



Comhairle Contae Thiobraid Árann
Tipperary County Council

Tipperary County Council
RECEIVED
19 DEC 2024
CASH OFFICE
Civic Offices, Clonmel

Receipt No 188150
Issued 19 12 2024
€80 - 00 Cash

PLANNING & DEVELOPMENT ACT, 2000 (as amended)

Application for a Section 5 Declaration
Development / Exempted Development

1. Applicant's address/contact details:

Applicant	Oliver MAHER
Address	Kilsheelan, Clonmel, Co TIPP
Telephone No.	[REDACTED]
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 [] Agent []	

3. Location of Proposed Development:

Postal Address or Townland or Location (as may best identify the land or structure in question)	Kilsheelan Clonmel
--	-----------------------

TIPPERARY CO. COUNCIL
RECEIVED
19 DEC 2024
PLANNING SECTION
FILE NO.

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.)

New Porch at at front door of Dwelling
Proposed floor area of proposed works/uses: 1.955 sqm

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

<i>Please tick appropriate box to show applicant's legal interest in the land or structure</i>	A. Owner <input checked="" type="checkbox"/>	B. Occupier
	C. Other	
<i>Where legal interest is 'Other', please expand further on your interest in the land or structure</i>		
<i>If you are not the legal owner, please state the name and address of the owner</i>	Name: Address:	

Signature of Applicant(s) O. Maher

Date: 19-12-24

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**

OR

**Planning Section,
Tipperary County Council,
Civic Offices,
Emmet Street,
Clonmel,
Co. Tipperary**

Enquires:

Telephone 0818 06 5000

E-Mail planning@tipperarycoco.ie

FOR OFFICE USE ONLY

DATE STAMP

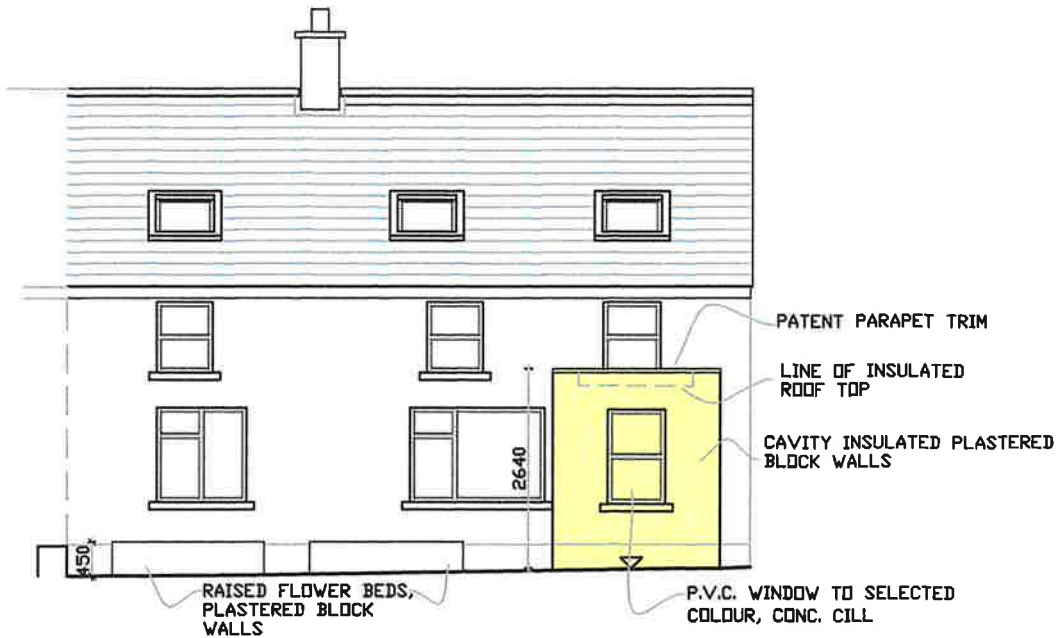
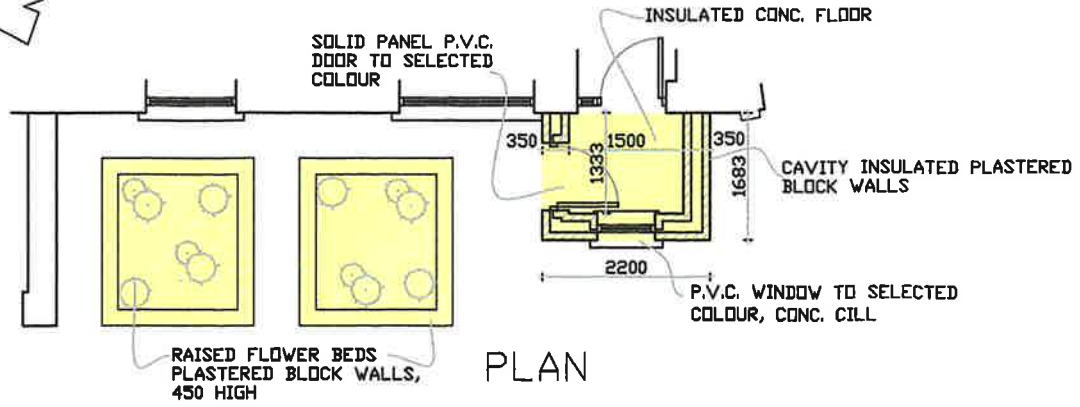
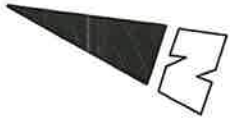
Fee Recd. € _____

Receipt No _____

Date _____

Received by _____

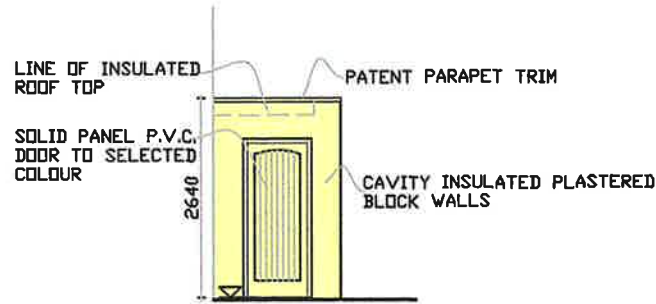
NOTE:
AREAS TO WHICH APPLICATION RELATES
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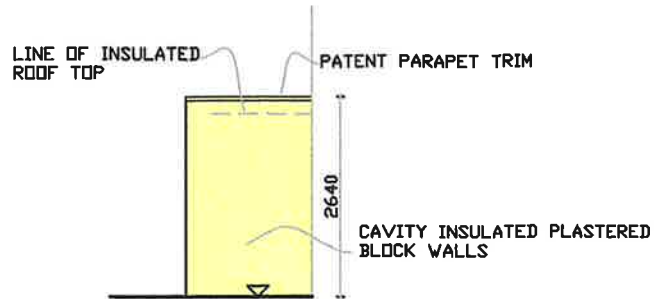
NOTE:
THIS IS A SECTION 5 APPLICATION DRAWING ONLY.

TOM NUGENT		9, CULRUA, QUEEN ST., PORTLAW, WATERFORD. TEL: 087 9566763 Email:- tcn@live.ie
Architectural Draughtsman		
PROJECT	PROPOSED PORCH & RAISED FLOWER BEDS AT KILSHEELAN, Co. TIPPERARY	SCALE 1:100
		STAGE APPLICATION
CLIENT	OLIVER & MIRIAM MAHER	DRG.NO. A01/24
TITLE	PLAN & FRONT ELEVATION	DATE 12-12-2024

NOTE:
 AREAS TO WHICH APPLICATION RELATES
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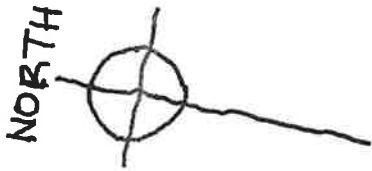
SIDE ELEVATION (North)



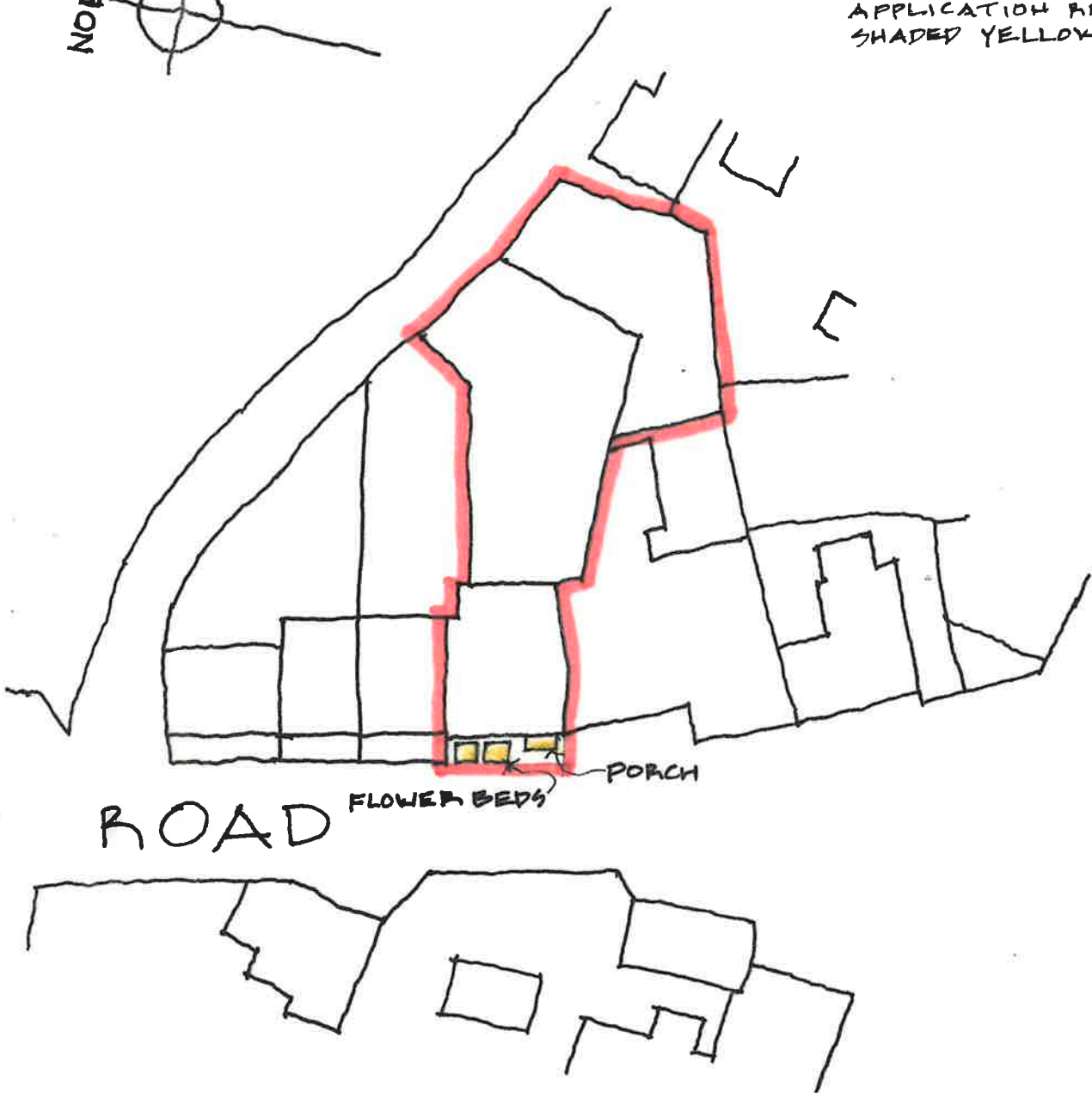
SIDE ELEVATION (South)

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TITLE	SIDE ELEVATIONS	DRG.NO. A02/24
		DATE 12-12-2024



NOTE:-
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APPLICATION RELATES
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SITE PLAN 1:500

Planning Pack Map



CENTRE COORDINATES:
ITM 828586, 823432

PUBLISHED:
07/02/2024

MAP SERIES: ITR MAP SHEETS:
1:2,500 5432-A



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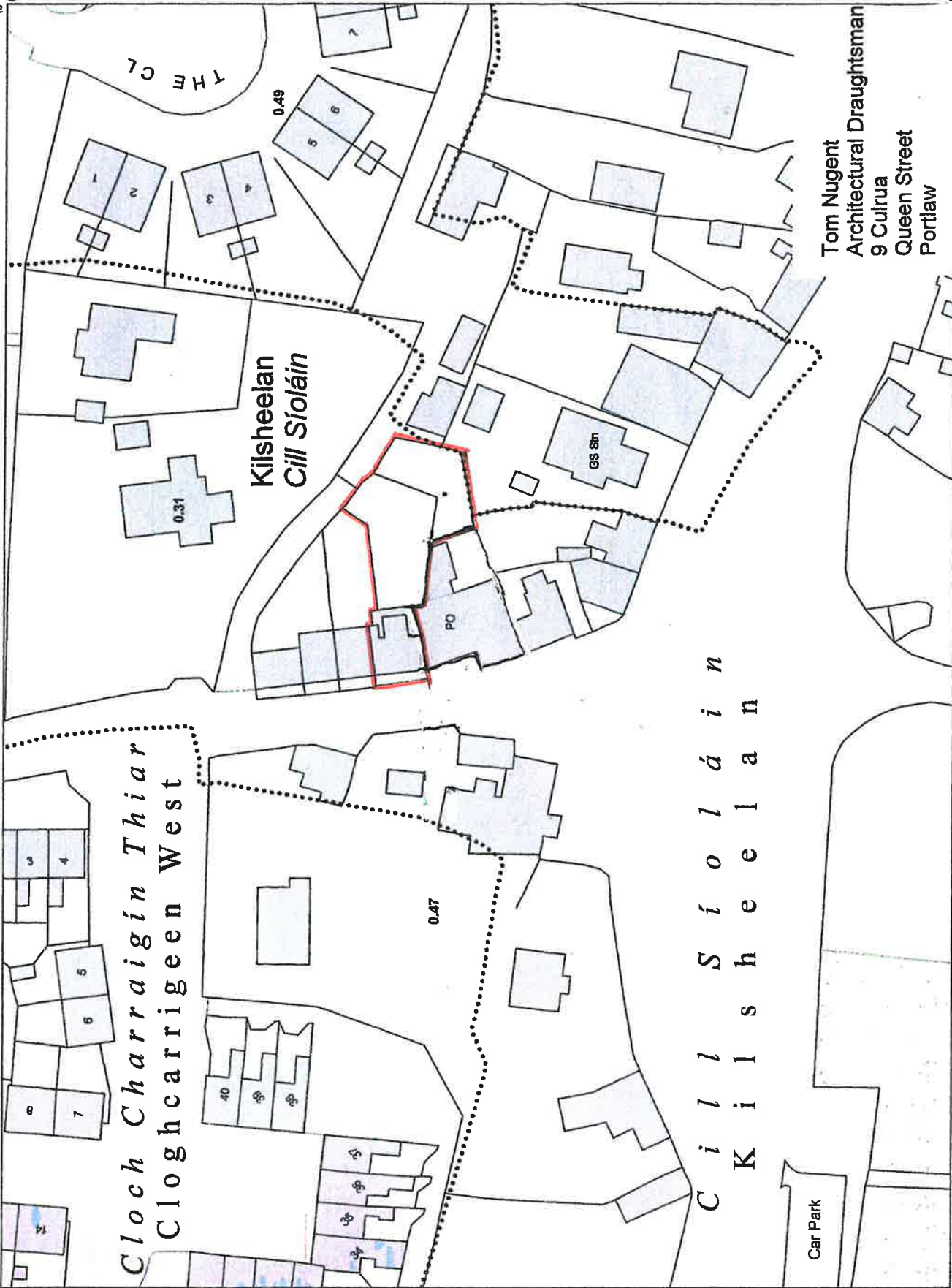
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OUTPUT SCALE: 1:1,000



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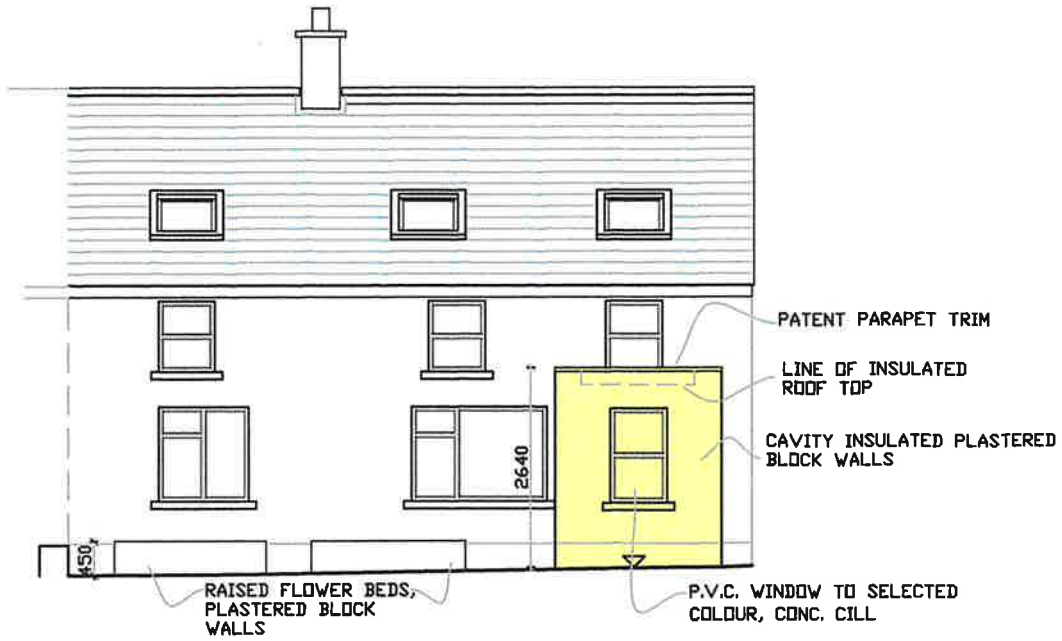
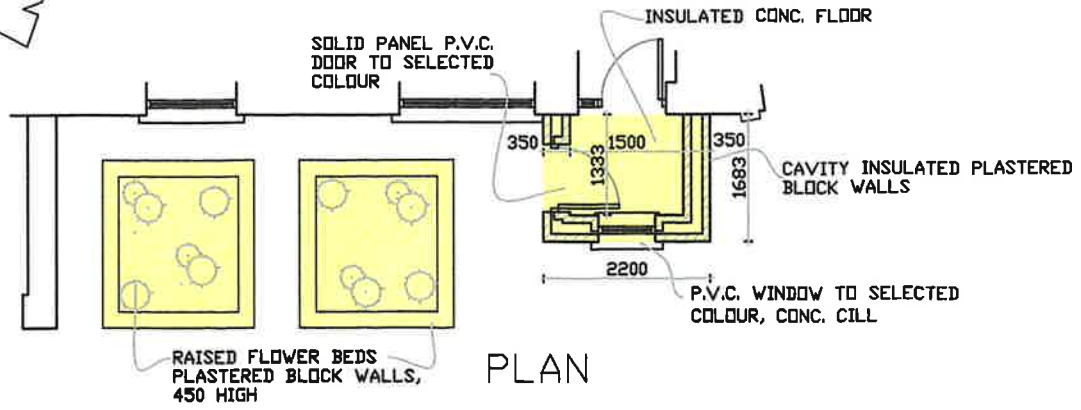
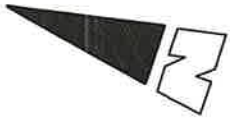
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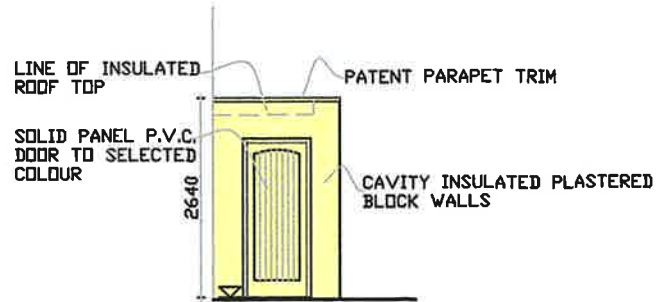


FRONT ELEVATION (West)

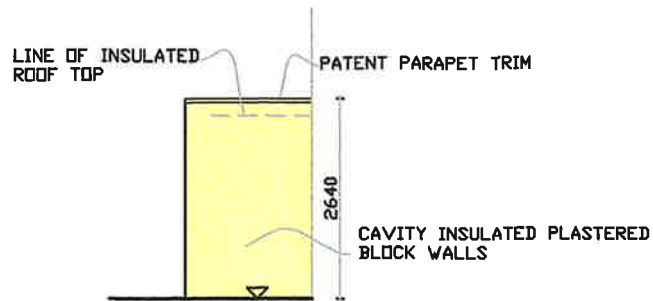
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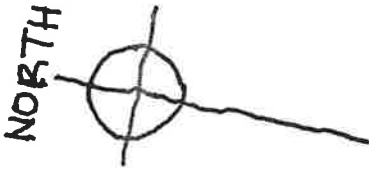
SIDE ELEVATION (North)



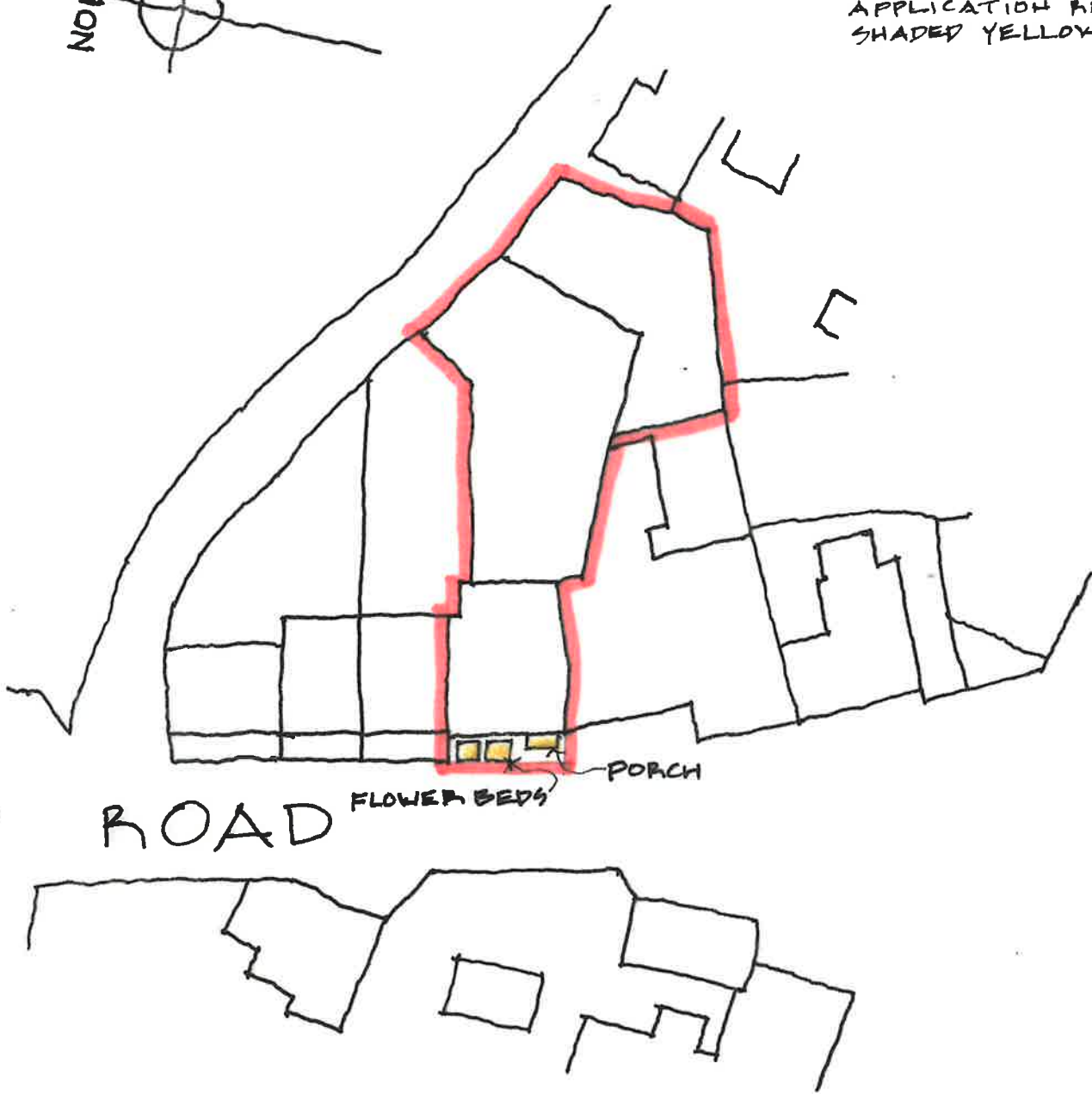
SIDE ELEVATION (South)

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		DATE 12-12-2024



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ROAD

FLOWER BEDS

PORCH

SITE PLAN 1:500

Planning Pack Map



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CENTRE COORDINATES:
ITM 628586,623432

PUBLISHED: 07/02/2024
ORDER NO.: 50381818_1

MAP SERIES: NTR MAP SHEETS:
1:2,500 5432-A



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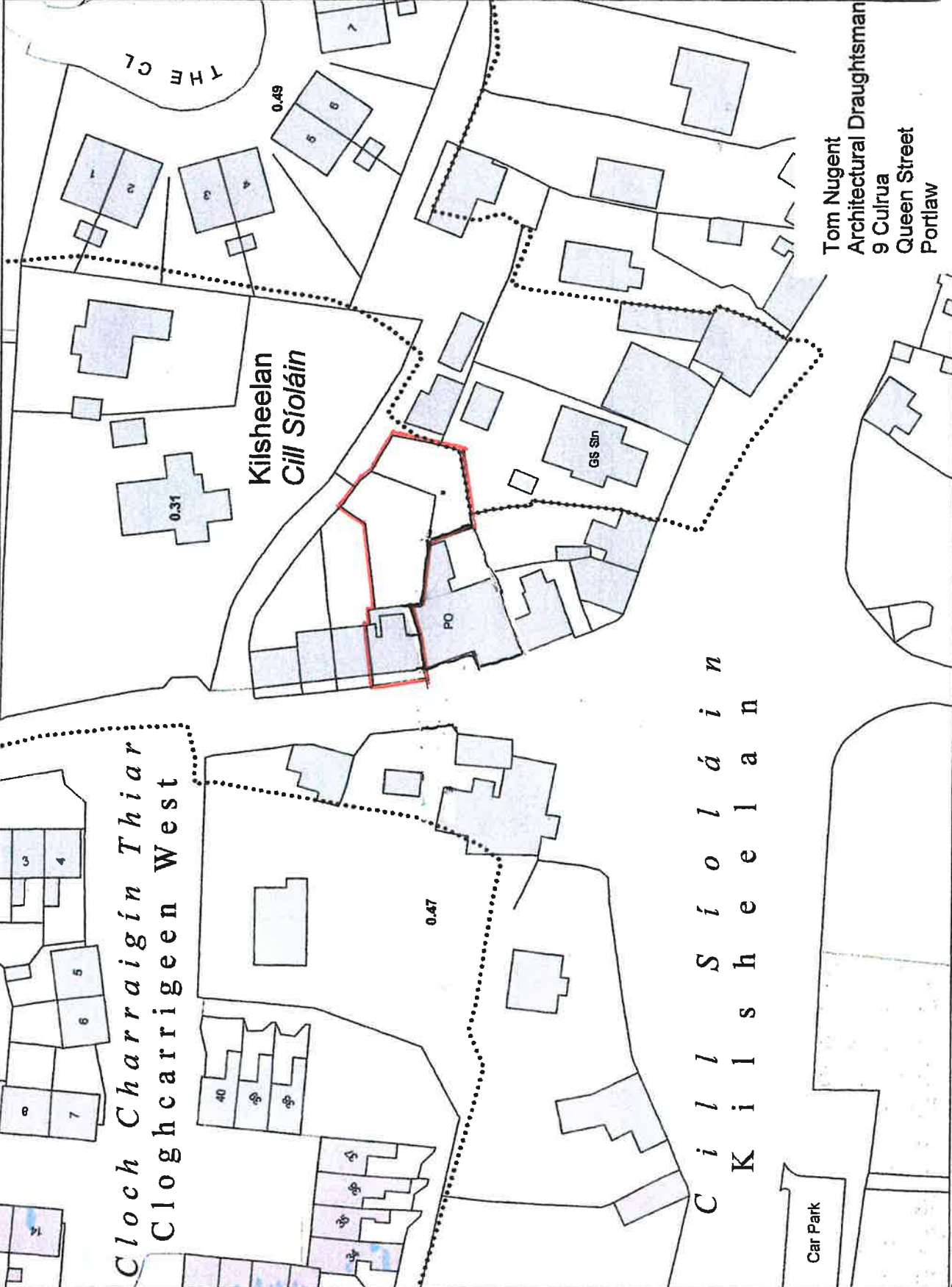
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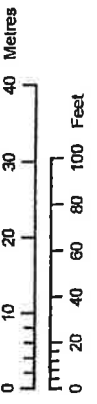
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OUTPUT SCALE: 1:1,000



628469

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Comhairle Contae Thiobraid Árann
Tipperary County Council

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

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

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

Date: 23rd December, 2024 Our Ref: S5/24/154 Civic Offices, Clonmel

Mr Oliver Maher
Kilsheelan
Clonmel
Co. Tipperary

Re: Application for a Section 5 Declaration – New Porch at front door of dwelling at Kilsheelan, Clonmel Co. Tipperary

Dear Mr. Maher,

I acknowledge receipt of your application for a Section 5 Declaration received on 19th December, 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 sincerely

for **Director of Services**



Comhairle Contae Thiobraid Árann
Tipperary County Council

Comhairle Contae
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Tipperary County Council,
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E45 A099

t 0818 06 5000
e customerservice
@tipperarycoco.ie

tipperarycoco.ie

Date: 23rd January, 2025

Our Ref: S5/24/154

Civic Offices, Nenagh

**Mr Oliver Maher
Kilsheelan
Clonmel
Co. Tipperary**

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

Dear Mr Ryan,

I refer to your application for a Section 5 Declaration received on 19th December, 2024, in relation to the following proposed works:

New Porch at front door of dwelling at Kilsheelan, 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 –

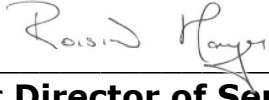
- (a) Sections 2, 3 & 4 of the Planning and Development Act 2000 (as amended)
- (b) Class 5 and 7 of Part 1 of Schedule 2 Planning & Development Regulations 2001, as amended.
- (c) Articles 6 and 9 of the Planning & Development Regulations 2001, as amended

Tipperary County Council has concluded that the works proposed are to be located on a public footpath and not within the curtilage of a house and therefore the proposals do not avail of the exemptions set out under Class 5 and 7 of Part 1 of Schedule 2 Planning & Development Regulations 2001, as amended.

Tipperary County Council has therefore determined that the constitutes "development" within the meaning of the Planning and Development Act 2000, 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 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**

Original

TIPPERARY COUNTY COUNCIL

DELEGATED EMPLOYEE'S ORDER

File Ref: **S5/24/154** **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. 40781 dated 2nd January, 2025, hereby order that pursuant to the provisions of the Planning and Development Act 2000, as amended, that an application under Section 5 from Oliver Maher, Kilsheelan, Clonmel, Co. Tipperary re: New Porch at front door of dwelling at Kilsheelan, 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 & 4 of the Planning and Development Act 2000 (as amended)
- (b) Class 5 and 7 of Part 1 of Schedule 2 Planning & Development Regulations 2001, as amended.
- (c) Articles 6 and 9 of the Planning & Development Regulations 2001, as amended

Tipperary County Council has concluded that the works proposed are to be located on a public footpath and not within the curtilage of a house and therefore the proposals do not avail of the exemptions set out under Class 5 and 7 of Part 1 of Schedule 2 Planning & Development Regulations 2001, as amended.

Tipperary County Council has therefore determined that the constitutes "development" within the meaning of the Planning and Development Act 2000, and is **not** "exempted development".

Signed:



Sharon Kennedy

Director of Services

Planning and Development (including Town Centre First),

Emergency Services and Emergency Planning and

Tipperary/Cahir/Cashel Municipal District

Date: 23/01/2025