



Comhairle Contae Thiobraid Árann
Tipperary County Council



PLANNING & DEVELOPMENT ACT, 2000 (as amended)

Application for a Section 5 Declaration
Development / Exempted Development

1. Applicant's address/contact details:

<i>Applicant</i>	TOM EGAN
<i>Address</i>	CABRA, THURLES, CO. TIPPERARY
<i>Telephone No.</i>	
<i>E-mail</i>	

2. Agent's (if any) address:

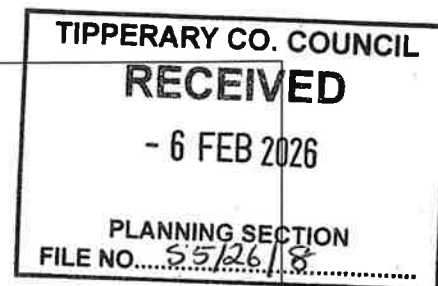
<i>Agent</i>	EOGHAN FRANKS
<i>Address</i>	10 RAILWAY VIEW TEMPLEMORE, CO. TIPPERARY
<i>Telephone No.</i>	
<i>E-mail</i>	

Please advise where all correspondence in relation to this application is to be sent;

Applicant [] Agent [X]

3. Location of Proposed Development:

<i>Postal Address or Townland or Location (as may best identify the land or structure in question)</i>	REISKA KILCOMMON THURLES 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.)

40MSQ EXTENSION TO THE REAR OF THE EXISTING DWELLING
Proposed floor area of proposed works/uses: 40 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 X	B. Occupier
	C. Other	
<i>Where legal interest is 'Other', please expand further on your interest in the land or structure</i>		

If you are not the legal owner, please state the name and address of the owner	Name:	TIPPERARY CO. COUNCIL RECEIVED - 6 FEB 2026 PLANNING SECTION FILE NO. <u>55/26/8</u>
	Address:	

Signature of Applicant(s)

Date: 03/02/2026

AGENT ON BEHALF OF APPLICANT

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

DATE STAMP

Fee Recd. € 80.00.

Receipt No NENAM 1/0/134944

Date 06.02.2026

Receipted by Cathal Malone

TIPPERARY CO. COUNCIL

RECEIVED

- 6 FEB 2026

PLANNING SECTION

FILE NO. 55/26/8



Cash Office
Tipperary County Council
Civic Offices
Nenagh
Co Tipperary

=====

06/02/2026 14:52:20

Receipt No. : NENAM1/0/134944

TOM EGAN
CABRA
THURLES
CO TIPPERARY

TIPPERARY COUNTY COUNCIL
CIVIC OFFICES
LIMERICK ROAD
E45 A099

MERCHANT ID:

TERMINAL ID:

DATE: 06/02/2026

WATCH: 000394-019

PN: 603714371552

sa Debit:

*****8307

*****0080

*****8003

TIME: 14:51

INVOICE: 024903

AUTH NO.: 627694

SALE

*

LE AMOUNT

€80.00

CUSTOMER NOT PRESENT

Free to pay the above final amount
according to the card/merchants issuer
agreement

CUSTOMER COPY

SECTION5 EXEMPTION DECLARATION 80
GOODS 80.00
VAT Exempt/Non-vatable
TOM EGAN

Total : 80.00 EUR

Tendered :
Credit Card 80.00

Change : 0.00

Issued By : CATHAL MALONE

From : TIPP CO NENAGH

Description:
=====

Digital Landscape Model (DLM)

Publisher / Source:
=====

Tailte Éireann

Data Source / Reference:
=====

PRIME2

File Format:
=====

Autodesk AutoCAD (DWG_R2013)

File Name:
=====

v_50515747_1.dwg

Clip Extent / Area of Interest (AOI):
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LLX,LLY= 591567.2,660274.77
LRX,LRY= 592150.2,660274.77
ULX,ULY= 591567.2,660704.77
URX,URY= 592150.2,660704.77

Projection / Spatial Reference:
=====

Projection= IRENET95_Irish_Transverse_Mercator

Centre Point Coordinates:
=====

X,Y= 591858.7,660489.77

Reference Index:
=====

Map Series | Map Sheets
1:2,500 | 4630-D
1:5,000 | 4631

Data Extraction Date:
=====

Date= 03-Feb-2026

Source Data Release:
=====

DCMLS Release V1.195.121

Product Version:
=====

Version= 1.4

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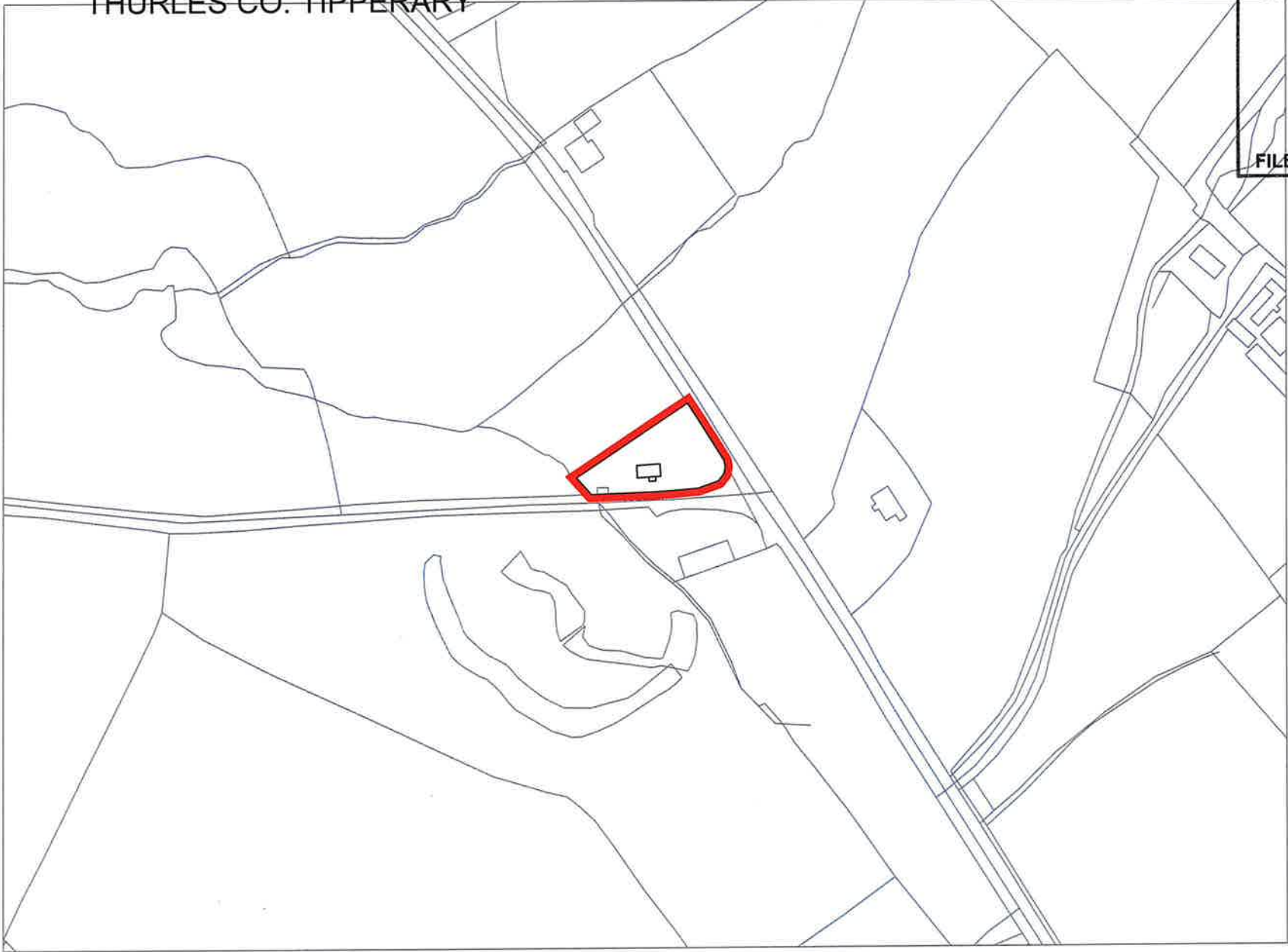
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does not show
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nor does it show
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LOCATION MAP
SITE AREA:0.16HA
SCALE: 1:2500
REISKA KILCOMMON
THURLES CO. TIPPERARY

APPLICATION BOUNDARY
LANDOWNERS LAND
PERMISSION
RETENTION



TIPPERARY CO. COUNCIL
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PLANNING SECTION
FILE NO. 55/26/8

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THESE DRAWINGS ARE NOT WORKING
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CONSTRUCTION TO BE IN ACCORDANCE
WITH ALL IRISH BUILDING REGULATIONS
AND CODES OF PRACTICE AT THE TIME OF
CONSTRUCTION.

THE CONTRACTOR MUST ENSURE THAT ALL
WORK PRACTICES ON SITE COMPLY WITH
B.S. 8000.



Eoghan Franks
Design & Planning

Cobbs, Templemore, Co. Tipperary
E: eoghanfranks@gmail.com M: 087 713781

Location Map

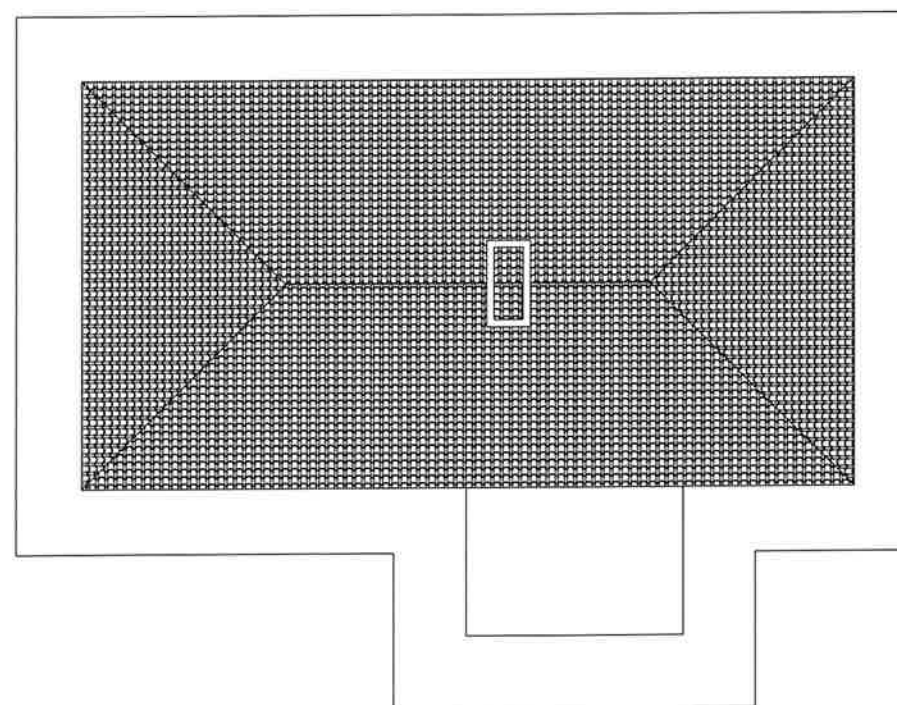
Project number	26-04	PP-101
Date	Jan 26	
Drawn by	DRW	
Checked by	CHK	
Scale	1 : 2500	

Tom Egan

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FILE NO. 55/26/3

PP-104 5

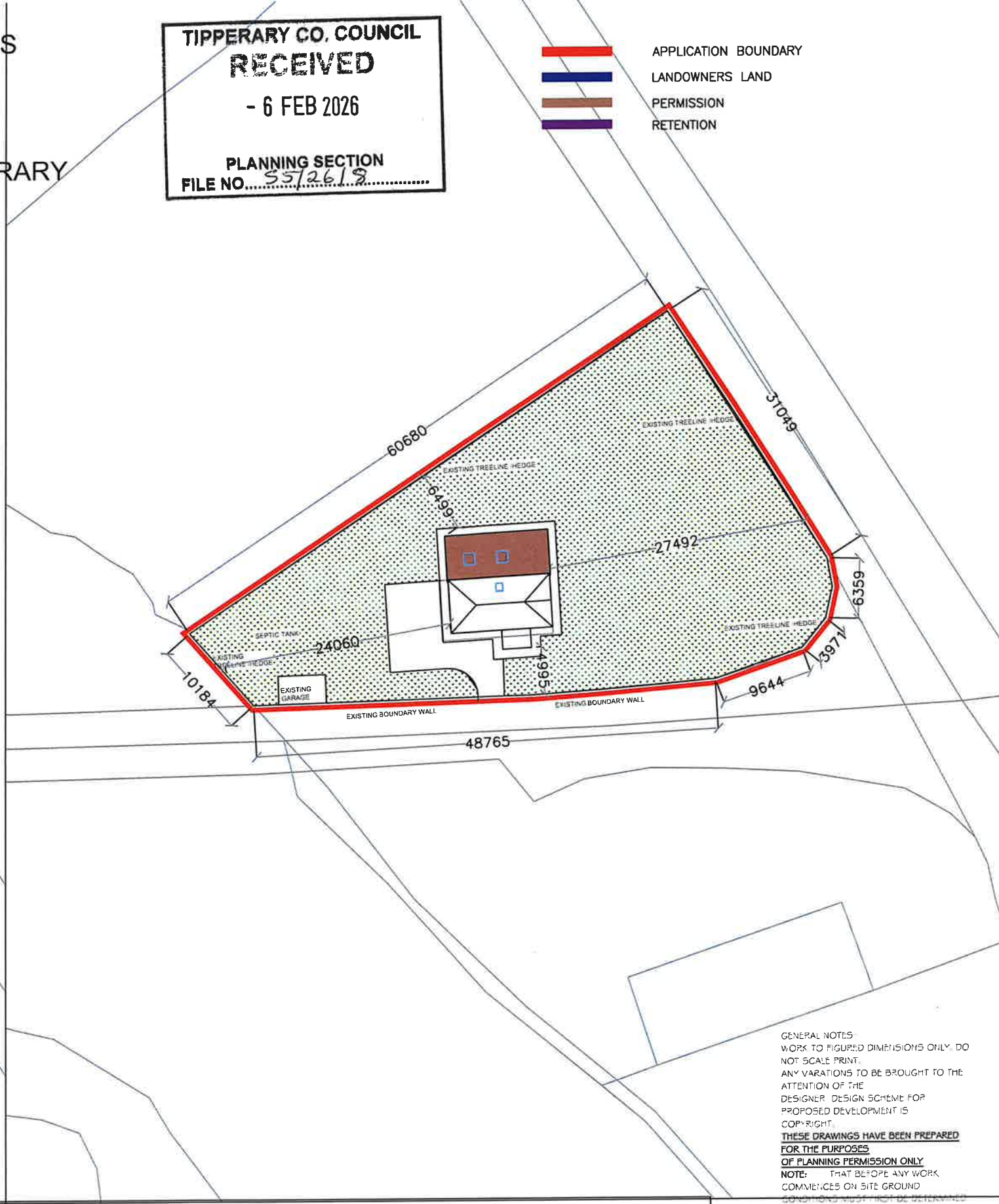


6 PP-104

SITER LAYOUT PLANS
 SITE AREA:0.16HA
 SCALE: 1:500
 REISKA KILCOMMON
 THURLES CO. TIPPERARY

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 FILE NO. 5572618

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THE CONTRACTOR MUST ENSURE THAT ALL WORK PRACTICES ON SITE COMPLY WITH BS 5800



Eoghan Franks
 Design & Planning

Cobbs, Templemore, Co. Tipperary
 E: eoghanfranks@gmail.com M: 087 713781

Site Layout Plans

Project number	26-04	PP-102/103
Date	Jan 26	
Drawn by	DRW	
Checked by	CHK	
Scale	1 : 500	

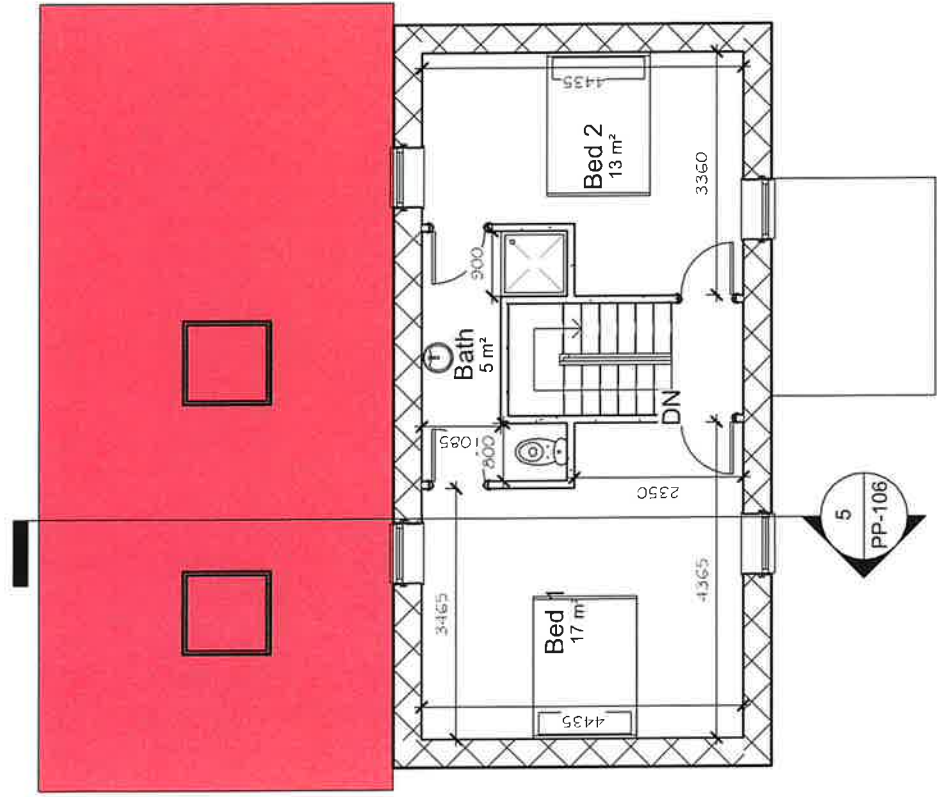
Tom Egan

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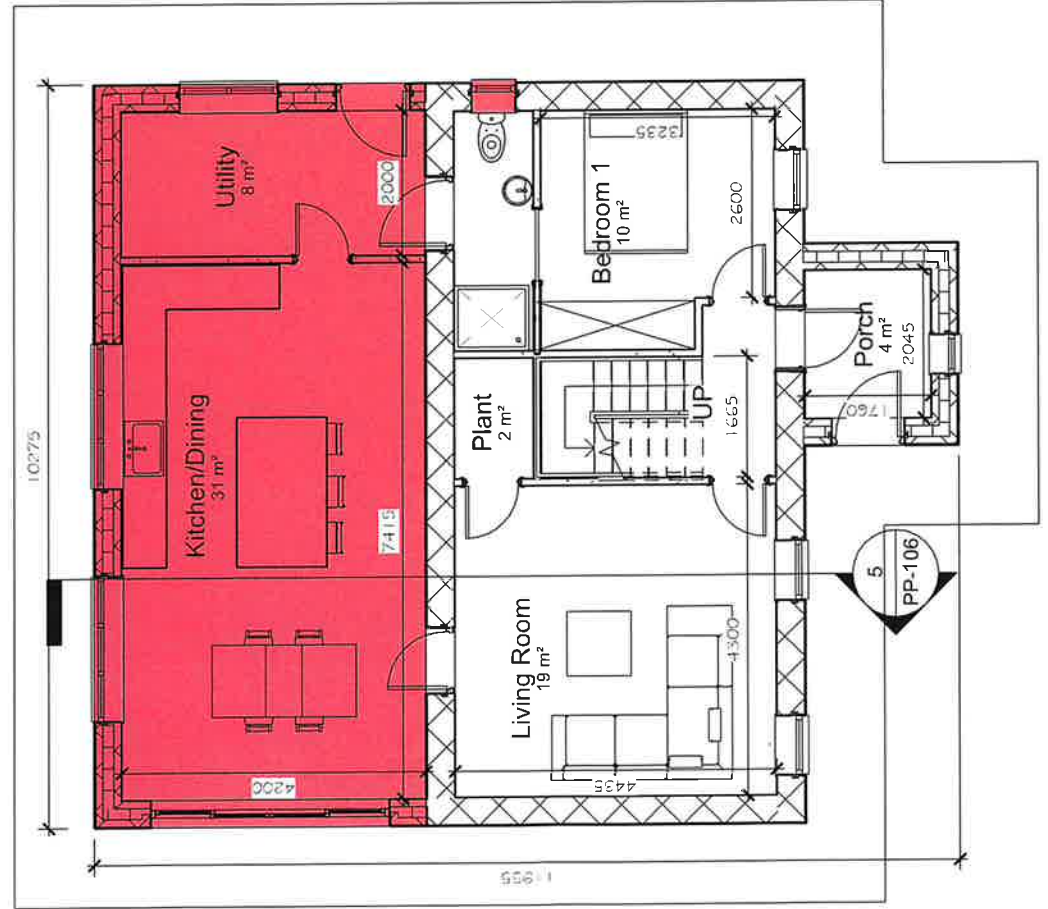
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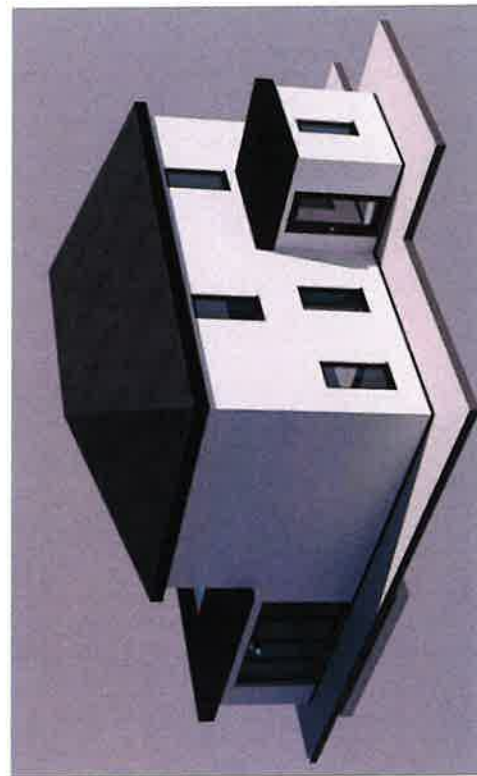
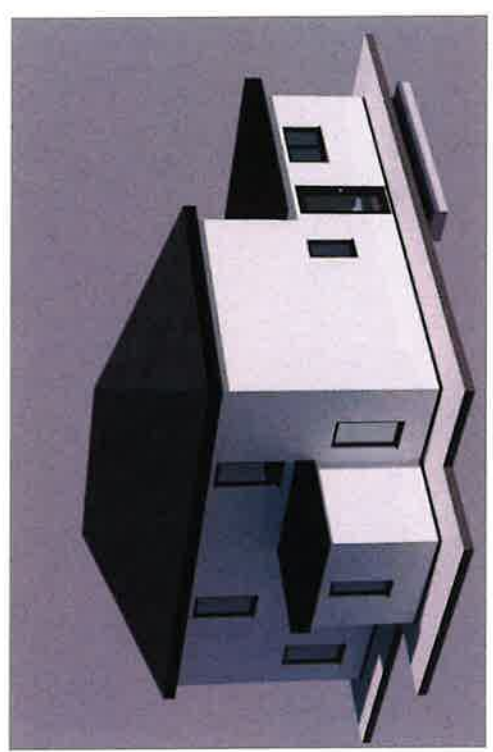
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AND CODES OF PRACTICE AT THE TIME
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THE CONTRACTOR MUST ENSURE THAT
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WITH B.S. 8000



2 First Floor Plan
1 : 100



1 Ground Floor Plan
1 : 100



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ALL WORKS TO COMPLY
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DIMENSIONS SHOULD BE
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TO COMMENCEMENT

Proposed Layout			
Project number	26-04	PP-105	
Date	JAN 2026	E.F.	E.F.
Drawn by		E.F.	E.F.
Checked by		E.F.	E.F.
Scale		1 : 100	



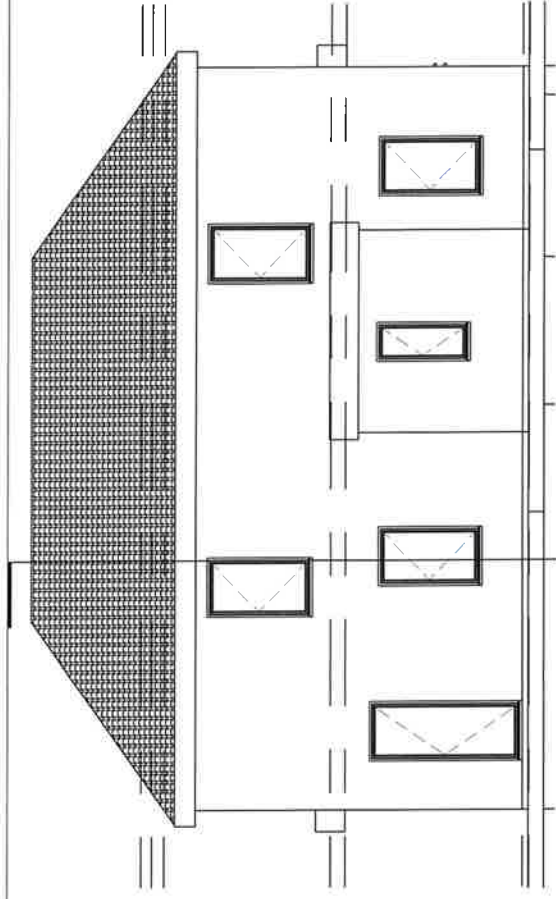
Eoghan Franks
Design & Planning

Cobbs, Templemore, Co. Tipperary
E: eoghanfranks@gmail.com M: 087 7103781

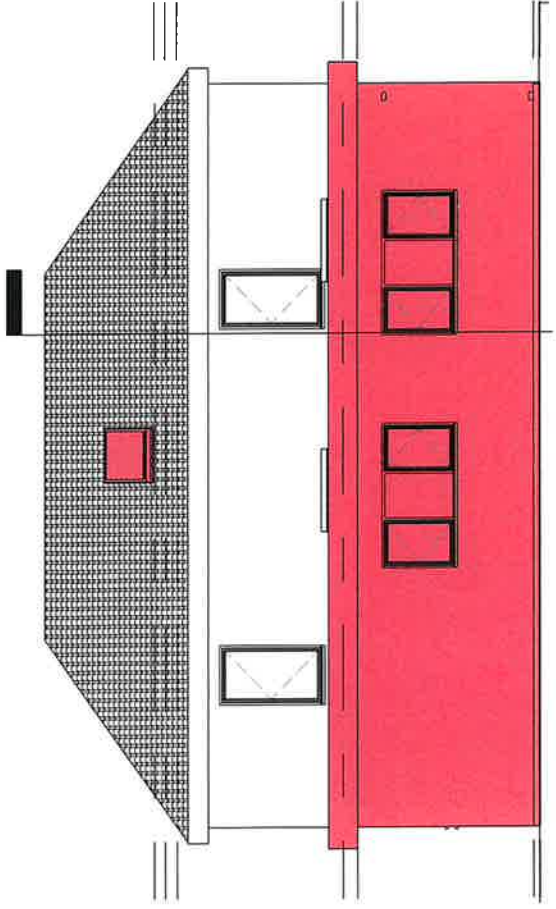
T Egan
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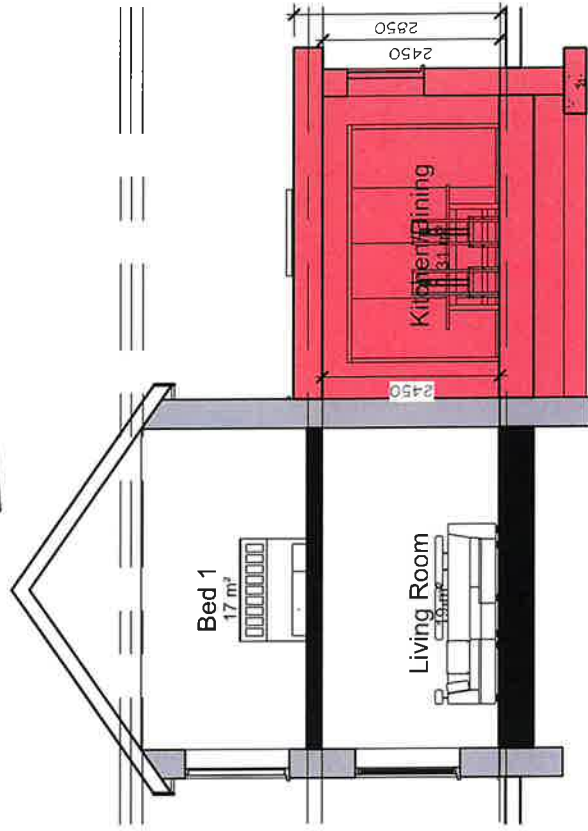


1 **Front Elevation**
1 : 100

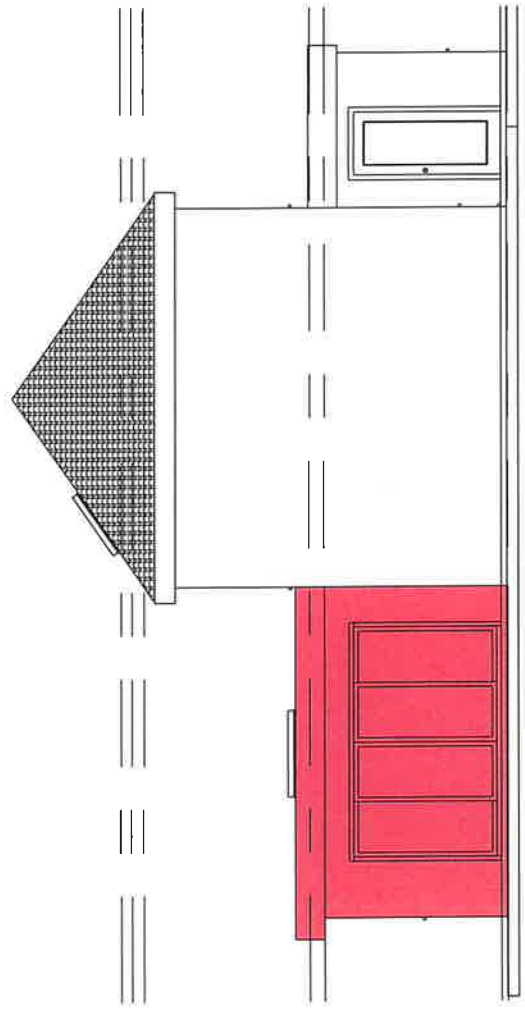


2 **Rear Elevation**
1 : 100

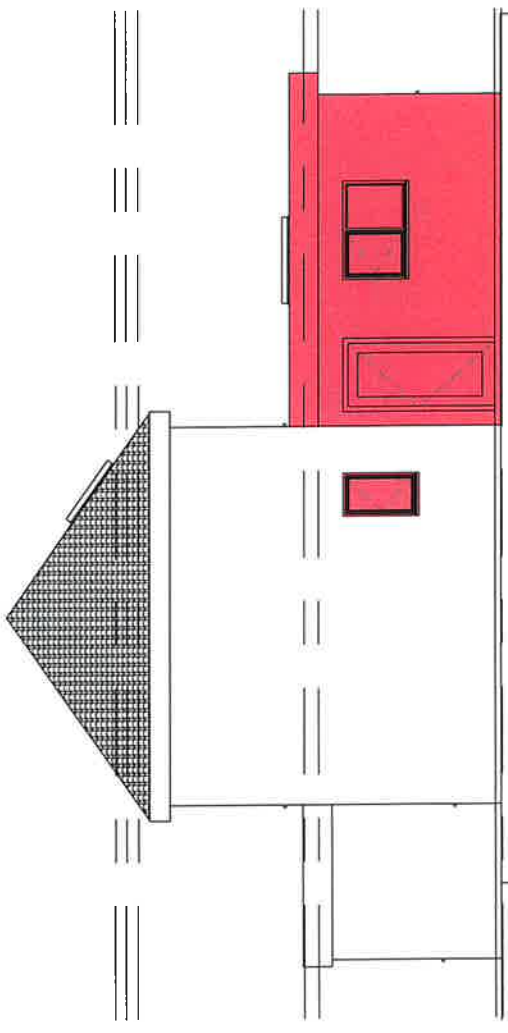
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FILE NO. 5.5/26.1.8.....



5 **Section 1**
1 : 100



3 **Side Elevation 1**
1 : 100



4 **Side Elevation 2**
1 : 100

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Eoghan Franks
Design & Planning

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E: eoghanfranks@gmail.com M: 087 7103781

Elevations & Section

Project number	26-04
Date	JAN 2026
Drawn by	Author
Checked by	Checker
Scale	1 : 100

PP-106

T Egan
REISKA
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THURLES
CO. TIPPERARY



Comhairle Contae Thiobraid Árann
Tipperary County Council

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

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

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

Date: 6th February, 2026

Our Ref: S5/26/8

Civic Offices, Nenagh

**Tom Egan
C/O Eoghan Franks
10 Railway View
Templemore
Co. Tipperary**

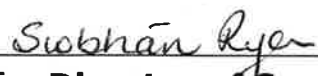
Re: Application for a Section 5 Declaration – Construction of an extension to rear of dwelling 40sqm, at Reiska, Kilcommon, Thurles, Co. Tipperary.

Dear Mr Egan,

I acknowledge receipt of your application for a Section 5 Declaration received on 6th February, 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.: S5/26/8
Applicant: Tom Egan
Development Address: Reiska, Kilcommon, Thurles, Co. Tipperary.
Proposed Development: 40sqm extension to the rear of the existing dwelling

1. GENERAL

On the 06/02/2025, 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 Reiska, Kilcommon, Thurles, Co. Tipperary.

- 40sqm extension to the rear of the existing dwelling

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.

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 Reiska, Kilcommon. It contains a detached dwelling.



b. Relevant Planning History

No planning history noted

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 constitutes “works” as understood by the Planning and Development Act 2000, as amended. The above listed proposals therefore constitute “development” within the meaning of the Planning and Development Act 2000, as amended.

B) *“Is or is not Exempted Development”*

The proposal is for an extension to an existing dwelling. The proposed extension would extend beyond the rear wall of the existing dwelling.

A review of the Classes of exempted development has been carried out. The following exemption, which pertains specifically to Development within the curtilage of a house, is noted:

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

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.

In the first instance, it is noted that there is no planning history pertaining to the existing dwelling on site and it is not clear when this dwelling would have been constructed. Further information is required from the applicant in relation to this matter.

The following is an 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.

As per the development description, the proposal is for an extension with a floorarea of 40sqm.

As above, there is no planning history pertaining to the existing dwelling on site and it is not clear when this dwelling would have been constructed. Furthermore, there is an existing single storey element to the front of the dwelling. It is not clear when this was constructed or if it comprises an original part of the dwelling or an extension. Further information is required from the applicant in relation to this matter.

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 above, there is an existing single storey element to the front of the dwelling. It is not clear when this was constructed or if it comprises an original part of the dwelling or an extension. There is no proposal to demolish same. It appears that the proposal is to use this as a front porch. Further information is required from the applicant in relation to this matter.

(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 detached house.

(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 only.

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 only.

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 would 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.

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 height of the highest part of the roof of any such extension would not exceed the height of the eaves or parapet.

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.

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

(b) Not applicable as the proposal relates to a ground floor extension only.

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.

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.

E) 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 at Reiska, Kilcommon, Thurles, Co. Tipperary is or is not exempted development:

- 40sqm extension to the rear of the existing dwelling

Section 5(2)(b) of the Planning and Development Act 2000, as amended states that:

‘A planning authority may require any person who made a request under subsection (1) to submit further information with regard to the request in order to enable the authority to issue the declaration on the question and, where further information is received under this paragraph, the planning authority shall issue the declaration within 3 weeks of the date of the receipt of the further information’.

Therefore, it is recommended that the following further information is sought from the applicant:

1.

- a) It appears from Council records that there is no planning history pertaining to the existing structure(s) on site, including the dwelling. The applicant is required to clarify what planning permission, if any, under which the dwelling was permitted.
- b) In the event the that dwelling was constructed or erected before 1 October 1964, the applicant’s response shall be furnished with evidence of same.

2. There is an existing single storey element to the front of the dwelling. It does not appear to be currently used as a porch. It is not clear when this was constructed or if it comprises an original part of the dwelling or an extension.
 - a) The applicant is required to clarify what planning permission, if any, under which the single storey element to the front of the dwelling was permitted.
 - b) In the event the that single storey element to the front of the dwelling was constructed or erected before 1 October 1964, the applicant's response shall be furnished with evidence of same.
3. It is noted that some external alterations are proposed, although these have not been described in section 4 of the application form. These include the provision of a ground floor flank wall window and a door in the side of the existing single storey element to the front of the dwelling. The applicant is required to clarify the full extent of works proposed.

District Planner:

Olive O'Donnell

Date: 25/02/2026

Senior Executive Planner:

Jonathan Flood

Date: 27/2/2026

HABITATS DIRECTIVE APPROPRIATE ASSESSMENT (AA) SCREENING REPORT

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

(a) File Reference No:	S5.26.8
(b) Brief description of the project or plan:	As per Planner's Report
(c) Brief description of site characteristics:	As per Planner's Report
(d) Relevant prescribed bodies consulted: e.g. DHLGH (NPWS), EPA, OPW	As per Planner's Report
(e) Response to consultation:	No

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
000939 Silvermine Mountain's SAC	https://www.npws.ie/protected-sites/sac/000939	Within 15km	None	No
002125 Anglesey Road SAC	https://www.npws.ie/protected-sites/sac/002125	Within 10km	None	No
001197 Keeper Hill SAC	https://www.npws.ie/protected-sites/sac/001197	Within 10km	None	No
002124 Bollingbrook Hill SAC	https://www.npws.ie/protected-sites/sac/002124	Within 10km	None	No
002137 Lower River Suir SAC	https://www.npws.ie/protected-sites/spa/002137	Within 10km	None	No
002165	https://www.npws.ie/protected-sites/spa/002165	Within 10km	None	No

Lower River Shannon SAC				
002258 Silvermines Mountains West SAC	https://www.npws.ie/protected-sites/sac/002258	Within 15km	None	No
004165 Slievefelim to Silvermines Mountains SPA	https://www.npws.ie/protected-sites/spa/004165	Within 500m	None	No

STEP 3. Assessment of Likely Significant Effects

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

Impacts:	Possible Significance of Impacts: (duration/magnitude etc.)
Construction phase e.g. • 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 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 impacts
In-combination/Other	No potential 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 impacts
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(c) Are ‘mitigation’ measures necessary to reach a conclusion that likely significant effects can be ruled out at screening?

☐ Yes ☒ No

STEP 4. Screening Determination Statement

The assessment of significance of effects:

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

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

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

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

An appropriate assessment is not, therefore, required

Conclusion:

	Tick as Appropriate:	Recommendation:
(i) It is clear that there is no likelihood of significant effects on a European site.	☒	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
Signature and Date of Recommending Officer:	Olive O'Donnell	Date: 25/02/2026

EIA PRE-SCREENING	
Establishing a development is a 'sub-threshold development'	
File Reference:	S5.26.8
Development Summary:	See section 2 of 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	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> : <u>Class 10 (b) (i)</u>	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



Date: 27th February 2026 Our Ref: S5/26/8 Civic Offices, Nenagh

Tom Egan
C/O Eoghan Franks
10 Railway View
Templemore
Co. Tipperary

Re: Application for a Section 5 Declaration – 40sqm extension to the rear of the existing dwelling at Reiska, Kilcommon, Thurles, Co. Tipperary.

Dear Sir,

I refer to an application received from you on 6th February 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 to request the following further information pursuant to Section 5 (2) (b) of the Planning and Development Act 2000, as amended

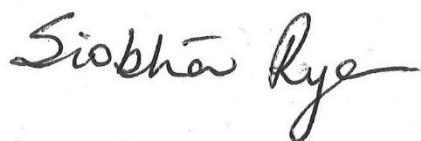
1.

- a) It appears from Council records that there is no planning history pertaining to the existing structure(s) on site, including the dwelling. The applicant is required to clarify what planning permission, if any, under which the dwelling was permitted.
- b) In the event the that dwelling was constructed or erected before 1 October 1964, the applicant's response shall be furnished with evidence of same.

2. There is an existing single storey element to the front of the dwelling. It does not appear to be currently used as a porch. It is not clear when this was constructed or if it comprises an original part of the dwelling or an extension.
- a) The applicant is required to clarify what planning permission, if any, under which the single storey element to the front of the dwelling was permitted.
- b) In the event that the single storey element to the front of the dwelling was constructed or erected before 1 October 1964, the applicant's response shall be furnished with evidence of same.
3. It is noted that some external alterations are proposed, although these have not been described in section 4 of the application form. These include the provision of a ground floor flank wall window and a door in the side of the existing single storey element to the front of the dwelling. The applicant is required to clarify the full extent of works proposed.

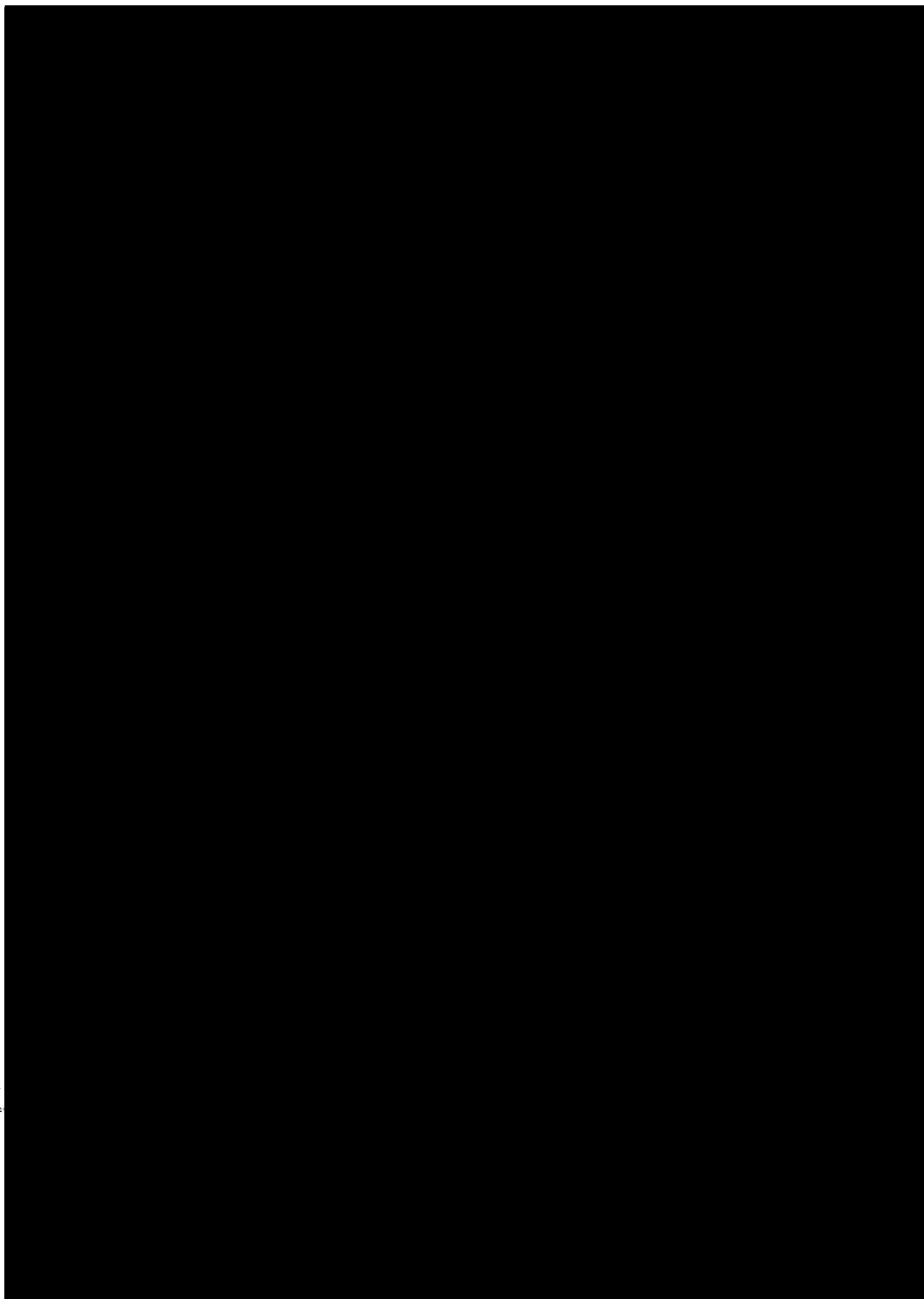
Further consideration of your request for a declaration cannot be considered until the above information is received.

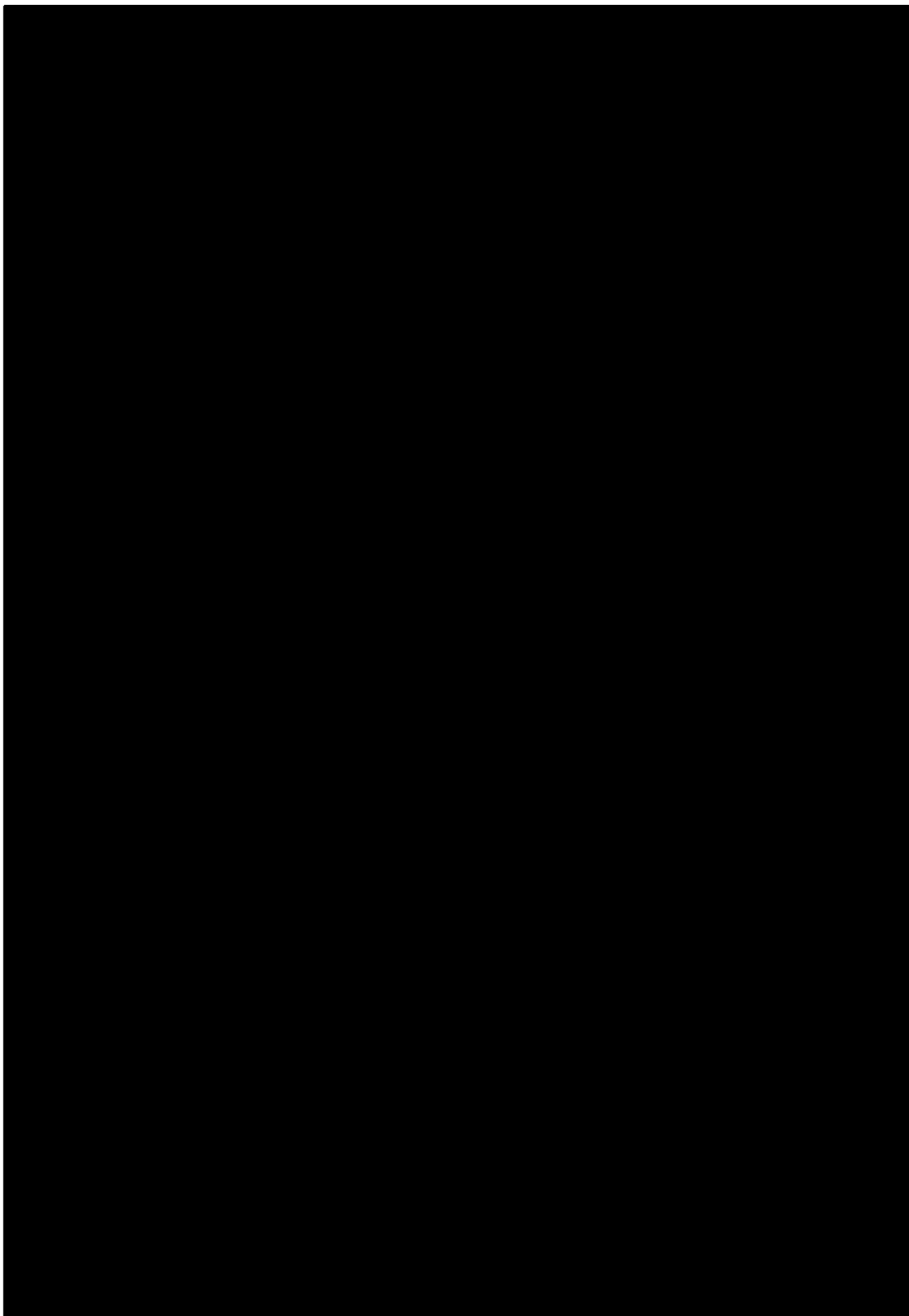
Yours sincerely

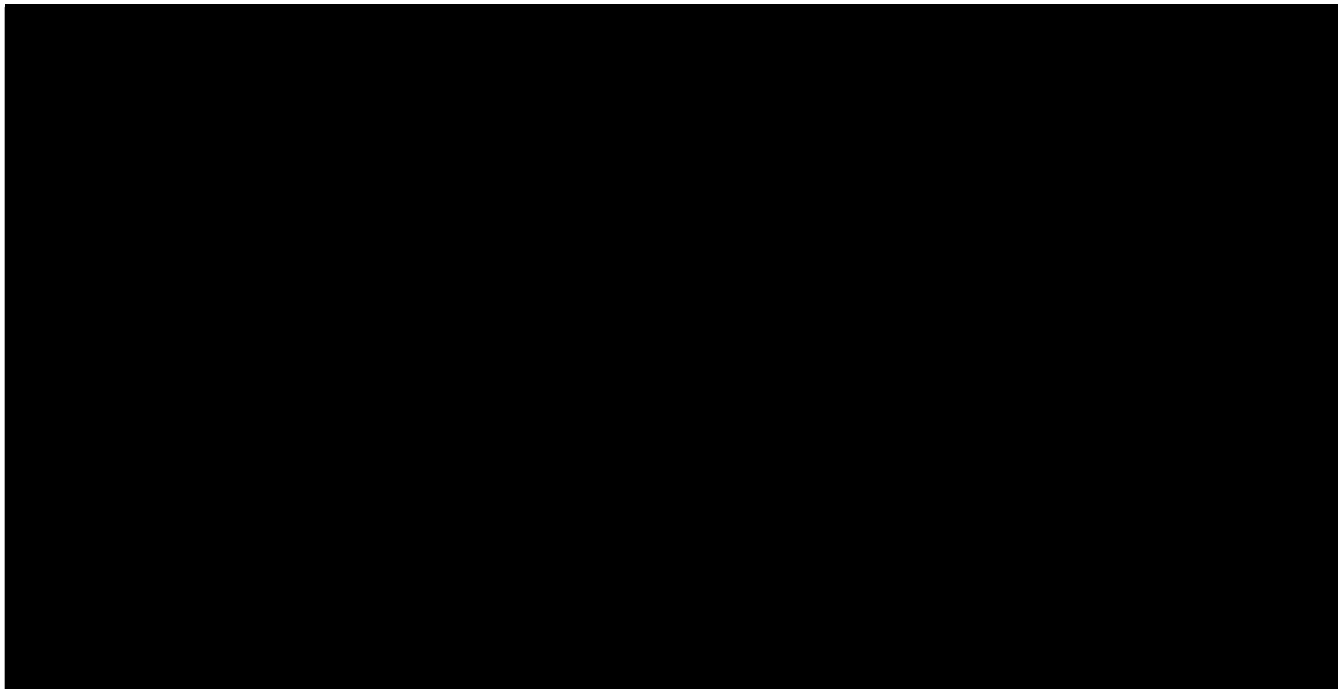
A handwritten signature in black ink, reading "Siobhán Rye". The signature is written in a cursive style with a long, sweeping tail on the letter 'y'.

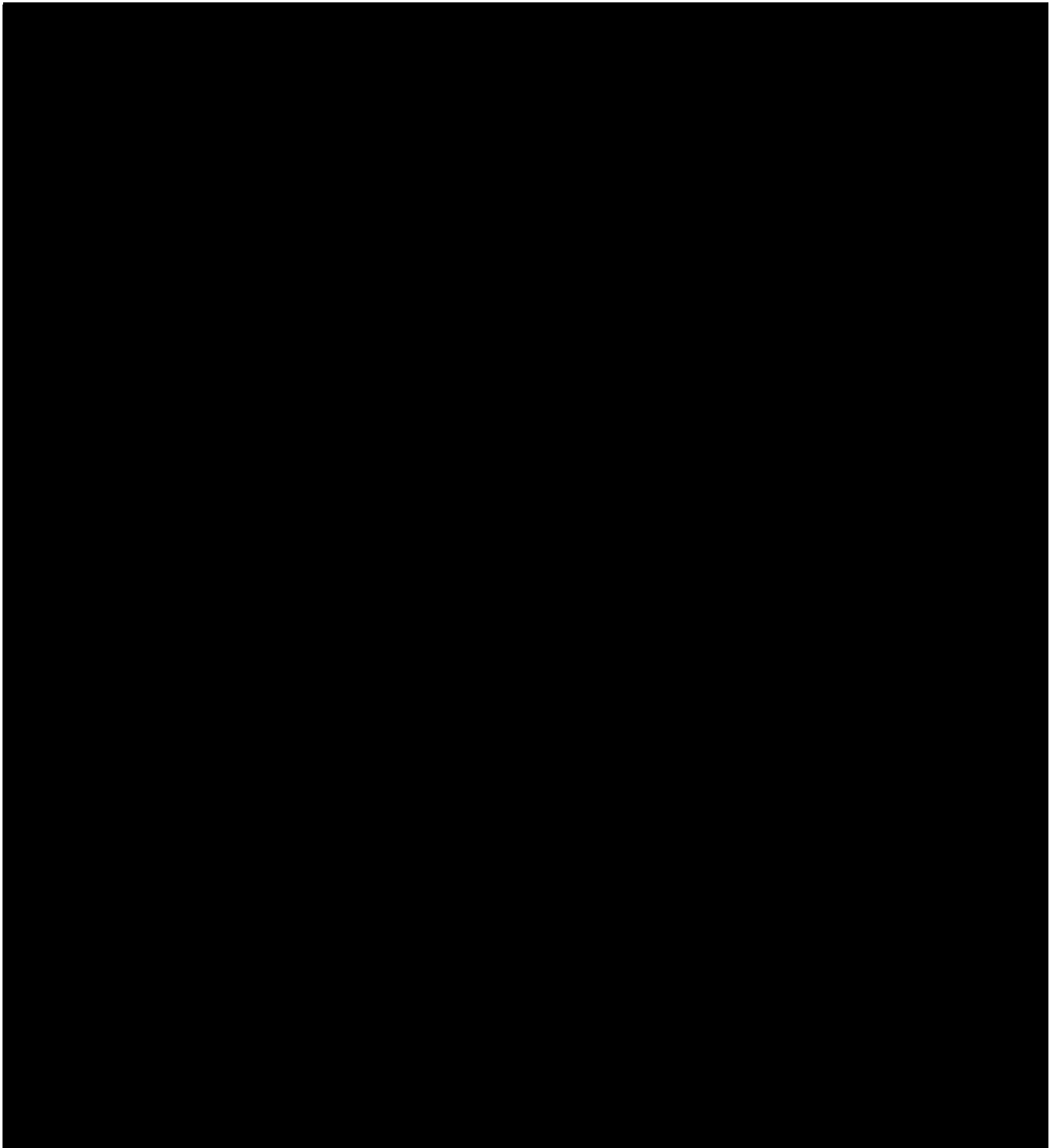
for **Director of Services**

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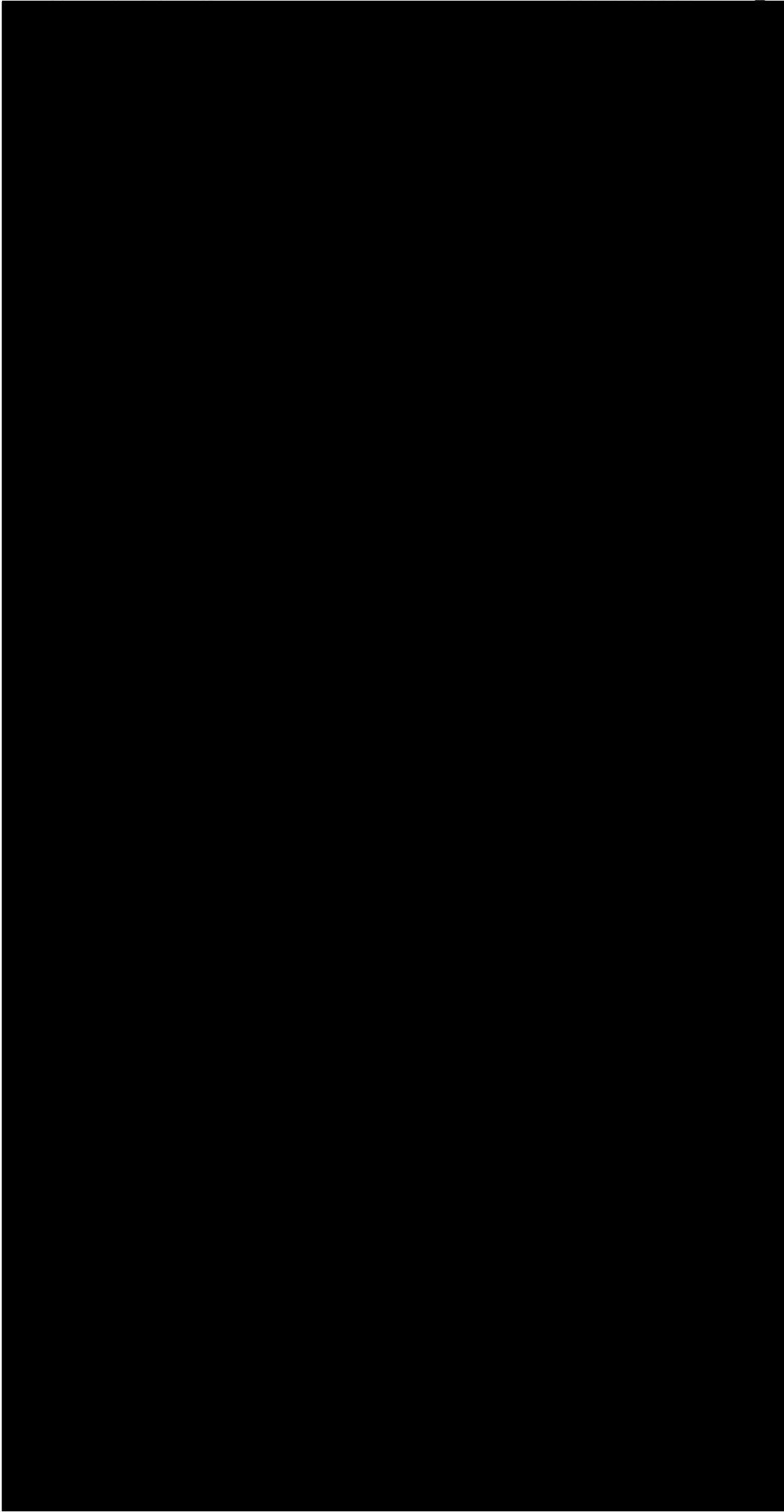






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Comhairle Contae Thiobraid Árann
Tipperary County Council

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

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

t 0818 06 5000/600
e customerservice
@tipperarycoco.ie
tipperarycoco.ie

Date: 19th June 2026

Our Ref: S5/26/8

Civic Offices, Nenagh

Tom Egan
C/O Eoghan Franks
10 Railway View
Templemore
Co. Tipperary

Re: Application for a Section 5 Declaration – 40sqm extension to the rear of the existing dwelling at Reiska, Kilcommon, Thurles, Co. Tipperary.

Dear Sir

I acknowledge receipt of Further Information received on 19th 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.: S5/26/8

Applicant: Tom Egan

Development Address: Reiska, Kilcommon, Thurles, Co. Tipperary.

Proposed Development: 40sqm extension to the rear of the existing dwelling

1. GENERAL

On the 06/02/2025, 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 Reiska, Kilcommon, Thurles, Co. Tipperary.

- 40sqm extension to the rear of the existing dwelling

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.

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 Reiska, Kilcommon. It contains a detached dwelling.



b. Relevant Planning History

No planning history noted

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 constitutes “works” as understood by the Planning and Development Act 2000, as amended. The above listed proposals therefore constitute “development” within the meaning of the Planning and Development Act 2000, as amended.

B) *“Is or is not Exempted Development”*

The proposal is for an extension to an existing dwelling. The proposed extension would extend beyond the rear wall of the existing dwelling.

A review of the Classes of exempted development has been carried out. The following exemption, which pertains specifically to Development within the curtilage of a house, is noted:

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

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.

In the first instance, it is noted that there is no planning history pertaining to the existing dwelling on site and it is not clear when this dwelling would have been constructed. Further information is required from the applicant in relation to this matter.

The following is an 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.

As per the development description, the proposal is for an extension with a floorarea of 40sqm.

As above, there is no planning history pertaining to the existing dwelling on site and it is not clear when this dwelling would have been constructed. Furthermore, there is an existing single storey element to the front of the dwelling. It is not clear when this was constructed or if it comprises an original part of the dwelling or an extension. Further information is required from the applicant in relation to this matter.

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 above, there is an existing single storey element to the front of the dwelling. It is not clear when this was constructed or if it comprises an original part of the dwelling or an extension. There is no proposal to demolish same. It appears that the proposal is to use this as a front porch. Further information is required from the applicant in relation to this matter.

(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 detached house.

(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 only.

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 only.

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 would 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.

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 height of the highest part of the roof of any such extension would not exceed the height of the eaves or parapet.

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.

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

(b) Not applicable as the proposal relates to a ground floor extension only.

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.

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.

E) 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 at Reiska, Kilcommon, Thurles, Co. Tipperary is or is not exempted development:

- 40sqm extension to the rear of the existing dwelling

Section 5(2)(b) of the Planning and Development Act 2000, as amended states that:

‘A planning authority may require any person who made a request under subsection (1) to submit further information with regard to the request in order to enable the authority to issue the declaration on the question and, where further information is received under this paragraph, the planning authority shall issue the declaration within 3 weeks of the date of the receipt of the further information’.

Therefore, it is recommended that the following further information is sought from the applicant:

1.

- a) It appears from Council records that there is no planning history pertaining to the existing structure(s) on site, including the dwelling. The applicant is required to clarify what planning permission, if any, under which the dwelling was permitted.
 - b) In the event the that dwelling was constructed or erected before 1 October 1964, the applicant's response shall be furnished with evidence of same.
2. There is an existing single storey element to the front of the dwelling. It does not appear to be currently used as a porch. It is not clear when this was constructed or if it comprises an original part of the dwelling or an extension.
- a) The applicant is required to clarify what planning permission, if any, under which the single storey element to the front of the dwelling was permitted.
 - b) In the event the that single storey element to the front of the dwelling was constructed or erected before 1 October 1964, the applicant's response shall be furnished with evidence of same.
3. It is noted that some external alterations are proposed, although these have not been described in section 4 of the application form. These include the provision of a ground floor flank wall window and a door in the side of the existing single storey element to the front of the dwelling. The applicant is required to clarify the full extent of works proposed.

District Planner:

Olive O'Donnell

Date: 25/02/2026

Senior Executive Planner:

Jonathan Flood

Date: 27/2/2026

5. FURTHER INFORMATION

Three points of further information were requested from the applicant in a letter dated 27/09/2006. The FI request is outlined below in italics with assessment under same in bold.

1.

- a) It appears from Council records that there is no planning history pertaining to the existing structure(s) on site, including the dwelling. The applicant is required to clarify what planning permission, if any, under which the dwelling was permitted.*
- b) In the event the that dwelling was constructed or erected before 1 October 1964, the applicant's response shall be furnished with evidence of same.*

In response, the applicant has submitted a cover letter and some supporting information. It seeks to demonstrate that the dwelling was constructed before 1 October 1964, possibly the late 1920's or early 1930's.

The content of the applicant's response is noted. However, in the absence of clear evidence, it cannot be concluded that the dwelling on site was constructed before 1 October 1964.

2. *There is an existing single storey element to the front of the dwelling. It does not appear to be currently used as a porch. It is not clear when this was constructed or if it comprises an original part of the dwelling or an extension.*

- a) The applicant is required to clarify what planning permission, if any, under which the single storey element to the front of the dwelling was permitted.*
- b) In the event the that single storey element to the front of the dwelling was constructed or erected before 1 October 1964, the applicant's response shall be furnished with evidence of same.*

The applicant has not sought to address this particular matter.

3. *It is noted that some external alterations are proposed, although these have not been described in section 4 of the application form. These include the provision of a ground floor flank wall window and a door in the side of the existing single storey element to the front of the dwelling. The applicant is required to clarify the full extent of works proposed.*

The applicant has not sought to address this particular matter.

I have examined the information received and note the commentary regarding the physical characteristics of the dwelling house. Noting same and the available photographic evidence of the dwelling I consider the dwelling was likely developed pre 1964.

The position regarding the flat roofed element at the front of the dwelling is uncertain and has not been specifically addressed in the FI reply. Neither has the works shown on the drawings- Jonathan Flood, Senior Executive Planner 10/7/2026

6. SCREENING

AA

I have undertaken an Appropriate Assessment Screening which concludes that significant effects of the development on the Any Natura 2000 sites can be excluded. See AA Screening below.

EIA

The proposed change of use does not come within the definition of a 'project' for the purposes of EIA, that is, it does not comprise construction works, demolition or intervention in the natural surroundings. See Screening Report attached.

7. RECOMMENDATION

WHEREAS a question has arisen as to whether 'a 40sqm extension to the rear of the existing dwelling' at Reiska, Kilcommon, Thurles, Co. Tipperary is development and is or is not exempted development.

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

- (a) Sections 2, 3 and 4 of the Planning and Development Act, 2000, as amended
- (b) Article 6 and 9 of the Planning and Development Regulations 2001, as amended,
- (c) The declaration application and supporting information,
- (d) The response to the request for Further Information,

AND WHEREAS Tipperary County Council has concluded that –

the '40sqm extension to the rear of the existing dwelling' at Reiska, Kilcommon, Thurles, Co. Tipperary is development and is **not exempted development** as:

- Insufficient information has been provided to demonstrate the planning status of the existing development on the site.

District Planner:

Olive O'Donnell

Date: 07/07/2026

Senior Executive Planner:

Jonathan Flood

Date: 10/7/2026

HABITATS DIRECTIVE APPROPRIATE ASSESSMENT (AA) SCREENING REPORT

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

(a) File Reference No:	S5.26.8
(b) Brief description of the project or plan:	As per Planner's Report
(c) Brief description of site characteristics:	As per Planner's Report
(d) Relevant prescribed bodies consulted: e.g. DHLGH (NPWS), EPA, OPW	As per Planner's Report
(e) Response to consultation:	No

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
000939 Silvermine Mountain's SAC	https://www.npws.ie/protected-sites/sac/000939	Within 15km	None	No
002125 Anglesey Road SAC	https://www.npws.ie/protected-sites/sac/002125	Within 10km	None	No
001197 Keeper Hill SAC	https://www.npws.ie/protected-sites/sac/001197	Within 10km	None	No
002124 Bollingbrook Hill SAC	https://www.npws.ie/protected-sites/sac/002124	Within 10km	None	No

002137 Lower River Suir SAC	https://www.npws.ie/protected-sites/spa/002137	Within 10km	None	No
002165 Lower River Shannon SAC	https://www.npws.ie/protected-sites/spa/002165	Within 10km	None	No
002258 Silvermines Mountains West SAC	https://www.npws.ie/protected-sites/sac/002258	Within 15km	None	No
004165 Slievefelim to Silvermines Mountains SPA	https://www.npws.ie/protected-sites/spa/004165	Within 500m	None	No

STEP 3. Assessment of Likely Significant Effects

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

Impacts:	Possible Significance of Impacts: (duration/magnitude etc.)
Construction phase e.g. • 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 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	No potential impacts

- Physical presence of structures (e.g. collision risks) - Potential for accidents or incidents	
In-combination/Other	No potential 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 impacts
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(c) Are 'mitigation' measures necessary to reach a conclusion that likely significant effects can be ruled out at screening?

☐ Yes ☒ No

STEP 4. Screening Determination Statement

The assessment of significance of effects:

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

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

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

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

An appropriate assessment is not, therefore, required

Conclusion:

	Tick as Appropriate:	Recommendation:
(i) It is clear that there is no likelihood of significant effects on a European site.	☒	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
Signature and Date of Recommending Officer:	Olive O'Donnell	Date: 25/02/2026

EIA PRE-SCREENING	
Establishing a development is a 'sub-threshold development'	
File Reference:	S5.26.8
Development Summary:	See section 2 of 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	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> : <u>Class 10 (b) (i)</u>	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



Date: 15th July 2026

Our Ref: S5/26/8

Civic Offices, Nenagh

Tom Egan
C/O Eoghan Franks
10 Railway View
Templemore
Co. Tipperary

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

Dear Mr Egan,

I refer to your application for a Section 5 Declaration received on 6th February, 2026, and Further Information received on 19th June 2026 in relation to the following proposed works:

40 sqm extension to the rear of the existing dwelling at Reiska, Kilcommon, Thurles, Co. Tipperary.

WHEREAS a question has arisen as to whether the proposed development is or is not exempted development:

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

- a) Sections 2, 3 and 4 of the Planning and Development Act, 2000, as amended
- b) Article 6 and 9 of the Planning and Development Regulations 2001, as amended,
- c) The declaration application and supporting information,
- d) The response to the request for Further Information,

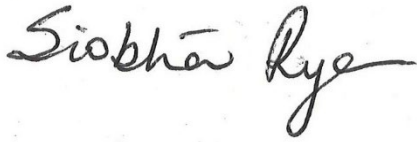
AND WHEREAS Tipperary County Council has concluded that –

the '40sqm extension to the rear of the existing dwelling' at Reiska, Kilcommon, Thurles, Co. Tipperary is development and is **not exempted development** as:

Insufficient information has been provided to demonstrate the planning status of the existing development on the site.

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: **S5/26/8** **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 Tom Egan, C/O Eoghan Franks, 10 Railway View, Templemore, Co. Tipperary, 40sqm extension to the rear of the existing dwelling at Reiska, Kilcommon, Thurles, Co. Tipperary is development and is not exempted development.

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

- a) Sections 2, 3 and 4 of the Planning and Development Act, 2000, as amended
- b) Article 6 and 9 of the Planning and Development Regulations 2001, as amended,
- c) The declaration application and supporting information,
- d) The response to the request for Further Information,

AND WHEREAS Tipperary County Council has concluded that – the '40sqm extension to the rear of the existing dwelling' at Reiska, Kilcommon, Thurles, Co. Tipperary is development and is **not exempted development** as:

- Insufficient information has been provided to demonstrate the planning status of the existing development on the site.

Signed:

Jonathan Flood

Jonathan Flood
Senior Executive Planner

Date: 15/07/2026