

PLANNING & DEVELOPMENT ACT, 2000 (as amended)

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

1. Applicant's address/contact details:

Applicant	TERRY DUGGAN.
Address	NO 8 ARD MUIRE, TULLON, NEWPORT CO. TIPPERARY
Telephone No.	[REDACTED]
E-mail	NONE

2. Agent's (if any) address:

Agent	JOSEPH BARRY.
Address	CASTLECONNEL CO. LIMERICK
Telephone No.	[REDACTED]
E-mail	NONE
Please advise where all correspondence in relation to this application is to be sent.	
Applicant []	Agent [<input checked="" type="checkbox"/>]

3. Location of Proposed Development:

Postal Address or Townland or Location (as may best identify the land or structure in question)	NO 8 ARD MUIRE, TULLON NEWPORT, CO. TIPPERARY.
---	--



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.)

A NEW 16m ² SINGLE STOREY	
EXTENSION TO THE ROAD	
OF HOUSE.	
Proposed floor area of proposed works/uses:	sqm 16

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

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

Signature of Applicant(s)  Date: 10th MARCH 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 0761 06 5000		
E-Mail planning@tipperarycoco.ie		

FOR OFFICE USE ONLY	DATE STAMP
Fee Recd. € <u>80.00</u>	
Receipt No <u>NENAM1/0/35743</u>	
Date <u>11.03.2026</u>	
Received by <u>Maria Quinlan</u>	

Planning Pack Map



Tailte Éireann

572398 682083

CENTRE COORDINATES:
ITM 572515,661997

PUBLISHED: 09/03/2026
ORDER NO.: 50522713_1

MAP SERIES: 4626-A
MAP SHEETS: 1:2,500

**TIPPERARY CO. COUNCIL
RECEIVED**

11 MAR 2026

**PLANNING SECTION
FILE NO. 3767 COMPILED AND PUBLISHED BY:
Tailte Éireann**

Phoenix Park,
Dublin 8,
Ireland.
D08F6E4

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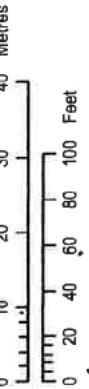
681911



LEGEND:
To view the legend visit
www.tailte.ie and search for
'Large Scale Legend'

CAPTURE RESOLUTION:
The map objects are only accurate to the
resolution at which they were captured.
Output scale is not indicative of data capture scale.
Further information is available at:
www.tailte.ie; search 'Capture Resolution'

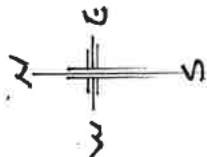
OUTPUT SCALE: 1:1,000



572398

4.34

A n T u l l o w
C R A B h



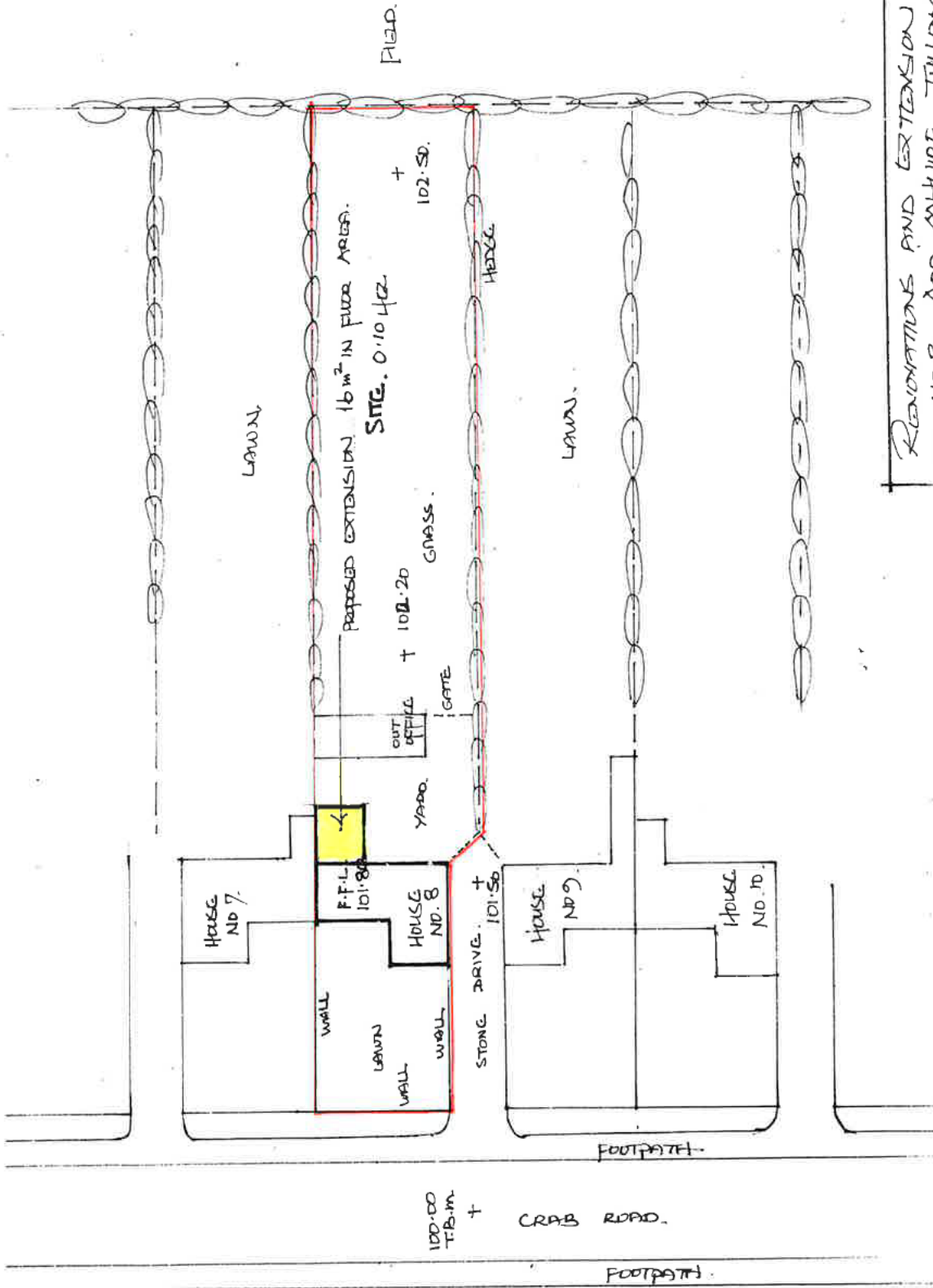
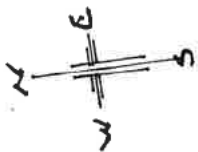
RENOVATIONS AND EXTENSION
TO NO. 8 ARO WHUIRE
TULLOW, KILMORPORT CO. TIPPERARY
FOR MR. TERRY DUBGAN.

SITE LOCATION MAP. SCALE: 1:1000

JOSEPH BARRY
Architectural Technician & Surveyor
Castleconnell, Co. Limerick.
Tel. 061-377 378

572631

682083

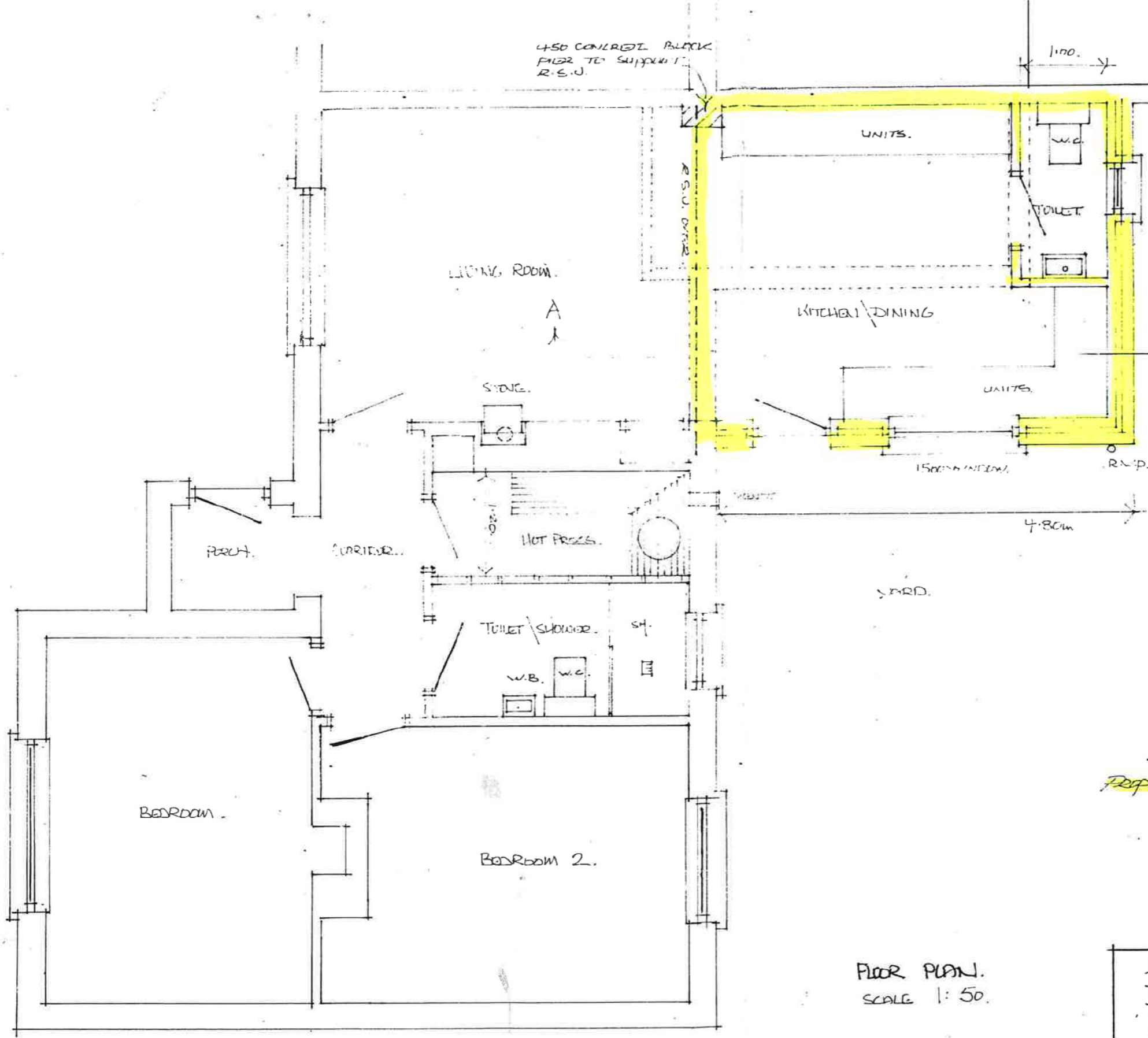


RENOVATIONS AND EXTENSION
 TO NO. 8. ARD MUIRE, TULLON
 NEARBY CO. TIPPERARY
 FOR Mr. Terry Duggan.

SITE LAYOUT PLAN SCALE: 1:500

JOSEPH BARRY
 Architectural Technician & Surveyor
 Castleconnell, Co. Limerick.
 Tel. 061-377 378

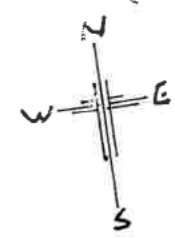
TIPPERARY CO. COUNCIL
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 PLANNING SECTION
 FILE NO. 5/26/29



450 CONCRETE BLOCK
PIER TO SUPPORT
R.S.U.

EXTENSION FLOOR AREA 16 m²

TIPPERARY CO. COUNCIL
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11 MAR 2026
PLANNING SECTION
FILE NO. 55/26/29



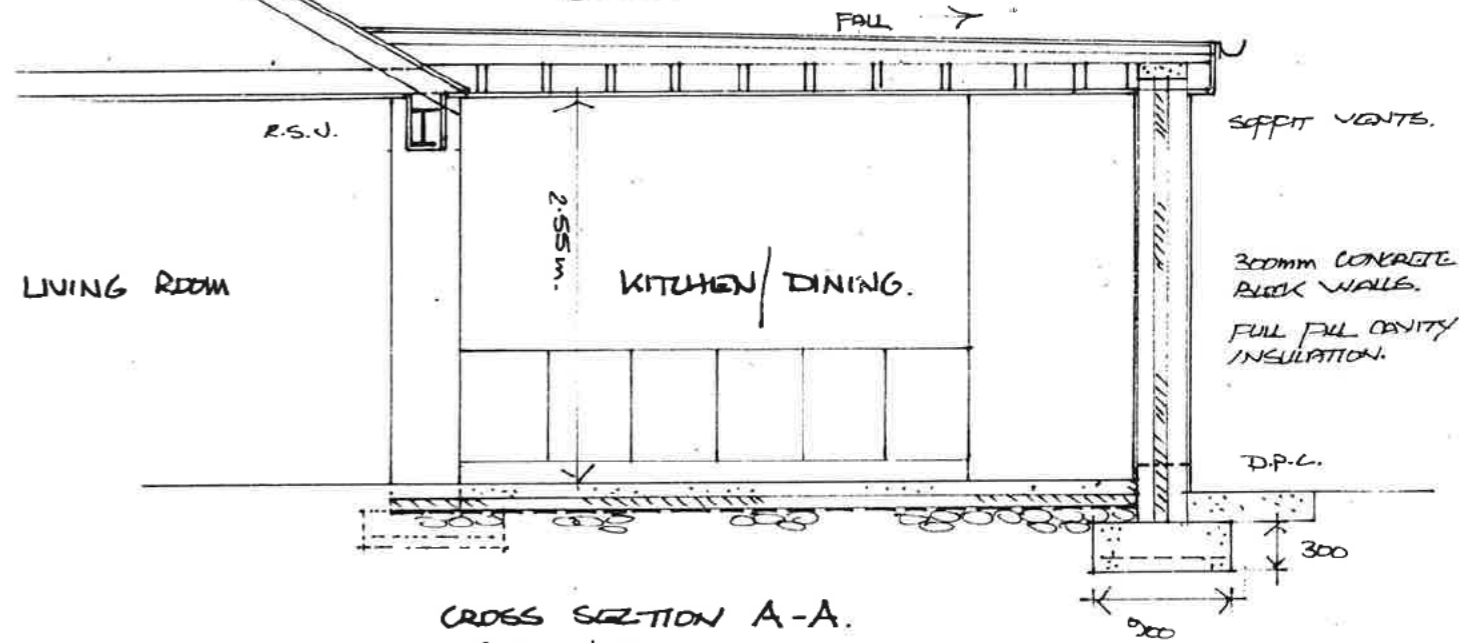
PROPOSED EXTENSION COLOURED YELLOW

FLOOR PLAN.
SCALE 1:50

RENOVATIONS AND EXTENSION
TO NO 8 AFD MAHIRE,
TULLOH, NEWPORT, CO. TIPPERARY
FOR MR. TERRY DUGGAN.

JOSEPH BARRY
Architectural Technician & Surveyor.
Castleconnell, Co. Limerick.
Tel. 061-377 378

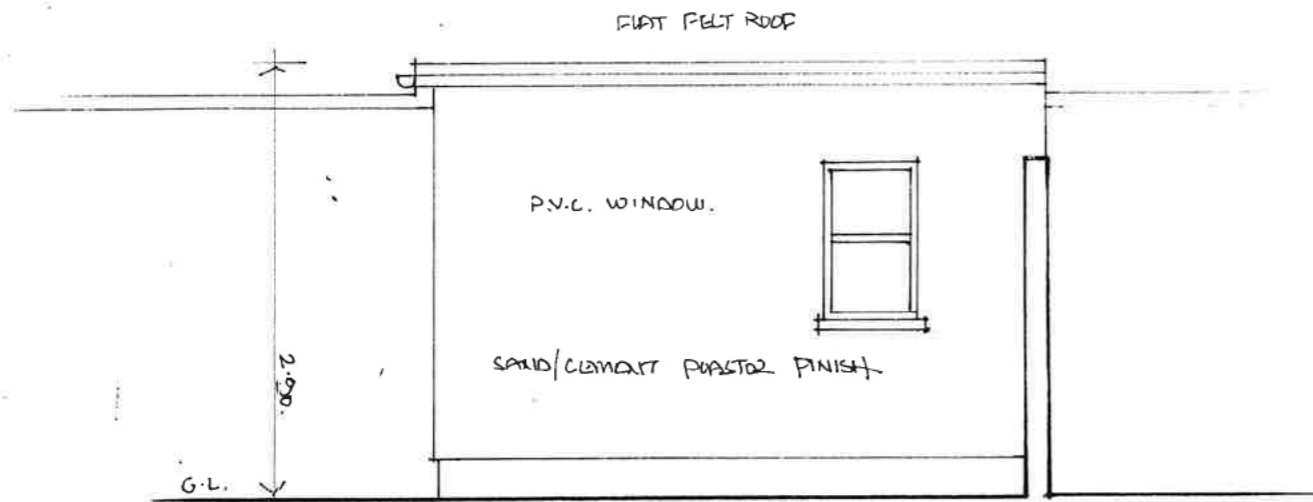
ROOF
 REFLECTIVE COATING ON WEATHER PROOF
 ROOF MEMBRANE ON 100MM INSULATION
 ON VAPOUR BARRIER OF TIMBER BECKING
 ON FIRING PIECES ON 150x44 JOISTS
 @ 400c. 2ND DOVS SOLID RAISING.



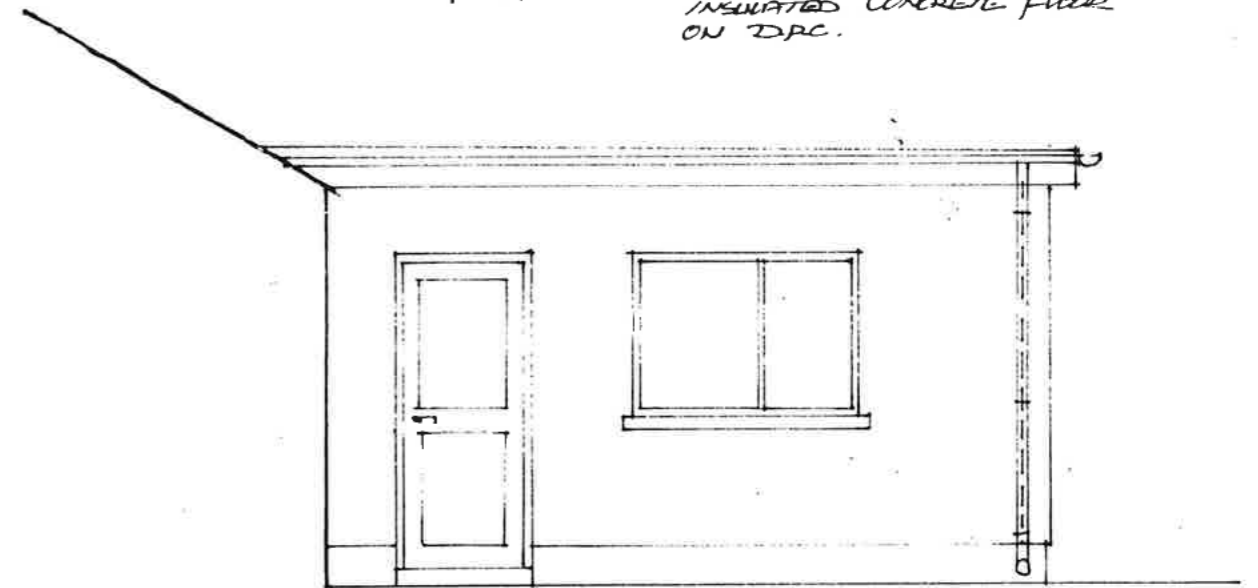
CROSS SECTION A-A.

SCALE 1:50.

INSULATED CONCRETE FLOOR
 ON D.P.C.



EAST ELEVATION.
 SCALE 1:50.



SOUTH ELEVATION.
 SCALE 1:50.

9-3-2025.
 12-11-2025.

TIPPERARY CO. COUNCIL
RECEIVED
 11 MAR 2026
 PLANNING SECTION
 FILE NO. 55/26/29

TERRY DUGGAN.
 NO. 8 ARO MUIRE, TULLOW,
 NEWPORT, CO. TIPPERARY

JOSEPH BARRY
 Architectural Technician & Surveyor
 Castleconnell, Co.-Limerick
 Tel. 061-377 378



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: 12th March, 2026

Our Ref: S5/26/29

Civic Offices, Nenagh

**Terry Duggan
C/O Joseph Barry
Castleconnel
Co. Limerick**

Re: Application for a Section 5 Declaration – Construction of a new single story extension to the rear of the house at No 8 Ard Mhuire, Tullow, Newport, Co. Tipperary

Dear Mr Duggan,

I acknowledge receipt of your application for a Section 5 Declaration received on 11th 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: S5/26/29

Applicant: Terry Duggan C/O Joseph Barry

Development Address: No. 8 Ard Mhuire, Tullow, Newport, Co. Tipperary

Proposed Development: The construction of a new single storey extension to the rear of the house.

1. GENERAL

On 11th March 2026 a request was made for a declaration under Section 5 of the Planning and Development Act, 2000 as amended by Terry Duggan C/O Joseph Barry as to whether or not the following works constituted development and if so, whether same was exempted development:

- The construction of a new single storey extension to the rear of the house.

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 of 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 meters.

(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.

3. ASSESSMENT

a. Site Location

The site is located at No. 8 Ard Mhuire, Tullow, Newport, Co. Tipperary.

b. Relevant Planning History

None recorded.

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 extension is a flat roofed structure located at the rear of the dwelling. Having examined the drawings submitted I am not satisfied that the extension meets the requirements of condition/limitation 4a) and 4c) of Class 1. The proposal does not meet the exemption under Class 1.

C) Restrictions under Article 9

No restrictions under Article 9 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

EIA is not required in respect of the proposal.

4. RECOMMENDATION

A question has arisen as to whether the construction of a new single storey extension to the rear of the house is development and is or is not exempted development:

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

- (a) Sections 2, 3 and 4 of the Planning and Development Act, 2000, as amended.
- (b) Class 1 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 as amended.
- (c) Articles 6 and 9 of the Planning and Development Regulations 2001 as amended.

Tipperary County Council has concluded that –

The development consisting of the construction of a new single storey extension to the rear of the house is development and is not exempted development. The proposal does not meet the requirements of condition/limitation 4a) and 4c) of Class 1 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 as amended..

Eoin Buckley

Signed: _____
Graduate Planner

Date: 24/03/2026

Signed: *Jonathan Flood* _____
Senior Executive Planner

Date: 2/4/2026

HABITATS DIRECTIVE APPROPRIATE ASSESSMENT (AA) SCREENING REPORT

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

(a) File Reference No:	S5/26/29
(b) Brief description of the project or plan:	As per planners report.
(c) Brief description of site characteristics:	As per planners report.
(d) Relevant prescribed bodies consulted: e.g. DHLGH (NPWS), EPA, OPW	None
(e) Response to consultation:	N/a. No referrals made.

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

European Site (code)	List of Qualifying Interest/Special Conservation Interest ¹	Distance proposed development ² (km)	Connections (Source-Pathway-Receptor)	Considered further screening Y/N
002165 Lower River Shannon	https://www.npws.ie/protected-sites/sac/002165	Within 500m	None	No
002258 Silvermines Mountains West	https://www.npws.ie/protected-sites/sac/002165	Within 10km	None	No
001432 Glenstal Wood	https://www.npws.ie/protected-sites/sac/001432	Within 10km	None	No
001197 Keeper Hill	https://www.npws.ie/protected-sites/sac/001197	Within 10km	None	No
000930 Clare Glen	https://www.npws.ie/protected-sites/sac/000930	Within 10km	None	No
002312 Slieve Bernagh Bog	https://www.npws.ie/protected-sites/sac/002312	Within 15km	None	No
002124 Bolingbrook Hill	https://www.npws.ie/protected-sites/sac/002124	Within 15km	None	No

001013 Glenomra Wood	https://www.npws.ie/protected-sites/sac/001013	Within 15km	None	No
000939 Silvermine Mountains	https://www.npws.ie/protected-sites/sac/000939	Within 15km	None	No
004165 Slievefelim to Silvermines Mountains SPA	https://www.npws.ie/protected-sites/spa/004165	Within 10km	None	No
004058 Lough Derg (Shannon) SPA	https://www.npws.ie/protected-sites/spa/004058	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 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 impacts
In-combination/Other	No 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 impacts
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(c) Are 'mitigation' measures necessary to reach a conclusion that likely significant effects can be ruled out at screening?

Yes No

STEP 4. Screening Determination Statement

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

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

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

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

An appropriate assessment is not, therefore, required.

Conclusion:

	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

Signature and Date of Recommending Officer:	Eoin Buckley, Graduate Planner	Date:	24/03/2026
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EIA Pre-Screening
Establishing a development is a 'sub-threshold development'

File Reference:	S5/26/29
Development Summary:	As per planners report.
Was a Screening Determination carried out under Section 176A-C?	<input type="checkbox"/> Yes, no further action required <input checked="" type="checkbox"/> No, Proceed to Part A
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

Original

TIPPERARY COUNTY COUNCIL

DELEGATED EMPLOYEE'S ORDER

File Ref: **S5/26/29** **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 Terry Duggan C/O Joseph Barry, Castleconnell, Co. Limerick, Re: The construction of a new single storey extension to the rear of the house at No. 8 Ard Mhuire, Tullow, Newport, 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) Class 1 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 as amended.
- (c) Articles 6 and 9 of the Planning and Development Regulations 2001 as amended.

Tipperary County Council has concluded that the development consisting of the construction of a new single storey extension to the rear of the house is development and is **not exempted development**.

The proposal does not meet the requirements of condition/limitation 4a) and 4c) of Class 1 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 as amended.

Signed: 
Brian Beck
Director of Services

Date: 02/04/2026



Date: 2nd April 2026

Our Ref: S5/26/29

Civic Offices, Nenagh

**Terry Duggan
C/O Joseph Barry
Castleconnell
Co. Limerick**

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

Dear Mr Duggan,

I refer to your application for a Section 5 Declaration received on 11th March 2026 in relation to the following proposed works:

The construction of a new single storey extension to the rear of the house at No. 8 Ard Mhuire, Tullow, Newport, 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 –

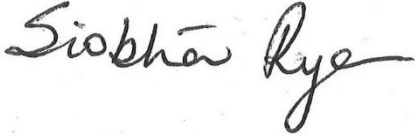
- (a) Sections 2, 3 and 4 of the Planning and Development Act, 2000, as amended.
- (b) Class 1 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 as amended.
- (c) Articles 6 and 9 of the Planning and Development Regulations 2001 as amended.

Tipperary County Council has concluded that the development consisting of the construction of a new single storey extension to the rear of the house is development and is **not exempted development**.

The proposal does not meet the requirements of condition/limitation 4a) and 4c) of Class 1 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 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**