



Receipt No  
180 688  
€ 80.00  
Cheque  
22.04.2024

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

Application for a Section 5 Declaration  
Development / Exempted Development

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

Applicant	JOHANNA PERRY
Address	17 PRIOR PARK HILL CLONMEL
Telephone No.	[REDACTED]
E-mail	[REDACTED]

SCANNED

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

Agent	LION BUTLER
Address	20 GLENMARA LANE CLONMEL
Telephone No.	[REDACTED]
[REDACTED]	[REDACTED]

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

Applicant [ ]      Agent []

TIPPERARY CO. COUNCIL  
RECEIVED  
22 APR 2024  
PLANNING SECTION  
FILE NO. ....

3. **Location of Proposed Development:**

Postal Address or Townland or Location (as may best identify the land or structure in question)	17 PRIOR PARK HILL CLONMEL
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**4. Development Details:**

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

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

GARAGE CONVERSION TO BEDROOM &
REAR SINGLE-STORY EXTENSION
GARAGE AREA = 12m <sup>2</sup> / EXTENSION = 9m <sup>2</sup>
Proposed floor area of proposed works/uses: 21 sqm TOTAL

**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	No	
If you are not the legal owner, please state the name and address of the owner	Name: Address: No	

Signature of Applicant(s) J. W. Lee x Date: 4/06/24

**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**

**DATE STAMP**

**Fee Recd. € 80.00** \_\_\_\_\_

Receipt No 180687 \_\_\_\_\_

Date 22.04.24 \_\_\_\_\_

Received by \_\_\_\_\_



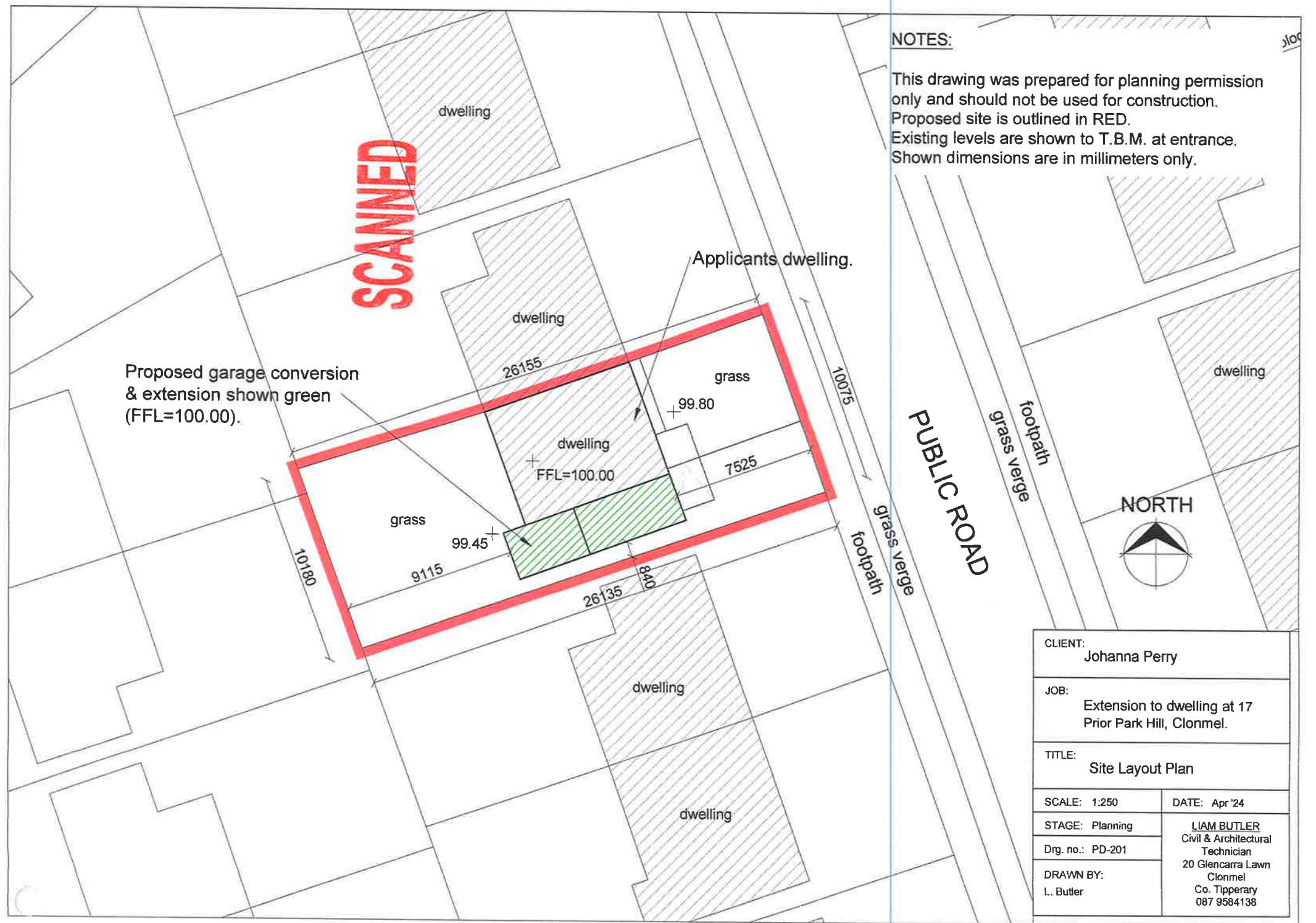
SCANNED

Proposed garage conversion & extension shown green (FFL=100.00).

Applicants dwelling.

NOTES:

This drawing was prepared for planning permission only and should not be used for construction. Proposed site is outlined in RED. Existing levels are shown to T.B.M. at entrance. Shown dimensions are in millimeters only.



NORTH



CLIENT: Johanna Perry	
JOB: Extension to dwelling at 17 Prior Park Hill, Clonmel.	
TITLE: Site Layout Plan	
SCALE: 1:250	DATE: Apr '24
STAGE: Planning	LIAM BUTLER Civil & Architectural Technician 20 Glencarra Lawn Clonmel Co. Tipperary 087 9584138
Dr. no.: PD-201	
DRAWN BY: L. Butler	



Proposed site outlined in red.  
O.S.I. licence no.: EN0047224.  
Map reference no.: 5430-06

Sports Ground

Sports Ground

**SCANNED**

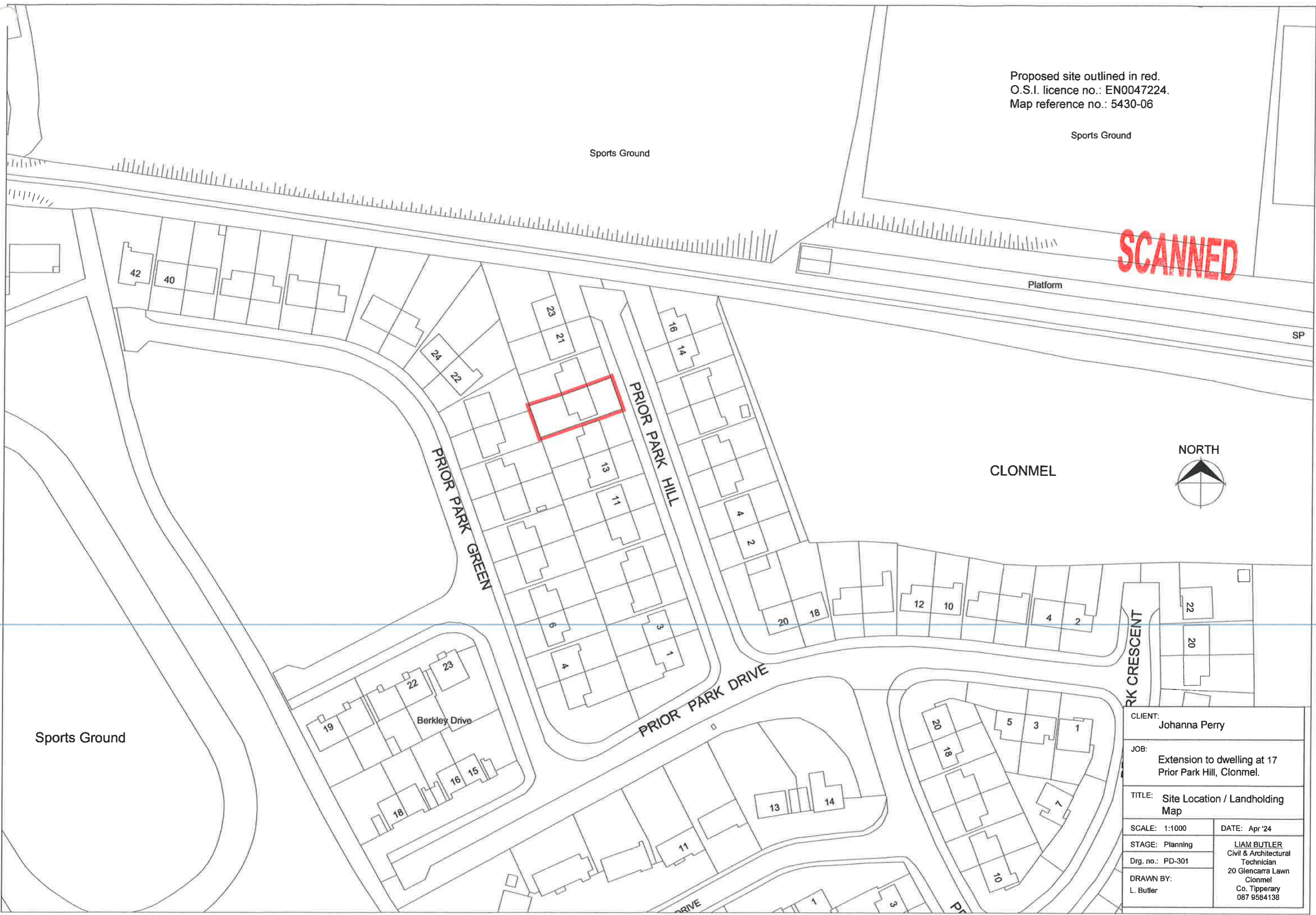
Platform

SP

CLOMEL



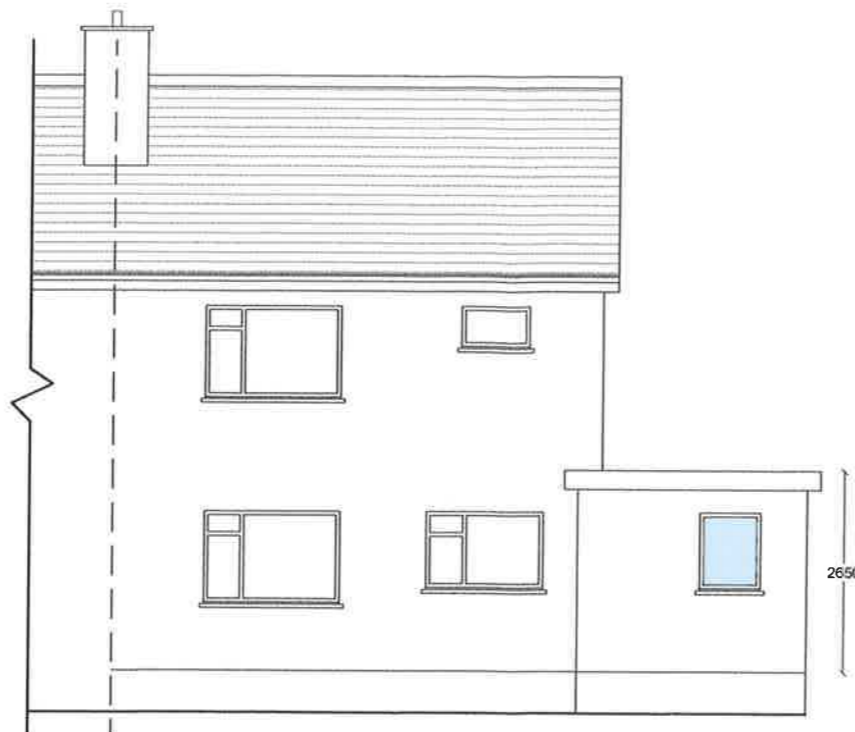
Sports Ground



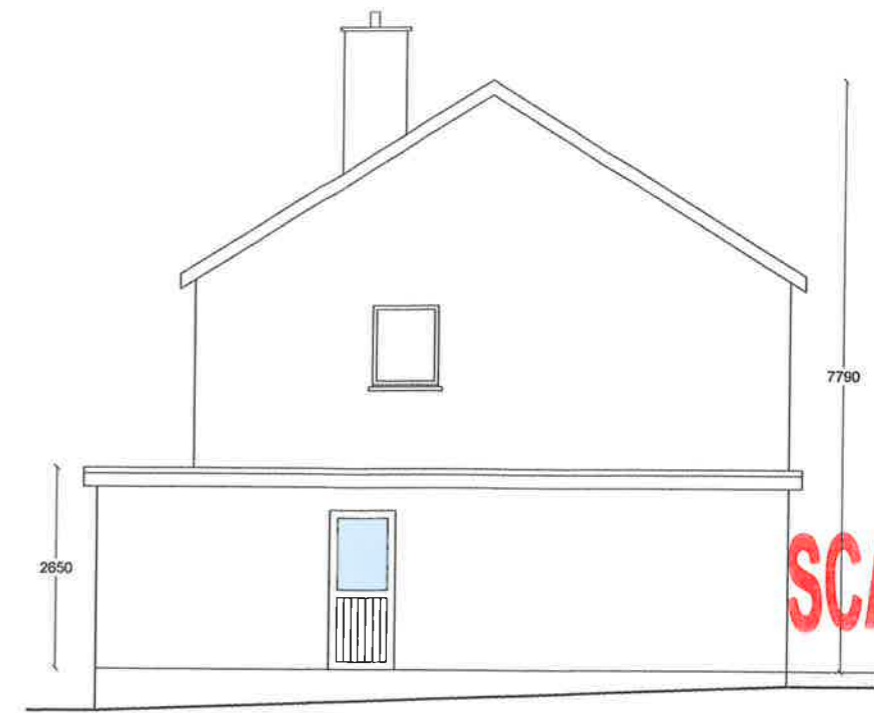
CLIENT: Johanna Perry	
JOB: Extension to dwelling at 17 Prior Park Hill, Clonmel.	
TITLE: Site Location / Landholding Map	
SCALE: 1:1000	DATE: Apr '24
STAGE: Planning	LIAM BUTLER Civil & Architectural Technician 20 Glencarra Lawn Clonmel Co. Tipperary 087 9584138
Drg. no.: PD-301	
DRAWN BY: L. Butler	



**FRONT ELEVATION**



**REAR ELEVATION**



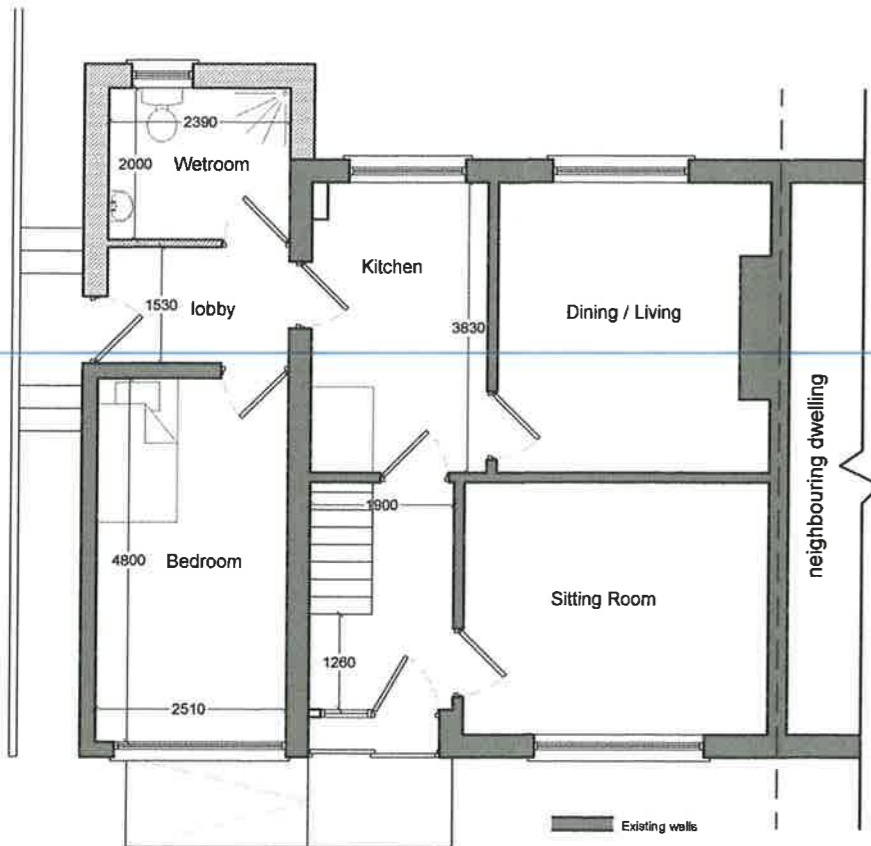
**SIDE ELEVATION**

**SCANNED**

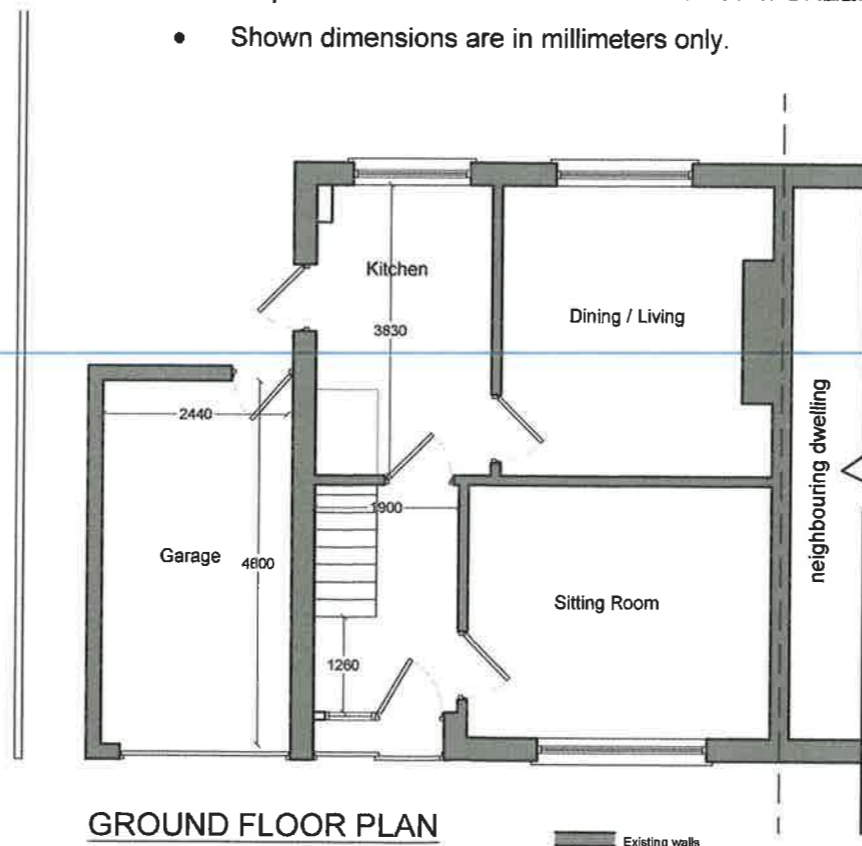


**NOTES:**

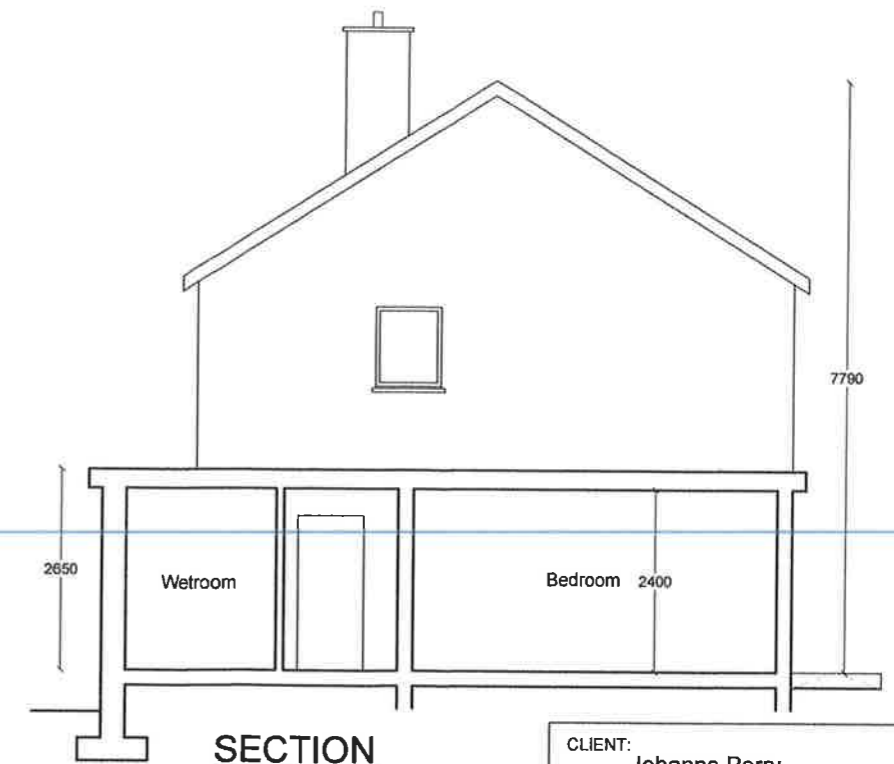
- This drawing was prepared for planning permission purposes only and should not be used for construction.
- Proposed works for Permission are marked in GREEN.
- Shown dimensions are in millimeters only.



**GROUND FLOOR PLAN  
Proposed**



**GROUND FLOOR PLAN  
Existing**



**SECTION**

**PROPOSED EXTERNAL FINISHES:**

- External walls - Nap plaster finish.
- Windows - uPVC double glazed.
- Roof finish - Sika Trocal Roofing membrane.
- Window cills - Precast concrete cills.

CLIENT: Johanna Perry	
JOB: Extension to dwelling at 17 Prior Park Hill, Clonmel.	
TITLE: Proposed Extension	
SCALE: 1:100	DATE: Apr '24
STAGE: Planning	LIAM BUTLER Civil & Architectural Technician 20 Glencarra Lawn Clonmel Co. Tipperary 087 9584138
Drg. no.: PD-101	
DRAWN BY: L. Butler	





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

Date: 24<sup>th</sup> April 2024

Our Ref: S5/24/50

Civic Offices, Clonmel

**Johanna Perry  
C/o Liam Butler  
20 Glencarra Lawn  
Clonmel  
Co. Tipperary**

**SCANNED**

**Re: Application for a Section 5 Declaration – Garage conversion to bedroom and a single storey rear extension at 17 Prior Park Hill, Clonmel, Co. Tipperary.**

Dear Sir/Madam

I acknowledge receipt of your application for a Section 5 Declaration received on 22<sup>nd</sup> April, 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

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**Planning Reference:** S5/24/50

**Applicant:** Johanna Perry

**Development Address:** 17 Prior Park Hill, Clonmel, Co. Tipperary

**Proposed Development:** Garage conversion to bedroom and rear single storey extension

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**1. GENERAL**

On the 22<sup>nd</sup> April 2024, a request was made for a declaration under Section 5 of the Planning and Development Act, 2000 as amended, by Johanna Perry c/o Liam Butler in respect of the following development;

*Garage conversion to bedroom (12 sqm) and rear single storey extension (9 sqm)*

**2. STATUTORY PROVISIONS**

The following statutory provisions are relevant to this case;

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

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

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

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

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

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

4.— (1) The following shall be exempted developments for the purposes of this Act—

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

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

*(2)(a) The Minister may by regulations provide for any class of development to be exempted development for the purposes of this Act where he or she is of the opinion that—*

- (i) by reason of the size, nature or limited effect on its surroundings, of development belonging to that class, the carrying out of such development would not offend against principles of proper planning and sustainable development, or
- (ii) the development is authorised, or is required to be authorised, by or under any enactment (whether the authorisation takes the form of the grant of a licence, consent, approval or any other type of authorisation) where the enactment concerned requires there to be consultation (howsoever described) with members of the public in relation to the proposed development prior to the granting of the authorisation (howsoever described).

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

4 (4) Notwithstanding paragraphs (a), (i), (ia) and (l) of subsection (1) and any regulations under subsection (2), development shall not be exempted development if an environmental impact assessment or an appropriate assessment of the development is required.

**Planning and Development Regulations 2001, as amended**

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

Exempted Development.

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

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

Description of Development	Conditions and Limitations
<p>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.</p>	<p>1.</p> <ul style="list-style-type: none"> <li>(a) Where the house has not been extended previously, the floor area of any such extension shall not exceed 40 square metres.</li> <li>(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.</li> <li>(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.</li> </ul> <p>2.</p> <ul style="list-style-type: none"> <li>(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.</li> <li>(b) Subject to paragraph (a), where the house is terraced or semi-detached and has been extended</li> </ul>

*previously, the floor area of any extension above ground level taken together with the floor area of any previous extension or extensions above ground level constructed or erected after 1 October 1964, including those for which planning permission has been obtained, shall not exceed 12 square metres.*

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

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

*4.*

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

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

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

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

*6.*

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

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

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

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

Article 9 of the Planning and Development Regulations 2001, as amended sets out restrictions on exemptions and states:

9. (1) *Development to which article 6 relates shall not be exempted development for the purposes of the Act—*

(a) *if the carrying out of such development would—*

(viiB) *comprise development in relation to which a planning authority or An Bord Pleanála is the competent authority in relation to appropriate assessment and the development would require an appropriate assessment because it would be likely to have a significant effect on the integrity of a European site.*

(viii) *consist of or comprise the extension, alteration, repair or renewal of an unauthorised structure or a structure the use of which is an unauthorised use.*

### **3. ASSESSMENT**

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

The site comprises of an existing residential property at 17 Prior Park Hill, Clonmel, Co. Tipperary.

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

PA 45772 Grant of permission for a housing development on the lands.

#### **c. Assessment**

The question posed under the Section 5 Declaration application is whether the conversion of a garage to a bedroom and the construction of a rear single storey extension to an existing dwelling is development and is exempted development.

##### **i) "Is or is not Development"**

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

##### **ii) "Is or is not Exempted Development"**

The floor area of the proposed conversion of the garage to a bedroom together with the construction of the rear single storey extension, is 21 sqm. The proposed conversion of the garage and the extension meet the planning exemption parameters under Class 1 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001, as amended.

##### **iii) Restrictions under Article 9**

I note no restrictions under Article 9 that would apply.

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

###### **AA**

The proposal has been assessed having regard to the requirements of the EU Habitats Directive. The proposal has been screened as to the requirements for AA and the screening assessment considers that the proposal does not impact on any Natura 2000 site. See also Appropriate Assessment (AA) screening report attached as Appendix 1.

###### **EIA**

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 also for



Environmental Impact Assessment (EIA) preliminary examination screening report attached as Appendix 2.

#### **4. RECOMMENDATION**

**WHEREAS** a question has arisen as to whether the conversion of a garage to a bedroom and the construction of a rear single storey extension to an existing dwelling, at 17 Prior Park Hill, Clonmel, Co. Tipperary constitutes "development" and "exempted development"

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

- (a) Sections 2, 3 and 4 of the Planning and Development Act, 2000, as amended
- (b) Article 6 and 9 of the Planning and Development Regulations 2001, as amended.
- (c) Class 1 of Schedule 2, Part 1 of the Planning and Development Regulations 2001, as amended.

**AND WHEREAS** Tipperary County Council has concluded that –

The conversion of a garage to a bedroom and the construction of a rear single storey extension to an existing dwelling, satisfies the planning exemption under Class 1 Schedule 2, Part 3 of the Planning and Development Regulations 2001 (as amended). The proposal constitutes "development" within the meaning of the Planning and Development Act 2000, as amended and is "exempted development".

**Assistant Planner:**

Aife Martin

**Date:** 13/05/2024

C. Conway

**Senior Executive Planner:**

**Date:** 14.05.2024

## HABITATS DIRECTIVE APPROPRIATE ASSESSMENT (AA) SCREENING REPORT

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

<b>(a) File Reference No:</b>	S5/24/50
<b>(b) Brief description of the project or plan:</b>	Garage conversion and extension
<b>(c) Brief description of site characteristics:</b>	Existing dwelling in urban area
<b>(d) Relevant prescribed bodies consulted: e.g. DHLGH (NPWS), EPA, OPW</b>	None
<b>(e) Response to consultation:</b>	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
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
Nier Valley Woodlands SAC	<a href="https://www.npws.ie/protected-sites/sac/000668">https://www.npws.ie/protected-sites/sac/000668</a>	Within 15km	None	No
Comeragh Mountains SAC	<a href="https://www.npws.ie/protected-sites/sac/001952">https://www.npws.ie/protected-sites/sac/001952</a>	Within 15km	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> </ul>	No potential impacts

- Changes to water/groundwater due to drainage or abstraction
- Presence of people, vehicles and activities
- Physical presence of structures (e.g. collision risks)
- Potential for accidents or incidents

In-combination/Other

No potential impacts

**(b) Describe any likely changes to the European site:**

Examples of the type of changes to give consideration to include:

- Reduction or fragmentation of habitat area
- Disturbance to QI species
- Habitat or species fragmentation
- Reduction or fragmentation in species density
- Changes in key indicators of conservation status value (water or air quality etc.)
- Changes to areas of sensitivity or threats to QI
- Interference with the key relationships that define the structure or ecological function of the site

No potential impacts

**(c) Are 'mitigation' measures necessary to reach a conclusion that likely significant effects can be ruled out at screening?**

Yes  No

**STEP 4. Screening Determination Statement**

**The assessment of significance of effects:**

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

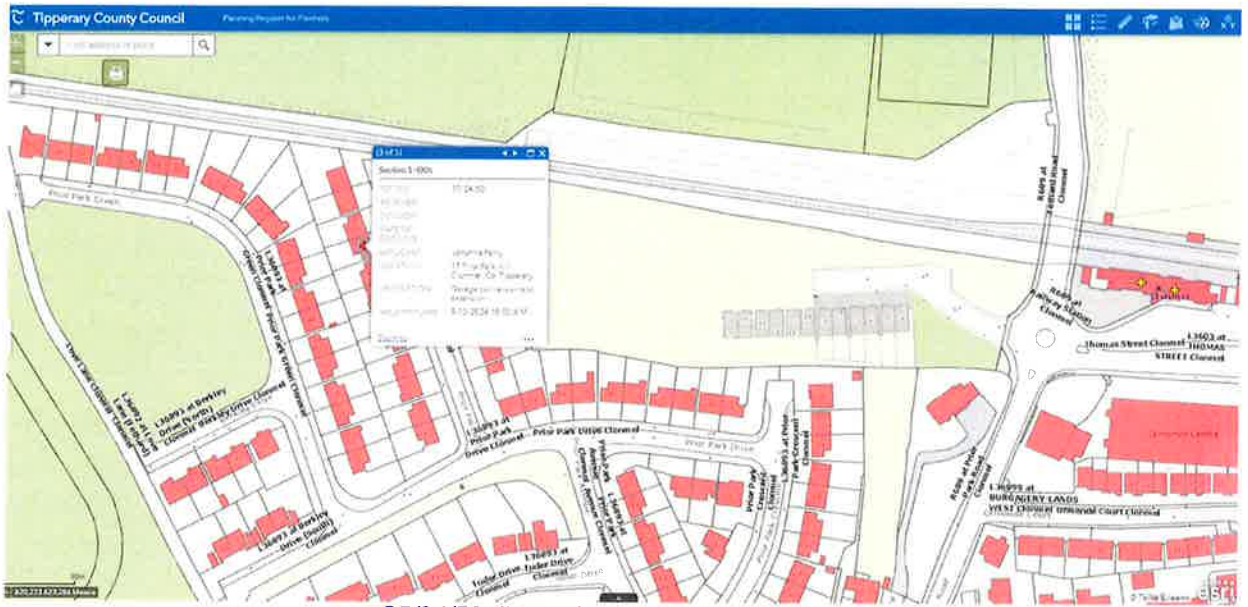
The proposed development is not likely to have significant effects.

**Conclusion:**

	Tick as Appropriate:	Recommendation:
(i) It is clear that there is <b>no likelihood</b> of significant effects on a European site.	<input checked="" type="checkbox"/>	The proposal can be screened out: Appropriate assessment not required.
(ii) It is <b>uncertain</b> 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) <b>Significant effects</b> are likely.	<input type="checkbox"/>	<input type="checkbox"/> Request NIS <input type="checkbox"/> Refuse planning permission
<b>Signature and Date of Recommending Officer:</b>	Aoife Martin	<b>Date:</b> 13/05/2024

EIA Pre-Screening Establishing a development is a 'sub-threshold development'	
<b>File Reference:</b>	S5/24/50
<b>Development Summary:</b>	Garage conversion and 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 - Does the development comprise a project listed in Schedule 5, Part 1, of the Planning and Development Regulations 2001 (as amended)?</b> (Tick as appropriate)	
<input type="checkbox"/> Yes, specify class _____	<b>EIA is mandatory</b>
<input type="checkbox"/> No	No Screening required
<input checked="" type="checkbox"/> No	Proceed to <b>Part B</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?</b> (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>
<input type="checkbox"/> Yes the project is of a type listed but is <i>sub-threshold</i> : _____	No Screening required
	Proceed to <b>Part C</b>
<b>C. If Yes, has Schedule 7A information/screening report been submitted?</b>	
<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>







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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Comhairle Contae  
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An tAonach,  
Co. Thiobraid Árann

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Co. Tipperary

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

Date: 17<sup>th</sup> May, 2024

Our Ref: S5/24/50

Civic Offices, Nenagh

**Johanna Perry**  
**C/O Liam Butler**  
**20 Glencarra Lawn**  
**Clonmel**  
**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 22<sup>nd</sup> April, 2024, in relation to the following proposed works:

**Garage conversion to bedroom (12 sqm) and rear single storey extension (9 sqm) at 17 Prior Park Hill, Clonmel, Co. Tipperary.**

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

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

- a) Sections 2, 3 and 4 of the Planning and Development Act, 2000, as amended
- b) Article 6 and 9 of the Planning and Development Regulations 2001, as amended.
- c) Class 1 of Schedule 2, Part 1 of the Planning and Development Regulations 2001, as amended.

**AND WHEREAS** Tipperary County Council has concluded that –

The conversion of a garage to a bedroom and the construction of a rear single storey extension to an existing dwelling at 17 Prior Park Hill, Clonmel, Co.

Tipperary satisfies the planning exemption under Class 1 Schedule 2, Part 3 of the Planning and Development Regulations 2001 (as amended). The proposal constitutes "development" within the meaning of the Planning and Development Act 2000, as amended 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, appearing to read "Geraldine Quinn".

---

for **Director of Services**

**Original**

**TIPPERARY COUNTY COUNCIL**

**DELEGATED EMPLOYEE'S ORDER**

File Ref: **S5/24/50**      **Delegated Employee's Order No:** \_\_\_\_\_

**SUBJECT: Section 5 Declaration**

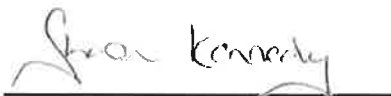
I, Sharon Kennedy, Director of Services, Tipperary County Council, by virtue of the powers delegated to me in accordance with the provisions of Section 154 of the Local Government Act 2001, as amended by Schedule 1, Part 1 of the Local Government Reform Act 2014 under Chief Executive's Order No. 37256 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 Johanna Perry C/O Liam Butler, 20 Glencarra Lawn, Clonmel, Co. Tipperary re: Garage conversion to bedroom (12 sqm) and rear single storey extension (9 sqm) at 17 Prior Park Hill, Clonmel, 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 9 of the Planning and Development Regulations 2001, as amended.
- c) Class 1 of Schedule 2, Part 1 of the Planning and Development Regulations 2001, as amended.

Tipperary County Council has concluded that – The conversion of a garage to a bedroom and the construction of a rear single storey extension to an existing dwelling, satisfies the planning exemption under Class 1 Schedule 2, Part 3 of the Planning and Development Regulations 2001 (as amended). The proposal constitutes "development" within the meaning of the Planning and Development Act 2000, as amended 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: 17/05/2024**