

PLANNING & DEVELOPMENT ACT, 2000 (as amended)

Application for a Section 5 Declaration
Development / Exempted Development

1. Applicant's address/contact details:

Applicant	PORTROE GAA COMMITTEE
Address	GARRYKENNEDY PORTROE, NEWMCH, Co. TIPPERARY E45 YP82
Telephone No.	
E-mail	

2. Agent's (if any) address:

Agent	SEAN RYAN - RYAN ARCHITECTURAL SOLUTIONS
Address	PARKSTOWN, HORSE + JOCKEY, THURLES, Co. TIPPERARY
Telephone No.	0504-90244
E-mail	info@ras.ie
Please advise where all correspondence in relation to this application is to be sent;	
Applicant []	Agent [<input checked="" type="checkbox"/>]

3. Location of Proposed Development:

Postal Address <u>or</u> Townland <u>or</u> Location (as may best identify the land or structure in question)	AS ABOVE 1
---	------------

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.)

THE REQUEST IS IF THE AREA HATCHED ON THE ENCLOSED MAP (PP-101) CAN BE USED AS A TEMPERY YARD TO STORE MATERIAL + CAR PARKING FOR WORKERS (CONSTRUCTION STAFF) + SITE OFFICE FOR THE WALKING TRACK PREVIOUSLY GRANTED S5/21/5 + the current Permission 24/60229.	
THE COMPOUND WILL BE COVERED IN GRAVEL BASE + TEMPERY FENCING TO KEEP PUBLIC OUT AND SAFE. (SECURE).	
Proposed floor area of proposed works/uses: sqm	

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

Please tick appropriate box to show applicant's legal interest in the land or structure	A. Owner ✓	B. Occupier
	C. Other	
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) Sean Ryan (AGENT) Date: 15/6/24

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:

Planning Section, Tipperary County Council, Civic Offices, Limerick Road, Nenagh, Co. Tipperary	<u>OR</u>	Planning Section, Tipperary County Council, Civic Offices, Emmet Street, Clonmel, Co. Tipperary
Enquires:		
Telephone 0761 06 5000		
E-Mail planning@tipperarycoco.ie		

FOR OFFICE USE ONLY

DATE STAMP

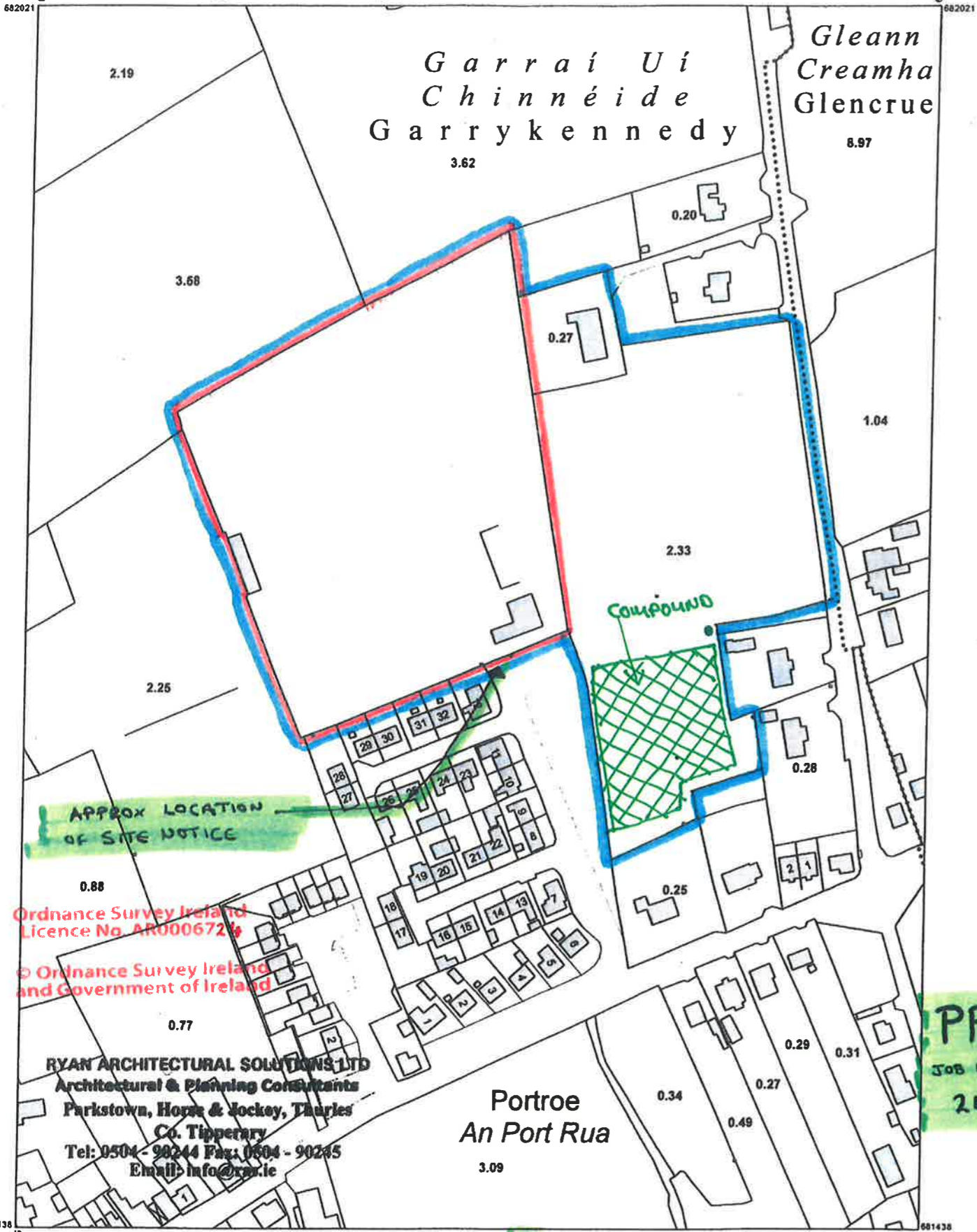
Fee Recd. € 80.00

Receipt No NENAM1/0/119903

Date 16/5/2024

Received by _____

Planning Pack Map



OUTPUT SCALE: 1:2,500

CENTRE COORDINATES:
ITM 576834,681730

PUBLISHED: 25/03/2024
MAP SERIES: 1:2,500

ORDER NO.: 50390846_1
MAP SHEETS: 4217-C

CAPTURE RESOLUTION:
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LEGEND: To view the legend visit www.tailte.ie and search for 'Large Scale Legend'

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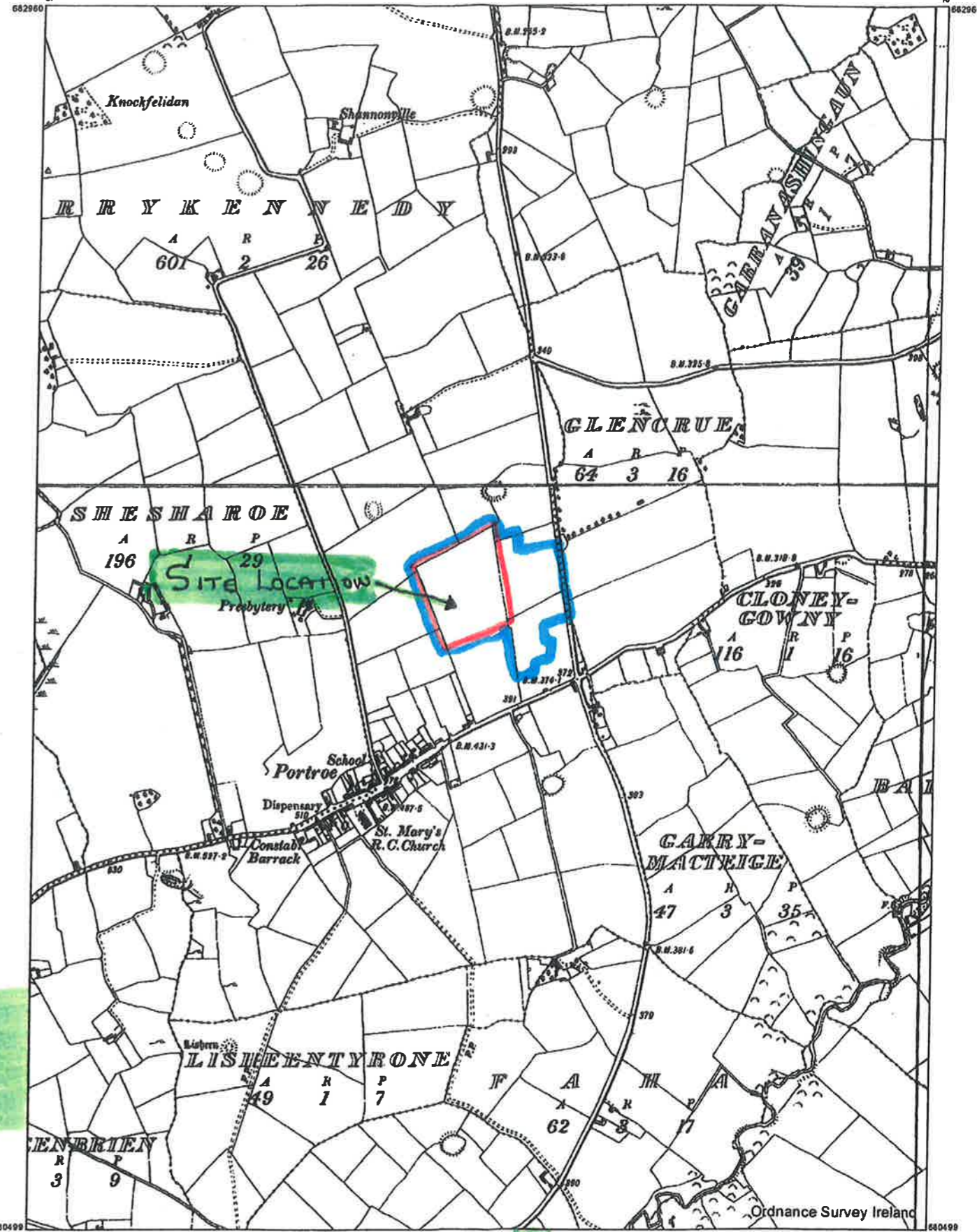
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Site Location Map



OUTPUT SCALE: 1:10,580

CENTRE COORDINATES:
ITM 576834,681730

PUBLISHED: 25/03/2024
MAP SERIES: 6 Inch Raster

ORDER NO.: 50390846_1
MAP SHEETS: CE029A, TY013, TY014, TY019, TY020

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PP-101
JOB NO:
24-0106



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
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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: 17th May, 2024

Our Ref: S5/24/61

Civic Offices, Nenagh

**Portroe GAA Committee
C/O Sean Ryan
Ryan Architectural Solutions
Parkstown
Horse & Jockey
Thurles
Co. Tipperary**

Re: Application for a Section 5 Declaration – the area hatched in the enclosed map (PP-101) can be used as a temporary yard to store material + car parking for workers (construction staff) + site office for the walking track previously granted in S5/21/5 + current permission 24/30229. The compound will be covered in gravel base + temporary fence to keep public out and safe (secure) at Garrykennedy, Portroe, Nenagh, Co Tipperary

Dear Sir/Madam

I acknowledge receipt of your application for a Section 5 Declaration received on 16th May, 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**

Morgan, William

From: Egan, Jim
Sent: 07 June 2024 11:16
To: Planning Group
Subject: FW: [External] RE: Portroe GAA - S5/24/61

Add to file please.

Thanks
Jim

From: Sean Ryan <sean@ras.ie>
Sent: 07 June 2024 10:58
To: Egan, Jim <jim.egan@tipperarycoco.ie>
Subject: [External] RE: Portroe GAA - S5/24/61

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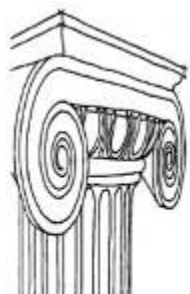
Hi Jim,

I wish to confirm this that the construction compound is required for the duration of works associated with grant of permission 2460229 and Section 5 declaration S5/21/5 and that the construction compound will be removed and use ceased on completion of the works and land returned to pre-existing conditions.

Regards

Sean

Sean A. Ryan
(Dip.Arch.Tech,B.Eng(fire), ICIQB, PGCert DEAR)



Ryan Architectural Solutions Ltd.

Architectural & Planning Consultants

www.ras.ie

Ryan Architectural Solutions Ltd.
Architectural and Planning consultants

Parkstown, Horse and Jockey,

Thurles, Co. Tipperary.

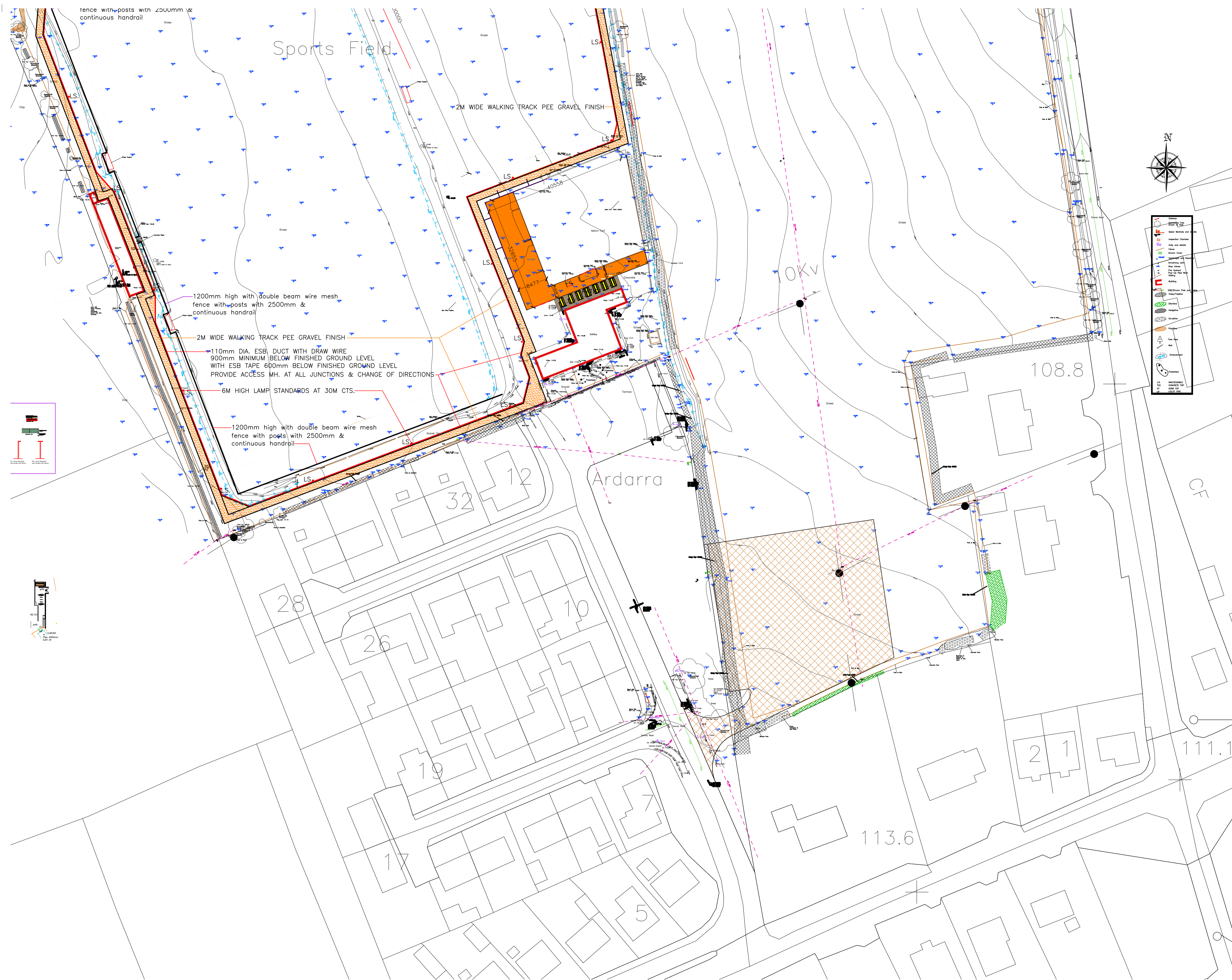
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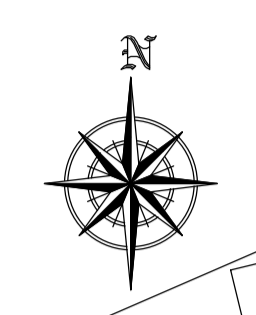
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NOTES:
 ALL DRAWINGS TO BE READ IN CONJUNCTION WITH
 ACCOMPANYING SPECIFICATIONS. ANY VARIATIONS OR
 DISCREPANCIES TO BE REPORTED **IMMEDIATELY** TO THE
 DESIGNER BEFORE ANY WORKS PROCEED.

ALL DIMENSIONS TO BE CHECKED ON SITE BEFORE WORK
 PROCEEDS.
DO NOT SCALE! USE FIGURED DIMENSIONS ONLY.
NOT FOR CONSTRUCTION! UNLESS STATED OTHERWISE.



1	Concrete
2	Asphalt
3	Gravel
4	Grass
5	Water
6	Electricity
7	Gas
8	Water Main
9	Drainage
10	Proposed
11	Existing
12	Boundary
13	Structure
14	Tree
15	Lighting
16	ESB
17	Access
18	Manhole
19	Proposed
20	Existing

COMPOUND AREA
 SHOWN HATCHED =

DATE:	REVISIONS:
	K
	J
	H
	G
	F
	E
	D
	C
	B
	A

Ryan Architectural Solutions Ltd.
 Architectural & Planning Consultants -
 Parkstown, Horse & Jockey,
 Thurles, County Tipperary.
 Rep. of Ireland
 Tel: +353 504 90244
 Fax: +353 504 90245
 Email: info@ras.ie

STAGE:
Sktech

CLIENT: Portroe GAA Committee
 JOB NO: 24-0106

PROJECT:
 Proposed Walking track & Lighting
 at Portroe GAA Club, Portroe
 Nenagh, co. Tipperary

TITLE:
Site Plan

DWG NO: SK-01	REVISION: 1st
SCALE: 1/500	DRAWN BY: POG/SAR
DATE: March 24	CHECK: SAR

TIPPERARY COUNTY COUNCIL
Application for Declaration under Section 5

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

Planning Ref.: S5/24/61

Applicant: Portore GAA Committee

Development Address: Garrykennedy, Portroe, Nenagh, Co. Tipperary

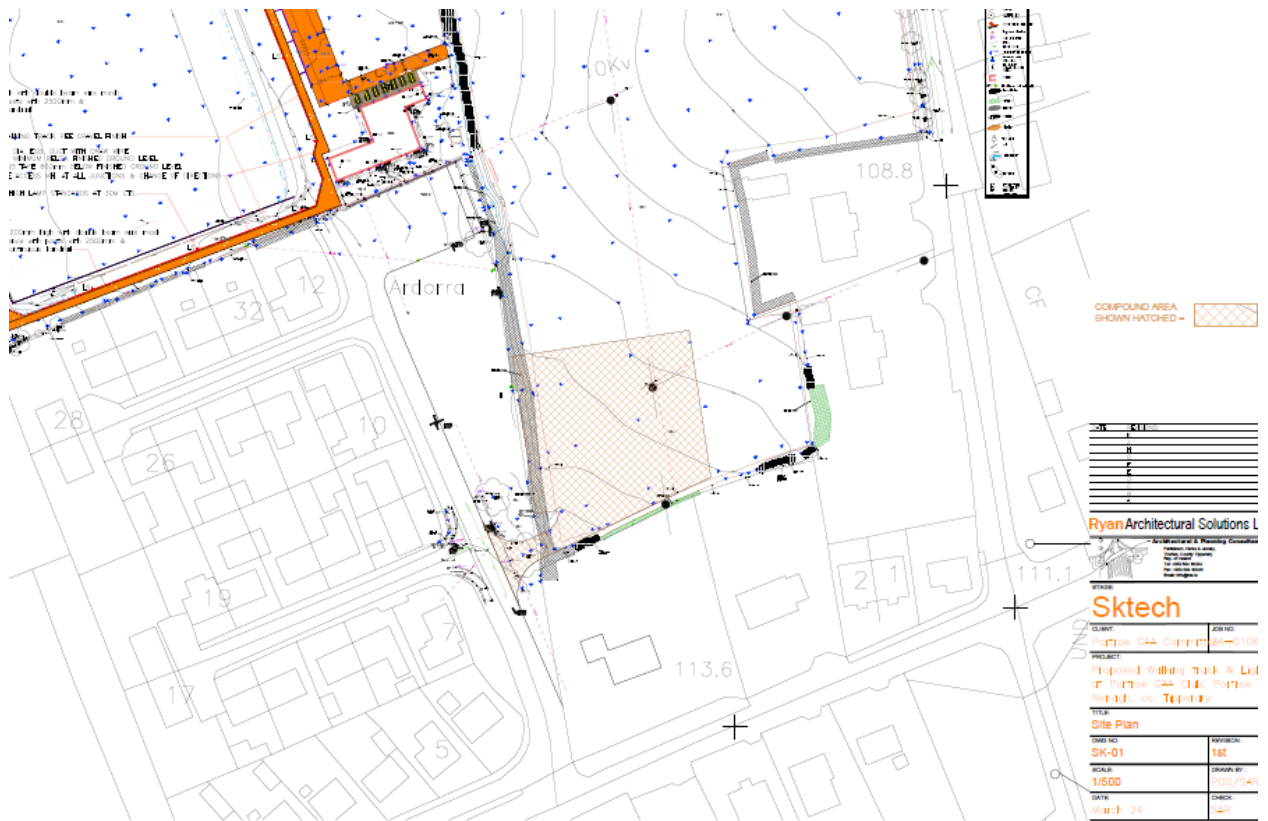
Proposed Development: Use of land as a temporary yard to store material and car parking for workers (construction staff) and site office, all associated with the construction phase associated with a walking track (S5/21/5) and lighting (permission ref. 2460229). The compound will be covered in gravel base and enclosed by temporary fencing. On completion of works associated with S5/21/5 and permission ref. 2460229, the construction compound will be removed and use ceased and land returned to pre-existing conditions.

1. GENERAL

On 16/05/2024 a request was received for a declaration under Section 5 of the Planning and Development Act 2000, as amended, by Portore GAA Committee, Garrykennedy, Portroe, Nenagh, Co. Tipperary, as to whether or not the following works constituted development and if so, whether same was exempted development:

- Use of land as a temporary yard to store material and car parking for workers (construction staff) and site office, all associated with the construction phase associated with a walking track (S5/21/5) and lighting (permission ref. 2460229). The compound will be covered in gravel base and enclosed by temporary fencing. On completion of works associated with S5/21/5 and permission ref. 2460229, the construction compound will be removed and use ceased and land returned to pre-existing conditions.

The drawing below was received on 7/6/2024 from the applicants agent, the drawing shows the entrance to the compound is from the L5320. This roadway is more than 4 metres wide.



2. PLANNING & DEVELOPMENT ACT 2000, as amended, / PLANNING & DEVELOPMENT REGULATIONS 2001, as amended, – STATUTORY PROVISIONS

The following statutory provisions are relevant to this referral case;

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

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

And,

“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, states as follows:-

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

Section 4 provides for Exempted Development and Section 4(1) sets out works which shall be exempted development for the purposes of the Planning and Development Act 2000, as amended.

Section 4(2)(a) of the same Act states that ‘the Minister may by regulations provide for any class of development to be exempted development for the purposes of this Act.

Section 4(4) states that notwithstanding paragraphs 9a, (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.

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 16 of Part 1 of Schedule 2 Planning & Development Regulations 2001, as amended, provides an exemption as follows:

<p><i>Temporary structures and uses</i> CLASS 16 The erection, construction or placing on land on, in, over or under which, or on land adjoining which, development consisting of works (other than mining) is being or is about to be, carried out pursuant to a permission under the Act or as exempted development, of structures, works, plant or machinery needed temporarily in connection with that development during the period in which it is being carried out</p>	<p>Such structures, works, plant or machinery shall be removed at the expiration of the period and the land shall be reinstated save to such extent as may be authorised or required by a permission under the Act.</p>
--	---

Section 6(1) of the Regulations states as follows:

“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.”

3. ASSESSMENT

a. Site Location

The site is located in Portoe settlement, with the entrance to the site from the Local Road, L5320. The site accommodates the existing two pitches, ball wall, stand and clubhouse.



b. Planning History

07/511890	Permission granted for to construct a 30m long x 5m high, ball wall, score board with storage and all ancillary works
5124483	Permission granted for Extension of existing dressing room to form 2 new dressing rooms, meeting room and storage areas
5119400	Permission granted for open stand
S5/21/5	Walking track around perimeter of existing hurling field deemed to be exempt pursuant to Class 33 of the Planning and Development Regulations 2001 (as amended)
2460229	Permission granted to Portroe GAA Club on 22/05/2024 (<u>Notifcation of Decision to Grant only</u>) for the erection of lighting to the walking track consisting of 6m high lighting standards with led lighting to same with all associated site works.

c. Assessment

Pursuant to Section 5 of the Planning & Development Acts this report will examine whether the proposal constitutes a) development and b) exempted development.

Article 6 of the 2001, Regulations provides subject to Article 9 that the classes of development set out in Column 1 of Part 1 of Schedule 2 of the Regulations are exempt development.

Class 16 provides an exemption for temporary works, including structures, associated with the construction phase of development granted permission or works being carried out in accordance with exempted development. In this case, the temporary compound / yard to store materials, staff car parking and site office etc. are associated with development approved by a grant of permission (lighting) and development deemed to be exempt development (walking track). Furthermore, Class 16 refers to 'on land adjoining', which would be relevant in this case where the land in question, while in the same ownership, is outside the red line boundary of permission ref. 2460229 and the boundary on mapping submitted with the declaration sought under S5/21/5.

I note that the applicant has also submitted subsequent correspondence confirming that the construction compound is required for the duration of works associated with grant of permission 2460229 and Section 5 declaration S5/21/5 and that the construction compound will be removed and use ceased on completion of the works and land returned to pre-existing conditions. I have amended the declaration request accordingly.

A) "Is or is not Development"

Having considered all of the details and documentation on file with regards the question asked the Planning Authority is satisfied that the temporary construction compound would involve "works" and "development" within the meaning of Section 3 of the Act.

B) "Is or is not Exempted Development"

It is considered that the works comes within Class 16 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended).

C) Restrictions under Article 9

Noting the access arrangement to the compound I consider same is restricted under Article 9 9(1)(a) of the Planning and Development Regulations 2001, as amended that would apply.

Article 9(1)(a) restricts exemptions under Article 6 where the development would:

(ii) consist of or comprise the formation, laying out or material widening of a means of access to a public road the surfaced carriageway of which exceeds 4 metres in width

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

- Appropriate Assessment (AA)

The proposed development has been screened as to the requirement for AA and it has been determined that the requirement for Stage 2 AA does not arise. See Screening Report attached.

- Environmental Impact Assessment (EIA):

The proposed development is not a type of development included for under Schedule 5 of the Planning and Development Regulations 2001, as amended. See screening report attached.

4. RECOMMENDATION

WHEREAS a question has arisen as to whether the

- Use of land as a temporary yard to store material and car parking for workers (construction staff) and site office, all associated with the construction phase associated with a walking track (S5/21/5) and lighting (permission ref. 2460229). The compound will be covered in gravel base and enclosed by temporary fencing. On completion of works associated with

S5/21/5 and permission ref. 2460229, the construction compound will be removed and use ceased and land returned to pre-existing conditions.

is development and is or is not exempted development:

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

- (a) Sections 2, 3 & 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 16 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended)
- (d) The details included with the declaraton application and details received on 7/6/2024

AND WHEREAS Tipperary County Council has decided that the development consisting of

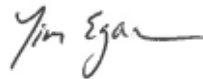
- Use of land as a temporary yard to store material and car parking for workers (construction staff) and site office, all associated with the construction phase associated with a walking track (S5/21/5) and lighting (permission ref. 2460229). The compound will be covered in gravel base and enclosed by temporary fencing. On completion of works associated with S5/21/5 and permission ref. 2460229, the construction compound will be removed and use ceased and land returned to pre-existing conditions.

at Portroe GAA Club, Garrykennedy, Portroe, Nenagh, Co. Tipperary **is development and is not exempted development**,

The compound is to be accessed from the L5320. This roadway is more than 4 metres wide. Article 9 (1) (a) (ii) of the Planning and Development Regulations 2001, as amended restricts exemptions under Article 6 where the development would:

(ii) consist of or comprise the formation, laying out or material widening of a means of access to a public road the surfaced carriageway of which exceeds 4 metres in width

District Planner:



Date: 07/06/2024

A/Senior Executive Planner:



Date: 7/6/2024

EIA PRE-SCREENING
Establishing a development is a 'sub-threshold development'

File Reference:	S5/24/61
Development Summary:	Use of land as a temporary yard to store material and car parking for workers (construction staff) and site office, all associated with the construction phase associated with a walking track (S5/21/5) and lighting (permission ref. 2460229). The compound will be covered in gravel base and enclosed by temporary fencing. On completion of works associated with S5/21/5 and permission ref. 2460229, the construction compound will be removed and use ceased and land returned to pre-existing conditions. .
Was a Screening Determination carried out under Section 176A-C?	<input type="checkbox"/> Yes, no further action required <input checked="" type="checkbox"/> No, Proceed to Part A
A. Schedule 5 Part 1 - Does the development comprise a project listed in Schedule 5, Part 1, of the Planning and Development Regulations 2001 (as amended)? (Tick as appropriate)	
<input type="checkbox"/> Yes, specify class _____	EIA is mandatory No Screening required
<input checked="" type="checkbox"/> No	Proceed to Part B
B. Schedule 5 Part 2 - Does the development comprise a project listed in Schedule 5, Part 2, of the Planning and Development Regulations 2001 (as amended) and does it meet/exceed the thresholds? (Tick as appropriate)	
<input checked="" type="checkbox"/> No, the development is not a project listed in Schedule 5, Part 2	No Screening required
<input type="checkbox"/> Yes the project is listed in Schedule 5, Part 2 and meets/exceeds the threshold, specify class (including threshold): _____	EIA is mandatory No Screening required
<input type="checkbox"/> Yes the project is of a type listed but is <i>sub-threshold</i> : _____	Proceed to Part C
C. If Yes, has Schedule 7A information/screening report been submitted?	

- Yes, Schedule 7A information/screening report has been submitted by the applicant
- No, Schedule 7A information/screening report has not been submitted by the applicant

Screening Determination required

Preliminary Examination required

HABITATS DIRECTIVE APPROPRIATE ASSESSMENT (AA) SCREENING REPORT

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

(a) File Reference No:	S5/24/61
(b) Brief description of the project or plan:	Use of land as a temporary yard to store material and car parking for workers (construction staff) and site office, all associated with the construction phase associated with a walking track (S5/21/5) and lighting (permission ref. 2460229). The compound will be covered in gravel base and enclosed by temporary fencing. On completion of works associated with S5/21/5 and permission ref. 2460229, the construction compound will be removed and use ceased and land returned to pre-existing conditions.
(c) Brief description of site characteristics:	Land adjacent to / within ownership of GAA grounds
(d) Relevant prescribed bodies consulted: e.g. DHLGH (NPWS), EPA, OPW	None
(e) Response to consultation:	N/A

STEP 2. Identification of relevant Natura 2000 sites using Source-Pathway-Receptor model and compilation of information on Qualifying Interests and conservation objectives.

European Site (code)	List of Qualifying Interest/Special Conservation Interest ¹	Distance from proposed development ² (km)	Connections (Source-Pathway-Receptor)	Considered further in screening Y/N
Lough Derg	https://www.npws.ie/protected-	Within 15km	None	No

(Shannon) SPA	sites/spa/004058			
Slieve Aughty Mountains SPA	https://www.npws.ie/protected-sites/spa/004168	Within 15km	None	No
Slievefelim to Silvermines Mountains SPA	https://www.npws.ie/protected-sites/spa/004165	Within 15km	None	No
Lough Derg, North-east Shore SAC	https://www.npws.ie/protected-sites/sac/002241	Within 15km	None	No
Silvermines Mt West SAC	https://www.npws.ie/protected-sites/sac/002258	Within 15km	None	No
Silvermines Mt SAC	https://www.npws.ie/protected-sites/sac/000939	Within 15km	None	No
Bolingbrook Hill SAC	https://www.npws.ie/protected-sites/sac/002124	Within 15km	None	No
Lower River Shannon SAC	https://www.npws.ie/protected-sites/sac/002165	Within 15km	None	No
Keeper Hill SAC	https://www.npws.ie/protected-sites/sac/001197	Within 15km	None	No
Lower River Suir SAC	https://www.npws.ie/protected-sites/sac/002137	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.)
<p>Construction phase e.g.</p> <ul style="list-style-type: none"> • Vegetation clearance • Demolition • Surface water runoff from soil excavation/infill/landscaping (including borrow pits) • Dust, noise, vibration • Lighting disturbance • Impact on groundwater/dewatering • Storage of excavated/construction materials • Access to site • Pests 	None
<p>Operational phase e.g.</p> <ul style="list-style-type: none"> • Direct emission to air and water • Surface water runoff containing contaminant or sediment • Lighting disturbance • Noise/vibration • Changes to water/groundwater due to drainage or abstraction • Presence of people, vehicles and activities • Physical presence of structures (e.g. collision risks) • Potential for accidents or incidents 	there is no real likelihood of any significant effects on European Sites in the wider catchment area

In-combination/Other

No likely significant in-combination effects are identified.

(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

None.

(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 no likelihood of significant effects on a European site.	<input checked="" type="checkbox"/>	The proposal can be screened out: Appropriate assessment not required.
(ii) It is uncertain whether the proposal will have a significant effect on a European site.	<input type="checkbox"/>	<input type="checkbox"/> Request further information to complete screening <input type="checkbox"/> Request NIS <input type="checkbox"/> Refuse planning permission
(iii) Significant effects are likely.	<input type="checkbox"/>	<input type="checkbox"/> Request NIS <input type="checkbox"/> Refuse planning permission
Signature and Date of Recommending Officer:	Jim Egan	Date: 07/06/2024



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

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Date: 12th June, 2024

Our Ref: S5/24/61

Civic Offices, Nenagh

Portroe GAA Committee
C/O Sean Ryan
Ryan Architectural Solutions
Parkstown
Horse & Jockey
Thurles
Co. Tipperary

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

Dear Sir/Madam,

I refer to your application for a Section 5 Declaration received on 16th May, 2024, in relation to the following proposed works:

Use of land as a temporary yard to store material and car parking for workers (construction staff and site office, all associated with the construction phase associated with a walking track (S5/21/5) and lighting (permission ref. 2460229). The compound will be covered in gravel base and enclosed by temporary fencing. On completion of works associated with S5/21/5 and permission ref. 2460229, the construction compound will be removed and use ceased and land returned to pre-existing conditions at Garrykennedy, Portroe, Nenagh, 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) Article 6 and 9 of the Planning and Development Regulations 2001 (as amended)

- (c) Class 16 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended)
- (d) The details included with the declaraton application and details received on 7/6/2024

AND WHEREAS Tipperary County Council has decided that the development consisting of

- Use of land as a temporary yard to store material and car parking for workers (construction staff) and site office, all associated with the construction phase associated with a walking track (S5/21/5) and lighting (permission ref. 2460229). The compound will be covered in gravel base and enclosed by temporary fencing. On completion of works associated with S5/21/5 and permission ref. 2460229, the construction compound will be removed and use ceased and land returned to pre-existing conditions.

at Portroe GAA Club, Garrykennedy, Portroe, Nenagh, Co. Tipperary **is development and is not exempted development,**

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

Geraldine Quinn

for **Director of Services**

Original

TIPPERARY COUNTY COUNCIL

DELEGATED EMPLOYEE'S ORDER

File Ref: **S5/24/61** **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 Portroe GAA Committee, C/O Ryan Architectural Solutions, Parkstown, Horse & Jockey, Thurles, Co. Tipperary, re: Use of land as a temporary yard to store material and car parking for workers, (construction staff and site office, all associated with the construction phase associated with a walking track (S5/21/5) and lighting (permission ref.2460229). The compound will be covered in gravel base and enclosed by temporary fencing. On completion of works associated with S5/21/5 and permission ref. 2460229, the construction compound will be removed and use ceased and land returned to pre-existing conditions at Garrykennedy, Portroe, Nenagh, Co. Tipperary.

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

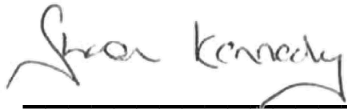
- (a) Sections 2, 3 & 4 of the Planning and Development Act 2000 (as amended)
- (b) Article 6 and 9 of the Planning and Development Regulations 2001 (as amended)
- (c) Class 16 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended)
- (d) The details included with the declaration application and details received on 7/6/2024

AND WHEREAS Tipperary County Council has decided that the development consisting of

- Use of land as a temporary yard to store material and car parking for workers (construction staff) and site office, all associated with the construction phase associated with a walking track (S5/21/5) and lighting (permission ref. 2460229). The compound will be covered in gravel base and enclosed by temporary fencing. On completion of works associated with S5/21/5 and permission ref. 2460229, the construction compound will be removed and use ceased and land returned to pre-existing conditions.

at Portroe GAA Club, Garrykennedy, Portroe, Nenagh, Co. Tipperary **is development and is not exempted development,**

Signed:



Date: 12/06/2024

Sharon Kennedy

Director of Services

Planning and Development (including Town Centre First),

Emergency Services and Emergency Planning and

Tipperary/Cahir/Cashel Municipal District