



Comhairle Contae Thiobraid Árann
Tipperary County Council

Receipt No 204 709
Issued 15.06.2026
€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	MRS MARGARET MCGOWRAN
Address	NO 40 ARD MHUIRE CARRICK-ON-SUIR CO. TIPPERARY EIRCODE: E32 A 973
Telephone No.	TERRY MCGOWRAN [REDACTED]
E-mail	C/o [REDACTED]

2. Agent's (if any) address:

Agent	JIMMY FLYNN
Address	FLYNN ASSOCIATES COOLNAMUCK ROAD CARRICK BEG CARRICK-ON-SUIR CO. TIPPERARY
Telephone No.	[REDACTED]
E-mail	[REDACTED]

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)	NO 40 ARD MHUIRE CARRICK-ON-SUIR CO. TIPPERARY EIRCODE: E32 A 973
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TIPPERARY CO. COUNCIL
RECEIVED
15 JUN 2026
PLANNING SECTION
FILE NO. 55/26/103

Tipperary County Council
RECEIVED
15 JUN 2026
CASH OFFICE
Civic Offices, Clonmel

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.)

MARGARET McGOWRAN WISHES TO DEMOLISH THE EXISTING GROUND FLOOR TOILET AND STORE
AND REPLACE WITH A SHOWER ROOM AS INDICATED ON THE ENCLOSED PROPOSED DRAWINGS
AS PER MICHAEL KELLY OCCUPATIONAL THERAPIST REPORT ENCLOSED
MARGARET McGOWRAN IS [REDACTED] AND IS
[REDACTED]
Proposed floor area of proposed works/uses: 8.00 sqm

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

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

Signature of Applicant(s) [REDACTED]

Date: 15TH JUNE 2026

BEHALF OF MARGARET McGOWRAN

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 _____

Receipted by _____



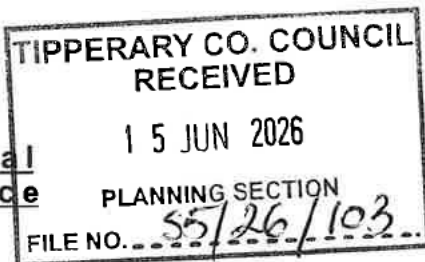
Comhairle Contae Thibraid Árann
Tipperary County Council



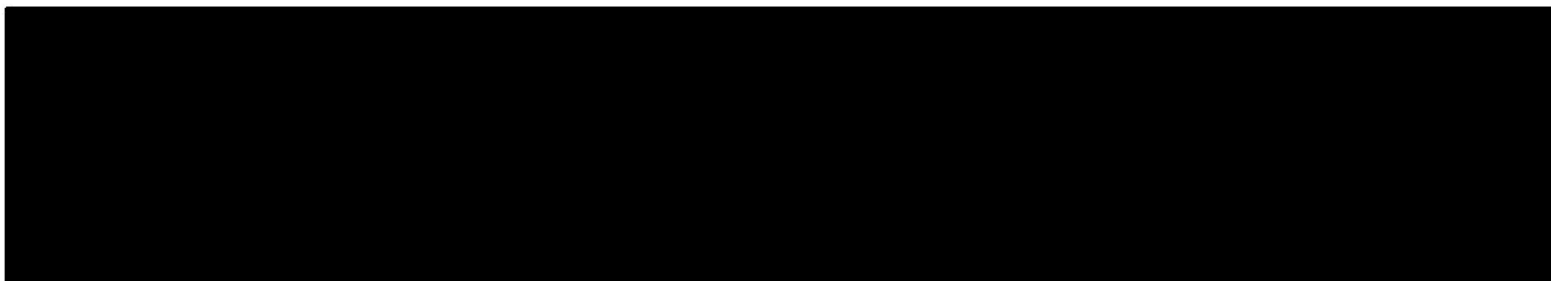
OT network

Tipperary County Council

Private & Confidential
And Without Prejudice



OCCUPATIONAL THERAPY REPORT FORM





Requested Works:

Shower Room installation.

Nature of Proposed Works:

Extension of the ground floor Guest WC (1890mm x 1200mm) to accommodate a shower room facility.

Please see illustration attached to indicate the proposed configuration of the shower room facilities.

Prioritisation Criteria (based on local authority guidelines):

Michael Kelly B.Sc.Cur.Occ
Consultant Occupational Therapist

29th April 2026

OCCUPATIONAL THERAPY SPECIFICATION FORM

Nature of Proposed Works:

Extension of the ground floor Guest WC (1890mm x 1200mm) to accommodate a shower room facility.

Please see illustration attached to indicate the proposed configuration of the shower room facilities.

SPECIFIC RECOMMENDATIONS RELATING TO THE PROPOSED WORKS:



Shower Room (2500mm x 1890mm)

- Shower area dimensions to be a minimum of 1200mm X 1000mm **minimum**.
- There is to be no step, kerb, channel or tray around the shower area.
- The shower floor is to finish flush with the bathroom floor. The floor within the shower area is to slope gradually to a central drain to provide a gradient between 1:30 and 1:20 (20mm – 30mm drop over sloping area).
- **Slip resistant floor** throughout shower room, with a value greater than 50 (minimum 45) using the Pendulum T.R.R.L. test in **wet** conditions or not less than R11 on the Skid Test (similar to those found around a swimming pool).
- Water must be **thermostatically controlled**, with good quality mixer with a maximum temperature setting of 41°C or anti-scald mechanism.
- **Telephone type shower** spray to be fitted, which comes away from the wall and can be held in the hand.
- Extended rail, 1000mm long, and extended hose to be used. Position 750mm from the corner and 1000mm from the floor.
- Controls and soap dish to be 1000mm from the floor.
- 2 Shower curtains (weighted) to be fitted. Curtain is to fall 75mm inside shower area, and 50mm from the floor.
- **Wall seat** with legs and arms to be provided along the longer wall (where relevant) at 460mm high from the floor and at a right angle to the showerhead. Wall seat to have an appropriate weight capacity, suitable for this Client.
- **Rails**
Install two grab rails (35mm x 600mm) on shower wall, to form an L shape: (Both rails to be fitted at least 200mm from the corner wall)
(1) Horizontal rail 700mm above floor.
(2) Vertical rail: lower end at 800mm to higher end at 1400mm.
- Adequate **heating And ventilation** to be provided in bathroom.

Toilet (WC)

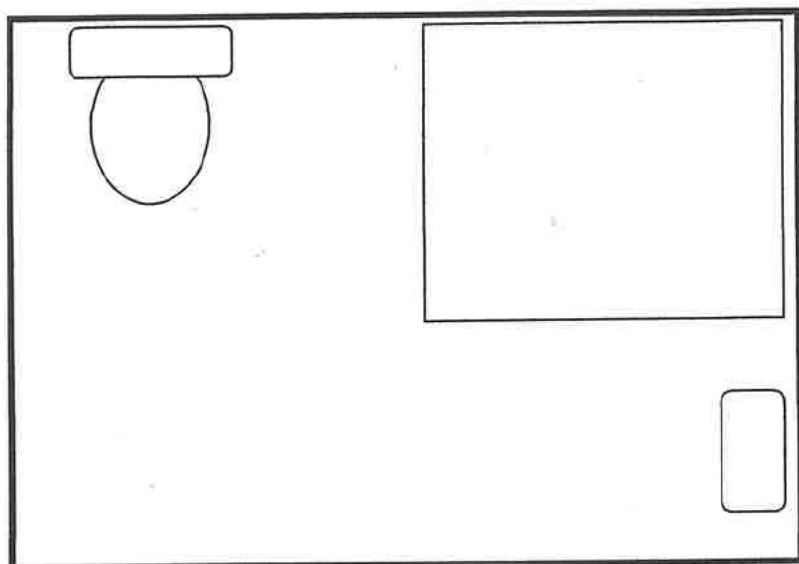
- The centre line of the pan should be **450mm** from the sidewall to permit use of grab rail.
- Toilet pan to be no higher than **450mm from the floor**.
- Minimum of 750mm clear space (i.e. no boxed in pipes etc) from wall to front of pan.
- Install a grab rail (35mm diameter x 600mm long and 700mm high), on the wall beside the WC with the centre of the rail 500mm from rear wall. Position Rail at a 30° angle, i.e. sloping downwards toward WC.
- **Optional** - Install a folding grab rail with supporting leg, on the **outside** of the WC (i.e. **not** the wall side); position **450mm** from centre of pan at a height of 700mm above floor level.

Wash Hand Basin (WHB)

- Wall bracketed. No pedestal. Standard size (**not small size**)
- Minimum width **400mm**. Project 430mm minimum from wall.
- **Clearance** underneath sink to be 700mm.



- Use plastic outlet to avoid leg burns
- Lever tap and inline mixer. Mirror from 900mm above floor.



Michael Kelly B.Sc.Cur.Occ
Consultant Occupational Therapist

29th April 2026

Planning Pack Map



CENTRE COORDINATES:
ITM 640007,622185

PUBLISHED: 09/06/2022
ORDER NO.: 50273371_1

MAP SERIES: 1:1,000
1:1,000
1:1,000
1:2,500
MAP SHEETS: 5434-15
5434-20
5435-16
5435-C

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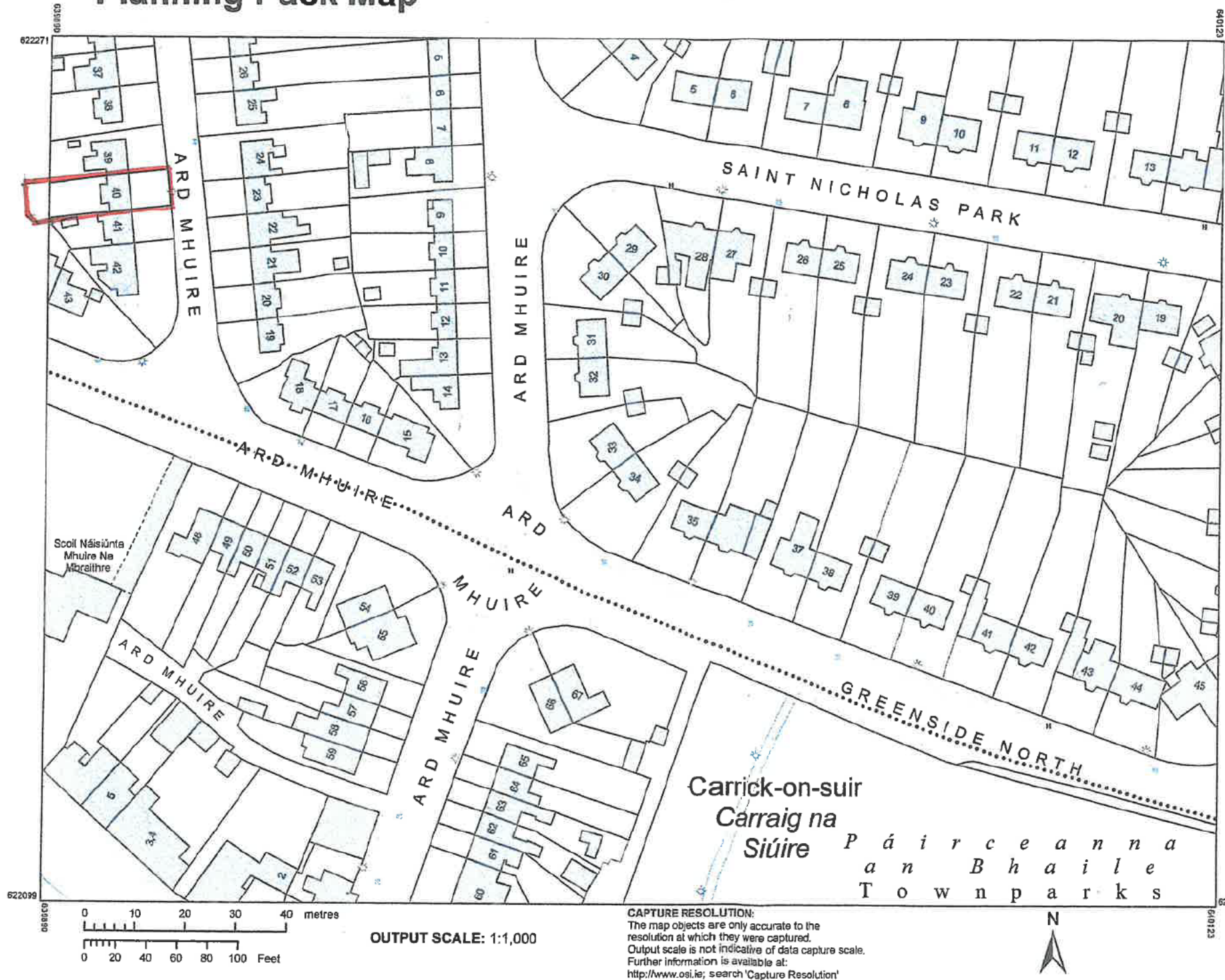
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LEGEND:
<http://www.osi.ie>;
search 'Large Scale Legend'

Site boundary
Edged **RED**
Site Area: 0.0205 Hectares

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FILE NO. **55/26/103**

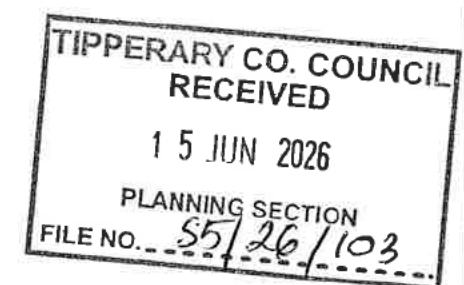


Notes	Revisions	PROJECT PLANNING PERMISSION FOR TO DEMOLISH EXISTING TOILET AND STORE AND CONSTRUCT SINGLE STOREY NEW SHOWER ROOM EXTENSION AND ALTERATIONS TO THE REAR OF EXISTING RESIDENCE WITH ALTERATIONS AND ASSOCIATED SITE WORKS AT NO 40 ARD MHUIRE, CARRICK-ON-SUIR, CO. TIPPERARY. E32AD973.		
PLANNING PERMISSION EXEMPTION Where the drawing is marked PLANNING PERMISSION EXEMPTION this drawing has been prepared solely for use as part of an application for planning permission retention.	SITE OUTLINED THUS 		Title SITE LOCATION MAP	
			Client MARGARET MCGOWRAN	
			Sheet No. 05.	Scale 1:1000@A3
			Date JUNE 2026	

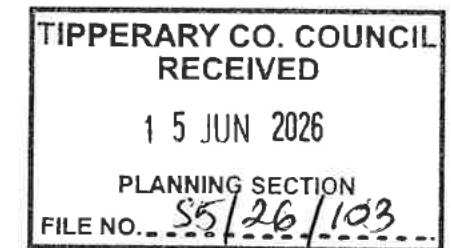
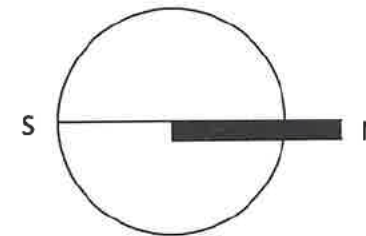
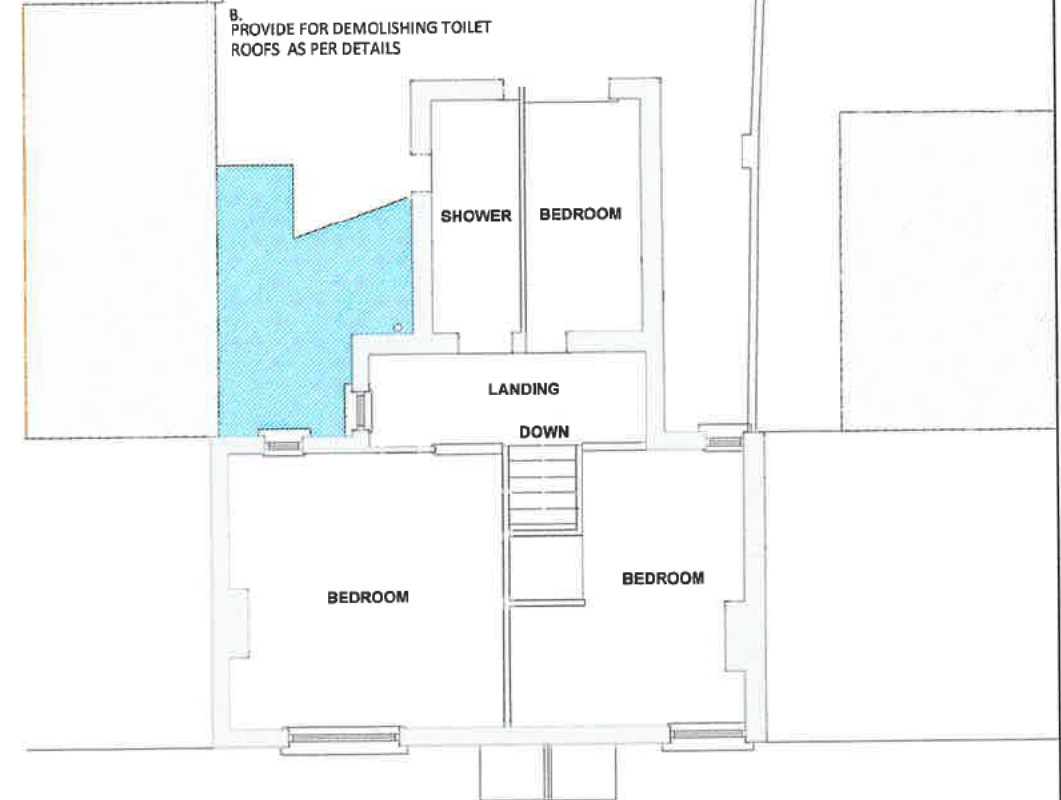
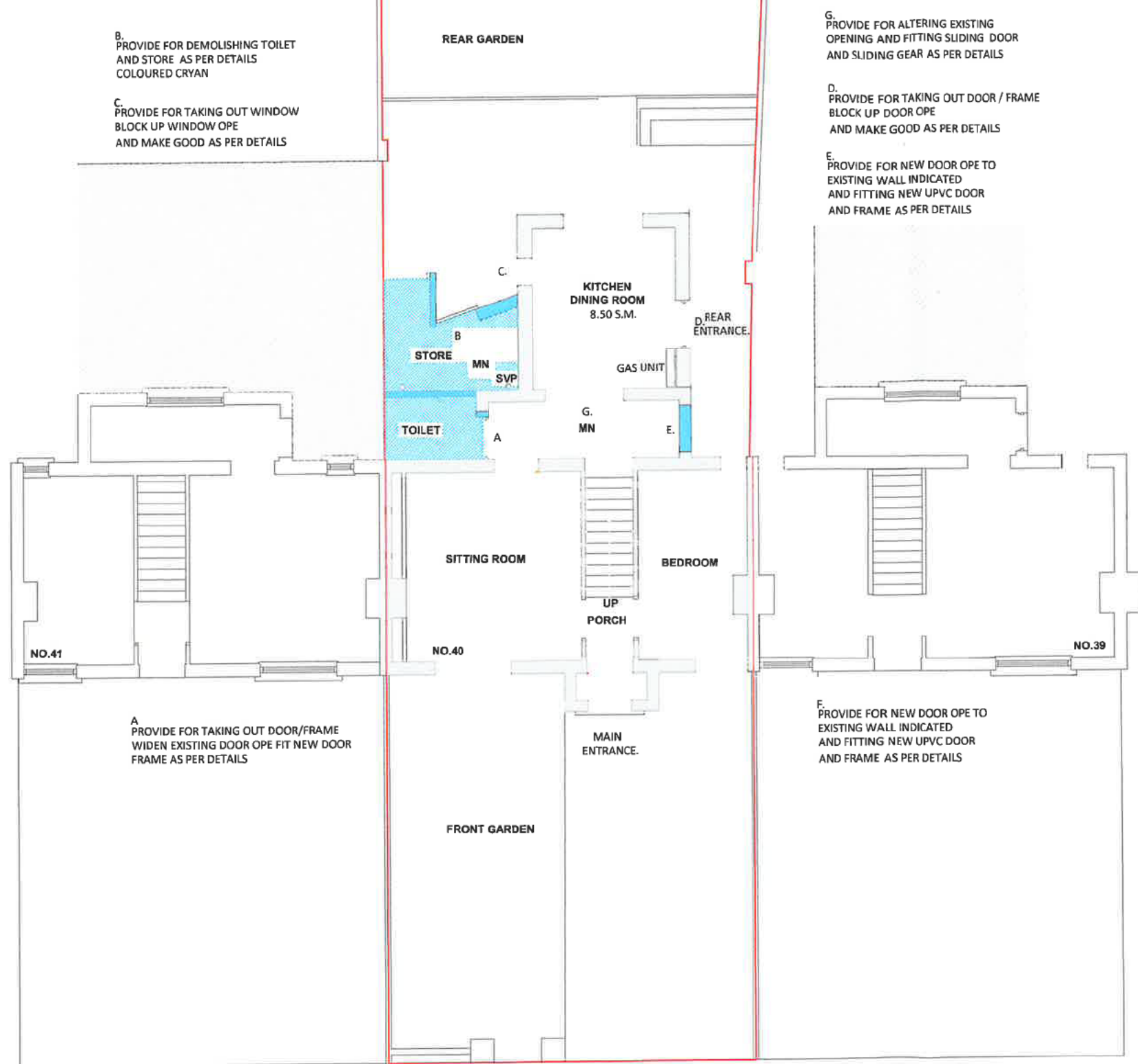
- LEGEND:**
- Proposed Single Storey Shower Room to the rear Residence
Hatched Orange
 - Existing Residence
Hatched Grey
 - Site boundary
Edged RED
 - Site Area: 0.0205 Hectares
0.0506 Acres



SITE LAYOUT MAP
SCALE: 1:250



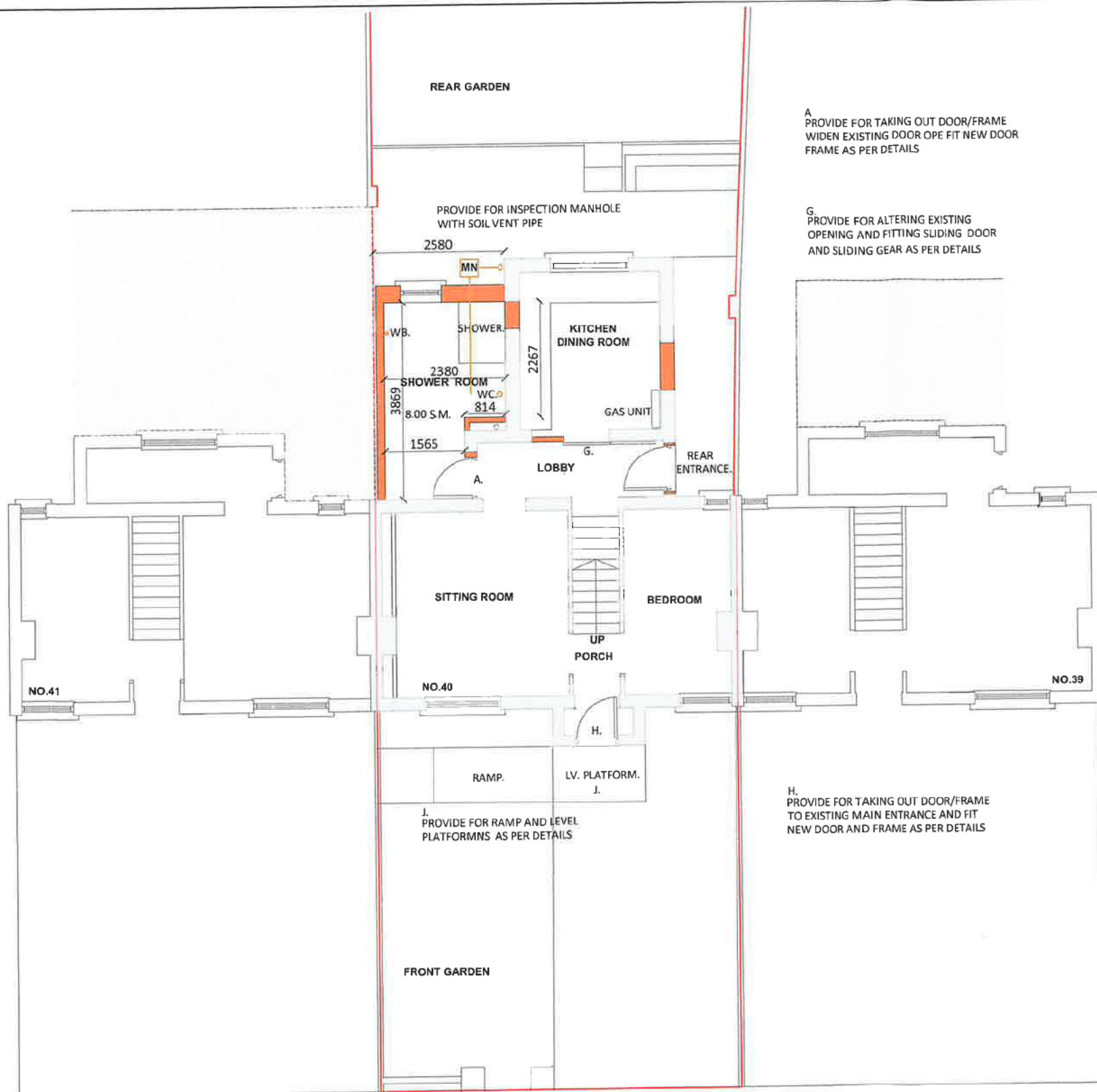
Notes PLANNING PERMISSION EXEMPTION Where the drawing is marked PLANNING PERMISSION EXEMPTION this drawing has been prepared solely for use as part of an application for planning permission retention.	Revisions	PROJECT PLANNING PERMISSION FOR TO DEMOLISH EXISTING TOILET AND STORE AND CONSTRUCT SINGLE STOREY NEW SHOWER ROOM EXTENSION AND ALTERATIONS TO THE REAR OF EXISTING RESIDENCE WITH ALTERATIONS AND ASSOCIATED SITE WORKS AT NO 40 ARD MHUIRE, CARRICK-ON-SUIR, CO. TIPPERARY. E32AD973. Title SITE LAYOUT MAP Client MARGARET MCGOWRAN Sheet No. 06. Scale 1:250@A3 Date JUNE 2026		



Notes	Revisions	Project
PLANNING PERMISSION EXEMPTION Where the drawing is marked PLANNING PERMISSION EXEMPTION, this drawing has been prepared solely for use as part of an application for planning permission. It is not intended for construction/contractual/Tender purposes. It is to be read in conjunction with the other drawings and documents which constitute the statutory application.		PROPOSED TO DEMOLISH EXISTING TOILET AND STORE AND CONSTRUCT SINGLE STOREY NEW SHOWER ROOM EXTENSION TO THE REAR OF EXISTING RESIDENCE WITH ALTERATIONS AND ASSOCIATED SITE WORKS AT NO 40 ARD MHUIRE CARRICK- ON -SUIR, CO. TIPPERARY E32A973
		Title GROUND FLOOR AND FIRST FLOOR SURVEY PLANS
		Client MARGARET MCGOWRAN
		Sheet No. 02
		Scale 1:100@A3
		Date JUNE. 2026

EXEMPTION PLANNING APPLICATION

4195

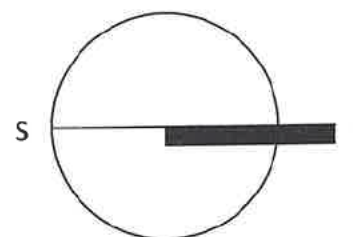


GROUND FLOOR PROPOSED LAYOUT PLAN

SCALE: 1:100

GROUND FLOOR AREA, EXISTING: 30.00 SQ. MTS 323.00 SQ. FEET.
KITCHEN FLOOR AREA 08.50 SQ. MTS 91.50 SQ. FEET.

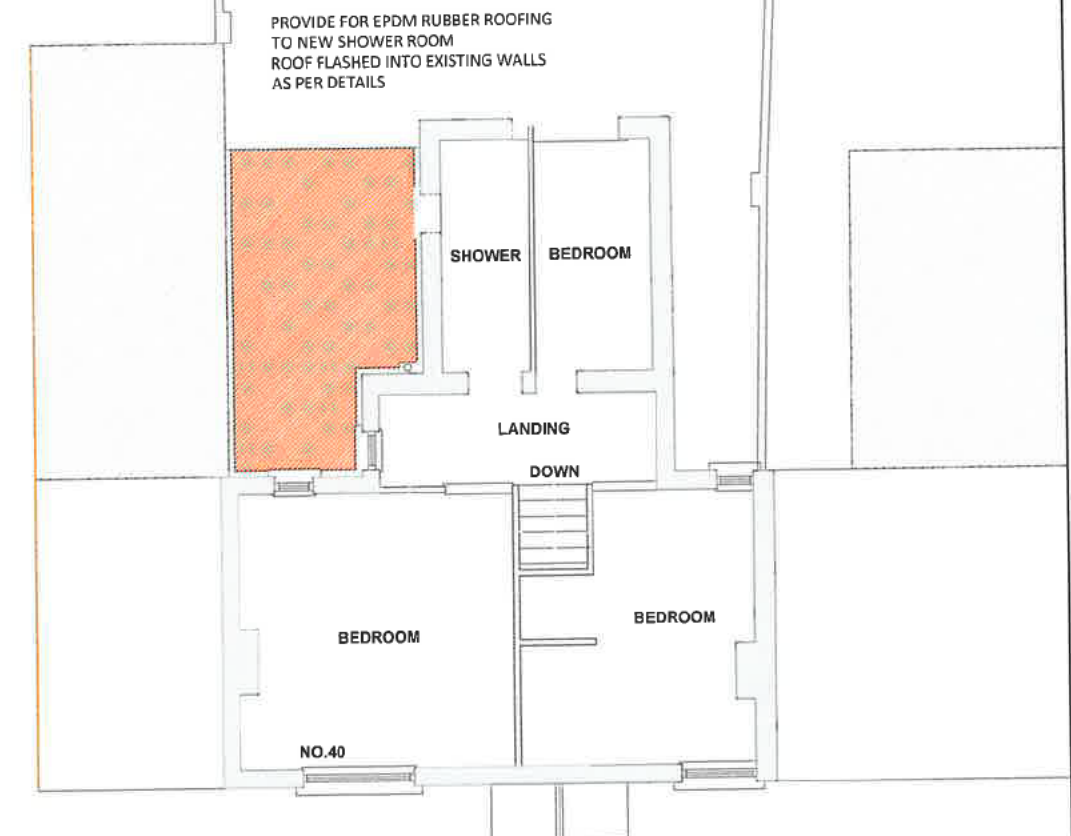
SHOWER ROOM EXTENSION 08.00 SQ. MTS 86.00 SQ. FEET.



FIRST FLOOR PROPOSED LAYOUT PLAN

SCALE: 1:100

FIRST FLOOR AREA, EXISTING: 29.00 SQ. MTS 312.00 SQ. FEET.
BEDROOM/SHOWER AREA 08.50 SQ. MTS 91.50 SQ. FEET.



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Notes

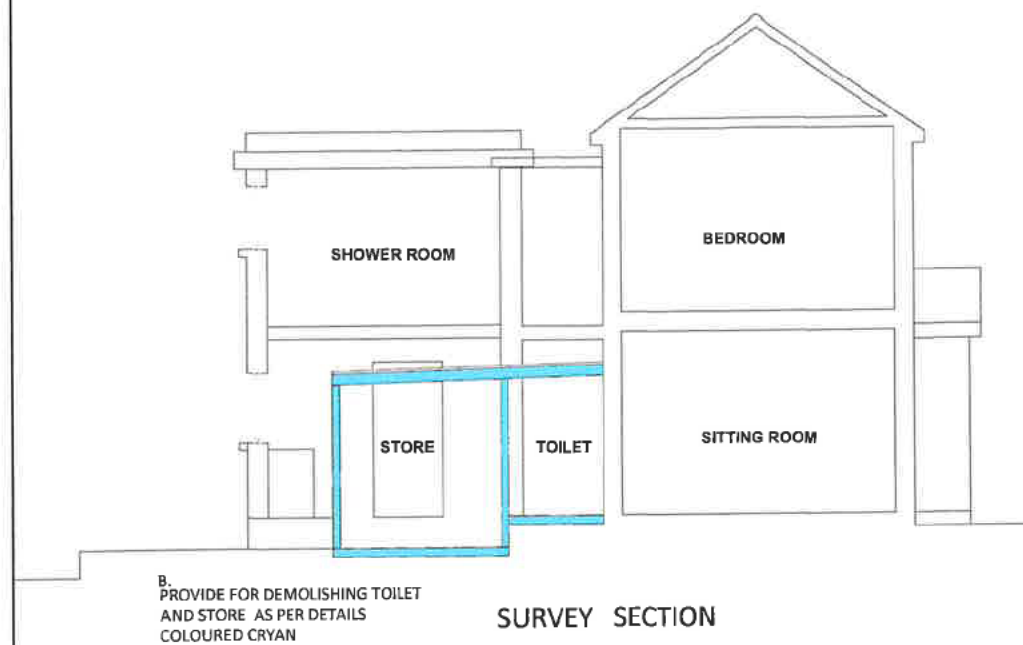
PLANNING PERMISSION EXEMPTION

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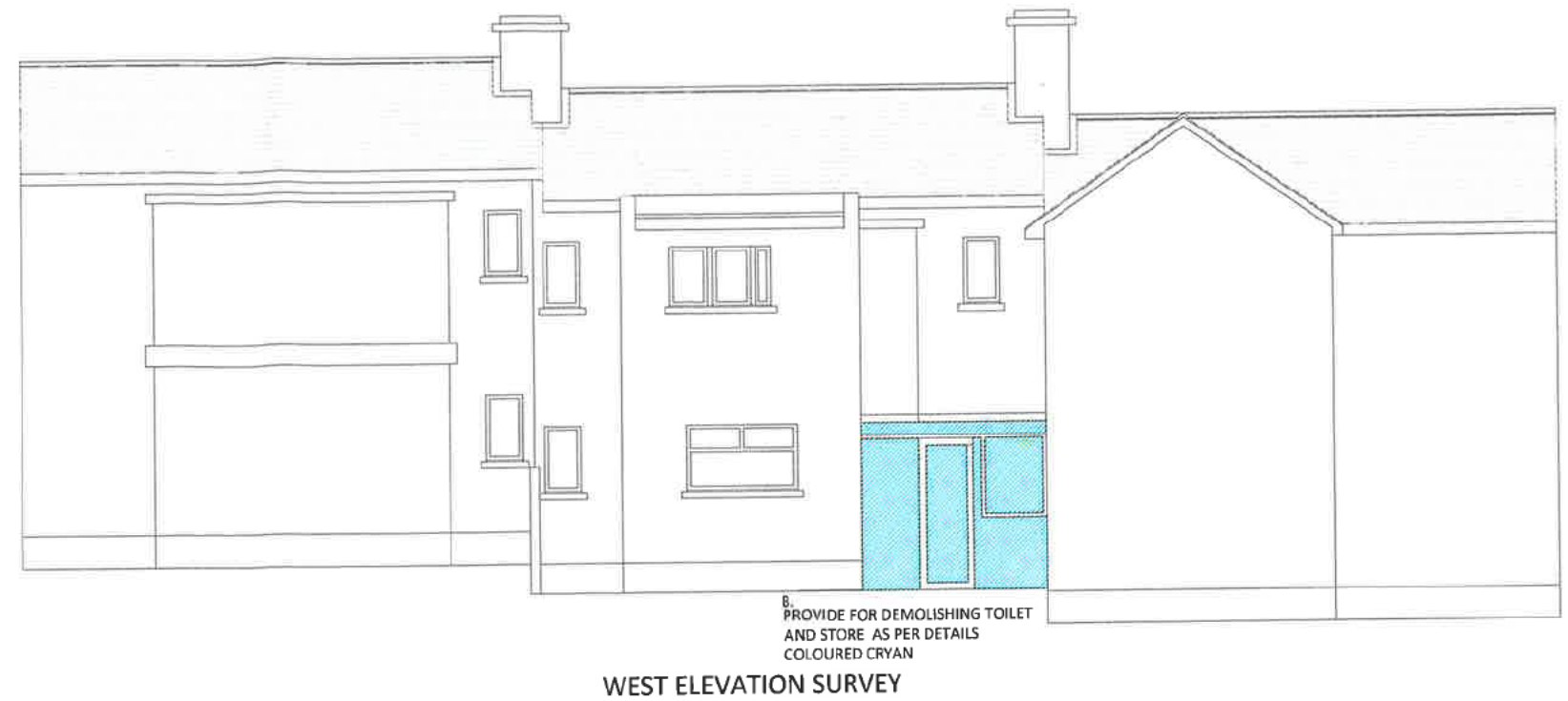
Revisions

Project	PROPOSED TO DEMOLISH EXISTING TOILET AND STORE AND CONSTRUCT SINGLE STOREY NEW SHOWER ROOM EXTENSION TO THE REAR OF EXISTING RESIDENCE WITH ALTERATIONS AND ASSOCIATED SITE WORKS AT NO 40 ARD MHUIRE CARRICK- ON -SUIR, CO. TIPPERARY E32A973		
Title	PROPOSED GROUND FLOOR AND EXISTING SURVEY FIRST FLOOR PLAN		
Client	MARGARET MCGOWRAN		
Sheet No.	02.	Scale	1:100@A3
Date	JUNE. 2026		

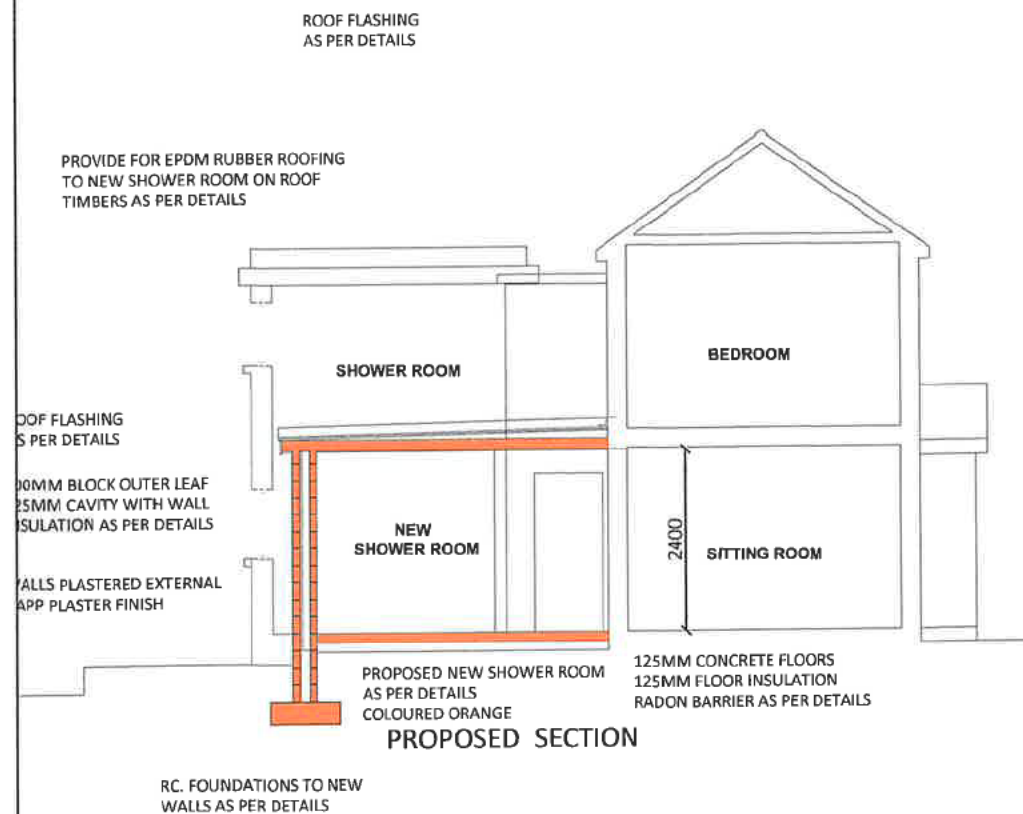
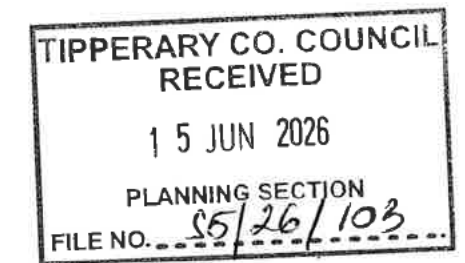
PLANNING EXEMPTION
APPLICATION



SURVEY SECTION



WEST ELEVATION SURVEY



PROPOSED SECTION



WEST ELEVATION PROPOSED

Notes	Revisions	Project		PROPOSED TO DEMOLISH EXISTING TOILET AND STORE AND CONSTRUCT SINGLE STOREY NEW SHOWER ROOM EXTENSION TO THE REAR OF EXISTING RESIDENCE WITH ALTERATIONS AND ASSOCIATED SITE WORKS AT NO 40 ARD MHUIRE CARRICK- ON -SUIR, CO. TIPPERARY E32A973			
PLANNING PERMISSION EXEMPTION Where the drawing is marked PLANNING PERMISSION EXEMPTION , this drawing has been prepared solely for use as part of an application for planning permission. It is not intended for construction/contractual/Tender purposes. It is to be read in conjunction with the other drawings and documents which constitute the statutory application.		Title		SECTIONS SURVEY / PROPOSED AND REAR SURVEY ELEVATIONS/PROPOSED			
		Client		MARGARET McGOWRAN			
		Sheet No.	03	Scale	1:100@A3	Date	JUNE. 2026
JIMMY FLYNN - FLYNN ASSOCIATES Est.1978 - Coolnamuck Rd. Carrick Beg, Carrick on Suir. E-Mail:jimmyflynn@eircom.net, Office: 051 640740, Mob: 087 7553403							



SURVEY EAST ELEVATION

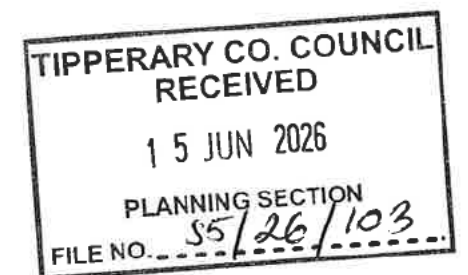
H. PROVIDE FOR TAKING OUT DOOR/FRAME TO EXISTING MAIN ENTRANCE AND FIT NEW DOOR AND FRAME AS PER DETAILS



PROPOSED EAST ELEVATION

J. PROVIDE FOR RAMP AND LEVEL PLATFORMS AS PER DETAILS

H. PROVIDE FOR TAKING OUT DOOR/FRAME TO EXISTING MAIN ENTRANCE AND FIT NEW DOOR AND FRAME AS PER DETAILS



Notes	Revisions	Project				PROPOSED TO DEMOLISH EXISTING TOILET AND STORE AND CONSTRUCT SINGLE STOREY NEW SHOWER ROOM EXTENSION TO THE REAR OF EXISTING RESIDENCE WITH ALTERATIONS AND ASSOCIATED SITE WORKS AT NO 40 ARD MHUIRE CARRICK- ON -SUIR, CO. TIPPERARY E32A973										
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						Title				SURVEY FRONT ELEVATIONS / PROPOSED FRONT ELEVATION						
						Client				MARGARET McGOWRAN						
						Sheet No.		04		Scale		1:100@A3		Date		JUNE. 2026
JIMMY FLYNN - FLYNN ASSOCIATES Est.1978 - Coolnamuck Rd. Carrick Beg, Carrick on Suir. E-Mail:jimmyflynn@eircom.net, Office: 051 640740, Mob: 087 7553403																



Comhairle Contae Thiobraid Árann
Tipperary County Council

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

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Thiobraid Árann,
Oifigi 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: 17th June 2026

Our Ref: S5/26/103

Civic Offices, Clonmel

**Margaret McGowran,
C/O Jimmy Flynn,
Flynn Associates,
Coolnamuck Road,
Carrigbeg, Carrick on Suir,
Co. Tipperary.**

**Re: Application for a Section 5 Declaration – Demolition of the
existing ground floor toilet and store, and to replace it with a shower
room at 40 Ard Mhuire, Carrick on Suir, Co Tipperary.**

Dear Sir/Madam,

I wish to acknowledge receipt of your application for a Section 5 Declaration
received on 15th June 2026, in connection with the above.

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

Yours sincerely,

For Director of Services

TIPPERARY COUNTY COUNCIL

Application for Declaration under Section 5

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

Planning Ref.: S5/25/103

Applicant: Margaret McGowran

Development Address: 40 Ard Mhuire, Carrick on Suir, Co Tipperary

Proposed Development: Demolition of the existing ground floor toilet and store, and to replace it with a shower room.

1. GENERAL

On the 15th of June 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 is “exempted development”:

- Demolition of the existing ground floor toilet and store, and to replace it with a shower room.

2. STATUTORY PROVISION

The following statutory provisions are relevant to this referral case;

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

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

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

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

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 2001 considers the following works to be exempted development subject to the conditions and limitations set out below;

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 (b) of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 considers the following works to be exempted development subject to the conditions and limitations set out below;

(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

Article 9 (1) (a) of the Planning and Development Regulations 2001, as amended sets out the instances where development, to which Article 6 relates, shall not be exempted development for the purposes of the Act if the carrying out of works would-

(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

a. Site Location

The site comprises a terraced two storey dwelling at 40 Ard Mhuire, Carrick on Suir, Co Tipperary.

b. Relevant Planning History

None recorded.

Figure 1 Planning history



c. Assessment

A) “Is or is not Development”

It is considered that 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 details submitted with the application are noted.

Figure 2 Existing floor plan

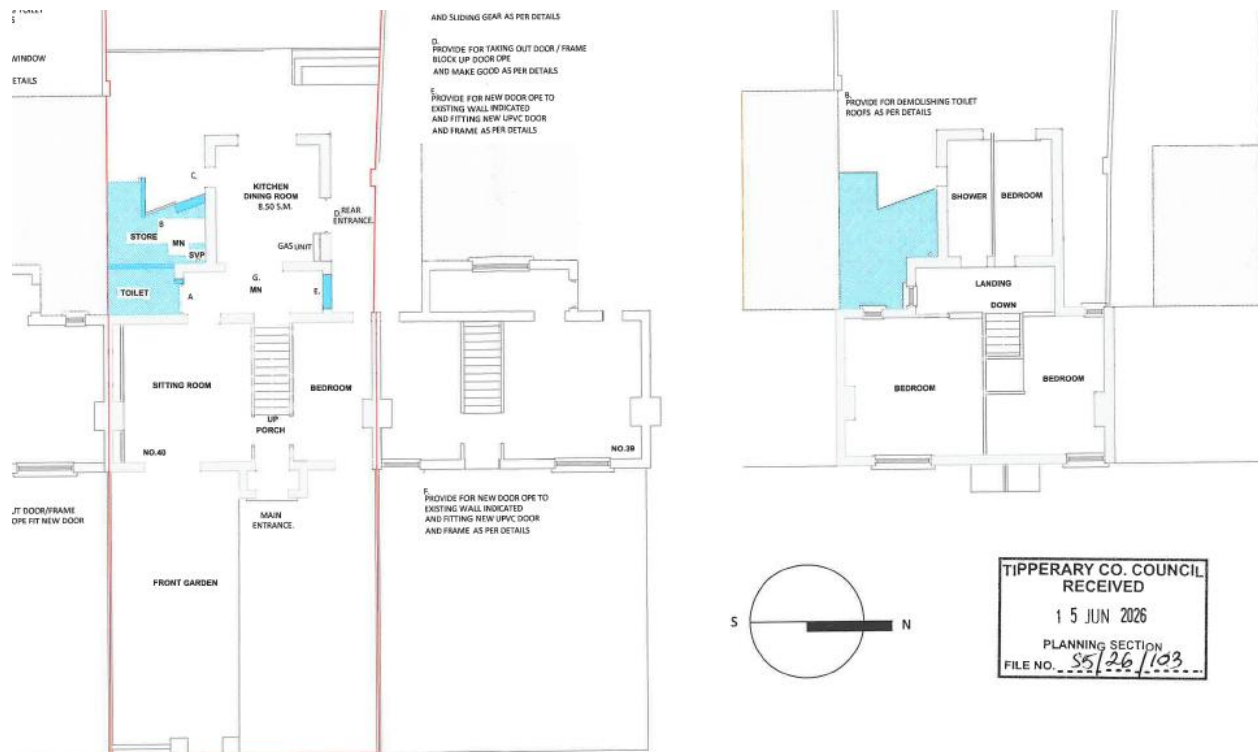
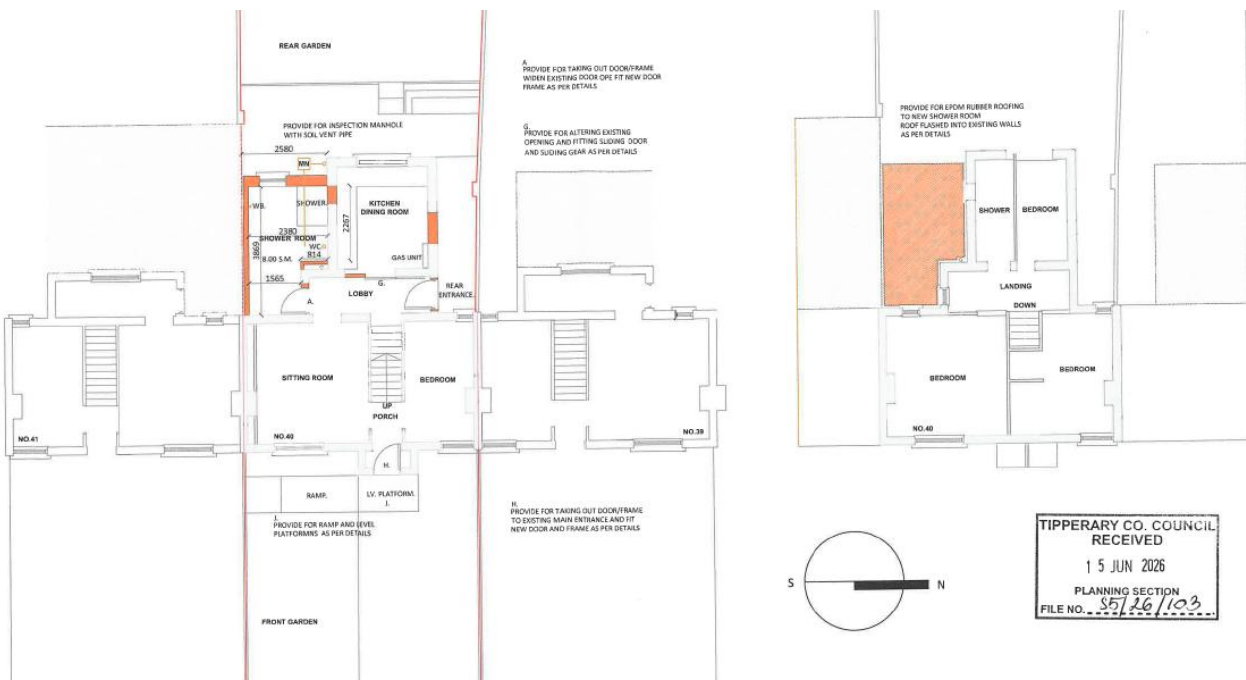


Figure 3 Proposed floor plan



The floor area to be demolished is less than 8 sqm. As such it avails of the exemption provided for under Class 50(b).

A single storey extension measuring 8 sqms is proposed. it is noted that the dwelling appears to have been previously extended. The floor area of the extension is not set out. As set out in the

conditions associated with Class 1, the Planning Authority needs to be satisfied that the cumulative area of the extension proposed plus previous extensions does not exceed 40 square metres. Further information is required.

Based on the drawings submitted, the private amenity space to the rear space will not be reduced to less than 25 sqms.

C) Restrictions under Article 9

It is noted that no restrictions under Article 9 of the Planning and Development Regulations 2001, as amended would apply.

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

The subject site is located c. 486 metres from the Lower River Suir SAC and within 15 Kms of the Comeragh mountains SAC and Hugginstown Fen SAC.

The proposed development is located within a long established urban area and comprises of an extension to the dwelling. The property is connected to the mains waste water infrastructure.

Having regard to:

- the small scale nature of the development,
- the location of the site is a serviced urban centre,
- the location of the development relevant to the closest European site (lower River Suir,
- The intervening land uses between the subject site and the SAC 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.

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

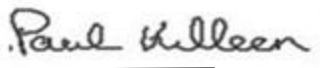
Having regard to:

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

It is recommended that, pursuant to Section 5 (2)(b) of the Planning and Development Act 2000, the following further information is requested:

1. Upon reviewing the details submitted with the application, it appears that the dwelling on site has previously been extended. To avail of the exemption provided for under Class 1 Part 1 of Schedule 2 of the Planning and Development Regulations 2001, as amended, the Planning Authority needs to be satisfied that the cumulative area of the extension proposed plus previous extensions does not exceed 40 square metres.

You are required to clarify the floor area of any previous extensions undertaken on site and the planning status of these works.

Signed: 
District Planner

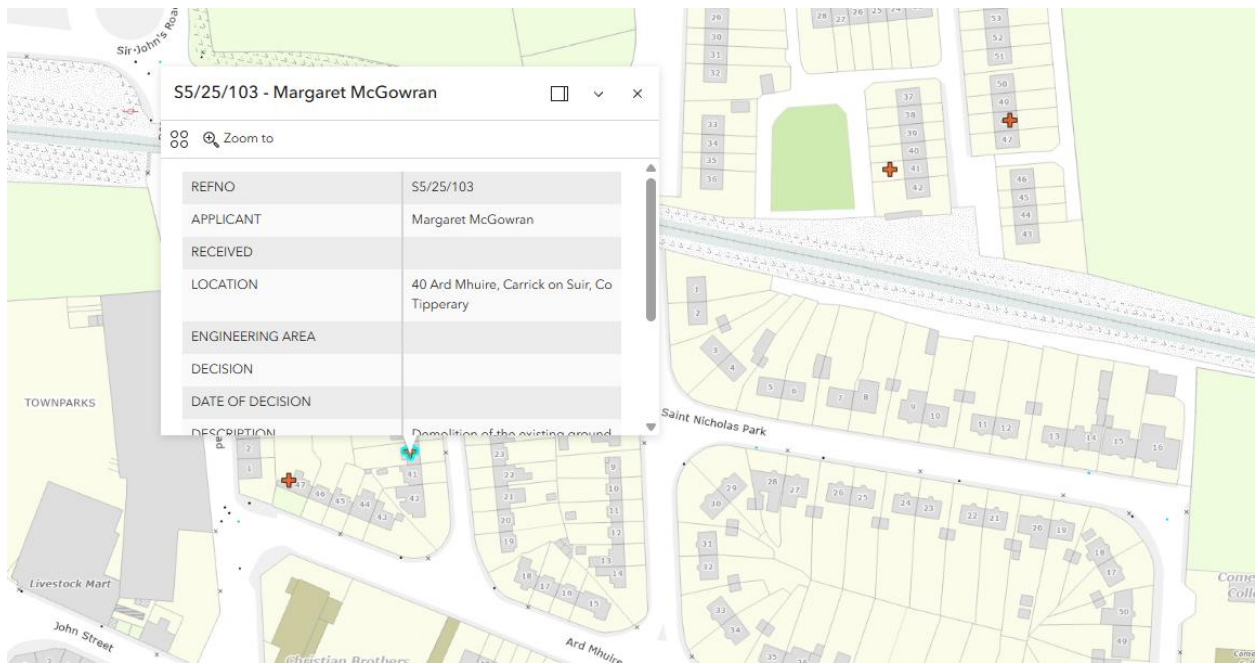
Date: 03/07/26


Signed:
Senior Executive Planner

Date: 7.7.2026

EIA Pre-Screening Establishing a development is a 'sub-threshold development'	
File Reference:	S5/26/103
Development Summary:	Domestic extension
Was a Screening Determination carried out under Section 176A-C?	☐ Yes, no further action required ☒ 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)	
☐ Yes, specify class _____	EIA is mandatory No Screening required
☒ 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)	
☒ No, the development is not a project listed in Schedule 5, Part 2	No Screening required
☐ 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
☐ Yes the project is of a type listed but is <i>sub-threshold</i> : _____	Proceed to Part C
C. If Yes, has Schedule 7A information/screening report been submitted?	
☐ Yes, Schedule 7A information/screening report has been submitted by the applicant	Screening Determination required
☐ No, Schedule 7A information/screening report has not been submitted by the applicant	Preliminary Examination required

Figure 4 Site entered on planning register





Date: 7th July 2026

Our Ref: S5/26/103

Civic Offices, Nenagh

**Margaret McGowran
C/O Jimmy Flynn
Flynn Associates
Coolnamuck Road
Carrigbeg, Carrick on Suir
Co. Tipperary**

Re: Application for a Section 5 Declaration – Demolition of the existing ground floor toilet and store, and to replace it with a shower room at 40 Ard Mhuire, Carrick on Suir, Co Tipperary

Dear Sir/Madam,

I refer to an application received from you on 15th June 2026 requesting a Declaration from this Planning Authority as to whether or not certain works constitute development within the meaning of the Planning and Development Act 2000, as amended.

Further information is requested as follows;

It is recommended that further information is requested under Section 5(2) of the Act as follows:

Upon reviewing the details submitted with the application, it appears that the dwelling on site has previously been extended. To avail of the exemption provided for under Class 1 Part 1 of Schedule 2 of the Planning and Development Regulations 2001, as amended, the Planning Authority needs to be satisfied that the cumulative area of the extension proposed plus previous extensions does not exceed 40 square metres.

You are required to clarify the floor area of any previous extensions undertaken on site and the planning status of these works.

Further consideration of your request for a declaration cannot be considered until the above information is received.

Yours sincerely

for **Director of Services**



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 July 2026

Our Ref: S5/26/103

Civic Offices, Nenagh

**Margaret McGowran
C/O Jimmy Flynn
Flynn Associates
Coolnamuck Road
Carrigbeg, Carrick on Suir
Co. Tipperary**



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You are required to clarify the floor area of any previous extensions undertaken on site and the planning status of these works.

Further consideration of your request for a declaration cannot be considered until the above information is received.

Yours sincerely

for **Director of Services**



Tipperary County Council,
Planning Section
Civic Offices,
Clonmel
Co. Tipperary.

08-07-2026

**RE: APPLICATION FOR A SECTION 5 DECLARATION
REF. NO. S5/26/103 RE FURTHER INFORMATION REQUEST
DEVELOPMENTS AT NO. 40, ARD MHUIRE CARRICK-ON-SUIR,
CO. TIPPERARY E32A973**

**DEVELOPMENT: CONSTRUCT A NEW SHOWER ROOM EXTENSION
TO THE REAR OF EXISTING RESIDENCE**

FOR MARGARET McGOWRAN

To Siobhan Ryan,

I refer to Application for a Section 5 Declaration and to your Further Information Request dated 07-07-2026. REF. NO. S5/26/103.

I Enclose Drawings of Floor Plans Outlining Floor Areas
Previous Extensions and Proposed Shower Extension as Requested

**FLOOR AREAS: PREVIOUS EXTENSIONS AND PROPOSED SHOWER.
GROUND FLOOR KITCHEN**

08.50M2

FIRST FLOOR BEDROOM AND SHOWER

08.50M2

PROPOSED NEW SHOWER ROOM

08.00M2

FRONT PORCH

0.7125M2

TOTAL :

PREVIOUS EXTENTIONS : 16.7125 M2

PROPOSED SHOWER ROOM 08.000 M2

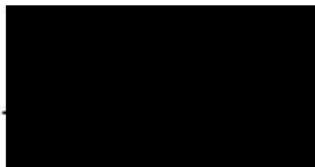
TOTAL FLOOR AREA

EXISTING AND PROPOSED 24.7125M2

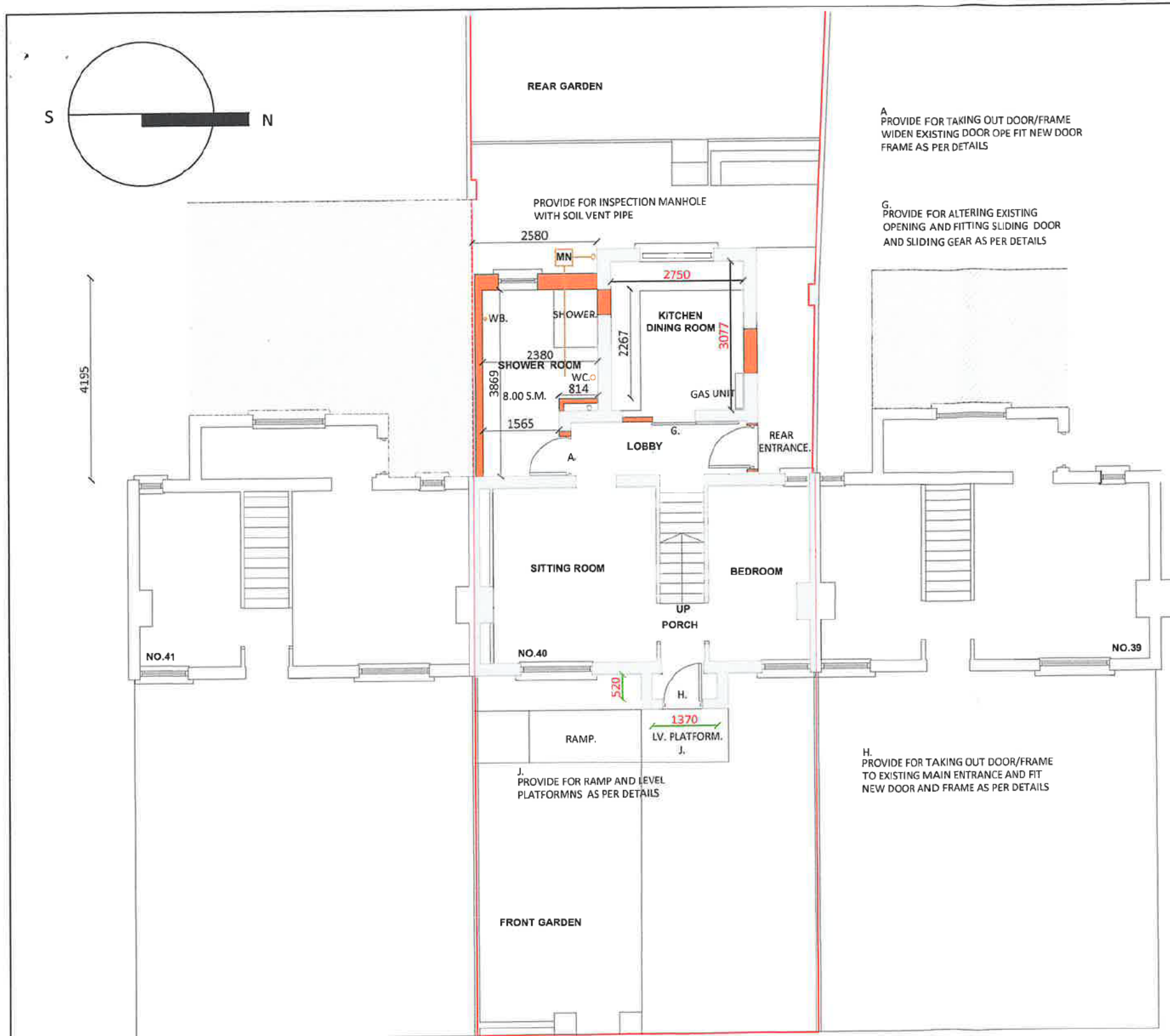
**THE EXISTING GROUND FLOOR KITCHEN AND FIRST FLOOR BEDROOM
AND SHOWER ROOM WAS CONSTRUCTED IN THE YEAR 1985
AND THE FRONT PORCH CONSTRUCTED IN THE YEAR 1995**



Should any additional clarification or information be required in relation to this request, please do not hesitate to contact us.

Signed: 

Jimmy Flynn
Flynn Associates
On behalf
MARGARET
McGOWRAN

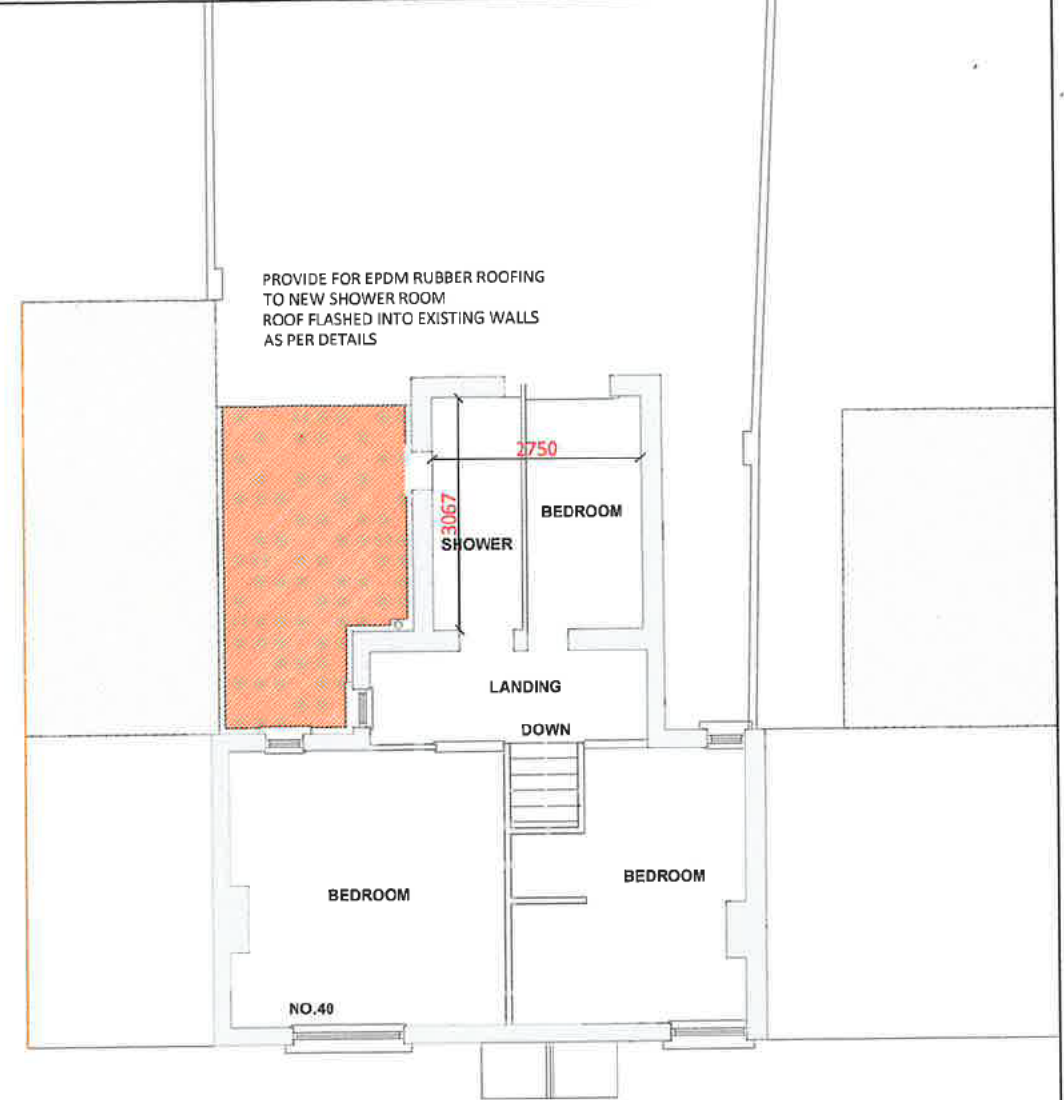


GROUND FLOOR PROPOSED LAYOUT PLAN

SCALE: 1:100

GROUND FLOOR AREA EXISTING: 30.00 SQ. MTS 323.00 SQ. FEET.
KITCHEN FLOOR AREA 08.50 SQ. MTS 91.50 SQ. FEET.

SHOWER ROOM EXTENSION 08.00 SQ. MTS 86.00 SQ. FEET.



FLOOR AREAS: PREVIOUS EXTENSIONS AND PROPOSED SHOWER

KITCHEN FLOOR AREA	08.50	SQ. MTS	91.50	SQ. FEET.
BEDROOM / SHOWER ROOM	08.50	SQ. MTS	91.50	SQ. FEET.
SHOWER ROOM EXTENSION	08.00	SQ. MTS.	86.00	SQ. FEET.
FRONT PORCH	0.7125	SQ. MTS	7.66	SQ. FT.
TOTAL:	25.7125	SQ. MTS.	276.66	SQ. FEET

SCHEDULE OF FLOOR AREAS	
PREVIOUS EXTENSIONS	16.7125M2
AND	
PROPOSED NEW SHOWER ROOM	08.00 M2

FIRST FLOOR PROPOSED LAYOUT PLAN

SCALE: 1:100

FIRST FLOOR AREA EXISTING: 29.00 SQ. MTS 312.00 SQ. FEET.
BEDROOM/SHOWER AREA 08.50 SQ. MTS 91.50 SQ. FEET.

TIPPERARY CO. COUNCIL
RECEIVED
9 JUL 2026

PLANNING SECTION
FILE NO. 55/26/103

Notes

PLANNING PERMISSION EXEMPTION

Where the drawing is marked PLANNING PERMISSION EXEMPTION, this drawing has been prepared solely for use as part of an application for planning permission. It is not intended for construction/contractual/Tender purposes. It is to be read in conjunction with the other drawings and documents which constitute the statutory application.

Revisions

Project PROPOSED TO DEMOLISH EXISTING TOILET AND STORE AND CONSTRUCT SINGLE STOREY NEW SHOWER ROOM EXTENSION TO THE REAR OF EXISTING RESIDENCE WITH ALTERATIONS AND ASSOCIATED SITE WORKS AT NO 40 ARD MHUIRE CARRICK- ON -SUIR, CO. TIPPERARY E32A973

Title PREVIOUS EXTENSIONS AND PROPOSED SHOWER FLOOR AREAS

Client MARGARET MCGOWRAN

Sheet No. 02.FI.

Scale 1:100@A3

Date JULY 2026

PLANNING EXEMPTION
APPLICATION FI



Comhairle Contae Thiobraid Árann
Tipperary County Council

Comhairle Contae
Thiobraid Árann,
Oifigí Cathartha,
Cluain Meala,
Co. Thiobraid Árann
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e customerservice
@tipperarycoco.ie
tipperarycoco.ie

Date: 9th July 2026 Our Ref: S5/25/103 Civic Offices, Nenagh

**Margaret McGowran
C/O Jimmy Flynn
Flynn Associates
Coolnamuck Road
Carrigbeg
Carrick on Suir
Co. Tipperary**

Re: Application for a Section 5 Declaration – Demolition of the existing ground floor toilet and store, and to replace it with a shower room at 40 Ard Mhuire, Carrick on Suir, Co Tipperary

Dear Mr Flynn,

I acknowledge receipt of Further Information received on 9th July 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.: S5/26/103

Applicant: Margaret McGowran

Development Address: 40 Ard Mhuire, Carrick on Suir, Co Tipperary

Proposed Development: Demolition of the existing ground floor toilet and store, and to replace it with a shower room.

1. GENERAL

On the 15th of June 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 is “exempted development”:

- Demolition of the existing ground floor toilet and store, and to replace it with a shower room.

2. STATUTORY PROVISION

The following statutory provisions are relevant to this referral case;

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

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

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

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

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 2001 considers the following works to be exempted development subject to the conditions and limitations set out below;

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 (b) of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 considers the following works to be exempted development subject to the conditions and limitations set out below;

(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

Article 9 (1) (a) of the Planning and Development Regulations 2001, as amended sets out the instances where development, to which Article 6 relates, shall not be exempted development for the purposes of the Act if the carrying out of works would-

(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

a. Site Location

The site comprises a terraced two storey dwelling at 40 Ard Mhuire, Carrick on Suir, Co Tipperary.

b. Relevant Planning History

None recorded.

Figure 1 Planning history



c. Assessment

A) “Is or is not Development”

It is considered that 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 details submitted with the application are noted.

Figure 2 Existing floor plan

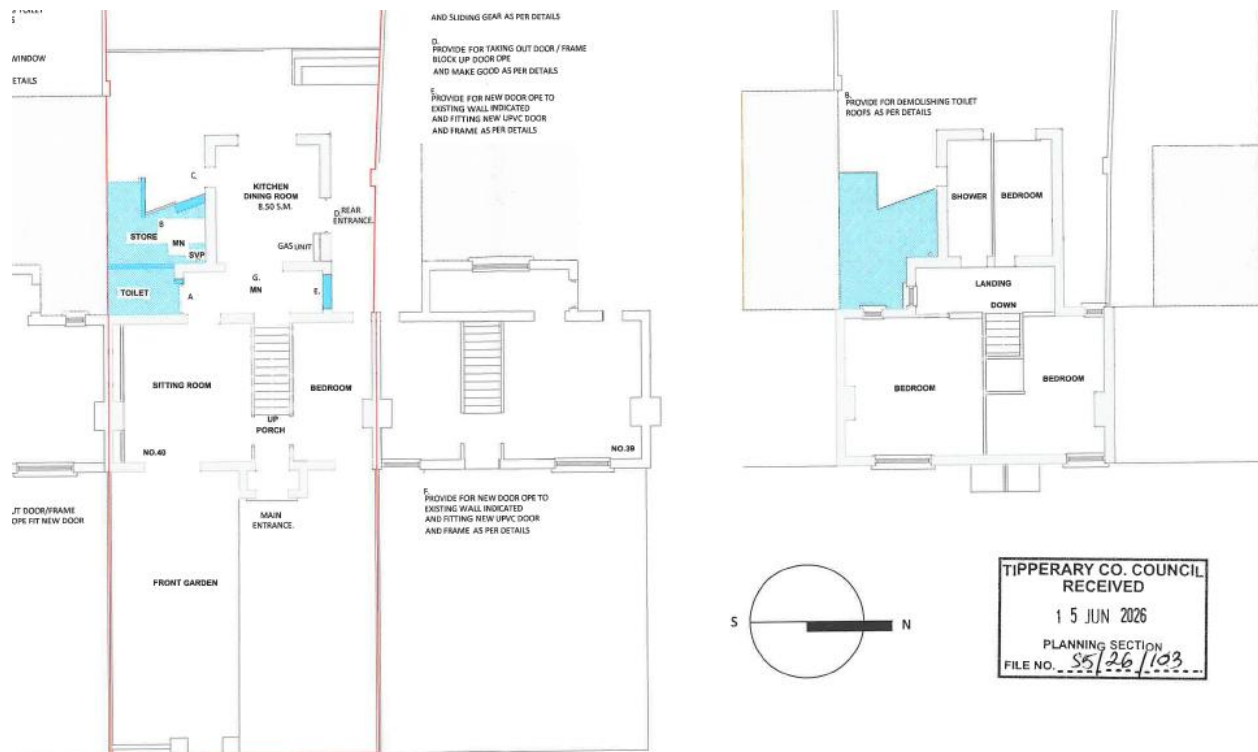
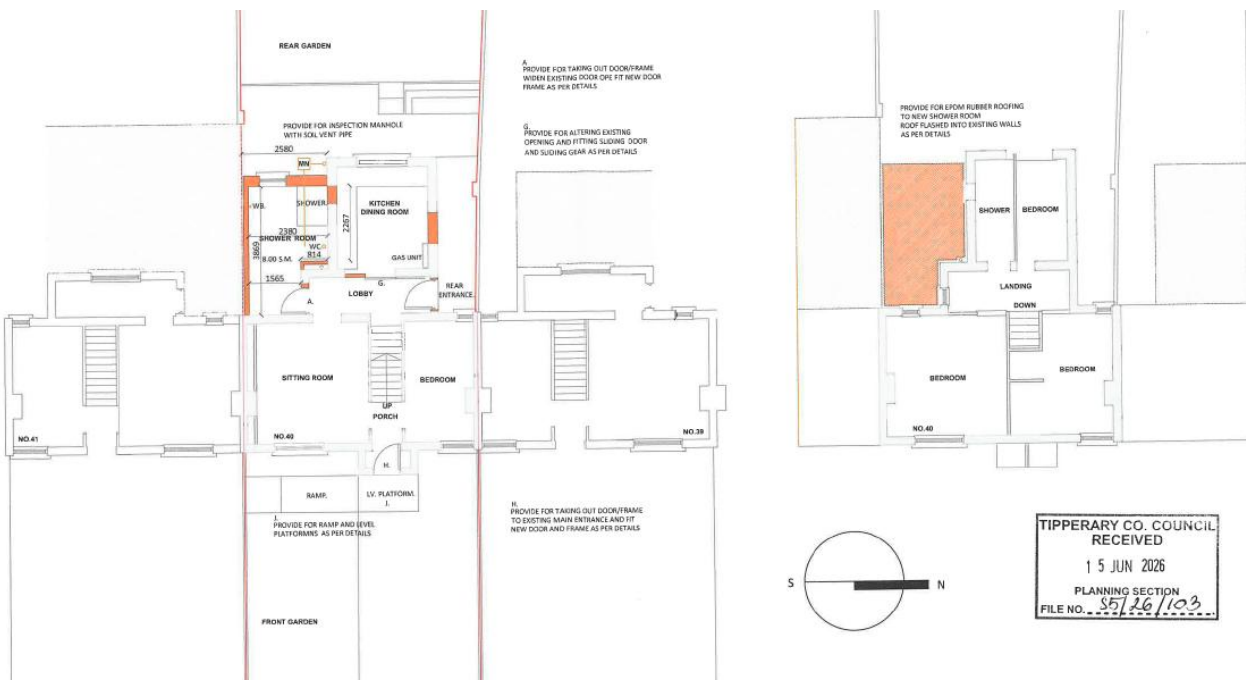


Figure 3 Proposed floor plan



The floor area to be demolished is less than 8 sqm. As such it avails of the exemption provided for under Class 50(b).

A single storey extension measuring 8 sqms is proposed. it is noted that the dwelling appears to have been previously extended. The floor area of the extension is not set out. As set out in the

conditions associated with Class 1, the Planning Authority needs to be satisfied that the cumulative area of the extension proposed plus previous extensions does not exceed 40 square metres. Further information is required.

Based on the drawings submitted, the private amenity space to the rear space will not be reduced to less than 25 sqms.

C) Restrictions under Article 9

It is noted that no restrictions under Article 9 of the Planning and Development Regulations 2001, as amended would apply.

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

The subject site is located c. 486 metres from the Lower River Suir SAC and within 15 Kms of the Comeragh mountains SAC and Hugginstown Fen SAC.

The proposed development is located within a long established urban area and comprises of an extension to the dwelling. The property is connected to the mains waste water infrastructure.

Having regard to:

- the small scale nature of the development,
- the location of the site is a serviced urban centre,
- the location of the development relevant to the closest European site (lower River Suir,
- The intervening land uses between the subject site and the SAC 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.

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. FURTHER INFORMATION

The following further information was requested on the 7th of July 2026;

1. Upon reviewing the details submitted with the application, it appears that the dwelling on site has previously been extended. To avail of the exemption provided for under Class 1 Part 1 of Schedule 2 of the Planning and Development Regulations 2001, as amended, the Planning Authority needs to be satisfied that the cumulative area of the extension proposed plus previous extensions does not exceed 40 square metres.

The applicant replied on the 9th of July 2026.

APPRAISAL

The applicant has confirmed the floor area of previous extensions on site (16.7 sqms). The cumulative floor area of previous extension and the extension proposed does not exceed 40 sqms.

5. RECOMMENDATION

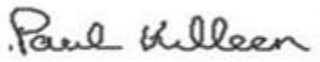
Having regard to:

- (a) Sections 2, 3 & 4 of the Planning and Development Act 2000 (as amended)
- (b) Class 1 and Class 50, 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 and
- (d) The further information submitted on the 9th of July 2026

Tipperary County Council has concluded that the

Demolition of the existing ground floor toilet and store, and to replace it with a shower room at 40 Ard Mhuire, Carrick on Suir, Co Tipperary,

constitutes development and is “exempted development”.

Signed: 
District Planner

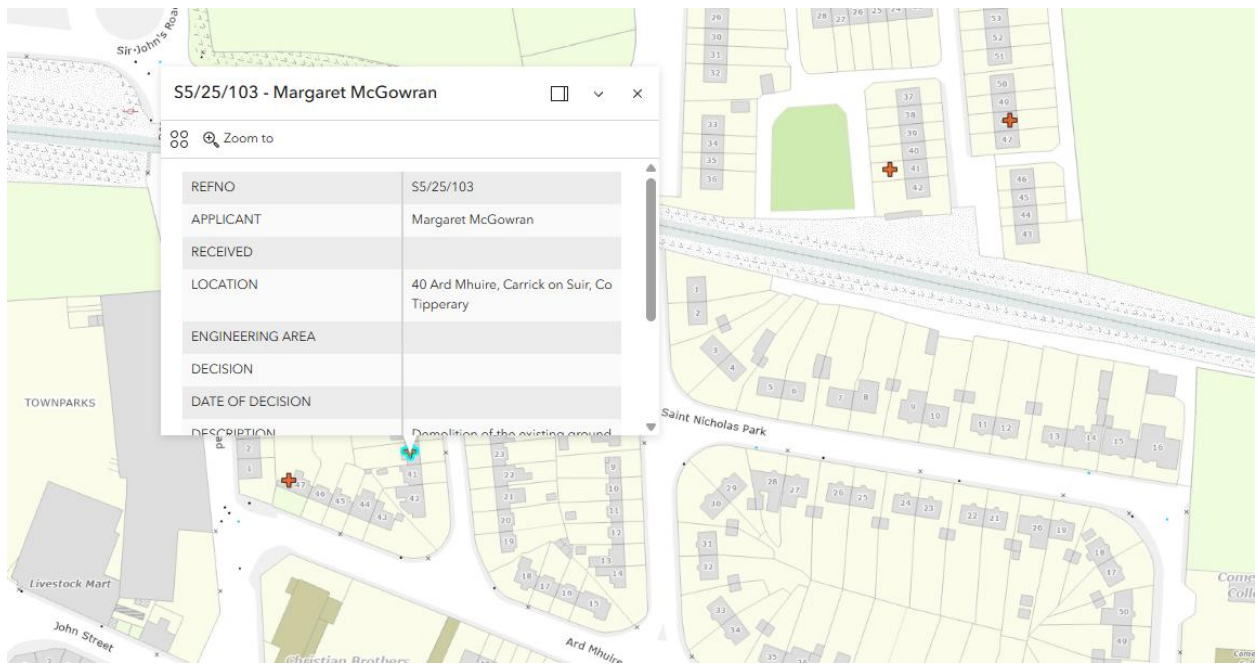
Date: 23/07/26


Signed:
Senior Executive Planner

Date: 29.7.2026

EIA Pre-Screening Establishing a development is a 'sub-threshold development'	
File Reference:	S5/26/103
Development Summary:	Domestic extension
Was a Screening Determination carried out under Section 176A-C?	☐ Yes, no further action required ☒ 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)	
☐ Yes, specify class _____	EIA is mandatory No Screening required
☒ 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)	
☒ No, the development is not a project listed in Schedule 5, Part 2	No Screening required
☐ 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
☐ Yes the project is of a type listed but is <i>sub-threshold</i> : _____	Proceed to Part C
C. If Yes, has Schedule 7A information/screening report been submitted?	
☐ Yes, Schedule 7A information/screening report has been submitted by the applicant	Screening Determination required
☐ No, Schedule 7A information/screening report has not been submitted by the applicant	Preliminary Examination required

Figure 4 Site entered on planning register



Original

TIPPERARY COUNTY COUNCIL

DELEGATED EMPLOYEE'S ORDER

File Ref: **S5/26/103** **Delegated Employee's Order No:** _____

SUBJECT: Section 5 Declaration

I, Caroline Conway, Senior Executive Planner, 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. 47881 dated 7th July 2026 hereby order

that pursuant to the provisions of the Planning and Development Act 2000, as amended, that an application under Section 5 from Margaret McGowran, C/O Jimmy Flynn, Flynn Associates, Coolnamuck Road, Carrigbeg, Carrick on Suir, Co. Tipperary, Re: Demolition of the existing ground floor toilet and store, and to replace it with a shower room at 40 Ard Mhuire, Carrick on Suir, 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 1 and Class 50, 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 and
- d) The further information submitted on the 9th of July 2026

Tipperary County Council has concluded that the demolition of the existing ground floor toilet and store, and to replace it with a shower room at 40 Ard Mhuire, Carrick on Suir, Co Tipperary constitutes development and is "exempted development".



Signed:

**Caroline Conway
Senior Executive Planner**

Date: 29/07/2026



Date: 29th July 2026

Our Ref: S5/26/103

Civic Offices, Nenagh

**Margaret McGowran
C/O Jimmy Flynn
Flynn Associates
Coolnamuck Road
Carrigbeg
Carrick on Suir
Co. Tipperary**

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

Dear sir/madam,

I refer to your application for a Section 5 Declaration received on 15th June 2026, and Further Information received on 9th July 2026 in relation to the following proposed works:

Demolition of the existing ground floor toilet and store, and to replace it with a shower room at 40 Ard Mhuire, Carrick on Suir, Co Tipperary.

WHEREAS a question has arisen as to whether the proposed development is or is not exempted development:

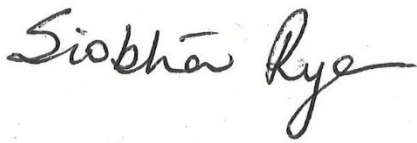
AND WHEREAS Tipperary County Council, in considering this referral, had regard particularly to –

- a) Sections 2, 3 & 4 of the Planning and Development Act 2000 (as amended)
- b) Class 1 and Class 50, 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 and
- d) The further information submitted on the 9th of July 2026

Tipperary County Council has concluded that the demolition of the existing ground floor toilet and store, and to replace it with a shower room at 40 Ard Mhuire, Carrick on Suir, Co Tipperary constitutes development and is “exempted development”.

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, reading "Siobhán Rye". The signature is written in a cursive style with a long, sweeping tail on the letter 'y'.

for **Director of Services**