

An
Bord
Pleanála

AN BORD PLEANALA
LDG- 057731-22
ABP- _____
Fee: € 210 Type: card
Time: _____ By: hand

Planning Appeal Form

Your details

1. Appellant's details (person making the appeal)

Your full details:

(a) Name

Michael O Donnell Jnr

(b) Address

Northfields Fethard Road,
Clonmel, Co. Tipperary
E91 EO63

Agent's details

2. Agent's details (if applicable)

If an agent is acting for you, please **also** provide their details below. If you are not using an agent, please write "Not applicable" below.

(a) Agent's name

N/A

(b) Agent's address

N/A



Postal address for letters

3. During the appeal we will post information and items to you or to your agent. For this appeal, who should we write to? (Please tick ✓ one box only.)

You (the appellant) at the address in Part 1

The agent at the address in Part 2

Details about the proposed development

4. Please provide details about the planning authority decision you wish to appeal. If you want, you can include a copy of the planning authority's decision as the appeal details.

(a) Planning authority

(for example: Ballytown City Council)

Tipperary County Council

(b) Planning authority register reference number

(for example: 18/0123)

S5/22/75

(c) Location of proposed development

(for example: 1 Main Street, Baile Fearainn, Co Ballytown)

Monvey, Northfields, Clonmel, Co. Tipperary

Appeal details

5. Please describe the grounds of your appeal (planning reasons and arguments). You can type or write them in the space below or you can attach them separately.

We do not agree with Tipperary County Council determination as they have not answered the question that was asked,

ie. "is the concrete block shed (picture A) constructed by Tipperary County Council that extends out in front of the building line of the house (Picture B) development and if so is it exempted development?"

Please see attached photos for convenience.

We would ask that the board review the above and advise of their conclusion

Supporting material

6. If you wish you can include supporting materials with your appeal.

Supporting materials include:

- photographs,
- plans,
- surveys,
- drawings,
- digital videos or DVDs,
- technical guidance, or
- other supporting materials.

Acknowledgement from planning authority (third party appeals)

7. If you are making a third party appeal, you **must** include the acknowledgment document that the planning authority gave to you to confirm you made a submission to it.

Fee

8. You **must** make sure that the correct fee is included with your appeal. You can find out the correct fee to include in our Fees and Charges Guide on our website.

Oral hearing request

9. If you wish to request the Board to hold an oral hearing on your appeal, please tick the “yes, I wish to request an oral hearing” box below.

Please note you will have to pay an **additional non-refundable fee** of €50. You can find information on how to make this request on our website or by contacting us.

If you do not wish to request an oral hearing, please tick the “No, I do not wish to request an oral hearing” box.

Yes, I wish to request an oral hearing

No, I do not wish to request an oral hearing

NALA has awarded this document its Plain English Mark

Last updated: April 2019.





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

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

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e customerservice
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tipperarycoco.ie

Our Ref: S5/22/75

Date: 11 August 2022

Civic Offices, Nenagh

Mr Michael O'Donnell Jnr
Northfields
Fethard Road
Clonmel
Co Tipperary
E91 E063

**Re: Application for a Section 5 Declaration – Monvey, Northfields,
Clonmel, Co Tipperary**

Dear Mr O'Donnell

I acknowledge receipt of your application for a Section 5 Declaration received on 11 August, 2022 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



Date: 6th September 2022

Our Ref: S5/22/75

Civic Offices, Nenagh

Mr. Michael O'Donnell Jnr
Northfields,
Fethard Road,
Clonmel,
Co. Tipperary.

Dear Sir/Madam

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

I refer to your application for a Section 5 Declaration received on 11 August 2022 in relation to the following proposed works:

Is the construction of a concrete block shed within the curtilage of a dwelling exempted development

A question has arisen as to whether the following proposals at Northfields, Fethard Road, Clonmel is development and is or is not exempted development:

- a) *the construction of a concrete block shed within the curtilage of a dwelling at Northfields, Fethard Road, Clonmel*

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

- (a) Sections 2, 3, 4 and 179 of the Planning and Development Act, 2000, as amended
(b) Articles 6, 9 and 80 of the Planning & Development Regulations 2001, as amended.

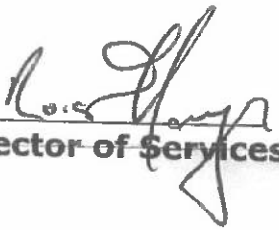
Tipperary County Council has concluded that -

The proposed development as presented on the details provided with the Declaration application constitutes "development" within the meaning of the Planning and Development Act 2000 and is "**exempted development**".

(2)

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

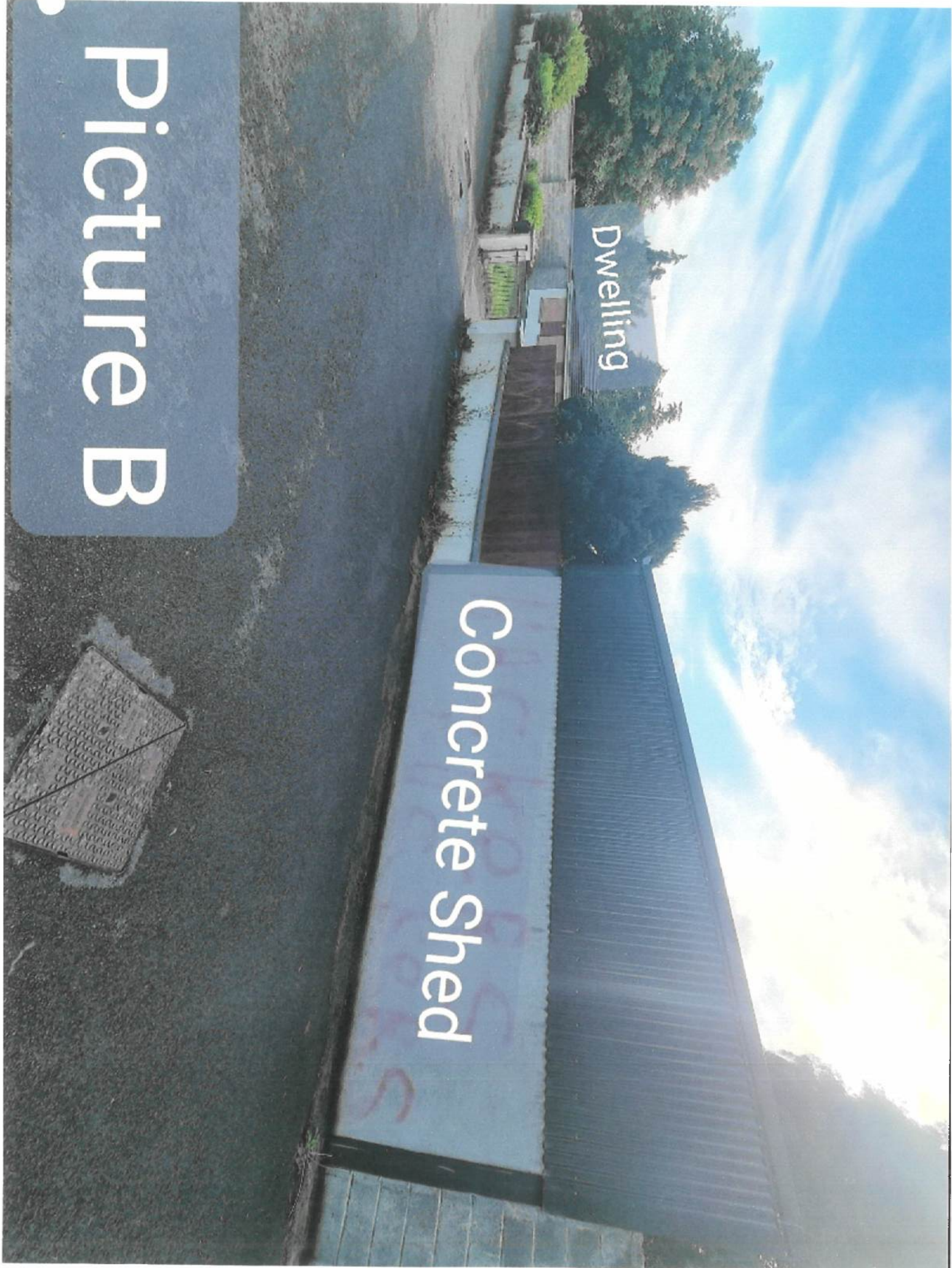
Yours faithfully


for **Director of Services**



concrete shed

picture A



Dwelling

Concrete Shed

Picture B