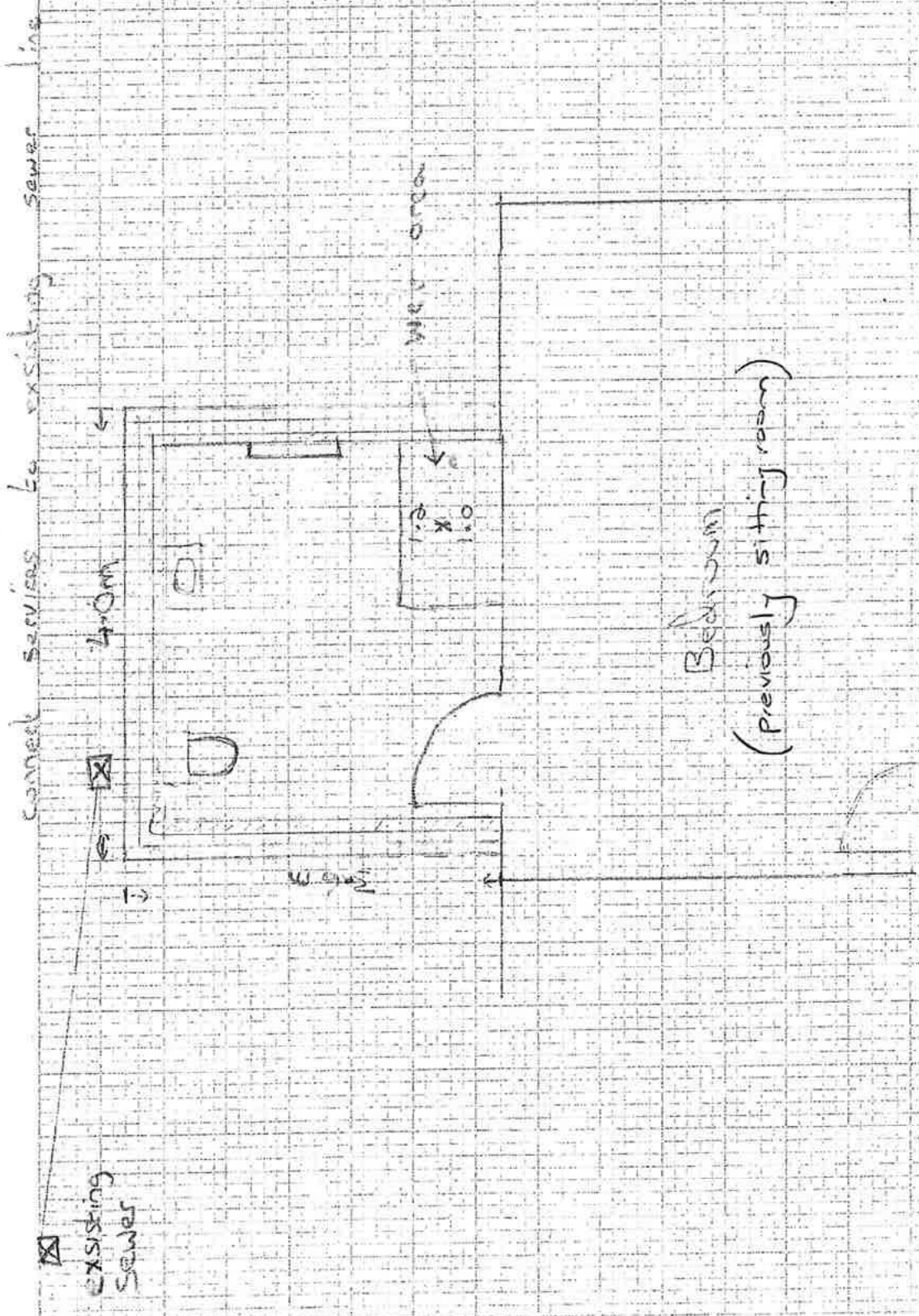
TIPPERARY CO. COUNCIL  
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FILE NO 55/26/27

Bedroom  
(previously  
sitting room)

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FILE NO. SS/26/27.....



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PLANNING SECTION  
FILE NO. 25/26/27



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 PLANNING SECTION  
 FILE NO. 35/26/21

Declan Kelly  
 (builder)



Comhairle Contae Thiobraid Árann  
Tipperary County Council

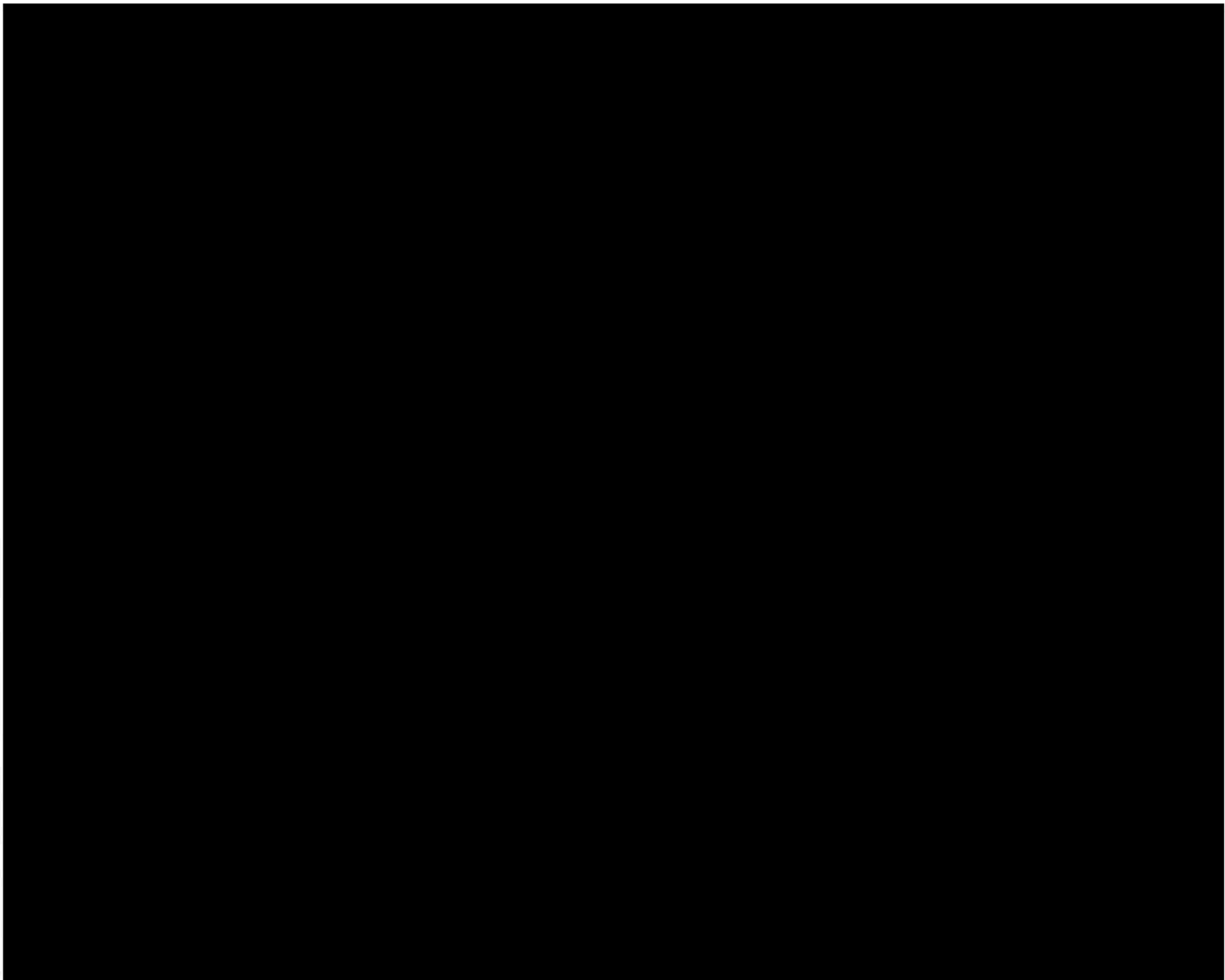


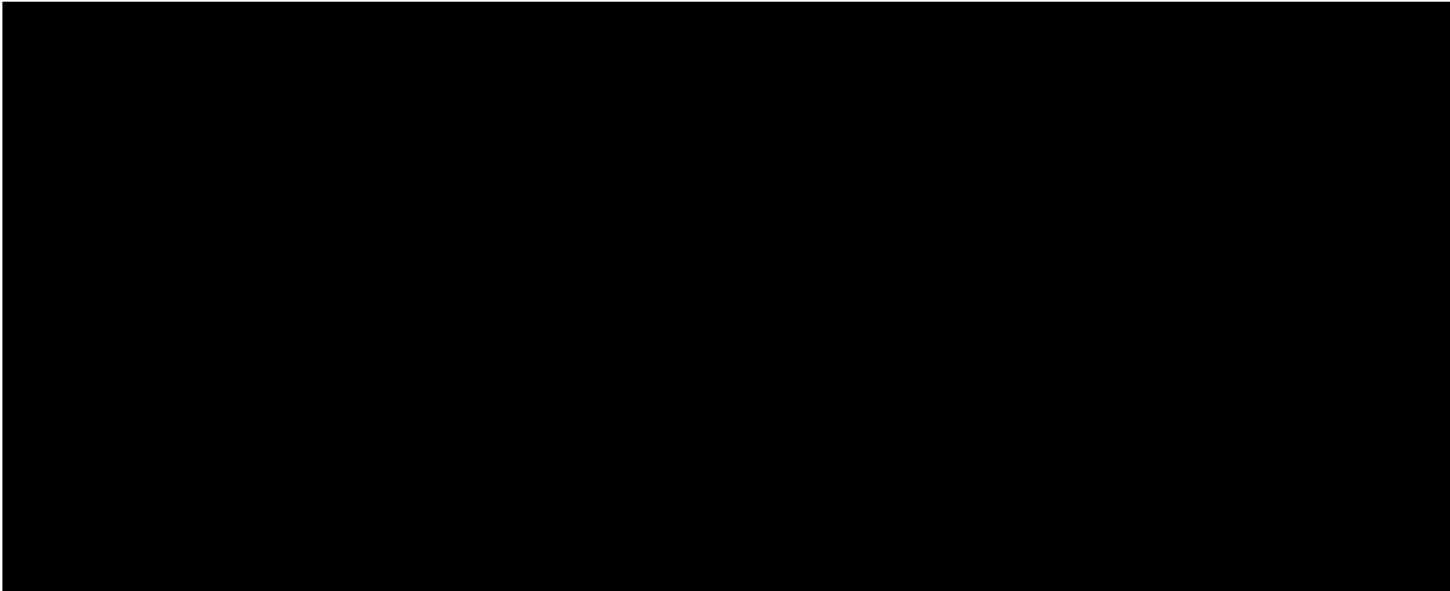
**TIPPERARY CO. COUNCIL  
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10 MAR 2026  
PLANNING SECTION  
FILE NO. 85/26/27

**Tipperary County Council**

**Private & Confidential**  
**And Without Prejudice**

**OCCUPATIONAL THERAPY REPORT FORM**





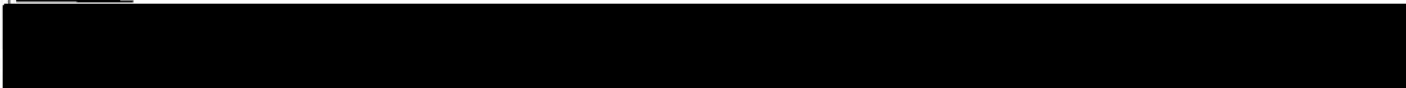
**Nature of Proposed Works:**

Replace the front entrance door with a 900mm clear opening door with low-level threshold.  
Render all internal thresholds level, with wheelchair accessibility.  
Extension of a Twin Bedroom (5000mm x 4600mm minimum), and Shower Room Facility (3200mm x 2400mm minimum), including an automatic shower toilet if preferable.

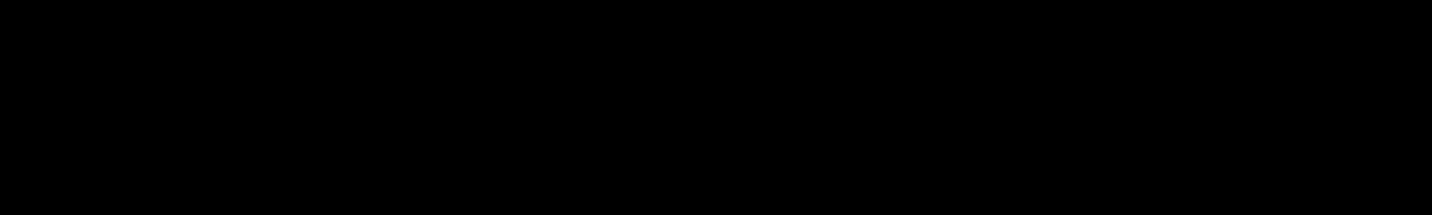
*Please see illustration attached to indicate the proposed configuration of the shower room facilities.*

**Prioritisation Criteria (based on local authority guidelines):**

*Priority 1:*



**Other Relevant Information:**



**Michael Kelly** B.Sc.Cur.Occ  
Consultant Occupational Therapist

**5<sup>th</sup> February 2026**

## OCCUPATIONAL THERAPY SPECIFICATION FORM

### **Nature of Proposed Works:**

Replace the front entrance door with a 900mm clear opening door with low-level threshold.

Render all internal thresholds level with wheelchair accessibility.

Extension of a Twin Bedroom (5000mm x 4600mm minimum), and Shower Room Facility (3200mm x 2400mm minimum), including an automatic shower toilet if preferable.

*Please see illustration attached to indicate the proposed configuration of the shower room facilities.*

### **SPECIFIC RECOMMENDATIONS RELATING TO THE PROPOSED WORKS:**

#### **Shower Room (3200mm x 2400mm)**

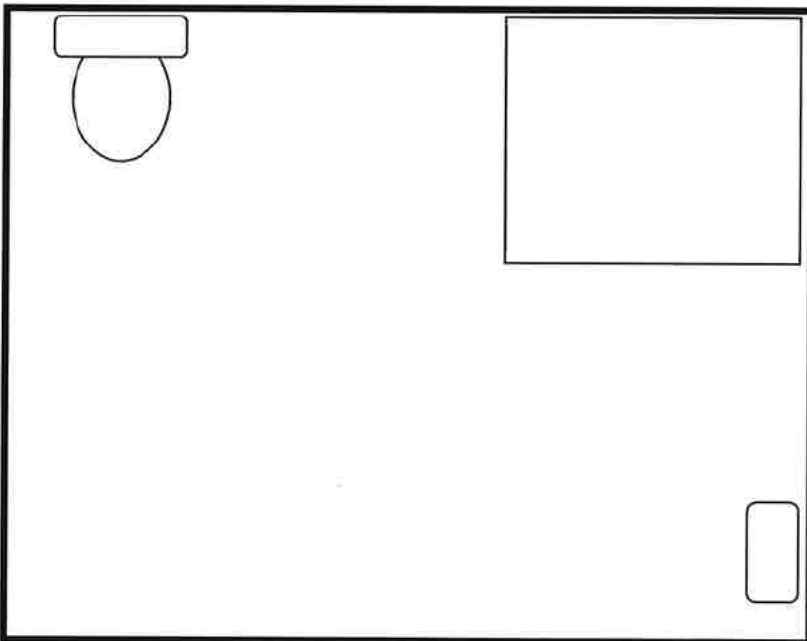
- Shower area dimensions to be a minimum of 1200mm X 1000mm **minimum**.
- There is to be no step, kerb, channel or tray around the shower area.
- The shower floor is to finish flush with the bathroom floor. The floor within the shower area is to slope gradually to a central drain to provide a gradient between 1:30 and 1:20 (20mm – 30mm drop over sloping area).
- **Slip resistant floor** throughout shower room, with a value greater than 50 (minimum 45) using the Pendulum T.R.R.L. test in **wet** conditions or not less than R11 on the Skid Test (similar to those found around a swimming pool).
- Water must be **thermostatically controlled**, with good quality mixer with a maximum temperature setting of 41°C or anti-scald mechanism.
- **Telephone type shower** spray to be fitted, which comes away from the wall and can be held in the hand.
- Extended rail, 1000mm long, and extended hose to be used. Position 750mm from the corner and 1000mm from the floor.
- Controls and soap dish to be 1000mm from the floor.
- 2 Shower curtains (weighted) to be fitted. Curtain is to fall 75mm inside shower area, and 50mm from the floor.
- **Rails**  
Install two grab rails (35mm x 600mm) on shower wall, to form an L shape: (Both rails to be fitted at least 200mm from the corner wall)
  - (1) Horizontal rail 700mm above floor.
  - (2) Vertical rail: lower end at 800mm to higher end at 1400mm.
- Adequate **heating & ventilation** to be provided in bathroom.

### Toilet (WC)

- The centre line of the pan should be **450mm** from the sidewall to permit use of grab rail.
- Toilet pan to be no higher than **450mm from the floor**.
- Minimum of 750mm clear space (i.e. no boxed in pipes etc) from wall to front of pan.
- Install a grab rail (35mm diameter x 600mm long and 700mm high), on the wall beside the WC with the centre of the rail 500mm from rear wall. Position Rail at a 30° angle, i.e. sloping downwards toward WC.
- **Optional** - Install a folding grab rail with supporting leg, on the **outside** of the WC (i.e. **not** the wall side); position **450mm** from centre of pan at a height of 700mm above floor level.

### Wash Hand Basin (WHB)

- Wall bracketed. No pedestal. Standard size (**not small size**)
- Minimum width **400mm**. Project 430mm minimum from wall.
- **Clearance** underneath sink to be 700mm.
- Use plastic outlet to avoid leg burns
- Lever tap and inline mixer. Mirror from 900mm above floor.





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 5000/601  
e customerservice  
@tipperarycoco.ie

[tipperarycoco.ie](http://tipperarycoco.ie)

Date: 10<sup>th</sup> March 2026

Our Ref: S5/26/27

Civic Offices, Nenagh

**Michael and Colleen Tobin**  
**Garranroe Lane**  
**Moyne**  
**Thurles**  
**Co Tipperary**  
**E41 XA52**

**Re: Application for a Section 5 Declaration – development of a wet room extension at Garranroe Lane, Moyne, Thurles, Co Tipperary, E41 XA52.**

Dear Michael and Colleen,

I acknowledge receipt of your application for a Section 5 Declaration received on 10<sup>th</sup> 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

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**Planning Reference:** S5/26/27

**Applicant:** Michael & Colleen Tobin

**Development Address:** Garranroe Lane, Moyne, Thurles, Co. Tipperary E41 XA52

**Proposed Development:** The development of a wet room extension.

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#### 1. GENERAL

On 10<sup>th</sup> March 2026 a request was made for a declaration under Section 5 of the Planning and Development Act, 2000 as amended by Michael and Colleen Tobin as to whether or not the following works constituted development and if so, whether same was exempted development:

- The development of a wet room extension.

#### 2. STATUTORY PROVISIONS

The following statutory provisions are relevant to this referral case;

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

*“In this Act, except where the context otherwise requires – “development” has the meaning assigned to it by Section 3 and development shall be construed accordingly.”*

And,

*“works” includes any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal and, in relation to a protected structure or proposed protected structure, includes any act or operation involving the application or removal of plaster, paint, wallpaper, tiles or other material to or from the surfaces of the interior or exterior of a structure”.*

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

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

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

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

(2)(a) *The Minister may by regulations provide for any class of development to be exempted development for the purposes of this Act where he or she is of the opinion that—*

*(i) by reason of the size, nature or limited effect on its surroundings, of development belonging to that class, the carrying out of such development*

*would not offend against principles of proper planning and sustainable development, or*

*(ii) the development is authorised, or is required to be authorised, by or under any enactment (whether the authorisation takes the form of the grant of a licence, consent, approval or any other type of authorisation) where the enactment concerned requires there to be consultation (howsoever described) with members of the public in relation to the proposed development prior to the granting of the authorisation (howsoever described).*

Section 4(4) states that notwithstanding paragraphs 9a0, (i), (ia) and (l) of subsection (1) and any regulations under subsection (2), development shall not be exempted development if an environmental impact assessment or an appropriate assessment of the development is required.

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

*4. (4) Notwithstanding paragraphs (a), (i), (ia) and (l) of subsection (1) and any regulations under subsection (2), development shall not be exempted development if an environmental impact assessment or an appropriate assessment of the development is required.*

#### **Planning and Development Regulations 2001, as amended**

Article 6 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.

(3) Subject to article 9, in areas other than a city, a town or an area specified in section 19(1)(b) of the Act or the excluded areas as defined in section 9 of the Local Government (Reorganisation) Act, 1985 (No. 7 of 1985), development of a class specified in column 1 of Part 3 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 3 opposite the mention of that class in the said column 1.

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

Development within the curtilage of a house

#### **Class 1**

The extension of a house, by the construction or erection of an extension (including a conservatory) to the rear of the house or by the conversion for use as part of the house of any garage, store, shed or other similar structure attached to the rear or to the side of the house.

Conditions and Limitations

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

(b) Subject to paragraph (a), where the house is terraced or semi-detached, the floor area of any extension above ground level shall not exceed 12 square metres.

(c) Subject to paragraph (a), where the house is detached, the floor area of any extension above ground level shall not exceed 20 square metres.

2.(a) Where the house has been extended previously, the floor area of any such extension, taken together with the floor area of any previous extension or extensions constructed or erected after 1 October 1964, including those for which planning permission has been obtained, shall not exceed 40 square metres.

(b) Subject to paragraph (a), where the house is terraced or semi-detached and has been extended previously, the floor area of any extension above ground level taken together with the floor area of any previous extension or extensions above ground level constructed or erected after 1 October 1964, including those for which planning permission has been obtained, shall not exceed 12 square metres.

(c) Subject to paragraph (a), where the house is detached and has been extended previously, the floor area of any extension above ground level, taken together with the floor area of any previous extension or extensions above ground level constructed or erected after 1 October 1964, including those for which planning permission has been obtained, shall not exceed 20 square metres.

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

4.(a) Where the rear wall of the house does not include a gable, the height of the walls of any such extension shall not exceed the height of the rear wall of the house.

(b) Where the rear wall of the house includes a gable, the height of the walls of any such extension shall not exceed the height of the side walls of the house.

(c) The height of the highest part of the roof of any such extension shall not exceed, in the case of a flat roofed extension, the height of the eaves or parapet, as may be appropriate, or, in any other case, shall not exceed the height of the highest part of the roof of the dwelling.

5. The construction or erection of any such extension to the rear of the house shall not reduce the area of private open space, reserved exclusively for the use of the occupants of the house, to the rear of the house to less than 25 square metres.

6.(a) Any window proposed at ground level in any such extension shall not be less than 1 metre from the boundary it faces.

(b) Any window proposed above ground level in any such extension shall not be less than 11 metres from the boundary it faces.

(c) Where the house is detached and the floor area of the extension above ground level exceeds 12 square metres, any window proposed at above ground level shall not be less than 11 metres from the boundary it faces.

7. The roof of any extension shall not be used as a balcony or roof garden.

#### 4. **ASSESSMENT**

**a. *Site Location***

The site is located at Garranroe Lane, Moyne, Thurles, Co. Tipperary E41 XA52

**b. *Relevant Planning History***

5116310-Grant of permission for an extension.

**c. *Assessment***

A) "Is or is not Development"

Having considered all of the details and documentation on file with regards the question asked the Planning Authority is satisfied that the proposal would involve “works” and such works would constitute “development” within the meaning of Section 3 of the Act.

B) “Is or is not Exempted Development”

The details provided show the new wet room extension is to the side of the dwelling. The exemption under Class 1 allows for an extension to the rear of a dwelling only. The development does not involve conversion of any attached garage to domestic space.

The proposal does not satisfy the planning exemption under Class 1.

C) Restrictions under Article 9

The restrictions under Article 9 do not apply.

D) Requirement for Appropriate Assessment and Environmental Impact Assessment

**AA**

The proposed development has been screened as to the requirement for AA and it has been determined that AA is not required. See Screening Report attached.

**EIA**

The proposed development is not a type of development included for under Schedule 5 of the Planning and Development Regulations 2001, as amended. See report attached.

## 5. RECOMMENDATION

It is recommended that the following is issued:

A question has arisen as to whether a wet room extension at Garranroe Lane, Moyne, Thurles, Co. Tipperary E41 XA52 is “development” and “exempted development”

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) Schedule 2, Part 1, Class 1 of the Planning and Development Regulations, 2001, as amended and
- (d) The details as submitted with the declaration application

Tipperary County Council has concluded that the proposed wet room extension is “development” within the meaning of the Planning and Development Act 2000, as amended and is NOT “exempted development”.

**Reason: The development does not satisfy the requirements of Schedule 2, Part 1, Class 1 of the Planning and Development Regulations, 2001, as amended as it is not to the rear of the dwelling**

*Eoin Buckley*

Signed: \_\_\_\_\_  
Graduate Planner

Date: 24/03/2026

Signed: *Jonathan Flood* \_\_\_\_\_  
Senior Executive Planner

Date: 1/4/2026

## HABITATS DIRECTIVE APPROPRIATE ASSESSMENT (AA) SCREENING REPORT

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

(a) File Reference No:	S5/26/27
(b) Brief description of the project or plan:	As per planners report.
(c) Brief description of site characteristics:	As per planners report.
(d) Relevant prescribed bodies consulted: e.g. DHLGH (NPWS), EPA, OPW	None
(e) Response to consultation:	None

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

European Site (code)	List of Qualifying Interest/Special Conservation Interest <sup>1</sup>	Distance from proposed development <sup>2</sup> (km)	Connections (Source-Pathway-Receptor)	Considered further screening in Y/N
002137 Lower River Suir	<a href="https://www.npws.ie/protected-sites/sac/002137">https://www.npws.ie/protected-sites/sac/002137</a>	Within 10km	None	No
000407 The Loughans	<a href="https://www.npws.ie/protected-sites/sac/002137">https://www.npws.ie/protected-sites/sac/002137</a>	Within 15km	None	No

### STEP 3. Assessment of Likely Significant Effects

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

Impacts:	Possible Significance of Impacts: (duration/magnitude etc.)
<p>Construction phase e.g.</p> <ul style="list-style-type: none"> <li>• Vegetation clearance</li> <li>• Demolition</li> <li>• Surface water runoff from soil excavation/infill/landscaping (including borrow pits)</li> <li>• Dust, noise, vibration</li> <li>• Lighting disturbance</li> <li>• Impact on groundwater/dewatering</li> <li>• Storage of excavated/construction materials</li> <li>• Access to site</li> </ul>	No impacts.

<ul style="list-style-type: none"> <li>• Pests</li> </ul>	
<b>Operational phase e.g.</b> <ul style="list-style-type: none"> <li>• Direct emission to air and water</li> <li>• Surface water runoff containing contaminant or sediment</li> <li>• Lighting disturbance</li> <li>• Noise/vibration</li> <li>• Changes to water/groundwater due to drainage or abstraction</li> <li>• Presence of people, vehicles and activities</li> <li>• Physical presence of structures (e.g. collision risks)</li> <li>• Potential for accidents or incidents</li> </ul>	No impacts.
In-combination/Other	No impacts.
<b>(b) Describe any likely changes to the European site:</b>	
<p>Examples of the type of changes to give consideration to include:</p> <ul style="list-style-type: none"> <li>• Reduction or fragmentation of habitat area</li> <li>• Disturbance to QI species</li> <li>• Habitat or species fragmentation</li> <li>• Reduction or fragmentation in species density</li> <li>• Changes in key indicators of conservation status value (water or air quality etc.)</li> <li>• Changes to areas of sensitivity or threats to QI</li> <li>• Interference with the key relationships that define the structure or ecological function of the site</li> </ul>	No impacts.
<b>(c) Are 'mitigation' measures necessary to reach a conclusion that likely significant effects can be ruled out at screening?</b>	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

#### STEP 4. Screening Determination Statement

##### The assessment of significance of effects:

Describe how the proposed development (alone or in-combination) is/is not likely to have significant effects on European site(s) in view of its conservation objectives.

On the basis of the information on file, which is considered adequate to undertake a screening determination and having regard to:

- the nature and scale of the proposed development,
- the proposed land use and distance from European sites,
- the lack of direct connections with regard to the Source-Pathway-Receptor model,

it is concluded that the proposed development, individually or in-combination with other plans or projects is not likely to have significant effects on the above listed European sites or any other European site, in view of the said sites' conservation objectives.

An appropriate assessment is not, therefore, required.

##### Conclusion:

	Tick as Appropriate:	Recommendation:
(i) It is clear that there is <b>no likelihood</b> of significant effects on a European site.	<input checked="" type="checkbox"/>	The proposal can be screened out: Appropriate assessment not required.
(ii) It is <b>uncertain</b> whether the proposal will have a significant effect on a European site.	<input type="checkbox"/>	<input type="checkbox"/> Request further information to complete screening <input type="checkbox"/> Request NIS <input type="checkbox"/> Refuse planning permission
(iii) <b>Significant effects</b> are likely.	<input type="checkbox"/>	<input type="checkbox"/> Request NIS <input type="checkbox"/> Refuse planning permission
<b>Signature and Date of Recommending Officer:</b>	Eoin Buckley, Graduate Planner	<b>Date:</b> 23/03/2026

EIA Pre-Screening Establishing a development is a 'sub-threshold development'	
<b>File Reference:</b>	S5/26/27
<b>Development Summary:</b>	As per planners report
<b>Was a Screening Determination carried out under Section 176A-C?</b>	<input type="checkbox"/> Yes, no further action required <input checked="" type="checkbox"/> No, Proceed to <b>Part A</b>
<b>A. Schedule 5 Part 1 - Does the development comprise a project listed in Schedule 5, Part 1, of the Planning and Development Regulations 2001 (as amended)? (Tick as appropriate)</b>	
<input type="checkbox"/> Yes, specify class _____	<b>EIA is mandatory</b> No Screening required
<input checked="" type="checkbox"/> No	Proceed to <b>Part B</b>
<b>B. Schedule 5 Part 2 - 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)</b>	
<input checked="" type="checkbox"/> No, the development is not a project listed in Schedule 5, Part 2	<b>No Screening required</b>
<input type="checkbox"/> Yes the project is listed in Schedule 5, Part 2 and meets/exceeds the threshold, specify class (including threshold): _____	<b>EIA is mandatory</b> No Screening required
<input type="checkbox"/> Yes the project is of a type listed <b>but is sub-threshold</b> : _____	Proceed to <b>Part C</b>

**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	<b>Screening Determination required</b>
<input type="checkbox"/> No, Schedule 7A information/screening report has not been submitted by the applicant	<b>Preliminary Examination required</b>

**Original**

**TIPPERARY COUNTY COUNCIL**

**DELEGATED EMPLOYEE'S ORDER**

File Ref: **S5/26/27**      **Delegated Employee's Order No:** \_\_\_\_\_

**SUBJECT: Section 5 Declaration**

I, Brian Beck, Director of Services, Tipperary County Council, by virtue of the powers delegated to me in accordance with the provisions of Section 154 of the Local Government Act 2001, as amended by Schedule 1, Part 1 of the Local Government Reform Act 2014 under Chief Executive's Order No. 44188 dated 3<sup>rd</sup> October, 2025, hereby order that pursuant to the provisions of the Planning and Development Act 2000, as amended, that an application under Section 5 from Michael and Colleen Tobin, Garranroe Lane, Moyne, Thurles, Co Tipperary, E41 XA52, Re: the development of a wet room extension at Garranroe Lane, Moyne, Thurles, Co. Tipperary E41 XA52 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) Schedule 2, Part 1, Class 1 of the Planning and Development Regulations, 2001, as amended and
- (d) The details as submitted with the declaration application

Tipperary County Council has concluded that the proposed wet room extension is "development" within the meaning of the Planning and Development Act 2000, as amended and is **NOT "exempted development"**.

Reason: The development does not satisfy the requirements of Schedule 2, Part 1, Class 1 of the Planning and Development Regulations, 2001, as amended as it is not to the rear of the dwelling

**Signed:**

  
\_\_\_\_\_

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

**Date: 02/04/2026**



Date: 2<sup>nd</sup> April 2026

Our Ref: S5/26/27

Civic Offices, Nenagh

**Michael and Colleen Tobin  
Garranroe Lane  
Moyne  
Thurles  
Co Tipperary  
E41 XA52**

**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 10<sup>th</sup> March 2026 in relation to the following proposed works:

**The development of a wet room extension at Garranroe Lane, Moyne, Thurles, Co. Tipperary E41 XA52**

**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 –

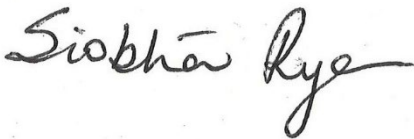
- (a) Sections 2, 3 and 4 of the Planning and Development Act, 2000 as amended,
- (b) Article 6 and Article 9 of the Planning and Development Regulations, 2001, as amended,
- (c) Schedule 2, Part 1, Class 1 of the Planning and Development Regulations, 2001, as amended and
- (d) The details as submitted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

Tipperary County Council has concluded that the proposed wet room extension is "development" within the meaning of the Planning and Development Act 2000, as amended and is **NOT "exempted development"**.

**Reason: The development does not satisfy the requirements of Schedule 2, Part 1, Class 1 of the Planning and Development Regulations, 2001, as amended as it is not to the rear of the dwelling**

**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 'e'.

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for **Director of Services**