



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

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

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

<i>Applicant</i>	John Healy
<i>Address</i>	Dunguib, Killenaule Co. Tipperary
<i>Telephone No.</i>	
<i>E-mail</i>	

**TIPPERARY CO. COUNCIL  
RECEIVED  
15 FEB 2024  
PLANNING SECTION  
FILE NO. ....**

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

<i>Agent</i>	Sean Ryan - Ryan Architectural Solutions Ltd
<i>Address</i>	Parkstown, Horse and Jockey, Thurles, 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 [  ]

**3. Location of Proposed Development:**

<i>Postal Address or Townland or Location (as may best identify the land or structure in question)</i>	Springhill, Killenaule, Co. Tipperary.
--	--

**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 to construct an Extension to the rear of the existing dwelling
that this extension as per Class 1 of Part 1 of Schedule 2 of the planning
and development Regulation 2001, as amended is development and will be
considered "Exempted development"
Proposed floor area of proposed works/uses: 38 sqm

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

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

Signature of Applicant(s) *John A. Ryan*  
(agent)

Date: 14/02/2024

**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 0761 06 5000</b>		
<b>E-Mail <a href="mailto:planning@tipperarycoco.ie">planning@tipperarycoco.ie</a></b>		

**FOR OFFICE USE ONLY**

**DATE STAMP**

**Fee Recd. €** \_\_\_\_\_

Receipt No \_\_\_\_\_

Date \_\_\_\_\_

Receipted by \_\_\_\_\_



Tipperary County Council  
Civic Offices  
Clonmel  
Co Tipperary

15/02/2024 14:59:18

Receipt No.: CLONMEL/0/178315

JOHN HEALY  
C/O SEAN RYAN  
RYAN ARCHITECTURAL SOLUTIONS  
PARKSTOWN  
HORSE & JOCKEY, THURLES  
CO TIPPERARY

SECTION5 EXEMPTION DECLARATION 80.00  
GOODS 80.00  
VAT Exempt/Non-vatable

Total 80.00 EUR

Tendered :  
Credit Card 80.00

Change 0.00

Issued By: CATHERINE AHERN  
From: CLONMEL TOWN RECEIPTS DESK  
Vat reg No. 3259712MH

TIPPERARY COUNTY COUN  
Emmet Street  
E91 N512

MERCHANT ID: \*\*\*\*\*3546  
TERMINAL ID: \*\*\*\*\*4603  
DATE: 15/02/2024 TIME: 14:58  
BATCH: 000767-026 INVOICE: 000921  
RRN: 020004943322 AUTH NO.: 084402  
MasterCard SALE  
\*\*\*\*\*0478 \*

SALE AMOUNT €80.00

CUSTOMER NOT PRESENT

I agree to pay the final amount according  
to the card/merchant issuer agreement



# RYAN ARCHITECTURAL SOLUTIONS Ltd.

Architectural Technologists & Planning Consultants

Parkstown, Horse and Jockey, Thurles, Co. Tipperary – E41 R522  
Tel: 0504-90244 Fax: 0504-90245 [www.ras.ie](http://www.ras.ie) e: [info@ras.ie](mailto:info@ras.ie)

Planning Section  
Tipperary County Council  
Civic Offices  
Clonmel,  
Co. Tipperary



Your Ref no.

Our Ref no.  
24-0501

Date:  
15 February 2024

Re: Section 5 - Application for site at Spring hill, Killenaule, thurles, Co. Tipperary.

Dear Sir/Madam,

Enclosed please find revised information in relation to the above Section 5 as follows:

- The proposed plans of the extension to the rear of the existing dwelling, this extension area is proposed to have an area of 38m.sq (under the exempted size.)

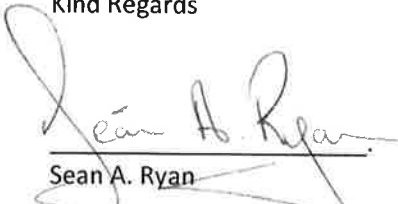
The question is if this extension will be considered exempted having regard to particularly to

- a) Section 2,3 and 4 of the planning and Development Act 2000, as amended
- b) Article 6 and 9 of the planning and Development Regulation 2001, as amended
- c) Class 1 od Part 1 of Schedule 2 of the planning and devlepmnt Regulations 2001, as amended.

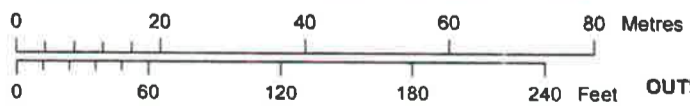
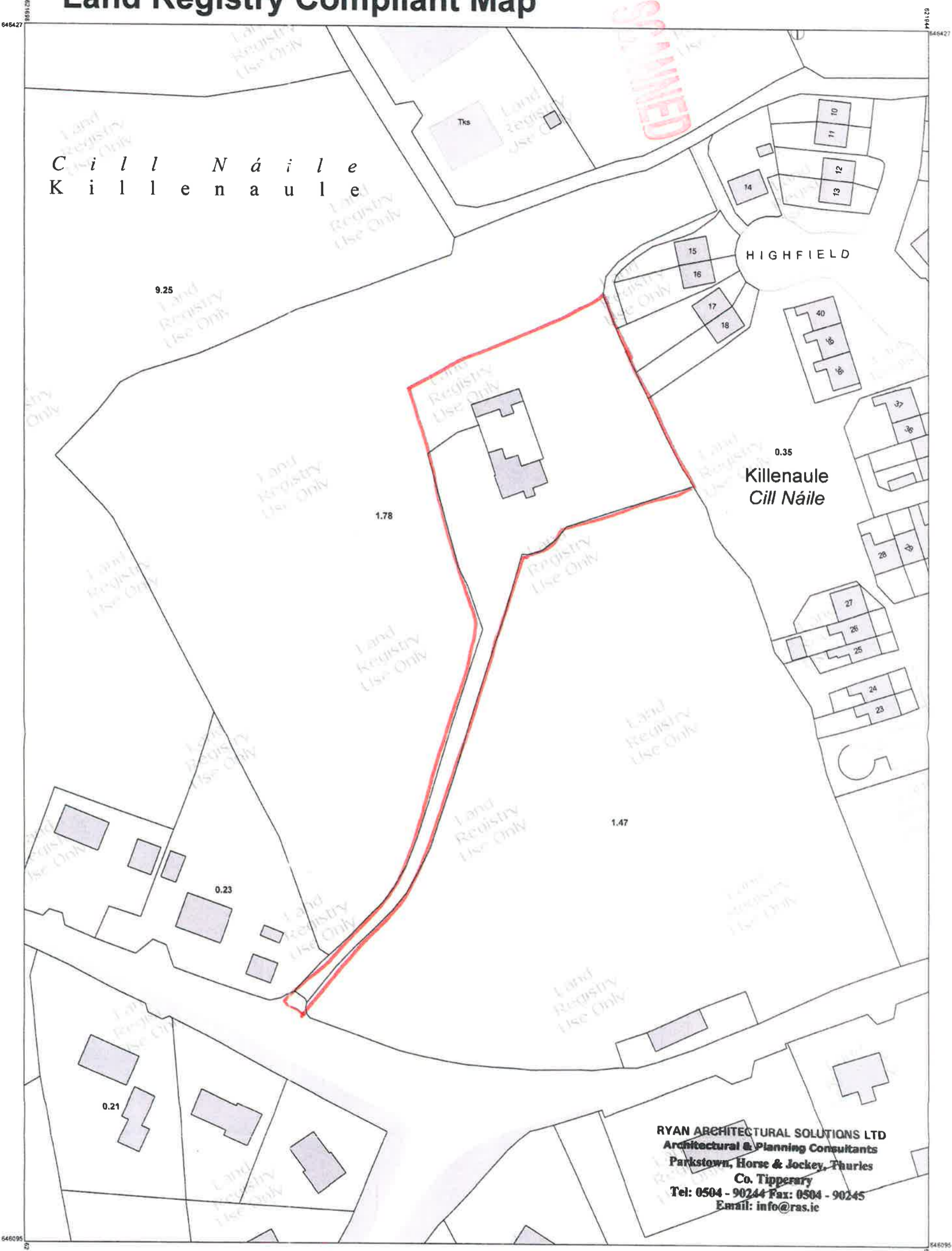
Also please find receipt Ref no clonmel/0/178315 for the Section 5 fee of € 80.00

I trust the above meets with your approval, if you require any further information please feel free to contact me

Kind Regards

  
Sean A. Ryan

# Land Registry Compliant Map



OUTPUT SCALE: 1:1,000



CENTRE COORDINATES:  
ITM 621821,646261

ORDER NO.:  
50336096\_1

PUBLISHED:  
22/05/2023

MAP SERIES:  
1:2,500

MAP SHEETS:  
4944-C

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The map objects are only accurate to the resolution at which they were captured. Output scale is not indicative of data capture scale. Further information is available at: [www.osi.ie](http://www.osi.ie); search 'Capture Resolution'

**LEGEND:**  
To view the legend visit [www.osi.ie](http://www.osi.ie) and search for 'Large Scale Legend'

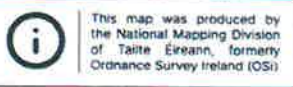
**COMPILED AND PUBLISHED BY:**  
National Mapping Division of  
Tailte Éireann,  
Phoenix Park,  
Dublin 8,  
Ireland.  
D08F6E4  
[www.tailte.ie](http://www.tailte.ie)

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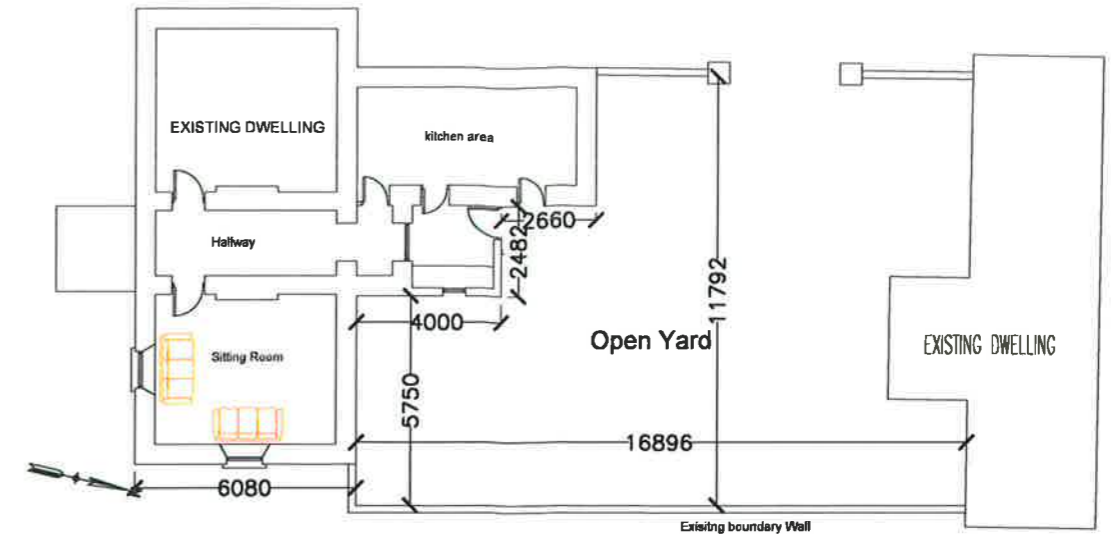
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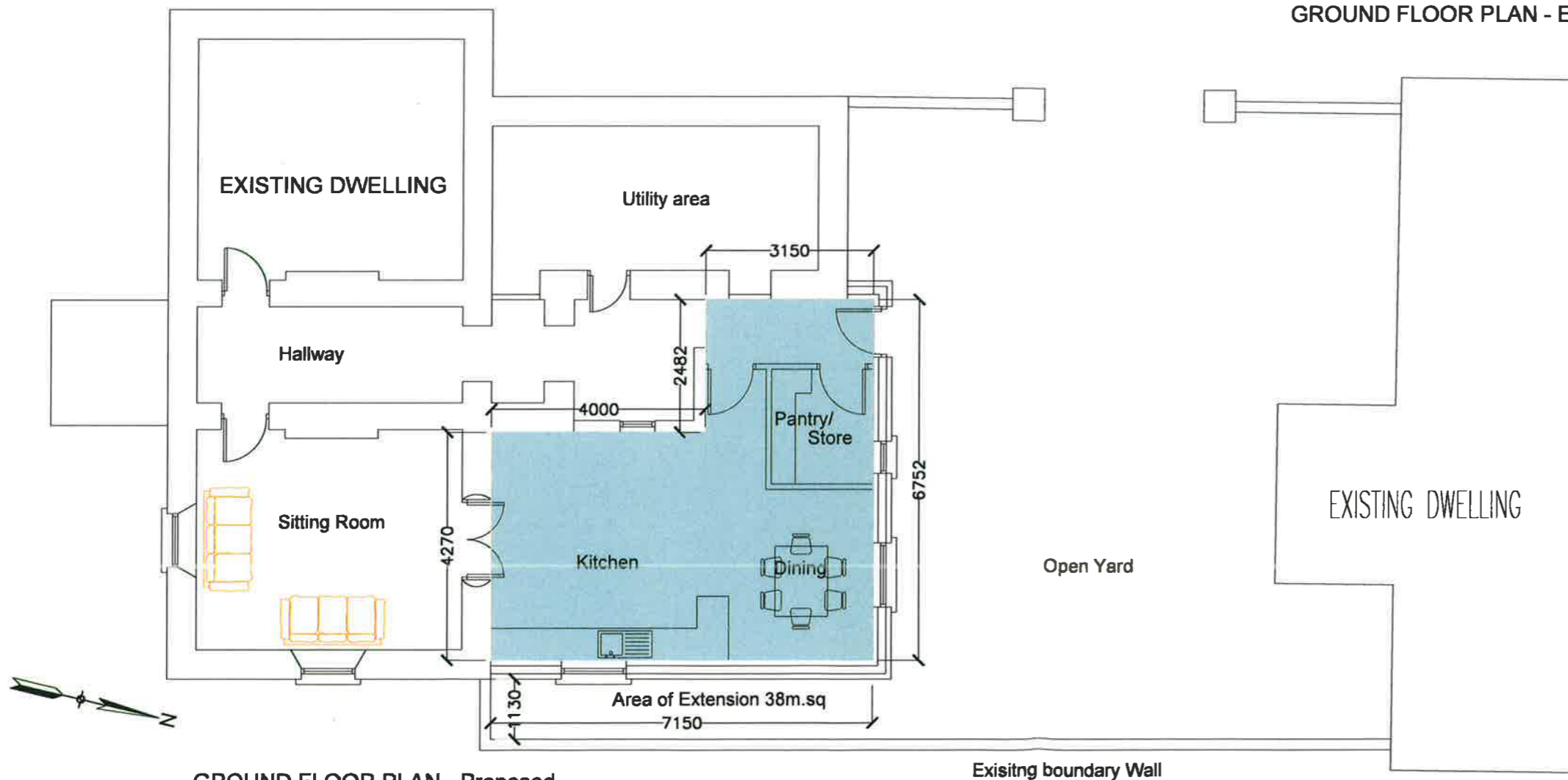


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GROUND FLOOR PLAN - Existing



GROUND FLOOR PLAN - Proposed

SCANNED

NOTES:  
ALL DRAWINGS SHALL BE READ IN CONJUNCTION WITH SPECIFICATIONS. ANY VARIATIONS OR DISCREPANCIES TO BE REPORTED IMMEDIATELY TO THE DESIGNER BEFORE ANY WORKS PROCEED.

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ORDNANCE SURVEY LICENCE NO AR00067

REVISIONS
G
F
E
D
C
B
A



**Ryan Architectural Solutions Ltd.**

~ Architectural Technologist & Planning Consultants ~

Parkatown, Horse and Jockey,  
Thurles, County Tipperary  
Tel: +353 504 90244 Fax: +353 504 90245  
Email: info@ras.ie www.ras.ie

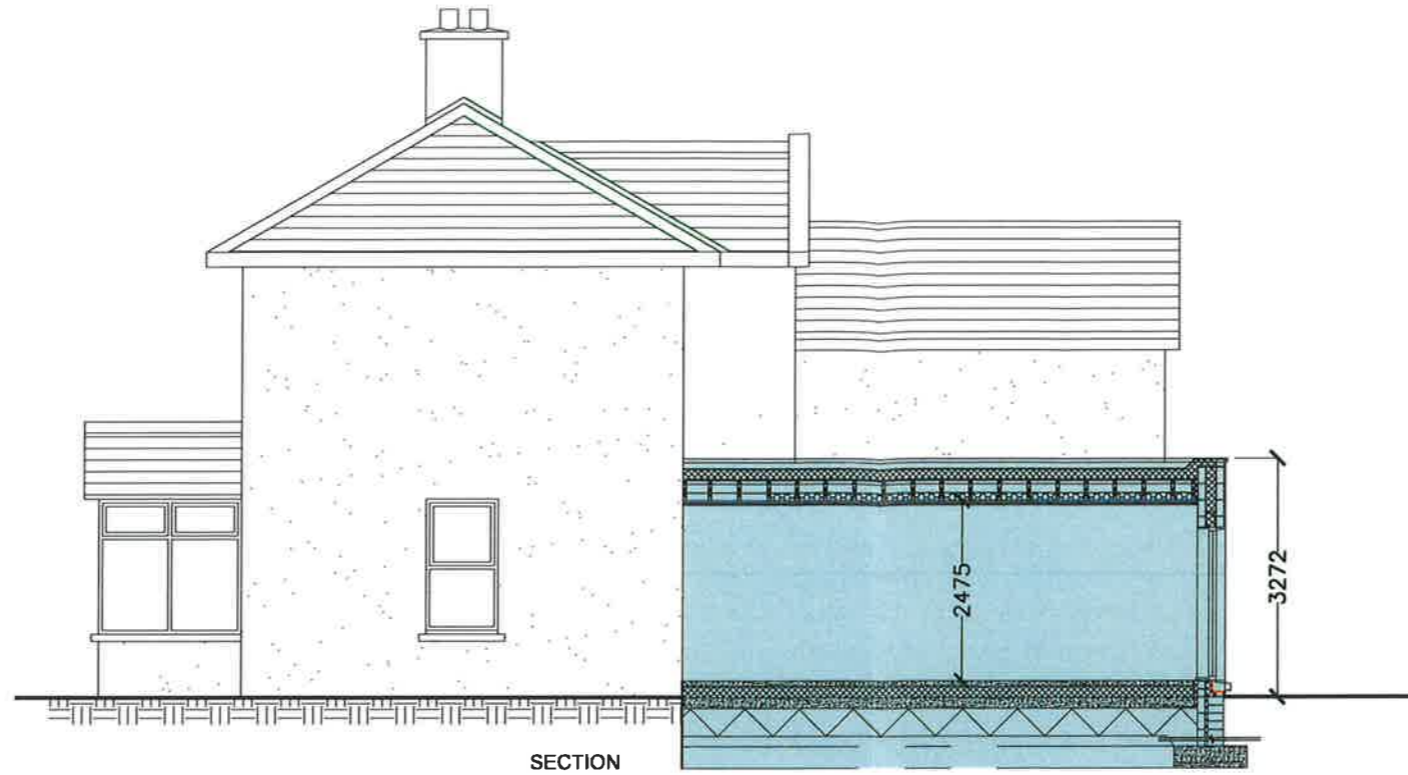
Project:  
PROPOSED EXTENSION TO DWELLING HOUSE AT SPRINGHILL, KILLENLAULE FOR JOHN HEALY

Drawn By:	Scale:	Date:
SAR	1/100	FEB 24

Stage:  
SECTION 5

Title:  
GROUND FLOOR PLAN

Job No.	Drg. No:	Issue
24-0900	S-01	



SECTION

SCANNED



SIDE ELEVATION - EAST FACING



BACK ELEVATION - North facing

NOTES:  
ALL DRAWINGS SHALL BE READ IN CONJUNCTION WITH SPECIFICATIONS. ANY VARIATIONS OR DISCREPANCIES TO BE REPORTED IMMEDIATELY TO THE DESIGNER BEFORE ANY WORKS PROCEED.

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ORDNANCE SURVEY LICENCE NO AR00067

REVISIONS

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A



**Ryan Architectural Solutions Ltd.**

~ Architectural Technologist & Planning Consultants ~

Parkstown, Horse and Jockey,  
Thurles, County Tipperary  
Tel: +353 504 90244 Fax: +353 504 90245  
Email: info@ras.ie www.ras.ie

Project:  
PROPOSED EXTENSION TO  
DWELLING HOUSE AT  
SPRINGHILL, KILLENAULE  
FOR JOHN HEALY

Drawn By:  
SAR

Scale:  
1/100

Date:  
FEB 24

Stage:  
SECTION 5

Title:  
Elevations & Section

Job No.  
24-0900

Drg. No.  
S-02

Issue





**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  
e customerservice  
@tipperarycoco.ie  
[tipperarycoco.ie](http://tipperarycoco.ie)

Our Ref: S5/24/19

Date: 19<sup>th</sup> February 2024

Civic Offices, Clonmel

**John Healy**  
**C/o Sean Ryan**  
**Ryan Architectural Solutions Ltd**  
**Parkstown, Horse & Jockey**  
**Thurles**  
**Co. Tipperary.**

SCANNED

**Re: Application for a Section 5 Declaration – the construction of an extension to the rear of the existing dwelling at Springhill, Killenaule, Co Tipperary.**

Dear Mr Healy,

I acknowledge receipt of your application for a Section 5 Declaration received on 13<sup>th</sup> February, 2024, in connection with the above.

I wish to advise that you will be notified of a decision on your application in due course.

Yours faithfully

  
\_\_\_\_\_  
for **Director of Services**



Comhairle Contae Thiobraid Árann  
Tipperary County Council

Comhairle Contae  
Thiobraid Árann,  
Oifigi Cathartha,  
Cluain Meala,  
Co. Thiobraid Árann  
Tipperary County Council,  
Civic Offices, Clonmel,  
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Co. Tipperary  
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t 0818 06 5000  
e customerservice  
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tipperarycoco.ie

SCANNED

Date: 13 March 2024

Our Ref: S5/24/19

Civic Offices, Nenagh

**John Healy,  
C/o Sean Ryan,  
Ryan Architectural Solutions Ltd  
Parkstown, Horse & Jockey,  
Thurles, Co. Tipperary.**

**Re: Single storey extension to rear of dwelling at Dungguib, Killenaule,  
Co. Tipperary**

Dear Mr Ryan,

I refer to an application received from you on 15<sup>th</sup> February 2024 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;

1. Having reviewed the details submitted and undertaken a planning history search, there is a lack of clarity with respect to planning status of the existing dwelling on site. Please clarify the date of construction of the original dwelling on site and confirm if the exiting two storey rear extensions formed part of the original dwelling or were later additions. Please also note, 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.

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

Yours sincerely,

for **Director of Services**



# RYAN ARCHITECTURAL SOLUTIONS Ltd.

Architectural Technologists & Planning Consultants

Parkstown, Horse and Jockey, Thurles, Co. Tipperary – E41 R522

Tel: 0504-90244 Fax: 0504-90245 [www.ras.ie](http://www.ras.ie) e: [info@ras.ie](mailto:info@ras.ie)

Planning Section  
Tipperary County Council  
Civic Offices  
Clonmel,  
Co. Tipperary

SCANNED

Your Ref no.  
S5/24/19

Our Ref no.  
24-0501

Date:  
28 March 2024

Re: Section 5 - Application for extension to rear of dwelling at Dinguib, Killenaule, Co. Tipperary.

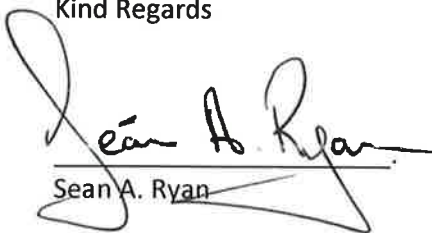
Dear Sir/Madam,

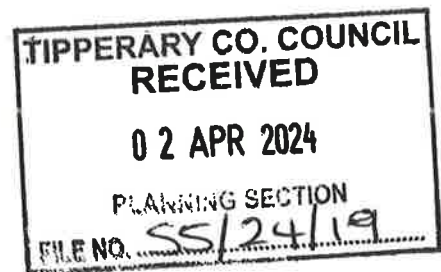
Enclosed please find revised information in relation to the above Section 5 as follows:

- This building was used as the parochial House for the number of decades, my client contacted the previous owner of this building (the local priest) and he has confirmed as far as he was aware the building was over 100 years old and the rear extension that existing was part of the original construction.
- Enclosed please find letter from the local priest confirming above

I trust the above meets with your approval, if you require any further information please feel free to contact me

Kind Regards

  
Sean A. Ryan





Killenaule  
Churches  
Co. Tipperary  
052 915 6244



26<sup>th</sup> March.  
2024

Dear John

Killenaule Parochial house was recently sold in Dunguib. During our preparation for the sale we established from records that the house was built over 100 years ago and everything was constructed prior to 1963.

Planning legislation came into force for the 1<sup>st</sup> time in Ireland under the Planning and Development Act 1963. In general terms any structure built or modified prior to that does not require Planning permission

yours truly.

Fa. Jimmy O'Donnell

ANNED

## TIPPERARY COUNTY COUNCIL

### Application for Declaration under Section 5

Planning & Development Act 2000, as amended  
Planning & Development Regulations 2001, as amended

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**Planning Ref.:** S5/24/19  
**Applicant:** John Healy, c/o Sean Ryan  
**Development Address:** Dinguib, Killenaule, Co. Tipperary  
**Proposed Development:** single storey extension to rear of dwelling.

---

#### **1. GENERAL**

On the 15<sup>th</sup> of February 2024 a request was made for a declaration under Section 5 of the Planning and Development Act, 2000 as amended as to whether the following is "development" and constitutes "exempted development":

- Construction of a single storey rear extension.

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

The following statutory provisions are relevant to this referral case;

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

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

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

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

Section 4(1)(h) of the Act considers development consisting of the carrying out of works for the maintenance, improvement or other alteration of any structure, being works which affect only the interior of the structure or which do not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure or of neighbouring structures; to be exempted development.

Article 6 of the Planning and Development Regulations 2001, as amended states:

Exempted Development.

6. (1) Subject to article 9, development of a class specified in column 1 of Part 1 of Schedule 2 shall be exempted development for the purposes of the Act, provided that such development complies with the conditions and limitations specified in column 2 of the said Part 1 opposite the mention of that class in the said column 1.

Schedule 2, Part 1 'Exempted Development - General:

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

The extension of a house, by the construction or erection of an extension (including a conservatory) to the rear of the house or by the conversion for use as part of the house of any garage, store, shed or other similar structure attached to the rear or to the side of the house.

#### **Conditions and Limitations**

1. (a) Where the house has not been extended previously, the floor area of any such extension shall not exceed 40 square metres. (b) Subject to paragraph (a), where the house is terraced or semi-detached, the floor area of any extension above ground level shall not exceed 12 square metres. (c) Subject to paragraph (a), where the house is detached, the floor area of any extension above ground level shall not exceed 20 square metres.

2. (a) Where the house has been extended previously, the floor area of any such extension, taken together with the floor area of any previous extension or extensions constructed or erected after 1 October 1964, including those for which planning permission has been obtained, shall not exceed 40 square metres. (b) Subject to paragraph (a), where the house is terraced or semi-detached and has been extended previously, the floor area of any extension above ground level taken together with the floor area of any previous extension or extensions above ground level constructed or erected after 1 October 1964, including those for which planning permission has been obtained, shall not exceed 12 square metres.

(c) Subject to paragraph (a), where the house is detached and has been extended previously, the floor area of any extension above ground level, taken together with the floor area of any previous extension or extensions above ground level constructed or erected after 1 October 1964, including those for which planning permission has been obtained, shall not exceed 20 square metres.

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

4. (a) Where the rear wall of the house does not include a gable, the height of the walls of any such extension shall not exceed the height of the rear wall of the house. (b) Where the rear wall of the house includes a gable, the height of the walls of any such extension shall not exceed the height of the side walls of the house.

(c) The height of the highest part of the roof of any such extension shall not exceed, in the case of a flat roofed extension, the height of the eaves or parapet, as may be appropriate, or, in any other case, shall not exceed the height of the highest part of the roof of the dwelling.

5. The construction or erection of any such extension to the rear of the house shall not reduce the area of private open space, reserved exclusively for the use of the occupants of the house, to the rear of the house to less than 25 square metres.

6. (a) Any window proposed at ground level in any such extension shall not be less than 1 metre from the boundary it faces.

(b) Any window proposed above ground level in any such extension shall not be less than 11 metres from the boundary it faces.

(c) Where the house is detached and the floor area of the extension above ground level exceeds 12 square metres, any window proposed at above ground level shall not be less than 11 metres from the boundary it faces.

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

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

### **3. ASSESSMENT**

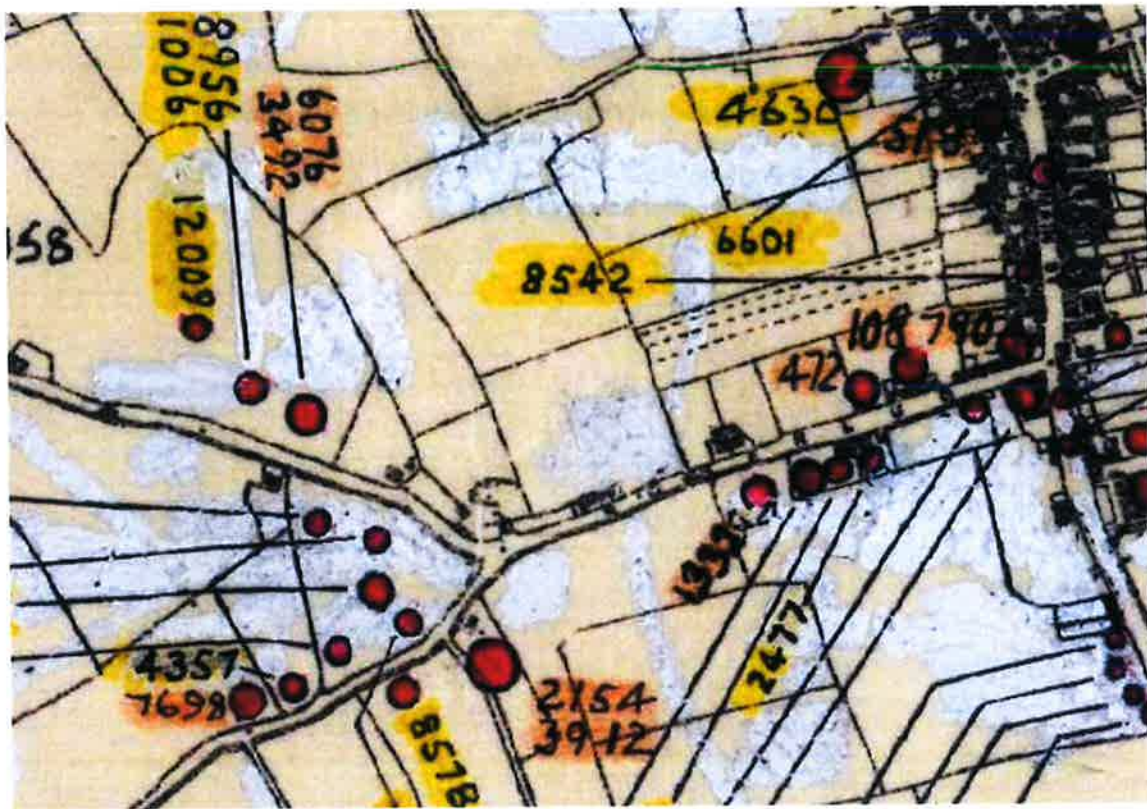
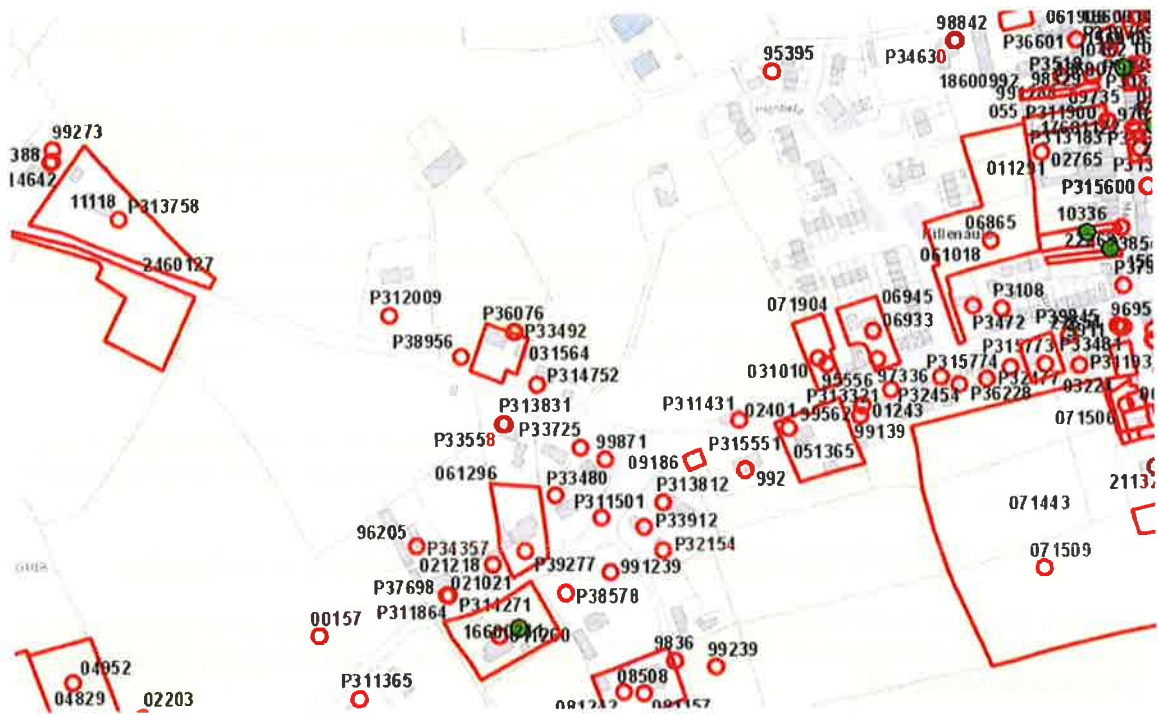
#### ***a. Site Location***

The site comprises a detached dwelling at Dinguib, Killenaule, Co. Tipperary

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

S5/23/60 – Agricultural Shed – exempted development

Figure 1 Planning history





**c. Assessment**

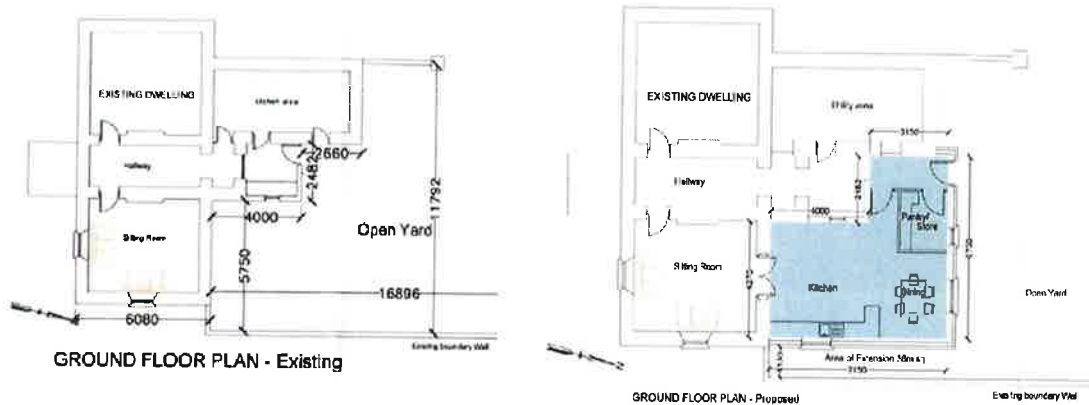
**A) "Is or is not Development"**

It is considered that the above listed proposals constitute "works" as understood by the Planning and Development Act 2000, as amended. The above listed proposals therefore constitute "development" within the meaning of the Planning and Development Act 2000, as amended.

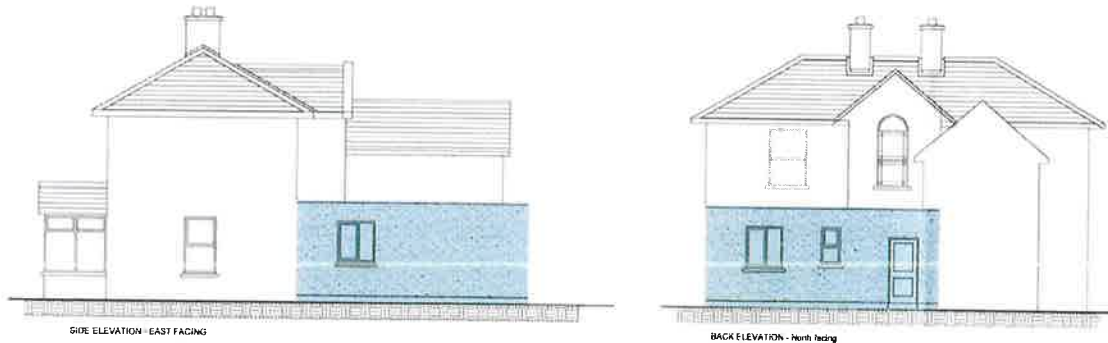
**B) "Is or is not Exempted Development"**

The works proposed comprise of the construction of an extension to the rear of the property.

*Figure 2 floor plans*



*Figure 3 Proposed rear and side elevation*



The extension will provide 38 sqms of additional floor space.

The existing dwelling has a two storey rear return. As illustrated above, the proposed single storey extension will be to the side of this element.

Class 1 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001, considers the extension of a house, by the construction or erection of an extension (including a conservatory) to the rear of the house to be exempted development. This first question to be considered is, are the works to the rear of the house?

There is no definition of the rear building line in Irish planning legislation. The rear of the house is generally considered to mean the longest structural wall of a building farthest from and parallel to any street (lawinsider.com). In this instance, the longest structural wall furthest from the road, is that of the principle two storey dwelling and not the two smaller rear returns.

Using this definition of the rear building line, the works proposed are set to the rear of the house and can be considered.

In respect of the conditions and limitations associated with Class 1, the following is noted;

There is no record of planning permission on site.

*Figure 4 Dwelling on site*



The dwelling on site appears to be a long standing dwelling. As set out above, there is no record of a planning application on site. The dwelling does not appear on the historic 25 inch mapping. In addition, it is not clear if the two rear extensions formed part of the original dwelling or not.

Figure 5 Historic 25 inch mapping



Given this uncertainty, the application is to be advised to set out the history of the dwelling on site, confirm the date of construction and confirm if the two rear extensions formed part of the original dwelling or were later additions.

**C) Restrictions under Article 9**

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

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

The subject site is located c. 11kms from the Lower River Suir SAC and 7 kms from the River Barrow and River Nore SAC.

The proposed development is located within the curtilage of a residential dwelling and comprises of domestic extension to the rear of the property

Having regard to:

- the small scale nature of the development,
- the location of the development relevant to the closest European site (lower River Suir,
- The intervening land uses between the subject site and the SAC's referenced above and
- the consequent absence of a direct pathway to these European sites,

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

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

#### **4. RECOMMENDATION**

Having reviewed the details submitted, it is recommended that the following further information be requested.

1. Having reviewed the details submitted and undertaken a planning history search, there is a lack of clarity with respect to planning status of the existing dwelling on site. Please clarify the date of construction of the original dwelling on site and confirm if the existing two storey rear extensions formed part of the original dwelling or were later additions. Please also note, 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.

Signed:   
District planner

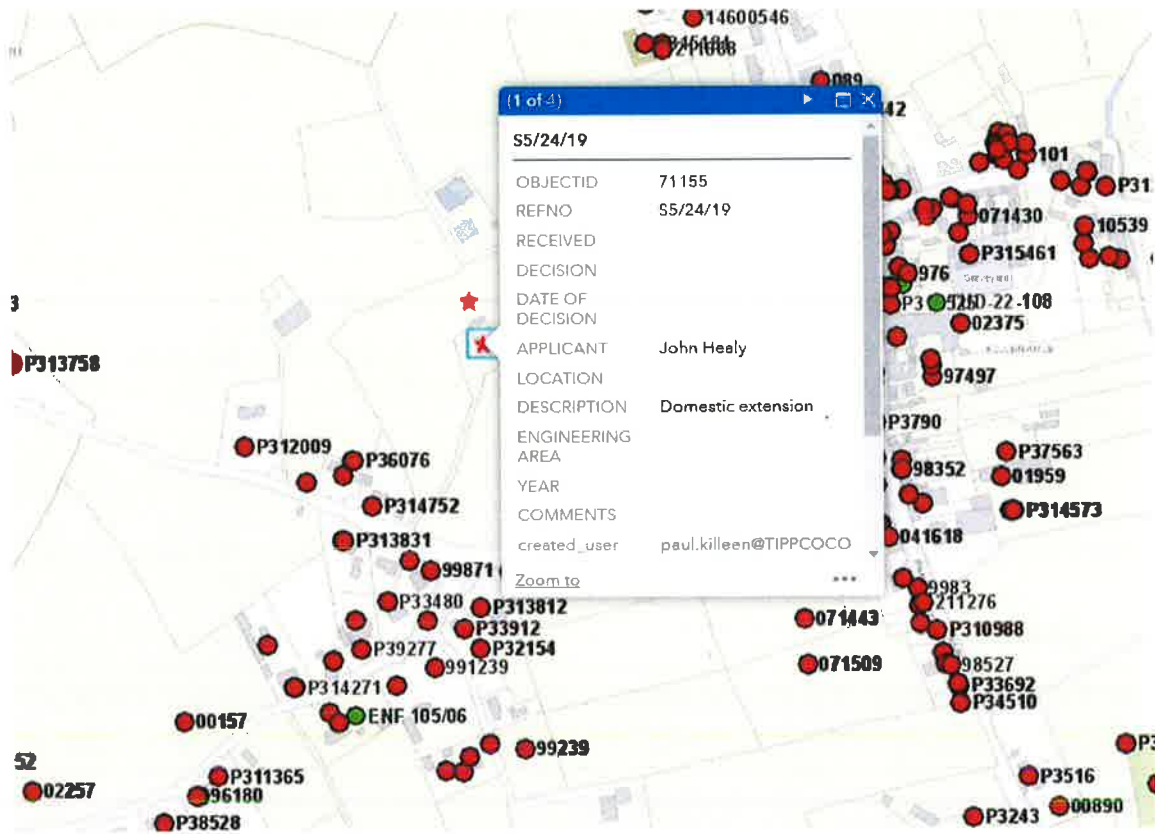
Date: 11/03/24

Signed:   
Senior Executive Planner

Date: 11.03.2024

EIA Pre-Screening	
Establishing a development is a 'sub-threshold development'	
<b>File Reference:</b>	S5/24/19
<b>Development Summary:</b>	Domestic extension
<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>
<b>A. Schedule 5 Part 1</b> - Does the development comprise a project listed in Schedule 5, <b>Part 1</b> , of the Planning and Development Regulations 2001 (as amended)? (Tick as appropriate)	
<input type="checkbox"/> Yes, specify class _____	<b>EIA is mandatory</b>
<input checked="" type="checkbox"/> No	No Screening required  Proceed to <b>Part B</b>
<b>B. Schedule 5 Part 2</b> - Does the development comprise a project listed in Schedule 5, <b>Part 2</b> , of the Planning and Development Regulations 2001 (as amended) <b>and</b> 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 <b>and</b> 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 <b>but</b> is <i>sub-threshold</i> : _____	Proceed to <b>Part C</b>
<b>C. If Yes</b> , 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 Determination required</b>
<input type="checkbox"/> No, Schedule 7A information/screening report has not been submitted by the applicant	<b>Preliminary Examination required</b>

Figure 6 Site entered on Planning register





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  
e customerservice  
@tipperarycoco.ie  
tipperarycoco.ie

Date: 19<sup>th</sup> April 2024

Our Ref: S5/24/19

Civic Offices, Nenagh

**John Healy**  
**C/O Sean Ryan**  
**Ryan Architectural Solutions Ltd**  
**Pasrkstown, Horse & Jockey**  
**Thurles, Co. Tipperary**

**Re: Declaration under Section 5 of the Planning and Development Act 2000**

Dear Mr Ryan,

I refer to your application for a Section 5 Declaration received on 15<sup>th</sup> February, 2024 and the further information received on 2<sup>nd</sup> April, 2024, in relation to the following proposed works:

**Single storey rear extension at Dinguib, Killenaule, Co. Tipperary.**

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

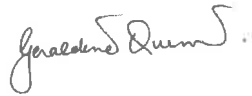
**AND WHEREAS** Tipperary County Council, in considering this referral, had regard particularly to –

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

Tipperary County Council has concluded that the proposal to construct a single storey rear extension at Dinguib, Killenaule, Co. Tipperary as presented on the drawings and details provided with the Declaration application, constitutes "development" within the meaning of the Planning and Development Act 2000, and is **"exempted development"**.

**NOTE:** Any person issued with a Declaration of a Planning Authority may refer the Declaration for review to An Bord 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



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for **Director of Services**



Original

TIPPERARY COUNTY COUNCIL

DELEGATED EMPLOYEE'S ORDER

SCANNED

File Ref: **S5/24/19**      **Delegated Employee's Order No:** \_\_\_\_\_

**SUBJECT: Section 5 Declaration**

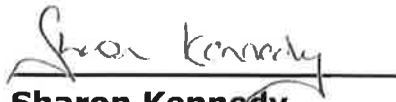
I, Sharon Kennedy, Director of Services, Tipperary County Council, by virtue of the powers delegated to me in accordance with the provisions of Section 154 of the Local Government Act 2001, as amended by Schedule 1, Part 1 of the Local Government Reform Act 2014 under Chief Executive's Order No. 37256 dated 4<sup>th</sup> March, 2024, hereby order that pursuant to the provisions of the Planning and Development Act 2000, as amended, that an application under Section 5 from John Healy, C/O Sean Ryan, Ryan Architectural Solutions Ltd, Parkstown, Hors & Jockey, Thurles, Co. Tipperary, re: Construction of a Single storey extension to rear of dwelling at Dinguib, Killenaule, Co. Tipperary is exempted development.

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

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

Tipperary County Council has concluded that the proposal to construct a single storey rear extension at Dinguib, Killenaule, Co. Tipperary as presented on the drawings and details provided with the Declaration application, constitutes "development" within the meaning of the Planning and Development Act 2000, and is "**exempted development**".

**Signed:**



**Sharon Kennedy**

**Director of Services**

**Planning and Development (including Town Centre First),**

**Emergency Services and Emergency Planning and**

**Tipperary/Cahir/Cashel Municipal District**

**Date: 19/04/2024**