



Comhairle Contae Thiobraid Árann  
Tipperary County Council

Tipperary County Council  
RECEIVED  
18 MAR 2026  
CASH OFFICE  
Civic Offices, Clonmel

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

Application for a Section 5 Declaration  
Development / Exempted Development

1. Applicant's address/contact details:

Applicant	Ms. MAJELLA J NEILL.
Address	27 GLENCARRA GRAVE, CRANN ARD, CLONMEL, CO. TIPPERARY.
Telephone No.	[REDACTED]
E-mail	[REDACTED]

2. Agent's (if any) address:

Agent	DR. BRIAN CROWLEY civil eng. ARCH
Address	60 FINEFIELDS, Clonmel E91 X 461
Telephone No.	[REDACTED]
E-mail	[REDACTED]
Please advise where all correspondence in relation to this application is to be sent;	
Applicant <input checked="" type="checkbox"/>	Agent [ ]

3. Location of Proposed Development:

Postal Address or <del>Townland or</del> <del>Location</del> (as may best identify the land or structure in question)	67, BARRON PARK, CLONMEL, CO. TIPPERARY.
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Receipt No 201 934  
Issued 19 03 2026  
€80.00 Card

TIPPERARY CO. COUNCIL  
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19 MAR 2026  
PLANNING SECTION  
FILE NO. 35/26/33

**4. Development Details:**

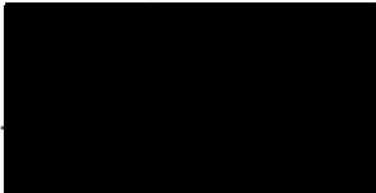
Please provide details of the proposed development for which an exemption under Section 5 of the Planning and Development Act is applied for.

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

RE/CONSTRUCTION OF EX GARAGE LEADING TO
ALTERATIONS OF INTERNAL LAYOUT TO EX-
KITCHEN & REAR PORTION OF EX. GARAGE TO
INCLUDE THE RAISING OF THE EX. FLOOR LEVEL
TO MATCH FLOOR LEVEL IN MAIN DWELLINGHOUSE.
Proposed floor area of proposed works/uses: 25.74sqm

**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: 18/3/26

**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
- o OSI Site Location Map with the site outlined clearly – 1:1000 in urban areas and 1:2500 in rural areas ✓
  - o Floor Plans & Elevations at a scale of not less than 1:200 ✓
  - o Site layout plan indicating position of proposed development relative to premises and adjoining properties ✓
  - o 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:**

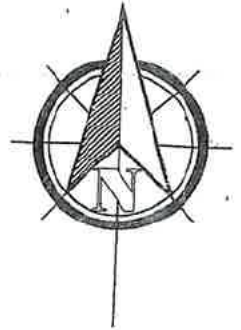
<b>Planning Section, Tipperary County Council, Civic Offices, Limerick Road, Nenagh, Co. Tipperary</b>	<b>OR</b>	<b>Planning Section, Tipperary County Council, Civic Offices, Emmet Street, Clonmel, Co. Tipperary</b>
<b>Enquires:</b>		
<b>Telephone 0818 06 5000</b>		
<b>E-Mail <a href="mailto:planning@tipperarycoco.ie">planning@tipperarycoco.ie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

<b>FOR OFFICE USE ONLY</b>	
<b>Fee Recd. €</b> <u>80.00</u>	<b>DATE STAMP</b> <b>TIPPERARY CO. COUNCIL RECEIVED</b> <b>19 MAR 2026</b> <b>PLANNING SECTION</b> <b>FILE NO. 55126/33</b>
Receipt No <u>201934</u>	
Date <u>19/03/2026</u>	
Received by _____	

Site layout map Scale 1:500

D.P. REF: 5429/10

Prepared:  
Brian Crowley Civil Eng Tech  
60 Fairfields Clonmel E91XY61



BARRON PARK

LS

Public  
SEWER

\* THE AREA SHOWN SHADED  
YELLOW IS UNCHANGED  
LAND AND CONTAINS  
60 SQ. M. APP.

100 Pvc SEWER  
CONNECTING TO PUBLIC MAIN

THE AREA SHOWN CROSS-HATCHED  
IS SUBJECT OF APPLICATION.  
ITS FOOTPRINT AS EXISTS WILL  
REMAIN UNCHANGED.  
(25.74M<sup>2</sup> INTERNALLY)

Triangular rear garden consists of  
60 Square Metres as exists. This  
space will remain unchanged  
following new development.

7A

BURKAGERY LANDS WEST ID.

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# Site Location Map

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19 MAR 2026

OSI  
National Mapping Agency

**CENTRE COORDINATES:**  
ITM 619576.623082

**PUBLISHED:** ORDER NO.:  
04/02/2022 CENTRE: 50169922\_1

**MAP SERIES:** MAP SHEETS:  
6 Inch Raster TY083  
6 Inch Raster WD001



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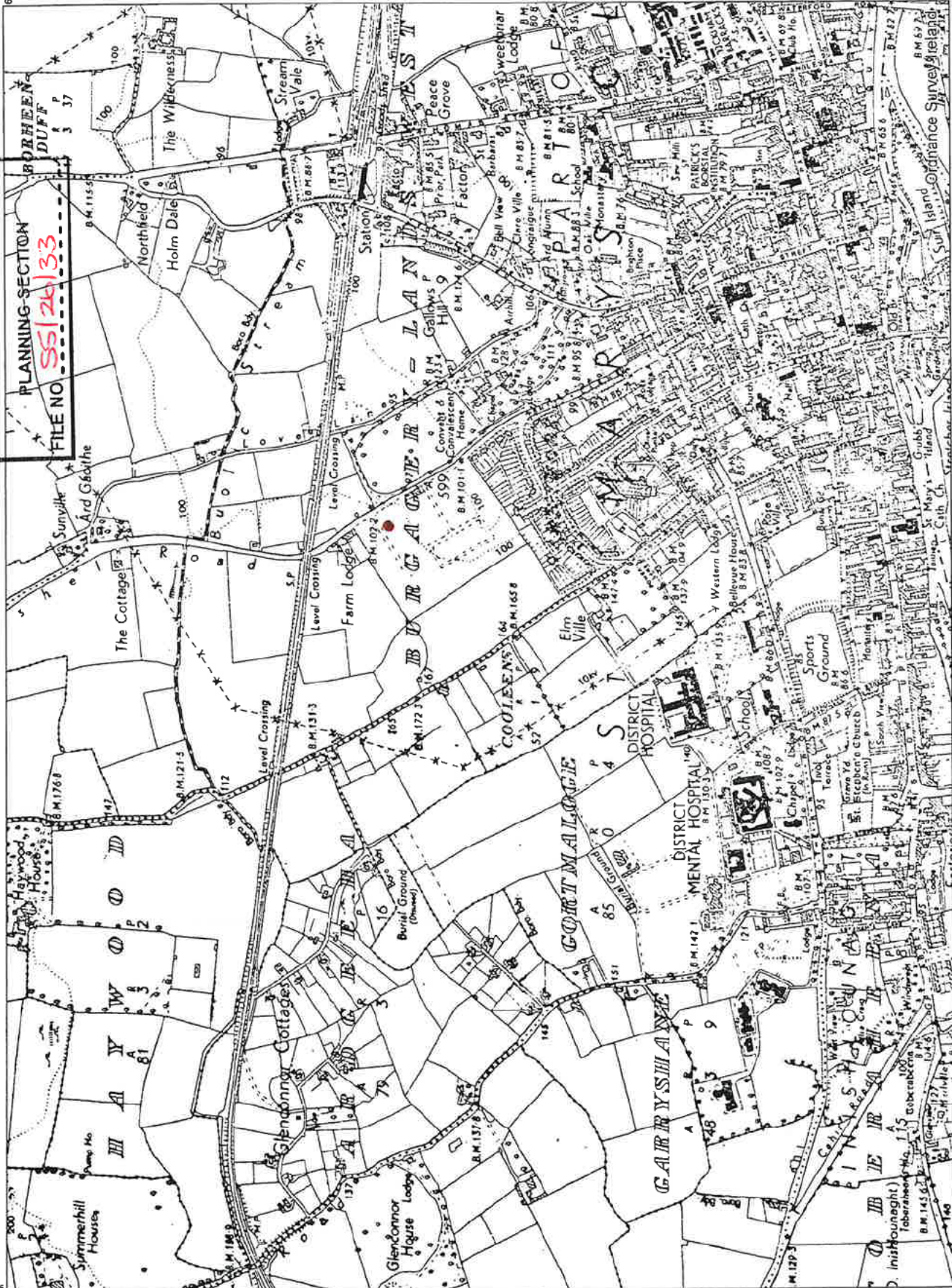
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**CAPTURE RESOLUTION:**  
The map objects are only accurate to the resolution at which they were captured. Output scale is not indicative of data capture scale. Further information is available at:

**OUTPUT SCALE: 1:10,560**

0 110 220 330 440 metres

0 200 400 600 800 1,000 Feet

623990 620806 618345 618345 622173 622173

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FILE NO. SS12433



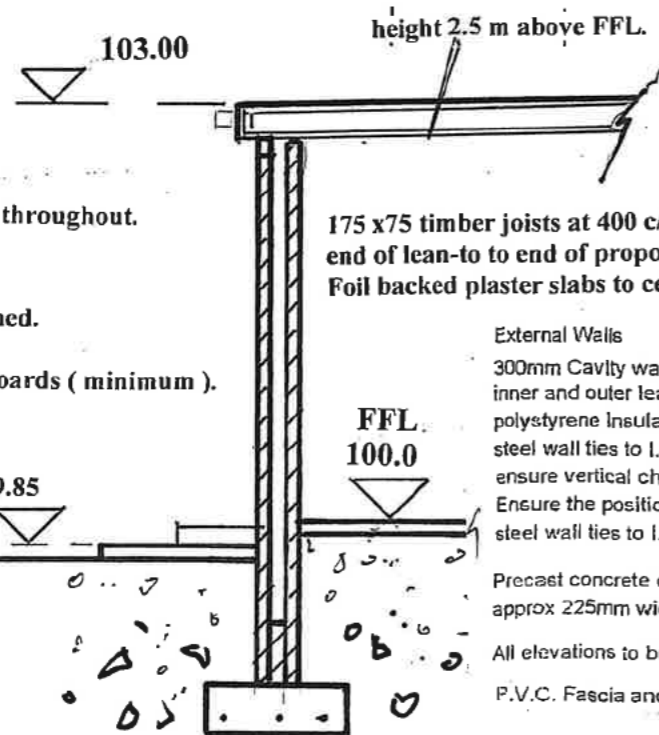
Site location map

SCALE: 1:1000  
D.S. REF: 5429-10

Brian Crowley  
Civil Eng. Tech;  
60 Fairfields, Clonmel, Co. Tipperary,  
Tel. [REDACTED] Geoffrey Baron

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 FILE NO. SS/26/33

Paralon roof membrane to be torched onto new torch-on underlay Paralon drip feeds to be created along sides, overlapping from bottom to top and carried onto roof to overlap roof membrane by minimum 100mm and torched down. Similar drip feed along gutter line at roof end torched onto underlay with main roof membrane coming to finish on top of drip feed near roof edge with feathered finish.  
 All surface roof membrane to be feathered where meeting main roof sheets



**Under roof insulation:** Use Kingspan ECTOTHERM rigid insulation or similar between roof joists.

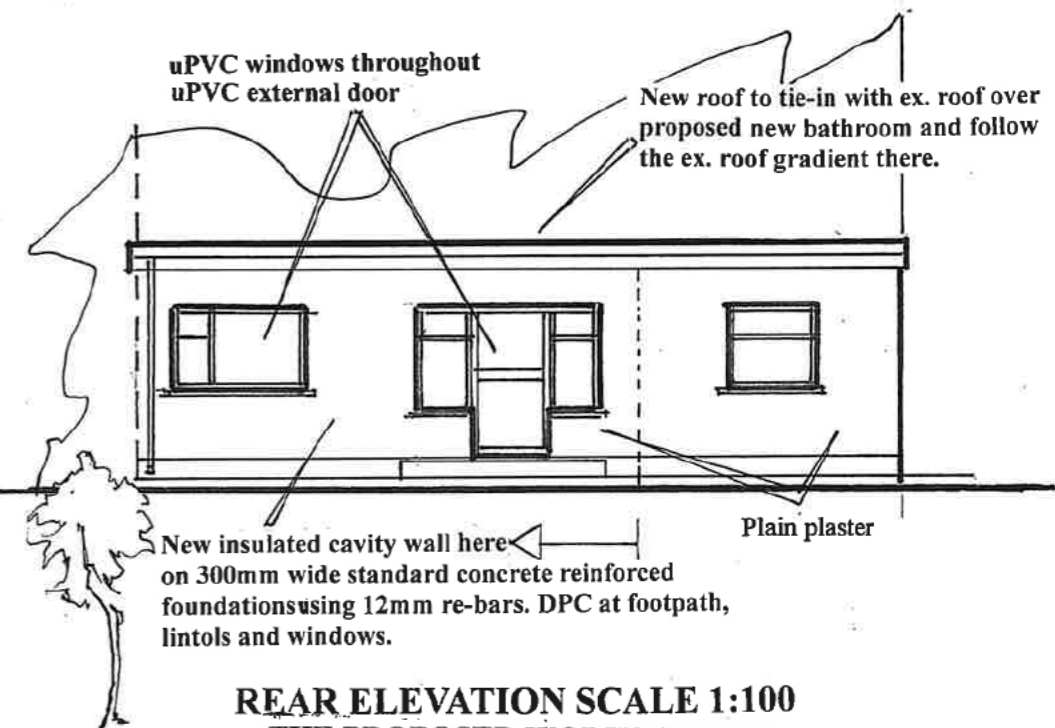
175 x75 timber joists at 400 c/crs ; 12mm marine ply over laid to fall from end of lean-to to end of proposed by 75mm minimum across 4.6m span.  
 Foil backed plaster slabs to ceiling with plaster finish.

**External Walls**  
 300mm Cavity wall construction consisting of 100mm concrete block inner and outer leaves with 100mm cavity, insulated with 60mm expanded polystyrene insulation fixed securely to outer side of inner leaf. Stainless steel wall ties to I.S. 268 at 450mm centres max vertically and max 750 horizontally ensure vertical chases do not exceed 1/3 thickness of wall with thickness Ensure the position of the chases does not impair the stability of the wall steel wall ties to I.S. 268 at 450mm centres max vertically and max 750 horizontally  
 Precast concrete cills to I.S.89, 65mm on front face, 120mm at back & approx 225mm wider than ope on wrap a round D.P.C.  
 All elevations to be a painted Plastered Finish  
 P.V.C. Fascia and soffit with P.V.C. gutters and downpipes

**CROSS SECTION A-A 1.50.**

**Foundations**  
 900 X 300mm concrete strip foundations carried down to solid stratum and reinforced with 4 No. 12mm high yield bars and tied at 450mm centres with 12mm high yield bars.  
 Note: Top of foundation to be minimum of 750 below finished floor

**ALL WORK TO COMPLY WITH THE CURRENT BUILDING REGULATIONS  
 ALL ELECTRICAL RE-WIRING REQUIRED TO COMPLY WITH FIRE SAFETY  
 STANDARDS FOR PRIVATE DWELLINGS.**



**REAR ELEVATION SCALE 1:100  
 THE PROPOSED WORKS SHOWN**

**Proposed re-construction of existing rear lean-to and alterations of internal layout to existing kitchen and rear portion of existing garage, to include the raising of the existing floor level in this area to match the floor level in the main dwellinghouse, all at:  
 67 Barron Park, Clonmel, Co. Tipperary for  
 Ms. Majella O'Neill.**

Prepared by:  
 Brian Crowley, Civil eng. Technician,  
 60, Fairfields, Clonmel, Co. Tipperary E91XY61  
 Ph. 086-8779998

**GENERAL SPECIFICATION OF MATERIALS  
 THE PROPOSED WORKS**

**CROSS SECTION A-A  
 ELEVATIONS**

**Scales as shown**

This layout is to allow for a future conversion of the dining room to a bedroom with direct access to the kitchen area and extended dining area. The new bathroom will be of a size suitable for wheelchair friendly access. All new floor levels to match ex house.

Triangular rear garden consists of 48 Square Metres as exists. This space will remain unchanged following new development.

Lawned area

Surface water from rear extension to be collected and brought to soakaway within the curtilage of the existing rear garden as shown

Stone filled soakaway

Existing rear garden = 48.0 sq m

Break ope in wall here and erect gateway access to rear

The existing footprint of the existing rear extension will remain unchanged following development.

New 1.0m concrete footpath along sides of existing and newly constructed wall here

Bathroom window to be retained. Remove and raise to 1.0m above FFL

Cross section A-A

New insulated cavity wall here 7.0m long on 300mm wide standard concrete reinforced foundations using 12mm re-bars. DPC at footpath, lintols and windows.

Roof over existing kitchen and extended dining area to be raised to 2.5m above new finished floor area

100mm PVC sewer connecting to ex. MH

+ 99.75

+ 99.85

New 1.8 x 1.0m window here 1.0m above FFL

New roof to tie-in with ex. roof over proposed new bathroom and follow the ex. roof gradient there.

WC

Shower

Floor area to be brought up by 250mm to match existing floor area in main house

New Bathroom

New double glazed uPVC patio door and side panels in 2.4m ope

new ceiling height 2.5  
FFL 100.0

Retain ex plumbing here for sink unit. New serving hatch through ope in wall. New breakfast bar here

WHB 2.6

Extended Dining Room  
New glass panel doorway through ex. window ope to connect to former conservatory here.

Retain existing Kitchen

FFL 100.0

Fire door and frame to give 30 min protection from flame and smoke  
EX. FFL 99.75  
Protective rail

Block up ex door ope.

Fitted press 4.25  
Fitted units with presses over and under.

Retain ex. ceiling height here (after raising floor = 2.5m)

Demolish ex. wall and extend garage by 1.05m as shown. Create 1.0m platform with 2no steps to garage.

Demolish the internal wall to ex. window level. Retain the sink unit and presses at floor level. Create 500mm wide counter top here

6.55

GARAGE

EX. FFL 99.75

Ex air vent retained

DINING ROOM  
FFL 100.0

2.9

3.6

gas fire

New double doors here to owners spec.

Built-in units both sides of fireplace

LIVING ROOM  
FFL 100.0

HALL

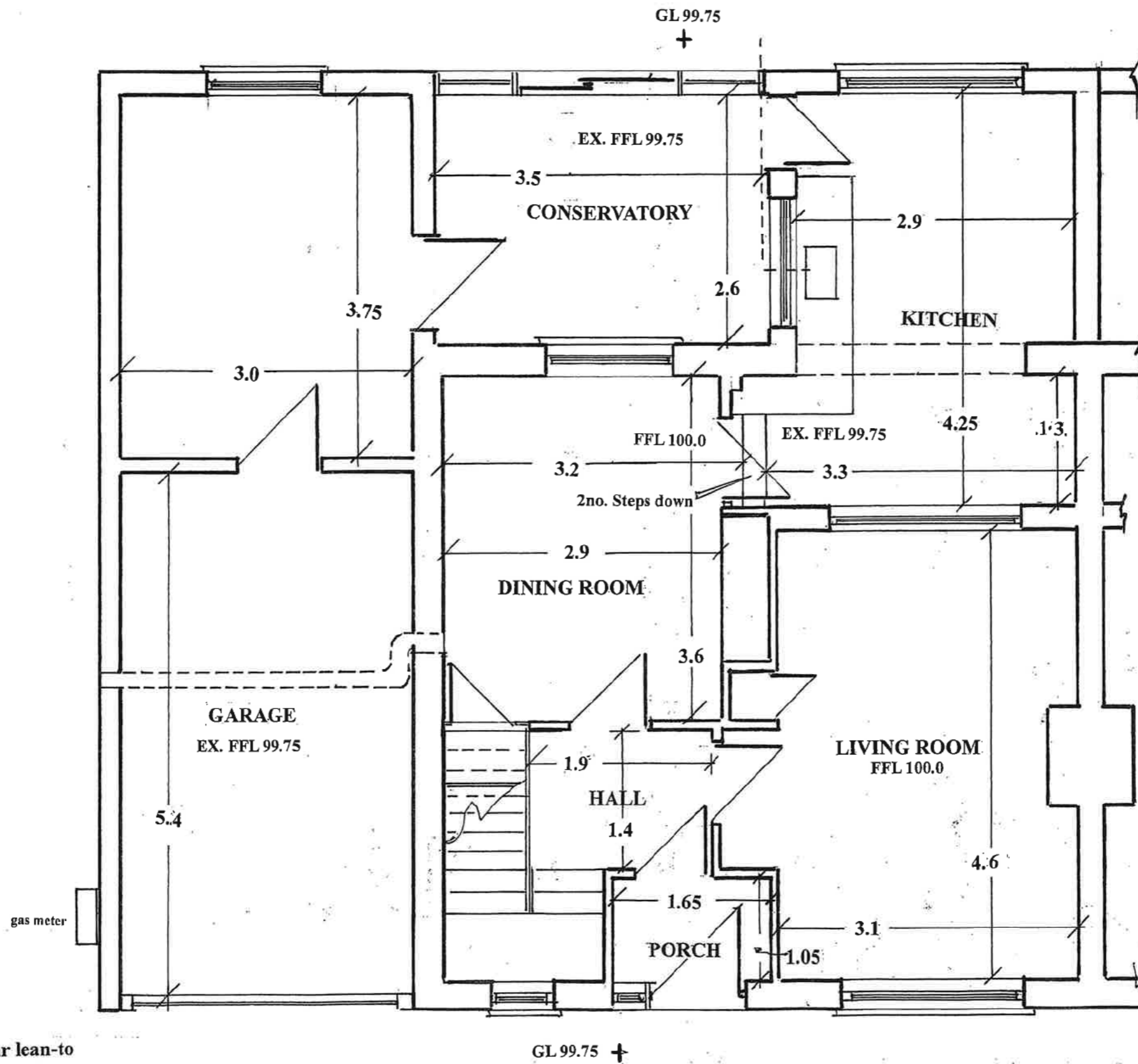


Proposed re-construction of existing rear lean-to and alterations of internal layout to existing kitchen and rear portion of existing garage, to include the raising of the existing floor level in this area to match the floor level in the main dwellinghouse, all at: 67 Barron Park, Clonmel, Co. Tipperary for Ms. Majella O'Neill.

GROUND FLOOR PLAN  
CONSTRUCTION DRAWING  
THE PROPOSED WORKS  
SCALE 1:50

Prepared by:  
Brian Crowley, Civil eng. Technician,  
60, Fairfields, Clonmel, Co. Tipperary E91XY61  
Ph. 086-8779998

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FILE NO. 55126133



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 PLANNING SECTION  
 FILE NO. SS/26/33

Proposed re-construction of existing rear lean-to and alterations of internal layout to existing kitchen and rear portion of existing garage, to include the raising of the existing floor level in this area to match the floor level in the main dwellinghouse, all at: 67 Barron Park, Clonmel, Co. Tipperary for Ms. Majella O'Neill.

THE EXISTING HOUSE AS CONSTRUCTED.  
 March 2026 Scale: 1:50

Prepared by:  
 Brian Crowley, Civil eng. Technician,  
 60, Fairfields, Clonmel, Co. Tipperary E91XY61  
 Ph. 086-8779998

GROUND FLOOR LAYOUT



Comhairle Contae Thiobraid Árann  
Tipperary County Council

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

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Thiobraid Árann,  
Oifigí Cathartha,  
An tAonach,  
Co. Thiobraid Árann  
Tipperary County Council,  
Civic Offices, Nenagh,  
Co. Tipperary  
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@tipperarycoco.ie  
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**Date: 19<sup>th</sup> March 2026      Our Ref: S5/26/33      Civic Offices, Clonmel**

Majella O'Neill,  
27 Glencarra Grove,  
Crann Ard,  
Clonmel,  
Co. Tipperary.

**Re: Application for a Section 5 Declaration – Reconstruction of existing rear lean to and alterations of internal layout to existing kitchen and rear portion of existing garage to include the raising of the existing floor level to match floor level in main dwelling house at 67 Barron Park, Clonmel, Co. Tipperary.**

A Chara,

I acknowledge receipt of your application for a Section 5 Declaration received on 19<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 Ref.:** S5/26/33

**Applicant:** Majella O'Neill

**Development Address:** 67 Baron park, Clonmel, Co Tipperary

**Proposed Development:** Reconstruction of existing rear lean to and alterations of internal layout to existing kitchen and rear portion of existing garage to include the raising of the existing floor level to match floor level in main dwelling house.

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#### **1. GENERAL**

On the 19<sup>th</sup> of March, a request was made for a declaration under Section 5 of the Planning and Development Act, 2000 as amended as to whether the following is “development” and “exempt development”:

- Reconstruction of existing rear lean to and alterations of internal layout to existing kitchen and rear portion of existing garage to include the raising of the existing floor level to match floor level in main dwelling house.

The site is located at 67 Baron park, Clonmel, Co Tipperary.

#### **2. STATUTORY PROVISION**

The following statutory provisions are relevant to this referral case;

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

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

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

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

Section 4(1)(h) of the Act considers 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; to be exempted development.

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.

Schedule 2, Part 1 'Exempted Development - General:

**Class 1** of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 considers the following works to be exempted development subject to the conditions and limitations set out below;:

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.

Article 9 (1) (a) of the Planning and Development Regulations 2001, as amended sets out the instances where development, to which Article 6 relates, shall not be exempted development for the purposes of the Act.

### **3. ASSESSMENT**

#### ***a. Site Location***

The site comprises an end of terrace unit at 67 Baron Park, Clonmel, Co. Tipperary.

*Figure 1 Site Location*



***b. Relevant Planning History***

**On site**

None recorded

**Adjacent**

None relevant

Figure 2 Planning history



**c. Assessment**

**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 works proposed comprise of the reconstruction of existing rear lean to and alterations of internal layout to existing kitchen and rear portion of existing garage to include the raising of the existing floor level to match floor level in main dwelling house.. The structure is not located within an Architectural Conservation area, nor is it listed on the Record of Protected Structures.

Figure 3 Existing floor plan

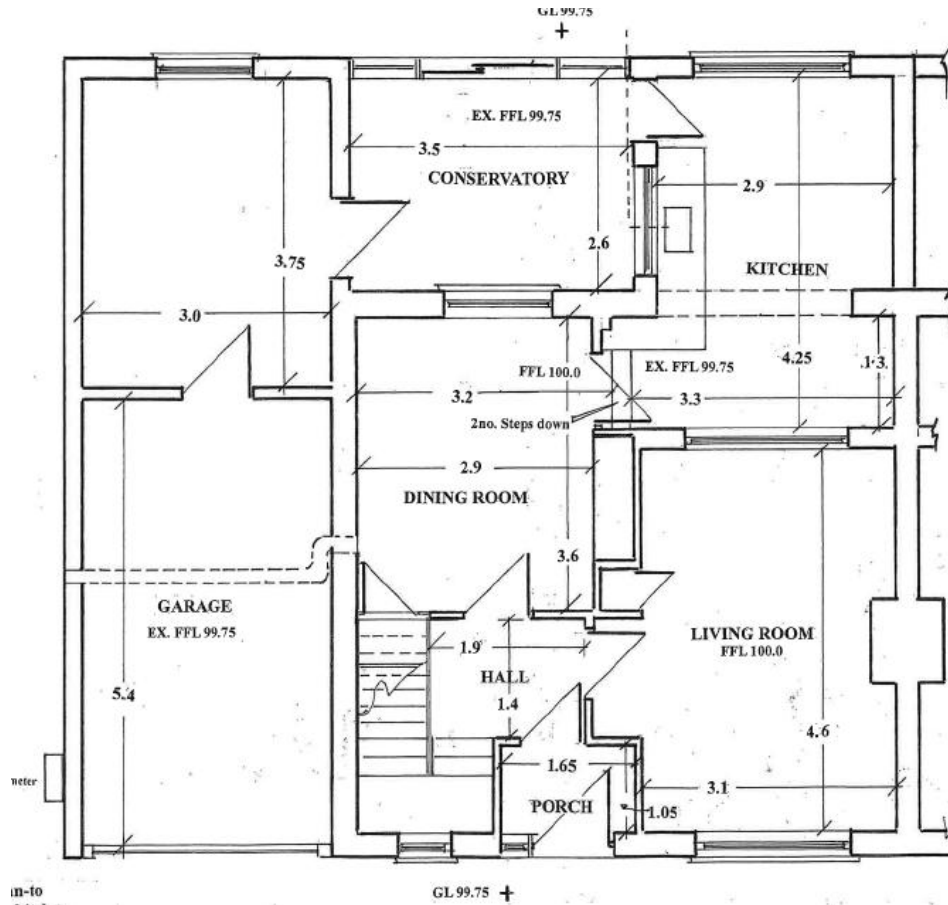
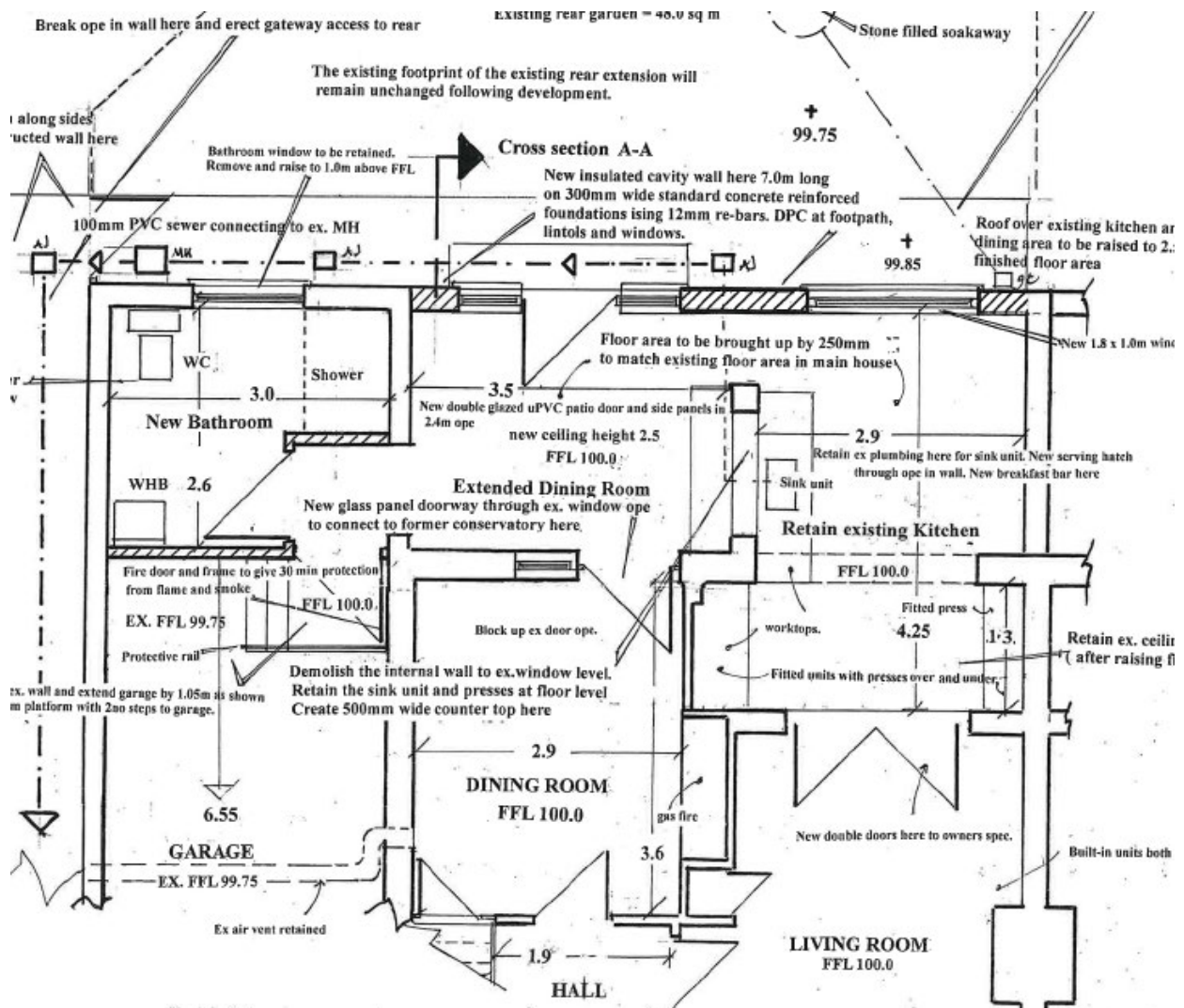
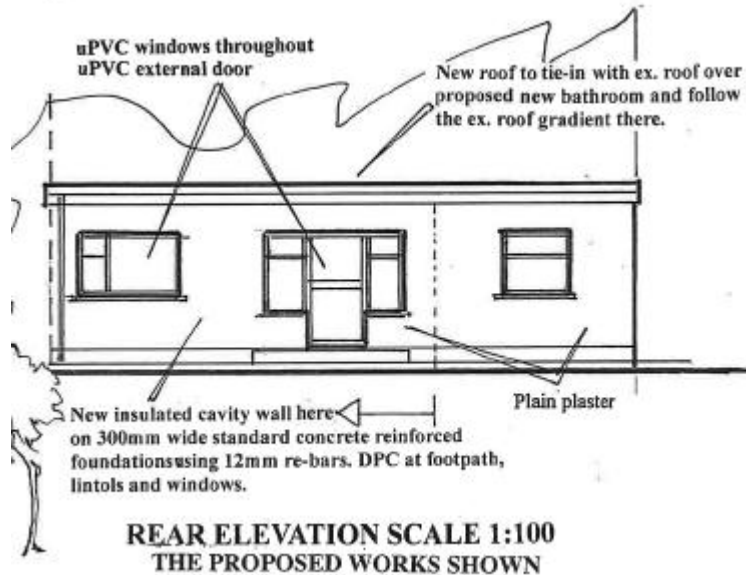


Figure 4 Proposed floor plan



As illustrated above, the querist is proposing to convert a small portion of the rear of the existing garage to a new garage, internalise a conservatory and convert same into an extended dining room and undertake other internal alteration. A level flat roof is to be provided across the rear single storey element. The floor area covered by the works is 25.72 sqms. The built footprint of the structure is not changing.

Figure 5 Roof profile



With respect to the conversion of the garage and the internalisation of the sunroom, same can be considered under class 1. None of the conditions and limitations set out therein apply; the extension is not more than 40 sqms, the height of the walls of the extension do not exceed the height of the rear wall of the house, the area of private open space is not less than 25 square metres (querist has indicated that 60sqm of open space remains), no new windows are proposed at ground level and the roof shall not be used as a balcony or roof garden.

With respect to the internal modifications and the changed roof profile, same can be considered under Section 4(1)(h) of the Planning and Development Act 2000, as amended. It is not considered that the works proposed are inconsistent with the character of the structure or of neighbouring structures.

#### C) Restrictions under Article 9

It is noted that no restriction under Article 9 of the Planning and Development Regulations 2001, as amended applies in this instance.

#### D) Requirement for Appropriate Assessment (AA) and Environmental Impact Assessment (EIA)

The subject site is located 1km from the lower River Suir SAC (002137), 10 kms from the Nier Valley Woodlands SAC (000404) and 11 kms from the Comeragh mountains SAC (001952)

The proposed development is located within the curtilage of a residential dwelling and comprises of minor alterations to the rear of the property.

Having regard to:

- the small scale nature of the development,
- the location of the development relevant to the closest European site (lower River Suir,
- the absence of a direct pathway to these European sites,

it is considered that the proposed development would not have a significant effect individually, or in-combination with other plans and projects, on the Natura 2000 network and appropriate assessment is not therefore required.

The proposed development has been subject to a preliminary examination to determine the requirement for EIA. EIA is not required in respect of the development. See attached.

**4. RECOMMENDATION**

Having regard to:

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

Tipperary County Council has concluded that the proposal presented on the drawings and details provided with the Declaration application, constitutes “development” within the meaning of the Planning and Development Act 2000, and is “exempted development”.

The development would not be likely to have significant effects on the environment and would not require an EIA.

Signed: *Paul Killeen*  
District planner

Date: 09/04/26

Signed: *Jonathan Flood*  
Senior Executive Planner

Date: 10/4/2026

## Appendix 1

### HABITATS DIRECTIVE APPROPRIATE ASSESSMENT (AA) SCREENING REPORT

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

<b>(a) File Reference No:</b>	S5/26/33
<b>(b) Brief description of the project or plan:</b>	Rear extension
<b>(c) Brief description of site characteristics:</b>	67 Baron Park, Clonmel, Co. Tipperary – existing built up residential area
<b>(d) Relevant prescribed bodies consulted: e.g. DHLGH (NPWS), EPA, OPW</b>	None
<b>(e) Response to consultation:</b>	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 <sup>1</sup>	Distance from proposed development <sup>2</sup> (km)	Connections (Source-Pathway-Receptor)	Considered further in screening Y/N
Lower River Suir SAC 002137	<a href="https://www.npws.ie/protected-sites/sac/002137">https://www.npws.ie/protected-sites/sac/002137</a>	1kms	Surface water collected and discharged to public sewer	yes
Nier Valley woodlands 000404	<a href="https://www.npws.ie/protected-sites/sac/00404">https://www.npws.ie/protected-sites/sac/00404</a>	10 kms	No due to distance and the lack of any relevant ex-situ factors of significance to these species.	Nier Valley woodlands 000404
Comeragh Mountains SAC 01952	<a href="https://www.npws.ie/protected-sites/sac/001952">https://www.npws.ie/protected-sites/sac/001952</a>	11 kms	No due to distance and the lack of any relevant ex-situ factors of	Comeragh Mountains SAC 01952

			significance to these species.	
<b>STEP 3. Assessment of Likely Significant Effects</b>				
<b>(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:</b>				
<b>Impacts:</b>		<b>Possible Significance of Impacts: (duration/magnitude etc.)</b>		
<b>Construction phase e.g.</b> <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> <li>• Pests</li> </ul>		No impacts		
<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		
<b>In-combination/Other</b>		No likely in combination effects		
<b>(b) Describe any likely changes to the European site:</b>				
<b>Examples of the type of changes to give consideration to include:</b> <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</li> </ul>		No impacts		

(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

(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.

No impacts

##### 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>	Paul Killeen	<b>Date:</b> 09/04/26

EIA Pre-Screening	
Establishing a development is a 'sub-threshold development'	
File Reference:	S5/26/33
Development Summary:	Domestic extension
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 <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)?</b> (Tick as appropriate)	
<input type="checkbox"/> Yes, specify class _____	<b>EIA is mandatory</b>
<input checked="" type="checkbox"/> No	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?</b> (Tick as appropriate)	
<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>
<input type="checkbox"/> Yes the project is of a type listed but is <i>sub-threshold</i> : _____	No Screening required
<input type="checkbox"/> Yes the project is of a type listed but is <i>sub-threshold</i> : _____	Proceed to <b>Part C</b>
<b>C. If Yes, has Schedule 7A information/screening report been submitted?</b>	
<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	



**Original**

**TIPPERARY COUNTY COUNCIL**

**DELEGATED EMPLOYEE'S ORDER**

File Ref: **S5/26/33**      **Delegated Employee's Order No:** \_\_\_\_\_

**SUBJECT: Section 5 Declaration**

99 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 Majella O'Neill, 27 Glencarra Grove, Crann Ard, Clonmel, Co. Tipperary, reconstruction of existing rear lean to and alterations of internal layout to existing kitchen and rear portion of existing garage to include the raising of the existing floor level to match floor level in main dwelling house at 67 Baron park, Clonmel, 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 & 4 of the Planning and Development Act 2000 (as amended)
- b) Part 1 Class 1, of Schedule 2 Planning & Development Regulations 2001, as amended.
- c) Part 1 Class 50(b) of Schedule 2 Planning & Development Regulations 2001, as amended
- d) Articles 6 and 9 of the Planning & Development Regulations 2001, as amended

Tipperary County Council has concluded that the proposal presented on the drawings and details provided with the Declaration application, constitutes "development" within the meaning of the Planning and Development Act 2000, and is "**exempted development**".

The development would not be likely to have significant effects on the environment and would not require an EIA.

**Signed:** Brian Beck  
**Brian Beck**  
**Director of Services**

**Date: 13/04/2026**



Date: 13<sup>th</sup> April, 2026

Our Ref: S5/26/33

Civic Offices, Nenagh

Majella O'Neill  
27 Glencarra Grove  
Crann Ard  
Clonmel  
Co. Tipperary

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

Dear Ms O'Neill,

I refer to your application for a Section 5 Declaration received on 19<sup>th</sup> March, 2026, in relation to the following proposed works:

**Reconstruction of existing rear lean to and alterations of internal layout to existing kitchen and rear portion of existing garage to include the raising of the existing floor level to match floor level in main dwelling house at 67 Baron park, Clonmel, 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 & 4 of the Planning and Development Act 2000 (as amended)
- (b) Part 1 Class 1, of Schedule 2 Planning & Development Regulations 2001, as amended.
- (c) Articles 6 and 9 of the Planning & Development Regulations 2001, as amended

Tipperary County Council has concluded that the proposal presented on the drawings and details provided with the Declaration application, constitutes "development" within the meaning of the Planning and Development Act 2000, and is "exempted development".

The development would not be likely to have significant effects on the environment and would not require an EIA.

**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

*Geraldine Quinn*

for **Director of Services**