

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

PLANNING & DEVELOPMENT ACT, 2000 (as amended)

Application for a Section 5 Declaration
Development / Exempted Development

1. Applicant's address/contact details:

Applicant	MARY McDONALD
Address	CARHUE, DUNDRUM, CO. TIPPERARY (E34 4205)
Telephone No.	[REDACTED]
E-mail	[REDACTED]

2. Agent's (if any) address:

Agent	SHANE HENNESSY
Address	SHANE HENNESSY LTD, AGRI-BUSINESS CONSULTANCY, 8 GRATTAN ST, TIPPERARY TOWN
Telephone No.	[REDACTED]
E-mail	[REDACTED]
Please advise where all correspondence in relation to this application is to be sent;	
Applicant [<input checked="" type="checkbox"/>]	Agent [<input type="checkbox"/>]

3. Location of Proposed Development:

Postal Address or Townland or Location (as may best identify the land or structure in question)	CARHUE, DUNDRUM, CO. TIPPERARY <u>E34 4205</u>
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Receipt No 178 283
Cash Cheque
15 02 2024

Tipperary County Council
RECEIVED
15 FEB 2024
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.)

3 BAY SLATTED SHED + LIEBACK AREA.
TOTAL AREA OF SHED 140m ²
3 BAY SLATTED AREA 4.8m x 4.8m per bay.
+ SAME AREA ADJACENT TO SLATTED AREA FOR
LOOSE HOUSE AREA. (BOVINE) TANK DEPTH 2.4m
Proposed floor area of proposed works/uses: 140 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 <input type="checkbox"/>
	C. Other <input type="checkbox"/>	<input type="checkbox"/>
Where legal interest is 'Other', please expand further on your interest in the land or structure		
If you are not the legal owner, please state the name and address of the owner	Name: Address:	

Signature of Applicant(s) Mary McElwain . Date: 1/2/2024

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:

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. € _____

Receipt No _____

Date _____

Received by _____

Land Registry

County Tipperary

Folio 63933F

Register of Ownership of Freehold Land

Part 1(A) - The Property

Note: Unless a note to the contrary appears, neither the description of land in the register nor its identification by reference to the Registry Map is conclusive as to boundaries or extent

No.	For parts transferred see Part 1(B) Description	Official Notes
1	<p>The property shown coloured Red as plan(s) DJW5A on the Registry Map, situate in the Townland of CARROW, in the Barony of KILNAMANAGH LOWER, in the Electoral Division of CLONOULTY WEST.</p> <p>The Registration does not extend to the mines and minerals</p>	From Folio TY5967N

Land Registry

County Tipperary

Folio 63933F

Part 1(B) - Property Parts Transferred

No. Prop No:	Instrument:	Date:	Area (Hectares):	Plan:	Folio No:

Land Registry

County Tipperary

Folio 63933F

Part 2 - Ownership

Title ABSOLUTE

No. **The devolution of the property is subject to the provisions of Part II of the Succession Act, 1965**

1 01-JUN-2017 MARY ANNE MC DONALD of Carhue, Dundrum, County Tipperary is
D2017LR075095G full owner.

Land Registry

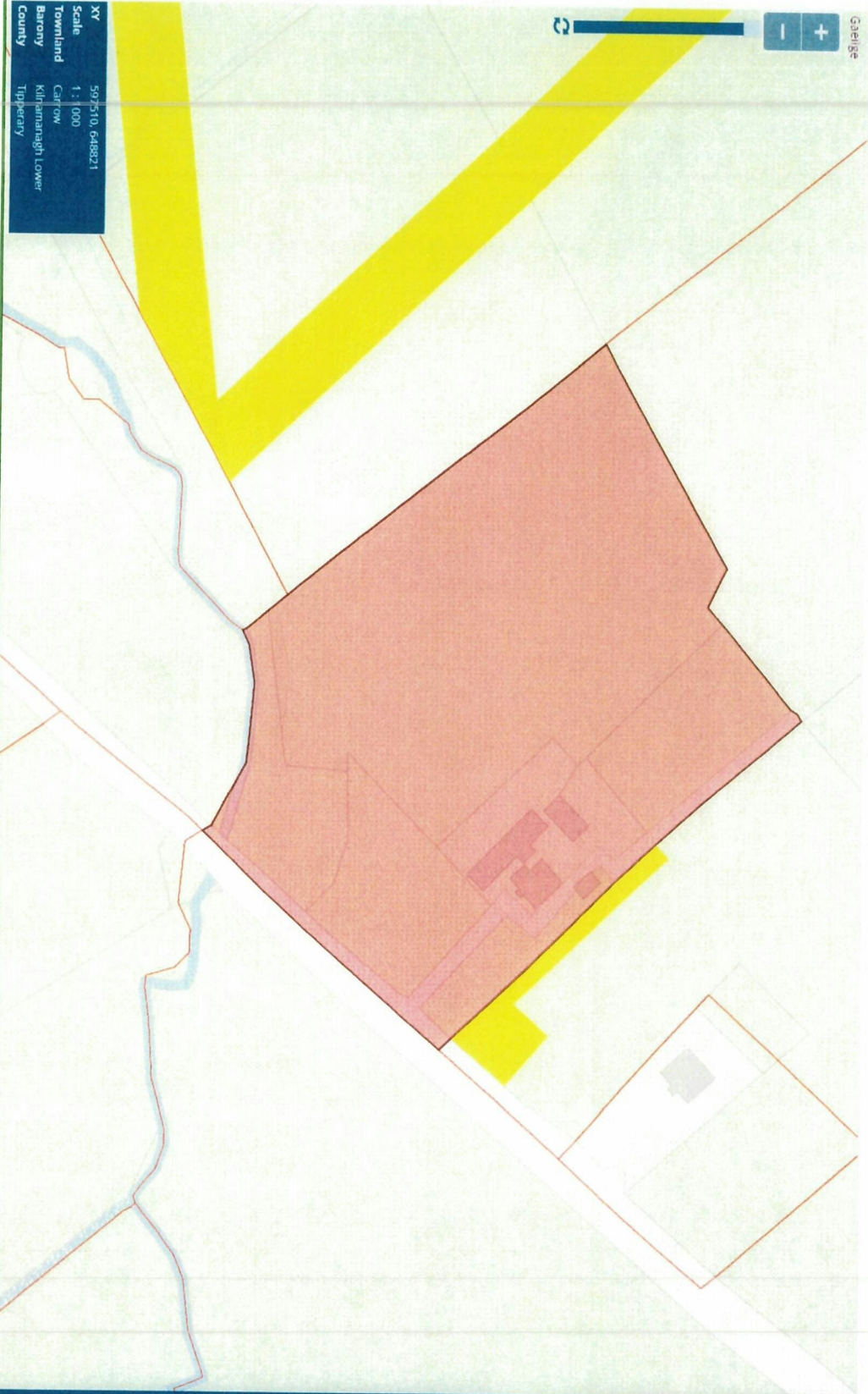
County Tipperary

Folio 63933F

Part 3 - Burdens and Notices of Burdens

No.	Particulars	
1	28-JAN-2019 D2019LR013618N	Charge for present and future advances repayable with interest. EBS DAC is owner of this charge.

Galileo



XX
 Scale 1 : 1000
 Townland Carrrow
 Barony Kilmarnagh Lower
 County Tipperary

> Back
 Property Details

Folio Number	T763333F
Title Level	Feehold
Plan Number	D1454
Property Number	1
Area of selected plans	1.98 hectares
Number of Plans on this folio:	1
Address	Carrrow, Dune, m, Co. Tipperary, E3 205
View Folio PDF	Request Copy

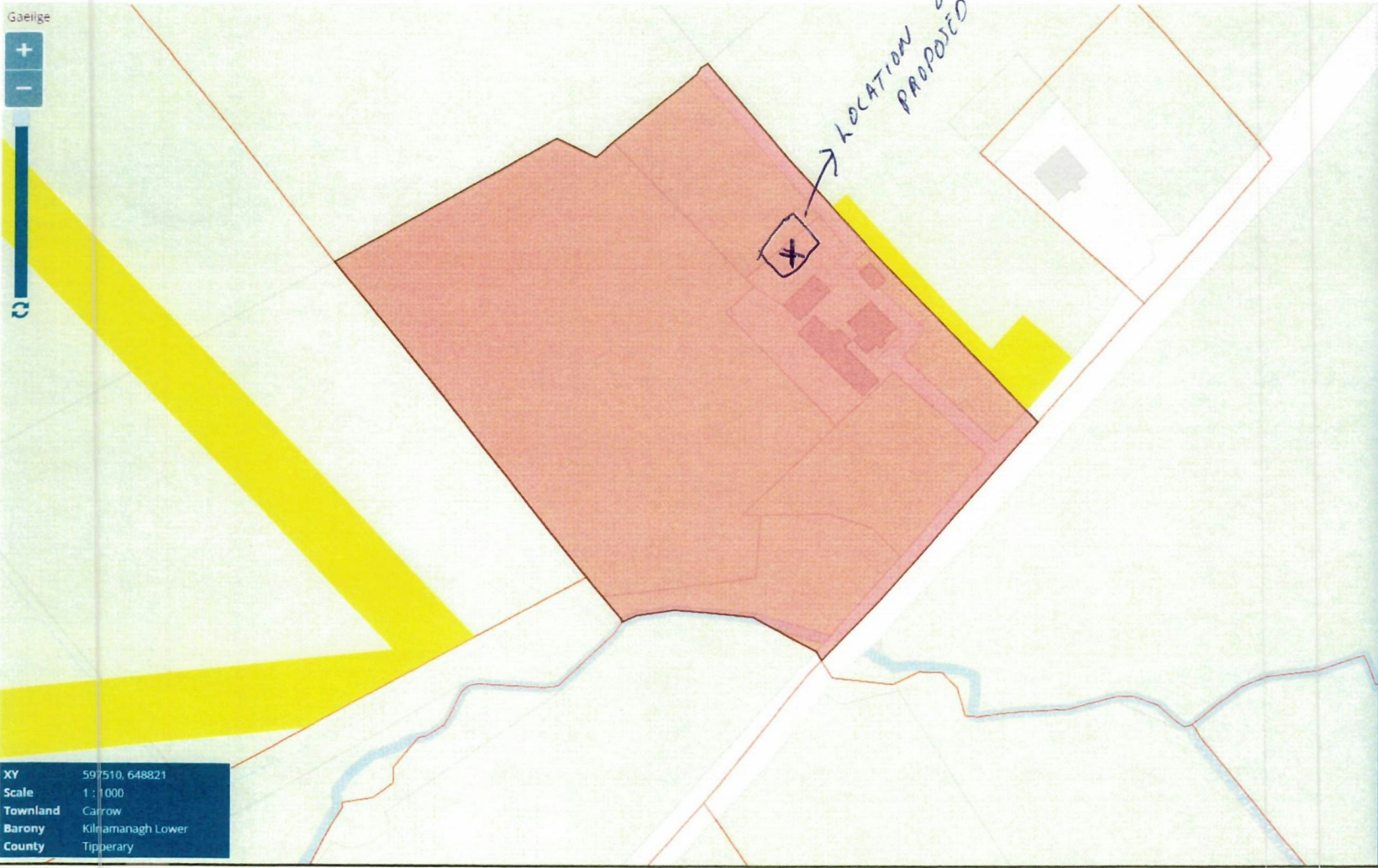
...See Boundaries and Part 483 are not conclusive. See Section 62(2) of the Land Registration Rules 2012

Print Current View
 Help

Gaeilge



XY 597510, 648821
Scale 1 : 1000
Townland Carrow
Barony Killiamanagh Lower
County Tipperary



LOCATION OF PROPOSED INVESTMENT

Property Details

> Back

Folio Number	TY63933F
Title Level	Freehold
Plan Number	DJW5A
Property Number	1
Area of selected plans	1.98 hectare
Number of Plans on this folio:	1
Address	Carrow, Dunnam, Co. Tipperary, E34 205
View Folio PDF Request Certified Copy	

*PRK Boundaries and Plan Areas are not conclusive. See [Section 62\(2\) of Registration of Title Act 2006](#) and [Rule 5\(3\) of the Land Registration Rules 2012](#)

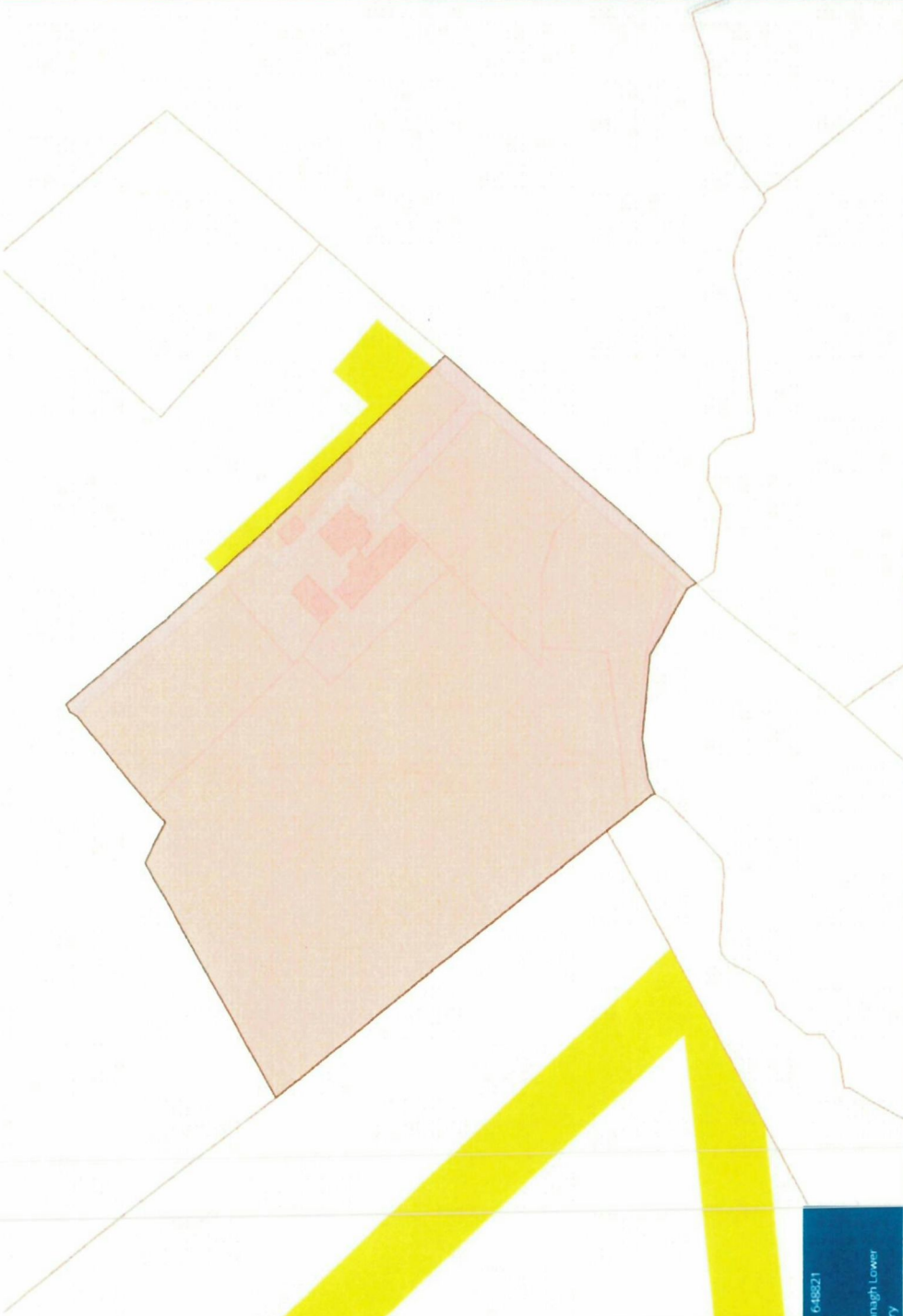
Print Current View

Help

Google



XY 597510, 648821
 Scale 1 : 1000
 Townland Carrow
 Barony Kilmanagh Lower
 County Tipperary



Property Details

[Back](#)

Folio Number	T163923F
Title Level	Freehold
Plan Number	D1005A
Property Number	1
Area of selected plans	1.98 hectares
Number of Plans on this folio	1
Address	Carrow, Dundrum, Co. Tipperary, E34-T235

[View Folio PDF](#) [Request Certified Copy](#)

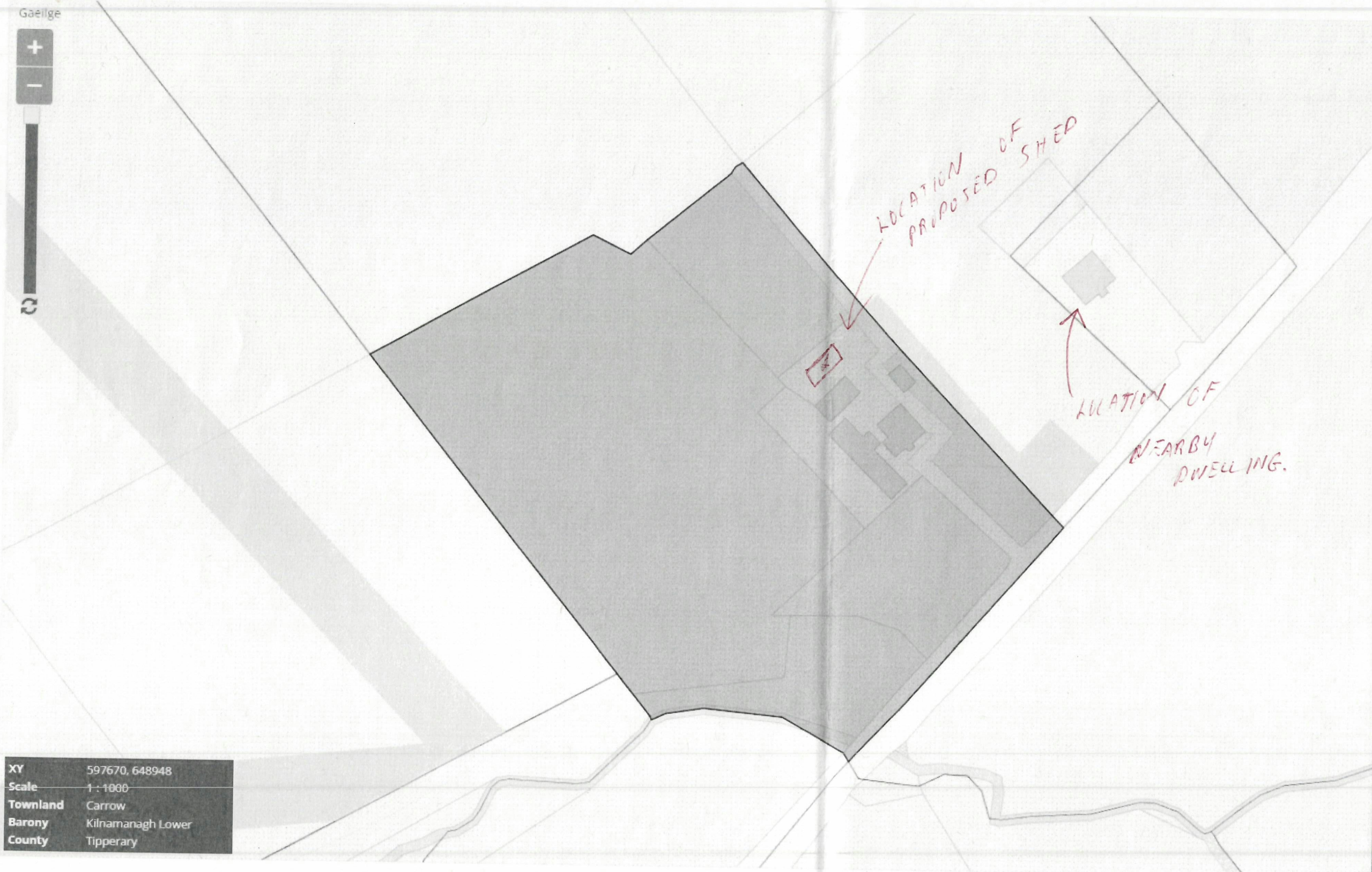
Warning
 The following information is not conclusive. For more information, please contact the relevant authority.
[View more information on this property](#)

[Print Current View](#) [Help](#)

Gaëlge



XY 597670, 648948
Scale 1:1000
Townland Carrow
Barony Kilnarnagh Lower
County Tipperary



LOCATION OF PROPOSED SHED

LOCATION OF NEARBY DWELLING.

Property Details

> Back

Folio Number	TY63933F
Title Level	Freehold
Plan Number	DJW5A
Property Number	1
Area of selected plans	1.98 hectares.
Number of Plans on this folio:	1
Address	Carrow, Dundrum, Co. Tipperary, E34 Y205

[View Folio PDF](#) [Request Certified Copy](#)

*Title Éireann Registration Boundaries and Plan Area are not conclusive. See [Section 62\(2\) of Registration of Title Act 2006](#) and [Rule 8\(3\) of the Land Registration Rules 2012](#).

[Print Current View](#)

Help



An Roinn Talmhaíochta,
Bia agus Mara
Department of Agriculture,
Food and the Marine

For Basic Income Support for Sustainability,
Areas of Natural Constraint Scheme and
other Area-Based Schemes Purposes only

Year: 2023 Scale: 1:500.0

Name: Not Available

Address: Not Available

Townland Code: V25604
Townland Name: CARROW

Parcel	Digitised	EH*	Claimed
V25604331	0.33	0	0

Ortho Used: Bluesky 20

PROPOSED
SHED.



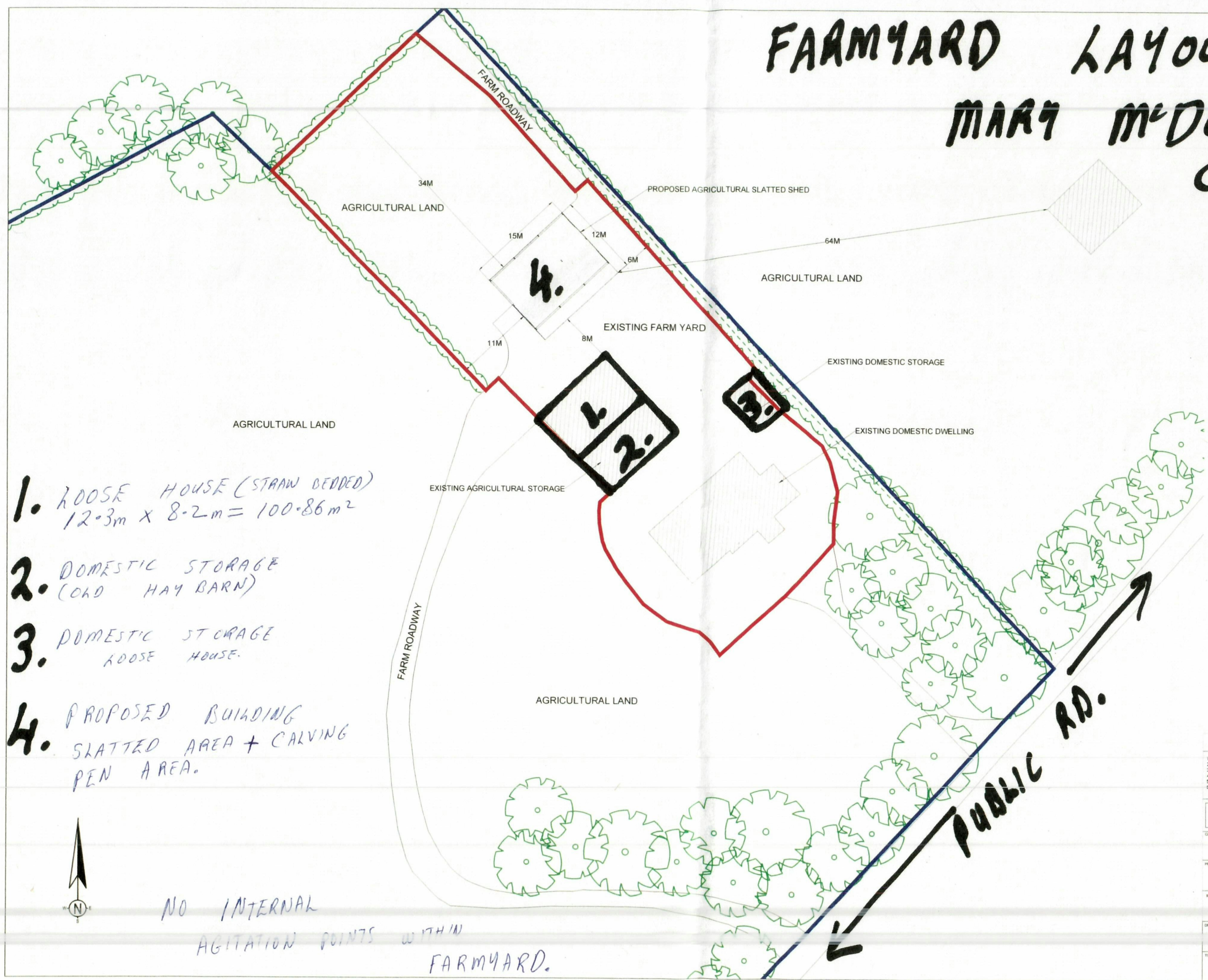
All areas displayed above are in hectares
*EH calculation available online via agfood.ie
Ordnance Survey Ireland Licence No. EN 0076413©
Ordnance Survey Ireland/Government of Ireland
Unauthorized reproduction is not permitted.

FARMYARD LAYOUT

MARY McDONALD

CARHUE
CO. TIPP
E349205

HERD NO.
U2562510

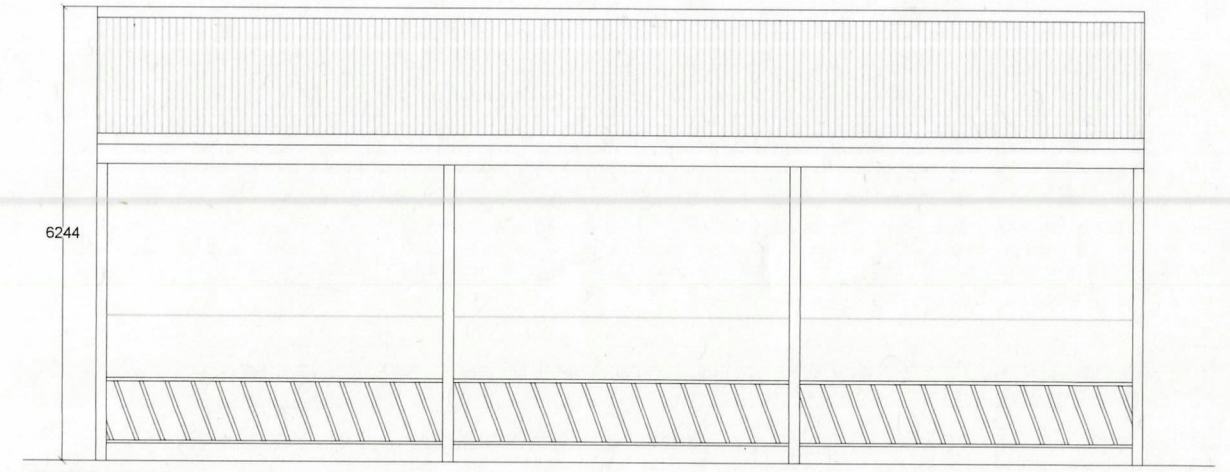
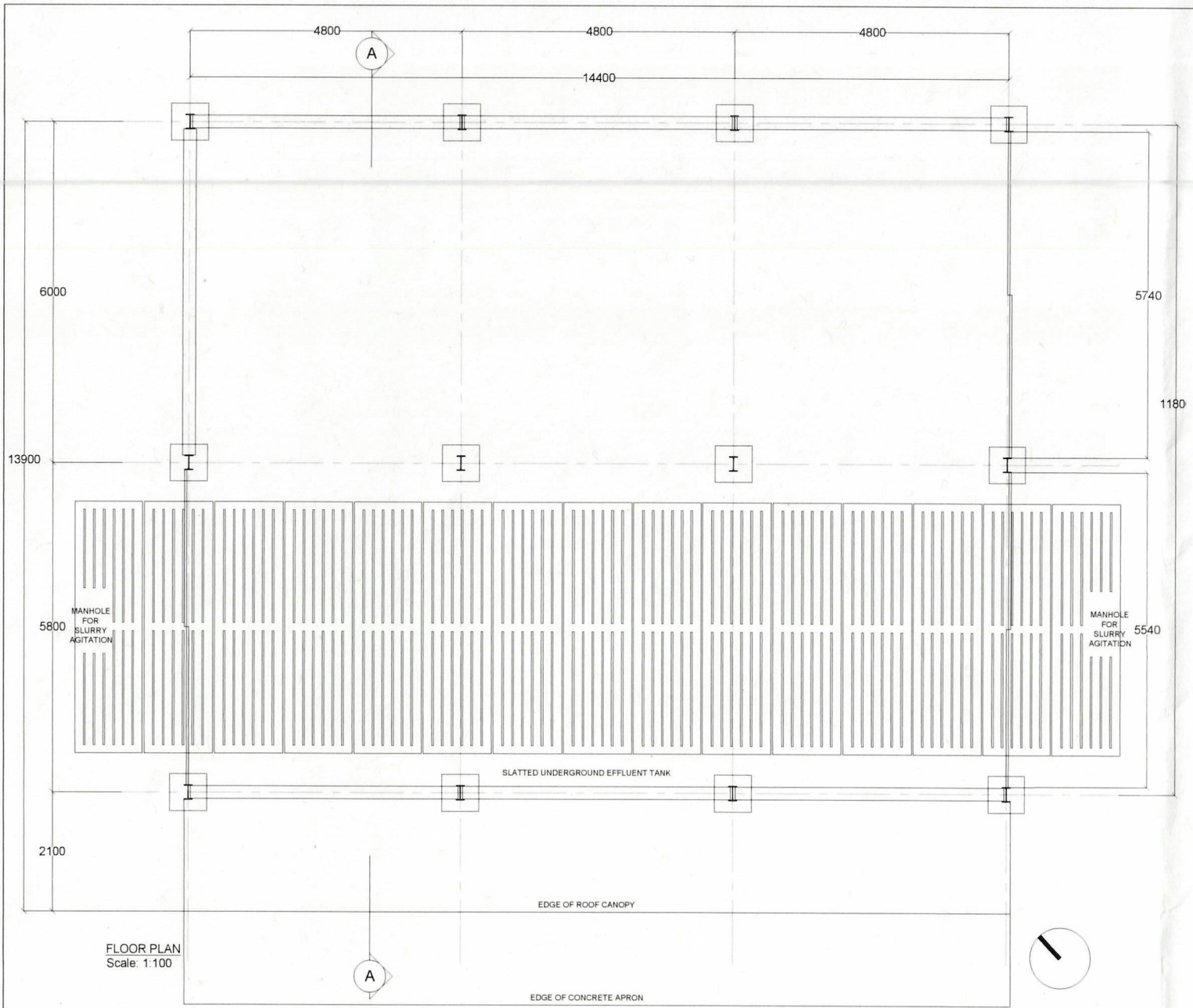


1. ROOSE HOUSE (STRAW BEDDED)
12.3m x 8.2m = 100.86m²
2. DOMESTIC STORAGE
(OLD HAY BARN)
3. DOMESTIC STORAGE
ROOSE HOUSE.
4. PROPOSED BUILDING
SLATTED AREA + CALVING
PEN AREA.

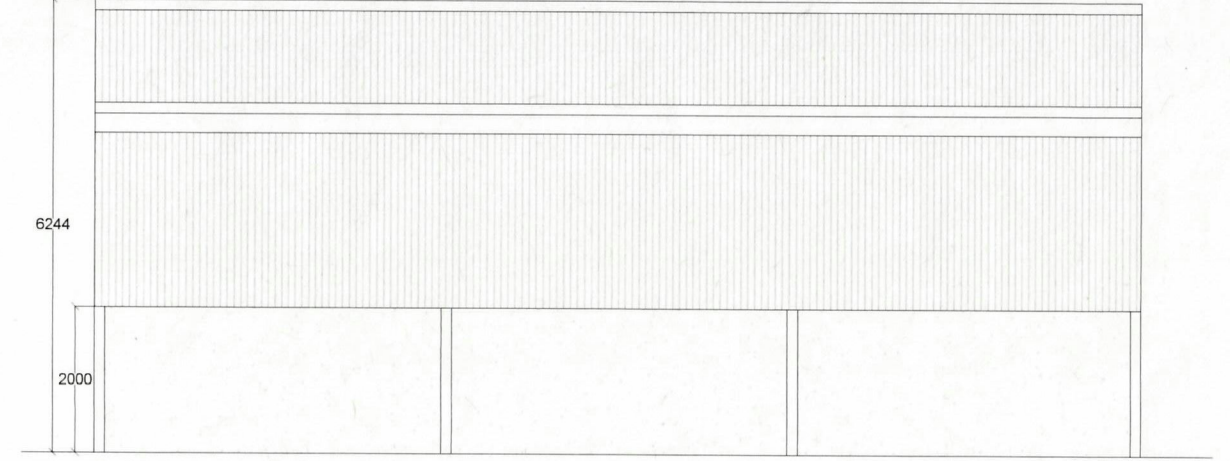


NO INTERNAL
AGITATION POINTS WITHIN
FARMYARD.

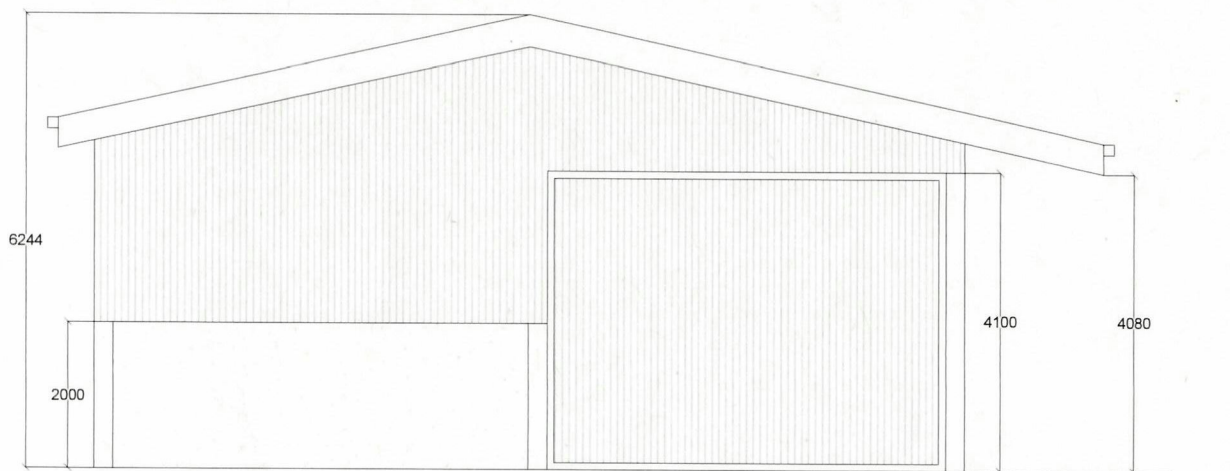
FOR PLANNING	
<small>1. All dimensions are in millimeters 2. Do not scale from drawing 3. Use figured dimensions only 4. All dimensions to be checked on site prior to commencement of works 5. This drawing is copyright protected 6. This drawing is for Planning Purposes only</small>	
Kevin Kearney B Arch Phone: 087 - 340888	Architectural & Agri Design
CLIENT TOM McDONALD	
PROJECT CARHUE, DUNDURM, CO. TIPPERARY	DATE 02/02/2024
REV NO 01	DRAWN BY KEVIN
DRAWING NO AS_000	
TITLE Site Plan	SCALE 1:500 @A3



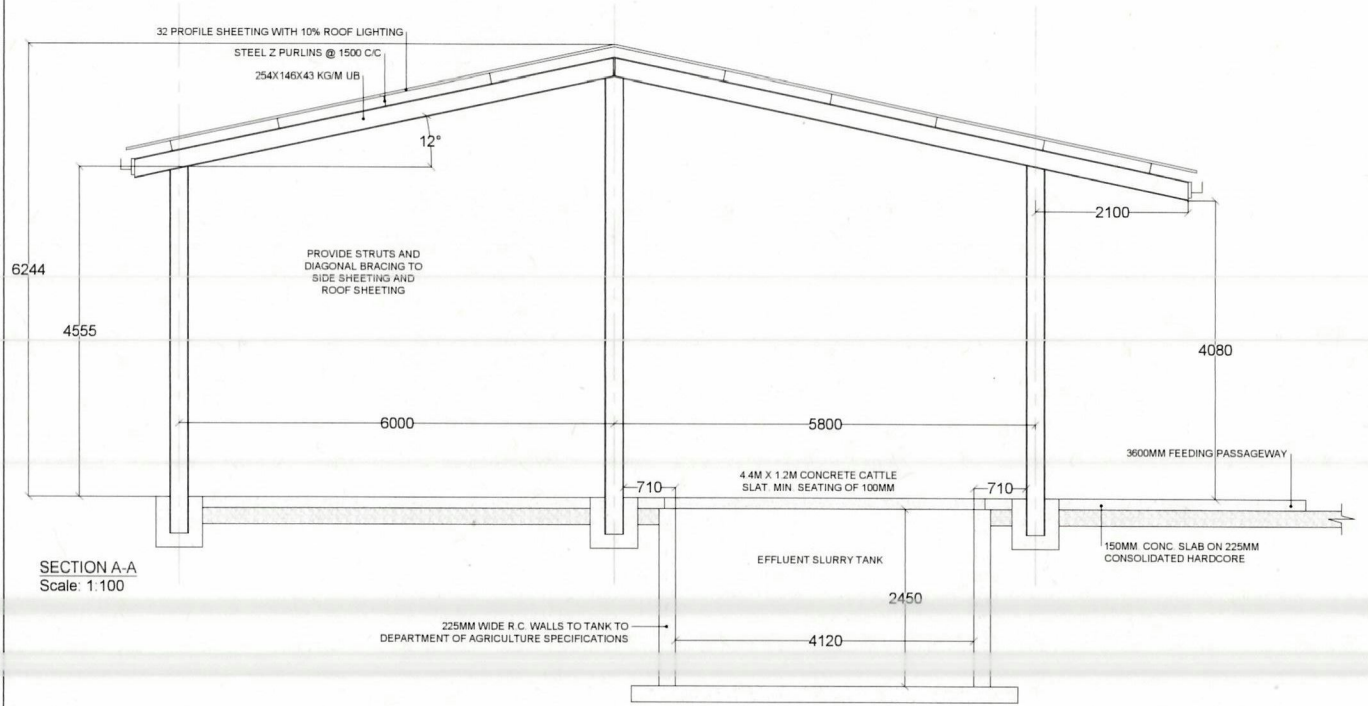
SOUTH ELEVATION
Scale: 1:100



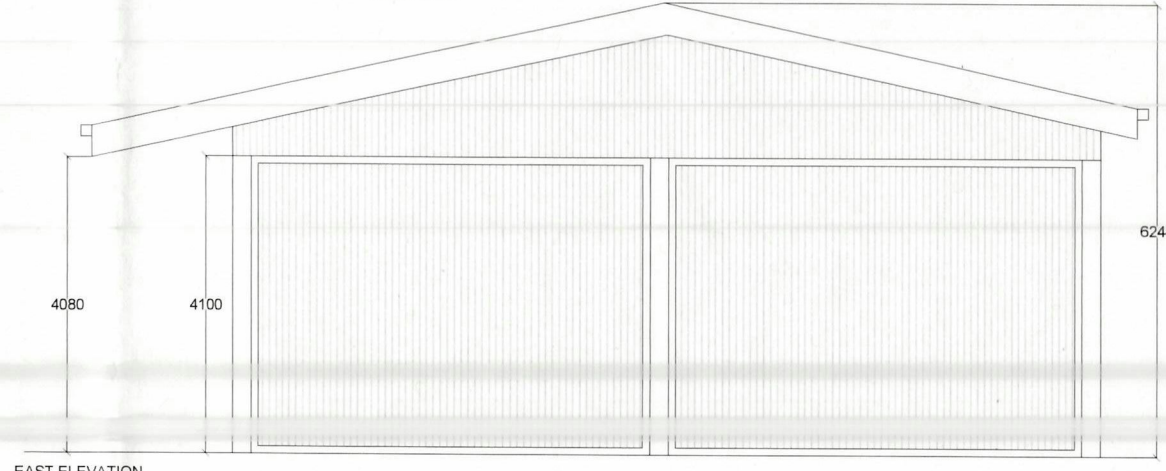
NORTH ELEVATION
Scale: 1:100



WEST ELEVATION
Scale: 1:100



SECTION A-A
Scale: 1:100



EAST ELEVATION
Scale: 1:100

FOR PLANNING	
1 All dimensions are in millimeters 2 Do not scale from drawing 3 Use figured dimensions only 4 All dimensions to be checked on site prior to commencement of works 5 This drawing is copyright protected 6 This drawing is for Planning Purposes only	
Kevin Kearney B Arch Phone 087 - 3660998	Architectural & Agri Design
CLIENT	TOM MCDONALD
PROJECT	CARHUE, DUNDRUM, CO. TIPPERARY
REV. NO	01
DRAWING NO	A3_001
TITLE	Plan, Section, & Elevations
DATE	09/02/2024
DRAWN BY	KEVIN
SCALE	1:100 @A3



FOR PLANNING	
1 All dimensions are in millimeters. 2 Do not scale from drawing. 3 Use figured dimensions only. 4 All dimensions to be checked on site prior to commencement of works. 5 This drawing is copyright protected. 6 This drawing is for Planning Purposes only.	
Kevin Kearney B Arch Phone 087 - 3660988	Architectural & Agri Design
CLIENT TOM MCDONALD	
PROJECT CARHUE, DUNDRUM, CO. TIPPERARY	DATE 09/02/2024
REV. NO. 01	DRAWN BY KEVIN
DRAWING NO. A3_002	
TITLE Site Plan	SCALE 1:500 @A3

SITE OUTLINED IN RED
SITE AREA: 0.73 ACRES
LAND HOLDING OUTLINED IN BLUE



FOR PLANNING

- 1. All dimensions are in millimeters.
- 2. Do not scale from drawing.
- 3. Use figured dimensions only.
- 4. All dimensions to be checked on site prior to commencement of works.
- 5. This drawing is copyright protected.
- 6. This drawing is for Planning Purposes only.

Kevin Kearney B Arch Architectural & Agri Design

Phone: 087 - 3660998

CLIENT

TOM MCDONALD

PROJECT

CARHUE, DUNDRUM, CO. TIPPERARY

DATE

09/02/2024

REV. NO.

01

DRAWN BY

KEVIN

DRAWING No.

A3_003

TITLE

Site Location Map

SCALE

1:2500 @A3



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
e customerservice
@tipperarycoco.ie
tipperarycoco.ie

Our Ref: S5/24/18

Date: 19th February 2024

Civic Offices, Clonmel

**Mary McDonald
Carhue
Dundrum
Co. Tipperary.
E34 Y205**

Re: Application for a Section 5 Declaration – A 3 bay slatted shed and lie back area totaling a 140 sqm in area at Carhue, Dundrum, Co Tipperary.

Dear Ms. McDonald,

I acknowledge receipt of your application for a Section 5 Declaration received on 15th 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**

TIPPERARY COUNTY COUNCIL

Application for Declaration under Section 5

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

Planning Reference:	S5/24/18
Applicant:	Mary McDonald
Development Address:	Carrow (Carhue), Dundrum, Co. Tipperary
Proposed Development:	3 bay slatted shed & lieback area (total area of shed is 140 m ²)

1. GENERAL

On the 15th February 2023, a request was made for a declaration under Section 5 of the Planning and Development Act, 2000 as amended, by Mary McDonald c/o Shane Hennessy as to whether or not the following (as per application form) constitutes development and if so, whether same constitutes exempted development at Carrow (Carhue), Dundrum, Co. Tipperary

**3 bay slatted shed & lie back area. Total area of shed is 140 m².
3 Bay slatted area 4.8m x 4.8m per bay. Same are adjacent to slatted area for loose house area.
(Bovine) Tank depth 2.4m.**

- Section 5 Declaration Application Form,
- Site Location Map,
- Site Layout Plan,
- Elevation and plan drawings,
- Letter of consent from third party landowner.
- Land Registry Details

2. STATUTORY PROVISIONS

The following statutory provisions are relevant to this referral case;

Planning and Development Act 2000, as amended

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 3 (1) of the Planning and Development Act 2000, as amended, defined “development” 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 “Agriculture” as:-

“agriculture” includes horticulture, fruit growing, seed growing, dairy farming, the breeding and keeping of livestock (including any creature kept for the production of food, wool, skins or fur, or for the purpose of its use in the farming of land), the training of horses and the rearing of bloodstock, the use of land as grazing land, meadow land, osier land, market gardens and nursery grounds, and “agricultural” shall be construed accordingly;

Section 4(2)(a) of the Planning and Development Act 2000, as amended, states as follows:

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:-

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.

(3) Subject to article 9, in areas other than a city, a town or an area specified in section 19(1)(b) of the Act or the excluded areas as defined in section 9 of the Local Government (Reorganisation) Act, 1985 (No. 7 of 1985), development of a class specified in column 1 of Part 3 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 3 opposite the mention of that class in the said column 1.

Schedule 2, Part 3 'Exempted Development - Rural:

Column 1 Description of Development	Column 2 Conditions and Limitations
<p><i>Agricultural Structures</i></p> <p>CLASS 6 <i>Works consisting of the provision of a roofed structure for the housing of cattle, sheep, goats, donkeys, horses, deer or rabbits, having a gross floor space not exceeding 200 square metres (whether or not by extension of an existing structure), and any ancillary provision for effluent storage</i></p>	<ol style="list-style-type: none"> <i>1. No such structure shall be used for any purpose other than the purpose of agriculture.</i> <i>2. The gross floor space of such structure together with any other such structures situated within the same farmyard complex or within 100 metres of that complex shall not exceed 300 square metres gross floor space in aggregate.</i> <i>3. Effluent storage facilities adequate to serve the structure having regard to its size, use and location shall be constructed in line with Department of Agriculture, Food and Rural Development and Department of the Environment and Local Government requirements and shall have regard to the need to avoid water pollution.</i> <i>4. No such structure shall be situated, and no effluent from such structure shall be stored, within 10 metres of any public road.</i> <i>5. No such structure within 100 metres of any public road shall exceed 8 metres in height.</i> <i>6. No such structure shall be situated, and no effluent from such structure shall be stored, within 100 metres of any house (other than the house of the person providing the</i>

structure) or other residential building or school, hospital, church or building used for public assembly, save with the consent in writing of the owner and, as may be appropriate, the occupier or person in charge thereof.

7. No unpainted metal sheeting shall be used for roofing or on the external finish of the structure.

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**

i. Site Location

The site comprises of an established farm complex and dwelling on lands at Carrow which is c. 3.3km north-east of the settlement of Dundrum, Co. Tipperary

ii. Relevant Planning History

P3/5727 Permission GRANTED for an extension (1979).

17/600624 Permission GRANTED making alterations and construct new extension to dwelling house, including all associated site works as may be required.

iii. Assessment

The question posed under the Section 5 Declaration application form is whether 3 bay slatted shed & lie back area. Total area of shed is 140sq.m is development and is or is not exempted development.

A) “Is or is not Development”

It is considered 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”

I consider that the class relevant to the building is Class 6 (roofed structure for the housing of cattle). The gross floor space of such structure together with any other such structures does not exceed 300 square metres gross floor space in aggregate. The structure is less than 8m in height and more than 10m from a public roadway. A letter of consent from the third party within 100m of the structure has been submitted.

The proposed structured meets the parameters of class 6 of the regulations.

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

AA

The proposal has been screened as to the requirements for Appropriate Assessment under the EU Habitats Directive. See also Appropriate Assessment screening report attached.

EIA

The proposed development is not a type of development included for under Schedule 5 of the Planning and Development Regulations 2001, as amended. EIA is not required in respect of the development. See all EIA Pre-Screening report attached.

D) Is the exemption restricted under Article 9 of the Regulations

I have reviewed the restrictions on exemption set out under Article 9 and I note no restrictions that would apply.

4. RECOMMENDATION

WHEREAS a question has arisen as to whether the construction of a 3 bay slatted shed & lie back area. Total area of shed is 140sq.m at Carrow (Carhue), Dundrum, Co. Tipperary is “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 3, Class 6 of the Planning and Development Regulations, 2001, as amended.

AND WHEREAS Tipperary County Council has concluded that a 3 bay slatted shed & lie back area. Total area of shed is 140sq.m at Carrow (Carhue), Dundrum, Co. Tipperary constitutes “development” within the meaning of the Planning and Development Act 2000, as amended and is “exempted development”.

NOW THEREFORE Tipperary County Council, in exercise of the powers conferred on it by Section 5 (3) (a) of the 2000 Act, as amended hereby decides a 3 bay slatted shed & lie back area. Total area of shed is 140sq.m at Carrow (Carhue), Dundrum, Co. Tipperary is development and IS exempted development.

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: 11/03/2024

Senior Executive Planner:



Date: 13/03/2024

Original

TIPPERARY COUNTY COUNCIL

DELEGATED EMPLOYEE'S ORDER

File Ref: **S5/24/18** **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 4th 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 Mary McDonald, Carhue, Dundrum, Co. Tipperary, E34 Y205 re: 3 bay slatted shed & lie back area (total area of shed is 140 m²) at Carrow (Carhue), Dundrum, 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 3, Class 6 of the Planning and Development Regulations, 2001, as amended.

AND WHEREAS Tipperary County Council has concluded that a 3 bay slatted shed & lie back area. Total area of shed is 140sq.m at Carrow (Carhue), Dundrum, Co. Tipperary constitutes "development" within the meaning of the Planning and Development Act 2000, as amended and is "exempted development".

NOW THEREFORE Tipperary County Council, in exercise of the powers conferred on it by Section 5 (3) (a) of the 2000 Act, as amended hereby decides a 3 bay slatted shed & lie back area. Total area of shed is 140sq.m at Carrow (Carhue), Dundrum, Co. Tipperary **is development 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: 13/03/2024



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: 13 March 2024

Our Ref: S5/24/18

Civic Offices, Nenagh

**Mary McDonald
Carhue
Dundrum
Co. Tipperary.
E34 Y205**

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

Dear Ms McDonald,

I refer to your application for a Section 5 Declaration received on 15th February 2024, in relation to the following proposed works:

3 bay slatted shed & lieback area (total area of shed is 140 m2) at Carrow (Carhue), Dundrum, 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 3, Class 6 of the Planning and Development Regulations, 2001, as amended.

AND WHEREAS Tipperary County Council has concluded that a 3 bay slatted shed & lie back area. Total area of shed is 140sq.m at Carrow (Carhue), Dundrum, Co. Tipperary constitutes “development” within the meaning of the Planning and Development Act 2000, as amended and is “exempted development”.

NOW THEREFORE Tipperary County Council, in exercise of the powers conferred on it by Section 5 (3) (a) of the 2000 Act, as amended hereby decides a 3 bay slatted shed & lie back area. Total area of shed is 140sq.m at Carrow (Carhue), Dundrum, Co. Tipperary **is development and is exempted development.**

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

A handwritten signature in blue ink, reading "Geraldine Quinn". The signature is enclosed in a thin blue rectangular border.

for **Director of Services**