



PLANNING & DEVELOPMENT ACT, 2000 (as amended)

Application for a Section 5 Declaration
Development / Exempted Development

1. Applicant's address/contact details:

Applicant	SHANE DONOVAN
Address	MONEYNABOOLA, AHERLOW, Co. TIPPERARY
Telephone No.	[REDACTED]
E-mail	[REDACTED]

2. Agent's (if any) address:

Agent	LIAM SLATTERY
Address	3 COIS NA GLEANN, GRANMIRE CORR
Telephone No.	[REDACTED]
E-mail	[REDACTED]
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)	MONEYNABOOLA, AHERLOW, Co. TIPPERARY
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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.

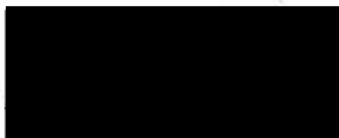
(Note: only works and uses listed and described under this section will be assessed under this Section 5 Application. Use additional sheets if required.)

TO CONSTRUCT A CURBICLE HOUSE WITH SLATED TANK.	
CLASS 6 OF PART 3 - SEE COVER LETTER.	
Proposed floor area of proposed works/uses: 284 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 <input checked="" type="checkbox"/>	B. Occupier <input type="checkbox"/>
	C. Other <input type="checkbox"/>	<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:

5th 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.

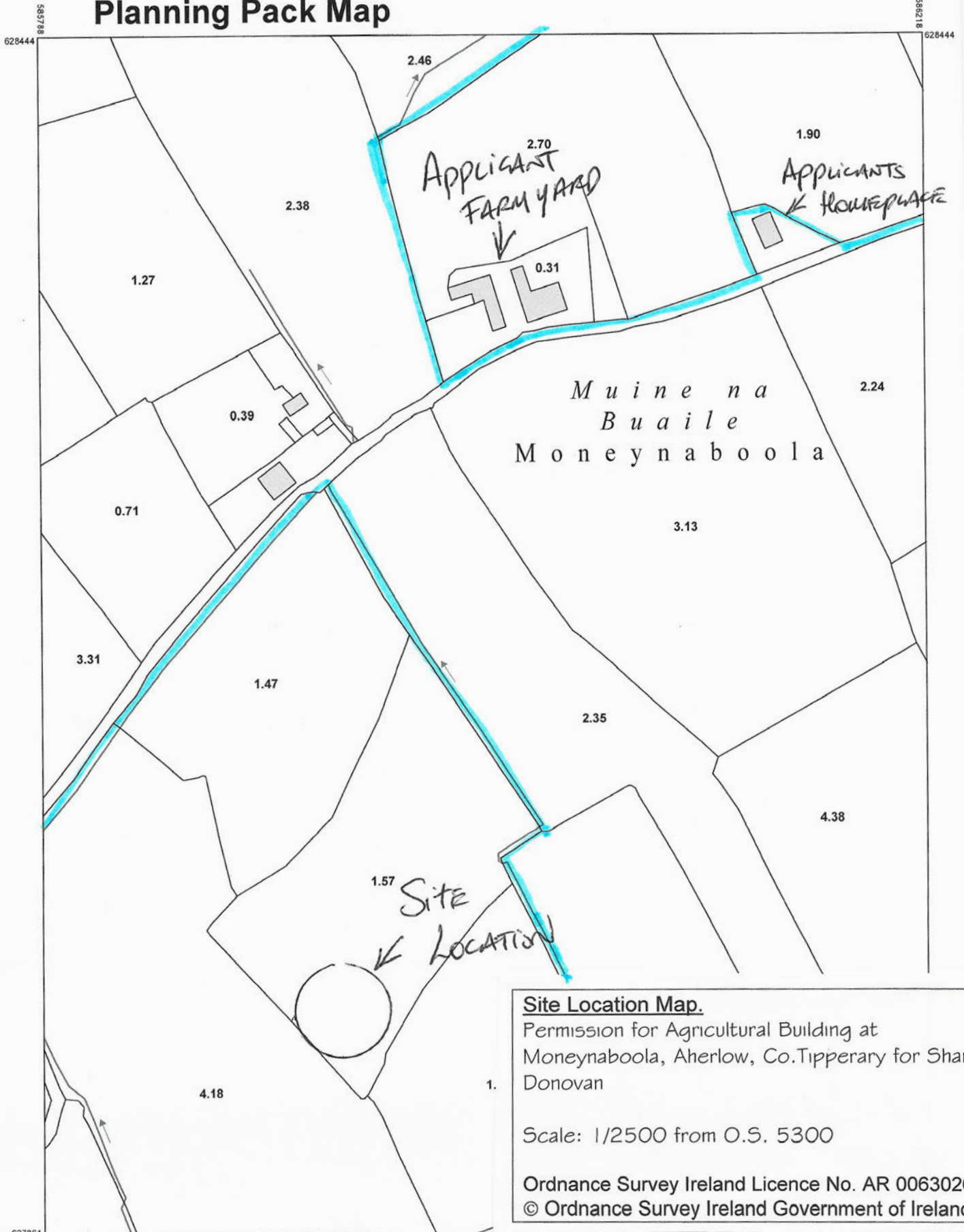
This application form and relevant fee should be submitted to:

Planning Section, Tipperary County Council, Civic Offices, Limerick Road, Nenagh, Co. Tipperary	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>80.00</u>	DATE STAMP
Receipt No <u>203533</u>	Tipperary County Council
Date <u>07/05/2026</u>	Planning Section by email
Received by <u>C. Ahern</u>	Received: 07/05/2026
	File ref: S5/26/65

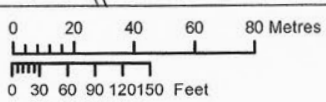
Planning Pack Map



Site Location Map.
 Permission for Agricultural Building at
 Moneynaboola, Aherlow, Co. Tipperary for Shane
 Donovan

Scale: 1/2500 from O.S. 5300

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OUTPUT SCALE: 1:2,500



CENTRE COORDINATES:
 ITM 586003,628153

PUBLISHED: 09/04/2026

MAP SERIES: 1:5,000

ORDER NO.: 50528840_1

MAP SHEETS: 5300

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

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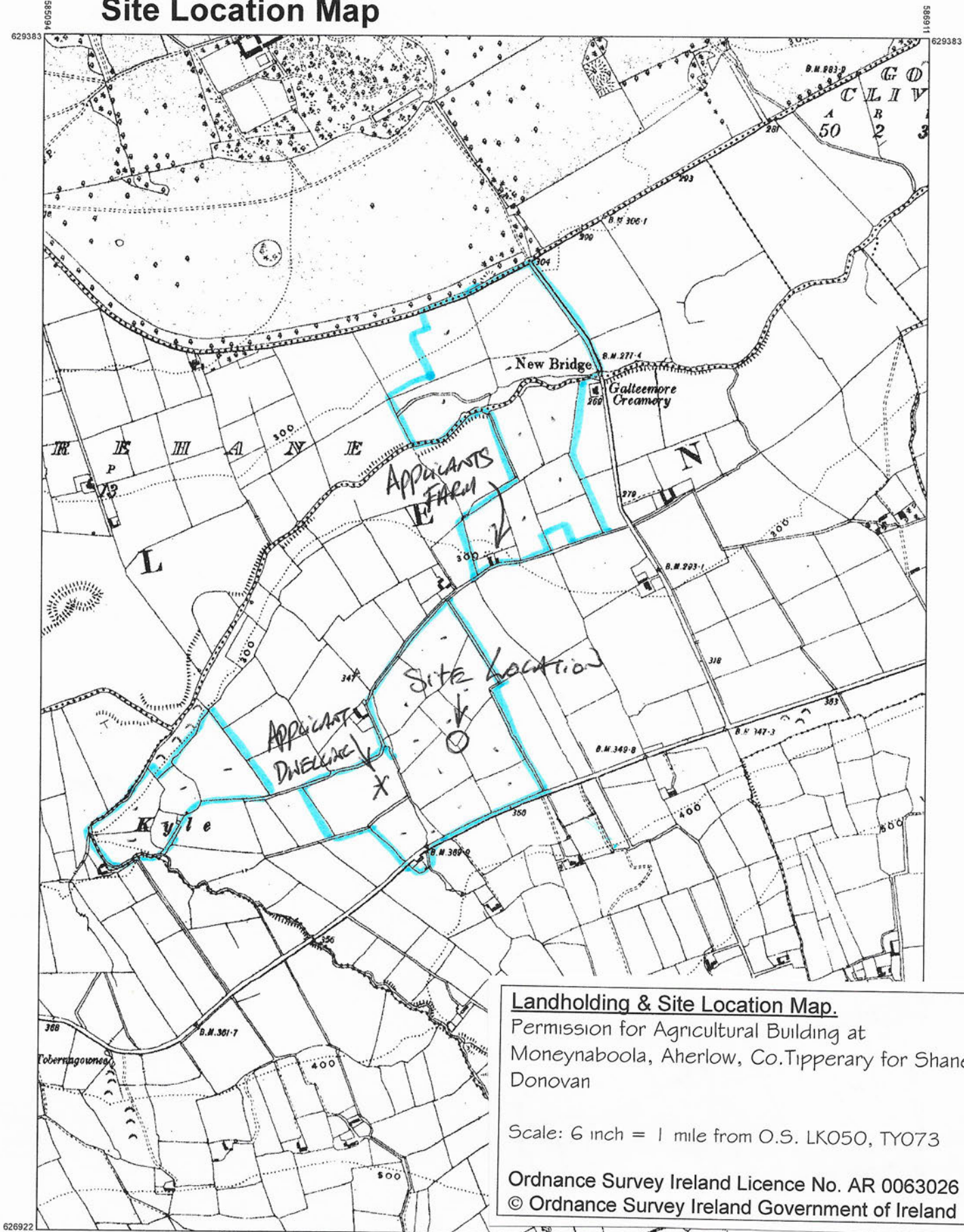
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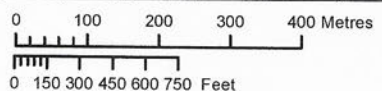
Site Location Map



Landholding & Site Location Map.
 Permission for Agricultural Building at
 Moneynaboola, Aherlow, Co. Tipperary for Shane
 Donovan

Scale: 6 inch = 1 mile from O.S. LK050, TY073

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OUTPUT SCALE: 1:10,560



CENTRE
 COORDINATES:
 ITM 586003,628153

PUBLISHED: 09/04/2026
 MAP SERIES: 6 Inch Raster
 ORDER NO.: 50528840_1
 MAP SHEETS: LK050
 TY073+073A

CAPTURE RESOLUTION:
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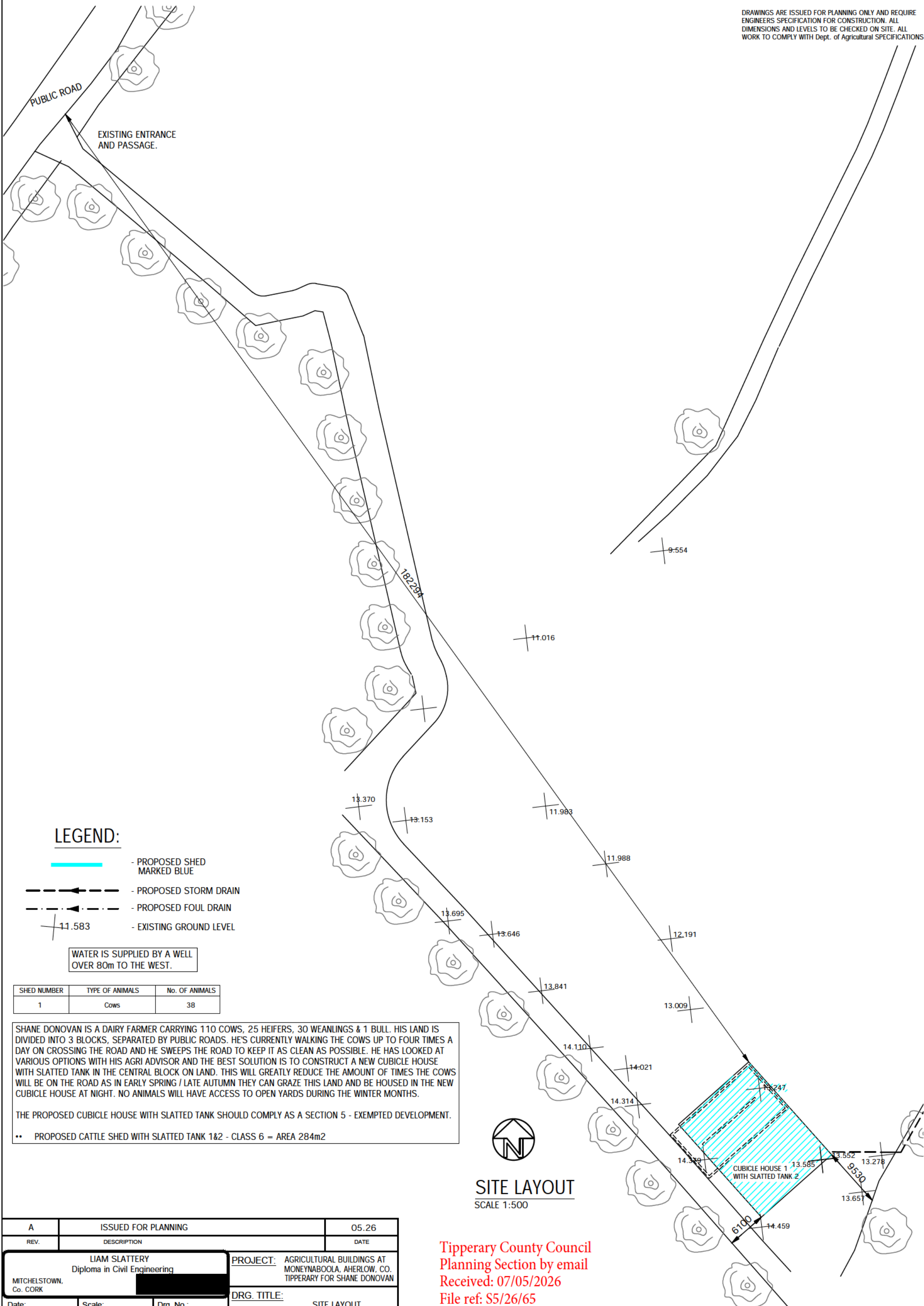
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Tipperary County Council
Planning Section by email
 Received: 07/05/2026
 File ref: S5/26/65



Tailte Éireann



LEGEND:

- - PROPOSED SHED MARKED BLUE
- PROPOSED STORM DRAIN
- PROPOSED FOUL DRAIN
- +
11.583 - EXISTING GROUND LEVEL

WATER IS SUPPLIED BY A WELL OVER 80m TO THE WEST.

SHED NUMBER	TYPE OF ANIMALS	No. OF ANIMALS
1	Cows	38

SHANE DONOVAN IS A DAIRY FARMER CARRYING 110 COWS, 25 HEIFERS, 30 WEANLINGS & 1 BULL. HIS LAND IS DIVIDED INTO 3 BLOCKS, SEPARATED BY PUBLIC ROADS. HE'S CURRENTLY WALKING THE COWS UP TO FOUR TIMES A DAY ON CROSSING THE ROAD AND HE SWEEPS THE ROAD TO KEEP IT AS CLEAN AS POSSIBLE. HE HAS LOOKED AT VARIOUS OPTIONS WITH HIS AGRI ADVISOR AND THE BEST SOLUTION IS TO CONSTRUCT A NEW CUBICLE HOUSE WITH SLATTED TANK IN THE CENTRAL BLOCK ON LAND. THIS WILL GREATLY REDUCE THE AMOUNT OF TIMES THE COWS WILL BE ON THE ROAD AS IN EARLY SPRING / LATE AUTUMN THEY CAN GRAZE THIS LAND AND BE HOUSED IN THE NEW CUBICLE HOUSE AT NIGHT. NO ANIMALS WILL HAVE ACCESS TO OPEN YARDS DURING THE WINTER MONTHS.

THE PROPOSED CUBICLE HOUSE WITH SLATTED TANK SHOULD COMPLY AS A SECTION 5 - EXEMPTED DEVELOPMENT.

** PROPOSED CATTLE SHED WITH SLATTED TANK 1&2 - CLASS 6 = AREA 284m2

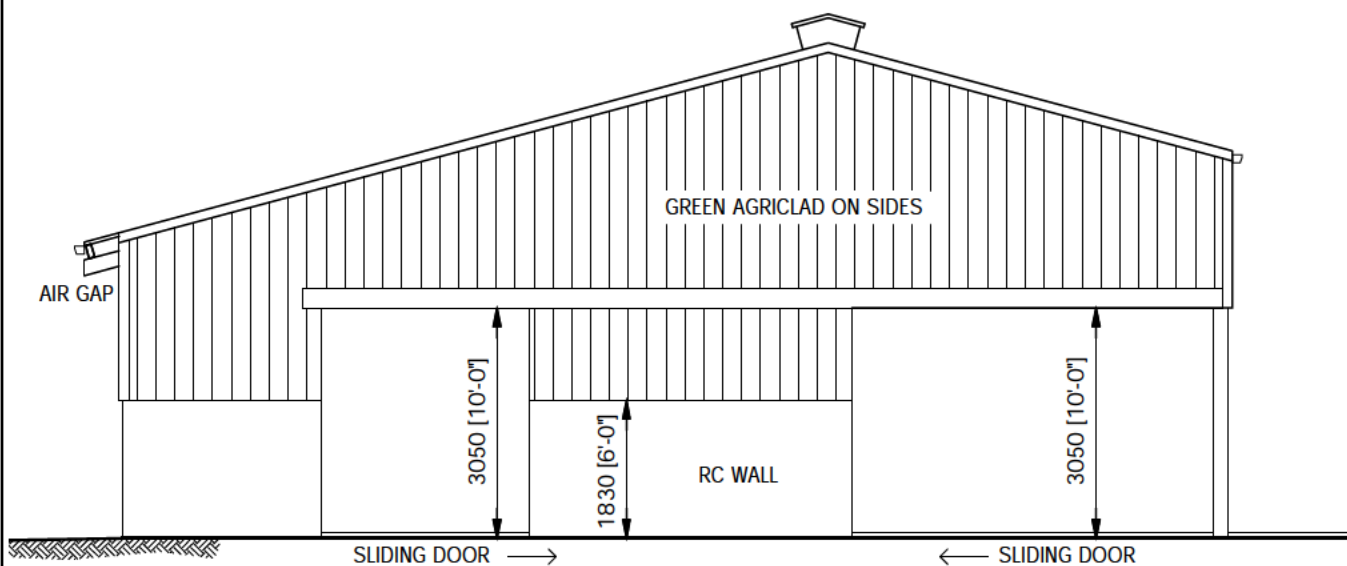


SITE LAYOUT
SCALE 1:500

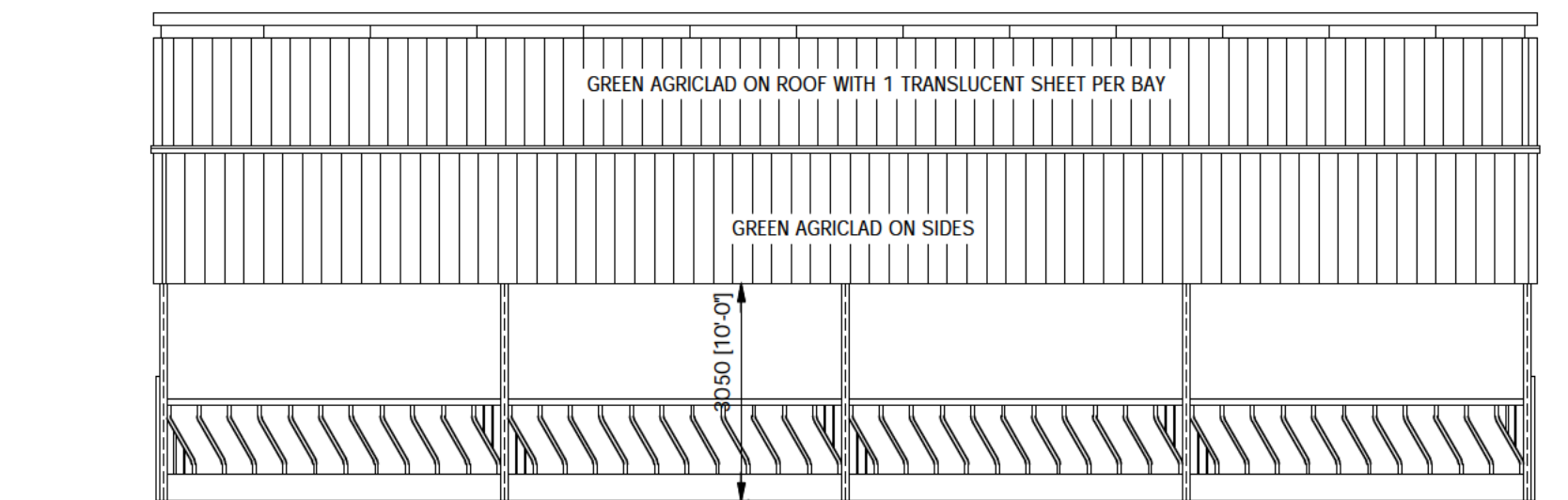
Tipperary County Council
Planning Section by email
Received: 07/05/2026
File ref: S5/26/65

REV.	DESCRIPTION	DATE
A	ISSUED FOR PLANNING	05.26

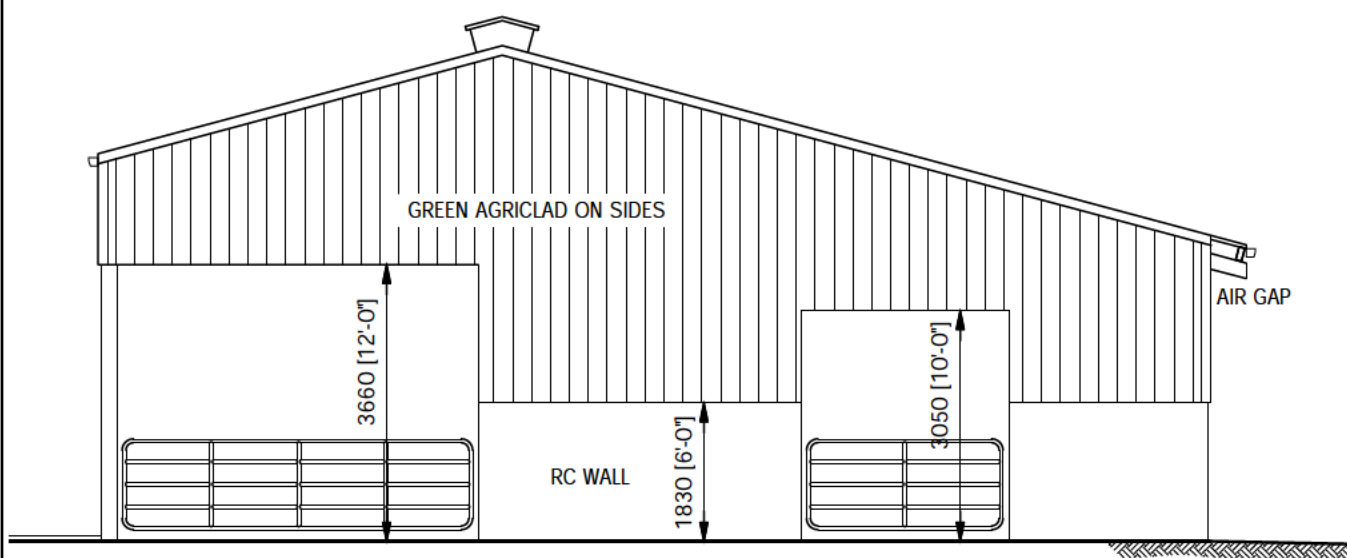
LIAM SLATTERY Diploma in Civil Engineering MITCHELSTOWN, Co. CORK	PROJECT: AGRICULTURAL BUILDINGS AT MONEYNABOOLA, AHERLOW, CO. TIPPERARY FOR SHANE DONOVAN
Date: April 2026	DRG. TITLE: SITE LAYOUT
Scale: A3 - 1:500	Drg. No.: 01



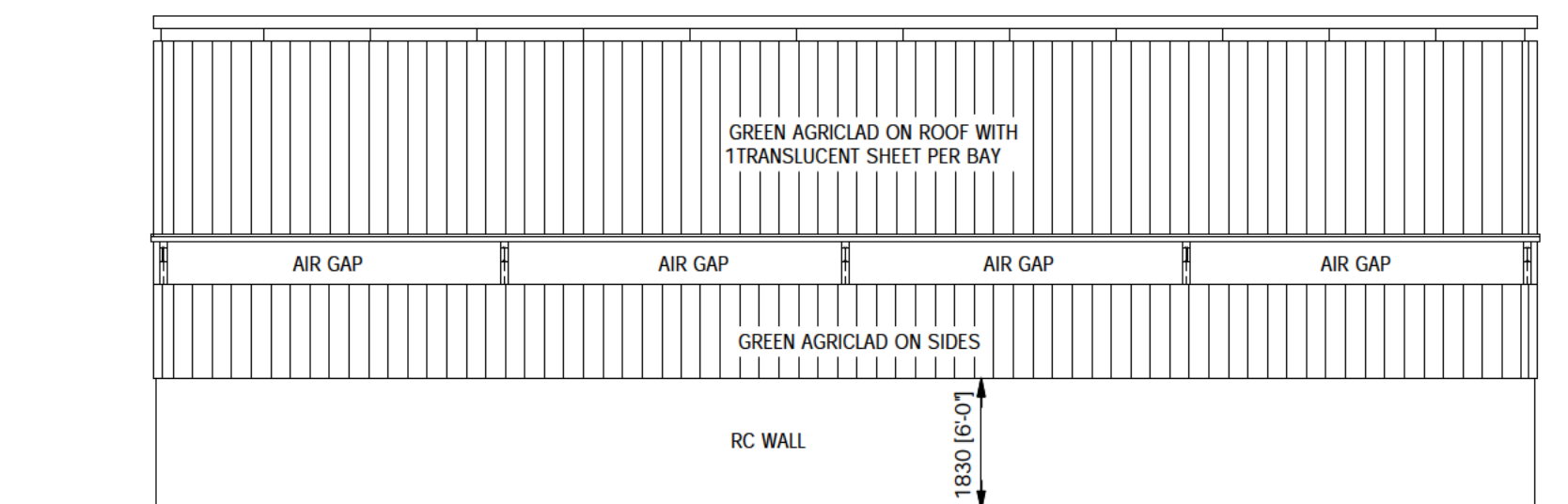
SOUTH ELEVATION
SCALE 1:100



EAST ELEVATION
SCALE 1:100



NORTH ELEVATION
SCALE 1:100



WEST ELEVATION
SCALE 1:100

Tipperary County Council
Planning Section by email
Received: 07/05/2026
File ref: S5/26/65

REV.	DESCRIPTION	DATE
A	ISSUED FOR PLANNING	05.26

LIAM SLATTERY Diploma in Civil Engineering MITCHELSTOWN, Co. CORK		PROJECT: AGRICULTURAL BUILDINGS AT MONEYNABOOLA, AHERLOW, CO. TIPPERARY FOR SHANE DONOVAN
Date: April 2026	Scale: A3 - 1:100	DRG. TITLE: ELEVATIONS

Liam Slattery
Diploma in Civil Engineering

Mitchelstown,
Co. Cork



Tipperary County Council,
Planning Department,
Civic Offices,
Emmet Street,
Clonmel

5th May 2026

Permission to Construct a Cubicle House with Slatted Tank at Moneynaboola, Aherlow, Co. Tipperary for Shane Donovan.

Dear Sir/Madam,

Shane Donovan is a dairy farmer carrying . His land is divided into 3 blocks, separated by public roads. He's currently walking the cows up to four times a day on crossing the road and he sweeps the road to keep it as clean as possible. He has looked at various options with his agri advisor and the best solution is to construct a new cubicle house with slatted tank in the central block on land. This will greatly reduce the number of times the cows will be on the road as in early spring / late autumn they can graze this land and be housed in the new cubicle house at night. No animals will have access to open yards during the winter months. The proposed cubicle house will winter cows.

The proposed cubicle house 1 with slatted tank 2 should comply as a section 5 - exempted development. It will be 182.3m from the public road and 290m from the nearest third-party dwelling. The proposed cubicle house with slatted tank 1&2 will be under class 6 with an external floor area 284m² and less than 8m in height.

From the above information, the proposed structures would be exempt under Section 5 of the Planning and Development Act 2000 (No.2) Regulations 2025 amends the 2001 regulations by:

- *increasing the provision of animal housing under Class 6 of Part 3 of Schedule 2 by 50% from 200sqm to 300sqm and increases the total from 300sqm to 450sqm*
- *providing an exemption for a new Class 6A of Part 3 of Schedule 2 comprising of a stand-alone Shurry, effluent and soiled water Storage up to 1000 cubic metres subject to a farm limit of 1500 Cubic metres*

Please find enclosed:

- Payment for €80.00
- 1no. Application form
- Drawings & ordnance maps – 1:10560, 1:2500 (see below)

DRG. No.	DRG. TITLE	SIZE - SCALE
01	Site Layout	A3 – 1:500
02	Elevations	A3 – 1:100
03	Floor Plan & Sections	A3 – 1:100



Tipperary County Council
Civic Offices
Clonmel
Co Tipperary

07/05/2026 16:24:16

Receipt No. : CLONMEL/0/203533

LIAM SLATTERY
3 COIS NA GLEANN
GLANMIRE
CORK

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

Total : 80.00 EUR

Tendered :
Credit Card 80.00

Change : 0.00

Issued By : CATHERINE AHERN
From : CLONMEL TOWN RECEIPTS DESK
Vat reg No.3259712MH



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: 7th May 2026

Our Ref: S5/26/65

Civic Offices, Clonmel

**Shane Donovan,
C/O Liam Slattery,
3 Cois Na Gleann,
Glanmire,
Co. Cork.**

Re: Application for a Section 5 Declaration – To construct a cubicle house with slatted tank at Moneynaboola, Aherlow, Co. Tipperary.

Dear Mr. Slattery,

I acknowledge receipt of your application for a Section 5 Declaration received on 7th 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 Reference: S5/26/65
Applicant: Shane O' Donovan
Development Address: Moneynaboola, Aherlow, Tipperary, Co. Tipperary
Proposed Development: To construct a cubicle house with slatted shed

1. GENERAL

On the 7th May 2026 a request was made for a declaration under Section 5 of the Planning and Development Act, 2000 as amended, by Shane O' Donovan c/o Liam Slattery as to whether or not the following (as per application form) constitutes development and if so, whether same constitutes exempted development at Moneynaboola, Aherlow, Tipperary, Co. Tipperary

To construct a cubicle house with slatted shed

- Section 5 Declaration Application Form,
- Site Location Maps,
- Site Layout Plan,
- Elevation and plan drawings,
- Cover letter

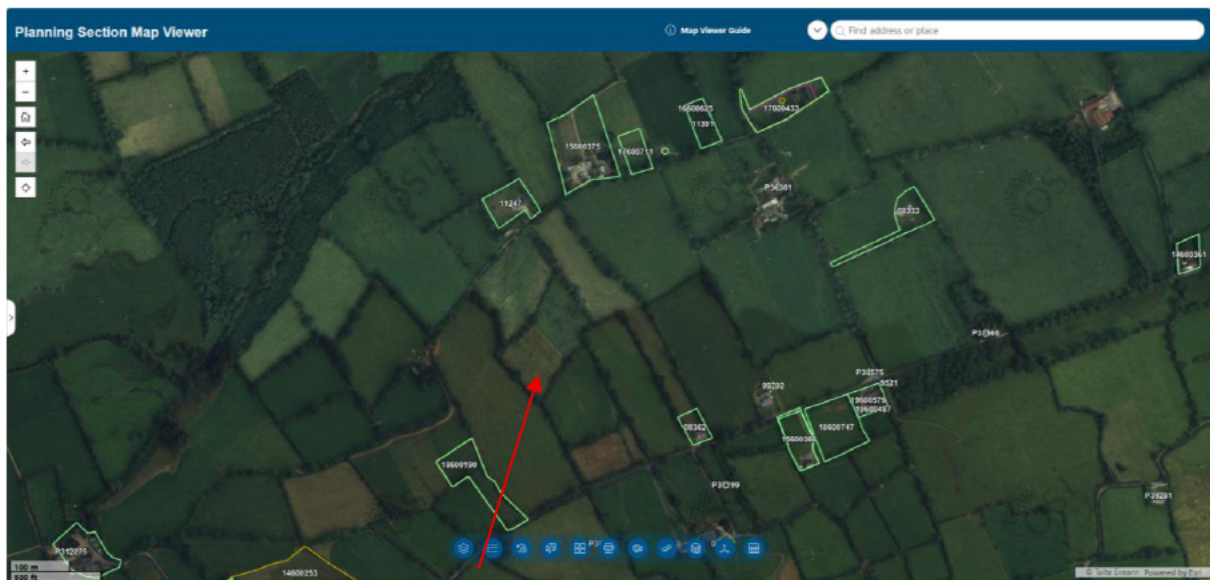


Figure 1 Site Location



Figure 2 Google Street View 2024 (to be located behind hedgerow)

2. STATUTORY PROVISIONS

The following statutory provisions are relevant to this referral case;
Planning and Development Act 2000 (as amended)

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 “Agriculture” as:-

*“agriculture” includes horticulture, fruit growing, seed growing, dairy farming, the breeding and keeping of livestock (including any creature kept for the production of food, wool, skins or fur, or for the purpose of its use in the farming of land), **the training of horses and the rearing of bloodstock**, the use of land as grazing land, meadow land, osier land, market gardens and nursery grounds, and “agricultural” shall be construed accordingly;*

Section 3 (1) of the Planning and Development Act 2000, as amended, defined “development” as follows:-

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

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

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

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

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

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

Planning and Development Regulations 2001 (as amended)

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

Exempted Development.

(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.

(3) Subject to article 9, in areas other than a city, a town or an area specified in section 19(1)(b) of the Act or the excluded areas as defined in section 9 of the Local Government (Reorganisation) Act, 1985 (No. 7 of 1985), development of a class specified in column 1 of Part 3 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 3 opposite the mention of that class in the said column 1.

Schedule 2, Part 3 'Exempted Development - Rural:

Class 6 is inserted by article 4 of S.I. No. 649/2025 Planning and Development (Exempted Development (Act of 2000)) (No. 2) Regulations 2025

Column 1 <i>Description of Development</i>	Column 2 <i>Conditions and Limitations</i>
<p>CLASS 6 Works consisting of the provision of a roofed structure for the housing of cattle, sheep, goats, donkeys, horses, deer or rabbits, having a gross floor space not exceeding 300 square metres (whether or not by extension of an existing structure), and any ancillary provision for effluent storage.</p>	<ol style="list-style-type: none"> 1. No such structure shall be used for any purpose other than the purpose of agriculture. 2. The gross floor space of such structure together with any other such structures situated within the same farmyard complex or within 100 metres of that complex shall not exceed 450 square metres gross floor space in aggregate. 3. Effluent storage facilities adequate to serve the structure having regard to its size, use and location shall be constructed in line with Department of Agriculture, Food and Rural Development and Department of the Environment and Local Government requirements and shall have regard to the need to avoid water pollution. 4. No such structure shall be situated, and no effluent from such structure shall be stored, within 10 metres of any public road. 5. No such structure within 100 metres of any public road shall exceed 8 metres in height 6. No such structure shall be situated, and no effluent from such structure shall be stored, within 100 metres of any house (other than the house of the person providing the structure) or other residential building or school, hospital, church or building used for public assembly, save with the consent in writing of the owner and, as may be appropriate, the occupier or person in charge thereof. 7. No such structure shall be constructed within a flood zone identified in statutory land use plans as Flood Zone A or Flood Zone B or where the probability of flooding is moderate to high or erosion control zone.

	<p>8. No such structure shall be within 60 metres of a public or private water source.</p> <p>9. No such structure shall be situated, at the closest point, less than 50 metres from a water course or water body in the case of new farmyards, and not less than 10m in the case of extensions/modifications to an existing facility.</p> <p>10. No unpainted metal sheeting shall be used for roofing or on the external finish of the structure.</p> <p>11. The use of this Class of exemption requires a declaration from the relevant Planning authority under section 5 of the Principal Act, declaring the exemption is applicable prior to commencement of construction.</p> <p>12. Ancillary provision shall include as appropriate the installation of any signage, fencing or other safety infrastructure as recommended by the Health and Safety Authority regarding Slurry Safety.</p>
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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,*

(viiC) *consist of or comprise development which would be likely to have an adverse impact on an area designated as a natural heritage area by order made under section 18 of the Wildlife (Amendment) Act 2000.*

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

3. ASSESSMENT

i. Site Location

The site is occupied by agricultural lands at Moneynaboola, Aherlow, Tipperary Town, Co. Tipperary.

ii. Relevant Planning History

None traced.

iii. Assessment

The question posed under the Section 5 Declaration application form is whether to construct a cubicle house with slatted shed is development and is or is not exempted development.

A) “Is or is not Development”

It is considered 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 proposal subject to the current application is assessed relative to Class 6 of Part 3 of Schedule 2 subject to 12 no. limitations of the Regulations below.

With respect to same I note as follows;

CLASS 6

Works consisting of the provision of a roofed structure for the housing of cattle, sheep, goats, donkeys, horses, deer or rabbits, having a gross floor space not exceeding 300 square metres (whether or not by extension of an existing structure), and any ancillary provision for effluent storage.

The proposal can be considered under this class as it is for the keeping of cattle.

1. No such structure shall be used for any purpose other than the purpose of agriculture.

The proposed structure is intended to be used for agriculture purposed as defined under Section 2(1) of the Planning and Development Act, 2000, as amended.

2. The gross floor space of such structure together with any other such structures situated within the same farmyard complex or within 100 metres of that complex shall not exceed 450 square metres gross floor space in aggregate.

The proposed cubicle shed is given as 284sq.m. There is no existing farm complex. Following a review of the maps and available image, it appears that the combined floor area does not 450sq.m within 100m.

3. Effluent storage facilities adequate to serve the structure having regard to its size, use and location shall be constructed in line with Department of Agriculture, Food and Rural Development and Department of the Environment and Local Government requirements and shall have regard to the need to avoid water pollution.

Effluent to be stored in underground slatted tank.

4. No such structure shall be situated, and no effluent from such structure shall be stored, within 10 metres of any public road.

The structure is in excess of 10m from the public road.

5. No such structure within 100 metres of any public road shall exceed 8 metres in height.

The proposed structure is less than 8m in height.

6. No such structure shall be situated, and no effluent from such structure shall be stored, within 100 metres of any house (other than the house of the person providing the structure) or other residential building or school, hospital, church or building used for public assembly, save with the consent in writing of the owner and, as may be appropriate, the occupier or person in charge thereof.

The proposed structure is more than 100m from the above listed structures.

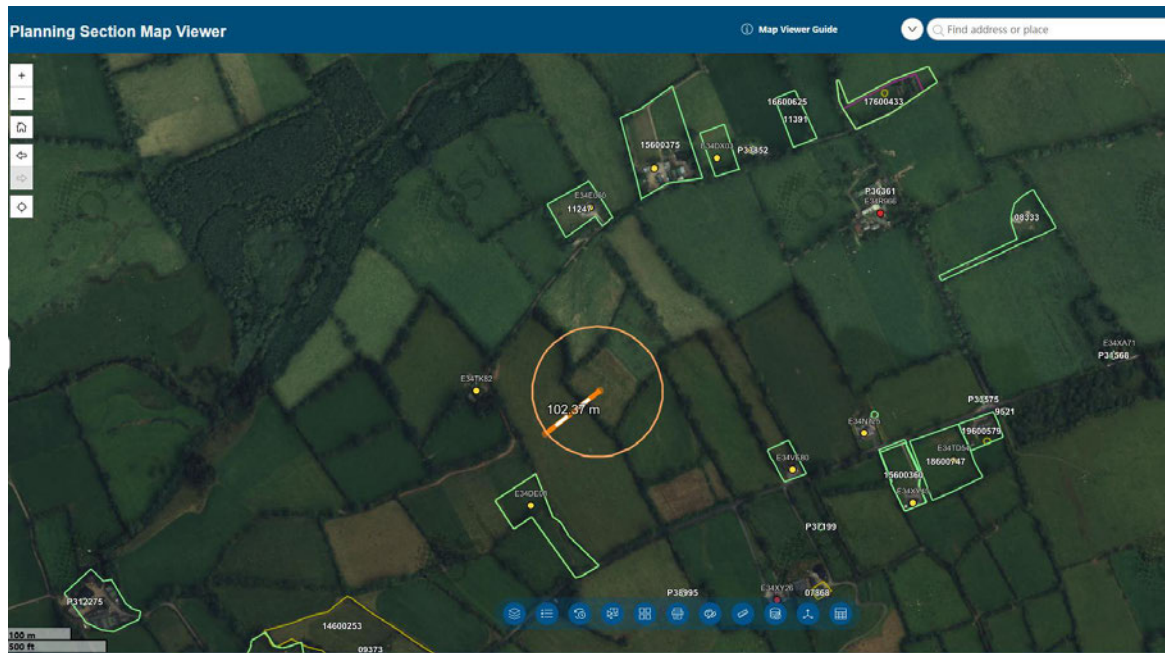


Figure 3 Dwelling within 100m of the proposed building

- 7. No such structure shall be constructed within a flood zone identified in statutory land use plans as Flood Zone A or Flood Zone B or where the probability of flooding is moderate to high or erosion control zone.**

The site is not located within any flood zone.

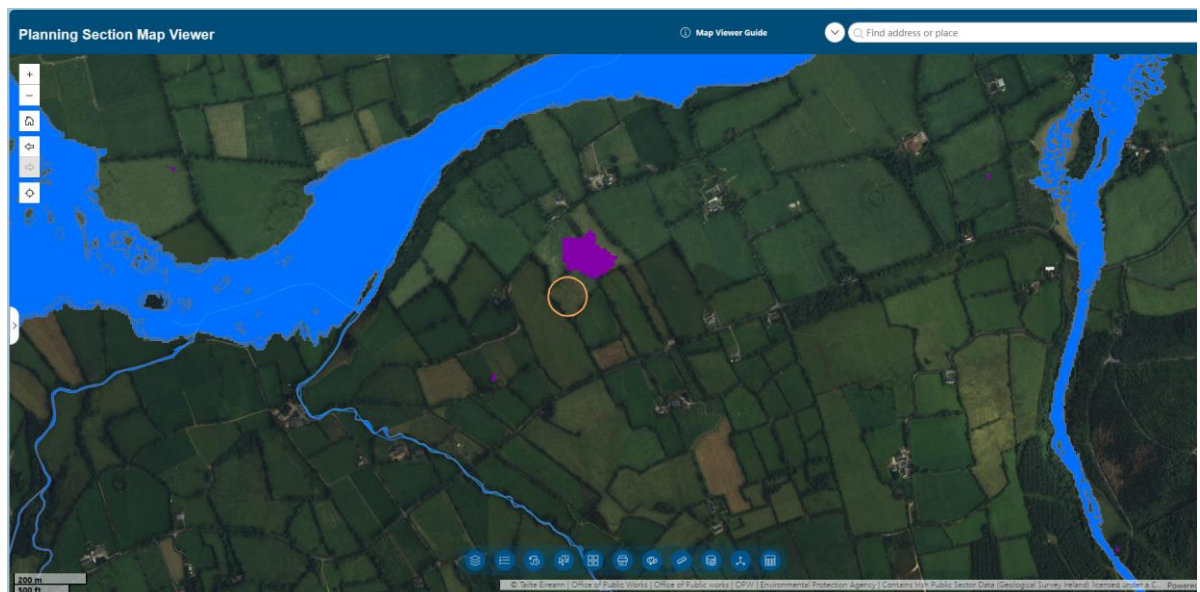


Figure 4 Planning Register showing flood risk areas in proximity to the site

- 8. No such structure shall be within 60 metres of a public or private water source.**

There is no public or private water source identified within 60m. The public water mains runs through the public road adjoining the site to the south

- 9. No such structure shall be situated, at the closest point, less than 50 metres from a water course or water body in the case of new farmyards, and not less than 10m in the case of extensions/modifications to an existing facility.**

The proposed shed is not less than 50m from a watercourse.

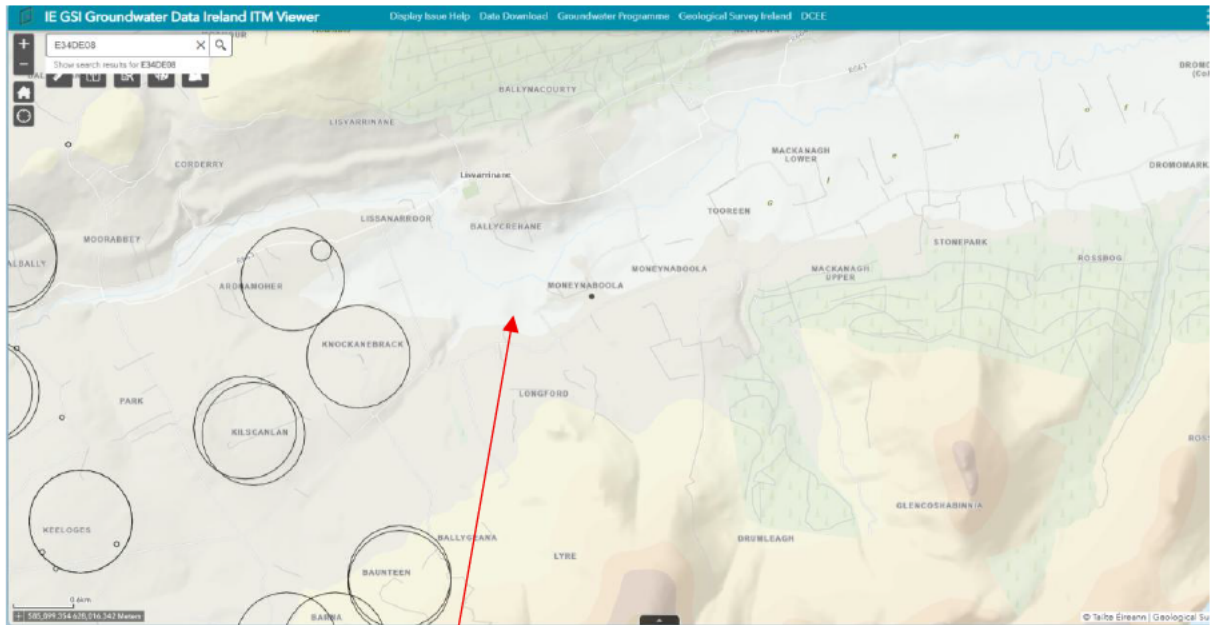


Figure 5 GSI data on Wells & Springs

10. No unpainted metal sheeting shall be used for roofing or on the external finish of the structure.

No unpainted metal sheeting has been identified.

11. The use of this Class of exemption requires a declaration from the relevant Planning authority under section 5 of the Principal Act, declaring the exemption is applicable prior to commencement of construction.

The applicant has satisfied this condition by submitting this application S5/26/65.

12. Ancillary provision shall include as appropriate the installation of any signage, fencing or other safety infrastructure as recommended by the Health and Safety Authority regarding Slurry Safety.

There is no signage proposed under this declaration.

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

AA

The proposal has been screened as to the requirements for Appropriate Assessment under the EU Habitats Directive. See also Appropriate Assessment screening report attached.

EIA

The proposed development is not a type of development included for under Schedule 5 of the Planning and Development Regulations 2001, as amended. EIA is not required in respect of the development. See all EIA Pre-Screening report attached.

D) Is the exemption restricted under Article 9 of the Regulations

I have reviewed the restrictions on exemption set out under Article 9 and I note no restrictions that would apply.

The lands are served by existing entrance onto the local road. I am satisfied that the cubicle shed will not endanger public safety by reason of traffic hazard or obstruction of road users.

4. **RECOMMENDATION**

WHEREAS a question has arisen as to whether to construct a cubicle house with slatted shed at Moneynaboola, Aherlow, Tipperary, Co. Tipperary is “development” and “exempted development”

AND WHERE AS 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 Article 9 of the Planning and Development Regulations, 2001, as amended,
- (c) Class 6 of Part 3 of Schedule 2 of the Planning and Development Regulations, 2001, as amended
- (d) The details as submitted with the application on 7th May 2026.

AND WHEREAS Tipperary County Council has concluded to construct a cubicle house with slatted shed at Moneynaboola, Aherlow, Tipperary, Co. Tipperary constitutes “development” within the meaning of the Planning and Development Act 2000, as amended and **IS** “exempted development”.

The development has been screened as to the requirement for Appropriate Assessment and Environmental Impact Assessment, and it has been determined that same are not required.

District Planner:



Date:26/05/2026

Senior Executive Planner:



Date:27.5.2026

HABITATS DIRECTIVE APPROPRIATE ASSESSMENT (AA) SCREENING REPORT

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

(a) File Reference No:	S5/26/65
(b) Brief description of the project or plan:	Construct a cubicle house with slatted shed
(c) Brief description of site characteristics:	Agricultural lands
(d) Relevant prescribed bodies consulted: e.g. DHLGH (NPWS), EPA, OPW	None
(e) Response to consultation:	None

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

European Site (code)	List of Qualifying Interest/Special Conservation Interest ¹	Distance from proposed development ² (km)	Connections (Source-Pathway-Receptor)	Considered further in screening Y/N
002257 Moanour Mountain SAC	https://www.npws.ie/protected-sites/sac/002257	Within 10km	None	No
002137 Lower River Suir SC	https://www.npws.ie/protected-sites/sac/002137	Within 1km	None	Yes
000464 Galtee Mountains SAC	https://www.npws.ie/protected-sites/sac/000464	Within 10km	None	No

STEP 3. Assessment of Likely Significant Effects

(a) Identify all potential direct and indirect impacts that may have an effect on the conservation objectives of a European site, taking into account the size and scale of the project under the following headings:

Impacts:	Possible Significance of Impacts: (duration/magnitude etc.)
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 potential impacts
Operational phase e.g. <ul style="list-style-type: none"> • Direct emission to air and water 	No potential impacts

- 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

In-combination/Other

No potential impacts

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

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

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

No potential impacts

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

Yes No

STEP 4. Screening Determination Statement

The assessment of significance of effects:

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

The proposed development is not likely to have significant effects.

Conclusion:

	Tick as Appropriate:	Recommendation:
(i) It is clear that there is 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.**

Request NIS

Refuse planning permission

EIA Pre-Screening	
Establishing a development is a 'sub-threshold development'	
File Reference:	S5/26/65
Development Summary:	Construct a cubicle house with slatted shed
Was a Screening Determination carried out under Section 176A-C?	<input type="checkbox"/> Yes, no further action required <input checked="" type="checkbox"/> No, Proceed to Part A
A. Schedule 5 Part 1 - Does the development comprise a project listed in Schedule 5, Part 1 , of the Planning and Development Regulations 2001 (as amended)? (Tick as appropriate)	
<input type="checkbox"/> Yes, specify class _____	EIA is mandatory
<input checked="" type="checkbox"/> No	No Screening required Proceed to Part B
B. Schedule 5 Part 2 - Does the development comprise a project listed in Schedule 5, Part 2 , of the Planning and Development Regulations 2001 (as amended) and does it meet/exceed the thresholds? (Tick as appropriate)	
<input checked="" type="checkbox"/> No, the development is not a project listed in Schedule 5, Part 2	No Screening required
<input type="checkbox"/> Yes the project is listed in Schedule 5, Part 2 and meets/exceeds the threshold, specify class (including threshold): _____	EIA is mandatory No Screening required
<input type="checkbox"/> Yes the project is of a type listed but is <i>sub-threshold</i> : _____	Proceed to Part C
C. If Yes , has Schedule 7A information/screening report been submitted?	
<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

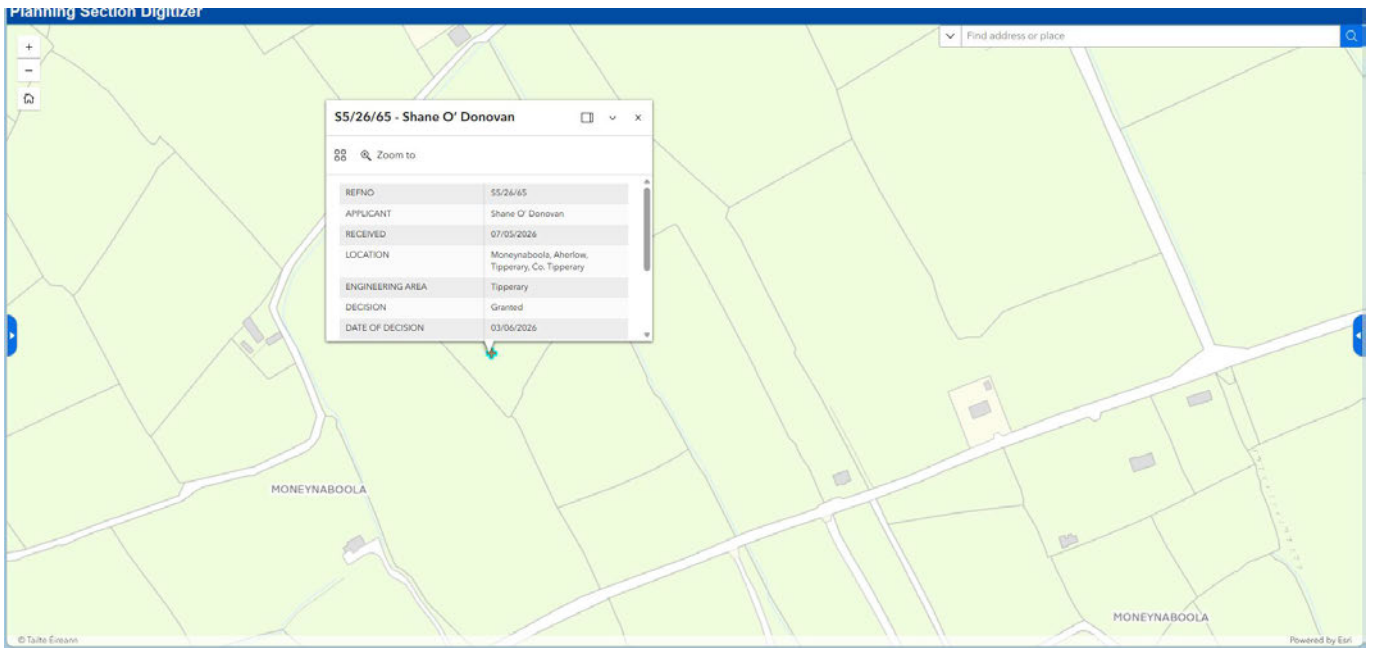


Figure 6 Planning Register

Original

TIPPERARY COUNTY COUNCIL

DELEGATED EMPLOYEE'S ORDER

File Ref: **S5/26/65** **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 Shane Donovan, C/O Liam Slattery, 3 Cois Na Gleann, Glanmire, Co. Cork, to construct a cubicle house with slatted shed at Moneynaboola, Aherlow, Tipperary, Co. Tipperary is development and is exempted development.

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

- Sections 2, 3 and 4 of the Planning and Development Act, 2000 as amended,
- Article 6 and Article 9 of the Planning and Development Regulations, 2001, as amended,
- Class 6 of Part 3 of Schedule 2 of the Planning and Development Regulations, 2001, as amended
- The details as submitted with the application on 7th May 2026.

AND WHEREAS Tipperary County Council has concluded to construct a cubicle house with slatted shed at Moneynaboola, Aherlow, Tipperary, Co. Tipperary constitutes "development" within the meaning of the Planning and Development Act 2000, as amended and **IS "exempted development"**.

The development has been screened as to the requirement for Appropriate Assessment and Environmental Impact Assessment, and it has been determined that same are not required.

Signed:



Brian Beck
Director of Services

Date: 28/05/2026



Date: 28th May, 2026

Our Ref: S5/26/65

Civic Offices, Nenagh

Shane Donovan
C/O Liam Slattery
3 Cois Na Gleann
Glanmire
Co. Cork

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

Dear Mr Donovan,

I refer to your application for a Section 5 Declaration received 7th May 2026 in relation to the following proposed works:

To construct a cubicle house with slatted shed at Moneynaboola, Aherlow, Tipperary, 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 –

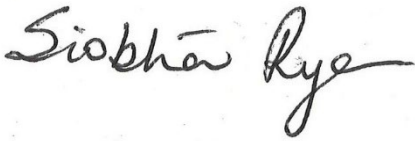
- Sections 2, 3 and 4 of the Planning and Development Act, 2000 as amended,
- Article 6 and Article 9 of the Planning and Development Regulations, 2001, as amended,
- Class 6 of Part 3 of Schedule 2 of the Planning and Development Regulations, 2001, as amended
- The details as submitted with the application on 7th May 2026.

AND WHEREAS Tipperary County Council has concluded to construct a cubicle house with slatted shed at Moneynaboola, Aherlow, Tipperary, Co. Tipperary constitutes “development” within the meaning of the Planning and Development Act 2000, as amended and **IS “exempted development”**.

The development has been screened as to the requirement for Appropriate Assessment and Environmental Impact Assessment, and it has been determined that same are not required.

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

A handwritten signature in black ink that reads "Siobhán Rye". The signature is written in a cursive style with a long, sweeping tail on the letter 'y'.

for **Director of Services**