



Comhairle Contae Thiobraid Árann
Tipperary County Council

PLANNING & DEVELOPMENT ACT, 2000 (as amended)

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

Tipperary County Council
RECEIVED
23 APR 2026
CSD
Civic Offices, Nenagh

1. Applicant's address/contact details:

Applicant	Jason Heskin
Address	Brittas Road, Thurles, Co. Tipperary. [E41 FK11]
Telephone No.	[REDACTED]
E-mail	[REDACTED]

TIPPERARY CO. COUNCIL
RECEIVED
23 APR 2026
PLANNING SECTION
FILE NO. 25/26/57

2. Agent's (if any) address:

Agent	DEC Engineering & Commercial Ltd – C/O Andrew Driver
Address	Corville Road, Roscrea, Co Tipperary
Telephone No.	[REDACTED]
E-mail	[REDACTED]
<i>Please advise where all correspondence in relation to this application is to be sent;</i>	
Applicant [] Agent [X]	

3. Location of Proposed Development:

Postal Address <u>or</u> Townland <u>or</u> Location (as may best identify the land or structure in question)	Brittas Road, Thurles, Co. Tipperary. [E41 FK11]
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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.

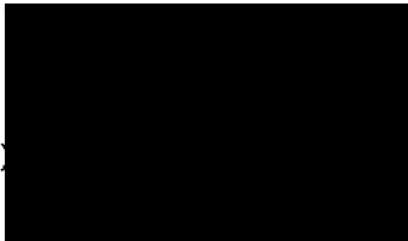
(Note: only works and uses listed and described under this section will be assessed under this Section 5 Application. Use additional sheets if required.

<p>Works Proposed:</p> <ol style="list-style-type: none"> Demolish existing rear single-story extension – gross floor area circa 10.5m² Construct a new single story rear living room with max height 2.915m and with a gross floor area of 39.5m² <p><u>Supporting Documents Included</u></p> <p>Appendix 01 – Proposed Plans and Elevations Appendix 02 – Existing Site Photos Appendix 03 – Site Location Map</p>	
Proposed floor area of proposed works/uses:	sqm 39.5m2

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

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

Signature of Applicant(s)



Date: 17/04/2026

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
 - 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:

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-
Receipt No 136811
Date 27/4/26
Received by _____



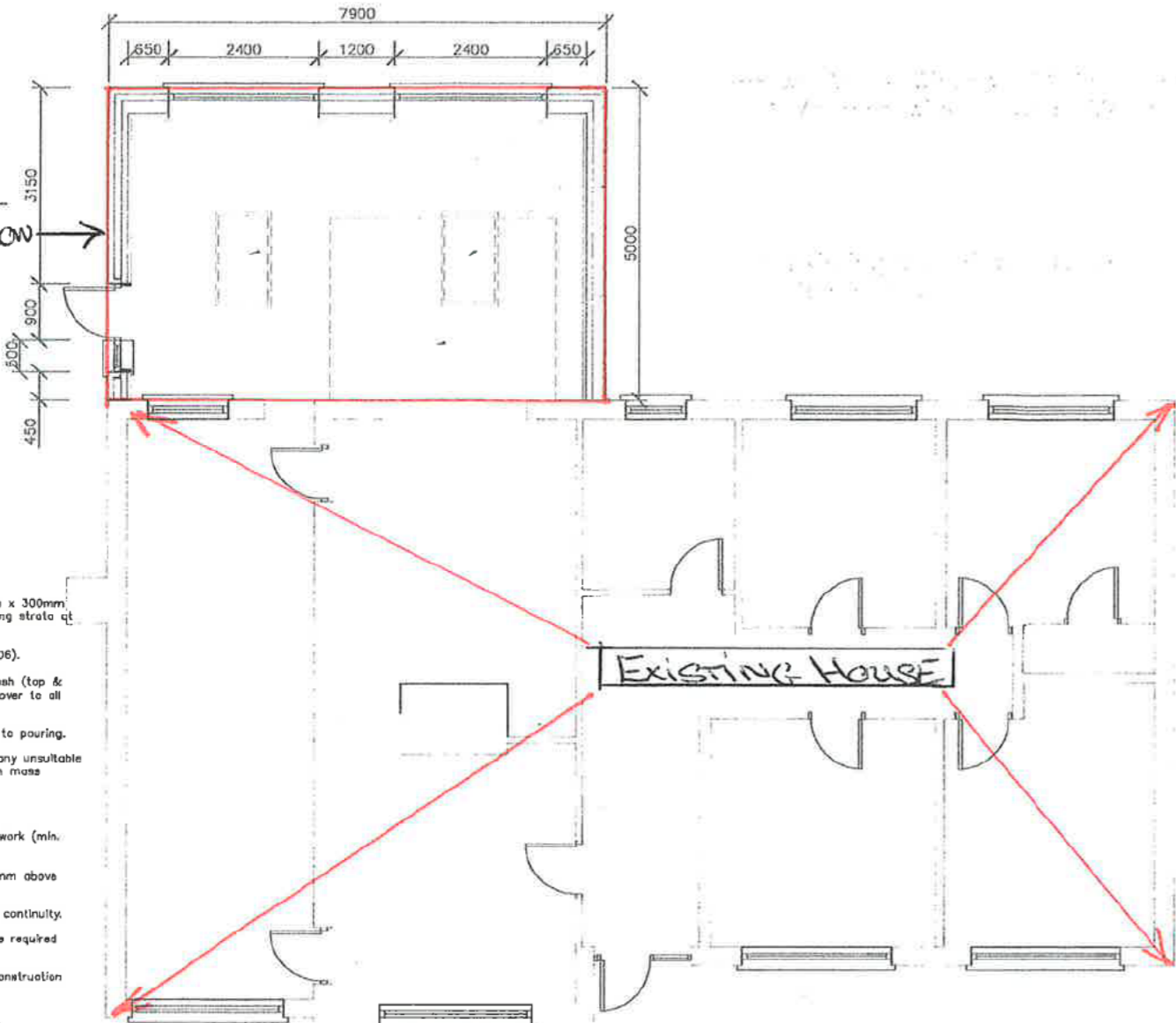
DEC Engineering & Commercial Ltd.

Corville Road, Roscrea, Co Tipperary. Website: decengcom.ie

Email: [REDACTED]

Appendix – 01

PROPOSED New
REAR EXTENSION

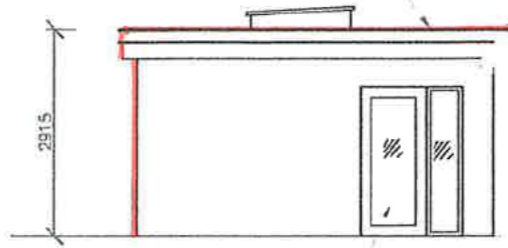


Wall Specification

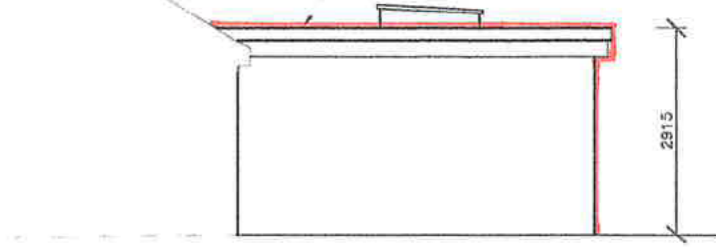
1. Foundations
 - 1.1 Provide strip foundations 900mm wide x 300mm deep minimum, founded on suitable bearing strata at depths to Engineer's approval.
 - 1.2 Concrete grade: C25/30 (to IS EN 206).
 - 1.3 Reinforcement: 2 No. layers A393 mesh (top & bottom) with minimum 50mm concrete cover to all faces.
 - 1.4 All foundations to be inspected prior to pouring.
 - 1.5 Formwork to be free of soft spots; any unsuitable material to be removed and replaced with mass concrete.
2. Rising Walls / Substructure
 - 2.1 Rising walls in 100mm concrete blockwork (min. 13N/mm²).
 - 2.2 Provide horizontal DPC minimum 150mm above finished external ground level.
 - 2.3 DPC to lap with floor DPM to ensure continuity.
 - 2.4 Provide radon barrier and sump where required under current EPA guidance.
3. Superstructure - External Cavity Wall Construction
 - 3.1 Concrete blocks:
 - Minimum compressive strength 13 N/mm².
 - Laid in accordance with IS EN 1996 (Eurocode 6).
 - 3.2 Wall Build-Up:
 - Outer leaf: 100mm concrete blockwork.
 - Cavity: 100mm nominal cavity.
 - Insulation: 100mm full-fill rigid cavity insulation (e.g. Cavitytherm or approved equivalent with Agrément certification for full-fill application).
 - Inner leaf (side walls): 100mm concrete blockwork.
 - Inner leaf (end loadbearing walls): 225mm concrete blockwork.
4. Wall Ties
 - 4.1 Stainless steel wall ties suitable for 100mm full-fill cavity.
 - 4.2 Spacing:
 - 900mm horizontal centres
 - 450mm vertical centres
 - Increased to 225mm vertical centres within 225mm of openings
 - 4.3 All ties to include insulation retaining clips where required.
5. Cavity Detailing
 - 5.1 Cavity to be kept clear of mortar droppings.
 - 5.2 Provide proprietary insulated cavity closers at:
 - Window and door jambs
 - Wall plate level
 - Eaves
 - 5.3 Cavity trays and weep vents to be provided:
 - Around structural openings
 - Over all external openings
 - At roof abutments
 - Where cavity is interrupted
 - 5.4 Minimum 2 No. weep vents per opening.

7. Thermal & Airtightness Provisions
 - 7.1 Internal lining:
 - 62.5mm insulated plasterboard (with integral vapour control layer where required).
 - 7.2 Window reveals:
 - 37mm insulated plasterboard or proprietary insulated reveal board.
 - 7.3 All junctions sealed airtight with appropriate tapes and sealants.
 - 7.4 Thermal bridging at eills, lintels, jambs, and wall plate level to comply with Part L and DEAP requirements.
8. Structural Lintels
 - 8.1 Proprietary steel lintels by Kaylona - S/K-90 215W/L.
 - 8.2 Minimum 150mm bearing each side (unless design requires greater).
 - 8.3 Insulated cavity lintels required where spanning cavity.
9. Internal Finishes
 - 9.1 3mm gypsum skim finish to all plasterboard surfaces.
 - 9.2 All internal corners reinforced with PVC beads.
10. External Finish
 - 10.1 3-coat sand and cement render system:
 - Scud coat
 - Scratch coat
 - Finish coat
 - 10.2 Provide perimeter insulation upstand to prevent thermal bridging.
 - 10.3 Ensure airtightness continuity at wall/floor junction.
13. General Compliance
 - All works to comply with:
 - Building Regulations 1997-2023

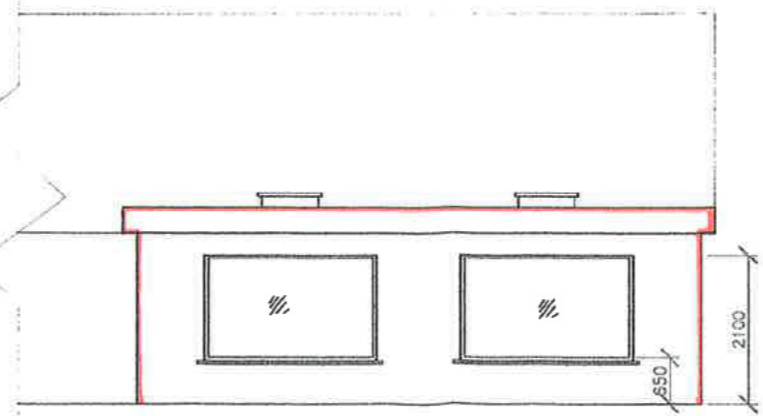
Plan View



South Western Elevation

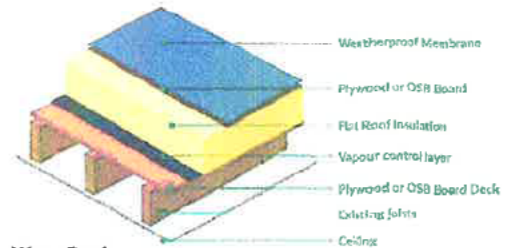


North Eastern Elevation



North Western Elevation

- New roof Timber to be Grade 24 Timber. [Warm Roof]
- New Joists shall be - 225mm*44mm
 - 12mm plywood on Joists
 - 150mm of Polyurethane Kingspan insulation installed above 12mm plywood.
 - 19mm plywood over insulation layer.
 - Finished with a fibre glass finish.



Warm Roof
The flat roof insulation is located above the joists

NOTE - All new Timber shall be Grade C24	
Dimensions should always be checked on site	
01 Issued for Review	Feb/26
Rev/Details	Date
 DEC ENGINEERING & COMMERCIAL LTD Consulting Engineers Castle Rd, Roscrea, Co Tipperary	
©	
Title/Contract	
DESIGN SCHEME FOR BRITTAS Rd, THURLES, RENOVATION PROJECT - 2026 - E41 FK11	
Client	
Jason Heskin	
Details / Title of Drawing	
REAR SUN ROOM - 39.5M2	
Scale 1:100 (A3)	Dwg. No. 26 - 01
Date FEB '26	Drawn By: AD

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55/26/27
23 APR 2026

FILE NO. 23 APR 2026
PLANNING SECTION



DEC Engineering & Commercial Ltd.

Corville Road, Roscrea, Co Tipperary. Website: decengcom.ie

Email: [REDACTED]

Appendix – 02

Created: Thu 16 Oct 2025
Location: Brittas Road, Thurles, Co. Tipperary. [E41 FK11]
Client: Jason Heskin
No. Items: 02

Contact: Andrew driver
Company: DEC Engineer & Commercial Ltd
Phone: [REDACTED]
Email: [REDACTED]

(1)



Front Elevation

(2)



Rear Elevation

Existing Extension to be demolished

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FILE NO. 52/26/197



DEC Engineering & Commercial Ltd.

Corville Road, Roscrea, Co Tipperary. Website: decengcom.ie

Email: [REDACTED]

Appendix – 03

Planning Pack Map



CENTRE COORDINATES:
ITM 612604,659563

PUBLISHED: 20/04/2026
ORDER NO.: 50530921_1

MAP SERIES: MAP SHEETS:

TIPPERARY CO. COUNCIL
RECEIVED

23 APR 2026

55/26/57
PLANNING SECTION

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Phoenix Park,
Dublin 8,
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D08F6E4

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The representation on this map of a road, track or footpath is not evidence of the existence of a right of way.

This topographic map does not show legal property boundaries, nor does it show ownership of physical features.

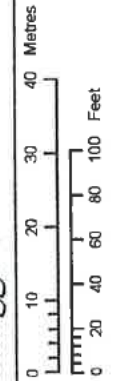
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LEGEND:
To view the legend visit www.tailte.ie and search for 'Large Scale Legend'

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



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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,
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Co. Tipperary
E45 A099

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

Date: 27th April 2026

Our Ref: S5/26/57

Civic Offices, Nenagh

John Heskin
C/O Andrew Driver
DEC Engineering & Commercial Ltd
Corville Rd.
Roscrea
Co Tipperary

Re: Application for a Section 5 Declaration – demolition of existing rear single-story extension – gross floor area circa 10.5m² and construction on a new single story rear living room with max height 2.915m and with a gross floor area of 39.5m² at Brittas Road, Thurles, Co Tipperary E41 FK11.

Dear Andrew,

I acknowledge receipt of your application for a Section 5 Declaration received on 23rd April 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: S5/26/57

Applicant: Jason Heskin

Development Address: Brittas Road, Thurles

Proposed Development: Demolish existing rear single-storey extension (gross floor area circa 10.5sqm) and construct a new single storey rear living room with max height 2.915m and with a gross floor area of 39.5sqm.

1. GENERAL

On the 23.04.2026 a request was made for a declaration under Section 5 of the Planning and Development Act, 2000 as amended in respect of the following development at Brittas Road, Thurles

- Demolish existing rear single-storey extension (gross floor area circa 10.5sqm) and construct a new single storey rear living room with max height 2.915m and with a gross floor area of 39.5sqm

2. STATUTORY PROVISIONS

Planning and Development Act 2000, as amended

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.*

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) 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.

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

Description of Development

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.*

Class 50 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001, as amended states:

Description of Development

Conditions and Limitations

(a) The demolition of a building, or buildings, within the curtilage of— (i) a house, (ii) an industrial building, (iii) a business premises, or (iv) a farmyard complex.

1. No such building or buildings shall abut on another building in separate ownership. 2. The cumulative floor area of any such building, or buildings, shall not exceed: (a) in the case of a building, or buildings within the curtilage of a house, 40 square metres, and (b) in all other cases, 100 square metres. 3. No such demolition shall be carried out to facilitate development of any class prescribed for the purposes of section 176 of the Act.

(b) The demolition of part of a habitable house in connection with the provision of an extension or porch in accordance with Class 1 or 7, respectively, of this Part of this Schedule or in accordance with a permission for an extension or porch under the Act.

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

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

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

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

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

3. ASSESSMENT

a. Site Location

The site is located at Brittas Road, Thurles. It contains a single storey, detached dwelling and domestic sheds on residentially zoned lands.

b. Relevant Planning History

- TH/124: Permission granted to Thomas Ivory for erection of a bungalow (Iplan reference 67540124)
- 24179: Permission granted to Anne-Marie Ivors for retention of bungalow style dwelling house with partially converted attic space as constructed with its connection to mains water supply and mains public sewer, an entrance, 2 sheds and a glasshouse and all associated site works

c. Assessment

Pursuant to Section 5 of the Planning & Development Acts this report will examine whether the proposal constitutes a) development and b) exempted development.

A) “Is or is not Development”

It is considered that the above listed proposal including demolition of part of a dwelling and the construction of an extension 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”

Assessment against the conditions / limitations of Class 50(b):

(b) The demolition of part of a habitable house in connection with the provision of an extension or porch in accordance with Class 1 or 7, respectively, of this Part of this Schedule or in accordance with a permission for an extension or porch under the Act.

The proposal comprises the demolition of a rear extension to a house with a gross floor area of circa 10.5sqm in connection with the provision of an extension in accordance with Class 1 below.

Assessment against the conditions / limitations of Class 1:

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.

Having regard to the planning history of the site, in particular planning reference 24179, the Planning Authority is satisfied that the dwelling has not been extended, save for the extension which it is proposed to demolish under Class 50 above.

The gross floor area of the proposed extension is 39.5sqm (external measurements 5m x 7.9m). The extension is a flat roofed structure with a height of 2.915m

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.

As per the above, the floor area of the proposed extension does 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.

Not applicable as the proposal relates to a ground floor extension.

(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.

Not applicable as the proposal relates to a ground floor extension.

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

Not applicable as the proposal relates to a ground floor extension.

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.

The rear wall of the house does not include a gable and the height of the walls of the extension exceed the height of the rear wall of the house. As such, the proposal fails to comply with Condition/Limitation 4(a).

(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.

Not applicable as the rear wall of the house does not include a gable.

(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.

The proposed extension will have a flat roof, which would exceed the height of the eaves of the dwelling. As such, the proposal fails to comply with Condition/Limitation 4(c).

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.

The extension would not reduce the area of private open space to the rear of the house to less than 25 sq m.

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.

The proposed extension would not contain a window less than 1 metre from the boundary it faces.

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

There is no proposal to use the roof of the extension as a balcony or roof garden

C) Restrictions under Article 9

It is considered that no restrictions on exemptions under Article 9 of the Planning and Development Regulations 2001, as amended would apply.

D) 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.

4. RECOMMENDATION

A question has arisen as to whether the following proposed development at Brittas Road, Thurles is or is not exempted development:

- Demolish existing rear single-storey extension (gross floor area circa 10.5sqm) and construct a new single storey rear living room with max height 2.915m and with a gross floor area of 39.5sqm.


Tipperary County Council, in considering this proposal has had regard to:

- Sections 2, 3 and 4 of the Planning and Development Act, 2000, as amended,
- Articles, 6 and 9 of the Planning and Development Regulations 2001, as amended,

- Schedule 2, Part 1 Class 1 and Schedule 2, Part, 1, Class 50 of the Planning and Development Regulations 2001 as amended.
- The declaration application and supporting information.
- The Planning history of the site.

Tipperary County Council has concluded that the *proposals set out in the declaration application* are development and are **not exempted development**.

The proposal fails to satisfy condition / limitation 4(a) and 4(c) of Class 1, Schedule 2, Part 1 of the Planning and Development Regulations 2001 as amended.

District Planner: 

Date: 14.05.2026

Senior Executive Planner: 

Date: 15/5/2026

Photographs from Site Visit of 8th and 14th May, 2026





Photographs from previous site visit of 30.08.2024 (File Ref 24179)



AA Screening Form

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

(a) File Reference No:	S5 26.57
(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:	N/A

e.g. DHLGH (NPWS), EPA, OPW	
(e) 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 ² (km)	Connections (Source-Pathway-Receptor)	Considered further in screening Y/N
Lower River Suir SAC 002137	https://www.npws.ie/protected-sites/sac/002137	Within 15km	N	N

¹ Short paraphrasing and/or cross reference to NPWS is acceptable – it is not necessary to reproduce the full text on the QI/SCI.

² If the site or part thereof is within the European site or adjacent to the European site, state here.

STEP 3. Assessment of Likely Significant Effects

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

Impacts:	Possible Significance of Impacts: (duration/magnitude etc.)
<p>Construction phase e.g.</p> <ul style="list-style-type: none"> 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 	<p>The construction phase will not result in significant environmental impacts that could affect European Sites within the wider catchment area</p>
<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 	<p>No impact. Given the nature and scale of the development, it is considered that there is no real likelihood of any significant effects on European Sites in the wider catchment area</p>

<ul style="list-style-type: none"> • Presence of people, vehicles and activities • Physical presence of structures (e.g. collision risks) • Potential for accidents or incidents 	
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 	<p>None.</p> <p>The application site is not located within a European site, therefore there is no risk of habitat loss or fragmentation or any effects on QI species directly or ex-situ.</p> <p>Given the scale of the proposed development and the significant distance between the proposed development site and any European Sites is such that the proposal will not result in any likely changes to the European sites that comprise part of the Natura 2000 network</p>
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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, 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.

Conclusion:

	Tick as Appropriate:	Recommendation:
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EIA Pre-Screening			
Establishing a development is a 'sub-threshold development'			
File Reference:	S5 26 57		
Development Summary:	See 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	
Signature and Date of Recommending Officer:	Marion Carey	Date:	14.05.2026

Original

TIPPERARY COUNTY COUNCIL

DELEGATED EMPLOYEE'S ORDER

File Ref: **S5/26/57** **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 Jason Heskin, C/O Andrew Driver, DEC Engineering & Commercial Ltd., Corville Road, Roscrea, Co. Tipperary, Demolish existing rear single-storey extension (gross floor area circa 10.5sqm) and construct a new single storey rear living room with max height 2.915m and with a gross floor area of 39.5sqm at Brittas Road, Thurles, Co Tipperary is development and is exempted development.

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

- Sections 2, 3 and 4 of the Planning and Development Act, 2000, as amended,
- Articles, 6 and 9 of the Planning and Development Regulations 2001, as amended
- Schedule 2, Part 1 Class 1 and Schedule 2, Part, 1, Class 50 of the Planning and Development Regulations 2001 as amended.
- The declaration application and supporting information.
- The Planning history of the site.

Tipperary County Council has concluded that the *proposals set out in the declaration application* are development and are **not exempted development.**

The proposal fails to satisfy condition / limitation 4(a) and 4(c) of Class 1, Schedule 2, Part 1 of the Planning and Development Regulations 2001 as amended.

Signed: 
Brian Beck
Director of Services

Date: 18/05/2026



Date: 18th May, 2026

Our Ref: S5/26/57

Civic Offices, Nenagh

Jason Heskin
C/O Andrew Driver
DEC Engineering & Commercial Ltd
Corville Road
Roscrea
Co. Tipperary

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

Dear sir/madam,

I refer to your application for a Section 5 Declaration received on 23rd April 2026, in relation to the following proposed works:

Demolish existing rear single-storey extension (gross floor area circa 10.5sqm) and construct a new single storey rear living room with max height 2.915m and with a gross floor area of 39.5sqm **at** Brittas Road, Thurles

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 –

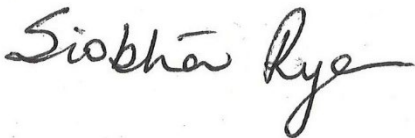
- Sections 2, 3 and 4 of the Planning and Development Act, 2000, as amended,
- Articles, 6 and 9 of the Planning and Development Regulations 2001, as amended
- Schedule 2, Part 1 Class 1 and Schedule 2, Part, 1, Class 50 of the Planning and Development Regulations 2001 as amended.
- The declaration application and supporting information.
- The Planning history of the site.

Tipperary County Council has concluded that the *proposals set out in the declaration application* are development and are **not exempted development.**

The proposal fails to satisfy condition / limitation 4(a) and 4(c) of Class 1, Schedule 2, Part 1 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 'e'.

for **Director of Services**