

COVER LETTER

Request for Non-Material Amendment

Gortlandroe, Nenagh, Tipperary

Applicants: Tom Gallahue

Agent: Eoghan McCarthy MRAI 20153



**Re: Planning Ref. 18601019 – Gortlandroe Residential Development
Request for Non-Material Amendment**

A Chara,

We act on behalf of the applicant in relation to the permitted residential development at Gortlandroe, Nenagh, Co. Tipperary (Planning Ref. 18601019).

Please find enclosed a request for approval of a non-material amendment to three of the permitted house types within the development.

The proposed amendment relates to a minor alteration to the front façade of the dwelling, whereby a small splayed projection serving the living room at ground floor and bedroom above is rationalised and squared off. The internal floor areas remain unchanged.

The amendment also includes the introduction of a brick or stone finish to part of the façade. The overall scale, height, and footprint of the dwelling remain as permitted.

We respectfully request that the Planning Authority consider and agree that the proposed amendment is minor in nature and does not materially alter the permitted development.

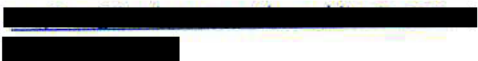
For clarity, the submitted drawings show the approved and proposed elevations and plans with the revisions clouded.

Should the Planning Authority require any further information, please do not hesitate to contact us.

Mise le meas,

Eoghan McCarthy

Architect MRIAI (20162)



BarkerMcCarthy Architects
11 Mallow St, Limerick





PLANNING & DEVELOPMENT ACT, 2000 (as amended)

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

1. Applicant's address/contact details:

<i>Applicant</i>	Tom Gallahue
<i>Address</i>	Castlough, Portroe, Nenagh, Co Tipperary.
<i>Telephone No.</i>	[REDACTED]
<i>E-mail</i>	[REDACTED]

2. Agent's (if any) address:

<i>Agent</i>	Eoghann McCarthy
<i>Address</i>	11 Mallow st, Prior's land, Limerick
<i>Telephone No.</i>	[REDACTED]
<i>E-mail</i>	[REDACTED]
<i>Please advise where all correspondence in relation to this application is to be sent;</i>	
Applicant [<input type="checkbox"/>]	Agent [<input checked="" type="checkbox"/>]

3. Location of Proposed Development:

<i>Postal Address or Townland or Location (as may best identify the land or structure in question)</i>	Ardan Rua, Gortlandroe, Nenagh, Tipperary
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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.

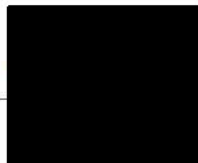
(Note: only works and uses listed and described under this section will be assessed under this Section 5 Application. Use additional sheets if required.)

Change in facade for two house types within the development granted planning	
permission under the following reference numbers: 18601019, 18600778	
The proposal is for the change in angle of a projection of the front of two houses	
and the addition of a new material (brick) to some of these new projections in lieu of	
render. There is no change in floor area, site layout or number of habitants or dwellings.	
Proposed floor area of proposed works/uses:	sqm n/a

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

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

Signature of Applicant(s) _____



Date: 12/03/2026

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

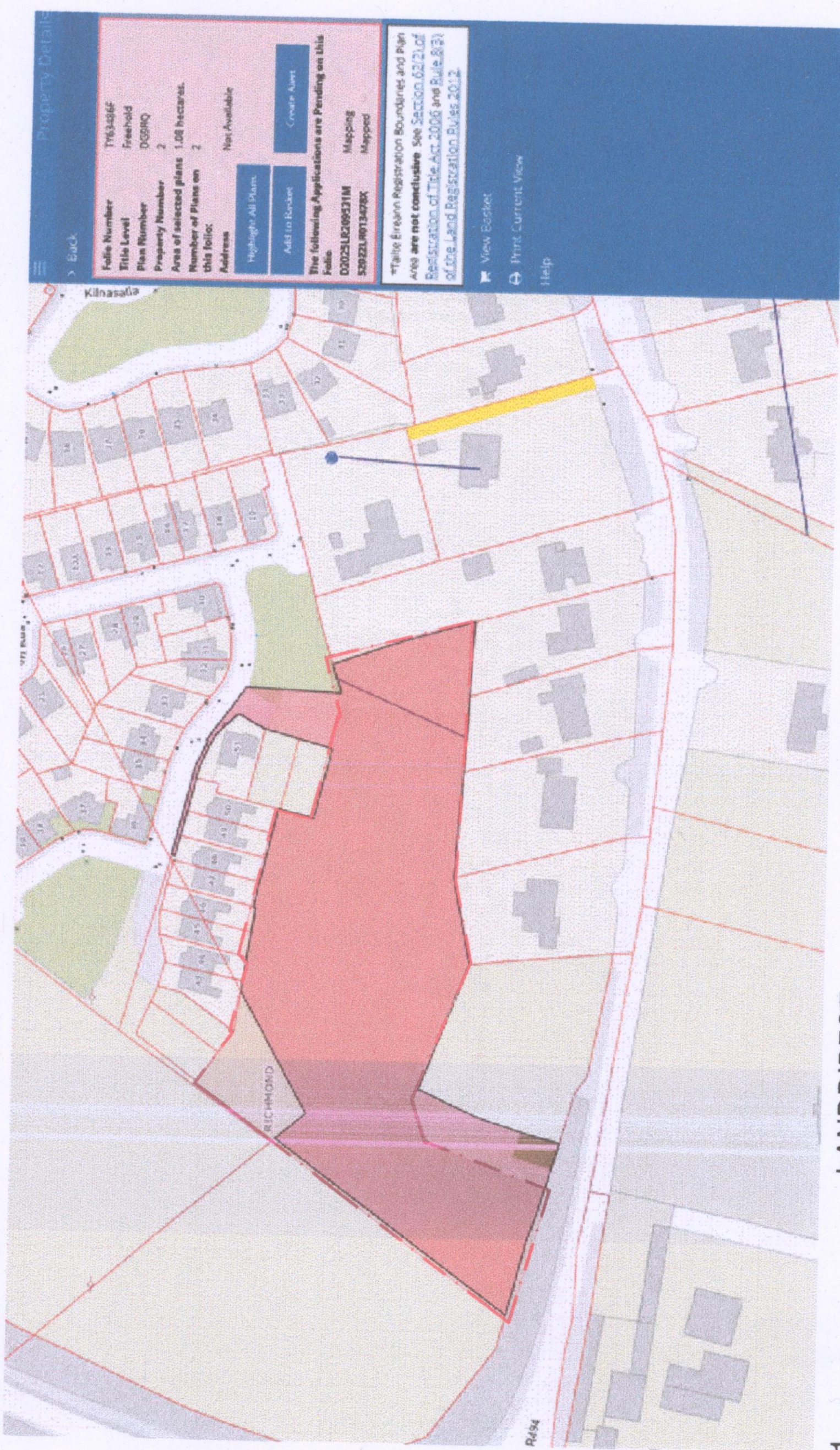
Fee Recd. € 80.00
Receipt No Nenagh 1/0/135782.
Date 12/03/2026
Received by Deirdre O'Brien

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RECEIVED
 12 MAR 2026
 PLANNING SECTION
 FILE NO. S/26/13

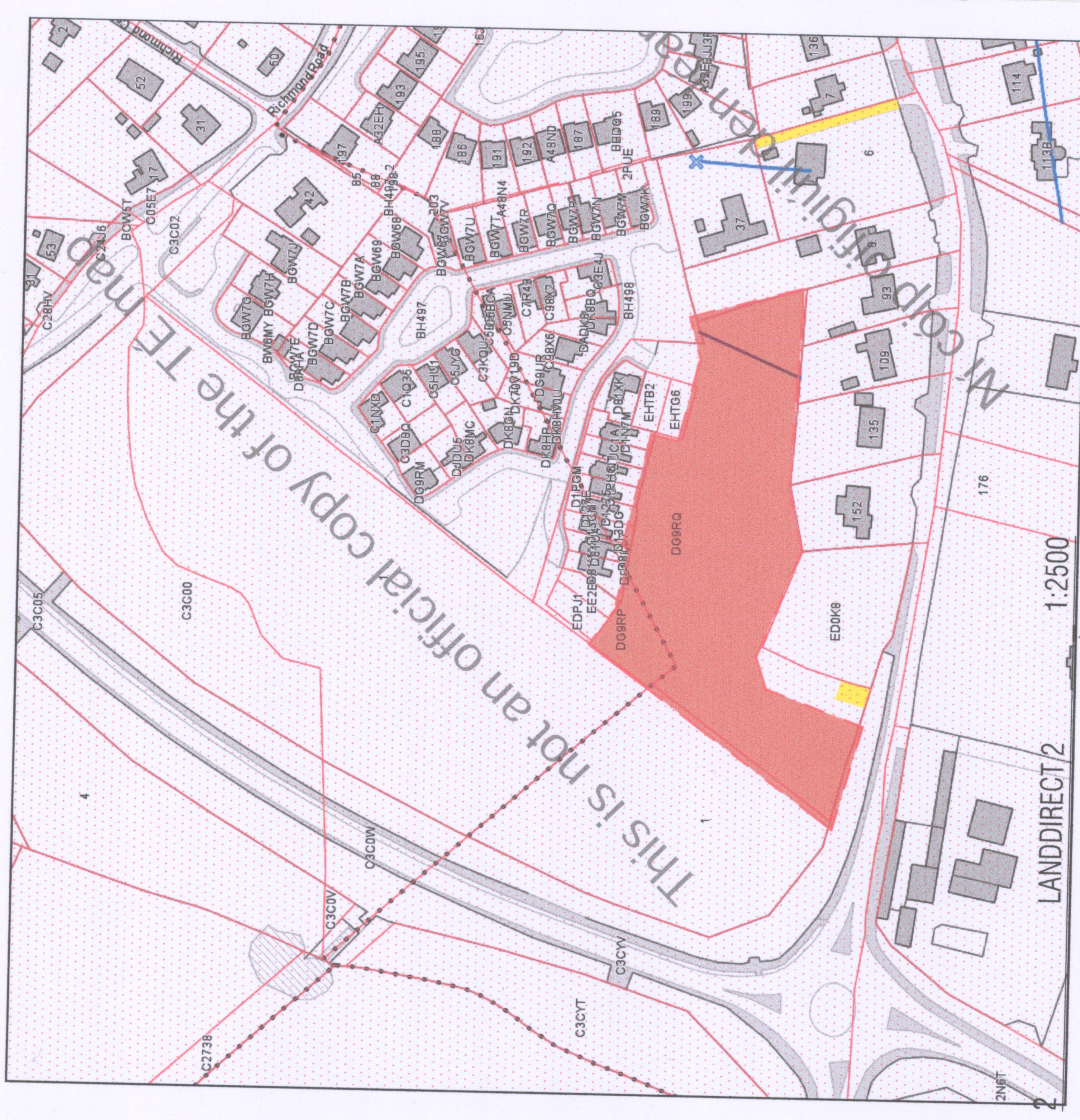
SITE
 SITE BOUNDARY
 Address Gortlandroe, Nenagh, Tipperary
 Folio TY63486F
 Eircode E45 Y892 (Eircode to East)
 52.8714781 N,
 8.22846098 W



5 AERIAL 2500 1:2500



1 LANDDIRECT 1:2500



Creation Date: Tuesday, January 13, 2026 1:54:09 PM

Taitte Eireann
 Official Taitte Eireann Registration Map
 This map should be read in conjunction with the Folio.
 Taitte Eireann (TE) Registration mapping is based on TE Surveying mapping. Where TE Registration maps are printed at a scale that is larger than the TE Surveying scale, accuracy is limited to that of the TE Surveying map scale.
 For details of the terms of use and limitations of scale, accuracy and other conditions relating to TE Registration maps, see www.taitte.ie.
 This map incorporates TE Surveying map data under a license from TE. Copyright © Taitte Eireann and Government of Ireland.
 Scale 1:2500
 Freshhold
 Leasehold
 Sub-Leasehold
 'S' Right/Other
 (See Section 8(3)(b) of Registration of Title Regulations Rules 1927-2017)

Barker - MCCarthy Architects
 186001019 EXTENSION DURATION
 18600778 PERMISSION

186001019 EXTENSION DURATION
 18600778 PERMISSION

13510054 REVISION
 12510135 PERMISSION

2504 GORTLANDROE HOUSING

PROPOSED AMENDMENT

12/03/2026

TOM GALLAHUE

EMC

12/03/2026

S03

1:2500 at A2

19

SUBJECT		PREVIOUS PLANNING		PROJECT	
SITE LOCATION PLAN		186001019	EXTENSION DURATION	13510054	REVISION
		18600778	PERMISSION	12510135	PERMISSION
BARKER - MCCARTHY ARCHITECTS		2504 GORTLANDROE HOUSING			
		PROPOSED AMENDMENT		12/03/2026	DATE
		TOM GALLAHUE		EMC	DRAWN
		S03		12/03/2026	REVISION
		1:2500 at A2		19	DRAWING NO

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1 SITE PLAN 1:500

SUBJECT
 SITE PLAN

BARKER - MCCARTHY ARCHITECTS
 info@barker-mccarthy.com

PREVIOUS PLANNING
 18601019 EXTENSION DURATION
 18600778 PERMISSION

13510054 REVISION
 12510135 PERMISSION

PROJECT
 2504 GORTLANDROE HOUSING

REVISION
 PA1 PROPOSED AMENDMENT

DATE
 12/03/2026

CLIENT
 TOM GALLAHUE

DRAWN
 EMC

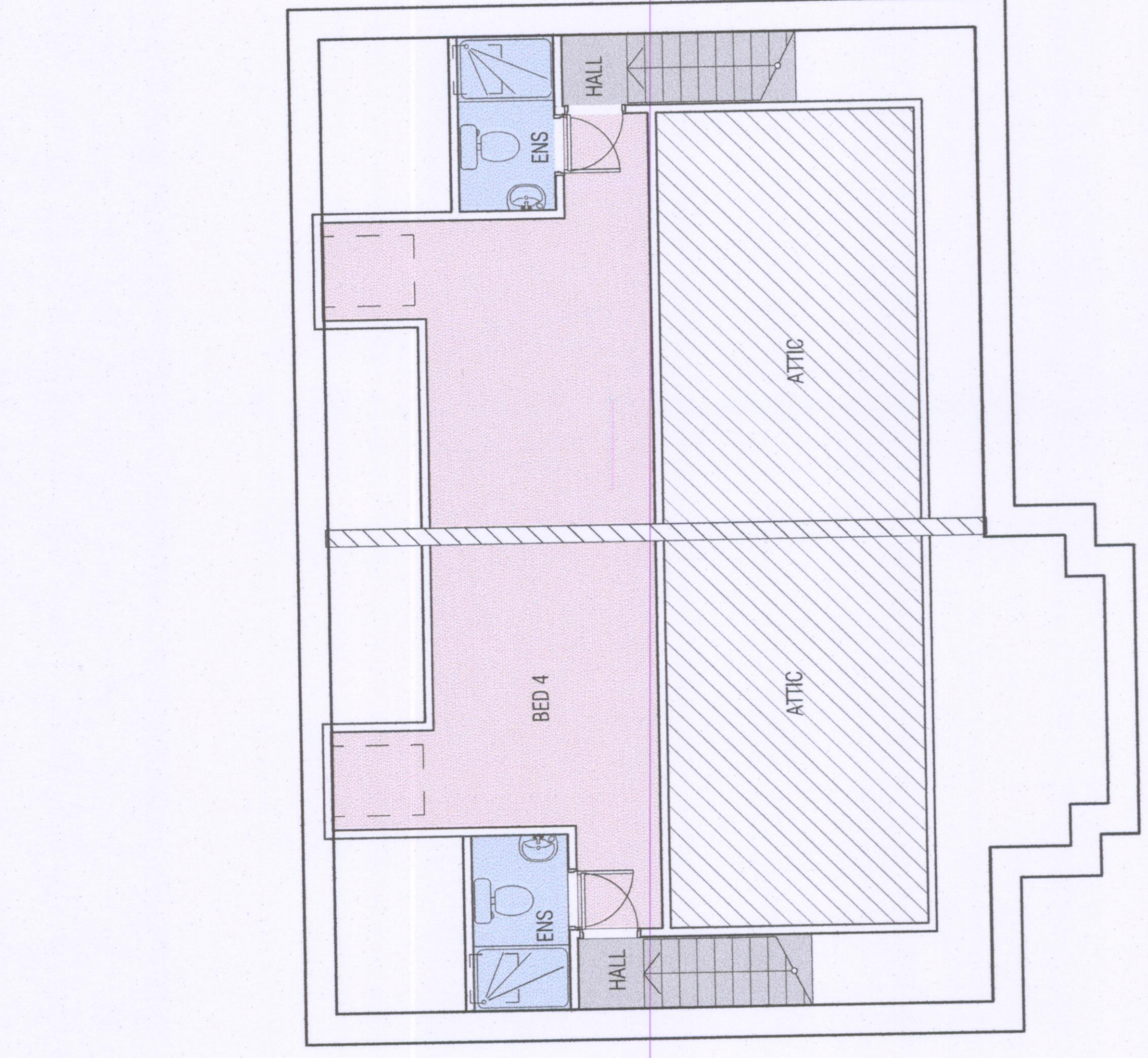
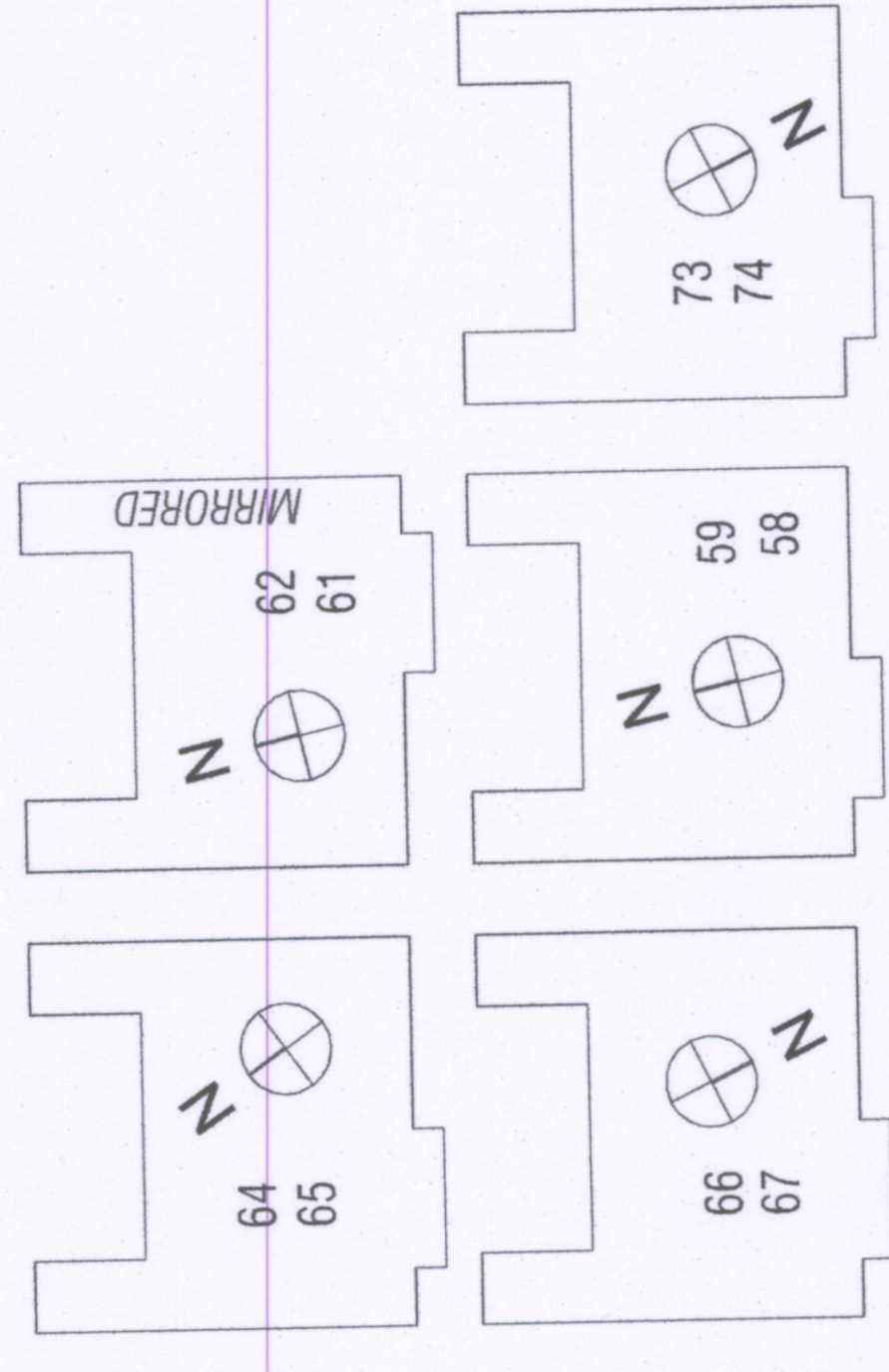
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REVISION
 S03

SCALE
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DRAWING NO
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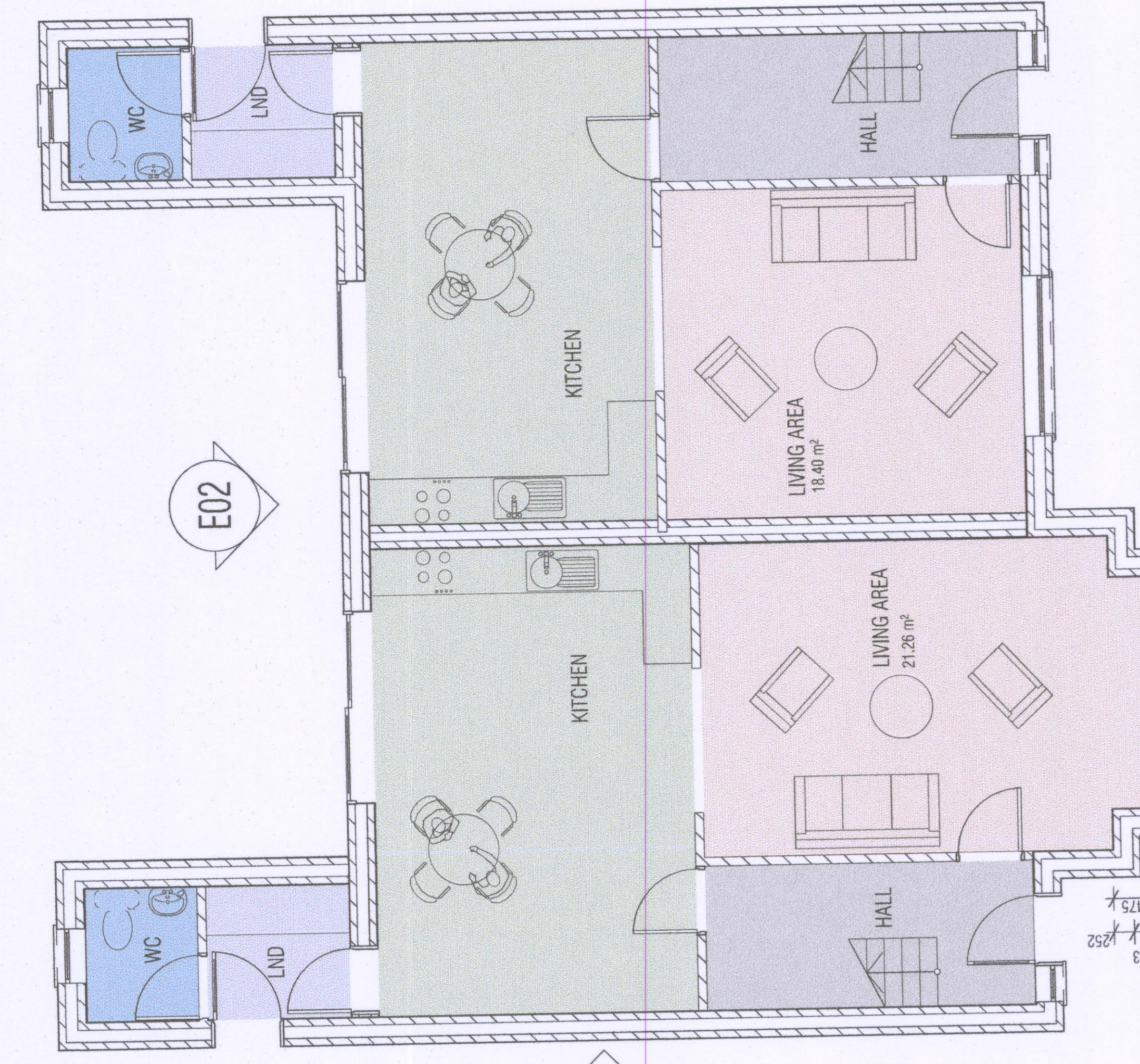
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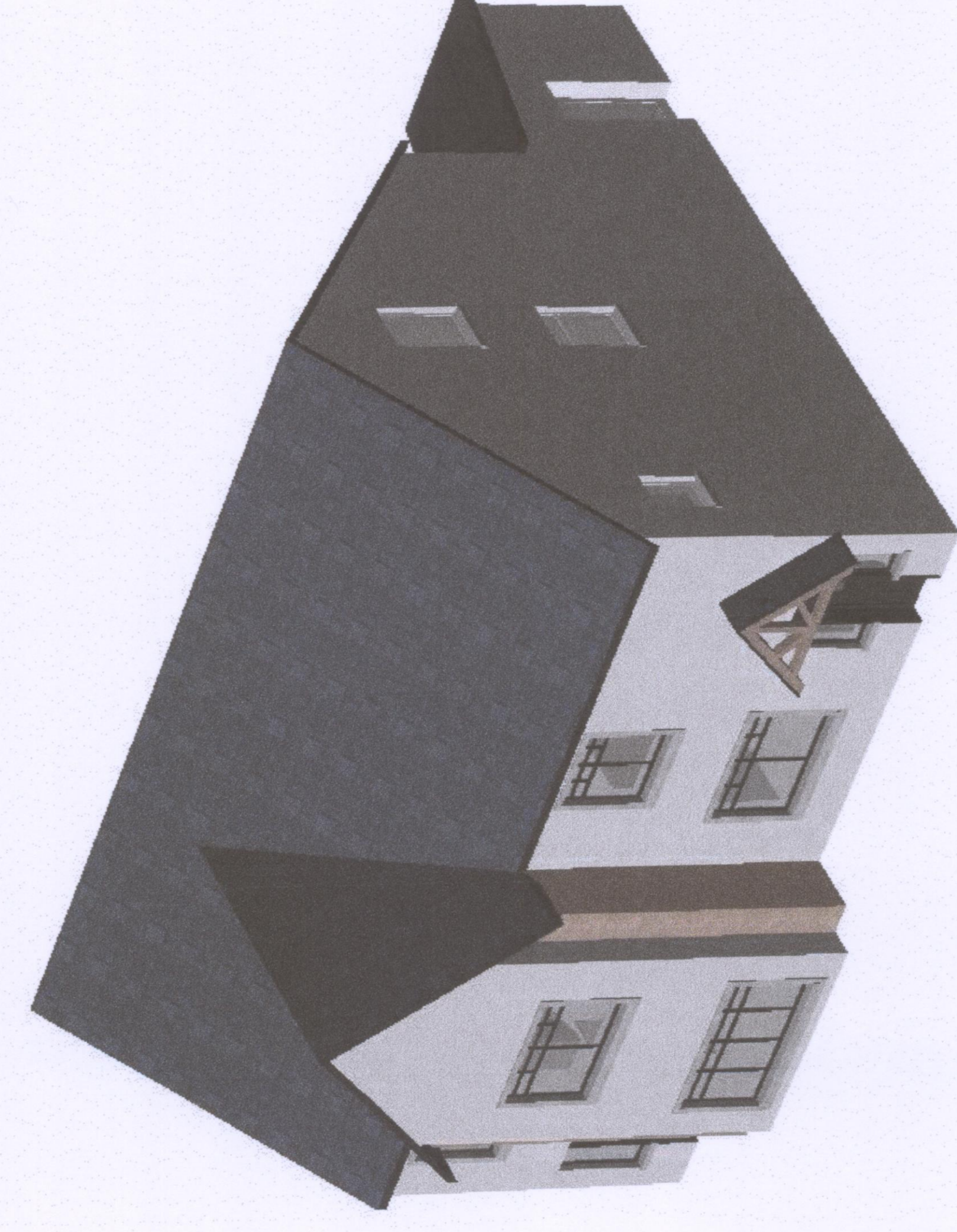
HOUSE TYPE A1 - SECOND FLOOR 1:100



HOUSE TYPE A1 - FIRST FLOOR 1:100



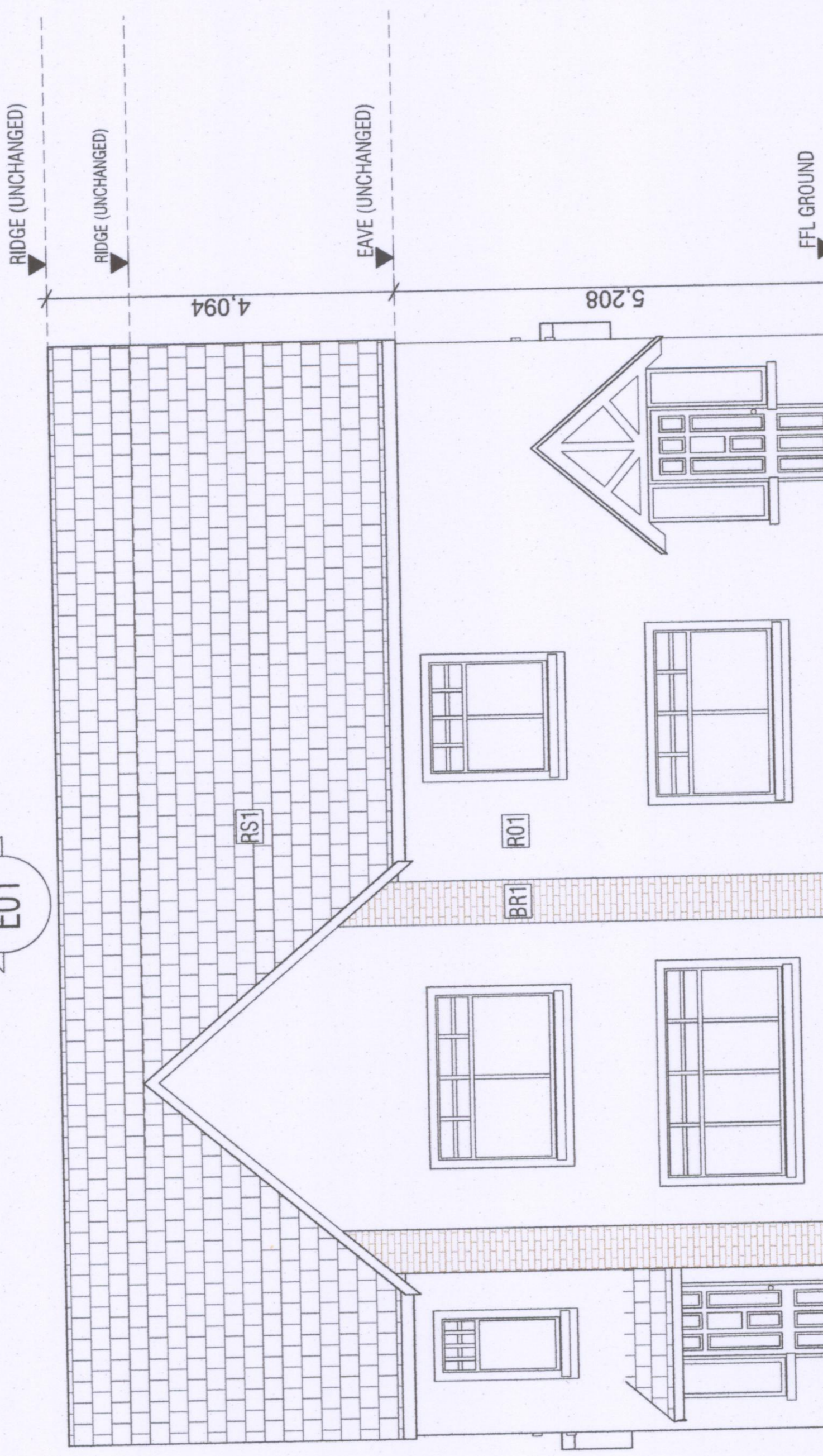
HOUSE TYPE A1 - GROUND 1:100



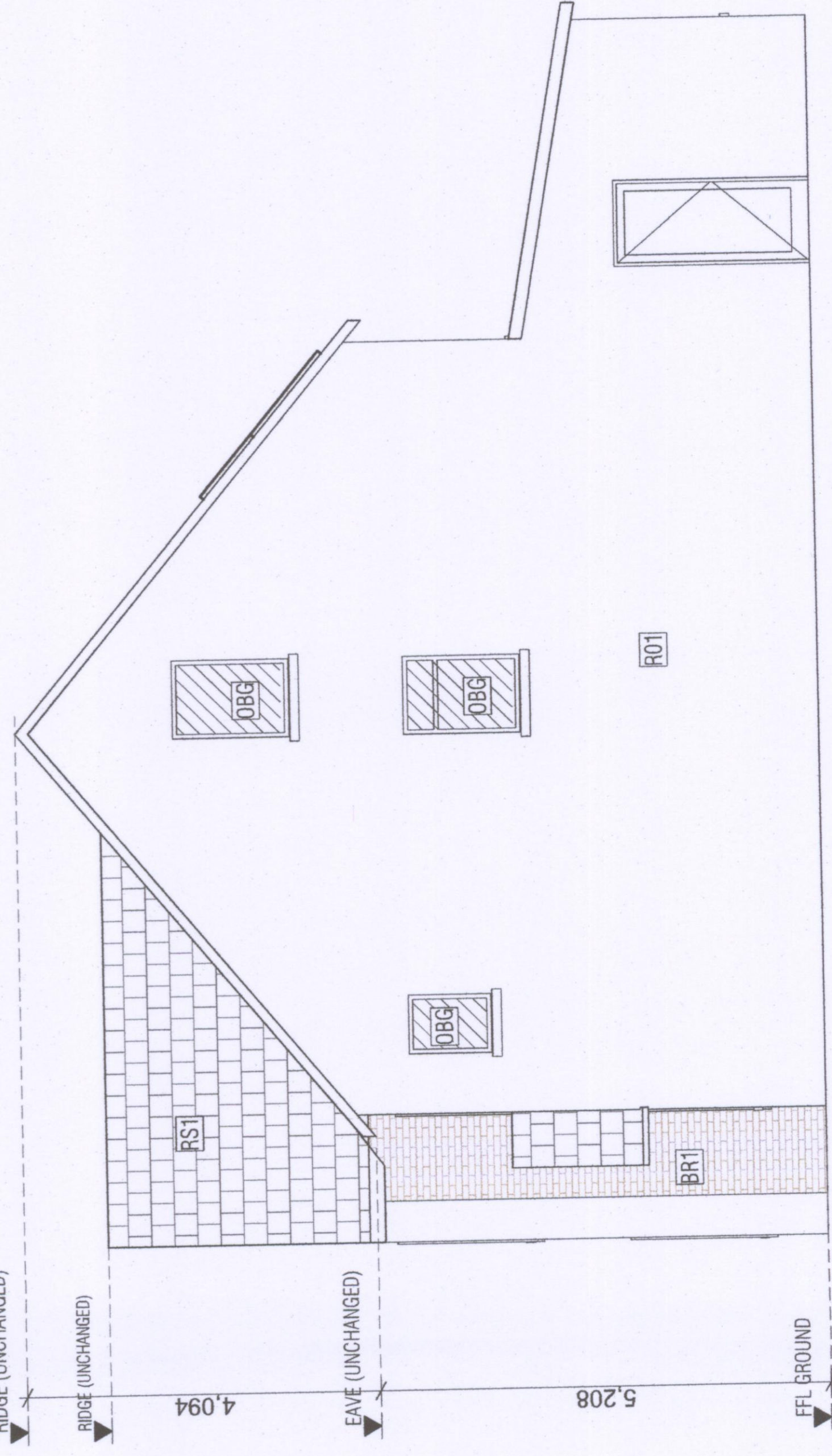
AXONOMETRIC



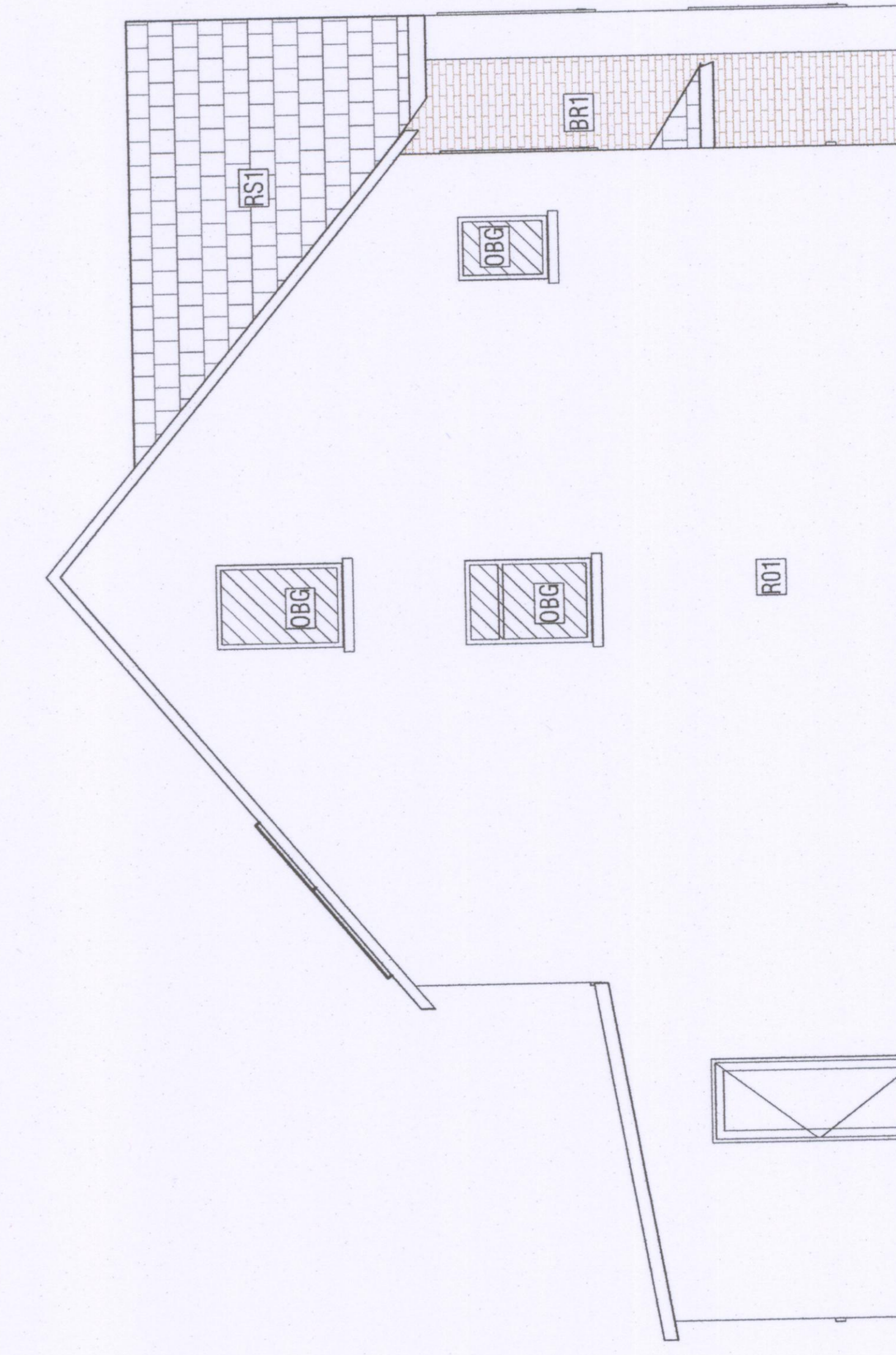
E-02 REAR HOUSE ELEVATION 1:100



E-01 HOUSE ELEVATION 1:100



E-03 SIDE HOUSE ELEVATION 1:100



E-04 SIDE HOUSE ELEVATION LEFT 1:100

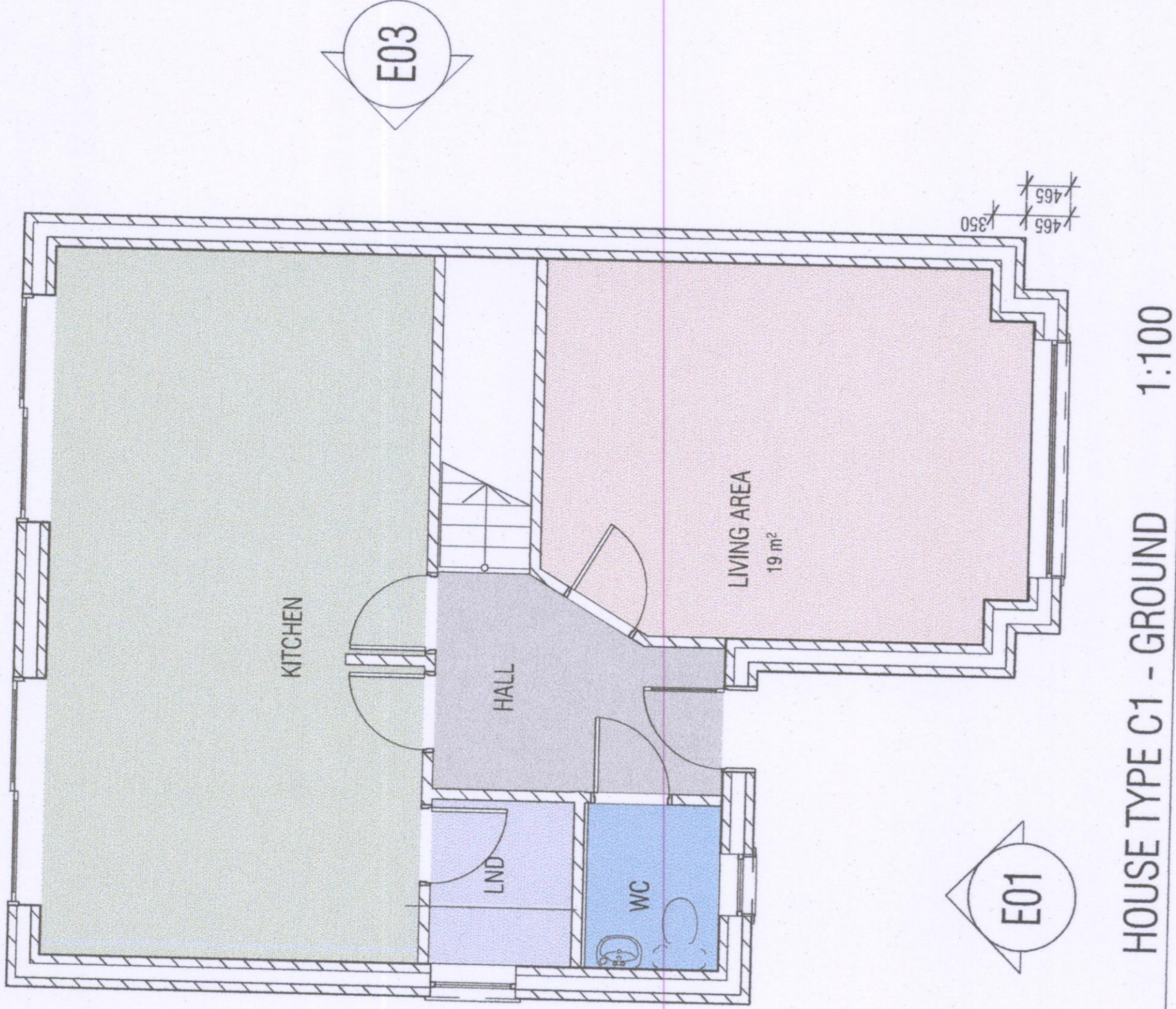
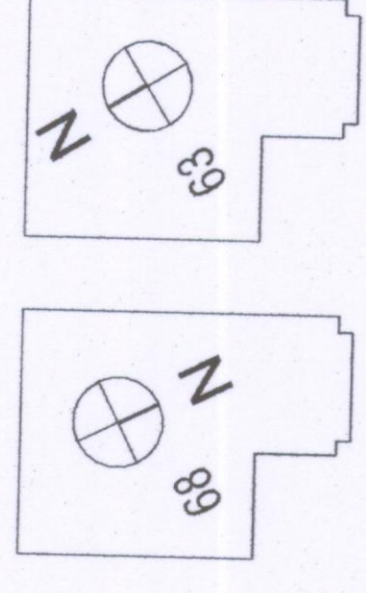
NOTE:
 ONLY CHANGES TO THIS HOUSE TYPE AREA:
 1. FRONT PROJECTION GEOMETRY (REMOVE ANGLE)
 2. MATERIAL FINISH TO FRONT PROJECTING WALLS
 3. RELATED CHANGES TO WINDOW TYPE & ROOF EXTENT
 NO CHANGES TO FLOOR AREA, NO. OF BEDROOMS, METHOD OF CONSTRUCTION OR STRUCTURE

- LEGEND**
- OBG OBSCURED GLASS
 - R01 RENDERED PLASTER FINISH
 - BR1 STANDARD BRICK - BEIGE OR STONE CLADDING
 - SS1 STANDING SEAM - ALUMINIUM OR ZINC
 - RS1 ROOFING SLATE

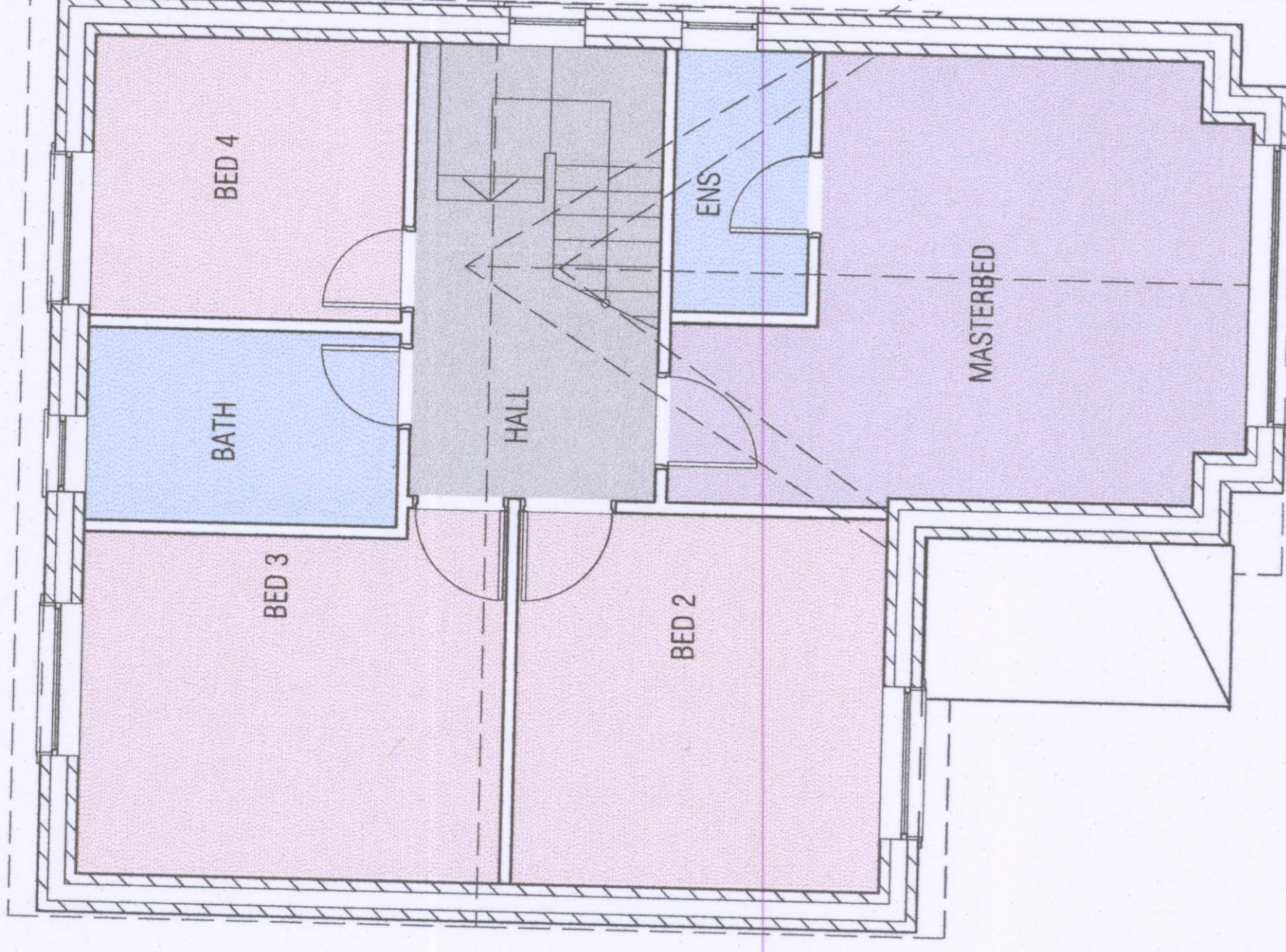
NOTE:
 PROPOSED MATERIAL BR1 WILL BE INTERCHANGED WITH MATERIAL R01-RENDER IN EVERY SECOND HOUSE AS SHOWN ON THE SITE PLAN.
 THIS IS INTENDED TO PROVIDE VISUAL VARIETY WITHIN THE HOUSING DEVELOPMENT.

SUBJECT: HOUSE A1	BARKER - MCCARTHY ARCHITECTS info@barkermccarthyarchitect.com	PREVIOUS PLANNING 18601019	EXTENSION DURATION PERMISSION	13510054	REVISION PERMISSION	12510135	PERMISSION	REVISION PA1	PROPOSED AMENDMENT	DATE 12/03/2026	CLIENT: TOM GALLAHUE	DRAWN EMC	DATE 12/03/2026	REVISION S03	SCALE 1:100 at A2	DRAWING NO. 21
		PROJECT: 2504 GORTLANDROE HOUSING														

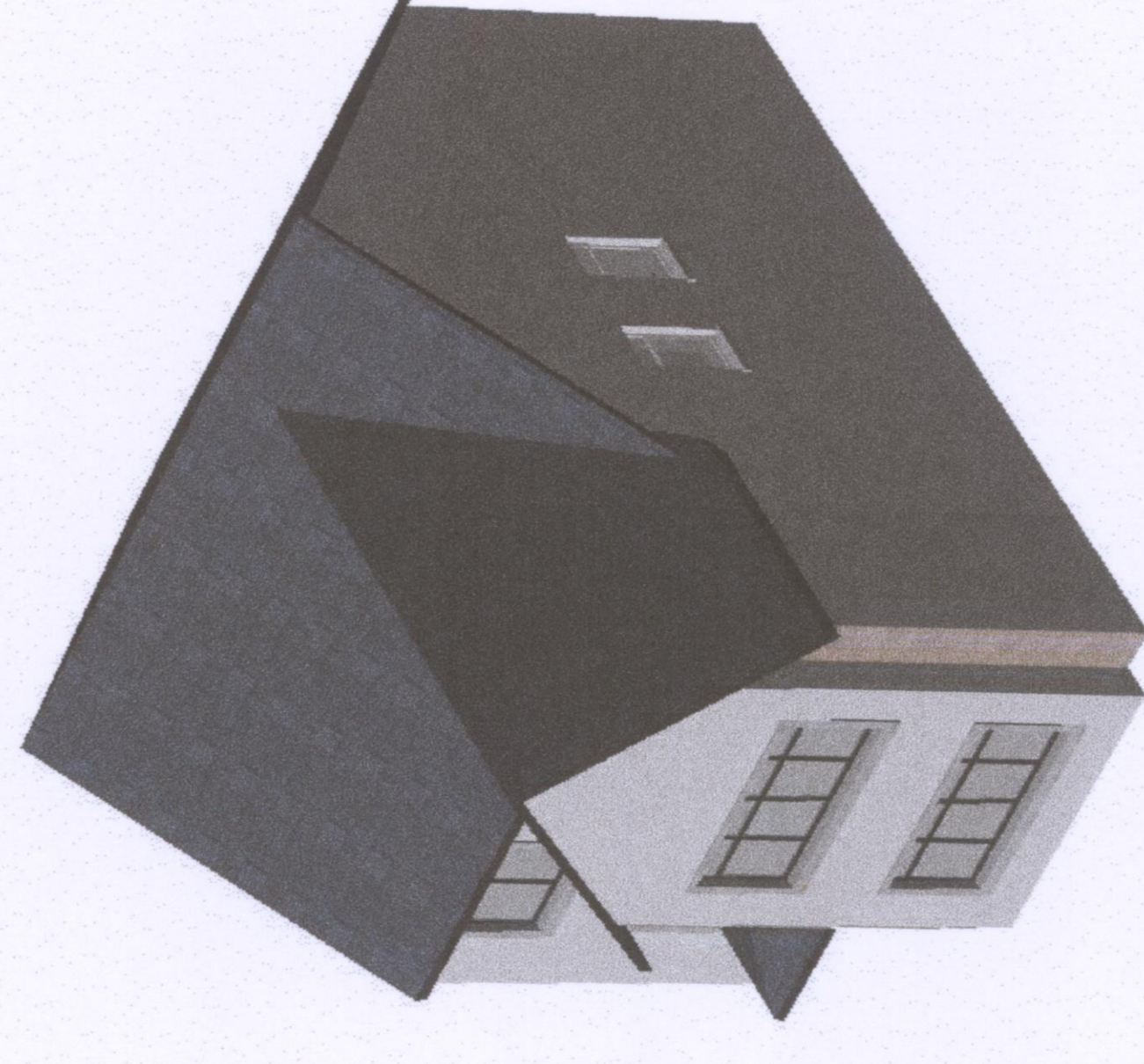
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 FILE NO. 2504/26/131



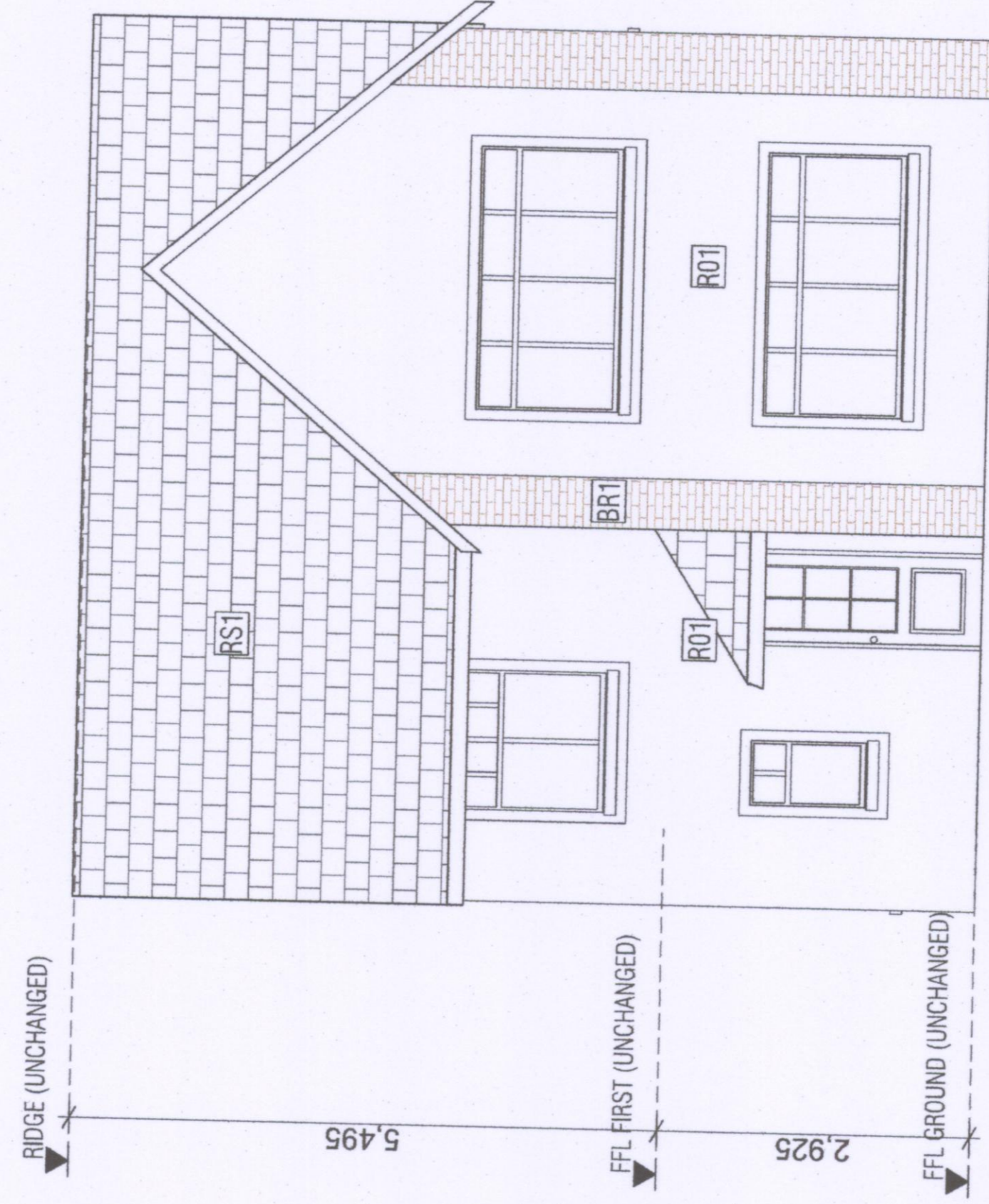
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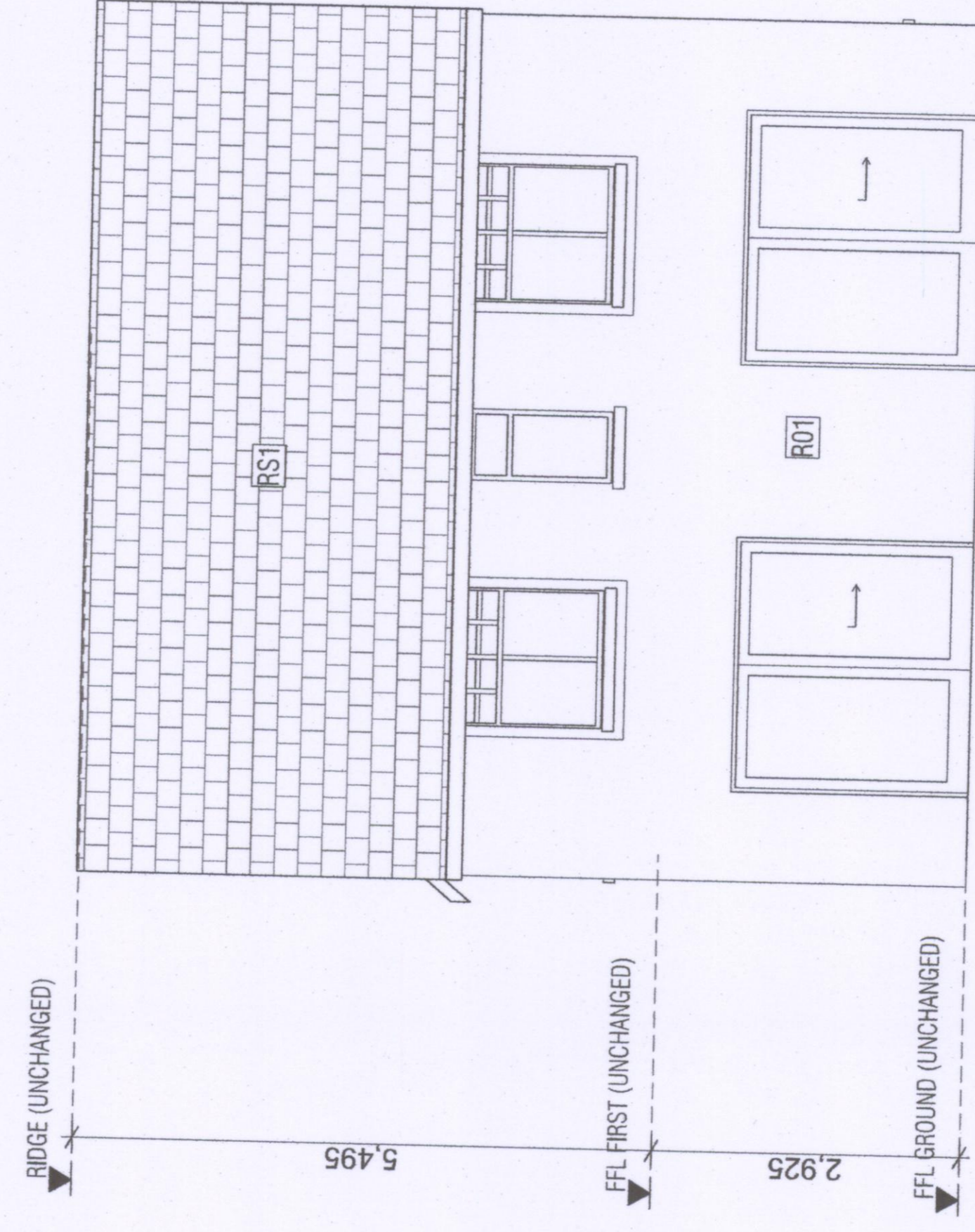
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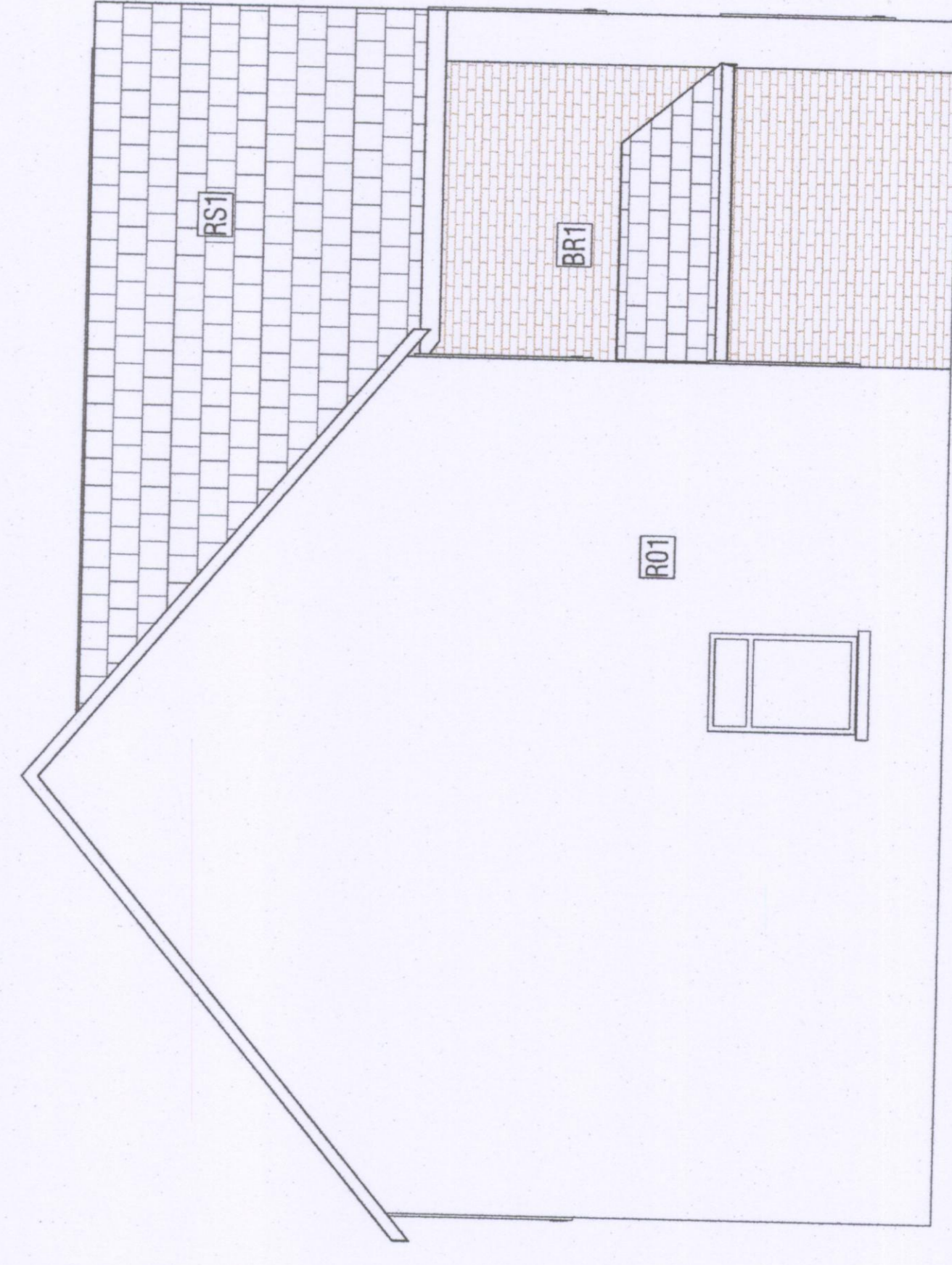
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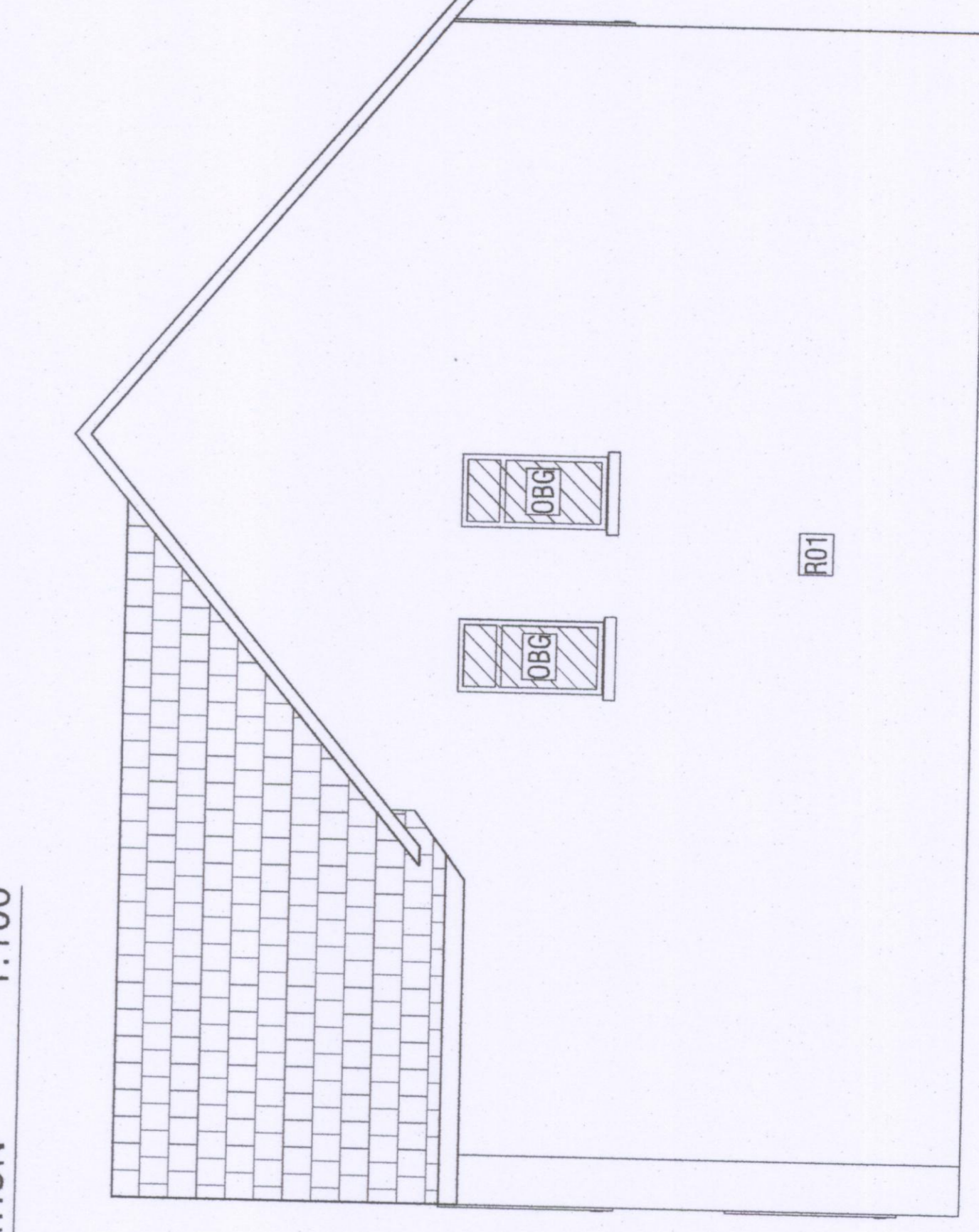
E-01 HOUSE ELEVATION 1:100



E-02 REAR HOUSE ELEVATION 1:100



E-04 SIDE HOUSE ELEVATION LEFT 1:100



E-03 SIDE HOUSE ELEVATION 1:100

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 NO CHANGES TO FLOOR AREA, NO. OF BEDROOMS, METHOD OF CONSTRUCTION OR STRUCTURE

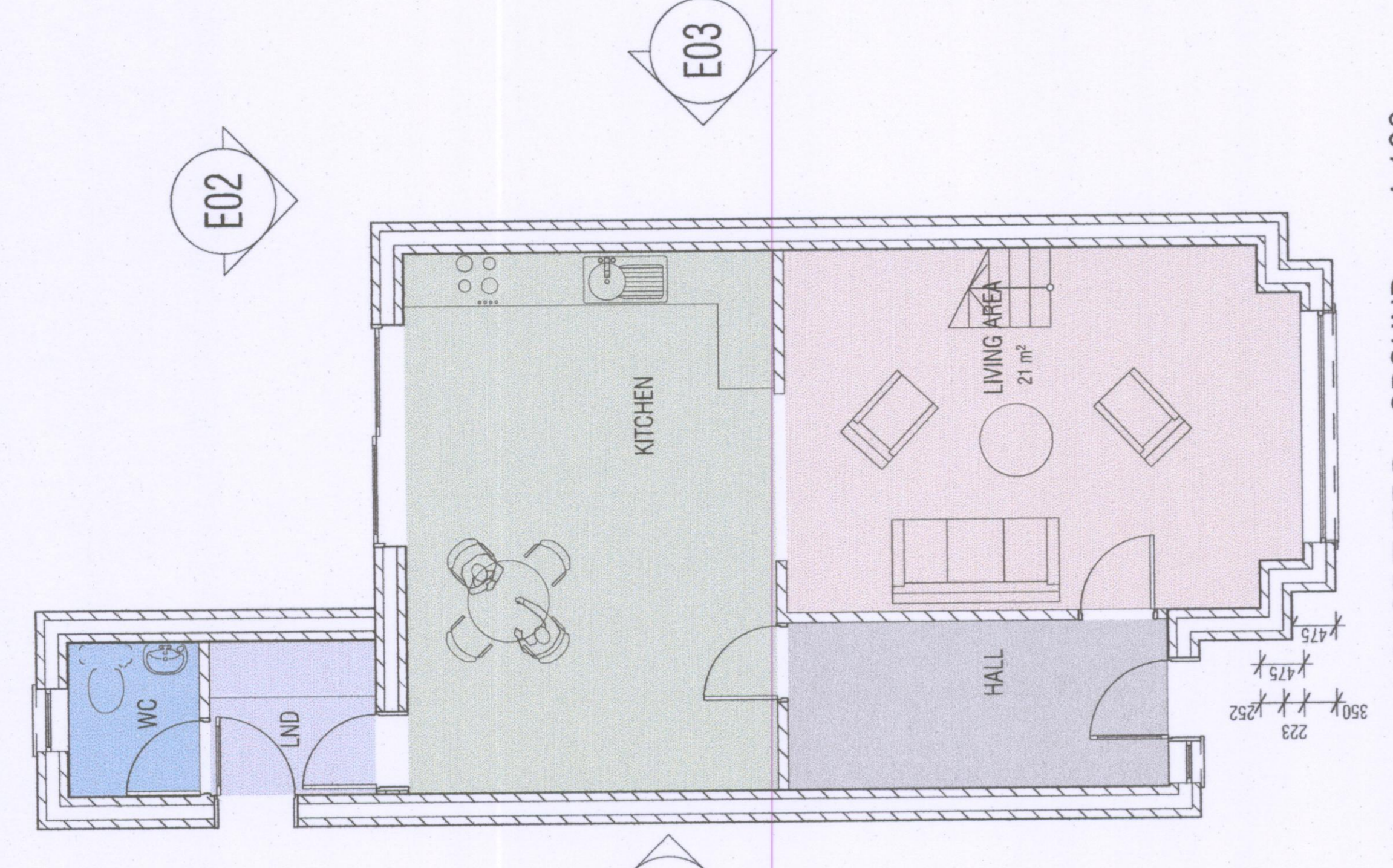
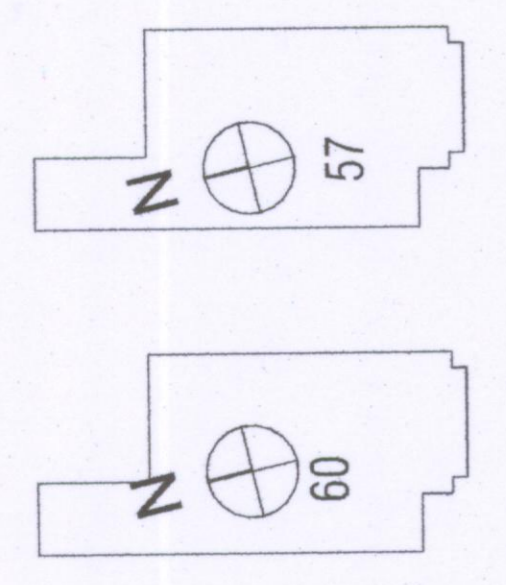
NOTE:
 PROPOSED MATERIAL BR1 WILL BE INTERCHANGED WITH MATERIAL RO1 - RENDER IN EVERY SECOND HOUSE AS SHOWN ON THE SITE PLAN.
 THIS IS INTENDED TO PROVIDE VISUAL VARIETY WITHIN THE HOUSING DEVELOPMENT.

LEGEND

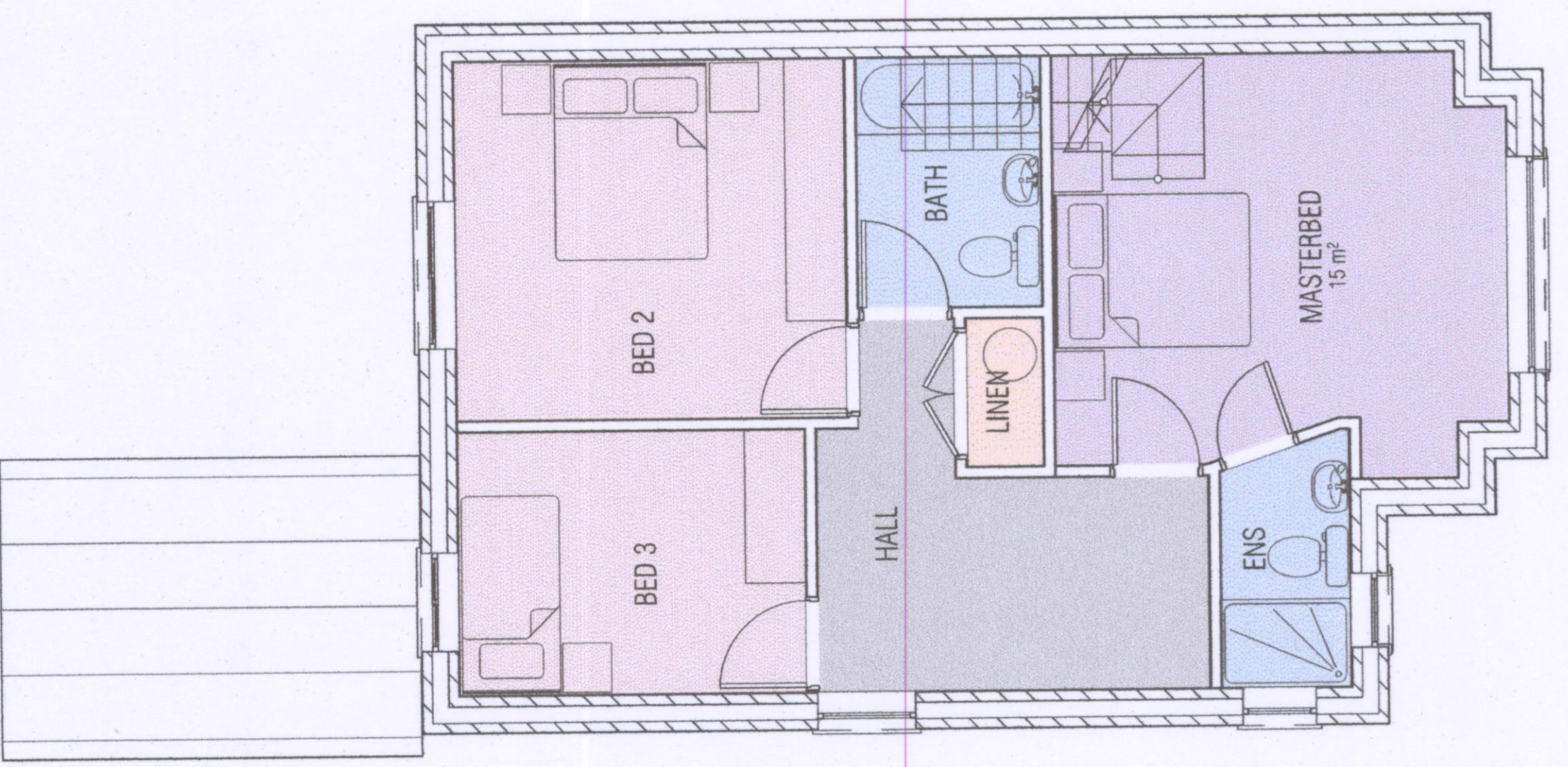
- OBG OBSCURED GLASS
- RO1 RENDERED PLASTER FINISH
- BR1 STANDARD BRICK - BEIGE OR STONE CLADDING
- SS1 STANDING SEAM - ALUMINIUM OR ZINC
- RS1 ROOFING SLATE

SUBJECT HOUSE C1	BARKER - MCCARTHY ARCHITECTS mp@barker-mccarthy.com		PREVIOUS PLANNING 18601019	EXTENSION DURATION PERMISSION	13510054	REVISION PERMISSION	12510135	PROJECT 2504 GORTLANDROE HOUSING	DATE 12/03/2026	REVISION S03	SCALE 1:100 at A2	DRAWING NO. 22
	TOM GALLAHUE		DATE 12/03/2026	PROPOSED AMENDMENT PA1	DATE 12/03/2026	REVISION S03	SCALE 1:100 at A2	DRAWING NO. 22				

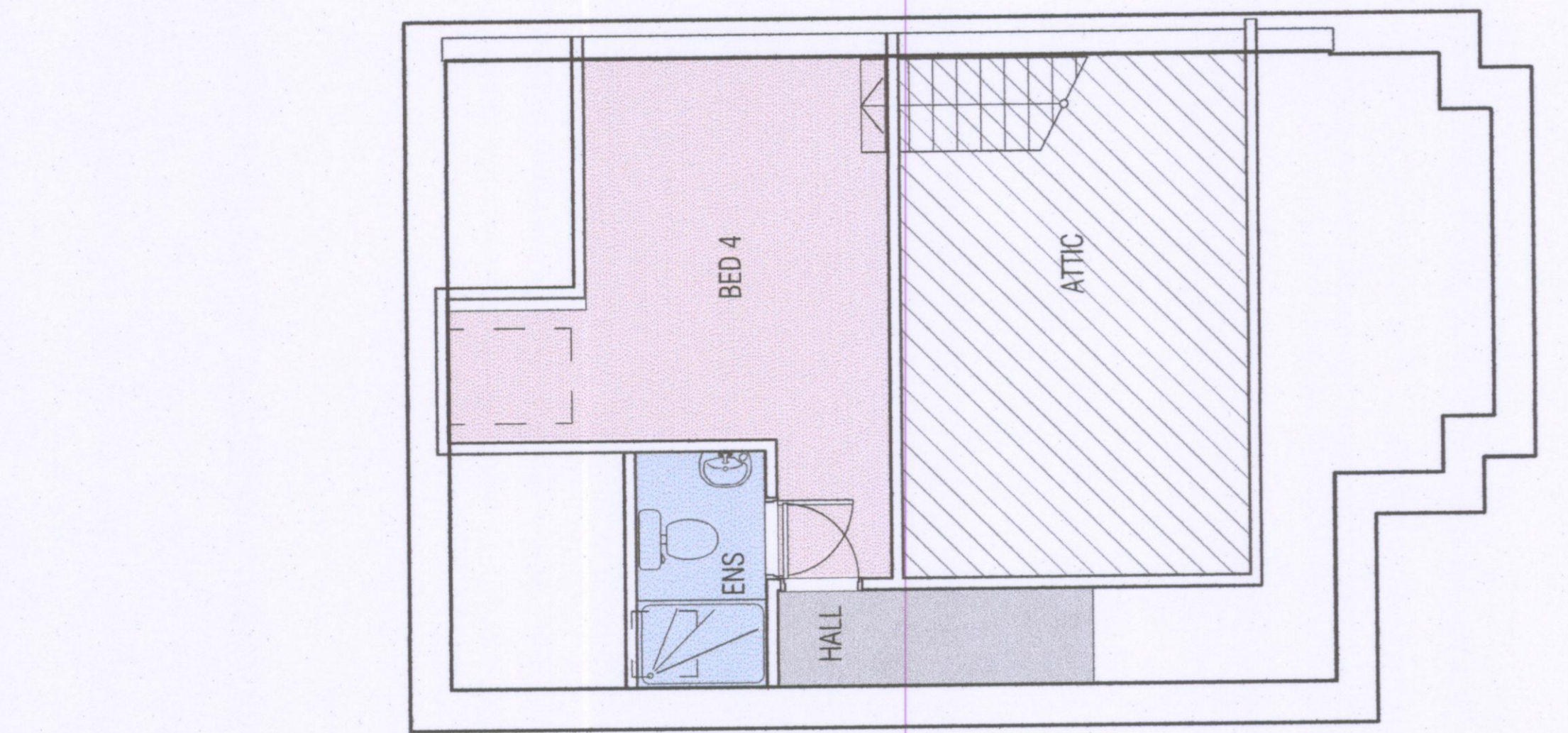
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 FILE NO. 25726/23



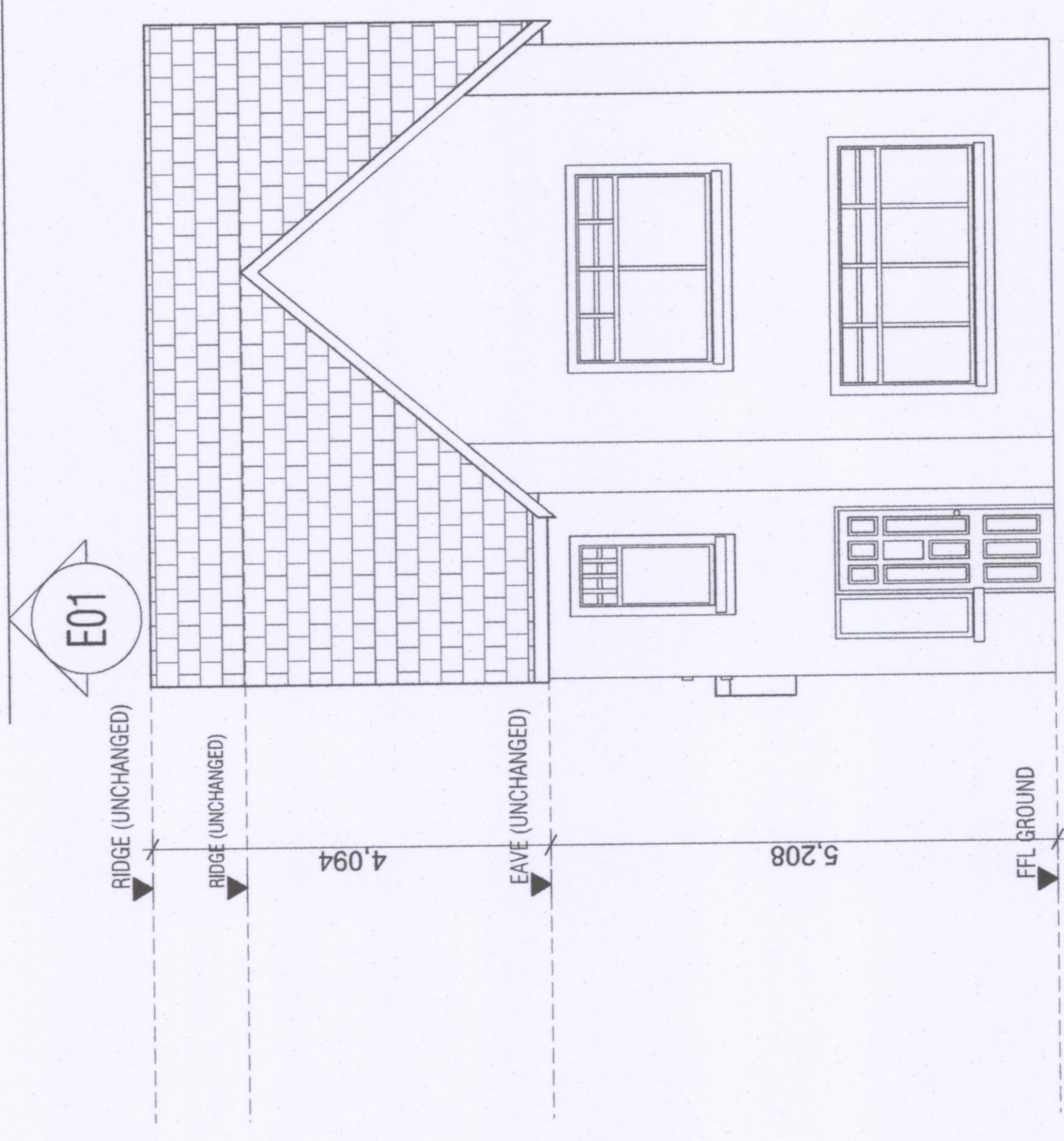
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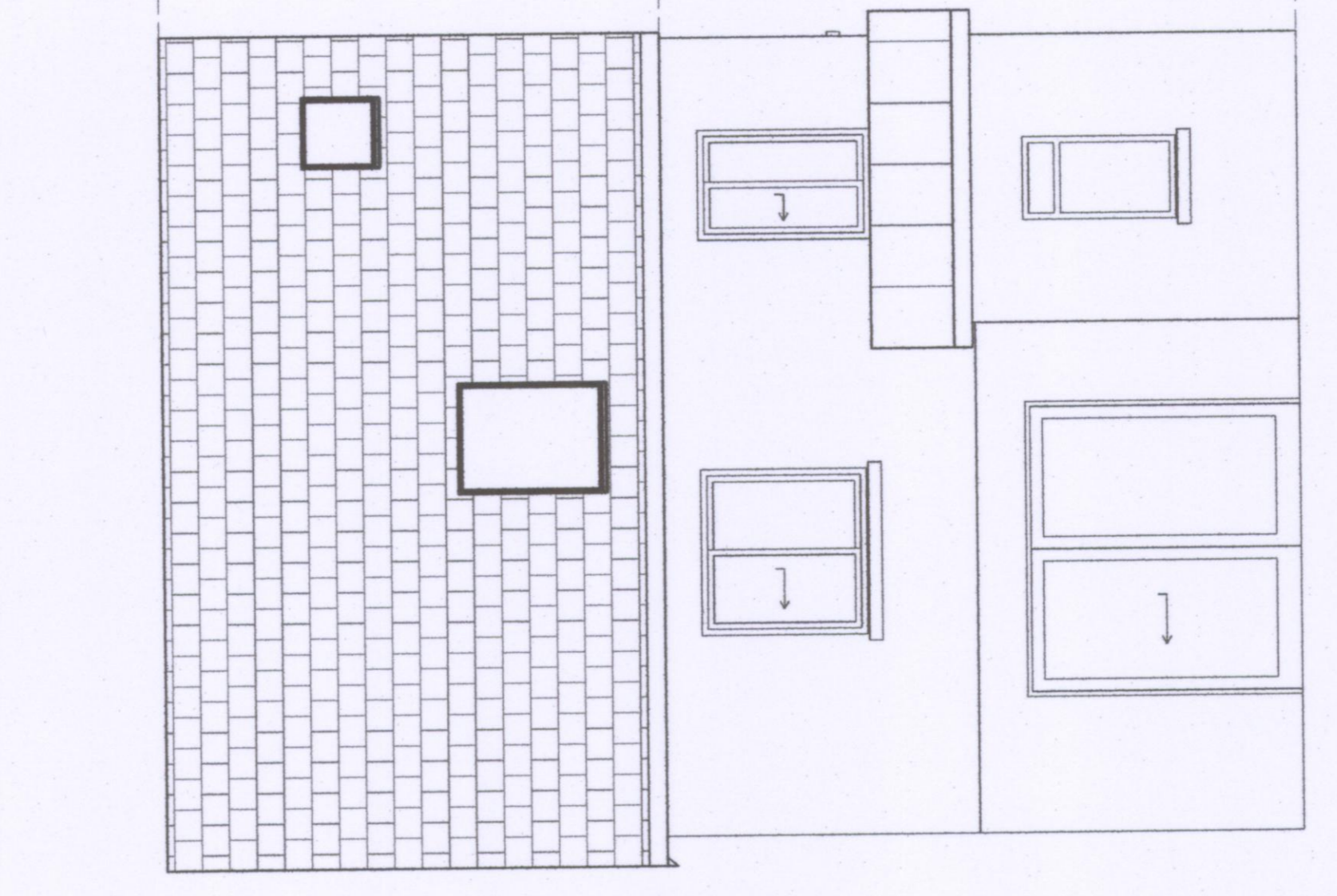
2 HOUSE TYPE D - FIRST FLOOR 1:100



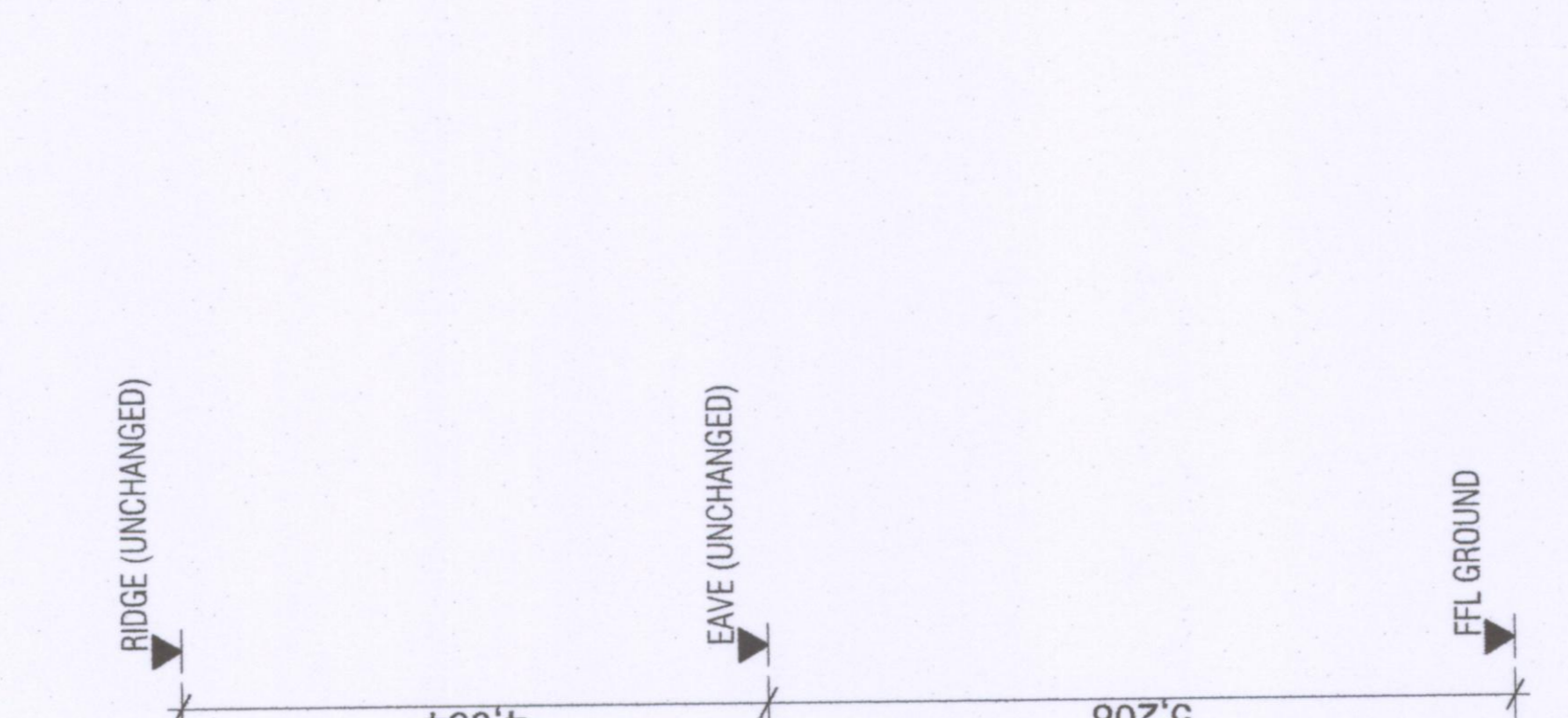
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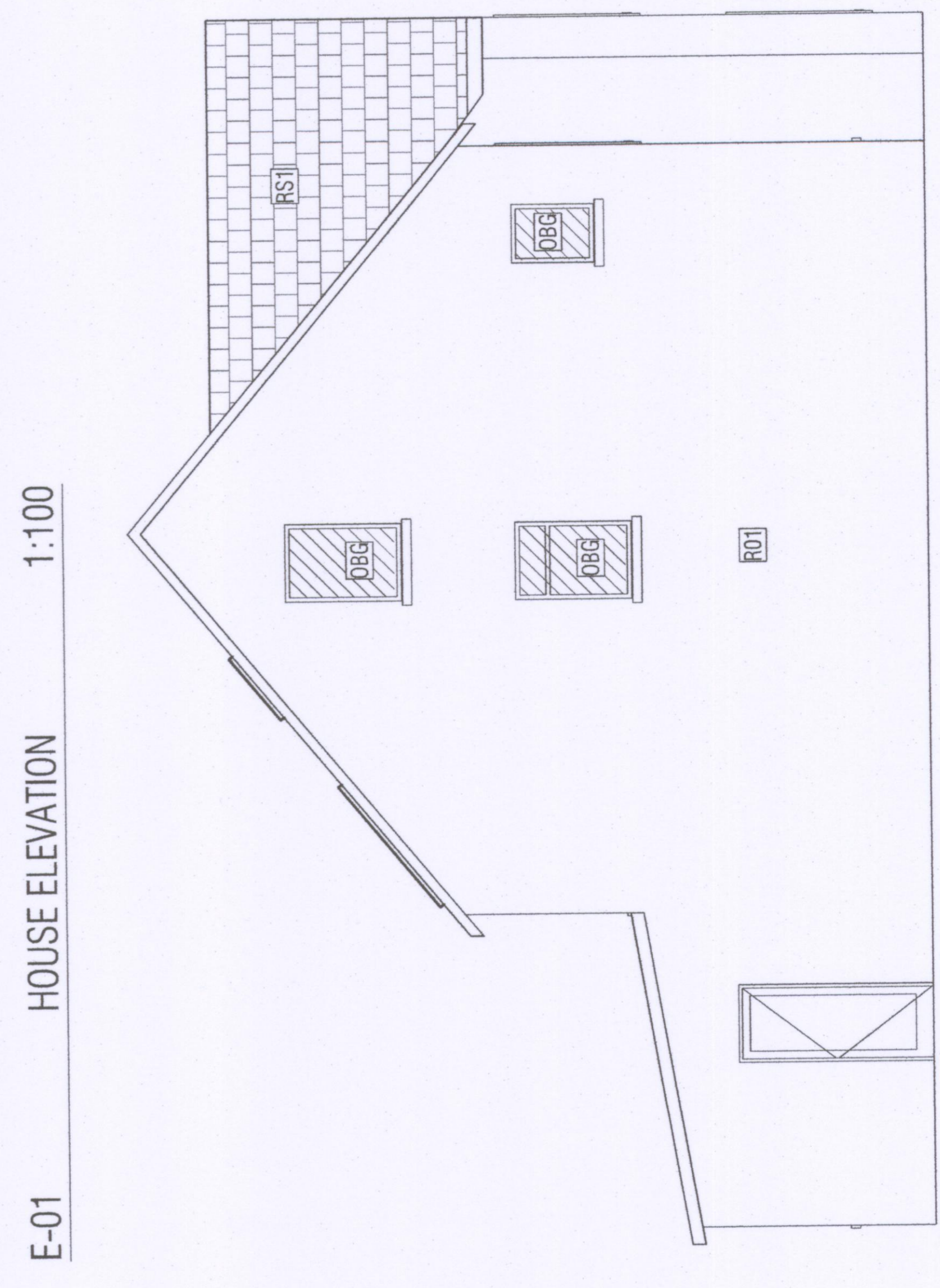
E-01 HOUSE ELEVATION 1:100



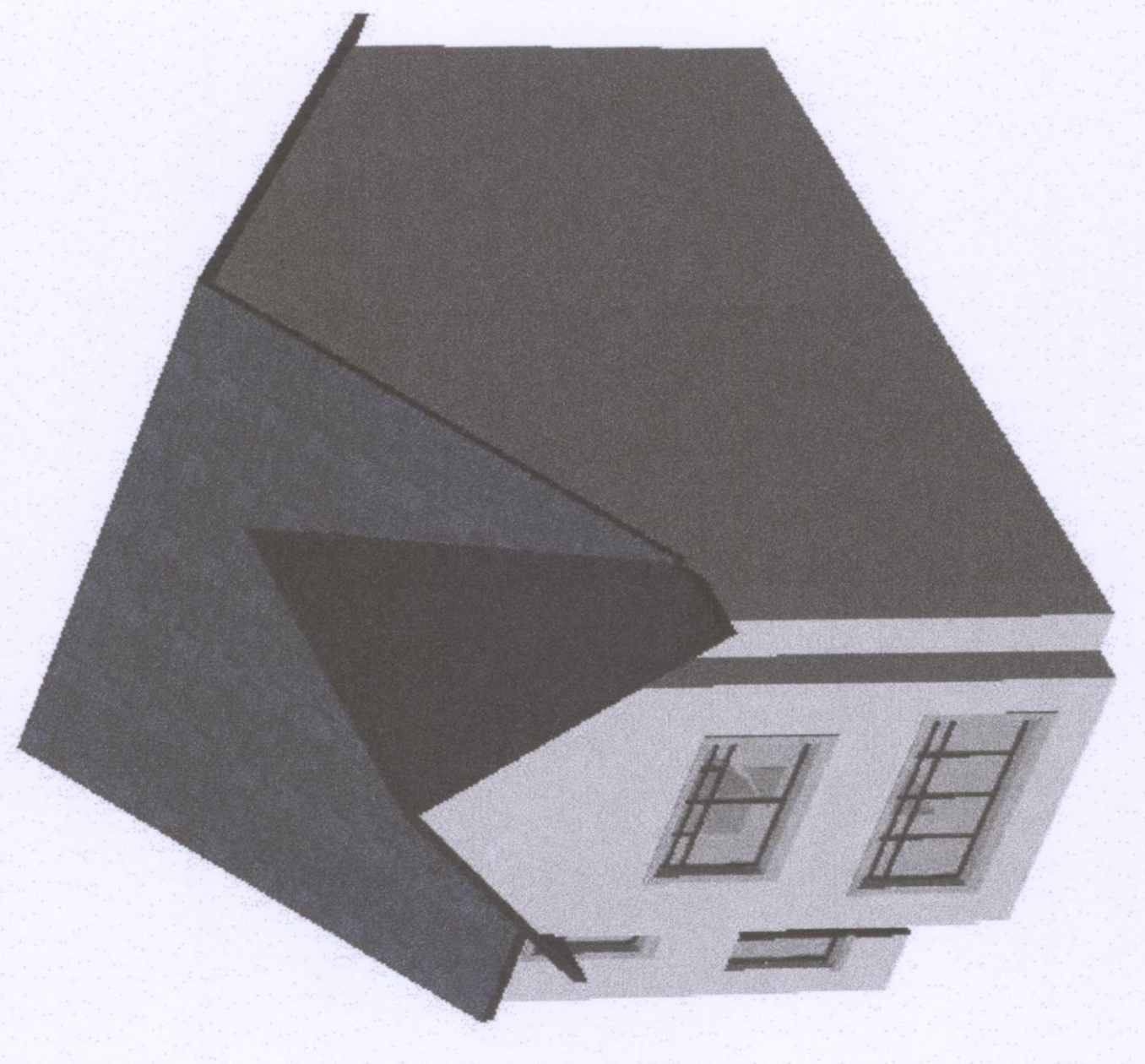
E-02 REAR HOUSE ELEVATION 1:100



E-03 SIDE HOUSE ELEVATION 1:100



E-04 SIDE HOUSE ELEVATION LEFT 1:100



AXONOMETRIC

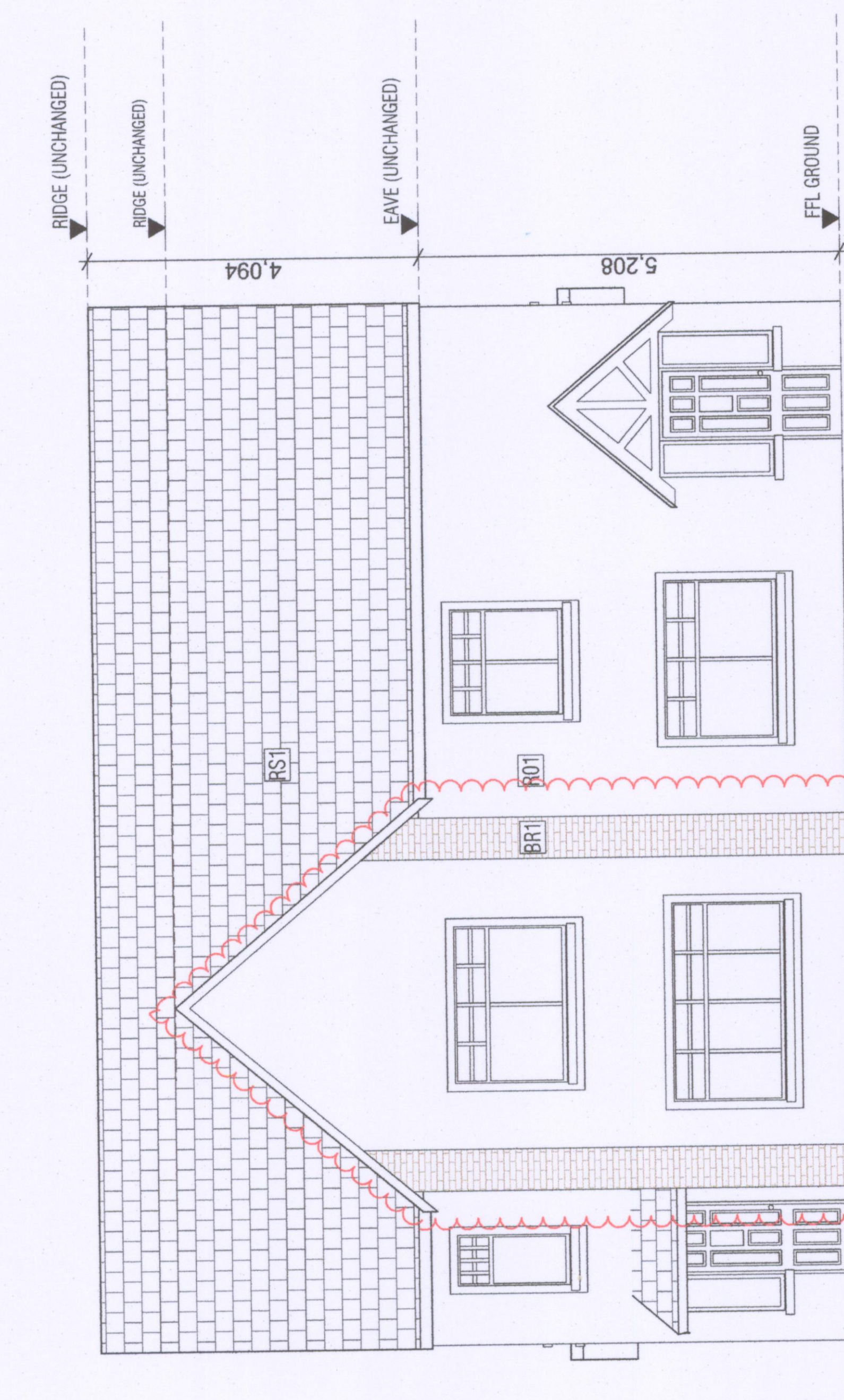
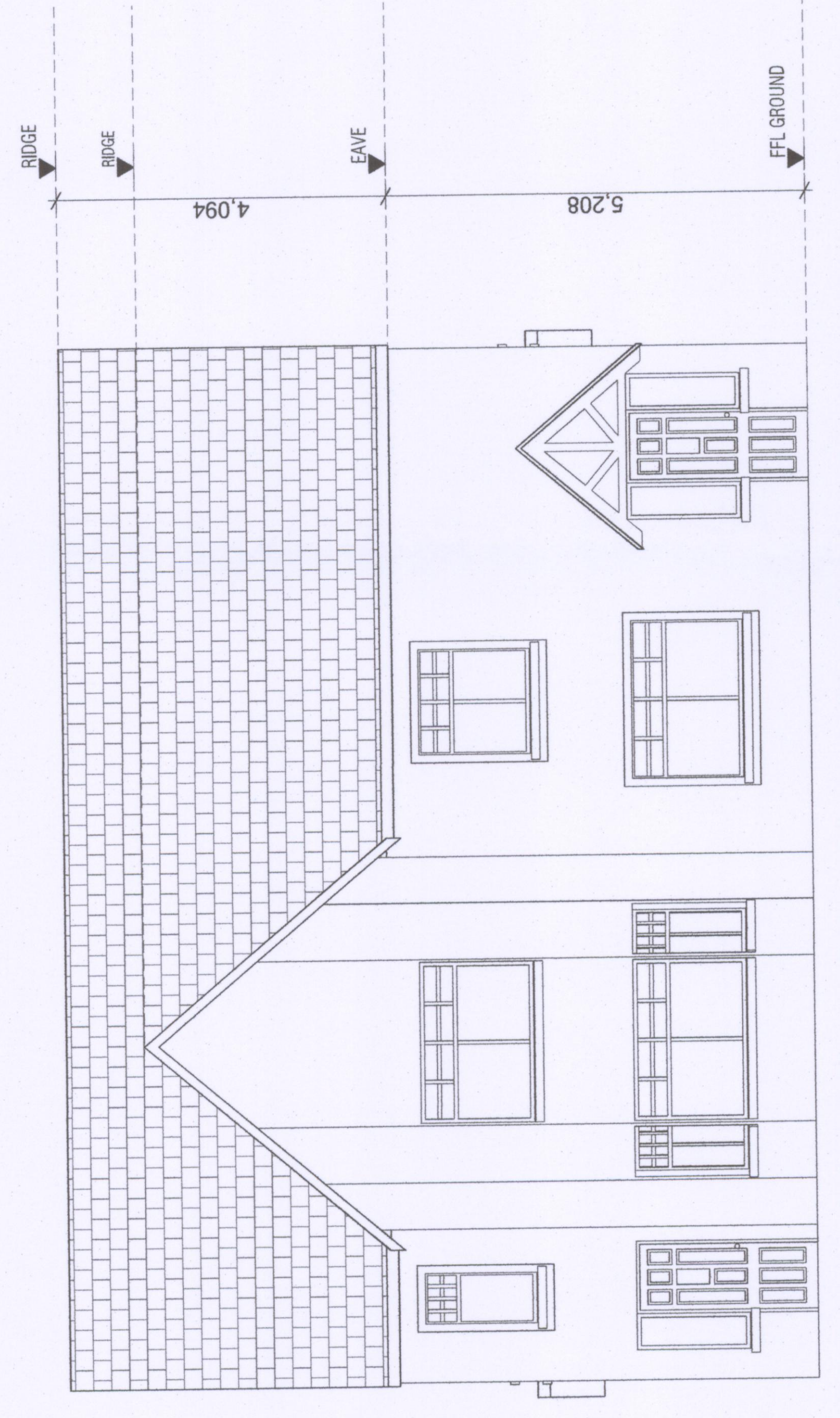
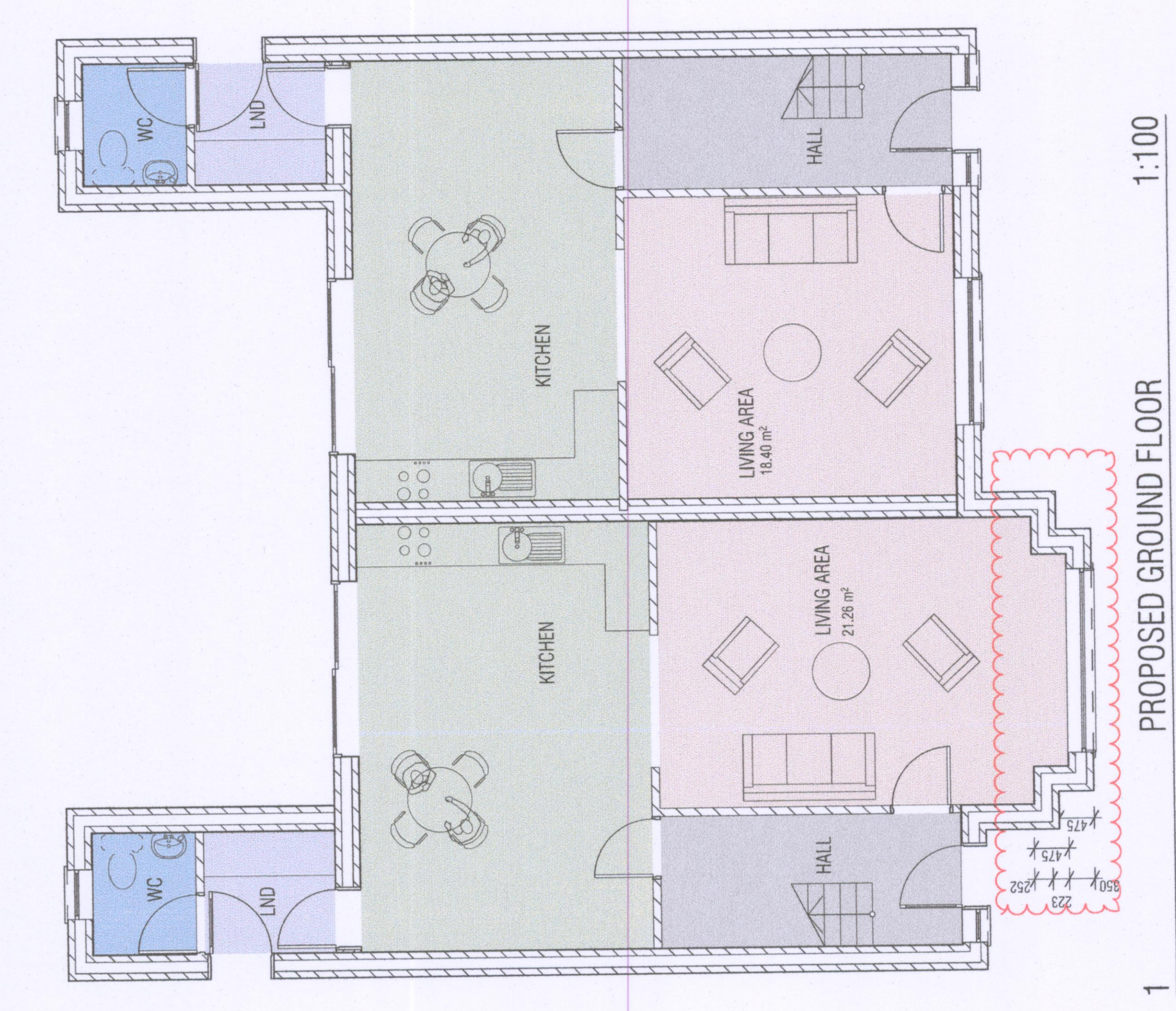
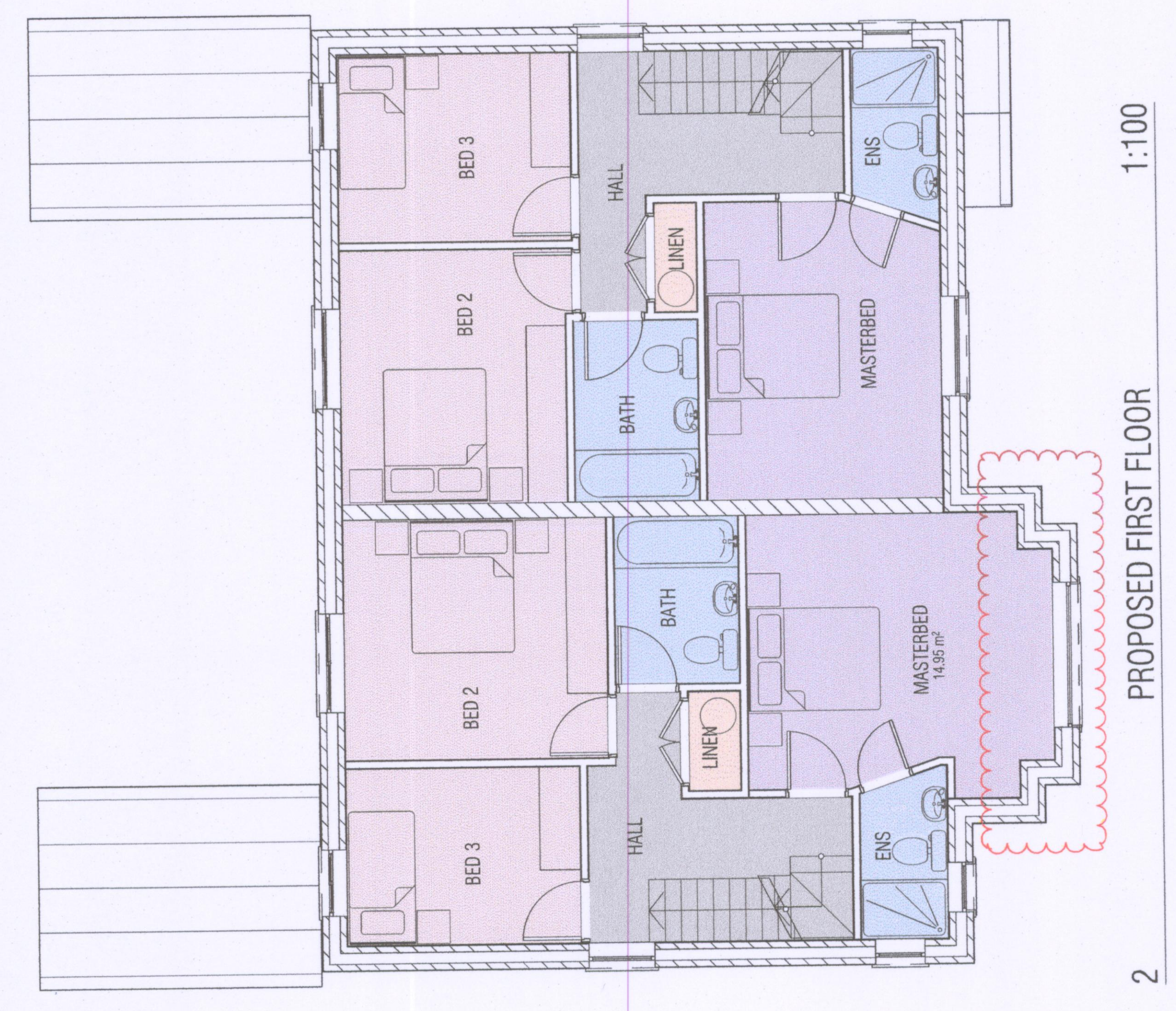
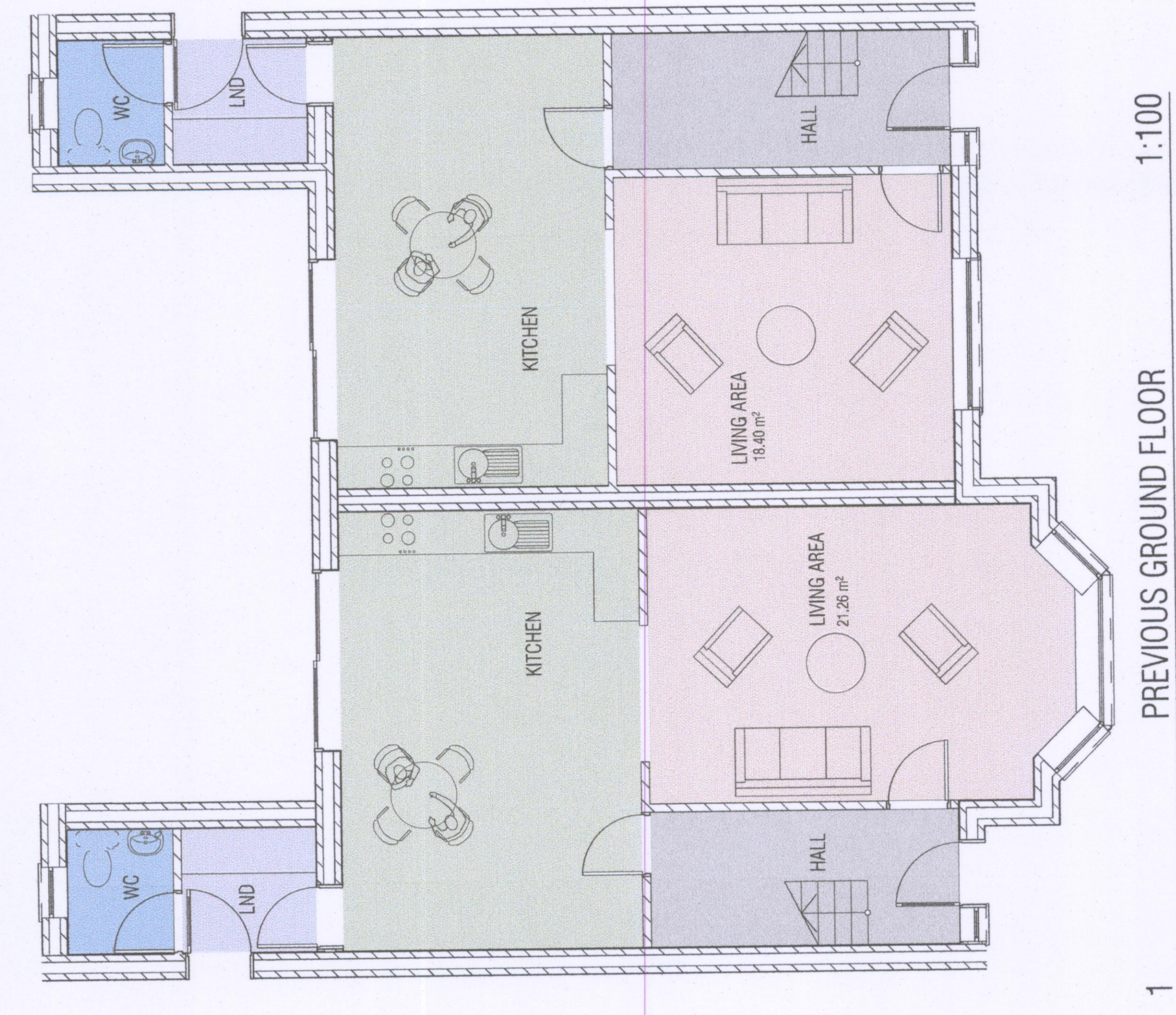
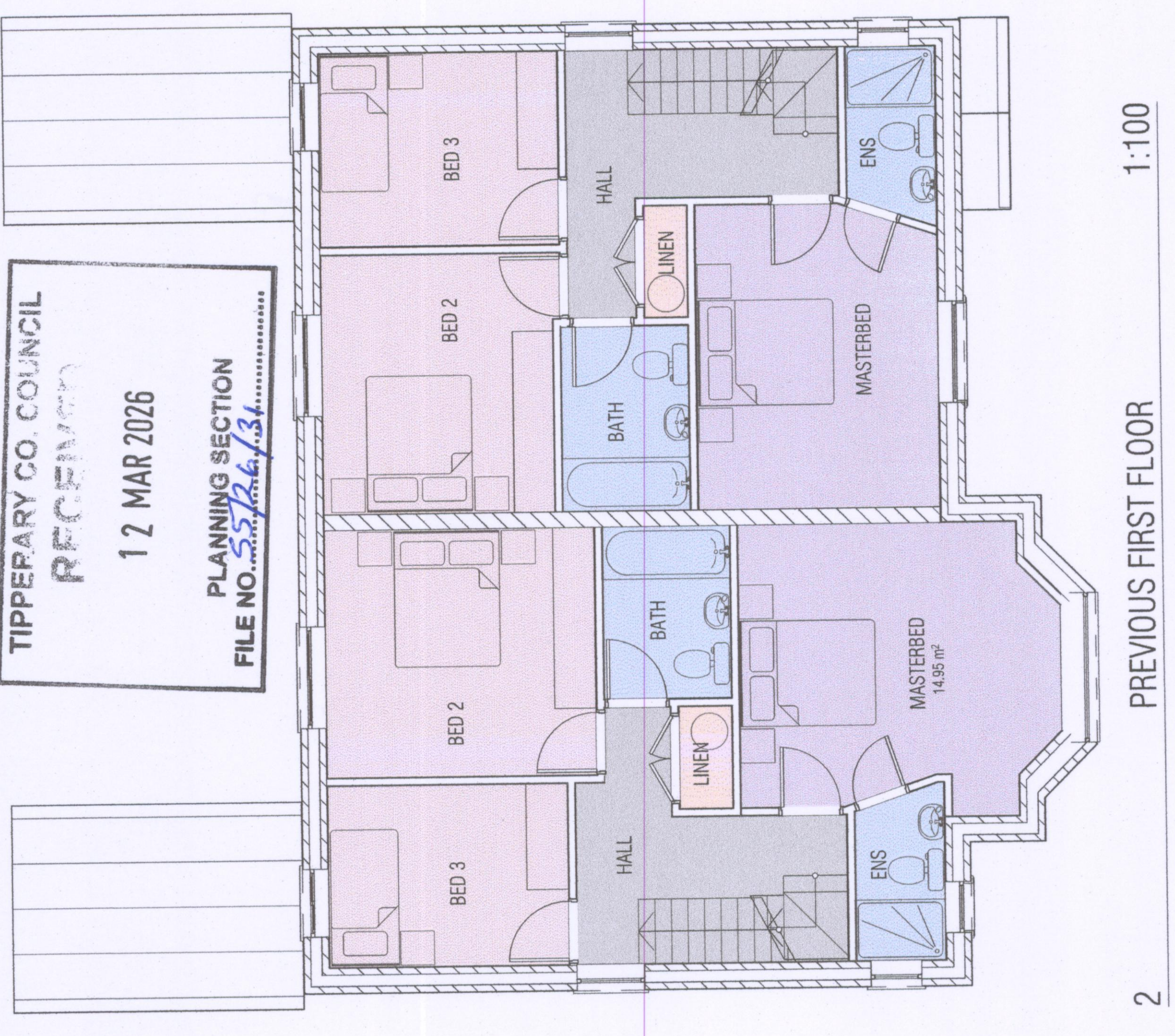
LEGEND

OBG OBSCURED GLASS
 R01 RENDERED PLASTER FINISH
 SS1 STANDING SEAM - ALUMINIUM OR ZINC
 RS1 ROOFING SLATE

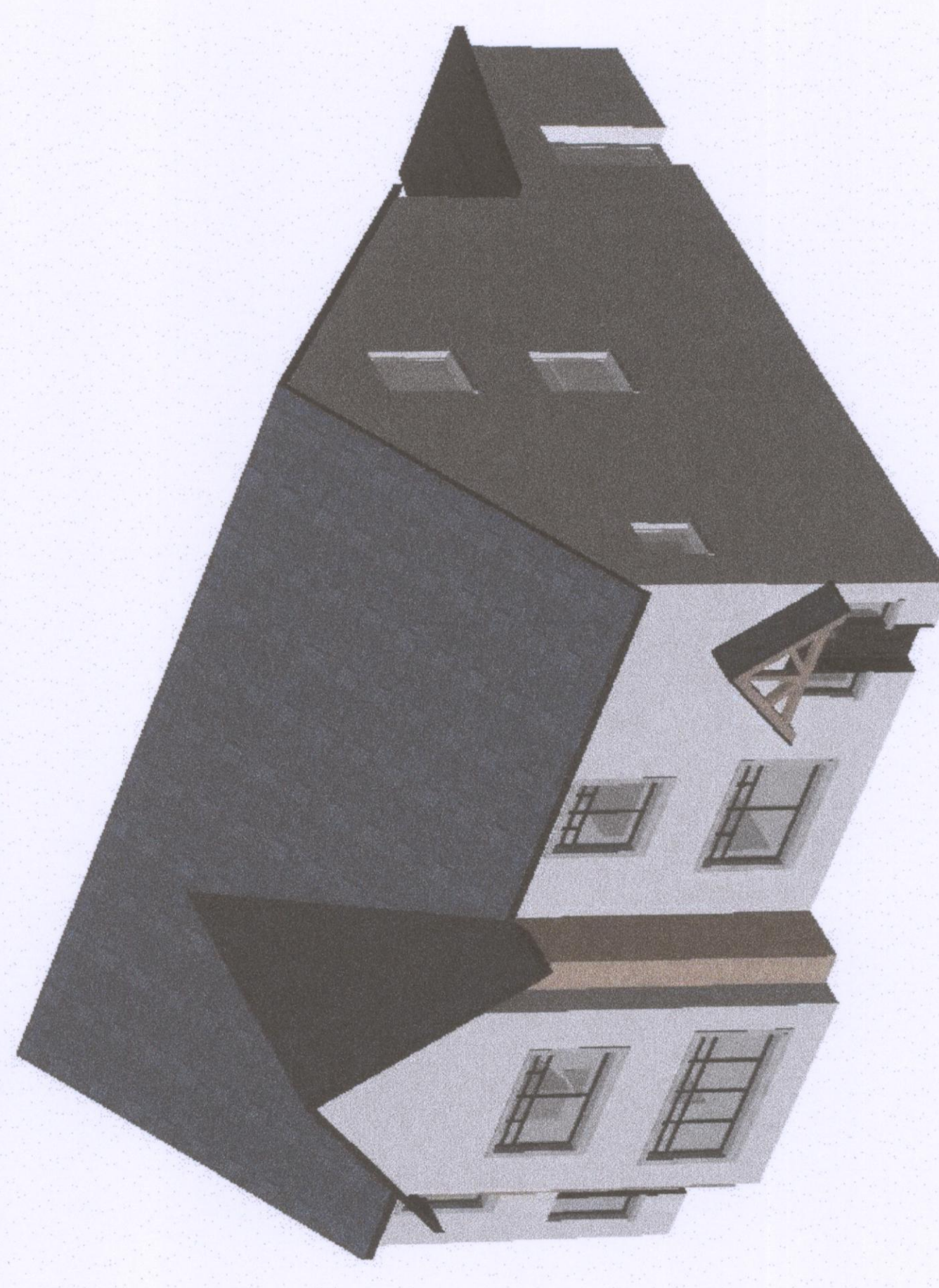
NOTE:
 ONLY CHANGES TO THIS HOUSE TYPE AREA:
 1. FRONT PROJECTION GEOMETRY (REMOVE ANGLE)
 2. MATERIAL FINISH TO FRONT PROJECTING WALLS
 3. RELATED CHANGES TO WINDOW TYPE & ROOF EXTENT
 NO CHANGES TO FLOOR AREA, NO. OF BEDROOMS, METHOD OF CONSTRUCTION OR STRUCTURE

SUBJECT: HOUSE D		PROJECT: 2504 GORTLANDROE HOUSING		DATE: 12/03/2026	SCALE: 1:100 at A2	DRAWING NO: 23
PREVIOUS PLANNING: 18601019		EXTENSION DURATION: 18600778		REVISION: 13510054	REVISION: 12510135	PERMISSION: 18600778
BARBER - MCCARTHY ARCHITECTS		info@barbermccarthyarchitects.com		TOM GALLAHUE		
EMC		EMC		EMC		

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PREVIOUS
 HOUSE TYPE A1



PROPOSED
 HOUSE TYPE A1

NOTE:
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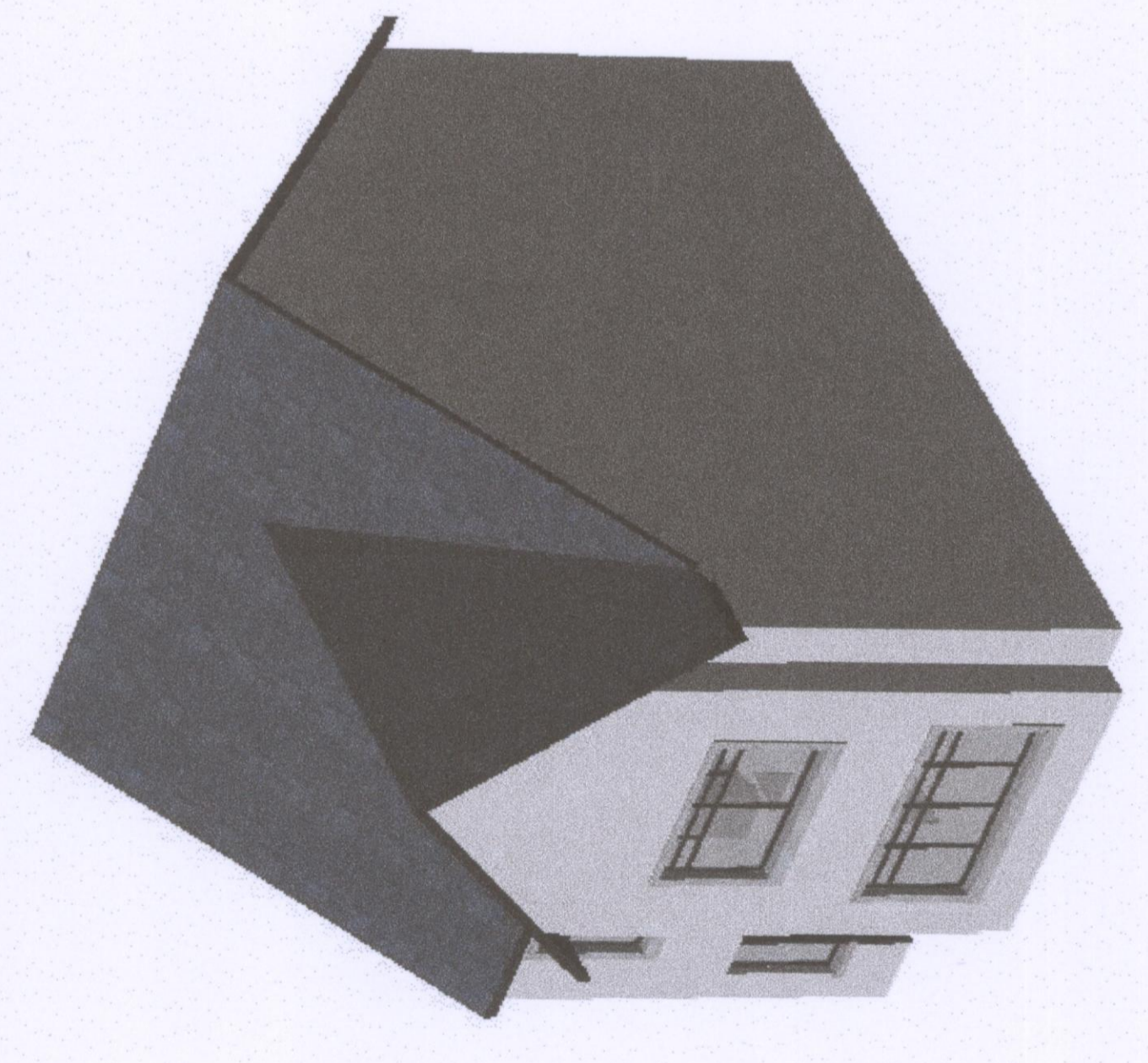
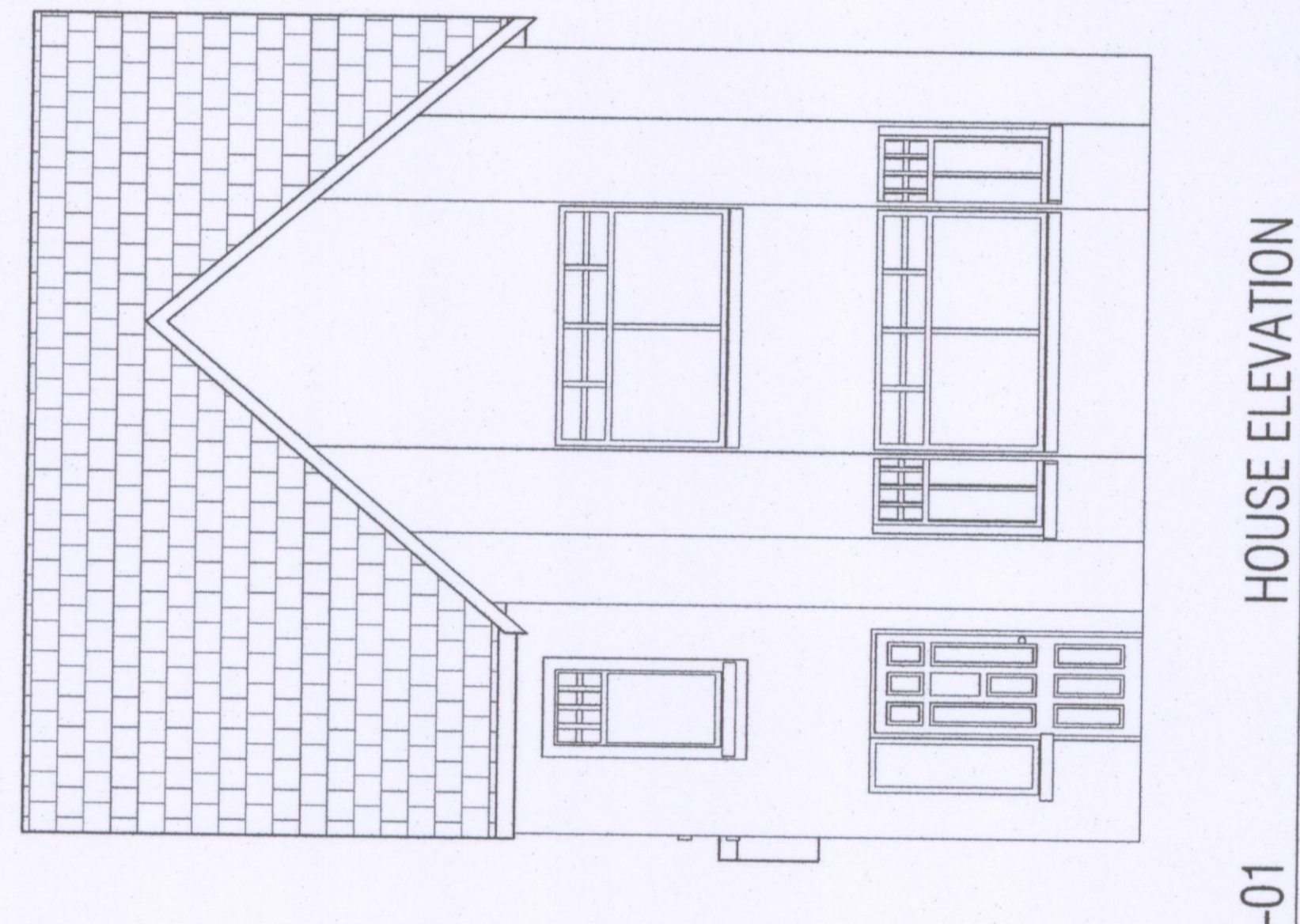
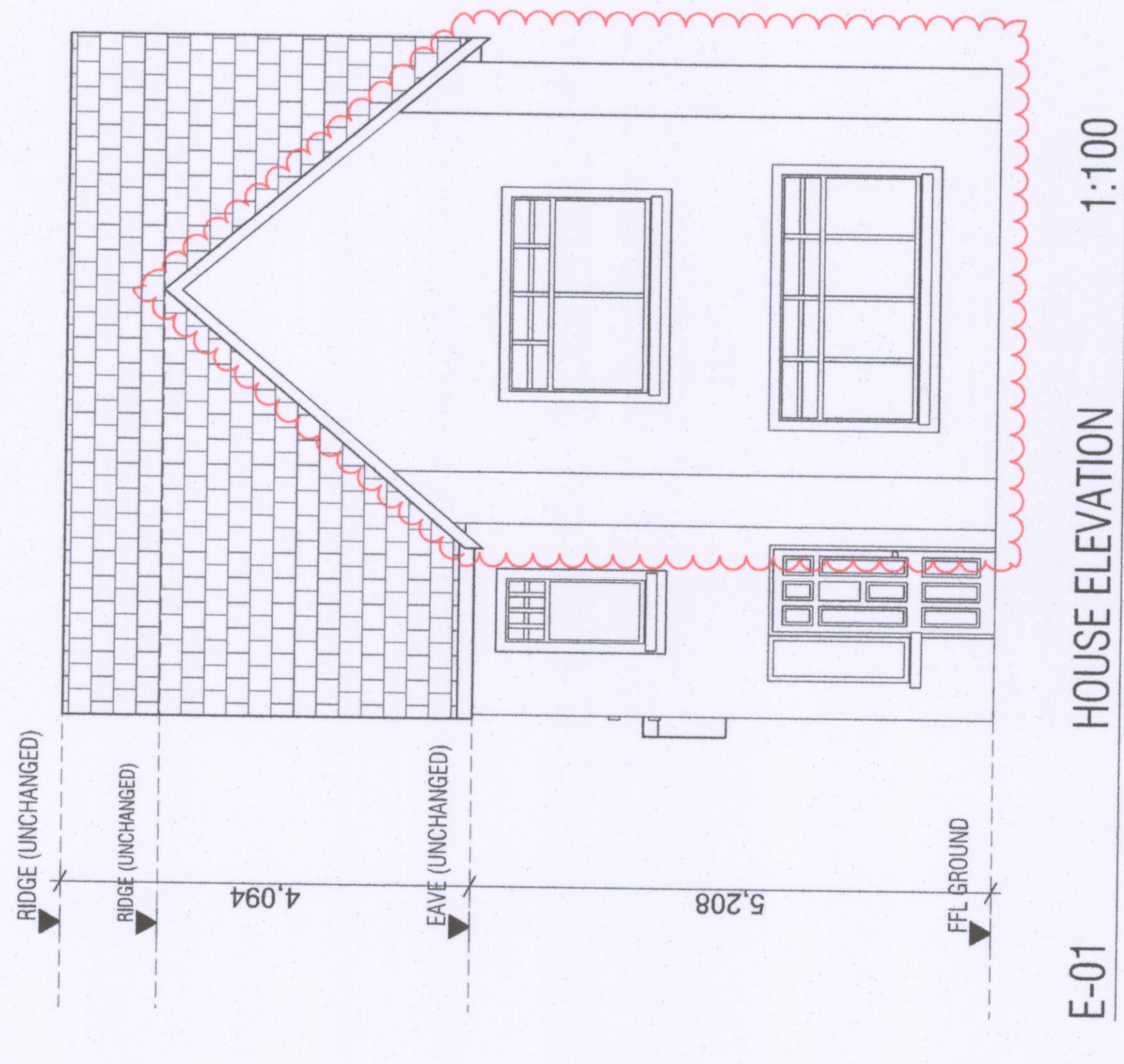
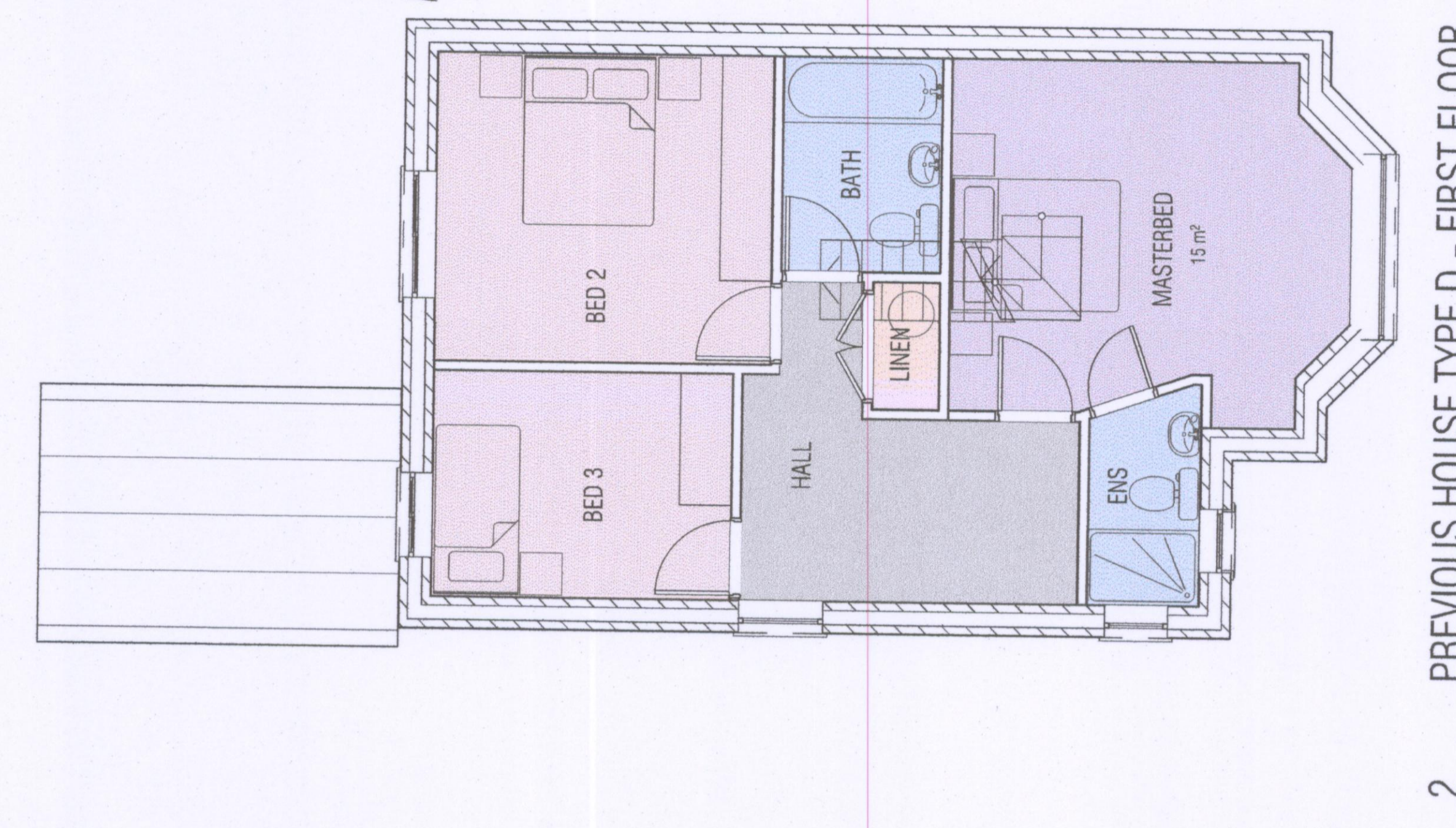
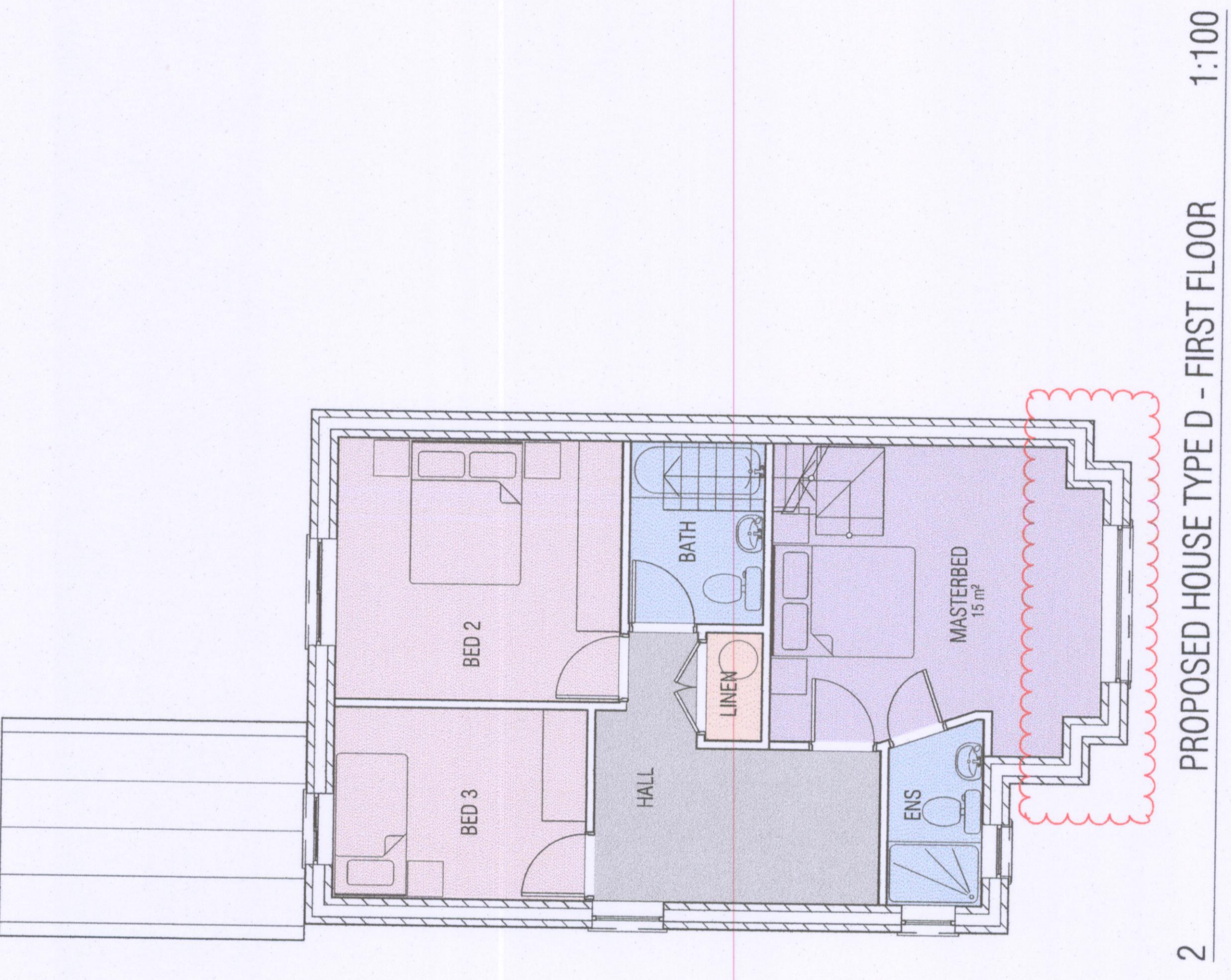
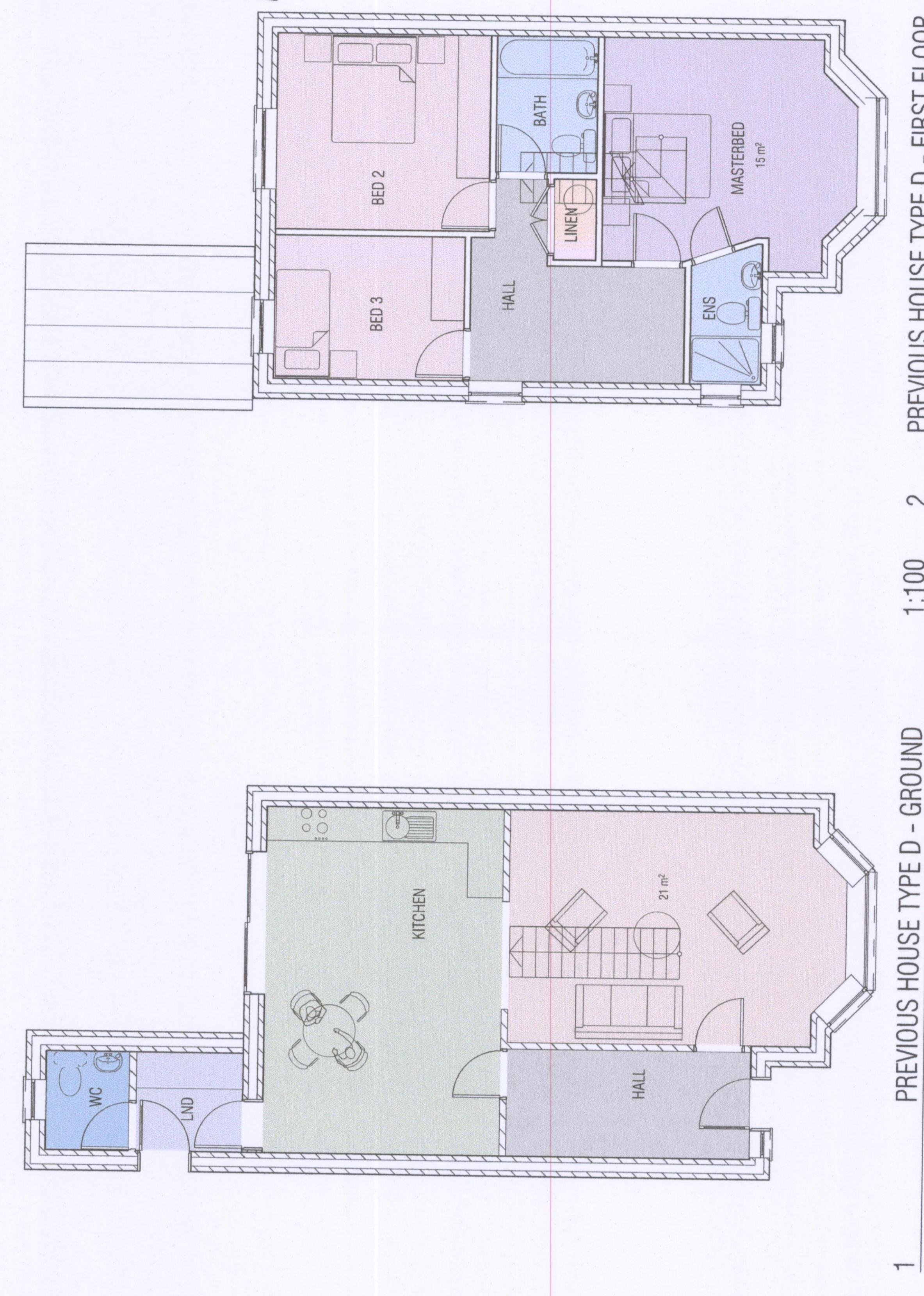
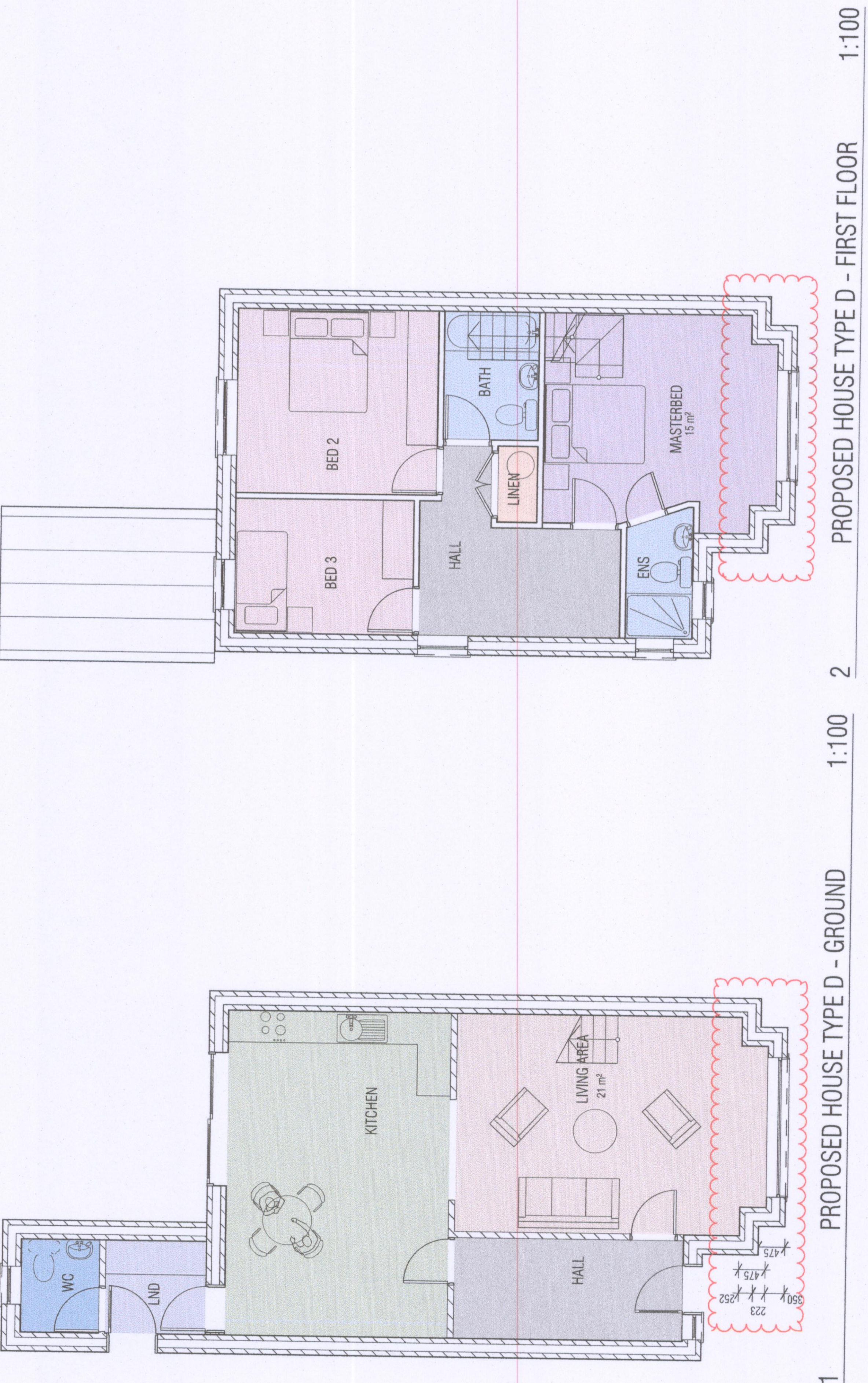
NOTE:
 PROPOSED MATERIAL BR1 WILL BE INTERCHANGED WITH MATERIAL R01 - RENDER IN EVERY SECOND HOUSE AS SHOWN ON THE SITE PLAN.
 THIS IS INTENDED TO PROVIDE VISUAL VARIETY WITHIN THE HOUSING DEVELOPMENT.

PREVIOUS AXONOMETRIC

PROPOSED AXONOMETRIC

SUBJECT: HOUSE A1 COMPARE OLD VS NEW		PROJECT: 2504 GORTLANDROE HOUSING		CLIENT: TOM GALLAHUE	DATE: 12/03/2026
PREVIOUS PLANNING: 186001019		EXTENSION DURATION: 13510054		REVISION: S03	SCALE: 1:100 at A2
18600778		12510135		PERMISSION: PA1	DRAWING NO.: 24
BARKER - MCCARTHY ARCHITECTS		2504 GORTLANDROE HOUSING		EMC	12/03/2026
info@barkermccartyarchitects.com		PROPOSED AMENDMENT		DATE: 12/03/2026	1:100 at A2

TIPPERARY CO. COUNCIL
RECEIVED
 12 MAR 2026
 PLANNING SECTION
 FILE NO. S/26/23

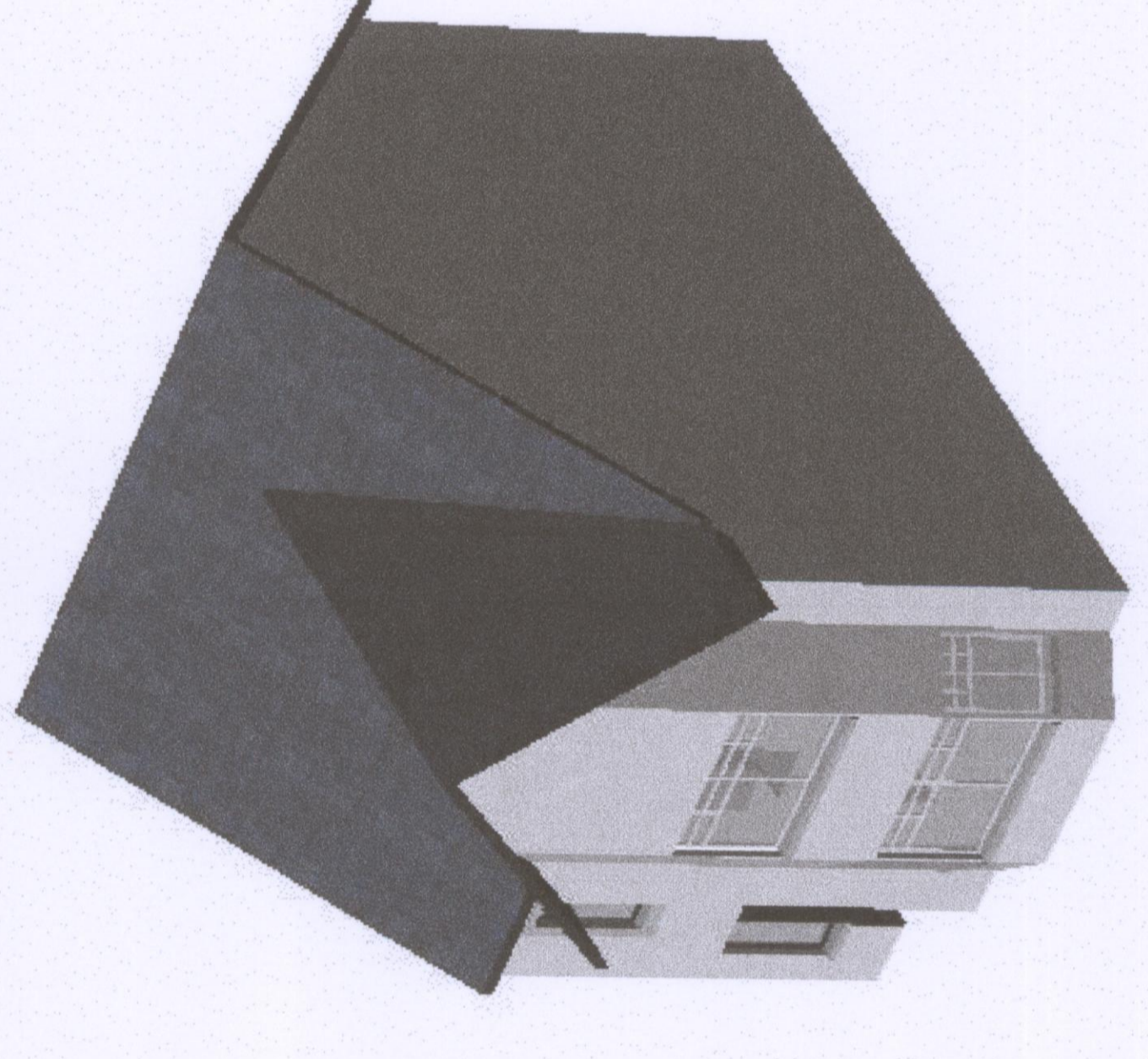


AXONOMETRIC

PROPOSED
 HOUSE TYPE D

PREVIOUS
 HOUSE TYPE D

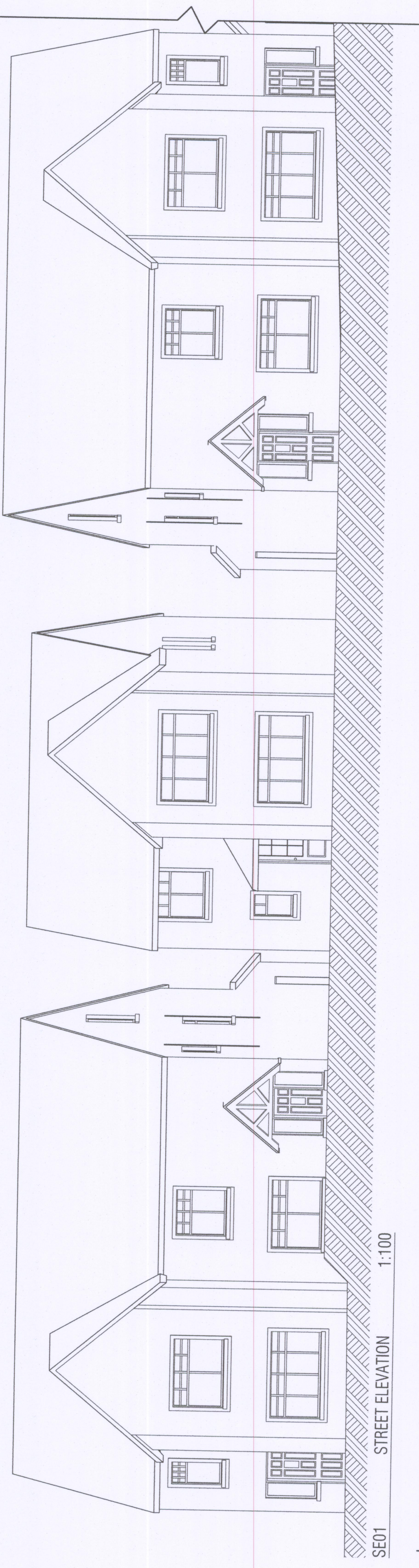
NOTE:
 ONLY CHANGES TO THIS HOUSE TYPE AREA:
 1. FRONT PROJECTION GEOMETRY (REMOVE ANGLE)
 2. RELATED CHANGES TO WINDOW TYPE & ROOF EXTENT
 NO CHANGES TO FLOOR AREA, NO. OF BEDROOMS, METHOD
 OF CONSTRUCTION OR STRUCTURE



AXONOMETRIC

SUBJECT: HOUSE D COMPARE OLD VS NEW	PREVIOUS PLANNING 18601019 EXTENSION DURATION 18600778 PERMISSION		REVISION 13510054 REVISION 12510135 PERMISSION		PROJECT: 2504 GORTLANDROE HOUSING	REVISION PA1	SUBMISSION PROPOSED AMENDMENT	DATE 12/03/2026	CLIENT: TOM GALLAHUE	DRAWN EMC	DATE 12/03/2026	REVISION S03	SCALE 1:100 at A2	DRAWING NO. 26
	AXONOMETRIC													

TIPPERARY CO. COUNCIL
RECEIVED
 12 MAR 2026
 PLANNING SECTION
 FILE NO. 25/26/3



SE01 STREET ELEVATION 1:100



SE01 STREET ELEVATION 1:100



SE02 STREET ELEVATION 1:100

NOTE:
 GROUND LEVEL IS INDICATIVE ONLY.
 NO CHANGES TO FLOOR LEVELS, RIDGE AND EAVES LEVELS,
 ROAD LEVELS, HOUSE LOCATION, SITE PLAN, HOUSE
 ORIENTATION, HOUSE TYPES, ROAD & PARKING LAYOUT

SUBJECT: CONTIGUOUS ELEVATION		PREVIOUS PLANNING 18601019 EXTENSION DURATION 18600778 PERMISSION		REVISION 13510054 12510135 PERMISSION		PROJECT: 2504 GORTLANDROE HOUSING		REVISION PA1	SUBMISSION PROPOSED AMENDMENT	DATE 12/03/2026	CLIENT TOM GALLAHUE	DESIGNER EMC	DATE 12/03/2026	REVISION S03	SCALE 1:100 at A2	DRAWING NO. 27
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Comhairle Contae Thiobraid Árann
Tipperary County Council

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

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

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

tipperarycoco.ie

Date: 13th March, 2026

Our Ref: S5/26/31

Civic Offices, Nenagh

**Tom Gallahue
C/O Eoghann McCarthy
11 Mallow Street
Prior's Land
Limerick**

Re: Application for a Section 5 Declaration – Change in facade for 2 house types within the development granted planning permission under the following references: 18601019, 18600778. The proposal is for the change in angle of a projection of the front of 2 houses and the addition of a new material (brick) to some of these new projections in lieu of render. No change to floor area, site layout or number of inhabitants or dwelling at Ardan Rua, Gortlandroe, Nenagh, Co. Tipperary.

A Chara,

I acknowledge receipt of your application for a Section 5 Declaration received on 12th 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 Ref.: S5/26/31

Applicant: Tom Gallahue

Development Address: Ardan Rua, Gortlandroe, Nenagh, Co. Tipperary

Proposed Development: Change in facade for 2 house types within the development granted planning permission under the following references: 18601019, 18600778. The proposal is for the change in angle of a projection of the front of 2 houses and the addition of a new material (brick) to some of these new projections in lieu of render. No change to floor area, site layout or number of habitants or dwellings.

1. GENERAL

On 12/03/2026, a request was made for a declaration under Section 5 of the Planning and Development Act, 2000 as amended by Tom Gallahue as to whether or not the following works constitute development and if so, whether same was exempted development:

- Change in facade for 2 house types within the development granted planning permission under the following references: 18601019, 18600778. The proposal is for the change in angle of a projection of the front of 2 houses and the addition of a new material (brick) to some of these new projections in lieu of render. No change to floor area, site layout or number of habitants or dwellings

2. STATUTORY PROVISIONS

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

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

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

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

Section 4(1) of the Planning and Development Act, 2000, as amended states:

- 4.— (1) The following shall be exempted developments for the purposes of this Act—
(h) development consisting of the carrying out of works for the maintenance,

improvement or other alteration of any structure, being works which affect only the interior of the structure or which do not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure or of neighbouring structures

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—

(i) contravene a condition attached to a permission under the Act or be inconsistent with any use specified in a permission under the Act,

(iii) endanger public safety by reason of traffic hazard or obstruction of road users,

(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.

(xi) obstruct any public right of way.

3. ASSESSMENT

a. *Site Location*

The application site is located at Ardan Rua in Nenagh

b. *Relevant Planning History*

23262 – extension of duration of 18601019 granted

18601019 construction of the final phase of the Ardan Rua housing development, approved under Planning Ref Nos 05510311, 07510461 & 13510054 and extension of duration Ref 11510020 & 12510135. Additionally, 11 other houses in Ardan Rua are being considered under Ref No 18600778. This phase of the development consists of 7 detached & 20 semi-detached houses (27 houses), connection to the public services, roads, footpaths, open space areas & ancillary site development works

1860778 Construction of the next phase of houses at the Ardan Rua housing development approved under planning references 05/51/0311, 07/51/0461 and 13/51/0054 and extension of duration references 11/51/0020 and 12/51/0135. This phase of the development consists of 1 detached and 10 semi-detached houses (11 houses), connection to the public services, roads, footpaths, open space areas and ancillary site development works

05510311 6 Dwelling houses, 6 no. garages, associated car parking and ancillary site development, accessed from the Dromineer Road

11510020 Ext of Duration on 05510311

07510461 32 dwelling houses, 14 apartments, 7 duplex units, 8 retail units, 4 offices, 1 creche, associated car parking & ancillary site development, accessed from the Ardan Rua development, which is currently under construction

12510135 Extension of Duration on 07510461

13510054 revised site layout plan and new house design for 10 no dwellings, associated car parking & ancillary site development works accessed from the Ardan Rua development as previously granted under planning reference 05/51/0311 & 11/51/0020 (extension of duration)

c. Assessment

The purpose of a Section 5 of the Planning and Development Act 2000, as amended, is to establish if a particular development is or is not an exempted development within the meaning of the above-mentioned Act.

A) "Is or is not Development"

It is considered that the above listed proposal constitutes "works" as understood by the Planning and Development Act 2000, as amended. The above listed proposals therefore constitute "development" within the meaning of the Planning and Development Act 2000, as amended.

B) "Is or is not Exempted Development"

The proposal is for a change of house design within the development granted planning permission under the following references: 18601019, 18600778. Construction is currently under way on site.

A review of the Classes of exempted development has been carried out. There is no exemption pertaining to design changes such as proposed..

C) Restrictions under Article 9

Condition no. 1 attached to 18601019 states:

1. (a) Save where modified by the following conditions, the proposed development shall be completed in accordance with the drawings and documentation submitted with the planning application on the 16/08/2018, as amended by additional plans and particulars received on the 16/11/2018.

(b) This grant of permission is for 27 house units in the form of:

7 detached units

20 semi detached units

Together with roads and all associated public open space and services.

REASON: To clarify the terms of the permission and in the interest of proper planning and sustainable development.

Condition no. 1 attached to 18600778 states

1. Save where modified by the following conditions, the development shall be carried out in accordance with the drawings and documentation submitted with the planning application on the 20/06/2018 and as revised by way of further information on the 29/08/2018.
REASON: In the interest of proper planning and sustainable development.

Having regard to the above, it is considered that the following restriction on exemptions under Article 9 of the Planning and Development Regulations 2001, as amended would apply.

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—

(i) contravene a condition attached to a permission under the Act or be inconsistent with any use specified in a permission under the Act,

4. REQUIREMENT FOR APPROPRIATE ASSESSMENT (AA) AND ENVIRONMENTAL IMPACT ASSESSMENT (EIA)

Appropriate Assessment (AA)

The proposed development has been screened as to the requirement for AA and it has been determined that the requirement for Stage 2 AA does not arise. See Screening Report attached.

Environmental Impact Assessment (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 screening report attached.

5. RECOMMENDATION

A question has arisen as to whether the following proposed development at Ardan Rua, Gortlandroe, Nenagh, Co. Tipperary is or is not exempted development:

- Change in facade for 2 house types within the development granted planning permission under the following references: 18601019, 18600778. The proposal is for the change in angle of a projection of the front of 2 houses and the addition of a new material (brick) to some of these new projections in lieu of render. No change to floor area, site layout or number of habitants or dwellings

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) Articles 6 and 9 of the Planning & Development Regulations 2001, as amended.
- (c) The plans and documentation submitted.
- (d) The planning history of the site

AND WHEREAS Tipperary County Council has concluded that –

The proposed development, as presented on the drawings and details provided with the Declaration application on 12/03/2026 constitutes “development” within the meaning of the Planning and Development Act 2000 as amended and is “ **NOT exempted development**”.

Reason: The proposals do not avail of any exemptions under the Planning and Development Act 2000, as amended or Planning and Development Regulations 2001, as amended.

District Planner:

Olive O'Donnell

Date: 02/04/2026

Senior Executive Planner:

Jonathan Flood

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 31
(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
€ Response to consultation:	N/a

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 (km)	Connections (Source-Pathway-Receptor)	Considered further in screening Y/N
Lough Derg (Shannon) SPA	https://www.npws.ie/protected-sites/sac/002165	Within 10km	None	No
Silvermine Mountains	https://www.npws.ie/protected-sites/sac/000939	Within 10km	None	No
Lough Derg, North East Shore SAC	https://www.npws.ie/protected-sites/spa/002241	Within 10km	None	No
Slievefelim to Silvermine Mountains spa	https://www.npws.ie/protected-sites/spa/004165	Within 10km	None	No
Slieve Aughty Mountains SPA	https://www.npws.ie/protected-sites/spa/004168	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) 	None.

<ul style="list-style-type: none"> • Dust, noise, vibration • Lighting disturbance • Impact on groundwater/dewatering • Storage of excavated/construction materials • Access to site • Pests 	
<p>Operational phase e.g.</p> <ul style="list-style-type: none"> • Direct emission to air and water • Surface water runoff containing contaminant or sediment • Lighting disturbance • Noise/vibration • Changes to water/groundwater due to drainage or abstraction • Presence of people, vehicles and activities • Physical presence of structures (e.g. collision risks) • Potential for accidents or incidents 	None.
In-combination/Other	None.
(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 	None.
(c) Are 'mitigation' measures necessary to reach a conclusion that likely significant effects can be ruled out at screening?	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

STEP 4. Screening Determination Statement

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, would not be likely to have a significant effect on the above listed European sites or any other European site, in view of the said sites' 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
Signature and Date of Recommending Officer:	Olive O'Donnell	Date: 02/04/2026

EIA PRE-SCREENING
Establishing a development is a 'sub-threshold development'

File Reference:	S5 26 31
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: **S5/26/31** **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 Tom Gallahue, C/O Eoghan McCarthy, 11 Mallow Street, Prior's Land, Limerick, RE: Change in facade for 2 house types within the development granted planning permission under the following references: 18601019, 18600778. The proposal is for the change in angle of a projection of the front of 2 houses and the addition of a new material (brick) to some of these new projections in lieu of render. No change to floor area, site layout or number of habitants or dwellings at Ardan Rua, Gortlandroe, Nenagh, 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) Articles 6 and 9 of the Planning & Development Regulations 2001, as amended.
- (c) The plans and documentation submitted.
- (d) The planning history of the site

AND WHEREAS Tipperary County Council has concluded that –

The proposed development, as presented on the drawings and details provided with the Declaration application on 12/03/2026 constitutes "development" within the meaning of the Planning and Development Act 2000 as amended and is "**NOT exempted development**".

Reason: The proposals do not avail of any exemptions under the Planning and Development Act 2000, as amended or Planning and Development Regulations 2001, as amended.

Signed: 

Brian Beck
Director of Services

Date: 07/04/2026



Date: 7th April, 2026

Our Ref: S5/26/31

Civic Offices, Nenagh

Tom Gallahue
C/O Eoghann McCarthy
11 Mallow Street
Prior's Land
Limerick

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

Dear Mr Gallahue,

I refer to your application for a Section 5 Declaration received on 12th March, 2026 in relation to the following proposed works:

Change in facade for 2 house types within the development granted planning permission under the following references: 18601019, 18600778. The proposal is for the change in angle of a projection of the front of 2 houses and the addition of a new material (brick) to some of these new projections in lieu of render. No change to floor area, site layout or number of habitants or dwellings at Ardan Rua, Gortlandroe, Nenagh, 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) Articles 6 and 9 of the Planning & Development Regulations 2001, as amended.
- (c) The plans and documentation submitted.
- (d) The planning history of the site

AND WHEREAS Tipperary County Council has concluded that –

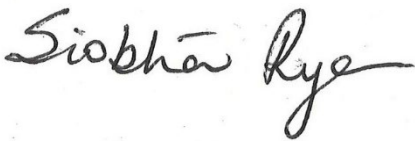
The proposed development, as presented on the drawings and details provided with the Declaration application on 12/03/2026 constitutes “development” within

the meaning of the Planning and Development Act 2000 as amended and is “**NOT exempted development**”.

Reason: The proposals do not avail of any exemptions under the Planning and Development Act 2000, as amended or 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**