



Comhairle Contae Thibraid Árann
Tipperary County Council

Tipperary County Council
RECEIVED
25 MAY 2026
CASH OFFICE
Civic Offices, Clonmel

PLANNING & DEVELOPMENT ACT, 2000 (as amended)

Application for a Section 5 Declaration
Development / Exempted Development

1. Applicant's address/contact details:

| | |
|---------------|---|
| Applicant | BALLY BACON / GRANGE G-FA CLUB |
| Address | CURRAGH, ARDFINNAN, CLONMEL, CO. TIPPERARY |
| Telephone No. | [REDACTED] BRIAN RUTHE (CHAIRPERSON) |
| E-mail | [REDACTED] |

2. Agent's (if any) address:

| | |
|---|--|
| Agent | PATRICK O'GORMAN |
| Address | POLLATARY ARDFINNAN, CLONMEL, CO. TIPPERARY |
| Telephone No. | [REDACTED] |
| E-mail | |
| 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 or Townland or Location (as may best identify the land or structure in question) | CURRAGH, ARDFINNAN, CLONMEL, CO. TIPPERARY |
|---|---|

Receipt No 204 064
Issued 25 05 2026
€80.00 Cheque

TIPPERARY CO. COUNCIL
RECEIVED
25 MAY 2026
PLANNING SECTION
FILE NO. 250625

4. Development Details:

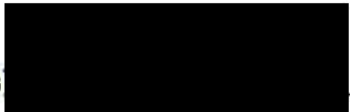
Please provide details of the proposed development for which an exemption under Section 5 of the Planning and Development Act is applied for.

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

| | |
|---|---------|
| TO EXTEND WALKING PATH FROM THAT | |
| ALREADY GRANTED UNDER PLANNING | |
| REFERENCE NO. 22/60487. | |
| TARMACAM FINISH PROPOSED TO PATH WITH | |
| 1.0 M HIGH MESH PANEL FENCE AS SCHEDULE | |
| Proposed floor area of proposed works/uses: | sqm N/A |

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"/> | |
| 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)  Date: 13-05-2026

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
 - o OSI Site Location Map with the site outlined clearly – 1:1000 in urban areas and 1:2500 in rural areas
 - o Floor Plans & Elevations at a scale of not less than 1:200
 - o Site layout plan indicating position of proposed development relative to premises and adjoining properties
 - o 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 | |
| Fee Recd. € <u>20.00</u> | TIPPERARY COUNTY COUNCIL RECEIVED 25 MAY 2026 PLANNING SECTION FILE NO. <u>SS126185</u>... |
| Receipt No <u>204064</u> | |
| Date <u>25.05.2026</u> | |
| Received by <u>C. Allen</u> | |

Planning Pack Map



National Mapping Agency

CENTRE COORDINATES:
 ITM 608798,613533
PUBLISHED: 13/09/2022
ORDER NO.: 50291121_1

TIPPERARY COUNTY COUNCIL
 RECEIVED
 25 MAY 2026
 MAP SERIES: MAP SHEETS:
 1:2,500
 1:10,000
 1:25,000
PLANNING SECTION
 FILE NO. *SS26/185*

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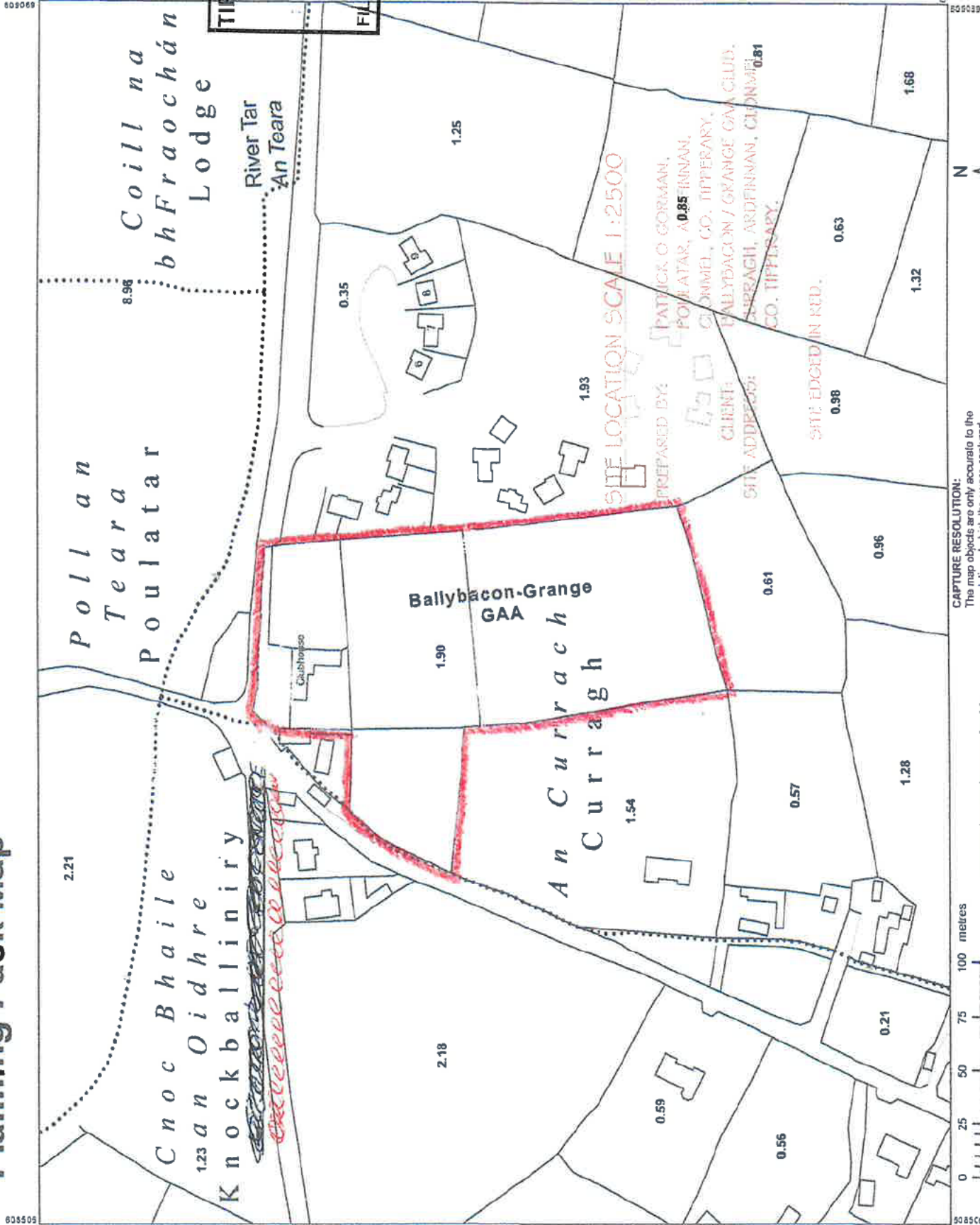
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013318

013318

Site Location Map



National Mapping Agency

CENTRE COORDINATES:
ITM 608798.613533

PUBLISHED: 13/09/2022
ORDER NO.: 50291121_1

MAP SERIES: MAP SHEETS:
OSI 1:10,560

TIPPERARY CO. COUNCIL RECEIVED

25 MAY 2026

PLANNING SECTION
FILE NO. SS/26/25

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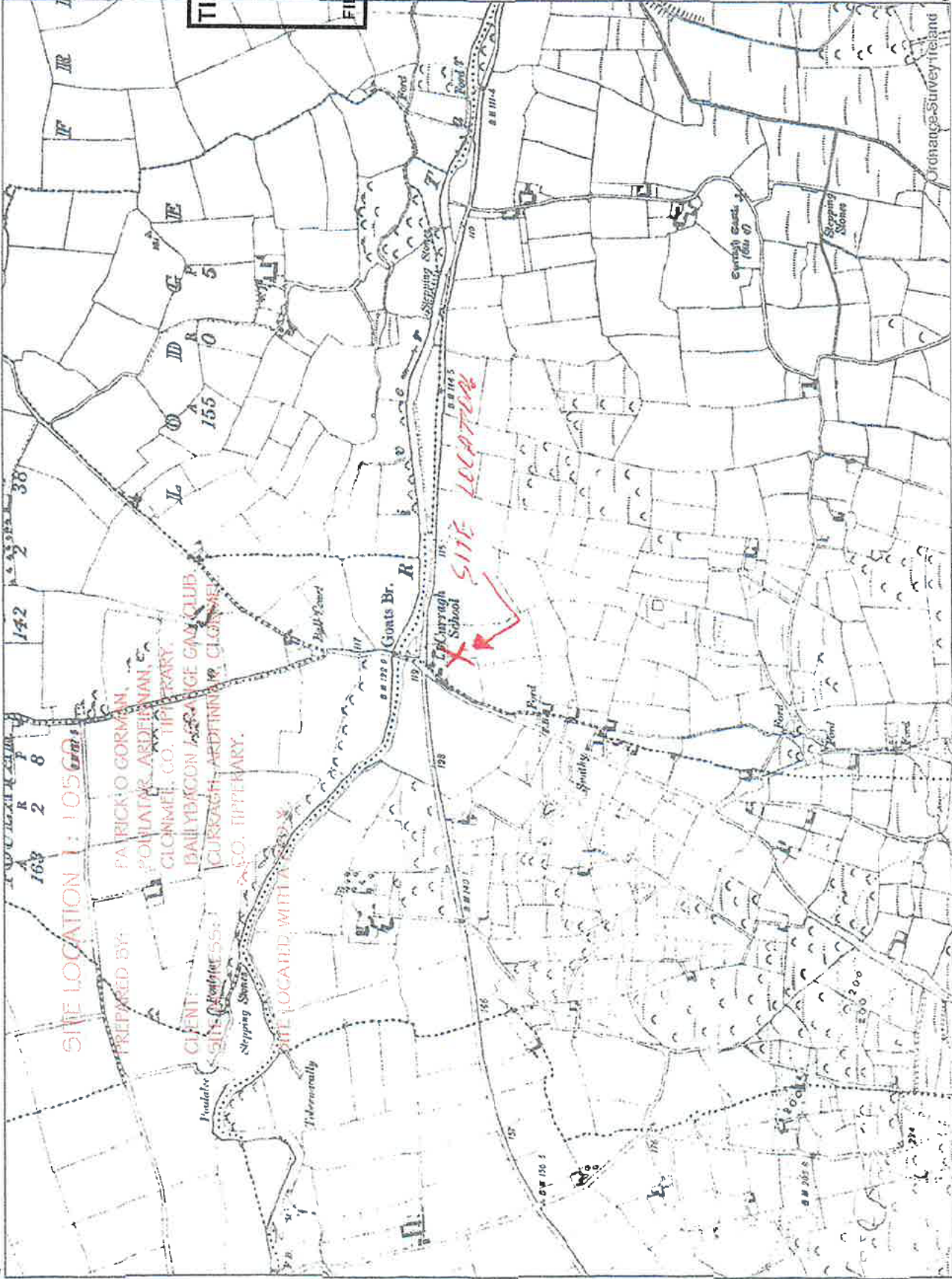
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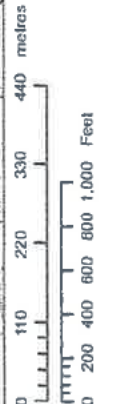


SITE LOCATION 1: 10,560
PREPARED BY: PATRICK O GORMAN,
POLINA ARDEEVAN,
GLONMEL CO. TIPPERARY.
CLIENT: DAILYACON LASSAGE GAY CLUB,
COURAGH, ARDININNY, CLONMEL,
CO. TIPPERARY.

SITE LOCATED

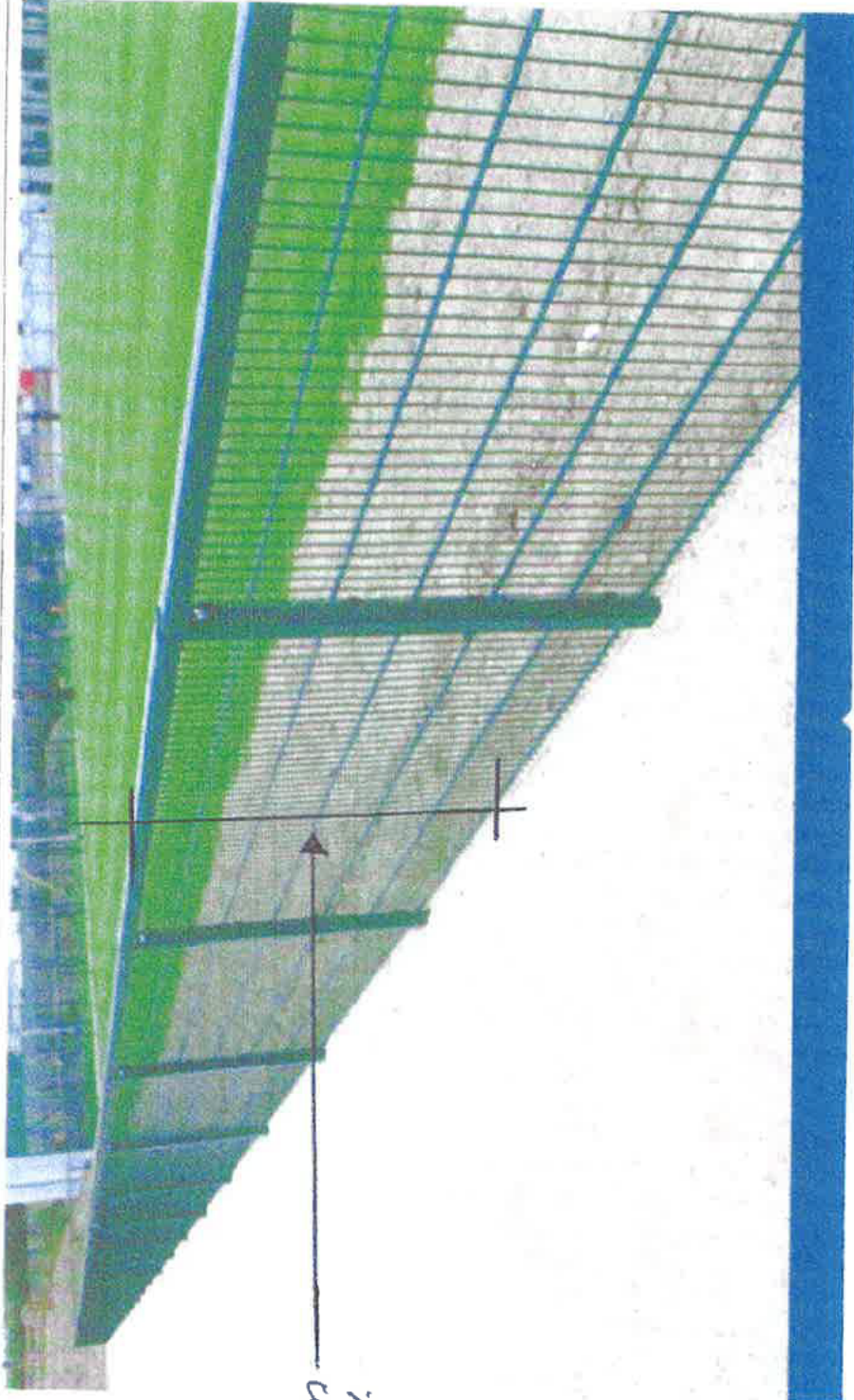
CAPTURE RESOLUTION:
The map objects are only accurate to the
resolution at which they were captured.
Output scale is not indicative of data capture scale.
Further information is available at:
<http://www.osi.ie>; search 'Capture Resolution'

OUTPUT SCALE: 1:10,560



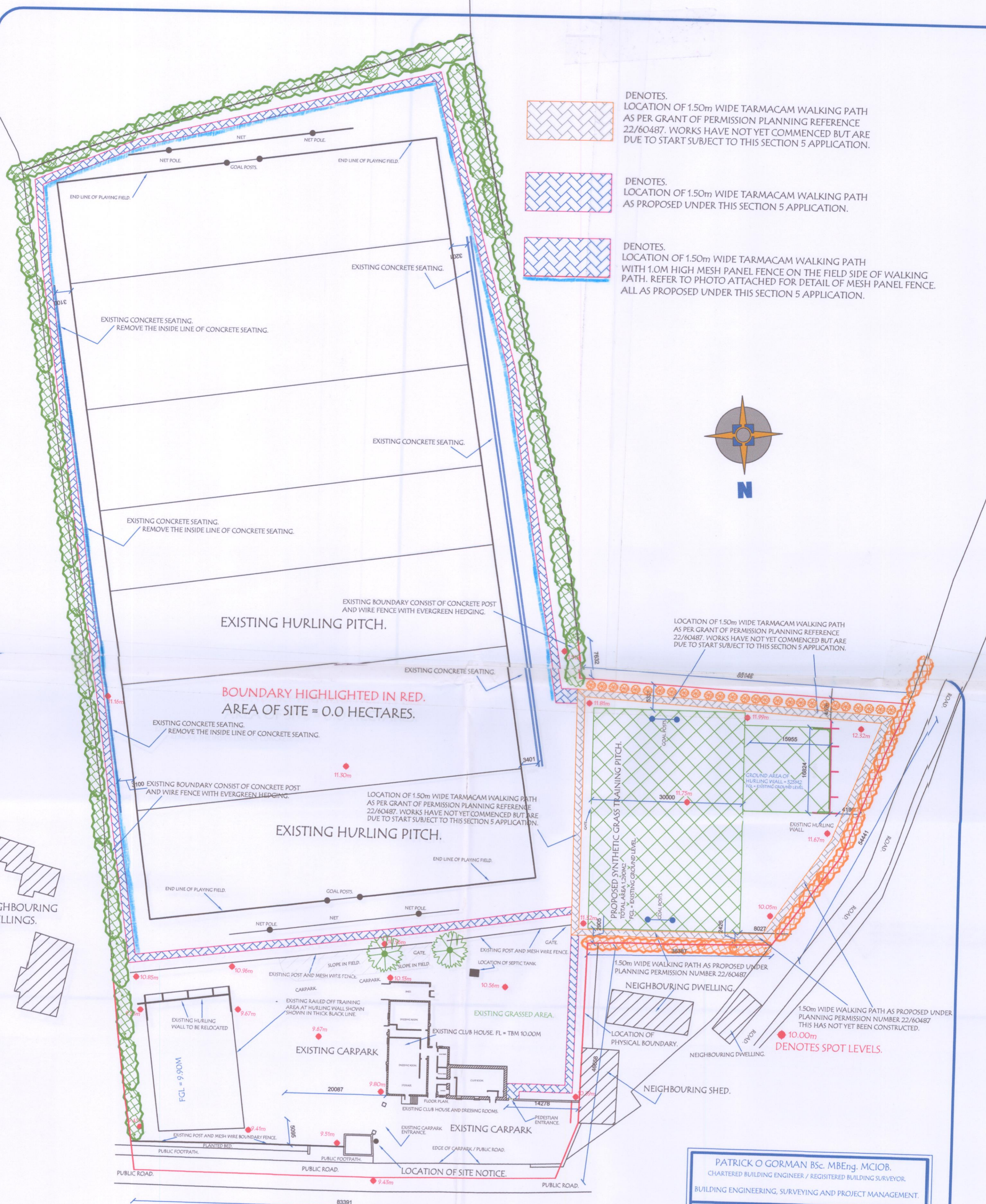
607587 614441 612624 607567

PROPOSED MESH PANEL FENCE.



1.0m
HIGH.

TIPPERARY CO. COUNCIL
RECEIVED
25 MAY 2026
PLANNING SECTION
FILE NO. 25/26/125



PATRICK O GORMAN BSc, MBE, MCIQB.
 CHARTERED BUILDING ENGINEER / REGISTERED BUILDING SURVEYOR.
 BUILDING ENGINEERING, SURVEYING AND PROJECT MANAGEMENT.

| | |
|----------------|---|
| CLIENT: | BALLYBACON / GRANGE GAA CLUB. |
| SITE LOCATION: | CROUGH, ARDFINNNN, CLONMEL, CO. TIPPERARY. |
| TITLE: | SITE LAYOUT FOR SECTION 5 APPLICATION FOR EXTENDED WALKING PATH. |
| SCALE: | 1:500 PLANNING PURPOSES ONLY. |
| DRAWN BY: | Patrick O Gorman, BSc, MBE, MCIQB. Poulatar, Ardinnan, Clonmel, Co. Tipperary. |
| SHEET NO. | BBG. 01. ALL DIMENSIONS AND LEVELS TO BE CHECKED ON SITE. |
| ISSUE DATE: | 26 / 03 / 2026. |

TIPPERARY CO. COUNCIL
 RECEIVED
 25 MAY 2026
 PLANNING SECTION
 FILE NO. 95124135



Comhairle Contae Thiobraid Árann
Tipperary County Council

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

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

t 0818 06 5000/6000
e customerservice
@tipperarycoco.ie
tipperarycoco.ie

Date: 25th May 2026 Our Ref: S5/26/85 Civic Offices, Clonmel

**Ballybacon / Grange GAA Club,
C/O Patrick O Gorman,
Poulatar,
Ardfinnan,
Clonmel,
Co. Tipperary.**


Re: Application for a Section 5 Declaration – To extend walking path from that already granted under permission reference 2260487. Tarmacadam finish proposed to path with 1.0m high mesh panel fence as shown at Curragh, Ardfinnan, Clonmel, Co. Tipperary.

Dear Mr. O’Gorman,

I acknowledge receipt of your application for a Section 5 Declaration received on 25th May 2026, in connection with the above.

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

Yours sincerely



for **Director of Services**

PATRICK O GORMAN. BSc. MBEEng. MCIQB.
CHARTERED BUILDING ENGINEER / REGISTERED BUILDING SURVEYOR.

BUILDING ENGINEERING, SURVEYING AND PROJECT MANAGEMENT.

TEL: [REDACTED]
MOBILE : [REDACTED]
Email : [REDACTED]

POULATAR,
ARDFINNAN,
CLONMEL,
CO. TIPPERARY.

Tipperary County Council,
Planning Department,
Emmet Street,
Clonmel,
Co. Tipperary.

Re: Section 5 application to extend the walking path around the existing playing pitch for Ballybacon Grange GAA Club located at Curragh, Ardfinnan, Clonmel, Co. Tipperary.

Dear Sir / Madam,

The finished levels of the tarmacadam of the proposed walking path are to finish level with the existing ground and any deviation from this will be minimal.

Yours Sincerely,

[REDACTED]

Date: 16 / 06 / 2026.



Comhairle Contae Thiobraid Árann
Tipperary County Council

Comhairle Contae
Thiobraid Árann,
Oifigí Cathartha,
Cluain Meala,
Co. Thiobraid Árann
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Co. Tipperary
E91 N512

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Civic Offices, Nenagh,
Co. Tipperary
E45 A099

t 0818 06 5000/600
e customerservice
@tipperarycoco.ie

tipperarycoco.ie

Date: 17th June 2026

Our Ref: S5/26/85

Civic Offices, Nenagh

**Ballybacon / Grange GAA Club
C/O Patrick O Gorman
Poulatar
Ardfinnan
Clonmel
Co. Tipperary**

Re: Application for a Section 5 Declaration – To extend walking path from that already granted under permission reference 2260487. Tarmacadam finish proposed to path with 1.0m high mesh panel fence as shown at Curragh, Ardfinnan, Clonmel, Co. Tipperary.

Dear Patrick

I acknowledge receipt of additional information received on 17th June 2026 in connection with the above.

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

Yours sincerely


for **Director of Services**

TIPPERARY COUNTY COUNCIL

Application for Declaration under Section 5

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

Planning Ref.: S5/26/85

Applicant: Ballybacon / Grange GAA Club

Development Address: Curragh, Ardfinnan, Clonmel, Co. Tipperary

Proposed Development: To extend walking path from that already granted under permission reference 2260487. Tarmacadam finish proposed to path with 1.0m high mesh panel fence

1. GENERAL

On the 25th of May 2026, a request was made for a declaration under Section 5 of the Planning and Development Act, 2000 as amended by Ballybacon / Grange GAA Club as to whether the following works constitute development and if so, whether same was exempted development:

- To extend walking path from that already granted under permission reference 2260487. Tarmacadam finish proposed to path with 1.0m high mesh panel fence

2. STATUTORY PROVISIONS

The following statutory provisions are relevant to this referral case;

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

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

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

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

Section 2(1) of the Planning and Development Act, 2000, as amended, defines “structure” as

“any building, structure, excavation, or other thing constructed or made on, in or under any land, or any part of a structure so defined, and—

- (a) where the context so admits, includes the land on, in or under which the structure is situate, and
- (b) in relation to a protected structure or proposed protected structure, includes—
 - (i) the interior of the structure,
 - (ii) the land lying within the curtilage of the structure,
 - (iii) any other structures lying within that curtilage and their interiors, and
 - (iv) all fixtures and features which form part of the interior or exterior of any structure or structures referred to in subparagraph (i) or (iii)”

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

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.

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—

(iii) endanger public safety by reason of traffic hazard or obstruction of road users,

(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.

Class 11 of Part 1 of Schedule 2 Planning & Development Regulations 2001, as amended, provides an exemption for

The construction, erection, lowering, repair or replacement, other than within or bounding the curtilage of a house, of –

- (a) any fence (not being a hoarding or sheet metal fence), or
- (b) any wall of brick, stone, blocks with decorative finish, other concrete blocks or mass concrete.

Conditions and Limitations

1. The height of any new structure shall not exceed 1.2 metres or the height of the structure being replaced, whichever is the greater, and in any event shall not exceed 2 metres.
2. Every wall, other than a dry or natural stone wall, constructed or erected bounding a road shall be capped and the face of any wall of concrete or concrete blocks (other than blocks of a decorative finish) which will be visible from any road, path or public area, including a public open space, shall be rendered or plastered.

Class 13 of Part 1 of Schedule 2 Planning & Development Regulations 2001, as amended, provides an exemption for

The repair or improvement of any private street, road or way, being works carried out on land within the boundary of the street, road or way, and the construction of any private footpath or paving.

Conditions and Limitations

The width of any such private footpath or paving shall not exceed 3 metres.

Class 33 of Part 1 of Schedule 2 Planning & Development Regulations 2001, as amended, provides an exemption for

“Development consisting of the laying out and use of land—

- (a) as a park, private open space or ornamental garden,*
- (b) as a roadside shrine, or*
- (c) for athletics or sports (other than golf or pitch and putt or sports involving the use of motor vehicles, aircraft or firearms), where no charge is made for admission of the public to the land.”*

3. ASSESSMENT

a. Site Location

The subject site, with a stated area of 1.2 hectares comprises of lands associated with Ballybacon Grange GAA Club in Curragh, Ardfinnan, Co. Tipperary.

b. Relevant Planning History

P32236 extension to clubhouse – granted

P314522 basketball/tennis court – granted

P314896 new sports field, entrance and boundaries- Granted

07706 To change the use of existing hall to dressing room, shower area, toilets and referees room.- Incomplete

07815 change of use of existing hall to dressing rooms shower area, toilets and referees room – granted

22/60487 (1) the relocation of existing hurling wall (2) the construction of a synthetic grass training pitch with associated walling, fencing, flood lighting and all other associated siteworks (3) the construction of a grass playing field with pedestrian walkway to the boundary perimeter with flood lighting and all other associated site works.

24/60582 relocation of the existing hurling wall and the proposed synthetic grass training pitch with associated fencing and flood lighting with all other associated siteworks and to omit the grass playing field, all from that previously granted Planning Permission under Planning reference number 22/60487 – granted

Figure 1 Planning history



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.

Figure 2 Proposed Layout



A) *“Is or is not Development”*

The proposal is for the provision of a walking path from that already granted under permission reference 2260487. The path, 1.5 metres in width, will have a tarmac finish proposed to path with 1.0m high mesh panel fence. The agent confirmed on the 17 June 2026 that the level of the path will be the same as the adjoining ground and any difference will be minimal.

It is considered that the proposal constitutes works and development as provided for under Sections 2 and 3 of the Act.

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

It is considered that the development comes within Class 13 as set out under Part 1 of Schedule 2 Planning & Development Regulations 2001, as amended, as it involves the construction of a footpath.

With respect to the fencing, same can be considered under Class 11 of Part 1 of Schedule 2 Planning & Development Regulations 2001, as amended. The fence proposed does not exceed 1.2 metres and does not adjoin a public road.

C) *“Is the exemption restricted under Article 9”*

The restrictions set out under Article 9 are not relevant in this instance

D) REQUIREMENT FOR APPROPRIATE ASSESSMENT (AA) AND ENVIRONMENTAL IMPACT ASSESSMENT (EIA)

Appropriate Assessment (AA)

The River Tar forms part of the Lower River Suir SAC. The boundary for the SAC is located on the opposite side of the L-3501 and the site of the proposed works is not shown to be at risk of flooding on the most up to date flood risk mapping. Notwithstanding the proximity to the SAC, having regard to the nature of the works proposed and the lack of a direct hydrological connection between the site and the SAC, an Appropriate Assessment of the development is not required. A full screening report is set out in Appendix A below.

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.

E) RECOMMENDATION

WHEREAS a question has arisen as to whether or not the following constitutes development and if so, whether same constitutes exempted development:

- To extend walking path from that already granted under permission reference 2260487. Tarmac finish proposed to path with 1.0m high mesh panel fence

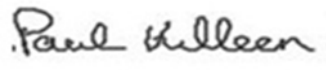
AND WHEREAS Tipperary County Council, in considering this referral, had regard particularly to –

- (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) Classes 11 and 13 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended)
- (d) and documentation submitted to the Planning Authority.

It is concluded that

- the extension of a walking path from that already granted under permission reference 2260487, a tarmac finish proposed to path with 1.0m high mesh panel fence at Ballybacon / Grange GAA Club Curragh, Ardfinnan, Clonmel, Co. Tipperary

is development and is exempted development as it falls under the exempted development provisions as set out under Classes 11 and 13 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001, as amended.

Planner: 

Paul Killeen

Date: 15/06/26



Senior Executive Planner:

Date: 15.6.2026

Appendix 1

HABITATS DIRECTIVE APPROPRIATE ASSESSMENT (AA) SCREENING REPORT

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

| | |
|--|---|
| (a) File Reference No: | S5/26/85 |
| (b) Brief description of the project or plan: | To extend walking path from that already granted under permission reference 2260487. Tarmacadam finish proposed to path with 1.0m high mesh panel fence |
| (c) Brief description of site characteristics: | The subject site comprises of lands associated with Ballybacon Grange GAA Club in Curragh, Ardfinnan, Co. Tipperary. |
| (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 |
|--|---|--|---|-------------------------------------|
| Lower River Suir SAC 002137 | https://www.npws.ie/protected-sites/sac/002137 | Less than 50 metres | Weak as surface water is discharged to ground. | yes |
| Blackwater River (Cork/Waterford) SAC 002170 | https://www.npws.ie/protected-sites/sac/002170 | 10.8 kms | No due to distance and the lack of any relevant ex-situ factors of significance to these species. | No |
| Nier Valley Woodlands SAC 000668 | https://www.npws.ie/protected-sites/sac/000668 | 7.9 kms | No due to distance and the lack of any relevant | No |

ex-situ factors of significance to these species.

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.)

Construction phase e.g.

- 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

It is not considered that the works proposed, which are minor in nature, will have impacts that could affect European Sites within the wider catchment area.

Operational phase e.g.

- 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

No impacts

In-combination/Other

No likely in combination effects

(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

None.
The application site is not located within a European site, therefore there is no risk of habitat loss or fragmentation or any effects on QI species directly or ex-situ.

(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

(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.

On the basis of the information on file, which is considered adequate to undertake a screening determination and having regard to:

- the nature and scale of the proposed development,
- the nature of the existing landuse, and
- the lack of direct connections with regard to the Source-Pathway-Receptor model,

it is concluded that the proposed development, individually or in-combination with other plans or projects, would not have a significant effect on the above listed European sites or any other European site, in view of the said sites' conservation objectives.

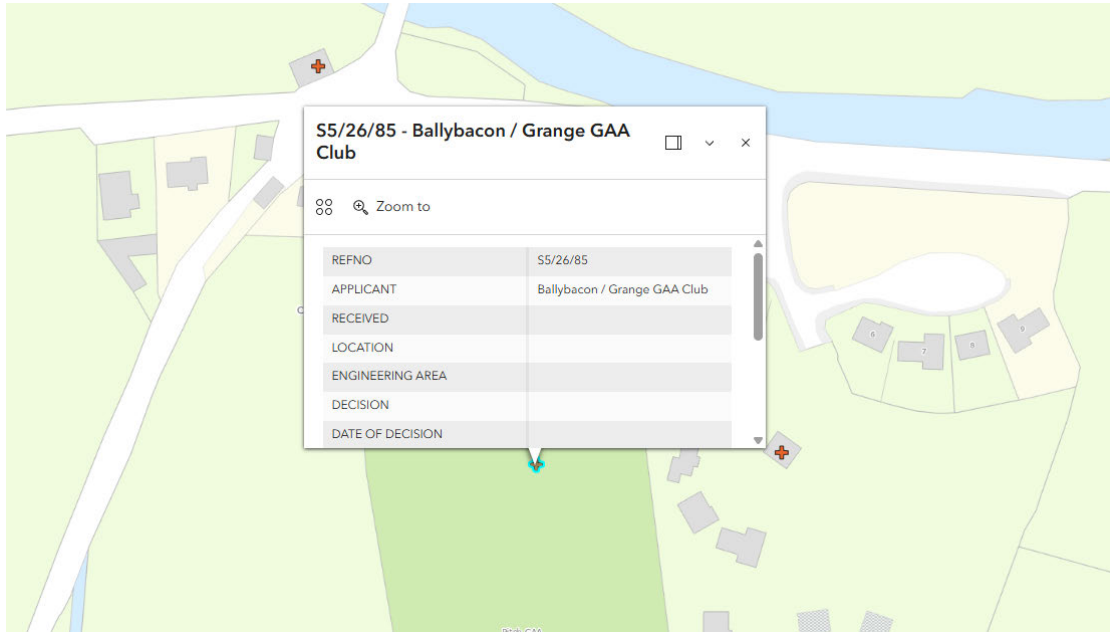
An appropriate assessment is not, therefore, required.

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: | Paul Killeen | Date: 15/06/26 |

| EIA Pre-Screening | |
|---|--|
| Establishing if the proposal is a 'sub-threshold development': | |
| Planning Register Reference: | S5/26/85 |
| Development Summary: | As per Planners Report |
| 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 <u> </u> [insert here] _____ | 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): <u> </u> [specify class & threshold here] _____ | 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? | |
| <input type="checkbox"/> Yes, Schedule 7A information/screening report has been submitted by the applicant | Screening Determination required |
| <input type="checkbox"/> No, Schedule 7A information/screening report has not been submitted by the applicant | Preliminary Examination required |
| Signature and Date of Recommending Officer: | Paul Killeen 15/06/26 |

Figure 3 Site entered on planning register



Original

TIPPERARY COUNTY COUNCIL

DELEGATED EMPLOYEE'S ORDER

File Ref: **S5/26/85** **Delegated Employee's Order No:** _____

SUBJECT: Section 5 Declaration

gq
I, Brian Beck, Director of Services, Tipperary County Council, by virtue of the powers delegated to me in accordance with the provisions of Section 154 of the Local Government Act 2001, as amended by Schedule 1, Part 1 of the Local Government Reform Act 2014 under Chief Executive's Order No. 44188 dated 3rd October, 2025, hereby order that pursuant to the provisions of the Planning and Development Act 2000, as amended, that an application under Section 5 from Ballybacon / Grange GAA Club, C/O Patrick O Gorman, Poulatar, Ardfinnan, Clonmel, Co. Tipperary, re: To extend walking path from that already granted under permission reference 2260487. Tarmacadam finish proposed to path with 1.0m high mesh panel fence at Curragh, Ardfinnan, 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) Classes 11 and 13 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended)
- d) and documentation submitted to the Planning Authority.

Tipperary County Council has concluded that:

- the extension of a walking path from that already granted under permission reference 2260487, a tarmacadam finish proposed to path with 1.0m high mesh panel fence at Ballybacon / Grange GAA Club Curragh, Ardfinnan, Clonmel, Co. Tipperary is development and **is exempted development** as it falls under the exempted development provisions as set out under Classes 11 and 13 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001, as amended.

Signed: Brian Beck
Brian Beck
Director of Services

Date: 17/06/2026



Date: 17th June 2026

Our Ref: S5/26/85

Civic Offices, Nenagh

**Ballybacon / Grange GAA Club
C/O Patrick O Gorman
Poultar
Ardfinnan
Clonmel
Co. Tipperary**

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

Dear Patrick,

I refer to your application for a Section 5 Declaration received on 25th May 2026, and additional information received on 17th June 2026 in relation to the following proposed works:

To extend walking path from that already granted under permission reference 2260487. Tarmacadam finish proposed to path with 1.0m high mesh panel fence at Curragh, Ardfinnan, 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) Classes 11 and 13 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended)
- d) and documentation submitted to the Planning Authority.

Tipperary County Council has concluded that:

- the extension of a walking path from that already granted under permission reference 2260487, a tarmacadam finish proposed to path with 1.0m high mesh panel fence at Ballybacon / Grange GAA Club Curragh, Ardfinnan, Clonmel, Co. Tipperary is development and **is exempted development** as it falls under the exempted development provisions as set out under Classes 11 and 13 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001, as amended.

NOTE: Any person issued with a Declaration of a Planning Authority may refer the Declaration for review to An Coimisiún Pleanála, 64 Marlborough Street, Dublin 1, within four (4) weeks of the date of issue of the Declaration and on payment of the prescribed fee.

Yours sincerely

Geraldine Quinn

for **Director of Services**