



Housing Section  
 03 JUN 2026  
 Tipperary Co. Council

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

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

**1. Applicant's address/contact details:**

Applicant	ANGELA CLEAR
Address	33 ROSEMOUNT PARK ROSEGREEN Co. TIPPERARY.
Telephone No.	[REDACTED]
E-mail	[REDACTED]

**2. Agent's (if any) address:**

Agent	n/a
Address	n/a
Telephone No.	n/a
E-mail	

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

Applicant [  ] Agent [  ]

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 PLANNING SECTION  
 FILE NO. 55/26/93

**3. Location of Proposed Development:**

Postal Address or Townland or Location (as may best identify the land or structure in question)	33 ROSEMOUNT PARK. ROSEGREEN Co. TIPPERARY.
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Receipt No 204319  
Issued 03 06 2026  
€50-00 card

Tipperary County Council  
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 03 JUN 2026  
 CASH OFFICE  
 Civic Offices, Clonmel

**4. Development Details:**

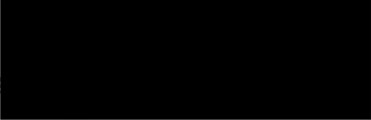
Please provide details of the proposed development for which an exemption under Section 5 of the Planning and Development Act is applied for.

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

PROPOSED SINGLE STOREY REAR EXTENSION
24m <sup>2</sup> .
FOR THE PURPOSES OF HOUSING ADAPTATION
GRANT, 1 ACCESSIBLE BEDROOM AND
BATHROOM.
Proposed floor area of proposed works/uses:      • sqm

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

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

Signature of Applicant(s) 

Date: 19/05/2020.

**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.

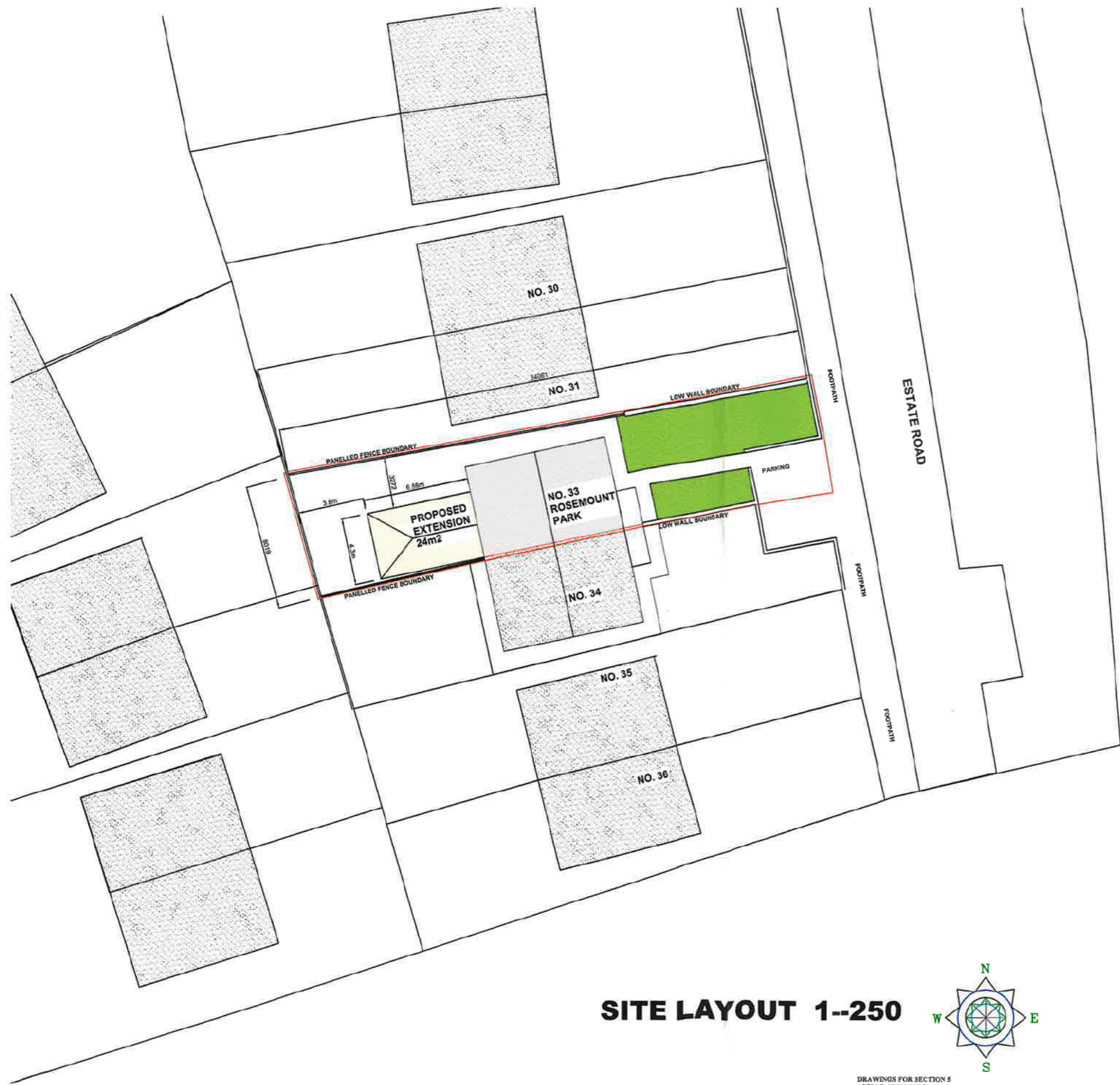
**This application form and relevant fee should be submitted to:**

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

**FOR OFFICE USE ONLY**

<b>Fee Recd. €</b> <u>70.00</u>	<b>DATE STAMP</b> TIPPERARY CO. COUNCIL RECEIVED 03 JUN 2026 PLANNING SECTION FILE NO. <u>SS/26/93</u>
Receipt No <u>204309</u>	
Date <u>03.06.2026</u>	
Received by <u>C. Anon</u>	





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 PLANNING SECTION  
 FILE NO. SS/26/93

**SITE AREA 0.026 H**

**Proposed Site Plan 1-250**  
 DRAWING FOR SECTION 5  
 APPLICATION

Dwg Status: SECTION 5

Rev.	Date	Description	By	App.

**PAUL NUGENT**  
 RIAI (Arch. Tech.)  
 BALLYLOOBY, CAHIR, CO. TIPPERARY, IRELAND.  
 Tel: 086 8227819 E-mail: pnugent94@gmail.com



Clerk: ANGELA CLEAR  
 Job: PROPOSED SINGLE STOREY EXTENSION  
 BEDROOM AND WETROOM-Housing Adaption Grant

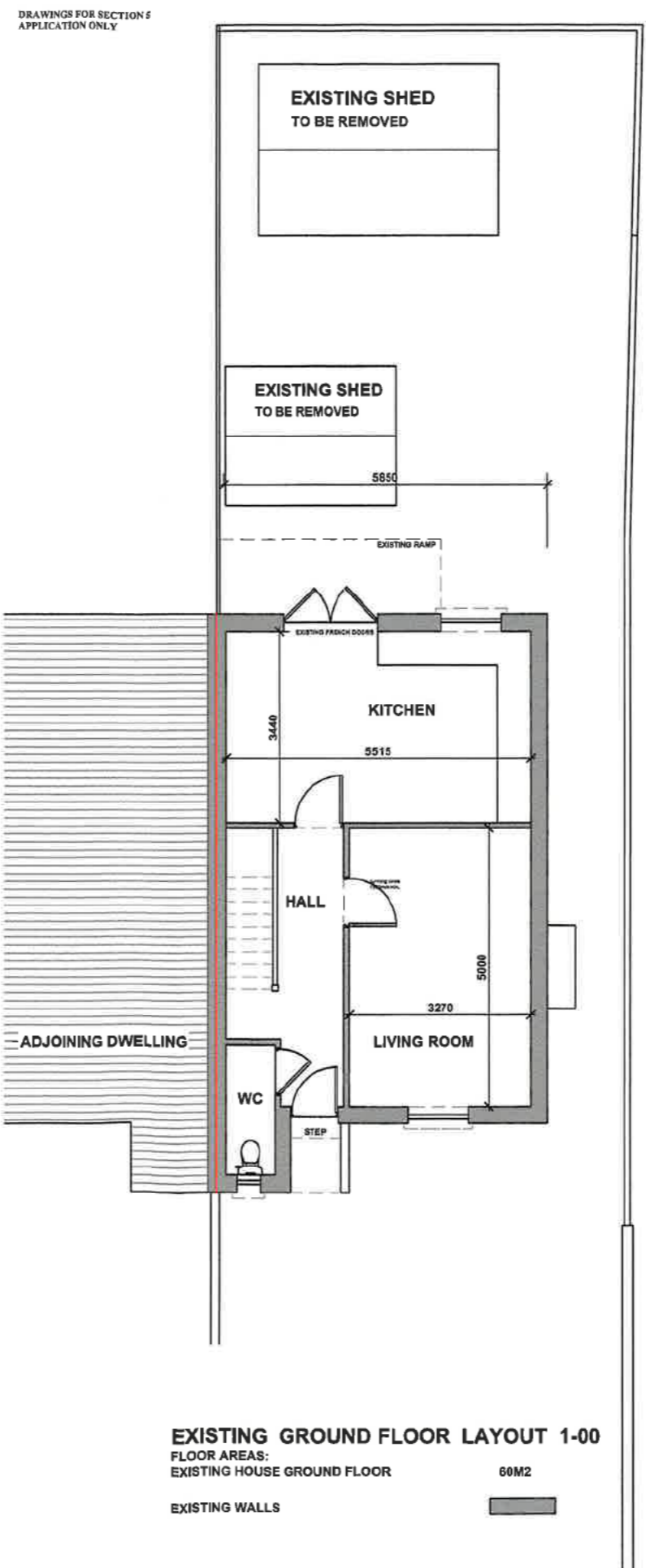
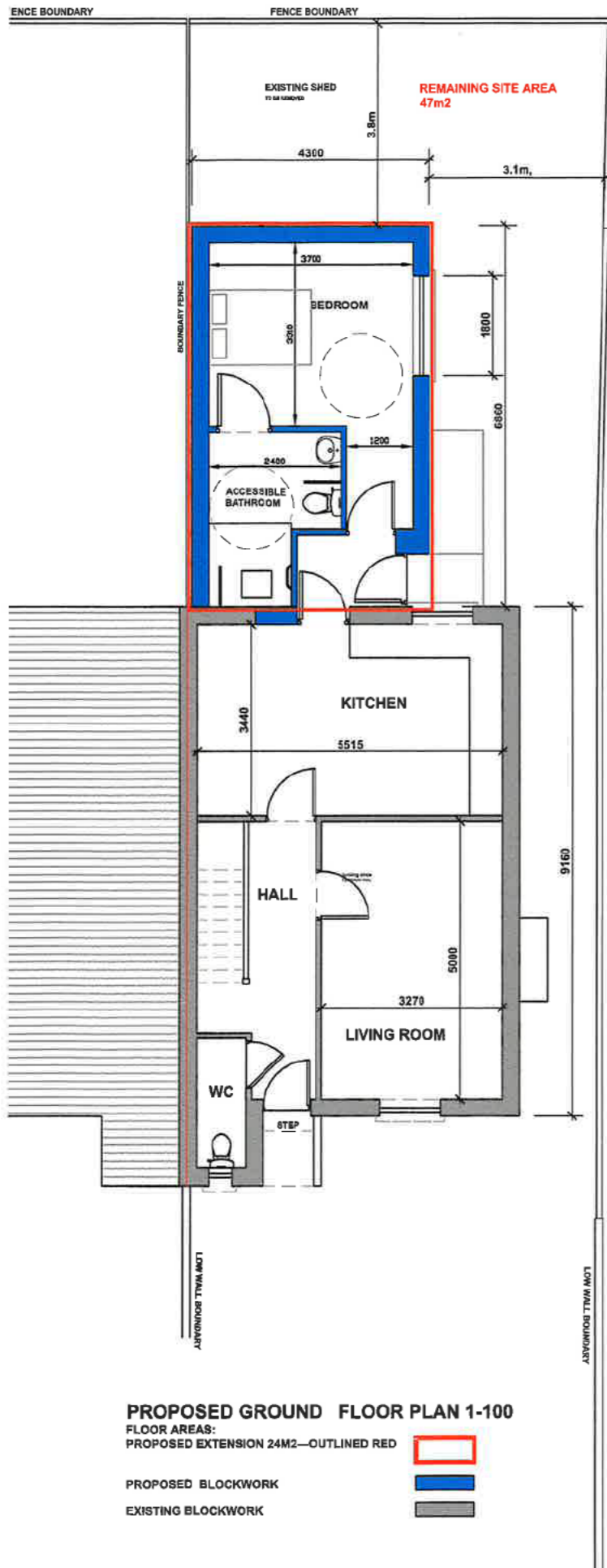
Dwg No: SITE LAYOUT 1-250

Scale	Dwg No.	Job No.	Dwg. No.	Rev.
A3-1:250		26-117	26-117-102	P

**SITE LAYOUT 1--250**



DRAWINGS FOR SECTION 5  
 APPLICATION ONLY



DRAWINGS FOR SECTION 5 APPLICATION ONLY

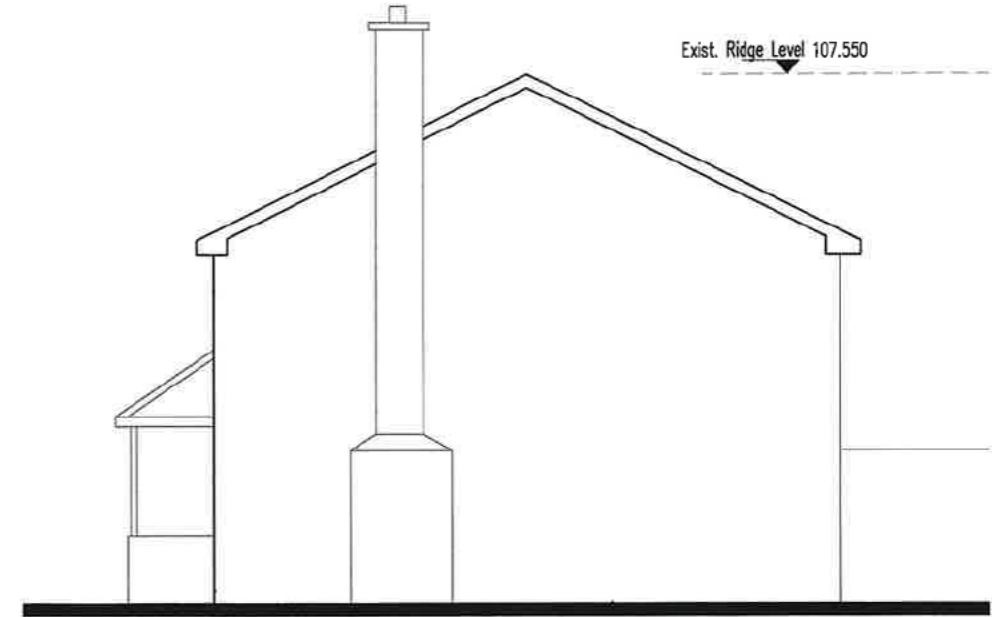
TIPPERARY CO. COUNCIL  
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 03 JUN 2026  
 PLANNING SECTION  
 FILE NO. SS/26/193

OUTLINE DRAWING FOR SECTION 5 APPLICATION

Org Status: SECTION 5				
Rev.	Date	Description	Dr.	App.
<b>PAUL NUGENT</b> RIAI (Arch. Tech.) BALLYLOOBY, CAHIR, CO. TIPPERARY, IRELAND. Tel: 086 6327819 E-mail: pnugent94@gmail.com				
Client: ANGELA CLEAR				
Job: PROPOSED SINGLE STOREY EXTENSION BEDROOM AND WETROOM—Housing Adaption Grant				
Org File: PLANS 1-100				
Scale: A3-1:100	Rev. 001	Job No. 26-117	Org. No. 26-117-103	Rev. P



EXISTING FRONT ELEVATION 1-100  
NO. 33 ROSEMOUNT PARK



EXISTING SIDE ELEVATION 1-100  
NO. 33 ROSEMOUNT PARK

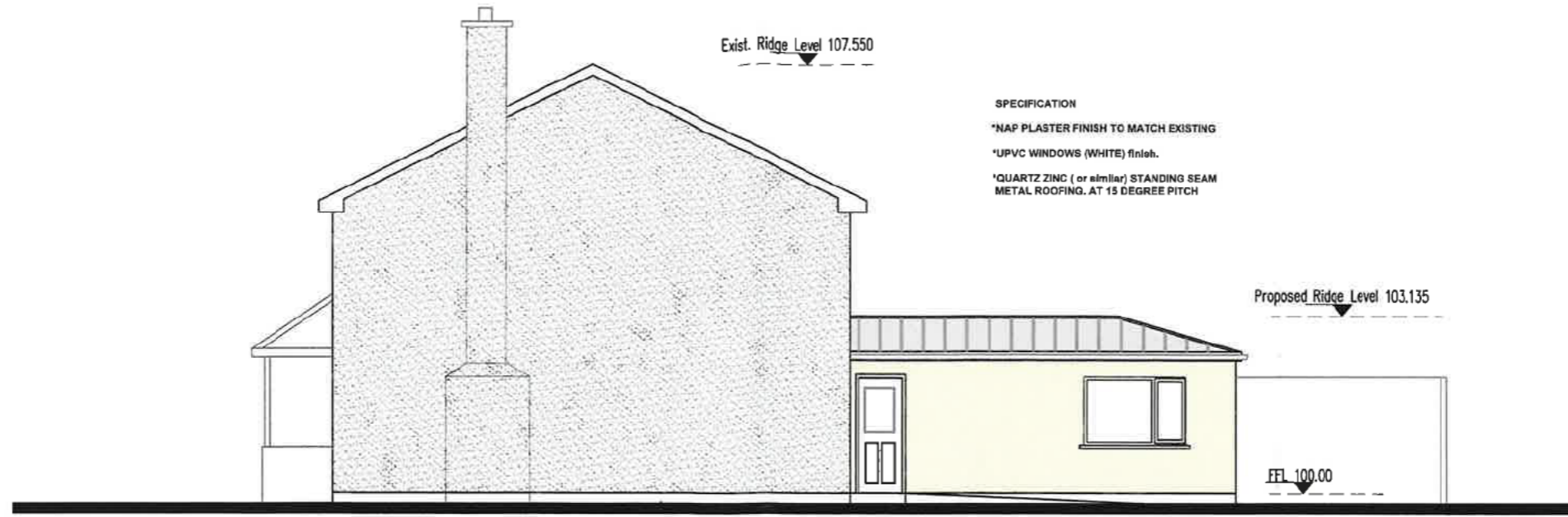


EXISTING REAR ELEVATION 1-100  
NO. 33 ROSEMOUNT PARK



OUTLINE DRAWING FOR  
SECTION 5 APPLICATION

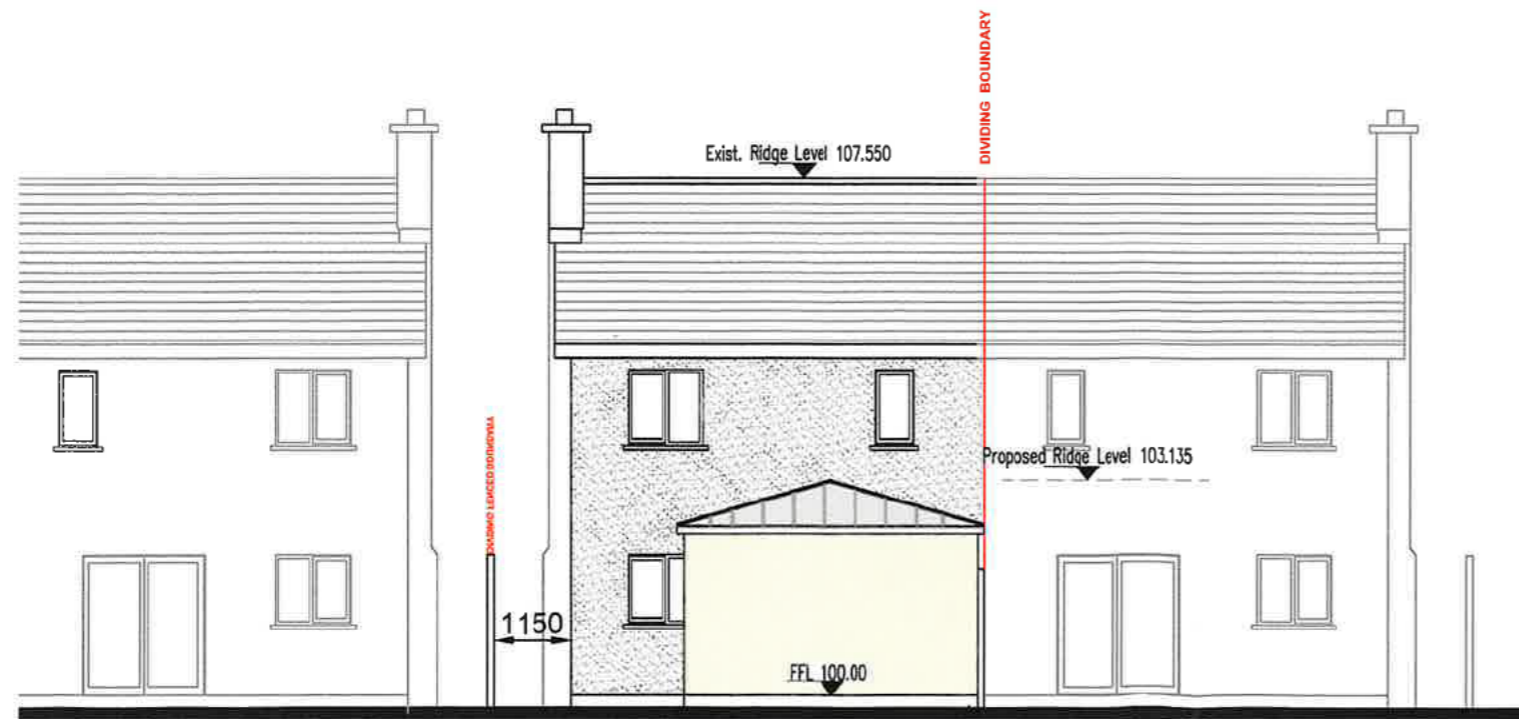
Dwg Status: SECTION 5				
Rev.	Date	Description	By	App.
<b>PAUL NUGENT</b> RIAI (Arch. Tech.) BALLYLOOBY, CAHIR, CO. TIPPERARY, IRELAND. Tel: 086 8227819 E-mail: pnugent94@gmail.com				
Client: ANGELA CLEAR				
Job: PROPOSED SINGLE STOREY EXTENSION BEDROOM AND WETROOM—Housing Adaption Grant				
Dwg Title: ELEVATIONS 1-100				
Scale: A5-1:100	Dwg No: 26-117	Job No: 26-117	Dwg No: 26-117-104	Rev: P



**SPECIFICATION**  
 \*NAP PLASTER FINISH TO MATCH EXISTING  
 \*UPVC WINDOWS (WHITE) finish.  
 \*QUARTZ ZINC ( or similar) STANDING SEAM METAL ROOFING. AT 15 DEGREE PITCH

**PROPOSED SIDE ELEVATION 1-100  
 NO. 33 ROSEMOUNT PARK**

**FLOOR AREAS:  
 PROPOSED EXTENSION 24M2---OUTLINED RED**



**PROPOSED REAR ELEVATION 1-100  
 NO. 33 ROSEMOUNT PARK**

**FLOOR AREAS:  
 PROPOSED EXTENSION 24M2---OUTLINED RED**

**SPECIFICATION**  
 \*NAP PLASTER FINISH TO MATCH EXISTING  
 \*UPVC WINDOWS (WHITE) finish.  
 \*QUARTZ ZINC ( or similar) STANDING SEAM METAL ROOFING. AT 15 DEGREE PITCH

**TIPPERARY CO. COUNCIL  
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 PLANNING SECTION  
 FILE NO. SS/26/23

**OUTLINE DRAWING FOR  
 SECTION 5 APPLICATION**

Dwg Status: <b>SECTION 5</b>				
Rev.	Date	Description	By	App.
<b>PAUL NUGENT</b> RIAI (Arch. Tech.) BALLYLOOBY, CAHIR, CO. TIPPERARY, IRELAND. Tel: 046 8327819 Email: pnugent84@gmail.com				
Client: ANGELA CLEAR				
Job: PROPOSED SINGLE STOREY EXTENSION BEDROOM AND WETROOM—Housing Adaption Grant				
Dwg Title: PROPOSED ELEVATIONS 1-100				
Scale: A3-1:100	Dwg. No:	Job No:	Dwg. No.:	Rev.:
Date:	Dis:	26-117	26-117-105	P



Comhairle Contae Thiobraid Árann  
Tipperary County Council

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

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

t 0818 06 5000/6000  
e customerservice  
@tipperarycoco.ie  
[tipperarycoco.ie](http://tipperarycoco.ie)

Date: 3<sup>rd</sup> June 2026

Our Ref: S5/26/93

Civic Offices, Clonmel

**Angela Clear,  
33 Rosemount Park,  
Rosegreen,  
Co. Tipperary.**

**Re: Application for a Section 5 Declaration - Proposed single storey rear extension at 33 Rosemount Park, Rosegreen, Co. Tipperary.**

Dear Ms. Clear,

I acknowledge receipt of your application for a Section 5 Declaration received on 3<sup>rd</sup> 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

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<b>Planning Reference:</b>	S5/26/93
<b>Applicant:</b>	Angela Clear
<b>Development Address:</b>	33 Rosemount Park, Rosegreen, Cashel, Co. Tipperary.
<b>Proposed Development:</b>	Proposed single storey rear extension (24sq.m)

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### 1. GENERAL

On 3<sup>rd</sup> June 2026 a request was made for a declaration under Section 5 of the Planning and Development Act, 2000 as amended by Angela Clear as to whether or not the following works constituted development and if so, whether same was exempted development:

#### *Proposed single storey rear extension*

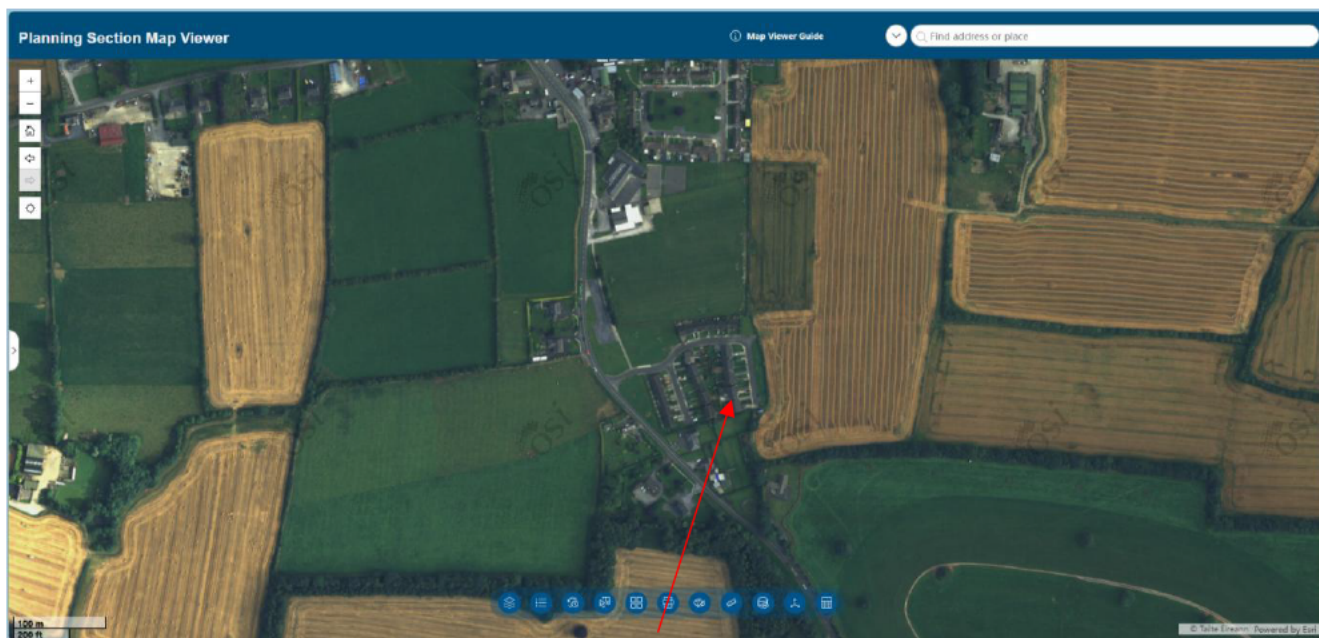


Figure 1 Site Location

### 2. STATUTORY PROVISIONS

The following statutory provisions are relevant to this case;

#### Planning and Development Act 2000, as amended

Section 2(1) of the Planning and Development Act, 2000, as amended, states as follows;

*“In this Act, except where the context otherwise requires – “development” has the meaning assigned to it by Section 3 and development shall be construed accordingly.”*

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.*

Section 3 (1) of the Planning and Development Act 2000, as amended (hereafter referred to as the Act), 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 4 states:

*(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.*

*(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).*

*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:

<i>Column 1 Description of Development</i>	<i>Column 2 Conditions and Limitations</i>
<i>CLASS 1 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</i>	<i>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.</i>

*similar structure attached to the rear or to the side of the house.*

*(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.*

	<p>(c) <i>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.</i></p> <p>7. <i>The roof of any extension shall not be used as a balcony or roof garden</i></p>
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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.*

*(viiC)consist of or comprise development which would be likely to have an adverse impact on an area designated as a natural heritage area by order made under section 18 of the Wildlife (Amendment) Act 2000.*

*(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 subject site is located at 33 Rosemount Park, Rosegreen, Co. Tipperary. The dwelling on the site is not protected and is not located within a zone of archaeological potential.

#### **b. Relevant Planning History**

Existing dwelling was permitted under Pl. Ref. No. 00740 for erection of 28 dwelling houses, together with entrance to main road, associated site works and underground services.

#### **c. Assessment**

##### **A) “Is or is not Development”**

Having considered all of the details and documentation on file with regards the question posed and the description of the proposal, the Planning Authority is satisfied that the proposal would involve “works” and such works would constitute “development” within the meaning of Section 3 of the Planning and Development Act 2000, as amended. The question arises as to whether or not these works constitute exempted development.

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

The proposal subject to the current application is required to be assessed relative to Class 1 of Part 1 of Schedule 2 of the Regulations below

##### **CLASS 1**

*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.*

The extension as constructed is to the rear of the dwelling.

Subject to the following 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.*

The extension to the dwelling has a floor area of 24sq.m.

- (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.*

N/A

- (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.*

N/A

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.*

N/A

- (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.*

N/A

- (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.*

N/A

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

N/A

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.*

The extension is single storey and does not extend beyond the height of the rear walls or eaves.

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 open space remaining to the rear of the dwelling will exceed 25sq.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.*

All proposed windows are more than 1m 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.

N/A

(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.

N/A

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

N/A

C) Restrictions under Article 9

No restrictions under Article 9 applies.

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

**AA**

AA is not required in respect of the proposal. Screening Report attached.

**EIA**

Screening for EIA is not required in respect of the proposal. Screening Report attached.

#### 4. RECOMMENDATION

**WHEREAS** a question has arisen as to whether the proposed single storey rear extension (24sq.m) 33 Rosemount Park, Rosegreen, Cashel, Co. Tipperary constitutes “development” and is or is not “exempted development”.

**AND WHERE AS** 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 Article 9 of the Planning and Development Regulations, 2001, as amended,
- (c) Schedule 2, Part 1, Class 1 of the Planning and Development Regulations, 2001, as amended
- (d) The application and details submitted by the applicant

**AND WHEREAS** Tipperary County Council has concluded proposed single storey rear extension (24sq.m) 33 Rosemount Park, Rosegreen, Cashel, Co. Tipperary constitutes “development” within the meaning of the Planning and Development Act 2000, as amended and is “exempted development”. The development is exempted development as same satisfies the planning exemption under Class 1 and Class 3 of Schedule 2, Part 1 of the Planning and Development Regulations 2001 (as amended).

The development has been screened as to the requirement for Appropriate Assessment and Environmental Impact Assessment and it has been determined that same are not required.

District Planner:



Date: 24/06/2026

Senior Executive Planner:



Date: 29.6.2026

## HABITATS DIRECTIVE APPROPRIATE ASSESSMENT (AA) SCREENING REPORT

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

(a) File Reference No:	S5/26/92
(b) Brief description of the project or plan:	As per development description
(c) Brief description of site characteristics:	Existing dwelling in urban area
(d) Relevant prescribed bodies consulted: e.g. DHLGH (NPWS), EPA, OPW	None
(e) 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 <sup>1</sup>	Distance from proposed development <sup>2</sup> (km)	Connections (Source-Pathway-Receptor)	Considered further in screening Y/N
002137 Lower River Suir SAC	<a href="https://www.npws.ie/protected-sites/sac/002137">https://www.npws.ie/protected-sites/sac/002137</a>	Within 10km	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.)
<b>Construction phase e.g.</b> <ul style="list-style-type: none"> <li>● Vegetation clearance</li> <li>● Demolition</li> <li>● Surface water runoff from soil excavation/infill/landscaping (including borrow pits)</li> <li>● Dust, noise, vibration</li> <li>● Lighting disturbance</li> <li>● Impact on groundwater/dewatering</li> <li>● Storage of excavated/construction materials</li> <li>● Access to site</li> <li>● Pests</li> </ul>	No potential impacts.
<b>Operational phase e.g.</b> <ul style="list-style-type: none"> <li>● Direct emission to air and water</li> <li>● Surface water runoff containing contaminant or sediment</li> <li>● Lighting disturbance</li> <li>● Noise/vibration</li> <li>● Changes to water/groundwater due to drainage or abstraction</li> <li>● Presence of people, vehicles and activities</li> </ul>	No potential impacts.

<ul style="list-style-type: none"> <li>Physical presence of structures (e.g. collision risks)</li> <li>Potential for accidents or incidents</li> </ul>		
In-combination/Other	No potential impacts	
<b>(b) Describe any likely changes to the European site:</b>		
<p>Examples of the type of changes to give consideration to include:</p> <ul style="list-style-type: none"> <li>Reduction or fragmentation of habitat area</li> <li>Disturbance to QI species</li> <li>Habitat or species fragmentation</li> <li>Reduction or fragmentation in species density</li> <li>Changes in key indicators of conservation status value (water or air quality etc.)</li> <li>Changes to areas of sensitivity or threats to QI</li> <li>Interference with the key relationships that define the structure or ecological function of the site</li> </ul>	No potential impacts	
<b>(c) Are 'mitigation' measures necessary to reach a conclusion that likely significant effects can be ruled out at screening?</b>		
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
<b>STEP 4. Screening Determination Statement</b>		
<p>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.</p>		
The proposed development is not likely to have significant effects.		
Conclusion:		
	Tick as Appropriate:	Recommendation:
(i) It is clear that there is no likelihood of significant effects on a European site.	<input checked="" type="checkbox"/>	The proposal can be screened out: Appropriate assessment not required.
(ii) It is uncertain whether the proposal will have a significant effect on a European site.	<input type="checkbox"/>	<input type="checkbox"/> Request further information to complete screening <input type="checkbox"/> Request NIS <input type="checkbox"/> Refuse planning permission
(iii) Significant effects are likely.	<input type="checkbox"/>	<input type="checkbox"/> Request NIS <input type="checkbox"/> Refuse planning permission
<b>EIA Pre-Screening</b>		
<b>Establishing a development is a 'sub-threshold development'</b>		
<b>File Reference:</b>	S5/26/92	
<b>Development Summary:</b>	As per development description	

<b>Was a Screening Determination carried out under Section 176A-C?</b>	<input type="checkbox"/> Yes, no further action required
	<input checked="" type="checkbox"/> No, Proceed to <b>Part A</b>

**A. Schedule 5 Part 1 - Does the development comprise a project listed in Schedule 5, Part 1, of the Planning and Development Regulations 2001 (as amended)?**  
(Tick as appropriate)

<input type="checkbox"/> Yes, specify class _____	<b>EIA is mandatory</b> No Screening required
<input checked="" type="checkbox"/> No	Proceed to <b>Part B</b>

**B. Schedule 5 Part 2 - Does the development comprise a project listed in Schedule 5, Part 2, of the Planning and Development Regulations 2001 (as amended) and does it meet/exceed the thresholds?**  
(Tick as appropriate)

<input checked="" type="checkbox"/> No, the development is not a project listed in Schedule 5, Part 2	<b>No Screening required</b>
<input type="checkbox"/> Yes the project is listed in Schedule 5, Part 2 and meets/exceeds the threshold, specify class (including threshold): _____	<b>EIA is mandatory</b> No Screening required
<input type="checkbox"/> Yes the project is of a type listed but is <i>sub-threshold</i> : _____	Proceed to <b>Part C</b>

**C. If Yes, has Schedule 7A information/screening report been submitted?**

<input type="checkbox"/> Yes, Schedule 7A information/screening report has been submitted by the applicant	<b>Screening required</b> <b>Determination</b>
<input type="checkbox"/> No, Schedule 7A information/screening report has not been submitted by the applicant	<b>Preliminary Examination required</b>

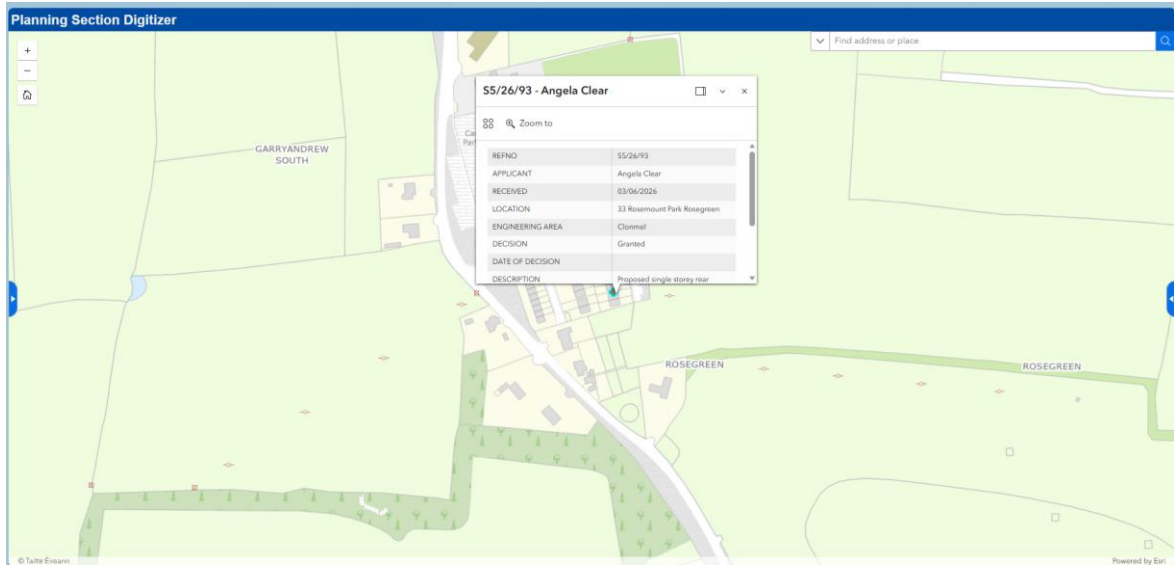


Figure 2 Planning Register

**Original**

**TIPPERARY COUNTY COUNCIL**

**DELEGATED EMPLOYEE'S ORDER**

File Ref: **S5/26/93**      **Delegated Employee's Order No:** \_\_\_\_\_

**SUBJECT: Section 5 Declaration**

I, Brian Beck, Director of Services, Tipperary County Council, by virtue of the powers delegated to me in accordance with the provisions of Section 154 of the Local Government Act 2001, as amended by Schedule 1, Part 1 of the Local Government Reform Act 2014 under Chief Executive's Order No. 44188 dated 3<sup>rd</sup> October, 2025, hereby order that pursuant to the provisions of the Planning and Development Act 2000, as amended, that an application under Section 5 from Angela Clear, 33 Rosemount Park, Rosegreen, Co. Tipperary, Proposed single storey rear extension (24sq.m) at 33 Rosemount Park, Rosegreen, Cashel, Co. Tipperary is development and is exempted development.

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

- a) Sections 2, 3 and 4 of the Planning and Development Act, 2000 as amended,
- b) Article 6 and Article 9 of the Planning and Development Regulations, 2001, as amended,
- c) Schedule 2, Part 1, Class 1 of the Planning and Development Regulations, 2001, as amended
- d) The application and details submitted by the applicant

**AND WHEREAS** Tipperary County Council has concluded proposed single storey rear extension (24sq.m) 33 Rosemount Park, Rosegreen, Cashel, Co. Tipperary constitutes "development" within the meaning of the Planning and Development Act 2000, as amended and is "exempted development". The development is exempted development as same satisfies the planning exemption under Class 1 and Class 3 of Schedule 2, Part 1 of the Planning and Development Regulations 2001 (as amended).

The development has been screened as to the requirement for Appropriate Assessment and Environmental Impact Assessment, and it has been determined that same are not required.

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

**Date: 30/06/2026**



Date: 30 June 2026

Our Ref: S5/26/93

Civic Offices, Nenagh

Angela Clear  
33 Rosemount Park  
Rosegreen  
Co. Tipperary

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

A Chara,

I refer to your application for a Section 5 Declaration received on 3<sup>rd</sup> June 2026, in relation to the following proposed works:

**Proposed single storey rear extension (24sq.m) at 33 Rosemount Park, Rosegreen, Cashel, 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 –

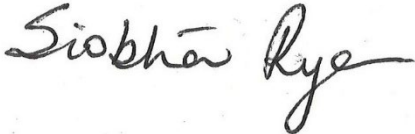
- a) Sections 2, 3 and 4 of the Planning and Development Act, 2000 as amended,
- b) Article 6 and Article 9 of the Planning and Development Regulations, 2001, as amended,
- c) Schedule 2, Part 1, Class 1 of the Planning and Development Regulations, 2001, as amended
- d) The application and details submitted by the applicant

**AND WHEREAS** Tipperary County Council has concluded proposed single storey rear extension (24sq.m) 33 Rosemount Park, Rosegreen, Cashel, Co. Tipperary constitutes “development” within the meaning of the Planning and Development Act 2000, as amended and is “exempted development”. The development is exempted development as same satisfies the planning exemption under Class 1 and Class 3 of Schedule 2, Part 1 of the Planning and Development Regulations 2001 (as amended).

The development has been screened as to the requirement for Appropriate Assessment and Environmental Impact Assessment, and it has been determined that same are not required.

**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 'e'.

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for **Director of Services**