



PLANNING & DEVELOPMENT ACT, 2000 (as amended)

Application for a Section 5 Declaration
Development / Exempted Development

1. Applicant's address/contact details:

Applicant	AISLING BRENNAN
Address	Gurteen dangan, Castleiney, Templemore, Co. Tipperary, E41 K225
Telephone No.	
E-mail	

2. Agent's (if any) address:

Agent	
Address	
Telephone No.	
E-mail	
Please advise where all correspondence in relation to this application is to be sent;	
Applicant [<input checked="" type="checkbox"/>]	Agent [<input type="checkbox"/>]

3. Location of Proposed Development:

Postal Address <u>or</u> Townland <u>or</u> Location (as may best identify the land or structure in question)	GURTEENDANGAN, CASTLEINEY, TEMPLEMORE, CO. TIPPERARY, E41 A3E0
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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.)

Remove flat roof structure at rear of house and replace with porch.
Proposed floor area of proposed works/uses: 5.11 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 <input checked="" type="checkbox"/>	
Where legal interest is 'Other', please expand further on your interest in the land or structure	House in process of transfer from owner to applicant.	
If you are not the legal owner, please state the name and address of the owner	Name: Eoin BRENNAN (Brother) Address: Gurteendangan, Castlesney, Templemore, Co. Tipperary. EH1 V6KS	

Signature of Applicant(s)



Date: 17 May 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
 - 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 0818 06 5000		
E-Mail planning@tipperarycoco.ie		

FOR OFFICE USE ONLY

DATE STAMP

Fee Recd. €80 _____
Receipt No 137470 _____
Date__18/05/2026_____

Received by _____



Cash Office
Tipperary County Council
Civic Offices
Nenagh
Co Tipperary

18/05/2026 16:26:12

Receipt No. : NENAM1/0/137470

AISLING BRENNAN
CASTLEINEY VILLAGE
TEMPLEMORE
CO. TIPPERARY

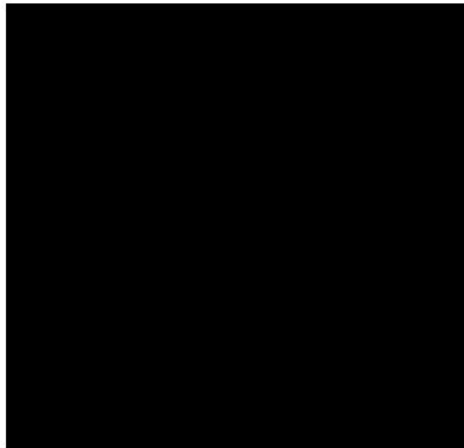
SECTION5 EXEMPTION DECLARATION 80
GOODS 80.00
VAT Exempt/Non-vatable

Total : 80.00 EUR

Tendered :
Credit Card 80.00

Change : 0.00

Issued By : DEIRDRE O BRIEN
From : TIPP CC NENAGH CASH DESK
Vat reg No.3259712MH



SALE AMOUNT €80.00

CUSTOMER NOT PRESENT

I agree to pay the above final amount
According to the card/merchants issuer
agreement

CUSTOMER COPY

Aisling Brennan
Castleiney Village,
Templemore,
Co. Tipperary.

25 April 2026

Our Ref: [REDACTED]

Re: Out Client: Aisling Brennan
Transfer from Eoin Brennan at Castleiney, Templemore, Co. Tipperary

To Whom It May Concern

We act on behalf on the above-named, Aisling Brennan and confirm our client is in the process of a transfer from Eoin Brennan of a derelict property at the above address.

If you have any queries, please do not hesitate to contact me

Yours sincerely,

Anne Fitzpatrick

Anne Fitzpatrick
Anne M Fitzpatrick & Co.







Site Location Map

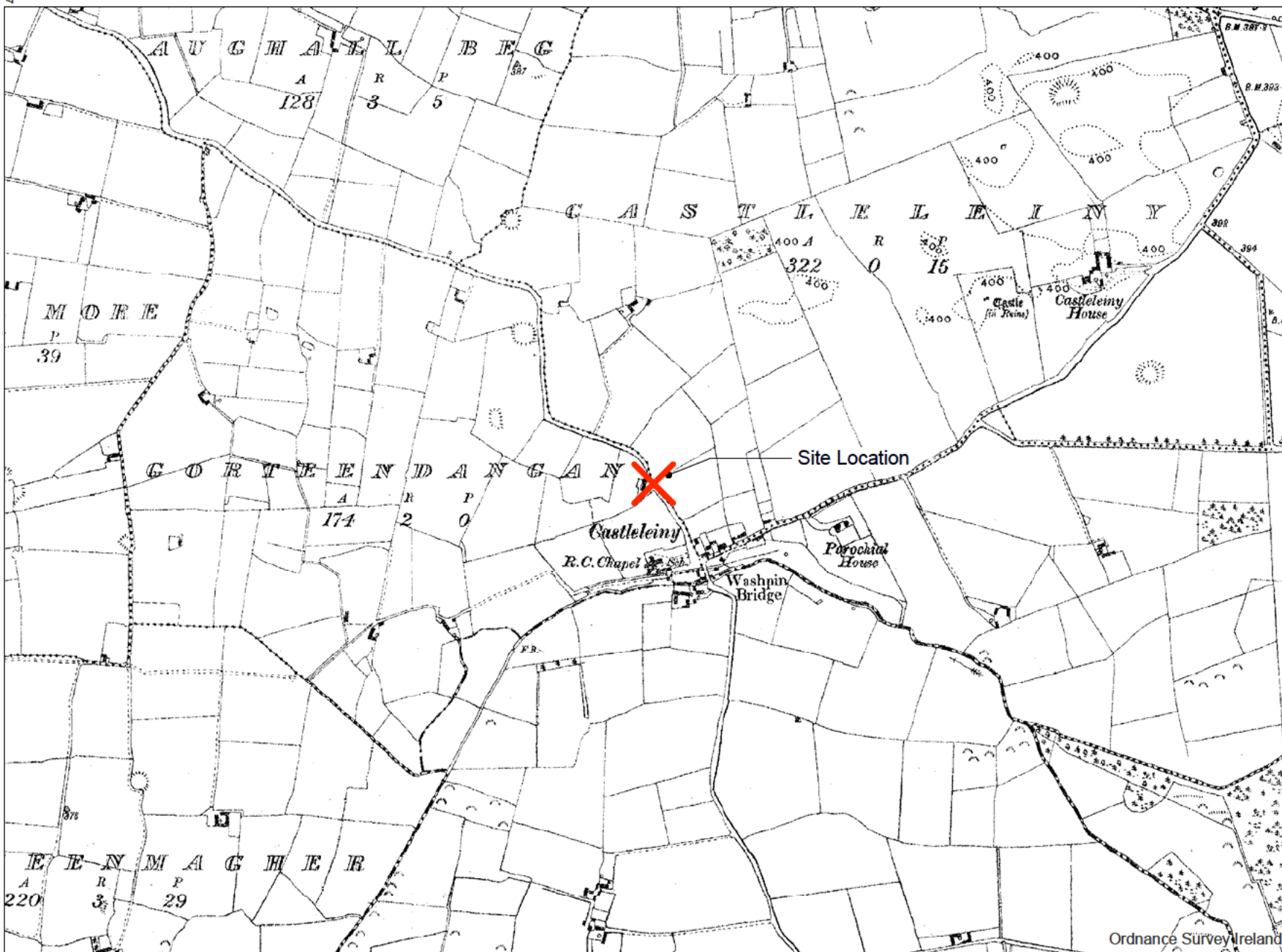


Tailte
Éireann

612867

615328

671638



CENTRE COORDINATES:
ITM 614098,670730

PUBLISHED: 14/10/2024
ORDER NO.: 50428152_1

MAP SERIES: 6 Inch Raster
MAP SHEETS: KK007+007A, LS033+033A, TY029

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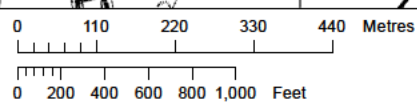
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Ordnance Survey Ireland

669821

612867



OUTPUT SCALE: 1:10,560

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



615328

Planning Pack Map

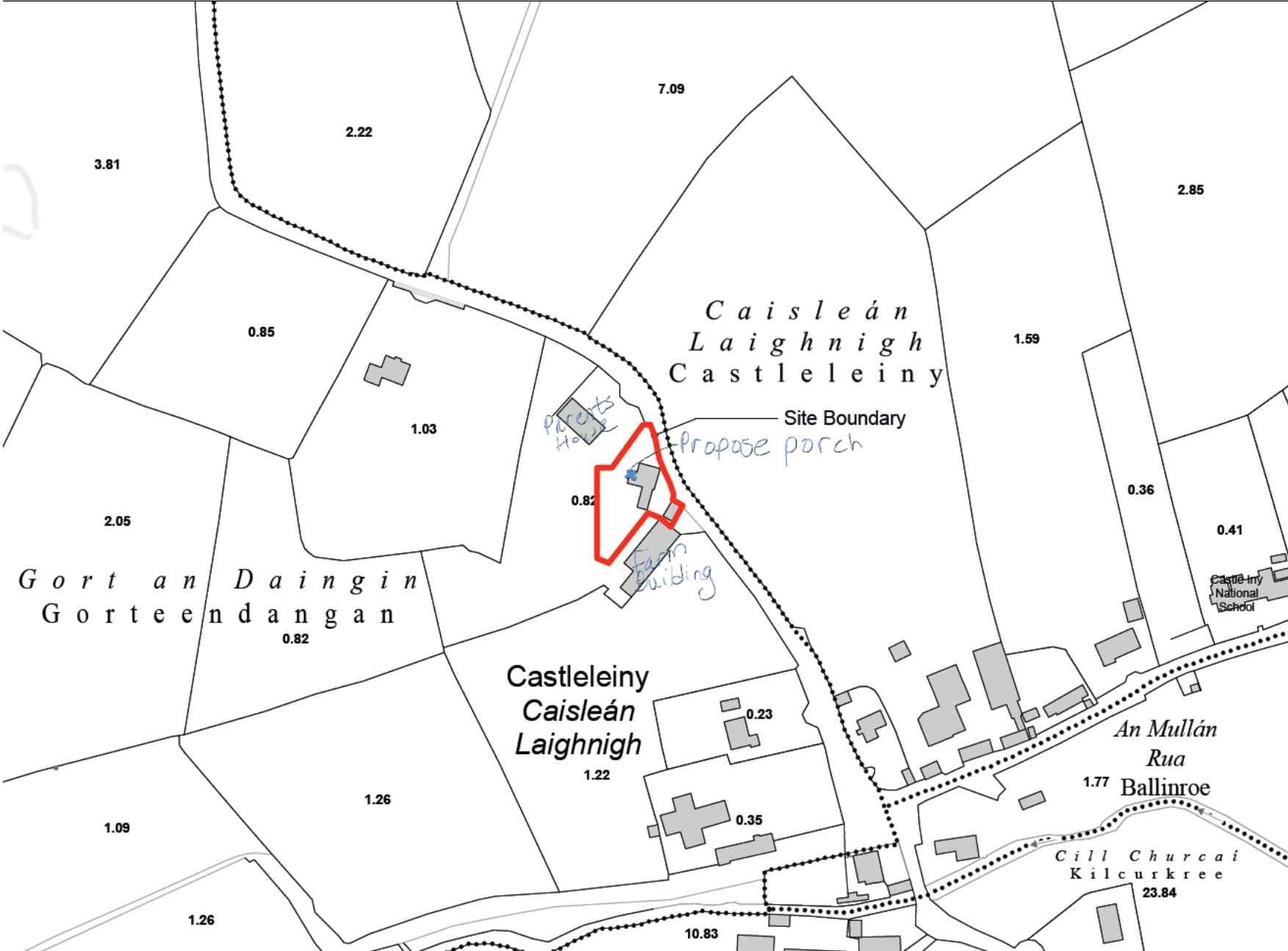


Tailte Éireann

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CENTRE COORDINATES:
ITM 614098,670730

PUBLISHED: 14/10/2024
ORDER NO.: 50428152_1

MAP SERIES: 1:5,000, 1:2,500, 1:2,500
MAP SHEETS: 4458, 4458-A, 4458-B

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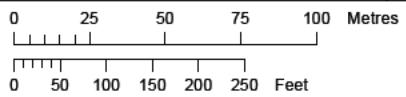
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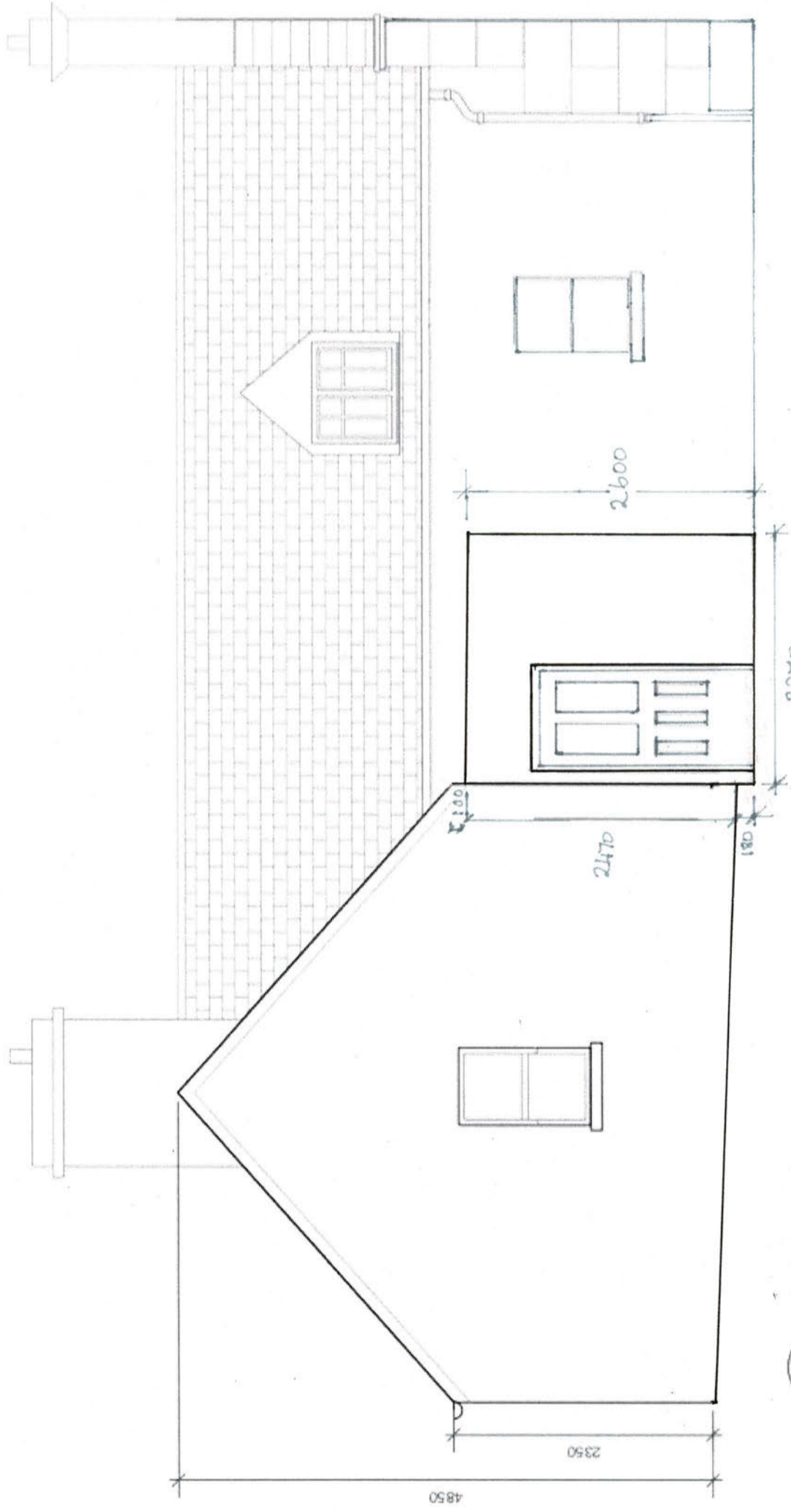


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CAPTURE RESOLUTION:
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LEGEND:
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1 North Elevation
Scale: 1:50



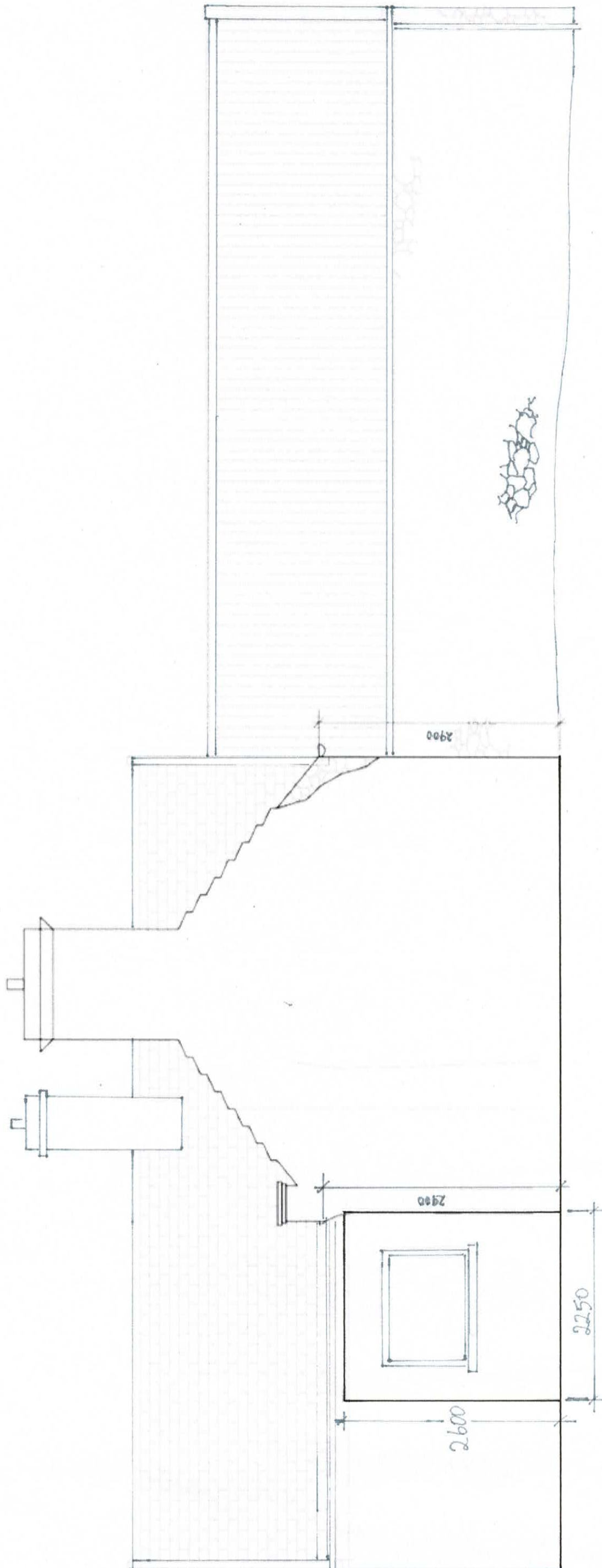
Porch to replace flat roof
Structure in Gorteenangan,
Castletroy, Tempemore, Co. Tip.
E41 K3 E0

PROJECT: Castletroy Village
DRAWING: North Elevation

Aisling Brennan
25 May 2026

1:50

A3



1 West Elevation
Scale: 1:50



Part To Replace Flat roof
Structure at rear of house in
Gurteen Langan, Castletiney
Templemore, Co. TI. Project
E.H. K3-EO

Castletiney Village
West Elevation

Aisling BRENNAN

26 May 2016

1:50

A3

Re: [External] Section 5 Application

From Planning <planning@tipperarycoco.ie>

Date Tue 26 May 2026 8:52 AM

To Aisling Brennan [REDACTED]

Hi Aisling

We are unable to open zip files due to security reasons, can you please resend the zip attachments in pdf format?

Kind regards,

Pauline Hendy

Assistant Staff Officer

Planning Section

Tipperary County Council, Civic Offices, Nenagh, Co. Tipperary

T: 0818-065000

E: planning@tipperarycoco.ie

W: www.tipperarycoco.ie



From: Aisling Brennan [REDACTED]

Sent: Monday 25 May 2026 5:50 pm

To: Planning <planning@tipperarycoco.ie>

Subject: [External] Section 5 Application

CAUTION FROM TIPPERARY COUNTY COUNCIL IT SECTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi,

I hope this email finds you well.

Please find attached an application for a Section 5 and the following :

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.

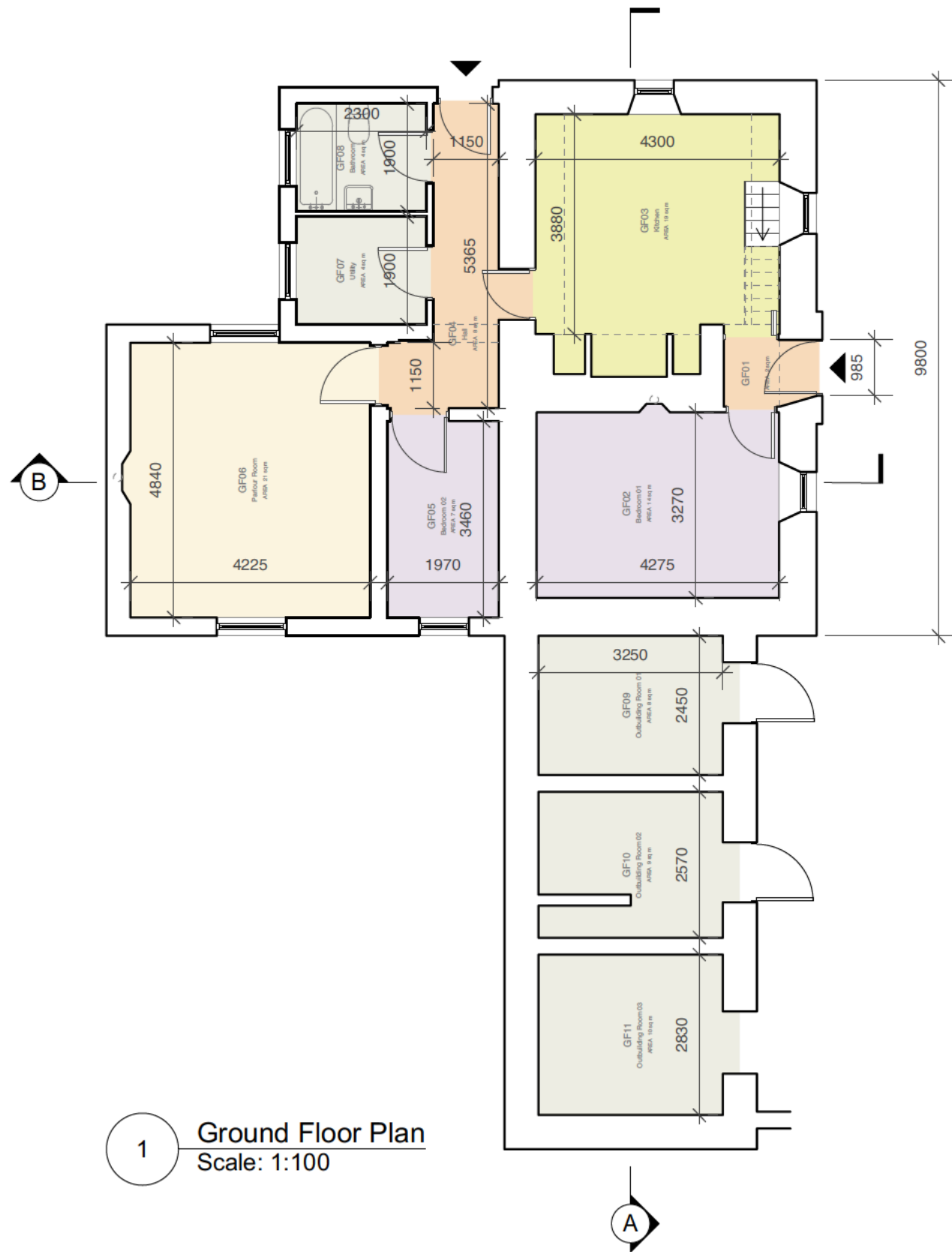
- receipt for E80.

- Solicitor letter of transference

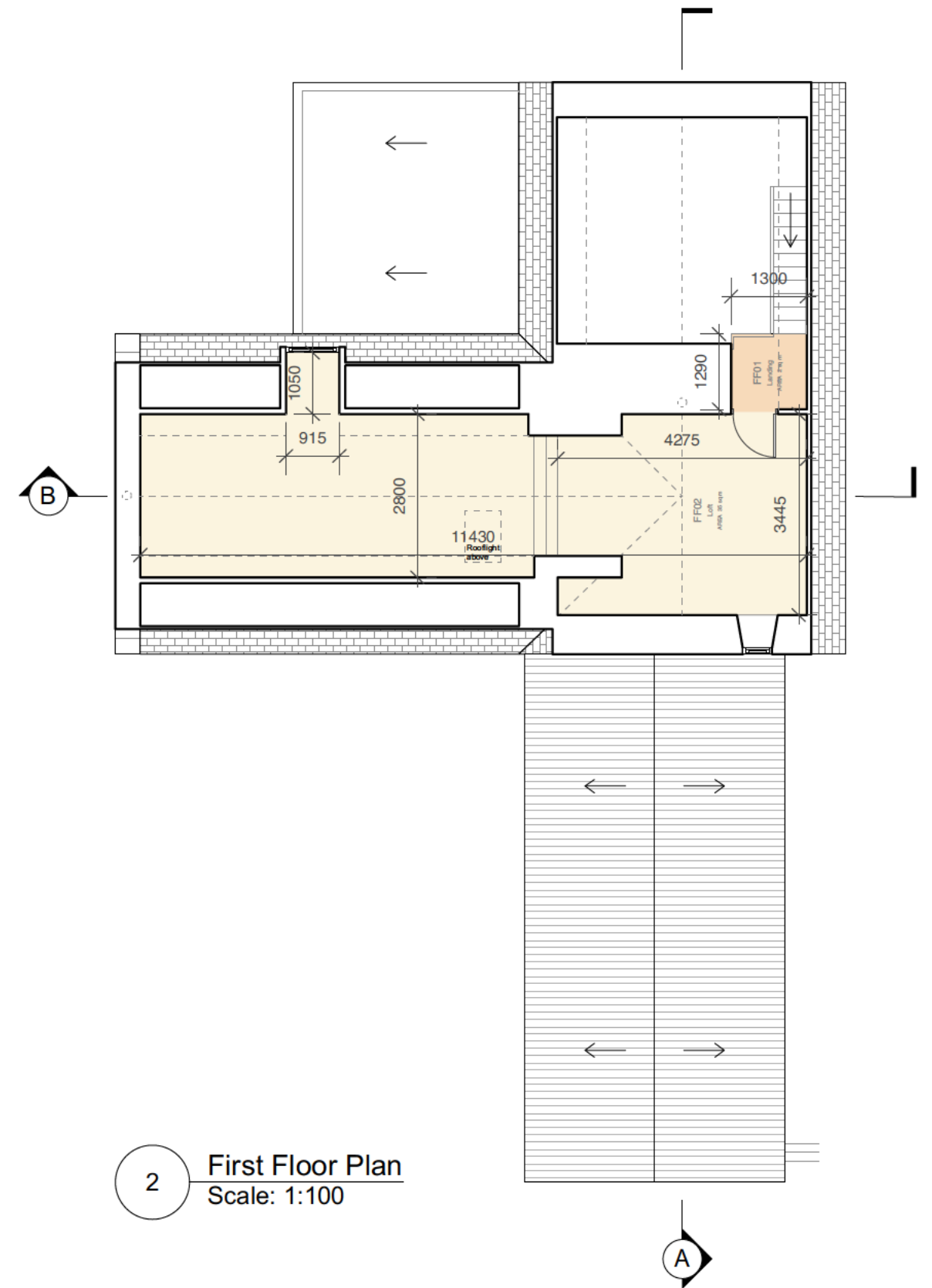
- Application

All the best,

Aisling Brennan

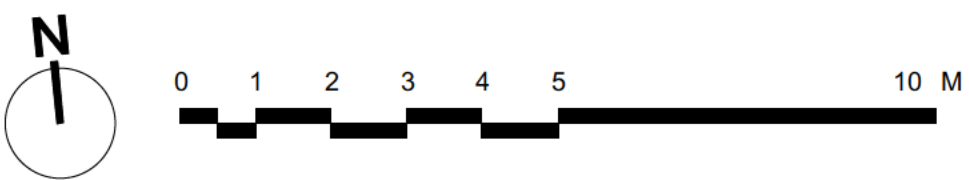


1 Ground Floor Plan
Scale: 1:100



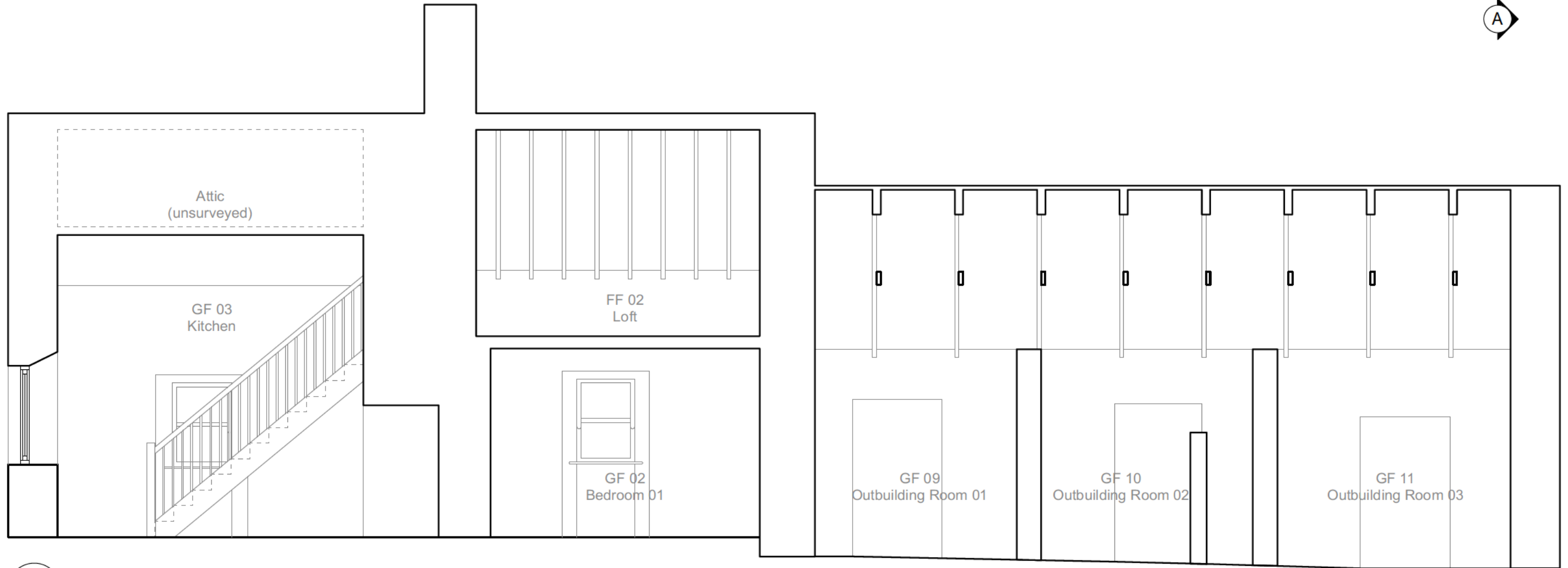
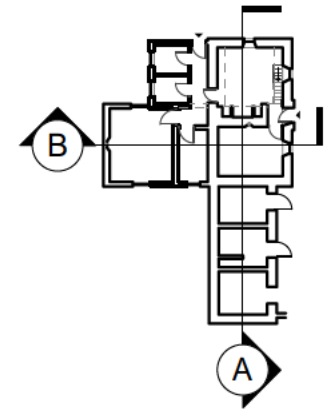
2 First Floor Plan
Scale: 1:100

Gross Internal Floor Area (excluding outbuildings)
 First Floor 37sqm
 Ground Floor 106sqm
Total 143sqm



SURVEY

PROJECT Castleiney Village		CANICE Architects	
DRAWING Ground & First Floor Plan		17a Irishtown Kilkenny, Ireland R95 W66V t: +353 (0)56 777 1494 e: studio@canicearchitects.com	
JOB No. 175	DRAWING No. EX/02	CM DC	REV /
SCALE 1:100		11/10/24	SIZE A3
<small>1. Do not scale from this drawing, other than for Planning purposes. 2. All dimensions to be checked on site by the contractor and such dimensions to be his responsibility. 3. Report all drawing errors, omissions and discrepancies to the architect. 4. Where the drawing is in CAD format, it is uncontrolled - only figured dimensions in hard copies and PDFs to be relied upon for checking. 5. All information contained in this drawing is SOLE COPYRIGHT OF CANICE ARCHITECTS and is not to be reproduced without their permission.</small>			

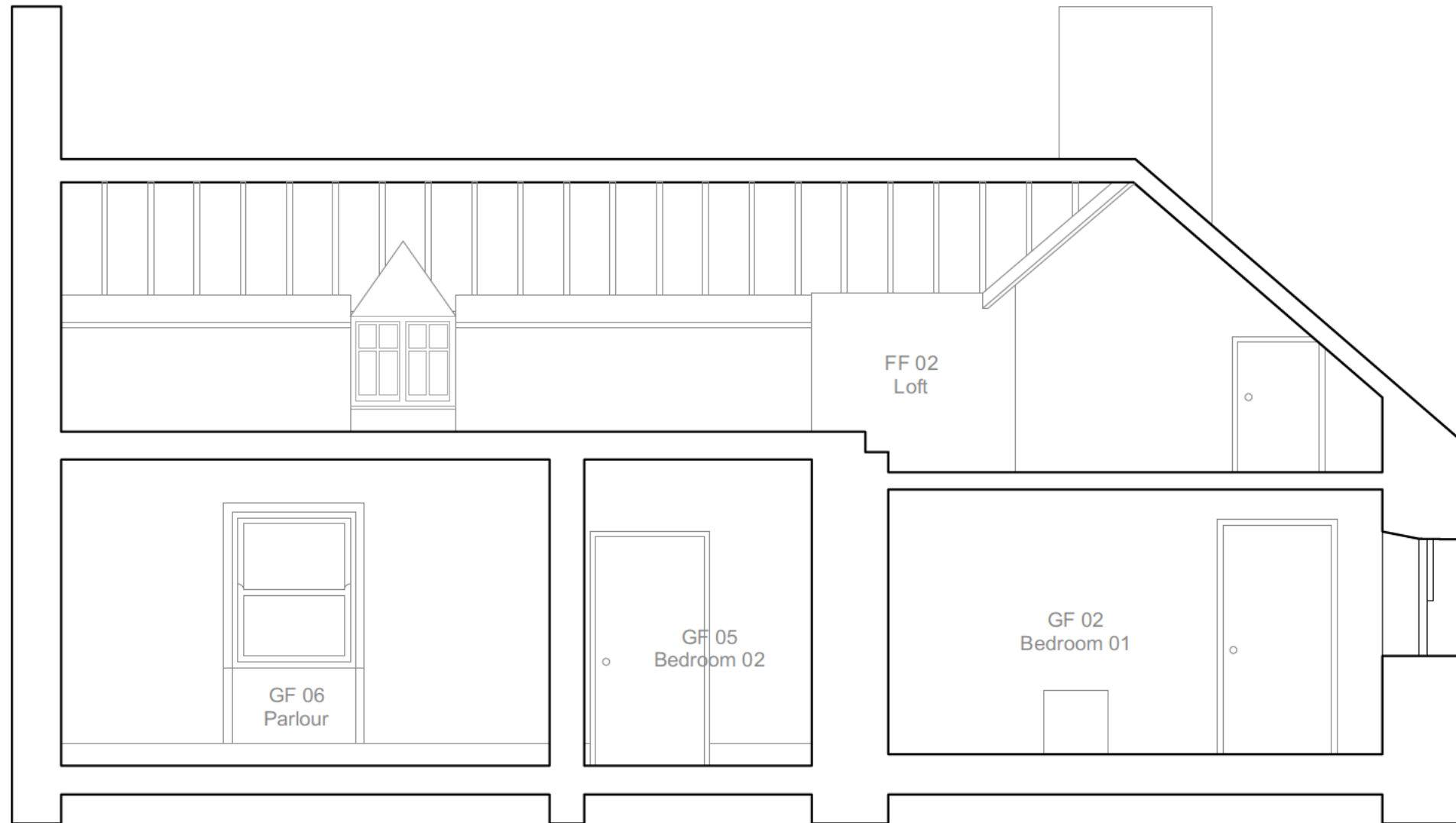
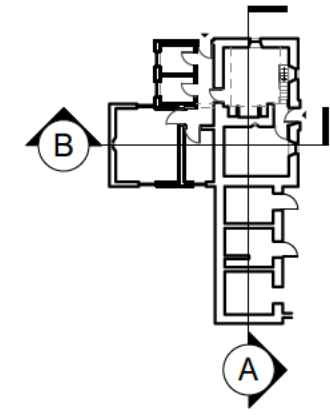


1 Section A-A
Scale: 1:50



SURVEY

				PROJECT Castleiney Village		CANICE Architects	
				DRAWING Section A-A		17a Irishtown Kilkenny, Ireland R95 W66V t: +353 (0)56 777 1494 e: studio@canicearchitects.com	
				CM	DC	11/10/24	
REV	DESCRIPTION	DRWN BY	CHKD BY	DATE	JOB No.	DRAWING No.	REV
/	Issued for FEASIBILITY				175	EX/03	/
1. Do not scale from this drawing, other than for Planning purposes. 2. All dimensions to be checked on site by the contractor and such dimensions to be his responsibility. 3. Report all drawing errors, omissions and discrepancies to the architect. 4. Where the drawing is in CAD format, it is uncontrolled - only figured dimensions in hard copies and PDF's to be relied upon for checking. 5. All information contained in this drawing is SOLE COPYRIGHT OF CANICE ARCHITECTS and is not to be reproduced without their permission.						SCALE	SIZE
						1:50	A3



1 Section B-B
Scale: 1:50



SURVEY

		PROJECT Castleiney Village			CANICE Architects		
		DRAWING Section B-B			17a Irishtown Kilkenny, Ireland R95 W66V t: +353 (0)56 777 1494 e: studio@canicearchitects.com		
REV	DESCRIPTION	CM DRWN BY	DC CHKD BY	DATE	JOB No. 175	DRAWING No. EX/04	REV /
1. Do not scale from this drawing, other than for Planning purposes. 2. All dimensions to be checked on site by the contractor and such dimensions to be his responsibility. 3. Report all drawing errors, omissions and discrepancies to the architect. 4. Where the drawing is in CAD format, it is uncontrolled - only figured dimensions in hard copies and PDF's to be relied upon for checking. 5. All information contained in this drawing is SOLE COPYRIGHT OF CANICE ARCHITECTS and is not to be reproduced without their permission.					SCALE 1:50	SIZE A3	

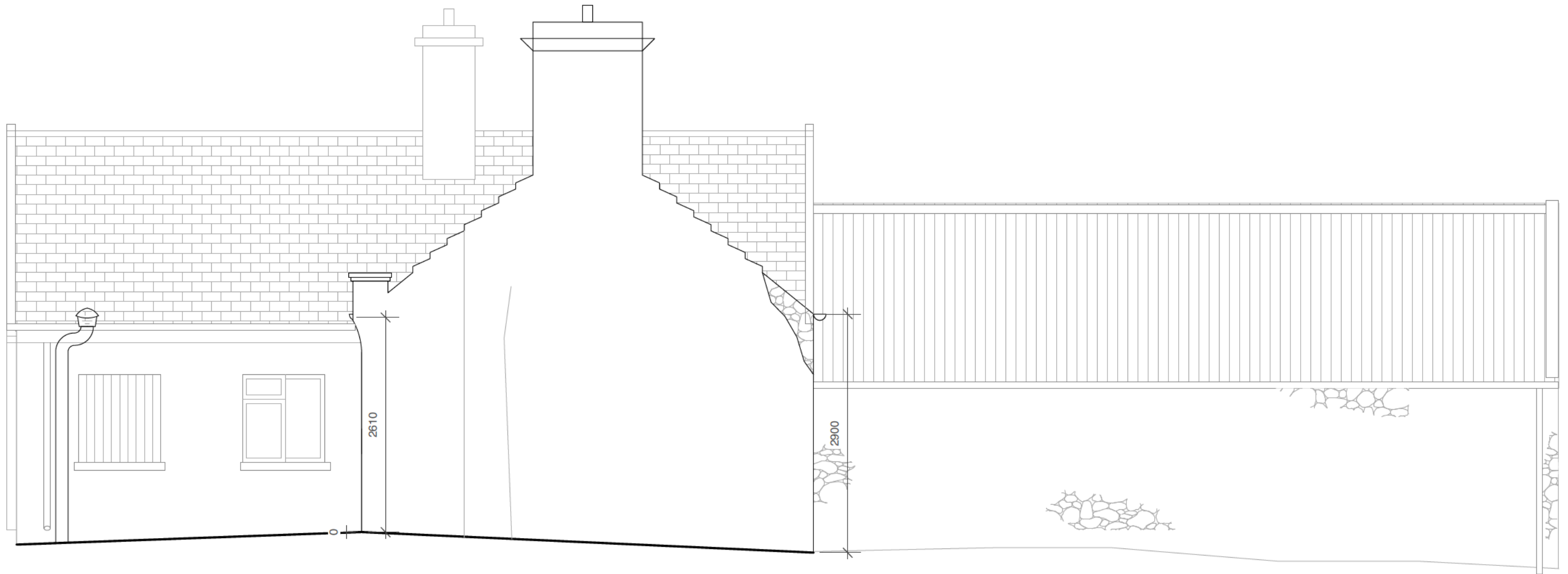


1 East Elevation
Scale: 1:50



SURVEY

		PROJECT Castleiney Village			CANICE Architects		
		DRAWING East Elevation			17a Irishtown Kilkenny, Ireland R95 W66V t: +353 (0)56 777 1494 e: studio@canicearchitects.com		
REV	DESCRIPTION	CM	DC	DATE	JOB No.	DRAWING No.	REV
/	Issued for FEASIBILITY	CM	DC	11/10/24	175	EX/05	/
<small>1. Do not scale from this drawing, other than for Planning purposes. 2. All dimensions to be checked on site by the contractor and such dimensions to be his responsibility. 3. Report all drawing errors, omissions and discrepancies to the architect. 4. Where the drawing is in CAD format, it is uncontrolled - only figured dimensions in hard copies and PDFs to be relied upon for checking. 5. All information contained in this drawing is SOLE COPYRIGHT OF CANICE ARCHITECTS and is not to be reproduced without their permission.</small>					SCALE		SIZE
					1:50		A3

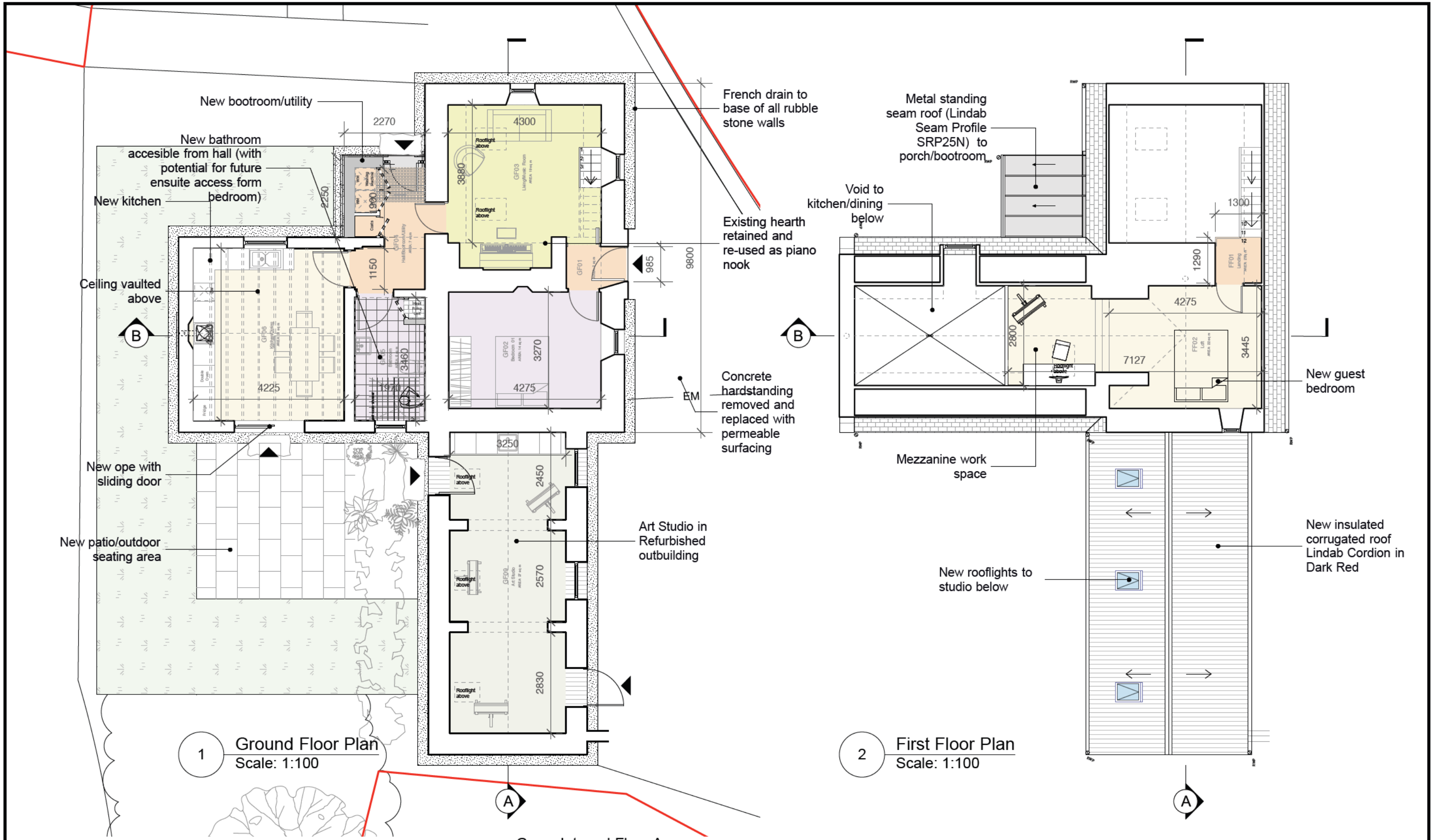


1 West Elevation
Scale: 1:50



SURVEY

		PROJECT Castleiney Village			CANICE Architects 17a Irishtown Kilkenny, Ireland R95 W66V t: +353 (0)56 777 1494 e: studio@canicearchitects.com		
		DRAWING West Elevation			JOB No. 175	DRAWING No. EX/07	REV /
REV	DESCRIPTION	CM DRWN BY	DC CHKD BY	DATE	SCALE 1:50		SIZE A3
/	Issued for FEASIBILITY			11/10/24			
<small>1. Do not scale from this drawing, other than for Planning purposes. 2. All dimensions to be checked on site by the contractor and such dimensions to be his responsibility. 3. Report all drawing errors, omissions and discrepancies to the architect. 4. Where the drawing is in CAD format, it is uncontrolled - only figured dimensions in hard copies and PDFs to be relied upon for checking. 5. All information contained in this drawing is SOLE COPYRIGHT OF CANICE ARCHITECTS and is not to be reproduced without their permission.</small>							



1 Ground Floor Plan
Scale: 1:100

2 First Floor Plan
Scale: 1:100

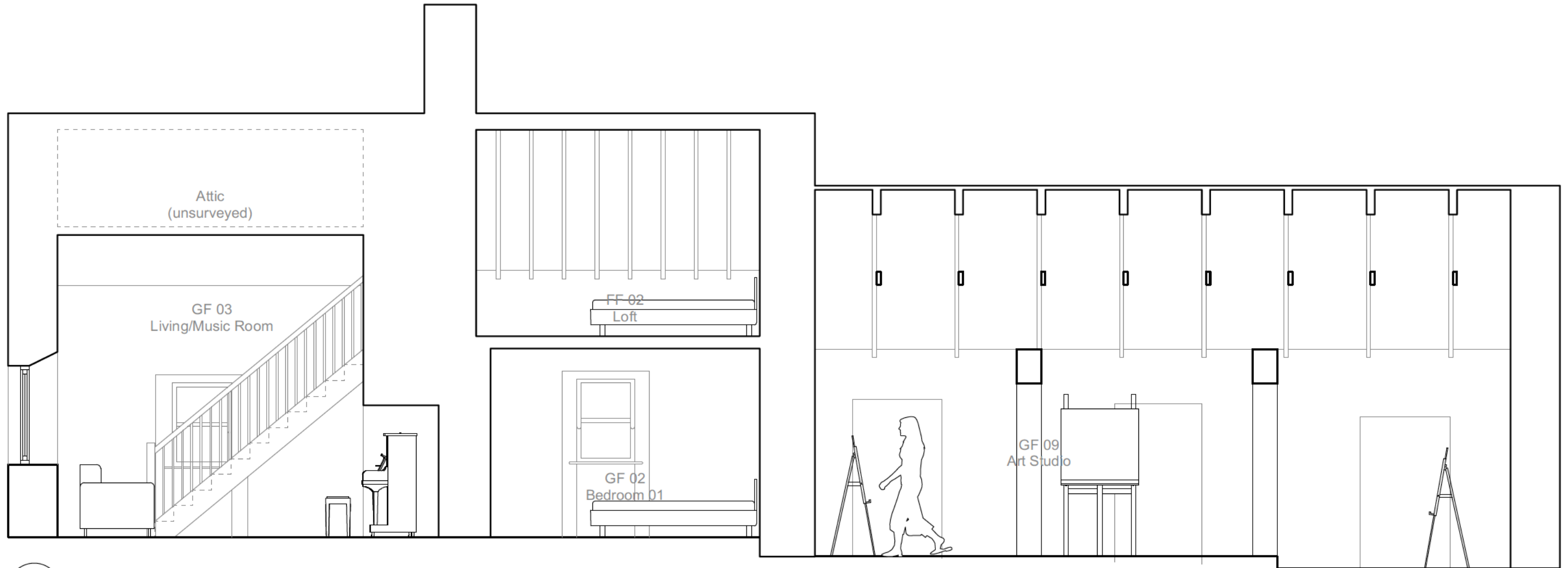
Gross Internal Floor Area
 First Floor 24sqm
 Ground Floor 98sqm
Total 122sqm



FEASIBILITY

PROJECT Castleiney Village		CANICE Architects	
DRAWING Ground & First Floor Plan		17a Irishtown Kilkenny, Ireland R95 W66V t: +353 (0)56 777 1494 e: studio@canicearchitects.com	
REV	DESCRIPTION	CM DRWN BY	DC CHKD BY
/	Issued for FEASIBILITY		11/10/24
JOB No.	DRAWING No.	REV	SIZE
175	P/02	/	A3
SCALE 1:100			

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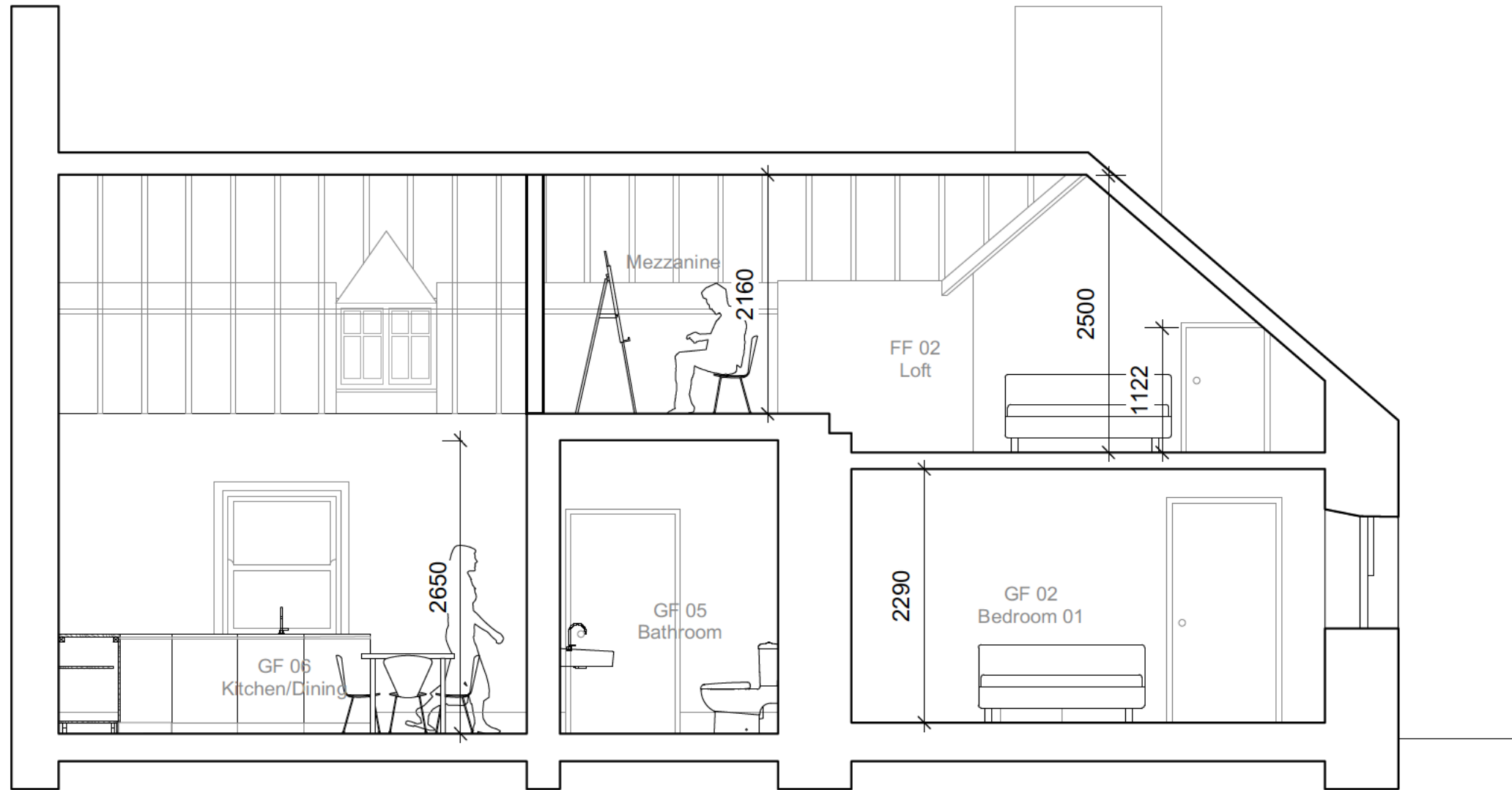


1 Section A-A
Scale: 1:50



FEASIBILITY

				PROJECT Castleiney Village		CANICE Architects	
				DRAWING Section A-A		17a Irishtown Kilkenny, Ireland R95 W66V t: +353 (0)56 777 1494 e: studio@canicearchitects.com	
REV	DESCRIPTION	DRWN BY	CHKD BY	DATE	JOB No. 175	DRAWING No. P/03	REV /
/	Issued for FEASIBILITY	CM	DC	11/10/24	SCALE 1:50	SIZE A3	
<small>1. Do not scale from this drawing, other than for Planning purposes. 2. All dimensions to be checked on site by the contractor and such dimensions to be his responsibility. 3. Report all drawing errors, omissions and discrepancies to the architect. 4. Where the drawing is in CAD format, it is uncontrolled - only figured dimensions in hard copies and PDF's to be relied upon for checking. 5. All information contained in this drawing is SOLE COPYRIGHT OF CANICE ARCHITECTS and is not to be reproduced without their permission.</small>							



1 Section B-B
Scale: 1:50



FEASIBILITY

				PROJECT Castleiney Village		CANICE Architects	
				DRAWING Section B-B		17a Irishtown Kilkenny, Ireland R95 W66V t: +353 (0)56 777 1494 e: studio@canicearchitects.com	
REV	DESCRIPTION	CM DRWN BY	DC CHKD BY	DATE	JOB No. 175	DRAWING No. P/04	REV /
/	Issued for FEASIBILITY			11/10/24	SCALE 1:50		SIZE A3

1. Do not scale from this drawing, other than for Planning purposes. 2. All dimensions to be checked on site by the contractor and such dimensions to be his responsibility. 3. Report all drawing errors, omissions and discrepancies to the architect. 4. Where the drawing is in CAD format, it is uncontrolled - only figured dimensions in hard copies and PDFs to be relied upon for checking. 5. All information contained in this drawing is SOLE COPYRIGHT OF CANICE ARCHITECTS and is not to be reproduced without their permission.



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 5000/601
e customerservice
@tipperarycoco.ie
tipperarycoco.ie

Date: 26th May 2026 Our Ref: S5/26/86 Civic Offices, Nenagh

**Aisling Brennan
Gurteendangan
Castleiney
Templemore
Co. Tipperary
E41 K225**

Re: Application for a Section 5 Declaration – Remove flat roof structure at rear of house and replace with porch at Gurteendangan, Castleiney, Templemore, Co. Tipperary, E41 A3E0.

Dear Aisling,

I acknowledge receipt of your application for a Section 5 Declaration received on 26th 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**

TIPPERARY COUNTY COUNCIL

Application for Declaration under Section 5

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

Planning Ref.: S5/26/86

Applicant: Aisling Brennan

Development Address: Castleiney Village

Proposed Development: Remove flat roof structure at rear of house and replace with a porch.

1. GENERAL

On 26.05.2026 a request was made for a declaration under Section 5 of the Planning and Development Act, 2000 as amended as to whether the following is “development” and “exempt development”:

“Remove flat roof structure at rear of house and replace with a porch”

It is noted that the drawings submitted with the application in particular Floor Plan, Drawing no. P/02 illustrate additional development including the refurbishment of an outbuilding to an art studio and changes to the dwelling floor plans. The declaration application relates to the proposal to remove the flat roof structure and replace same with a porch only. The other elements shown on the drawings have not therefore been considered.

2. STATUTORY PROVISION

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.

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

Exempted Development.

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

Schedule 2, Part 1 'Exempted Development - General:

Class 1 of Part 1 of Schedule 2 of the Planning and Development Regulations reads as follows:

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

Conditions and Limitations

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

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

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

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

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

(b) Where the rear wall of the house includes a gable, the height of the walls of any such extension shall not exceed the height of the side walls of the house. (c) The height of the highest part of the roof of any such extension shall not exceed, in the case of a flat roofed extension, the height of the eaves or parapet, as may be appropriate, or, in any other case, shall not exceed the height of the highest part of the roof of the dwelling.

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

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

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

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

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

CLASS 50

(a) The demolition of a building, or buildings, within the curtilage of—

- (i) a house,
- (ii) an industrial building,
- (iii) a business premises, or
- (iv) a farmyard complex.

(b) The demolition of part of a habitable house in connection with the provision of an extension or porch in accordance with Class 1 or 7, respectively, of this Part of this Schedule or in accordance with a permission for an extension or porch under the Act.

1. No such building or buildings shall abut on another building in separate ownership.

2. The cumulative floor area of any such building, or buildings, shall not exceed:

- (a) in the case of a building, or buildings within the curtilage of a house, 40 square metres, and
- (b) in all other cases, 100 square metres.

3. No such demolition shall be carried out to facilitate development of any class prescribed for the purposes of section 176 of the Act.

3. **ASSESSMENT**

a. Site Location

The site comprises an existing detached property within the settlement boundary of Castleiney Village.

b. Relevant Planning History

No planning history recorded for dwelling. The house is evident on historic 6" maps.

51810: Planning permission granted to Mrs. Brennan the erection of a bathroom and provision of a septic tank (1967)

2660404: Current application for new wastewater treatment system for an existing cottage

S5.26.36 - Application for Exemption Certificate for construction of an extension and demolition of a porch to the rear of the dwelling. NOT EXEMPT. Proposal failed to meet the conditions and limitations (4)(c) of Class 1.

c. Assessment

A) "Is or is not Development"

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

B) "Is or is not Exempted Development"

The proposed removal of the existing flat roof extension which measures approximately 7.9sqm meets the planning exemption under Class 50(b), Schedule 2, Part 1 of the Planning and Development Regulations 2001, as amended.

In relation to the demolition of the porch:

The proposed demolition meets the exemptions set out under class 50(b). The structure to be demolished forms part of a habitable house in connection with the provision of an extension or porch in accordance with Class 1 or 7. The structure to be demolished does not abut a building in separate ownership and is less than 40sqm in area.

In relation to the proposed extension:

The proposed extension, with a floor area of 5.11sqm meets the planning exemption under conditions/limitations 1, 2, 3, 4, 5 and 6 of Class 1, Schedule 2, Part 1 of the Planning and Development Regulations 2001, as amended, as set out below:

Class 1, Schedule 2, Part 1 of the Planning and Development Regulations 2001, as amended sets out an exemption for:

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

This exemption is subject to the following conditions/limitations:

1. (a) *Where the house has not been extended previously, the floor area of any such extension shall not exceed 40 square metres.*

The proposed rear extension measures 5.11sqm.

(b) *Subject to paragraph (a), where the house is terraced or semi-detached, the floor area of any extension above ground level shall not exceed 12 square metres.*

(c) *Subject to paragraph (a), where the house is detached, the floor area of any extension above ground level shall not exceed 20 square metres.*

The proposed extension is at ground level only.

2. (a) *Where the house has been extended previously, the floor area of any such extension, taken together with the floor area of any previous extension or extensions constructed or erected after 1 October 1964, including those for which planning permission has been obtained, shall not exceed 40 square metres.*

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

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

The house has not been previously extended. The proposed extension measures 5.11sqm.

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

The proposed extension is in excess of 2m from the site 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.

The height of the highest part of the flat roof does not exceed the height of the eaves and parapet 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.

The proposed extension will not reduce the area of private open space to less than 25sqm.

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

The proposed extension is at ground level only and any window at ground level is in excess of 1 metre from the boundary it faces.

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

C) Restrictions under Article 9

No restrictions under Article 9 apply.

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

The proposal has been screened as to the requirements for AA and the screening assessment (attached) considers that the proposal does not impact on any Natura 2000 site.

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

4. RECOMMENDATION

A question has arisen as to whether the following is development and is or is not exempted development;

“Remove flat roof structure at rear of house and replace with a porch”

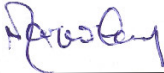
Tipperary County Council, in considering this referral, had regard particularly to -

- (a) Sections 2, 3 and 4 of the Planning and Development Act, 2000, as amended
- (b) Class 1 and Class 50(b) of Schedule 2, Part 1 of the Planning and Development Regulations 2001, as amended
- (c) Article 6 and 9 of the Planning and Development Regulations 2001, as amended.

Tipperary County Council has concluded that –

The proposed development to remove a flat roof structure at rear of house and replace with a porch, as presented on the drawings provided with the Declaration application, constitutes “development” within the meaning of the Planning and Development Act 2000, as amended and is **“EXEMPT”** development

Advice Note: This Declaration relates solely to the proposals to remove the flat roof structure at rear of house and replace with a porch. The Declaration does not extend to the other refurbishment proposals shown on the drawings included with the application.

Signed:  _____

Date: 17.06.2026

Signed: 
Senior Executive Planner

Date: 18/6/2026

AA Screening Form

STEP 1. Description of the project/proposal and local site characteristics:	
(a) File Reference No:	S5/26/86
(b) Brief description of the project or plan:	Remove flat roof structure at rear of house and replace with a porch
(c) Brief description of site characteristics:	Existing dwelling
(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
002137	Lower River Suir SAC https://www.npws.ie/protected-sites/sac/002137	Less than 15km	No ecological connection via ground/surface water. No ecological connection via air due to separation distance	Less than 15km
000934	Killduff Mountain SAC https://www.npws.ie/protected-sites/sac/000934	Less than 15km	No ecological connection via ground/surface water. No ecological connection via air due to separation distance	Less than 15km
001858	Galmoy Fen SAC https://www.npws.ie/protected-sites/sac/002137	Less than 15km	No ecological connection via ground/surface water. No ecological connection via air due to	Less than 15km

			separation distance	
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¹ Short paraphrasing and/or cross reference to NPWS is acceptable – it is not necessary to reproduce the full text on the QI/SCI.

² If the site or part thereof is within the European site or adjacent to the European site, state here.

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. <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 	No loss of vegetation – previously developed site
Operational phase e.g. <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 	Given that any potential hydrological connections to the nearest water body are indirect and weak and the separation distance is significant, it is considered that there is no real likelihood of any significant effects on European Sites in the wider catchment area
In-combination/Other	

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

Examples of the type of changes to give consideration to include: <ul style="list-style-type: none"> • Reduction or fragmentation of habitat area • Disturbance to QI species 	The application site is not located adjacent or within a European site, therefore there is no risk of habitat loss or fragmentation or any effects on QI species directly or ex-situ.
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- 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

The significant distance between the proposed development site and any European Sites, and the very weak and indirect ecological pathway is such that the proposal will not result in any likely changes to the European sites that comprise part of the Natura 2000 network

(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:

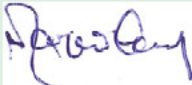
Describe how the proposed development (alone or in-combination) is/is not likely to have significant effects on European site(s) in view of its conservation objectives.

Conclusion:

Having regard to:

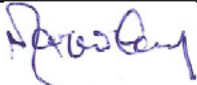
- the small scale nature of the development (change of use of an existing dwelling),
- the location of the development at a significant remove from nearby European sites and,
- the consequent absence of a direct pathway to these European sites,

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

	Tick as Appropriate:	Recommendation:
(i) It is clear that there is no likelihood of significant effects on a European site.	X	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:		17.06.2026
Signature and Date of the Decision Maker:		

EIA Screening Form

Form 1

Establishing if the proposal is a 'sub-threshold development':	
Planning Register Reference:	S5.26.86
Development Summary:	Remove flat roof structure at rear of house and replace with a porch
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> [insert here] </u>	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> [specify class & threshold here] </u>	EIA is mandatory No Screening required
<input type="checkbox"/> Yes the project is of a type listed but is <i>sub-threshold</i> : <u> [insert here] </u>	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 <input type="checkbox"/> No, Schedule 7A information/screening report has not been submitted by the applicant	Screening Determination required Preliminary Examination required
Signature and Date of Recommending Officer:	 17.06.2026

Original

TIPPERARY COUNTY COUNCIL

DELEGATED EMPLOYEE'S ORDER

File Ref: **S5/26/86** **Delegated Employee's Order No:** _____

SUBJECT: Section 5 Declaration

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 Aisling Brennan, Gureendangan, Castleiney, Templemore, Co. Tipperary to Remove flat roof structure at rear of house and replace with a porch at **Castleiney Village, Templemore, 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) Class 1 and Class 50(b) of Schedule 2, Part 1 of the Planning and Development Regulations 2001, as amended
- c) Article 6 and 9 of the Planning and Development Regulations 2001, as amended.

Tipperary County Council has concluded that –

The proposed development to remove a flat roof structure at rear of house and replace with a porch, as presented on the drawings provided with the Declaration application, constitutes "development" within the meaning of the Planning and Development Act 2000, as amended and is "**EXEMPT**" development.

Advice Note: This Declaration relates solely to the proposals to remove the flat roof structure at rear of house and replace with a porch. The Declaration does not extend to the other refurbishment proposals shown on the drawings included with the application.

Signed:



Brian Beck
Director of Services

Date: 19/06/2026



Date: 19th June 2026

Our Ref: S5/26/86

Civic Offices, Nenagh

Aisling Brennan
Gurteendangan
Castleiney
Templemore
Co. Tipperary

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

Dear Ms Brennan,

I refer to your application for a Section 5 Declaration received on 26th May 2026, in relation to the following proposed works:

Remove flat roof structure at rear of house and replace with a porch **at Castleiney Village, Templemore, 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) Class 1 and Class 50(b) of Schedule 2, Part 1 of the Planning and Development Regulations 2001, as amended
- c) Article 6 and 9 of the Planning and Development Regulations 2001, as amended.

Tipperary County Council has concluded that –

The proposed development to remove a flat roof structure at rear of house and replace with a porch, as presented on the drawings provided with the Declaration application, constitutes “development” within the meaning of the Planning and Development Act 2000, as amended and is **“EXEMPT”** development.

Advice Note: This Declaration relates solely to the proposals to remove the flat roof structure at rear of house and replace with a porch. The Declaration does not extend to the other refurbishment proposals shown on the drawings included with the application.

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


for **Director of Services**