



Comhairle Contae Thiobraid Árann
Tipperary County Council

S5/26/66

PLANNING & DEVELOPMENT ACT, 2000 (as amended)

Application for a Section 5 Declaration
Development / Exempted Development

1. Applicant's address/contact details:

Applicant	Mary Hurley
Address	Kiladangan Puckaun, Nenagh Co. Tipperary E45 CD 96.
Telephone No.	
E-mail	

2. Agent's (if any) address:

Agent	
Address	
Telephone No.	
E-mail	
Please advise where all correspondence in relation to this application is to be sent;	
Applicant [☒] Agent [☐]	

3. Location of Proposed Development:

Postal Address or Townland or Location (as may best identify the land or structure in question)	Kiladangan, Puckaun Nenagh Co. 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.

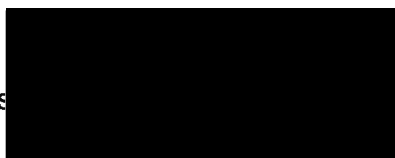
(Note: only works and uses listed and described under this section will be assessed under this Section 5 Application. Use additional sheets if required.

TWO BEDROOMS WITH ENSUITES TO BE USED TO
RENT OUT SHORT TERM WITH AIR B+B.
Proposed floor area of proposed works/uses: 36 sqm

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 ☒	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: 11/5/2026

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**

OR

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

Enquires:

Telephone 0818 06 5000

E-Mail planning@tipperarycoco.ie

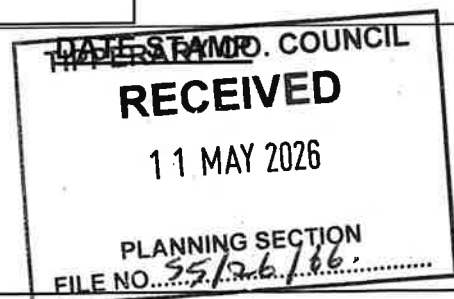
FOR OFFICE USE ONLY

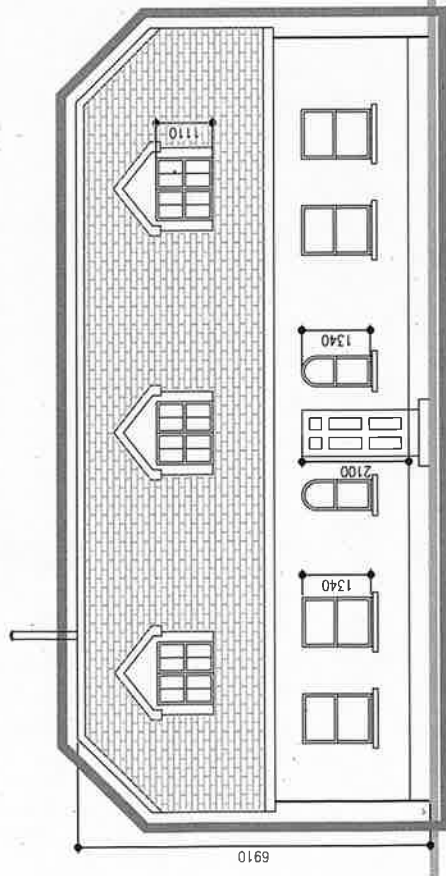
Fee Recd. € 80 =

Receipt No 137284

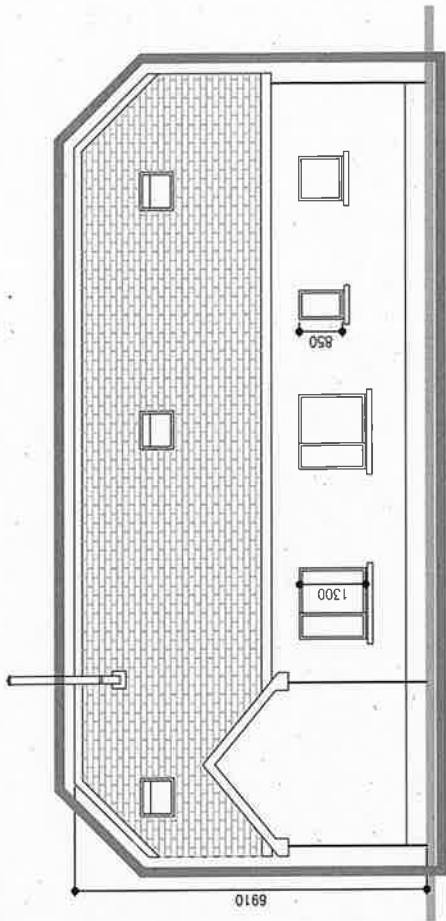
Date 11/5/2026

Receipted by _____

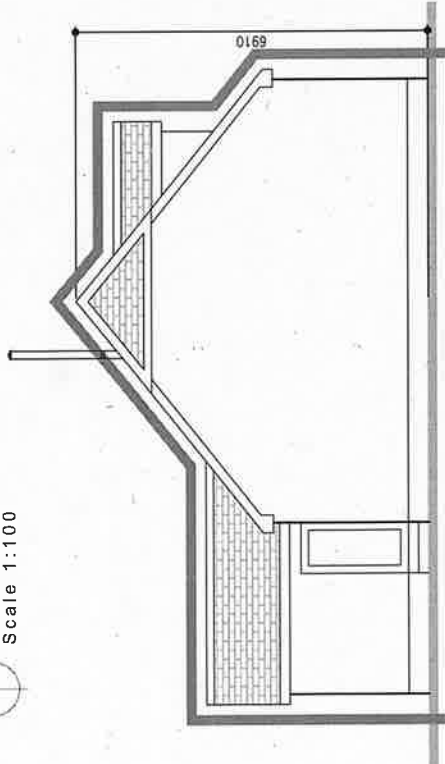




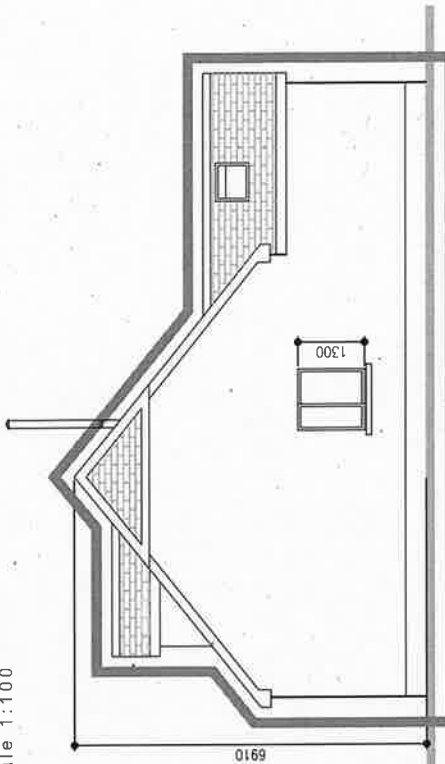
Front Elevation
Scale 1:100



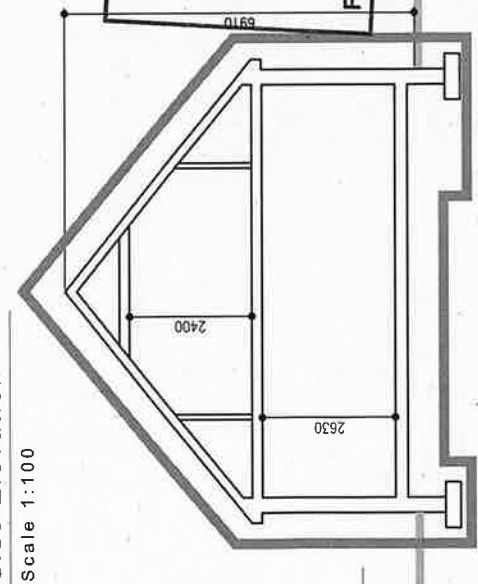
Rear Elevation
Scale 1:100



Side Elevation
Scale 1:100



Side Elevation
Scale 1:100



Section
Scale 1:100

TIPPERARY CO. COUNCIL
RECEIVED
11 MAY 2026
PLANNING SECTION
FILE NO. 25/26/166

RETAIN MODIFICATIONS TO DWELLING HOUSE
AS SHOWN IN BLUE
PERMITTED UNDER PL REF. 5123933.



John Joe Lewis Architectural Services Ltd
No.4 Silver View, Nenagh, Co Tipperary

Title:	ELEVATIONS & SECTION	Date:	MAY 2023
Client:	JOE DUCIE	Scale:	1:100
Project:	PROPOSED WORKS AT KILLADANGAN, DUCKANE, NENAGH, CO. TIPPERARY	Ref.:	YE-PLANNING-DUCIE
		Status:	RETENTION
		Sheet No.:	005

Tel: 087 2413100 Fax: 087 34906 E-mail: johnjolewis@yahoo.com

SITE LOCATION MAP

TOWNSLAND: KILLADANGAN, PUCKANE, NENAGH,
CO. TIPPERARY

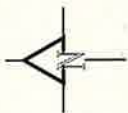
O.S. 583691 / 686514 (4160-B)

SCALE 1:2500

SITE AREA: 0.093 HECTARES

SITE OUTLINED IN RED

(C) ORDNANCE SURVEY IRELAND LICENCE NUMBER AR 0057613

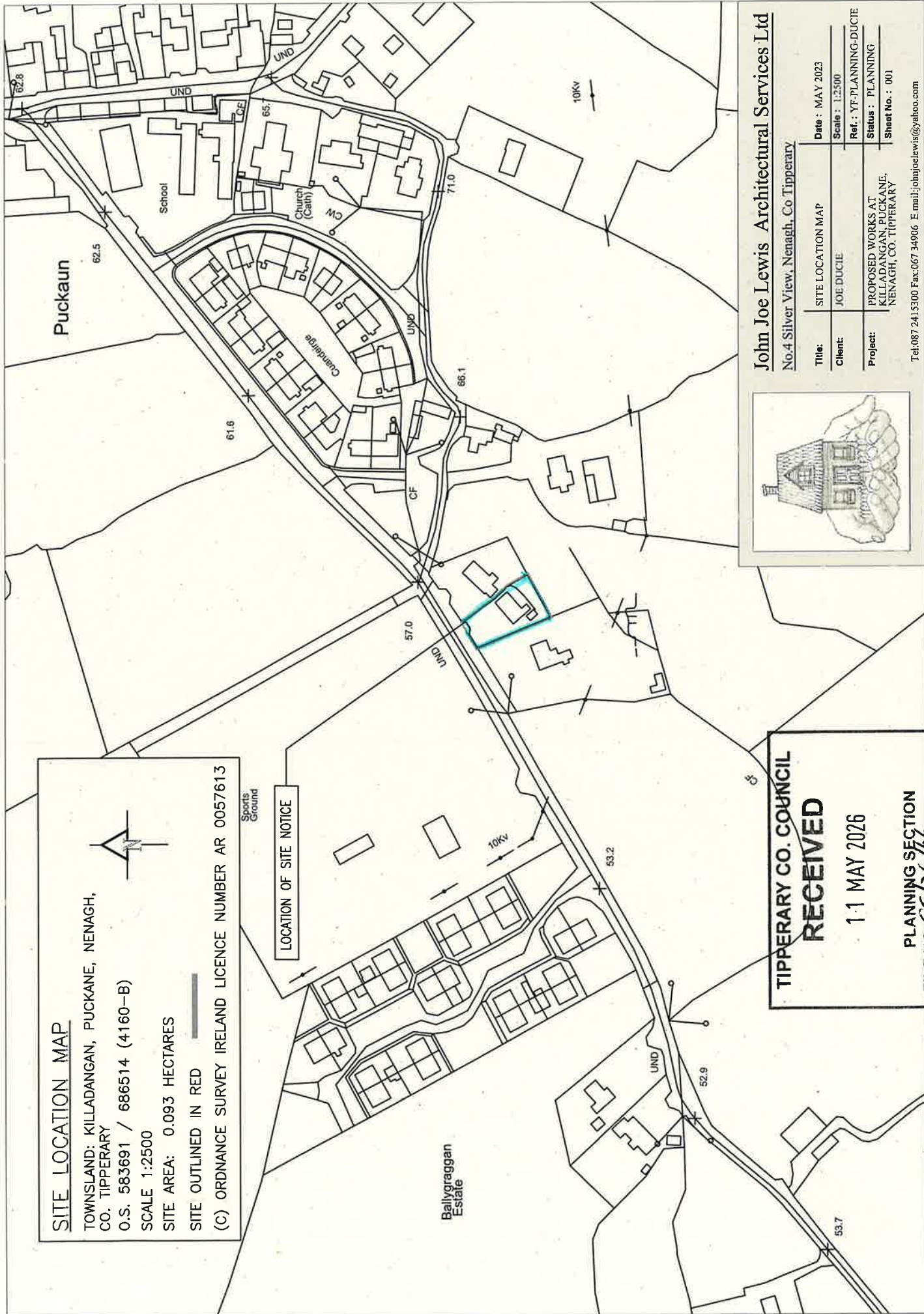


Sports Ground

LOCATION OF SITE NOTICE

Ballygraggan Estate

Puckaun

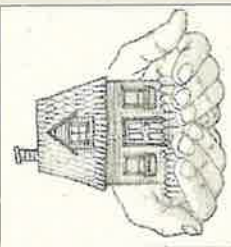


John Joe Lewis Architectural Services Ltd

No.4 Silver View, Nenagh, Co Tipperary

Title:	SITE LOCATION MAP	Date:	MAY 2023
Client:	JOE DUCIE	Scale:	1:2500
Project:	PROPOSED WORKS AT KILLADANGAN, PUCKANE, NENAGH, CO. TIPPERARY	Ref.:	YF-PLANNING-DUCIE
		Status:	PLANNING
		Sheet No.:	001

Tel:087 2415300 Fax:067 34906 E.mail:johnjoelewis@yahoo.com



TIPPERARY CO. COUNCIL

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11 MAY 2026

PLANNING SECTION

FILE NO. 55/26/166

SITE LAYOUT PLAN

TOWNSLAND: KILLADANGAN, PUCKANE, NENAGH,
CO. TIPPERARY

O.S. 583691 / 686514 (4160-B)

SCALE 1:500

SITE AREA 0.093 HECTARES

SITE OUTLINED IN RED

(C) ORDANCE SURVEY IRELAND LICENCE NUMBER AR 0057613



57.0

CF

LOCATION OF SITE NOTICE

EXISTING CONNECTION TO WATER MAINS

EXISTING CONNECTION TO SEWER

MODIFICATIONS TO DWELLING
HOUSE GRANTED PERMISSION
UNDER PL REF. 5123933 &
STORAGE OUTLINED IN BLUE
TO BE RETAINED

LOCATION OF EXISTING
NEIGHBOURING HOUSE

F.F.L OF HOUSE = 100.944

F.F.L OF SHED = 100.767

LOCATION OF EXISTING
NEIGHBOURING HOUSE

TIPPERARY CO. COUNCIL
RECEIVED

11 MAY 2026

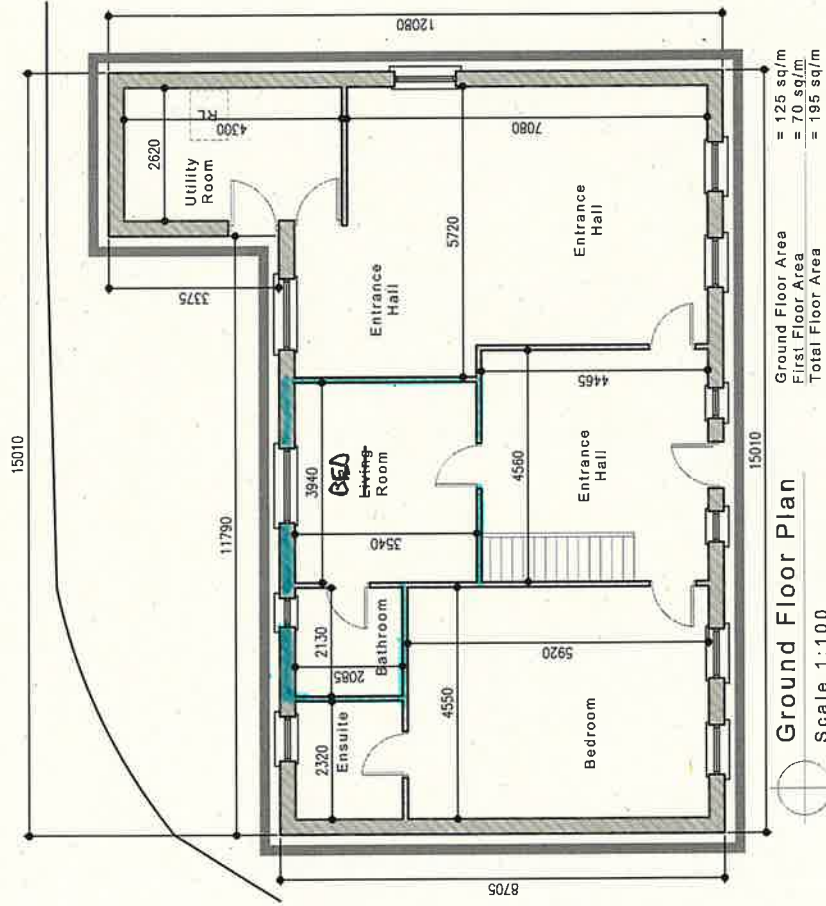
PLANNING SECTION

FILE NO. 55/25/66

John Joe Lewis Architectural Services Ltd
No.4 Silver View, Nenagh, Co. Tipperary

Title:	SITE LAYOUT PLAN	Date:	MAY 2023
Client:	JOE DUCHE	Scale:	1:500
Project:	PROPOSED WORKS AT KILLADANGAN, PUCKANE, NENAGH, CO. TIPPERARY	Ref.:	YY-PLANNING-DUCHE
		Status:	PLANNING
		Sheet No.:	002

Tel: 087 2415300 Fax: 087 34906 E-mail: johnjolewis@jlls.ie

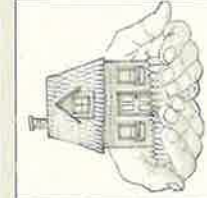


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11 MAY 2026

PLANNING SECTION
FILE NO. 53/24/166

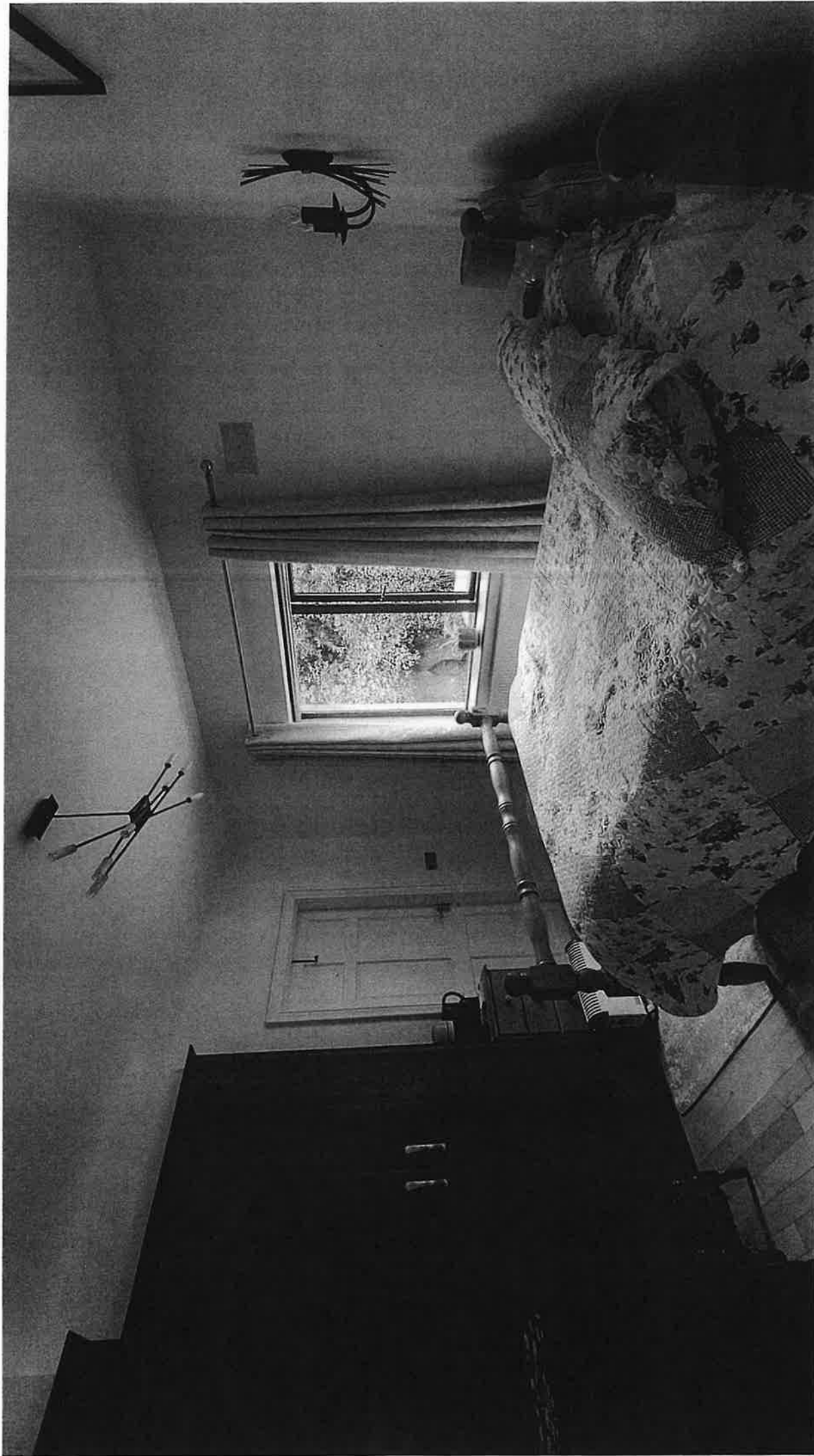
RETAIN MODIFICATIONS TO DWELLING HOUSE
GRANTED PERMISSION UNDER PL REF. 5123933,
OUTLINED IN BLUE



John Joe Lewis Architectural Services Ltd
No.4 Silver View, Nenagh, Co Tipperary

Title:	GROUND FLOOR PLAN	Date:	MAY 2023
Client:	JOE DUCIE	Scale:	1:100
Project:	EXISTING DWELLING AT KILLADANGAN, PUCKANE, NENAGH, CO. TIPPERARY	Ref.:	YF-PLANNING-DUCIE
		Status:	RETENTION
		Sheet No.:	003

Tel: 087 2415300 Fax: 067 34906 Email: johnjolewis@yahoo.com



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11 MAY 2026
PLANNING SECTION
FILE NO. 25/2.6/66.....



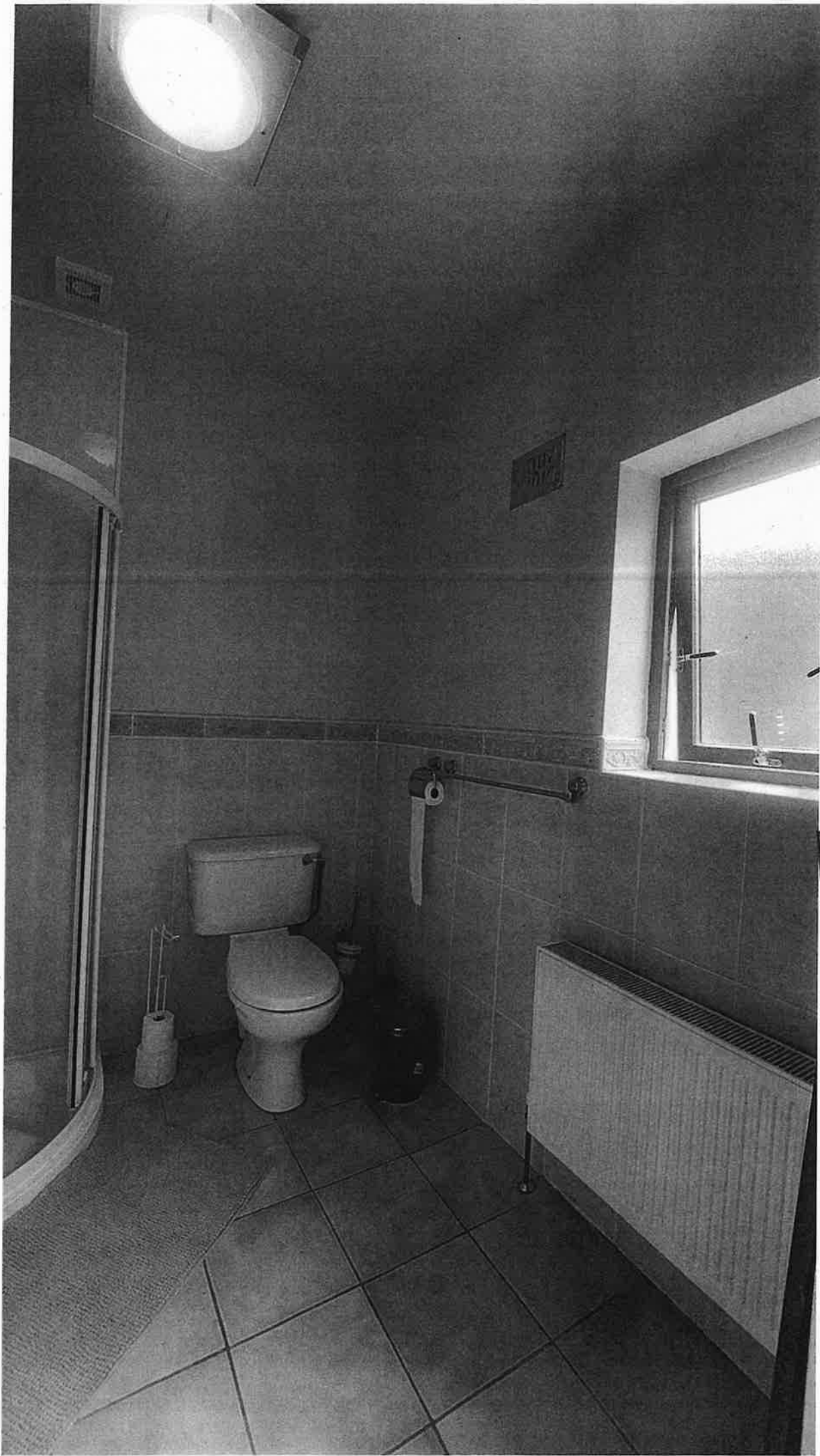
TIPPERARY CO. COUNCIL

RECEIVED

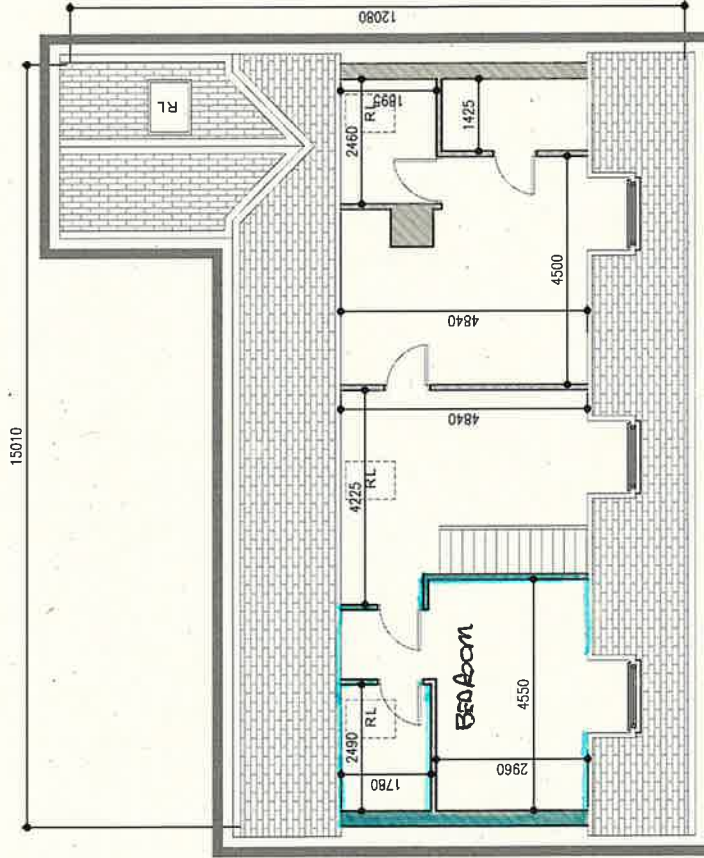
11 MAY 2026

PLANNING SECTION

FILE NO. 55/26/66



TIPPERARY CO. COUNCIL
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11 MAY 2026
PLANNING SECTION
FILE NO. 55/26/66



First Floor Plan

Scale 1:100

Ground Floor Area = 125 sq/m
First Floor Area = 70 sq/m
Total Floor Area = 195 sq/m

RETAIN MODIFICATIONS TO DWELLING HOUSE
GRANTED PERMISSION UNDER PL REF. 5123933.
OUTLINED IN BLUE

TIPPERARY CO. COUNCIL
RECEIVED

11 MAY 2026

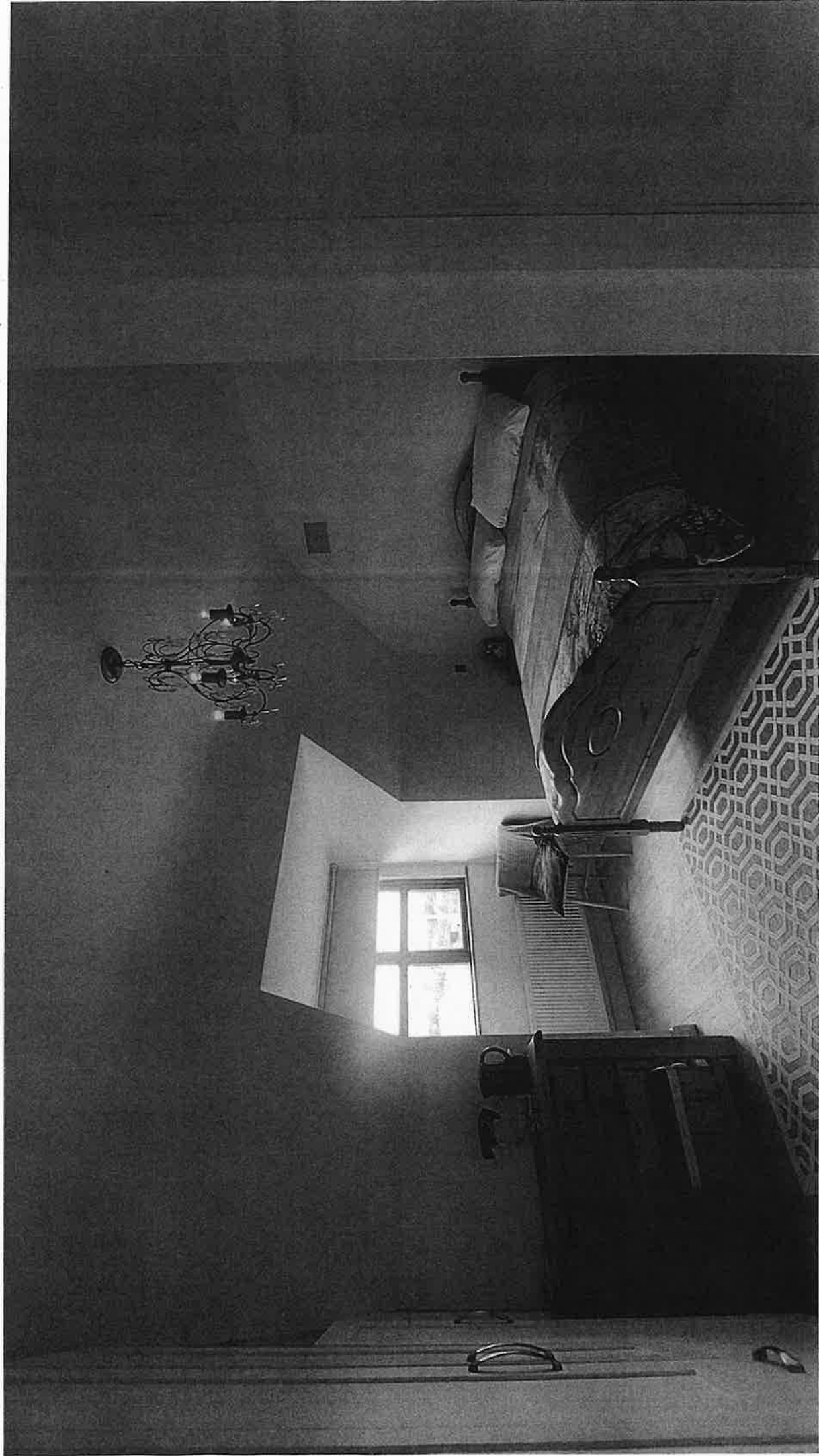
PLANNING SECTION
FILE NO. 55/26/66



John Joe Lewis Architectural Services Ltd
No.4 Silver View, Nenagh, Co Tipperary

Time:	FIRST FLOOR PLAN	Date:	MAY 2023
Client:	JOE DUCIE	Scale:	1:100
Project:	EXISTING DWELLING AT KILLADANGAN, KILKEANE, NENAGH, CO. TIPPERARY	Status:	RETENTION
		Sheet No.:	004

Tel:087 2415300 Fax:087 34906 E-mail:johnjolewis@yahoo.com

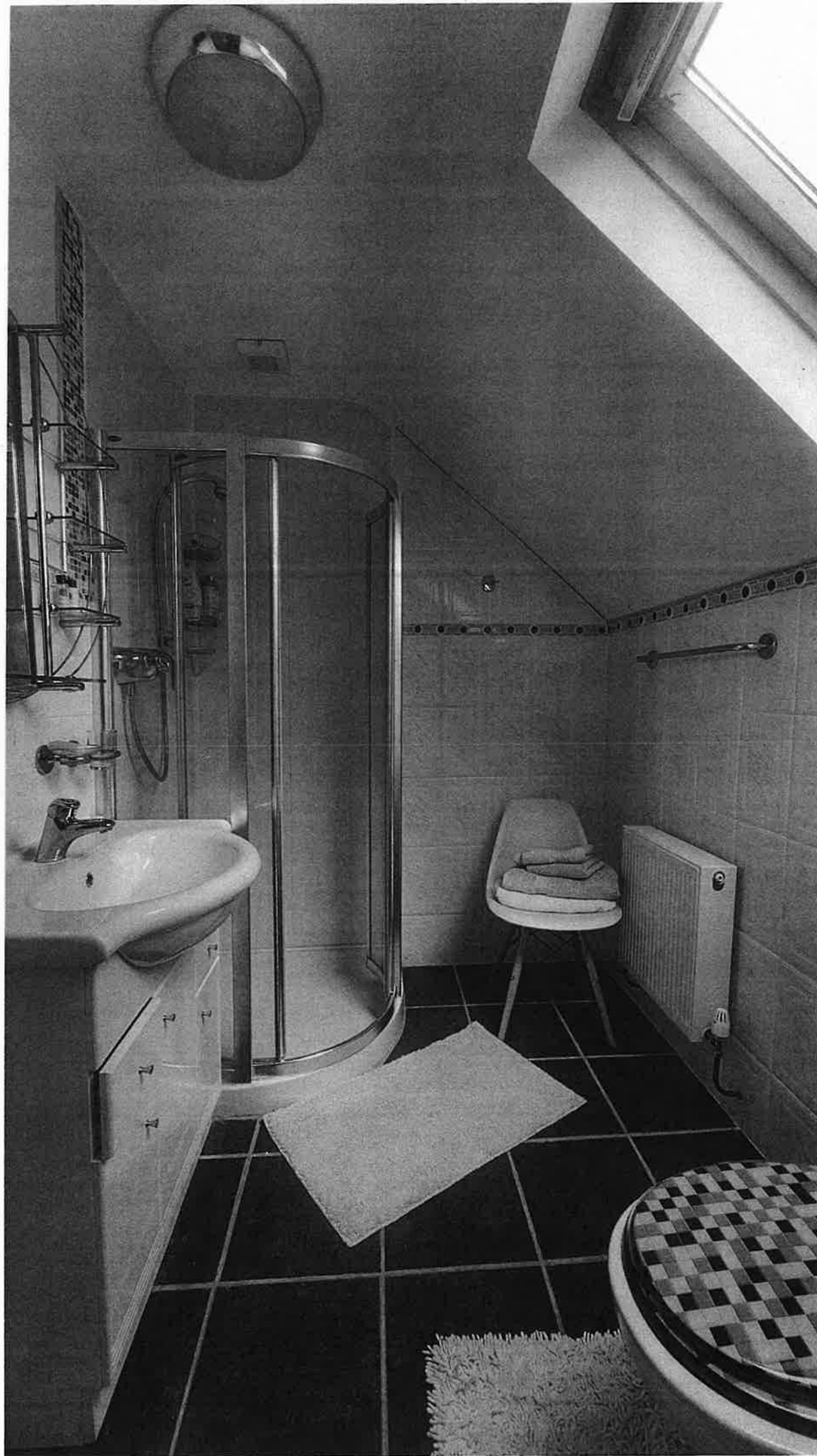


TIPPERARY CO. COUNCIL

RECEIVED

11 MAY 2026

PLANNING SECTION



TIPPERARY CO. COUNCIL

RECEIVED

11 MAY 2026

PLANNING SECTION
FILE NO. *S/26/60*



Comhairle Contae Thiobraid Árann
Tipperary County Council

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

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

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

Date: 11th May 2026

Our Ref: S5/26/66

Civic Offices, Nenagh

**Mary Hurley
Kiladangan
Puckaun
Nenagh
Co. Tipperary**

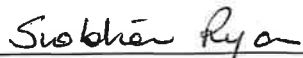
Re: Application for a Section 5 Declaration – Two bedrooms with ensembles to be used to rent out short term with Air B & B at Kiladangan, Puckaun, Nenagh, Co. Tipperary.

Dear Mary,

I acknowledge receipt of your application for a Section 5 Declaration received on 11th May 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.: S5/26/66
Applicant: Mary Hurley
Development Address: Kiladangan, Puckaun, Nenagh, Co. Tipperary.
Proposed Development: Use of 2 bedrooms with en-suites in dwelling for short term rental on Air B and B

1. GENERAL

On 11/5/2026 a request was made for a declaration under Section 5 of the Planning and Development Act 2000 (as amended) as to whether or not the following constitutes development and if so, whether same constitutes exempted development:

Use of 2 bedrooms with en-suites in dwelling for short term rental on Air B and B

The proposal relates to a dwelling located at Kiladangan, Puckaun, Nenagh, Co. Tipperary E45 CD96.

2. STATUTORY PROVISIONS

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 Act 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.

Article 6(5) Exempted Development of the Planning and Development Regulations 2001, as amended, states that;

(a) Each of the following shall be exempted development:

(i) development consisting of the short term letting in a rent pressure zone of not more than 4 bedrooms in a house that is the principal private residence of the landlord or licensor concerned provided that –

(I) it is a condition of the short term letting that each bedroom that is the subject of the letting shall not be occupied by more than 4 persons,

and

(II) the development –

(A) does not contravene a condition attached to a permission granted in respect of the house under the Act, and

(B) is consistent with any use specified in any such permission;

(ii) development consisting of the short term letting in a rent pressure zone of a house that is the principal private residence of the landlord or licensor concerned provided that –

(I) the aggregate number of days during a year in which the house is the subject of short term lettings does not exceed 90 days, and

(II) the development –

(A) does not contravene a condition attached to a permission granted in respect of the house under the Act, and

(B) is consistent with any use specified in any such permission.

(b) Where a person proposes to undertake development to which paragraph (a) applies, he or she shall, not later than 2 weeks before the commencement of the development, notify the planning authority in whose functional area the proposed development will occur of the proposed development, or cause that planning authority to be so notified, in writing.

(c) A notification under paragraph (b), shall include the following –

(i) the name of the person giving the notification, or on whose behalf the notification is being given, and documentary confirmation that the proposed development relates to the person's principal private residence;

(ii) if the person giving the notification or on whose behalf the notification is being given is not the owner of the house concerned, the consent in writing of the owner to the proposed development;

(iii) the address and eircode of the house concerned;

(iv) contact information in relation to –

(I) the person giving the notification or on whose behalf the notification is being given, and

(II) the owner of the house concerned;

(v) in the case of proposed development to which subparagraph (i) of paragraph (a) applies, a statement that the proposed development is development to which that subparagraph applies;

(vi) in the case of proposed development to which subparagraph (ii) of paragraph (a) applies, a statement that the proposed development is development to which that subparagraph applies; and

(vii) such other information as the planning authority concerned may reasonably require

(d) A notification under paragraph (b), shall be accompanied by –

(i) such documentation as the planning authority concerned may reasonably require, and

(ii) in case the notification relates to development to which subparagraph (i) of paragraph (a) applies, a statutory declaration made by the person giving the notification, or on whose behalf the notification is being given, declaring that –

(I) the house in respect of which the proposed development is to be carried out is that person's principal private residence,

(II) not more than 4 bedrooms in that house will be subject to the short term letting concerned, and

(III) it will be a condition of the short term letting concerned that each such bedroom shall not be occupied by more than 4 persons.

(e) A planning authority shall maintain a record in writing of all information contained in a notification under paragraph (b).

(f) A person who proposes to carry out development to which subparagraph (ii) of paragraph (a) applies shall not later than 4 weeks after the commencement of each year in which he or she intends to carry out the proposed development and before the commencement of any such development in that year –

(i) complete Form No. 15 specified in Schedule 3 and give it to the planning authority in whose functional area the development will occur, and

(ii) provide that planning authority with a statutory declaration made by that person declaring that the house in respect of which the proposed development is to be carried out is that person's principal private residence.

(g) A person who carries out development to which subparagraph (ii) of paragraph (a) applies in any year shall –

(B) upon the expiration of 2 weeks after the day that is the 90th day on which such development occurs in that year, complete Form No. 16 specified in Schedule 3 and give it to the planning authority in whose functional area the development occurred, and

(ii) not later than 4 weeks after the end of that year, complete Form No. 17 specified in Schedule 3 and give it to the planning authority in whose functional area the development occurred,

and each such form shall be accompanied by a statutory declaration made by that person declaring that –

(B) the aggregate number of days during the year concerned in which the house was the subject of short term lettings did not exceed 90 days, and

(II) the house that was the subject of those short term lettings was, during the period of those lettings, the person's principal private residence.

(h) A planning authority shall enter all such information as is contained in the forms referred to in paragraphs (f) and (g) in the record maintained in accordance with paragraph 6.

Article 10 Changes of Use of the Planning and Development Regulations 2001, as amended, states that;

Development consisting of the use of not more than 4 bedrooms in a house, where each bedroom is used for the accommodation of not more than 4 persons as overnight guest accommodation, shall be exempted development for the purposes of the Act, provided that such development would not

contravene a condition attached to a permission under the Act or be inconsistent with any use specified or included in such a permission.

3. ASSESSMENT

a) *Site Location*

The subject site is located at Kiladangan, Puckaun, Nenagh, Co. Tipperary E45 CD96.

b) *Relevant Planning History*

2360302-Grant of permission to retain modifications to dwelling house granted permission under PL ref 5123933 as constructed and to retain storage shed constructed to side of house.

c) *Assessment*

B) "Is or is not Development"

Section 3A of the Planning and Development Act 2000, as amended states:

The use of a house or part of a house situated in a rent pressure zone for short term letting purposes is a material change in use of the house or part thereof, as the case may be.

"short term letting" is defined under the Planning and Development Act 2000, as amended as the *letting of a house or part of a house for any period not exceeding 14 days, and includes a licence that permits the licensee to enter and reside in the house or part thereof for any such period in consideration of the making by any person (whether or not the licensee) of a payment or payments to the licensor*

It appears the proposal as presented in the Declaration constitutes development under the Act being the use of part of a house for short term letting purposes. The application documentation does not make reference to the duration of the rental period and this information is required in order to make an informed assessment.

B) "Is or is not Exempted Development"

Article 6(5) Exempted Development of the Planning and Development Regulations 2001, as amended, states that;

(a) Each of the following shall be exempted development:

(i) development consisting of the short term letting in a rent pressure zone of not more than 4 bedrooms in a house that is the principal private residence of the landlord or licensor concerned provided that –

(I) it is a condition of the short term letting that each bedroom that is the subject of the letting shall not be occupied by more than 4 persons,

and

(II) the development –

- (A) does not contravene a condition attached to a permission granted in respect of the house under the Act, and
 - (B) is consistent with any use specified in any such permission;
- (ii) development consisting of the short term letting in a rent pressure zone of a house that is the principal private residence of the landlord or licensor concerned provided that –
 - (I) the aggregate number of days during a year in which the house is the subject of short term lettings does not exceed 90 days, and
 - (II) the development –
 - (A) does not contravene a condition attached to a permission granted in respect of the house under the Act, and
 - (B) is consistent with any use specified in any such permission.

Further information is required to establish whether the proposal meets the foregoing exemption. As part of the further information request the applicant can be advised of the notification obligations relating to short term lets.

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

It is recommended, pursuant to Section 5 (2) (b) of the Planning and Development Act to seek the following further information:

1. In relation to the proposed use of part of the dwelling for short term letting please confirm:
 - i) Whether the property is the principal private residence of the applicant.
 - ii) Whether the property owner will reside in the property while rooms are let.
 - iii) The duration of each letting period and cumulative duration of letting periods per year. **Note short term letting is defined as the letting of a house or apartment, or part of a house or apartment, for any period not exceeding 14 days**

2. The applicant is advised of the planning exemptions under Article 10 Changes of Use of the Planning and Development Regulations 2001, as amended, which states that;

Development consisting of the use of not more than 4 bedrooms in a house, where each bedroom is used for the accommodation of not more than 4 persons as overnight guest accommodation, shall be exempted development for the purposes of the Act, provided that such development would not contravene a condition attached to a permission under the Act or be inconsistent with any use specified or included in such a permission.

Please outline whether the use you intend to use the property for overnight guest accommodation in line with the foregoing provisions.

Senior Executive Planner: Jonathan Flood

Date: 3/6/2026

HABITATS DIRECTIVE APPROPRIATE ASSESSMENT (AA) SCREENING REPORT				
STEP 1. Description of the project/proposal and local site characteristics:				
(a) File Reference No:		S5/26/66		
(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		
I Response to consultation:		None		
STEP 2. Identification of relevant Natura 2000 sites using Source-Pathway-Receptor model and compilation of information on Qualifying Interests and conservation objectives.				
European Site (code)	List of Qualifying Interest/Special Conservation Interest ¹	Distance from proposed development ² (km)	Connections (Source-Pathway-Receptor)	Considered further in screening Y/N
002241	Lough Derg N-E Shore SAC https://www.npws.ie/protected-sites/sac/002241	<10km	None	N
004058	Lough Derg (Shannon) SPA https://www.npws.ie/protected-sites/spa/004058	<10km	None	N
004165	Slievefelim to Silvermines Mountains SPA https://www.npws.ie/protected-sites/spa/004165	<10km	None	N
004086	River Little Brosna Callows SPA https://www.npws.ie/protected-sites/spa/004086	<10km	None	N
004096	Middle Shannon Callows SPA https://www.npws.ie/protected-sites/spa/004096	<10km	None	N
004103	All Saints Bog SPA	<10km	None	N

	https://www.npws.ie/protected-sites/spa/004103			
004137	Dovegrove Callows SPA https://www.npws.ie/protected-sites/spa/004137	<15km	None	N
000216	River Shannon Callows https://www.npws.ie/protected-sites/saC/000216	<10km	None	N
000231	Barroughter Bog https://www.npws.ie/protected-sites/saC/000231	<15km	None	N
000566	All Saints Bog And Esker https://www.npws.ie/protected-sites/saC/000566	<10km	None	N
000585	Sharavogue Bog https://www.npws.ie/protected-sites/saC/000585	<15km	None	N
000641	Ballyduff/Clonfinane Bog https://www.npws.ie/protected-sites/saC/000641	<15km	None	N
000647	Kilcarren-Firville Bog https://www.npws.ie/protected-sites/saC/000647	<10km	None	N
000919	Ridge Road, Sw Of Rapemills https://www.npws.ie/protected-sites/saC/000919	<10km	None	N
001683	Liskeenan Fen https://www.npws.ie/protected-sites/saC/001683	<10km	None	N
002353	Redwood Bog https://www.npws.ie/protected-sites/saC/002353	<10km	None	N
002356	Ardgraique Bog https://www.npws.ie/protected-sites/saC/002356	<15km	None	N
000641	Ballyduff/Clonfinane Bog https://www.npws.ie/protected-sites/saC/000641	<10km	None	N

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. • Vegetation clearance • Demolition • Surface water runoff from soil excavation/infill/landscaping (including borrow pits) • Dust, noise, vibration • Lighting disturbance • Impact on groundwater/dewatering • Storage of excavated/construction materials • Access to site • Pests	No potential for impacts
Operational phase e.g. • Direct emission to air and water • Surface water runoff containing contaminant or sediment • Lighting disturbance • Noise/vibration • Changes to water/groundwater due to drainage or abstraction • Presence of people, vehicles and activities • Physical presence of structures (e.g. collision risks) • Potential for accidents or incidents	No potential for impacts
In-combination/Other	No potential for impacts
(b)Describe any likely changes to the European site:	
Examples of the type of changes to give consideration to include: • Reduction or fragmentation of habitat area • Disturbance to QI species • Habitat or species fragmentation • Reduction or fragmentation in species density • Changes in key indicators of conservation status value (water or air quality etc.) • Changes to areas of sensitivity or threats to QI • Interference with the key relationships that define the structure or ecological function of the site	No potential for impacts
I 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.	
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.	☒	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.	☐	☐ Request further information to complete screening ☐ Request NIS ☐ Refuse planning permission
(iii) Significant effects are likely.	☐	☐ Request NIS ☐ Refuse planning permission
Signed: Olive O'Donnell	Date:	06/03/2025

EIA Pre-Screening Establishing a development is a 'sub-threshold development'	
File Reference:	S5/25/66
Development Summary:	See Planners report
Was a Screening Determination carried out under Section 176A-C?	☐ Yes, no further action required ☒ 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)	
☐ Yes, specify class _____ Further information is required.	EIA is mandatory No Screening required
☐ 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)	
☐ No, the development is not a project listed in Schedule 5, Part 2	No Screening required
☐ 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
☐ 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?

☐ Yes, Schedule 7A information/screening report has been submitted by the applicant

Screening Determination required

☐ No, Schedule 7A information/screening report has not been submitted by the applicant

Preliminary Examination required

Signed: Olive O'Donnell

Date:

06/03/2025



Date: 4th June 2026

Our Ref: S5/26/66

Civic Offices, Nenagh

**Mary Hurley
Kiladangan
Puckaun
Nenagh
Co. Tipperary**

Re: Application for a Section 5 Declaration – Use of 2 bedrooms with en-suites in dwelling for short term rental on Air B and B at Kiladangan, Puckaun, Nenagh, Co. Tipperary.

Dear Mary,

I refer to an application received from you on 11th May 2026 requesting a Declaration from this Planning Authority as to whether or not certain works constitute development within the meaning of the Planning and Development Act 2000, as amended.

Further information is requested as follows;

It is recommended, pursuant to Section 5 (2) (b) of the Planning and Development Act to seek the following further information:

1. In relation to the proposed use of part of the dwelling for short term letting please confirm:
 - i. Whether the property is the principal private residence of the applicant.
 - ii. Whether the property owner will reside in the property while rooms are let.
 - iii. The duration of each letting period and cumulative duration of letting periods per year. **Note short-term letting is defined as the letting of a house or apartment, or part of a house or apartment, for any period not exceeding 14 days**

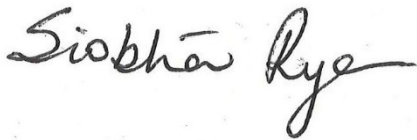
2. The applicant is advised of the planning exemptions under Article 10 Changes of Use of the Planning and Development Regulations 2001, as amended, which states that;

Development consisting of the use of not more than 4 bedrooms in a house, where each bedroom is used for the accommodation of not more than 4 persons as overnight guest accommodation, shall be exempted development for the purposes of the Act, provided that such development would not contravene a condition attached to a permission under the Act or be inconsistent with any use specified or included in such a permission.

Please outline whether the use you intend to use the property for overnight guest accommodation in line with the foregoing provisions.

Further consideration of your request for a declaration cannot be considered until the above information is received.

Yours sincerely

A handwritten signature in black ink, reading "Siobhán Rye". The signature is written in a cursive style with a large, stylized 'S' and 'R'.

for **Director of Services**

Siobhan Ryan
Tipperary County Council
Civic Offices
Nenagh
Co. Tipperary



09th June 2026

Your Ref: S5/26/66

Re: Application for a Section 5 Declaration – Use of 2 Bedrooms with ensuite in dwelling for short term rental on Air B& B at Kiladangan, Puckaun, Nenagh, Co Tipperary.

Dear Siobhan

Thank you for your letter dated 4th June 2026 requesting further information, pursuant to Section 5 (2) (b) of the Planning and Development Act.

In relation to the proposed use of part of my residential property for short term letting I confirm the following:

The property is the principal private residence of myself, the applicant.

I reside in the property and will while the rooms are let.

The duration of each letting period and cumulative duration of letting periods per year for any period will not exceed 14 days. (Most stay periods will be 1-2 nights)

I confirm that each bedroom is used for the accommodation of up to two persons per room per overnight stay for two bedrooms in total, at my residence at any period of time.

I would be grateful for further consideration of my request for a declaration of exemption for Planning with the above amended information.

Yours sincerely


Mary Hurley

Kiladangan,

Puckaun,

Nenagh,

Co Tipperary

E45 CD96



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 5000/600
e customerservice
@tipperarycoco.ie
tipperarycoco.ie

Date: 29th June 2026

Our Ref: S5/26/66

Civic Offices, Nenagh

**Mary Hurley
Kildangan
Puckaun
Nenagh
Co. Tipperary**

Re: Application for a Section 5 Declaration – Use of 2 bedrooms with en-suites in dwelling for short term rental on Air B and B at Kildangan, Puckaun, Nenagh, Co. Tipperary

Dear Mary,

I acknowledge receipt of Further Information received on 29th June 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.: S5/26/66

Applicant: Mary Hurley

Development Address: Kiladangan, Puckaun, Nenagh, Co. Tipperary.

Proposed Development: Use of 2 bedrooms with en-suites in dwelling for short term rental on Air B and B

1. GENERAL

On 11/5/2026 a request was made for a declaration under Section 5 of the Planning and Development Act 2000 (as amended) as to whether or not the following constitutes development and if so, whether same constitutes exempted development:

Use of 2 bedrooms with en-suites in dwelling for short term rental on Air B and B

The proposal relates to a dwelling located at Kiladangan, Puckaun, Nenagh, Co. Tipperary E45 CD96.

2. STATUTORY PROVISIONS

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 Act 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.

Article 6(5) Exempted Development of the Planning and Development Regulations 2001, as amended, states that;

(a) Each of the following shall be exempted development:

(i) development consisting of the short term letting in a rent pressure zone of not more than 4 bedrooms in a house that is the principal private residence of the landlord or licensor concerned provided that –

(I) it is a condition of the short term letting that each bedroom that is the subject of the letting shall not be occupied by more than 4 persons, and

(II) the development –

(A) does not contravene a condition attached to a permission granted in respect of the house under the Act, and

(B) is consistent with any use specified in any such permission;

(ii) development consisting of the short term letting in a rent pressure zone of a house that is the principal private residence of the landlord or licensor concerned provided that –

(I) the aggregate number of days during a year in which the house is the subject of short term lettings does not exceed 90 days, and

(II) the development –

(A) does not contravene a condition attached to a permission granted in respect of the house under the Act, and

(B) is consistent with any use specified in any such permission.

(b) Where a person proposes to undertake development to which paragraph (a) applies, he or she shall, not later than 2 weeks before the commencement of the development, notify the planning authority in whose functional area the proposed development will occur of the proposed development, or cause that planning authority to be so notified, in writing.

(c) A notification under paragraph (b), shall include the following –

(i) the name of the person giving the notification, or on whose behalf the notification is being given, and documentary confirmation that the proposed development relates to the person's principal private residence;

(ii) if the person giving the notification or on whose behalf the notification is being given is not the owner of the house concerned, the consent in writing of the owner to the proposed development;

(iii) the address and eircode of the house concerned;

(iv) contact information in relation to –

(I) the person giving the notification or on whose behalf the notification is being given, and

(II) the owner of the house concerned;

(v) in the case of proposed development to which subparagraph (i) of paragraph (a) applies, a statement that the proposed development is development to which that subparagraph applies;

(vi) in the case of proposed development to which subparagraph (ii) of paragraph (a) applies, a statement that the proposed development is development to which that subparagraph applies; and

(vii) such other information as the planning authority concerned may reasonably require

(d) A notification under paragraph (b), shall be accompanied by –

(i) such documentation as the planning authority concerned may reasonably require, and

(ii) in case the notification relates to development to which subparagraph (i) of paragraph (a) applies, a statutory declaration made by the person giving the notification, or on whose behalf the notification is being given, declaring that –

(I) the house in respect of which the proposed development is to be carried out is that person's principal private residence,

(II) not more than 4 bedrooms in that house will be subject to the short term letting concerned, and

(III) it will be a condition of the short term letting concerned that each such bedroom shall not be occupied by more than 4 persons.

(e) A planning authority shall maintain a record in writing of all information contained in a notification under paragraph (b).

(f) A person who proposes to carry out development to which subparagraph (ii) of paragraph (a) applies shall not later than 4 weeks after the commencement of each year in which he or she intends to carry out the proposed development and before the commencement of any such development in that year –

(i) complete Form No. 15 specified in Schedule 3 and give it to the planning authority in whose functional area the development will occur, and

(ii) provide that planning authority with a statutory declaration made by that person declaring that the house in respect of which the proposed development is to be carried out is that person's principal private residence.

(g) A person who carries out development to which subparagraph (ii) of paragraph (a) applies in any year shall –

(B) upon the expiration of 2 weeks after the day that is the 90th day on which such development occurs in that year, complete Form No. 16 specified in Schedule 3 and give it to the planning authority in whose functional area the development occurred, and

(ii) not later than 4 weeks after the end of that year, complete Form No. 17 specified in Schedule 3 and give it to the planning authority in whose functional area the development occurred,

and each such form shall be accompanied by a statutory declaration made by that person declaring that –

(B) the aggregate number of days during the year concerned in which the house was the subject of short term lettings did not exceed 90 days, and

(II) the house that was the subject of those short term lettings was, during the period of those lettings, the person's principal private residence.

(h) A planning authority shall enter all such information as is contained in the forms referred to in paragraphs (f) and (g) in the record maintained in accordance with paragraph 6.

Article 10 Changes of Use of the Planning and Development Regulations 2001, as amended, states that;

Development consisting of the use of not more than 4 bedrooms in a house, where each bedroom is used for the accommodation of not more than 4 persons as overnight guest accommodation, shall be exempted development for the purposes of the Act, provided that such development would not

contravene a condition attached to a permission under the Act or be inconsistent with any use specified or included in such a permission.

3. ASSESSMENT

a) *Site Location*

The subject site is located at Kiladangan, Puckaun, Nenagh, Co. Tipperary E45 CD96.

b) *Relevant Planning History*

2360302-Grant of permission to retain modifications to dwelling house granted permission under PL ref 5123933 as constructed and to retain storage shed constructed to side of house.

c) *Assessment*

B) "Is or is not Development"

Section 3A of the Planning and Development Act 2000, as amended states:

The use of a house or part of a house situated in a rent pressure zone for short term letting purposes is a material change in use of the house or part thereof, as the case may be.

"short term letting" is defined under the Planning and Development Act 2000, as amended as the *letting of a house or part of a house for any period not exceeding 14 days, and includes a licence that permits the licensee to enter and reside in the house or part thereof for any such period in consideration of the making by any person (whether or not the licensee) of a payment or payments to the licensor*

It appears the proposal as presented in the Declaration constitutes development under the Act being the use of part of a house for short term letting purposes. The application documentation does not make reference to the duration of the rental period and this information is required in order to make an informed assessment.

B) "Is or is not Exempted Development"

Article 6(5) Exempted Development of the Planning and Development Regulations 2001, as amended, states that;

(a) Each of the following shall be exempted development:

(i) development consisting of the short term letting in a rent pressure zone of not more than 4 bedrooms in a house that is the principal private residence of the landlord or licensor concerned provided that –

(I) it is a condition of the short term letting that each bedroom that is the subject of the letting shall not be occupied by more than 4 persons,
and

(II) the development –

(A) does not contravene a condition attached to a permission granted in respect of the house under the Act, and

(B) is consistent with any use specified in any such permission;

(ii) development consisting of the short term letting in a rent pressure zone of a house that is the principal private residence of the landlord or licensor concerned provided that –

(I) the aggregate number of days during a year in which the house is the subject of short term lettings does not exceed 90 days, and

(II) the development –

(A) does not contravene a condition attached to a permission granted in respect of the house under the Act, and

(B) is consistent with any use specified in any such permission.

Further information is required to establish whether the proposal meets the foregoing exemption. As part of the further information request the applicant can be advised of the notification obligations relating to short term lets.

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

It is recommended, pursuant to Section 5 (2) (b) of the Planning and Development Act to seek the following further information:

1. In relation to the proposed use of part of the dwelling for short term letting please confirm:
 - i) Whether the property is the principal private residence of the applicant.
 - ii) Whether the property owner will reside in the property while rooms are let.
 - iii) The duration of each letting period and cumulative duration of letting periods per year. **Note short term letting is defined as the letting of a house or apartment, or part of a house or apartment, for any period not exceeding 14 days**
2. The applicant is advised of the planning exemptions under Article 10 Changes of Use of the Planning and Development Regulations 2001, as amended, which states that;

Development consisting of the use of not more than 4 bedrooms in a house, where each bedroom is used for the accommodation of not more than 4 persons as overnight guest accommodation, shall be exempted development for the purposes of the Act, provided that such development would not contravene a condition attached to a permission

under the Act or be inconsistent with any use specified or included in such a permission.

Please outline whether the use you intend to use the property for overnight guest accommodation in line with the foregoing provisions.

Senior Executive Planner: Jonathan Flood

Date: 3/6/2026

5. FURTHER INFORMATION

Two points of further information were requested from the applicant in a letter dated 4th June 2026. The FI request is outlined below in italics with assessment under same in bold.

1. *In relation to the proposed use of part of the dwelling for short term letting please confirm:*

- i) Whether the property is the principal private residence of the applicant.*
- ii) Whether the property owner will reside in the property while rooms are let.*
- iii) The duration of each letting period and cumulative duration of letting periods per year. **Note short term letting is defined as the letting of a house or apartment, or part of a house or apartment, for any period not exceeding 14 days***

In response, it has been advised that:

- **The property is the principle private residence of the applicant;**
- **The property owner (the applicant) will reside in the property while rooms are let;**
- **The duration of each letting period and the cumulative duration of letting periods per year will not exceed 14 days.**

2. *The applicant is advised of the planning exemptions under Article 10 Changes of Use of the Planning and Development Regulations 2001, as amended, which states that;*

Development consisting of the use of not more than 4 bedrooms in a house, where each bedroom is used for the accommodation of not more than 4 persons as overnight guest accommodation, shall be exempted development for the purposes of the Act, provided that such development would not contravene a condition attached to a permission under the Act or be inconsistent with any use specified or included in such a permission.

Please outline whether you intend to use the property for overnight guest accommodation in line with the foregoing provisions.

In response, it has been advised that each bedroom is used for the accommodation of two persons per room and for two bedrooms in total.

I have examined the information received and consider the proposal meets planning exemptions under Article 10 Changes of Use and Article 6(5) of the Planning and Development Regulations 2001, as amended.

6. RECOMMENDATION

WHEREAS a question has arisen as to whether the 'Use of 2 bedrooms with en-suites in dwelling for short term rental on Air B and B' at Kiladangan, Puckaun, Nenagh, Co. Tipperary is development and is or is not exempted development:

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

- (a) Sections 2, 3 & 4 of the Planning and Development Act 2000 (as amended)
- (b) Articles 6, 9 and 10 of the Planning and Development Regulations 20001, as amended,
- (c) The plans and documentation submitted, including further information.

AND WHEREAS Tipperary County Council has concluded that –

The development consisting of the 'Use of 2 bedrooms with en-suites in dwelling for short term rental on Air B and B' is development and is exempted development.

NOW WHEREAS Tipperary County Council, in exercise of the powers conferred on it by section 5(2)(a) of the Planning and Development Act, 2000 Act, as amended, it is hereby decided that the the 'Use of 2 bedrooms with en-suites in dwelling for short term rental on Air B and B' **is development and is exempted development**.

District Planner:

Olive O'Donnell

Date: 15/07/2026

Senior Executive Planner:

Jonathan Flood

Date: 16/7/2026

HABITATS DIRECTIVE APPROPRIATE ASSESSMENT (AA) SCREENING REPORT				
STEP 1. Description of the project/proposal and local site characteristics:				
(a) File Reference No:		S5/26/66		
(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		
I Response to consultation:		None		
STEP 2. Identification of relevant Natura 2000 sites using Source-Pathway-Receptor model and compilation of information on Qualifying Interests and conservation objectives.				
European Site (code)	List of Qualifying Interest/Special Conservation Interest ¹	Distance from proposed development ² (km)	Connections (Source-Pathway-Receptor)	Considered further in screening Y/N
002241	Lough Derg N-E Shore SAC https://www.npws.ie/protected-sites/sac/002241	<10km	None	N
004058	Lough Derg (Shannon) SPA https://www.npws.ie/protected-sites/spa/004058	<10km	None	N
004165	Slievefelim to Silvermines Mountains SPA https://www.npws.ie/protected-sites/spa/004165	<10km	None	N
004086	River Little Brosna Callows SPA https://www.npws.ie/protected-sites/spa/004086	<10km	None	N
004096	Middle Shannon Callows SPA https://www.npws.ie/protected-sites/spa/004096	<10km	None	N
004103	All Saints Bog SPA https://www.npws.ie/protected-sites/spa/004103	<10km	None	N
004137	Dovegrove Callows SPA https://www.npws.ie/protected-sites/spa/004137	<15km	None	N

000216	River Shannon Callows https://www.npws.ie/protected-sites/saC/000216	<10km	None	N
000231	Barroughter Bog https://www.npws.ie/protected-sites/saC/000231	<15km	None	N
000566	All Saints Bog And Esker https://www.npws.ie/protected-sites/saC/000566	<10km	None	N
000585	Sharavogue Bog https://www.npws.ie/protected-sites/saC/000585	<15km	None	N
000641	Ballyduff/Clonfinane Bog https://www.npws.ie/protected-sites/saC/000641	<15km	None	N
000647	Kilcarren-Firville Bog https://www.npws.ie/protected-sites/saC/000647	<10km	None	N
000919	Ridge Road, Sw Of Rapemills https://www.npws.ie/protected-sites/saC/000919	<10km	None	N
001683	Liskeenan Fen https://www.npws.ie/protected-sites/saC/001683	<10km	None	N
002353	Redwood Bog https://www.npws.ie/protected-sites/saC/002353	<10km	None	N
002356	Ardgraique Bog https://www.npws.ie/protected-sites/saC/002356	<15km	None	N
000641	Ballyduff/Clonfinane Bog https://www.npws.ie/protected-sites/saC/000641	<10km	None	N

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.

- Vegetation clearance

No potential for impacts

• 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					
Operational phase e.g. • Direct emission to air and water • Surface water runoff containing contaminant or sediment • Lighting disturbance • Noise/vibration • Changes to water/groundwater due to drainage or abstraction • Presence of people, vehicles and activities • Physical presence of structures (e.g. collision risks) • Potential for accidents or incidents	No potential for impacts				
In-combination/Other	No potential for impacts				
(b)Describe any likely changes to the European site:					
Examples of the type of changes to give consideration to include: • Reduction or fragmentation of habitat area • Disturbance to QI species • Habitat or species fragmentation • Reduction or fragmentation in species density • Changes in key indicators of conservation status value (water or air quality etc.) • Changes to areas of sensitivity or threats to QI • Interference with the key relationships that define the structure or ecological function of the site	No potential for impacts				
I 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.					
The proposed development is not likely to have significant effects.					
Conclusion:					
	<table border="1"> <tr> <th>Tick as Appropriate:</th> <th>Recommendation:</th> </tr> <tr> <td>(i) It is clear that there is no likelihood of significant effects on</td> <td> ☒ The proposal can be screened out: Appropriate assessment not required. </td> </tr> </table>	Tick as Appropriate:	Recommendation:	(i) It is clear that there is no likelihood of significant effects on	☒ The proposal can be screened out: Appropriate assessment not required.
Tick as Appropriate:	Recommendation:				
(i) It is clear that there is no likelihood of significant effects on	☒ The proposal can be screened out: Appropriate assessment not required.				

a European site.		
(ii) It is uncertain whether the proposal will have a significant effect on a European site.	☐	☐ Request further information to complete screening ☐ Request NIS ☐ Refuse planning permission
(iii) Significant effects are likely.	☐	☐ Request NIS ☐ Refuse planning permission
Signed: Olive O'Donnell	Date:	06/03/2025

EIA Pre-Screening Establishing a development is a 'sub-threshold development'	
File Reference:	S5/25/66
Development Summary:	See Planners report
Was a Screening Determination carried out under Section 176A-C?	☐ Yes, no further action required ☒ 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)	
☐ Yes, specify class _____ Further information is required.	EIA is mandatory No Screening required
☐ 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)	
☐ No, the development is not a project listed in Schedule 5, Part 2	No Screening required
☐ 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
☐ 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?	

☐ Yes, Schedule 7A information/screening report has been submitted by the applicant	Screening Determination required	
☐ No, Schedule 7A information/screening report has not been submitted by the applicant	Preliminary Examination required	
Signed: Olive O'Donnell	Date:	06/03/2025



Date: 16th July 2026

Our Ref: S5/26/66

Civic Offices, Nenagh

Mary Hurley
Kildangan
Puckaun
Nenagh
Co. Tipperary

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

Dear Ms Hurley,

I refer to your application for a Section 5 Declaration received on 11th May 2026, and Further Information received on 29th June 2026 in relation to the following proposed works:

Use of 2 bedrooms with en-suites in dwelling for short term rental on Air B and B at Kiladangan, Puckaun, 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 & 4 of the Planning and Development Act 2000 (as amended)
- b) Articles 6, 9 and 10 of the Planning and Development Regulations 20001, as amended,
- c) The plans and documentation submitted, including further information.

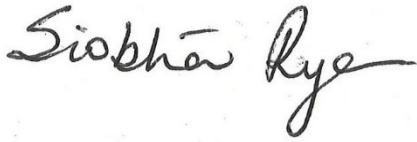
AND WHEREAS Tipperary County Council has concluded that –

The development consisting of the 'Use of 2 bedrooms with en-suites in dwelling for short term rental on Air B and B' is development and is exempted development.

NOW WHEREAS Tipperary County Council, in exercise of the powers conferred on it by section 5(2)(a) of the Planning and Development Act, 2000 Act, as amended, it is hereby decided that the the 'Use of 2 bedrooms with en-suites in dwelling for short term rental on Air B and B' **is development and is exempted development.**

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, reading "Siobhán Rye". The signature is written in a cursive style with a long, sweeping tail on the letter 'y'.

for **Director of Services**

Original

TIPPERARY COUNTY COUNCIL

DELEGATED EMPLOYEE'S ORDER

File Ref: **S5/26/66** **Delegated Employee's Order No:** _____

SUBJECT: Section 5 Declaration

I, Jonathan Flood, Senior Executive Planner, 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. 47880 dated 7th July 2026 hereby order

that pursuant to the provisions of the Planning and Development Act 2000, as amended, that an application under Section 5 from Mary Hurley, Kildangan, Puckaun, Nenagh, Co. Tipperary, Use of 2 bedrooms with en-suites in dwelling for short term rental on Air B and B is development and is exempted development.

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

- a) Sections 2, 3 & 4 of the Planning and Development Act 2000 (as amended)
- b) Articles 6, 9 and 10 of the Planning and Development Regulations 2000, as amended,
- c) The plans and documentation submitted, including further information.

AND WHEREAS Tipperary County Council has concluded that –

The development consisting of the 'Use of 2 bedrooms with en-suites in dwelling for short term rental on Air B and B' is development and is exempted development.

NOW WHEREAS Tipperary County Council, in exercise of the powers conferred on it by section 5(2)(a) of the Planning and Development Act, 2000 Act, as amended, it is hereby decided that the 'Use of 2 bedrooms with en-suites in dwelling for short term rental on Air B and B' **is development and is exempted development.**

Signed: Jonathan Flood
Jonathan Flood
Senior Executive Planner

Date: 16/07/2026