

# LOUGHMORE DEVELOPMENT GROUP

C/O THE COTTAGE, THE VILLAGE, LOUGHMORE, TEMPLEMORE

PH - 0504 35846.



DATE - 13/08/2025



## Cover Note.

Enclosed, Please find section 5 declaration, the purpose of which is to install solar panels on the roofs of those buildings which are high energy consumers and so are high carbon equiv. emitters as a result.

The objective of this undertaking is to quantify and validate the carbon reduction as a result of solar panel installation.

This quantification and validation will be overseen by a Company specialising in the area of carbon reduction.

The above will be the 1<sup>st</sup>.phase in reducing carbon emissions, to be followed by the installation of a Community anaerobic digester.

If you require further information, please do not hesitate to contact me.

Yours Sincerely,

[Redacted Signature]

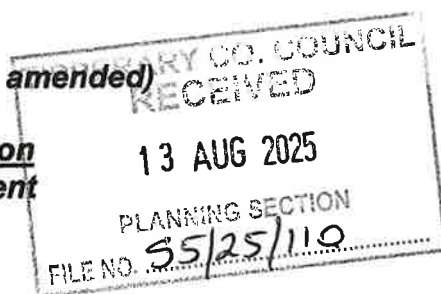
Tom Larkin ( Vice chair , Loughmore Dev Group )

[Redacted Address]



**PLANNING & DEVELOPMENT ACT, 2000 (as amended)**

**Application for a Section 5 Declaration**  
**Development / Exempted Development**



**1. Applicant's address/contact details:**

Applicant	Loughmore Development Group
Address	The Mill , Loughmore , Tmplemore
Telephone No.	
E-mail	

**2. Agent's (if any) address:**

Agent	N/A
Address	N/A
Telephone No.	N/A
E-mail	N/A
Please advise where all correspondence in relation to this application is to be sent;	
Applicant [ X ]                      Agent [   ]	

**3. Location of Proposed Development:**

Postal Address or Townland or Location (as may best identify the land or structure in question)	Tinvoher .- School (E41NN12) , Church (E41F5N0) , Community Hall (E41P281) , The Cottage tea rooms (E41FK30) . Stapeltons bar (E41FE40)
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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.)

Objective – To install solar panels on the roof space of each of these buildings ,
The number of panels per building is outlined as per accompanying document .
As a result of these installations , quantification and validation of the ensuing
Carbon reduction will be undertaken by an approved Company , showing
The Village as a lower Carbon emitting Community .
Proposed floor area of proposed works/uses:                      sqm N/A

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

<i>Please tick appropriate box to show applicant's legal interest in the land or structure</i>	A. Owner	B. Occupier
	C. Other X Roofscape leased by Dev group	
<i>Where legal interest is 'Other', please expand further on your interest in the land or structure</i>	As per above	
<i>If you are not the legal owner, please state the name and address of the owner</i>	Name: Address: N/A	

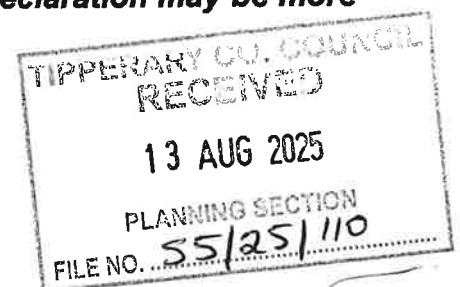
(PS – CC Alan Walsh (CoCo Sustainability mng'r)

Signature of Applicant(s)

Date: 6/8/2025

(on behalf of Loughmore Dev. Group)

**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.**



## **Invitation to tender for the installation of solar panels in Loughmore village .**

Loughmore Development Group wish to invite tenders for the installation of solar Panels at the following locations in the village of Loughmore .

Locations as follows –

**Loughmore National School** ( E41NN12) – Single story slated roof . Single phase supply .

Requirement for 40 panels + battery storage 4 X batteries , 10 kw inverter .

**The Cottage** ( E41FK30) – Single story slated roof , slated roof , 3 phase supply .

Requirement – Remove existing 12 panel system . Replace with 20 roof mounted panels plus 20 ground mounted panels , plus 4 X batteries , plus 10kw inverter .

**Community hall** ( E41P281) – Single story asbestos roof , single phase supply .

Requirement – Engineers report ( re roof asbestos and structure ) , 16 panels , 5 kw inverter , 4 x batteries .

**Loughmore Church** ( E41F5N0) – Slate roof , single phase supply .

Requirement – 16 panels , 5 kw inverter , 1 x battery .

**Stapletons Bar Loughmore** ( E41 FE40) – Slate roof , single phase supply .

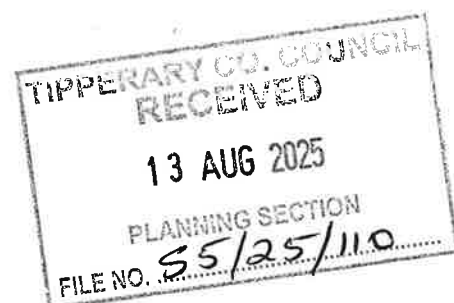
Requirement – 14 panels on front slate roof plus 8 panels on rear shed roof , 5 kw inverter , 4 x batteries .

Submissions from interested parties to be submitted no later than 12 pm ,August 20<sup>th</sup> 2025 .

Note – Any queries should be directed via email to the above email address . both query and response will be shared with those other interested parties .

Kind Regards ,

Tom Larkin ( on behalf of Loughmore Development Group ) .





MAP 4457

TINVOHER  
Tigh an Bhóthair

PHOTO 1

PHOTO 4

PHOTO 5

PHOTO S

TIPPERARY CO. COUNCIL  
RECEIVED  
13 AUG 2025  
PLANNING SECTION  
55/25/110  
FILE NO. ....

PHOTO 2

PHOTO 3



PRODUCED UNDER LICENCE FROM O. S. I.

LICENCE No. EN0016625

Scale 1/1000


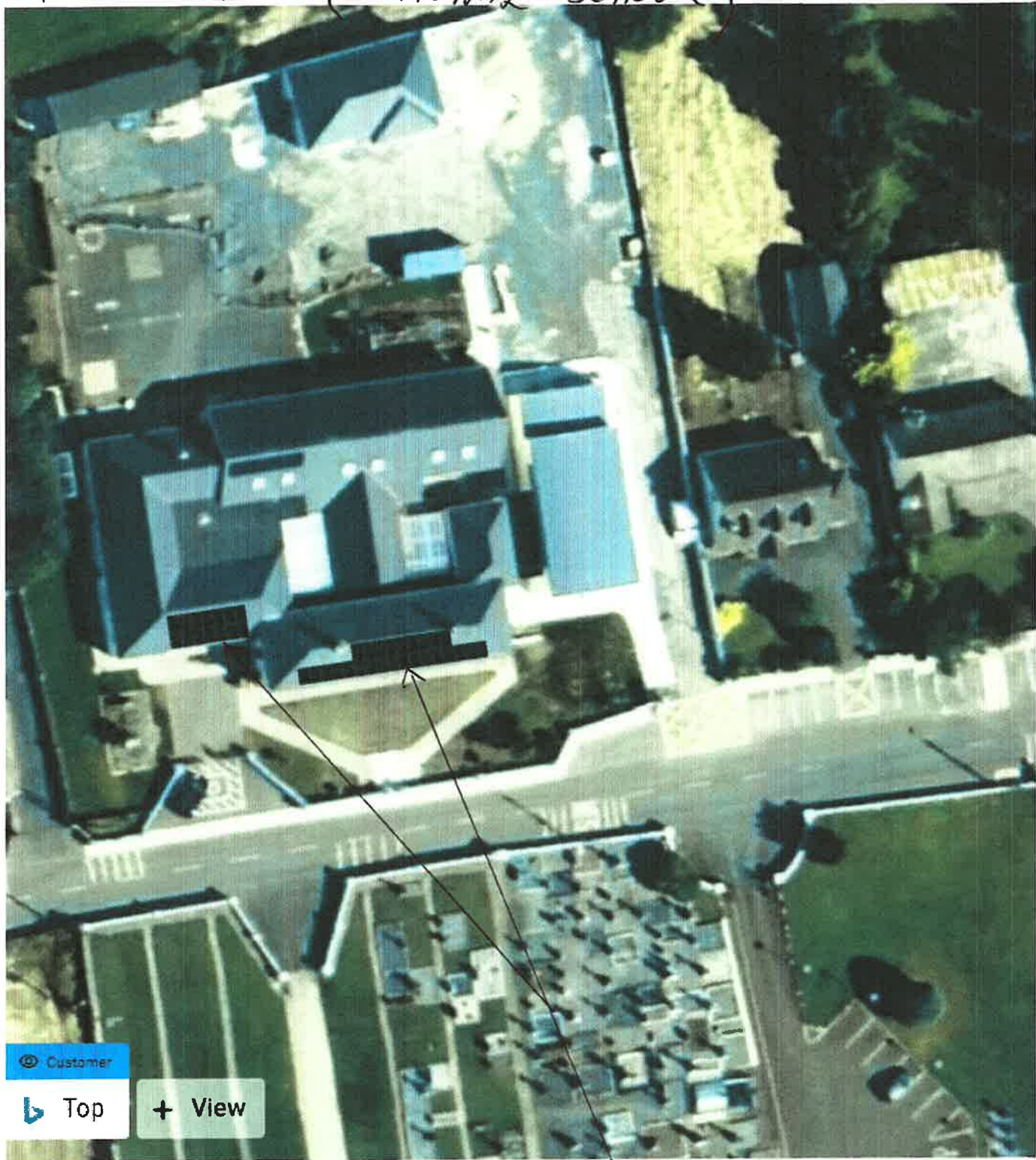
Stage:					
<div style="text-align: center;"> Bank Street, Templemore Co. Tipperary</div> <div style="text-align: right;">Tel: 0504 31142 Email info@mcchughglynn.ie</div>					
Project / Client					
Drawing Title					
Drawn By:					
Checked By:					
Date:					
Scale:			1:2500		
Revisions					Job No.
No.	Date.	Description	By.		774
Dwg No.					1



PHOTO 1 (NATIONAL SCHOOL)



PROPOSED LOCATION  
OF ROOF TOP SOLAR PANELS.



PHOTO 2

(CHURCH)

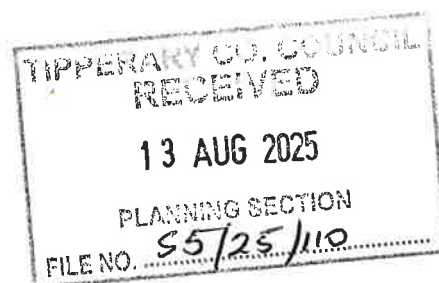
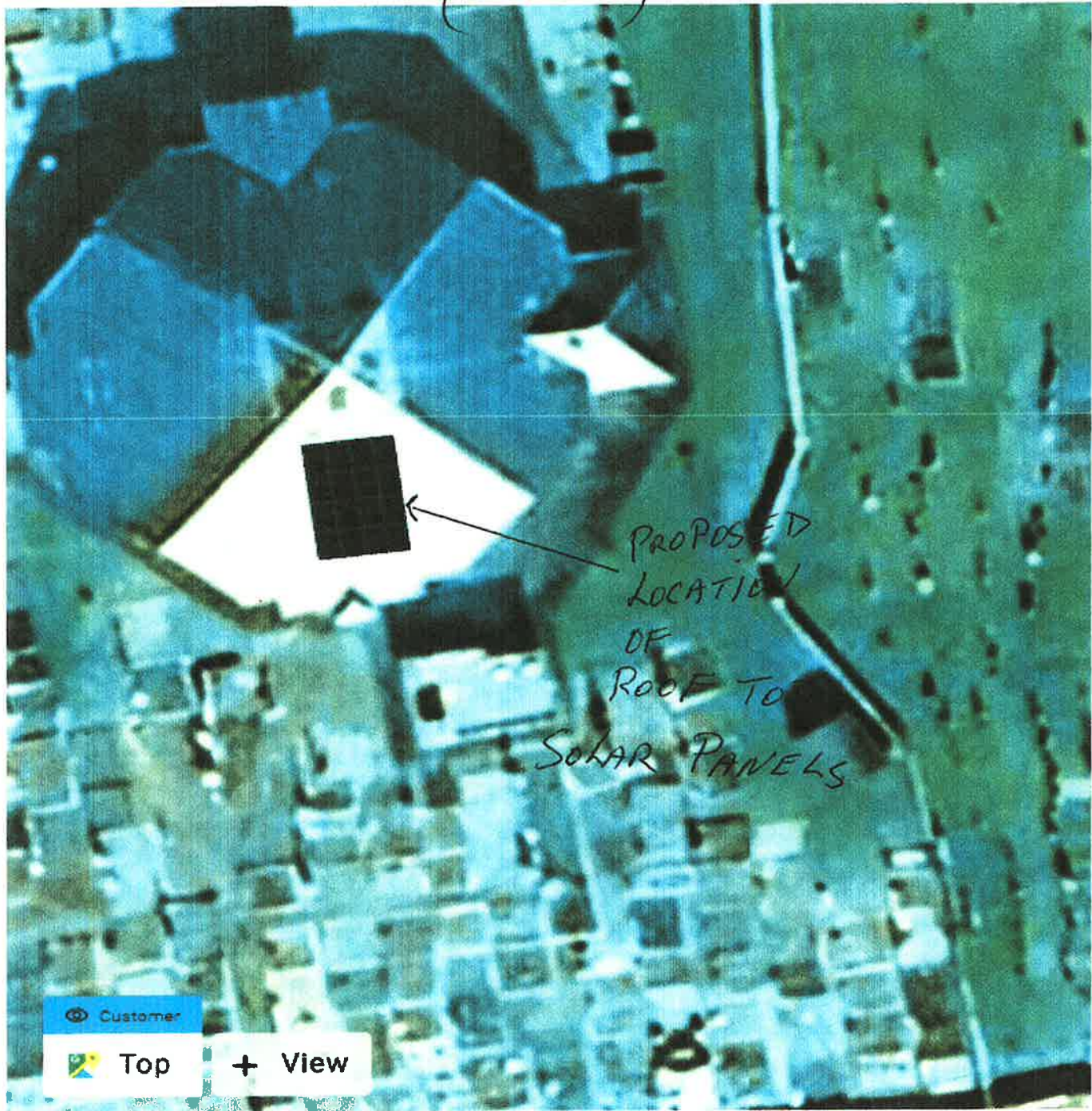




PHOTO 3 (Community HALL)



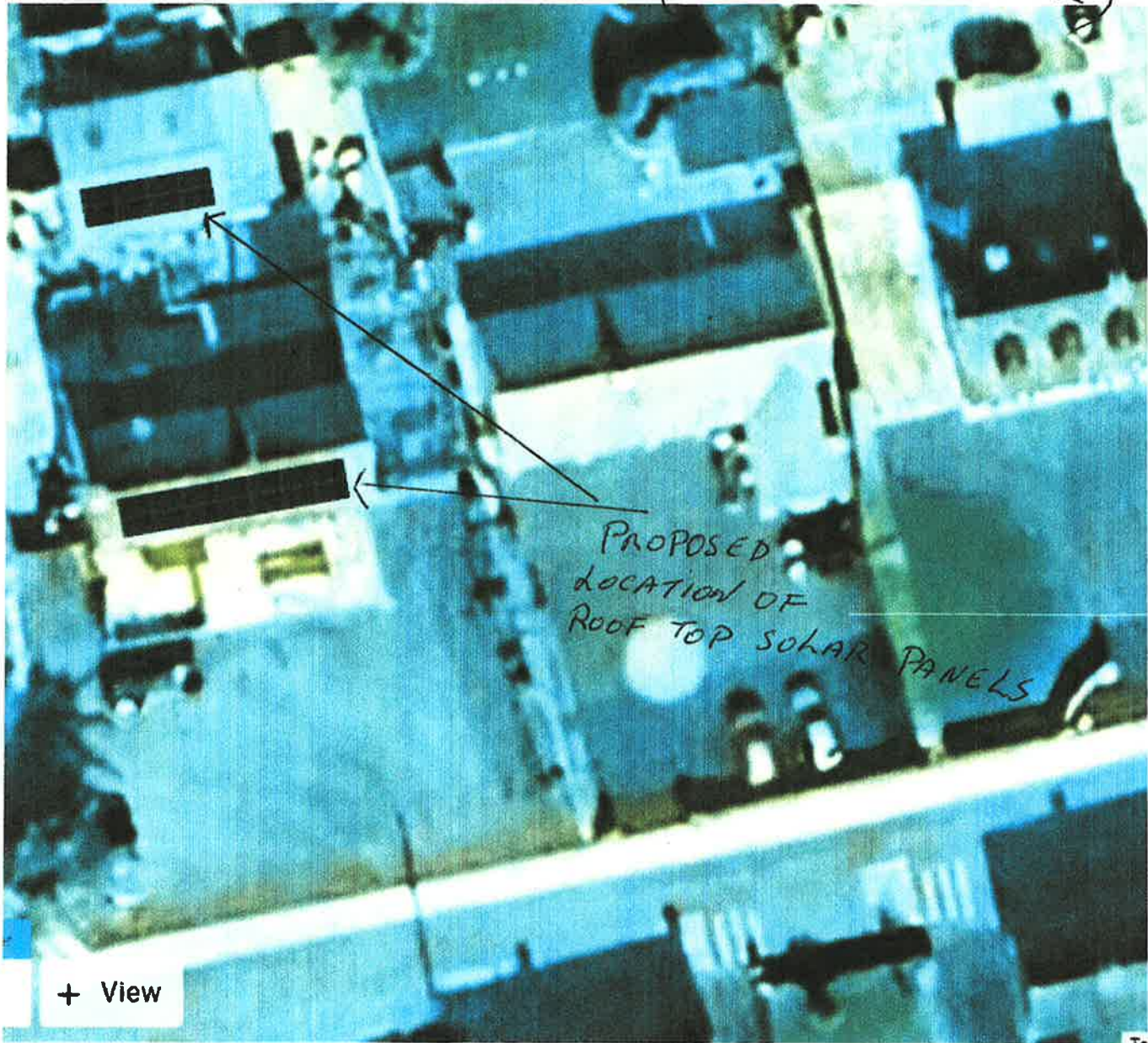
PROPOSED LOCATION  
OF ROOF TOP  
SOLAR PANELS.





↑  
NORTH

PHOTO 4 (STAPELTONS BAR)



SOUTH

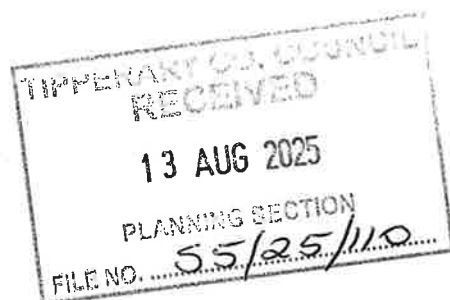


PHOTO 5 (COTTAGE TEA ROOMS)



TIPPERARY CO. COUNCIL  
RECEIVED  
13 AUG 2025  
PLANNING SECTION  
FILE NO. 35/25/110





Comhairle Contae Thiobraid Árann  
Tipperary County Council

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

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

t 0818 06 5000/601  
e customerservice  
@tipperarycoco.ie  
tipperarycoco.ie

Date: 13<sup>th</sup> August, 2025

Our Ref: S5/25/110

Civic Offices, Nenagh

**Loughmore Development Group**  
**C/O Tom Larkin**  
**The Mill**  
**Loughmore**  
**Templemore**  
**Co. Tipperary**


**Re: Application for a Section 5 Declaration – Installation of solar panels on the roof space at Tinvoher – School E41 NN12, Church E41 F4NO, Community Hall E41 P281, the Cottage Tea Rooms E41 FK30, Stapleton's Bar E41 FE40, Loughmore, Co. Tipperary**

Dear Mr Larkin,

I acknowledge receipt of your application for a Section 5 Declaration received on 13<sup>th</sup> August, 2025, 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

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<b>Planning Reference:</b>	S5/25/110
<b>Applicant:</b>	Loughmore Development Group
<b>Development Address:</b>	5 buildings within Loughmore, Co. Tipperary Eircodes E41NN12, E41F5No, E41P281, E41FK30 and E41FE40
<b>Proposed Development:</b>	Installation of solar panels on roof space of each building

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#### **1. GENERAL**

On 13<sup>th</sup> August 2025 a request was made for a declaration under Section 5 of the Planning and Development Act, 2000 as amended by Rosegreen Development Association as to whether or not the following works constituted development and if so, whether same was exempted development:

Installation of solar panels on roof space of each building.

The buildings are under Eircodes

- E41NN12-School
- E41F5NO-Church- Protected Structure
- E41P281 Community Hall
- E41FK30 The Cottage Tea rooms
- E41FE40-Staplestons Bar

#### **2. STATUTORY PROVISIONS**

The following statutory provisions are relevant to this case;

##### **Planning and Development Act 2000, as amended**

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.*

Section 4 of the Planning and Development Act, 2000, as amended states:

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

*(2)(a) 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—*

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- (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).

(4) 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.

Section 57 of the Act states:

Notwithstanding section 4(1)(a), (h), (i), (ia) (j), (k), or (l) and any regulations made under section 4(2) the carrying out of works to a protected structure, or a proposed protected structure, shall be exempted development only if those works would not materially affect the character of—

- (a) the structure, or
- (b) any element of the structure which contributes to its special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest.

### **Planning and Development Regulations 2001, as amended**

Article 5 of the Planning and Development Regulations 2001, as amended states:

#### **Interpretation for this Part.**

5.(1) In this Part—

“ancillary equipment” for the purpose of rooftop solar photo-voltaic or solar thermal collector panels in classes 56(d), 56(e), 60 or 61 of Part 1 of Schedule 2 and class 18(c) of Part 3 of Schedule 2 does not include any equipment which must be placed or erected on a wall, or a rooftop allow a solar photo-voltaic or solar thermal collector installation to function;

“solar safeguarding zone” has the same meaning as in the Planning and Development (Solar Safeguarding Zone) Regulations 2022;

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.

Class 61 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001, as amended states:

<b>Description of Development</b>	<b>Conditions and Limitations</b>
The placing or erection on a roof, or within the curtilage, or on a roof of any ancillary buildings within the curtilage, of the following buildings or sites of a solar photo-voltaic and/or solar thermal collector installation:	<ol style="list-style-type: none"> <li>Where such development is located within a solar safeguarding zone, the total aperture area of any solar photovoltaic and/or solar thermal collector panels, taken together with any other such panels previously placed on a roof, shall not exceed 300 square metres.</li> <li>Where such development is located within a solar safeguarding zone, the planning authority for the area shall be notified in writing no later than 4 weeks after the commencement of such</li> </ol>

<p>(i) an educational building,</p> <p>(ii) health centre or hospital,</p> <p>(iii) recreational or sports facility,</p> <p>(iv) place of worship,</p> <p>(v) community facility or centre,</p> <p>(vi) library,</p> <p>(vii) sites for the provision of gas, electricity, telecommunications services or water supplies or wastewater services operated by a statutory undertaker.</p>	<p>development and such notification shall include details regarding the location and scale of the development.</p> <p>3. The distance between the plane of the roof and the solar photo-voltaic or solar thermal collector panels shall not exceed 1.2 metres in the case of a flat roof or 15cm in any other case.</p> <p>4. The solar photo-voltaic or solar thermal collector panels shall be a minimum of 2 metres in the case of a flat roof or 50cm in any other case from the edge of the roof on which it is mounted.</p> <p>5. Any ancillary equipment associated with solar photo-voltaic or solar thermal collector panels shall not be placed or erected on a wall or any roof that is not a flat roof.</p> <p>6. The height of any ancillary equipment associated with solar photo-voltaic or solar thermal collector panels on a flat roof shall not exceed 1.6 metres above roof level.</p> <p>7. Any ancillary equipment associated with solar photo-voltaic or solar thermal collector panels on a flat roof shall be a minimum of 2 metres from the edge of the roof on which it is mounted. 8. Any free-standing solar photo-voltaic or solar thermal collector installation shall not be placed or erected forward of the front wall of the building or site. 9. The total aperture area of any freestanding solar photo-voltaic and solar thermal collector panels taken together with any other such existing free-standing panels shall not exceed 75 square metres. 10. The height of any free-standing solar photo-voltaic or solar thermal collector installation shall not exceed 2.5 metres at its highest point above ground level.</p> <p>11. The placing or erection of a solar photo-voltaic or solar thermal collector installation on any wall shall not be exempted development.</p> <p>12. The placing or erection of any freestanding solar photo-voltaic or solar thermal collector installation within an Architectural Conservation Area shall only be exempted development if those works would not materially affect the character of the area.</p> <p>13. No sign, advertisement or object not required for the functioning or safety of the solar photo-voltaic or solar thermal collector installation shall be attached to or exhibited on such installation.</p> <p>479</p> <p>14. Development under this Class shall only be exempted development where the solar photo-voltaic or solar thermal collector installation is primarily used for the provision of electricity or heating for use within the curtilage of the building or site, and shall not be considered a change of use for the purposes of the Act.</p> <p>15. Development under this Class which causes hazardous glint and/or glare shall not be exempted development and any solar photo-voltaic or solar thermal collector panels which are causing hazardous glint and/or glare shall either be removed or be covered until such time as a mitigation plan to address the</p>
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	<i>hazardous glint and/or glare is agreed and implemented to the satisfaction of the Planning Authority.</i>
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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—*

*(i) contravene a condition attached to a permission under the Act or be inconsistent with any use specified in a permission under the Act,*

*(iia) endanger public safety by reason of hazardous glint and/or glare for the operation of airports, aerodromes or aircraft,*

*(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.*

*(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 buildings on which the PV panels are to be erected are under Eircodes

- E41NN12-School
- E41F5NO-Church- Protected Structure
- E41P281 Community Hall
- E41FK30 The Cottage Tea rooms
- E41FE40-Staplestons Bar

#### **b. Relevant Planning History**

21/247 -Permission GRANTED for pre school

20/682- Permission granted for alterations and extensions to school

14510013- Permission granted for alterations to previously granted permission (Ref. 13510215)

13510215-Permission granted for alterations and extensions to school

05510871-Grant of permission to demolish existing boiler house and staff toilets and to construct an extension which consists of 3 new classrooms, boiler house, toilets, and storage facilities

02/510650-Grant of permission for prefab.

20/760- Permission granted to extend the existing kitchen to the rear of the property and all associated works

#### **c. Assessment**

##### **A. "Is or is not Development"**

Having considered all of the details and documentation on file with regards the question asked, I am satisfied that the proposal would involve "works" and such works would constitute "development" within the meaning of Section 3 of the Planning and Development Act 2000, as amended.

B. "Is or is not Exempted Development"

The proposal is assessed relative to Class 56 and Class 61 of Part 1 of Schedule 2 of the Regulations. The application has not included for any elevation, section or roof plan drawings in order to determine if the proposed solar panels meet all Conditions and Limitations under Class 56 and 61. Further information be requested.

C. Restrictions under Article 9 / Section 57 of Planning Act

This can be evaluated on receipt of further information in respect of the buildings. The attachment of PV panels to the Church Roof would likely be restricted under Section 57 as it would materially affect the character of the structure.

D. Requirement for Appropriate Assessment and Environmental Impact Assessment

**AA**

AA is not required in respect of the proposal.

**EIA**

EIA is not required in respect of the proposal.

4. **RECOMMENDATION**

It is recommended that **Further Information** be requested as follows;

1. The applicant is advised the purpose of a Section 5 of the Planning and Development Act 2000, as amended, is to establish if a particular development is or is not an exempted development within the meaning of the above-mentioned Act based on the proposed development as outlined on the declaration application form **and** the submitted drawings.

The applicant is advised that there are exemptions available under Class 56 and Class 61 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001, as amended, for the placing or erection on a roof, or within the curtilage, or on a roof of any ancillary buildings within the curtilage of a business premises (Class 56), educational building, community facility and place of worship (Class 61) of a solar photo-voltaic and/or solar thermal collector installation.

This exemptions are subject conditions and limitations.

The application as submitted does not include for appropriately scaled elevation, section or roof plan drawings in order for the Planning Authority to determine if the proposal meets the exemptions under the above referenced Classes and the associated conditions/limitations.

In order to enable an informed determination of the application the applicant is requested to submit;

- Plans/Elevations and Sections as necessary demonstrating that the conditions and limitations of Class 56 and Class 61 of Part 1 of Schedule 2 of the above mentioned Regulations are satisfied

**Advice Note:** The applicant is advised that the placement of PV panels on the Church roof may not avail of a planning exemption as this is a protected structure.

Senior Executive Planner:

*Jonathan Flood*

Date: 22/8/2025

## HABITATS DIRECTIVE APPROPRIATE ASSESSMENT (AA) SCREENING REPORT

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

(a) File Reference No:	S5/25/110
(b) Brief description of the project or plan:	As per planners report
(c) Brief description of site characteristics:	As per planners report
(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 <sup>1</sup>	Distance from proposed development <sup>2</sup> (km)	Connections (Source-Pathway-Receptor)	Considered further in screening Y/N
002137 Lower River Suir SAC	<a href="https://www.npws.ie/protected-sites/sac/002137">https://www.npws.ie/protected-sites/sac/002137</a>	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.)
<b>Construction phase e.g.</b> <ul style="list-style-type: none"> <li>Vegetation clearance</li> <li>Demolition</li> <li>Surface water runoff from soil excavation/infill/landscaping (including borrow pits)</li> <li>Dust, noise, vibration</li> <li>Lighting disturbance</li> <li>Impact on groundwater/dewatering</li> <li>Storage of excavated/construction materials</li> <li>Access to site</li> <li>Pests</li> </ul>	No potential impacts. No changes to surface water arrangements.
<b>Operational phase e.g.</b> <ul style="list-style-type: none"> <li>Direct emission to air and water</li> <li>Surface water runoff containing contaminant or sediment</li> <li>Lighting disturbance</li> <li>Noise/vibration</li> <li>Changes to water/groundwater due to drainage or abstraction</li> </ul>	No potential impacts. No changes to surface water arrangements.



<ul style="list-style-type: none"> <li>• Presence of people, vehicles and activities</li> <li>• Physical presence of structures (e.g. collision risks)</li> <li>• Potential for accidents or incidents</li> </ul>	
In-combination/Other	No potential impacts

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

<p>Examples of the type of changes to give consideration to include:</p> <ul style="list-style-type: none"> <li>• Reduction or fragmentation of habitat area</li> <li>• Disturbance to QI species</li> <li>• Habitat or species fragmentation</li> <li>• Reduction or fragmentation in species density</li> <li>• Changes in key indicators of conservation status value (water or air quality etc.)</li> <li>• Changes to areas of sensitivity or threats to QI</li> <li>• Interference with the key relationships that define the structure or ecological function of the site</li> </ul>	No potential impacts
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(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.	<input type="checkbox"/>	<input type="checkbox"/> Request NIS <input type="checkbox"/> Refuse planning permission

EIA Pre-Screening Establishing a development is a 'sub-threshold development'	
<b>File Reference:</b>	S5/25/110
<b>Development Summary:</b>	As per planners report
<b>Was a Screening Determination carried out under Section 176A-C?</b>	<input type="checkbox"/> Yes, no further action required  <input checked="" type="checkbox"/> No, Proceed to <b>Part A</b>
<b>A. Schedule 5 Part 1</b> - Does the development comprise a project listed in Schedule 5, <b>Part 1</b> , of the Planning and Development Regulations 2001 (as amended)? (Tick as appropriate)	
<input type="checkbox"/> Yes, specify class _____	<b>EIA is mandatory</b>  No Screening required
<input checked="" type="checkbox"/> No	Proceed to <b>Part B</b>
<b>B. Schedule 5 Part 2</b> - Does the development comprise a project listed in Schedule 5, <b>Part 2</b> , of the Planning and Development Regulations 2001 (as amended) <b>and</b> 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	<b>No Screening required</b>
<input type="checkbox"/> Yes the project is listed in Schedule 5, Part 2 <b>and</b> meets/exceeds the threshold, specify class (including threshold): _____	<b>EIA is mandatory</b>  No Screening required
<input type="checkbox"/> Yes the project is of a type listed <b>but</b> is <i>sub-threshold</i> : _____	Proceed to <b>Part C</b>
<b>C. If Yes</b> , has Schedule 7A information/screening report been submitted?	
<input type="checkbox"/> Yes, Schedule 7A information/screening report has been submitted by the applicant	<b>Screening Determination required</b>
<input type="checkbox"/> No, Schedule 7A information/screening report has not been submitted by the applicant	<b>Preliminary Examination required</b>



Date: 25<sup>th</sup> August, 2025

Our Ref: S5/25/110

Civic Offices, Nenagh

**Loughmore Development Group  
C/O Tom Larkin  
The Mill  
Loughmore  
Templemore  
Co. Tipperary**

**Re: Application for a Section 5 Declaration – Installation of solar panels on roof space of each building at 5 buildings within Loughmore, Co. Tipperary Eircodes E41NN12, E41F5N0, E41P281, E41FK30 and E41FE40**

Dear Mr Larkin,

I refer to an application received from you on 13<sup>th</sup> August, 2025 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 to request the following further information pursuant to Section 5 (2) (b) of the Planning and Development Act 2000, as amended

1. The applicant is advised the purpose of a Section 5 of the Planning and Development Act 2000, as amended, is to establish if a particular development is or is not an exempted development within the meaning of the above-mentioned Act based on the proposed development as outlined on the declaration application form **and** the submitted drawings.

The applicant is advised that there are exemptions available under Class 56 and Class 61 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001, as amended, for the placing or erection on a roof, or within the curtilage, or on a roof of any ancillary



buildings within the curtilage of a business premises (Class 56), educational building, community facility and place of worship (Class 61) of a solar photo-voltaic and/or solar thermal collector installation.

This exemptions are subject conditions and limitations.

The application as submitted does not include for appropriately scaled elevation, section or roof plan drawings in order for the Planning Authority to determine if the proposal meets the exemptions under the above referenced Classes and the associated conditions/limitations.

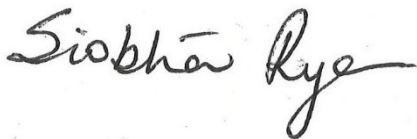
In order to enable an informed determination of the application the applicant is requested to submit;

- Plans/Elevations and Sections as necessary demonstrating that the conditions and limitations of Class 56 and Class 61 of Part 1 of Schedule 2 of the above mentioned Regulations are satisfied

**Advice Note:** The applicant is advised that the placement of PV panels on the Church roof may not avail of a planning exemption as this is a protected structure

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

Yours sincerely

A handwritten signature in black ink, reading "Siobhán Rye". The signature is fluid and cursive, with the first name "Siobhán" and the surname "Rye" clearly legible.

---

for **Director of Services**

# LOUGHMORE DEVELOPMENT GROUP

C/O THE COTTAGE, THE VILLAGE, LOUGHMORE, TEMPLEMORE.

PH - 0504 35846.

MOBILE - 086 3526922

EMAIL - TOM.LARKIN@TGLCONSULTING



DATE - 03/09/2025



Re - Your ref . - S5/25/110

Additional information request .

A chara,

The following submission for the installation of solar panels on the designated buildings submitted shows elevations as to the best of our ability , having sought technical advice from various professional individuals .

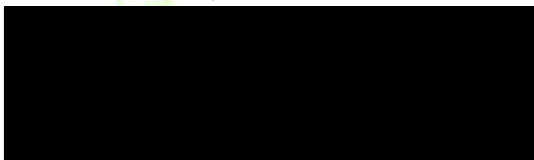
Providing cross section drawings of the various buildings would not provide accurate information on roof structures . It is anticipated and agreed with Ecoaer (the proposed solar pannel installer ) that each roof will be thoroughly inspected structurally to ensure that it can carry solar panels . This is part of their service .

To provide accurate cross section drawings of existing roofing structures would render the undertaking unsafe , as there would be a requirement for elevation equipment ( ladders ect ) . However , as far as the Community Hall is concerned , because the roof is asbestos sheeting , Ecoaer have advised that they will have to retain specialist people to install the supporting solar panel frame work on the roof .

Finally - I would like to point out that this undertaking in Loughmore Village is apparently the first nationally , in that the anticipated reduction in carbon emissions as a result of installing these solar panels will be quantified and varified , providing an opportunity to both generate Carbon Credits ( which would have a monetary value ) and also be able to sell Loughmore as a lower Carbon emitting village .

It is a project which ( if successful ) can be rolled out in other Communities , nationally . We have discussed this project with Mr. Alan Walsh (Tipp CoCo) , Gearoid Fitzgibbon ( SEAI ) and Patrick Killeen ( Leader ) , who will be grant assisting the project

Mise Le Meas ,





NORTHERN VIEW OF  
COMMUNITY HALL.





NORTHERN VIEW OF PARISH  
CHURCH.

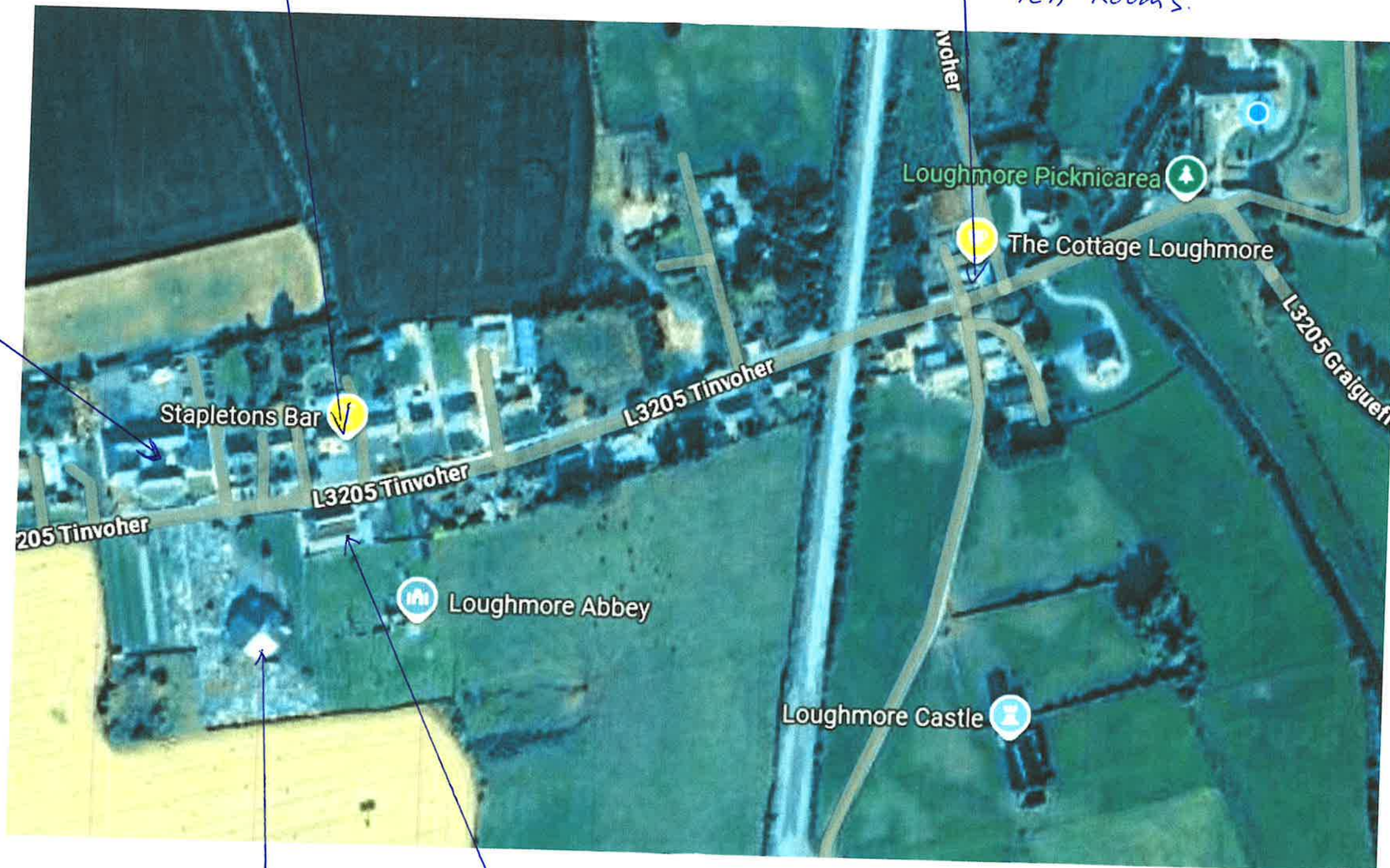


# SITE LOCATION MAP

STAPLETONS  
BAR.

LOUGHMORE  
TEA ROOMS.

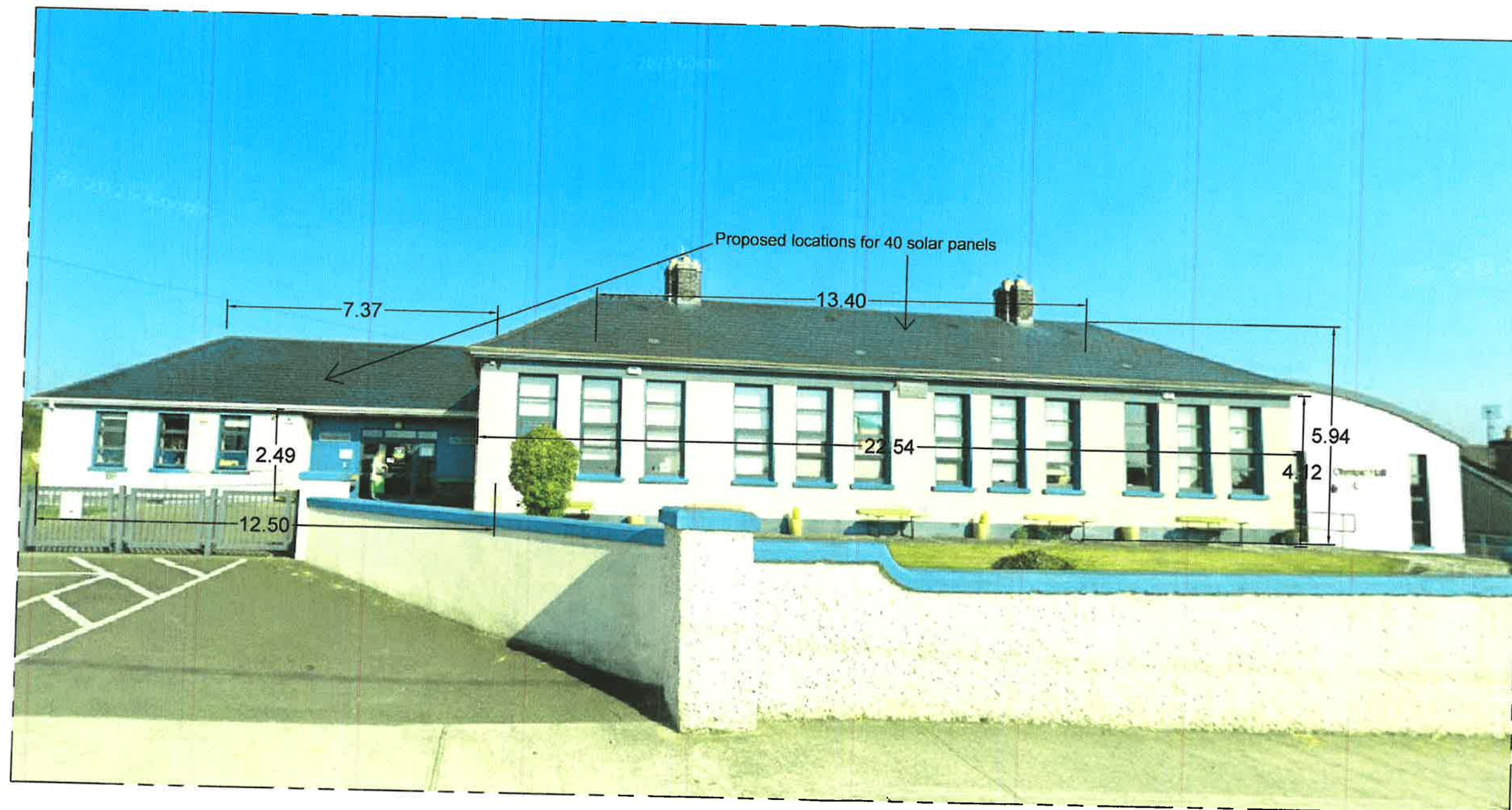
LOUGHMORE  
SCHOOL



CHURCH

COMMUNITY HALL.



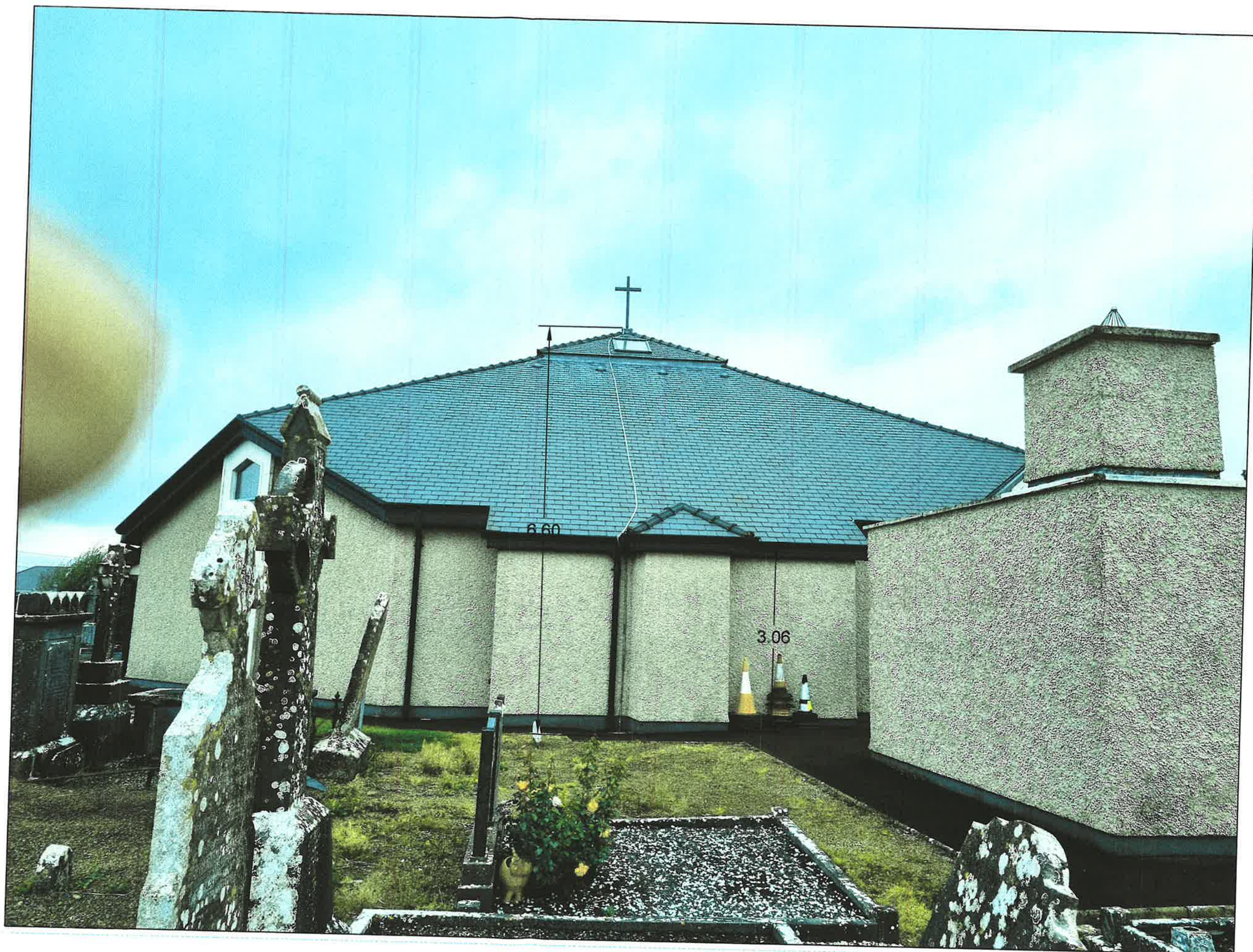


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DRAWN BY - Tom Larkin  
The Mill , Loughmore , Templemore  
Client - Loughmore Dev Group

DRAWING : Loughmore National school . Proposed location of solar panels





DRAWN BY - Tom Larkin  
The Mill , Loughmore , Templemore  
Client - Loughmore Dev Group

DRAWING : Parish Church . Proposed location 16 solar panels  
Southern view





DRAWN BY - Tom Larkin (TGL Consulting )  
The Mill , Loughmore , Templemore  
Client -

Community Hall - Proposed location for 16 solar panels .  
Southern view

Scale - NTS





Stapletons Bar ( proposed 22 panels )  
Loughmore Village



Objective - to replace existing panels ( low quality) with more efficient ,higher quality panels







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 5000/600  
e customerservice  
@tipperarycoco.ie  
tipperarycoco.ie

Date: 3<sup>rd</sup> September 2025    Our Ref: S5/25/110    Civic Offices, Nenagh

**Loughmore Development Group**  
**C/O Tom Larkin**  
**The Mill**  
**Loughmore**  
**Templemore**  
**Co. Tipperary**

**Re: Application for a Section 5 Declaration – Installation of solar panels on roof space of each building at 5 buildings within Loughmore, Co. Tipperary Eircodes E41NN12, E41F5N0, E41P281, E41FK30 and E41FE40**

Dear Mr Larkin

I acknowledge receipt of Further Information received on 3<sup>rd</sup> September 2025 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

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<b>Planning Reference:</b>	S5/25/110
<b>Applicant:</b>	Loughmore Development Group
<b>Development Address:</b>	5 buildings within Loughmore, Co. Tipperary Eircodes E41NN12, E41F5No, E41P281, E41FK30 and E41FE40
<b>Proposed Development:</b>	Installation of solar panels on roof space of each building

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#### **1. GENERAL**

On 13<sup>th</sup> August 2025 a request was made for a declaration under Section 5 of the Planning and Development Act, 2000 as amended by Rosegreen Development Association as to whether or not the following works constituted development and if so, whether same was exempted development:

Installation of solar panels on roof space of each building.

The buildings are under Eircodes

- E41NN12-School
- E41F5NO-Church- Protected Structure
- E41P281 Community Hall
- E41FK30 The Cottage Tea rooms
- E41FE40-Staplestons Bar

#### **2. STATUTORY PROVISIONS**

The following statutory provisions are relevant to this case;

##### **Planning and Development Act 2000, as amended**

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.*

Section 4 of the Planning and Development Act, 2000, as amended states:

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

*(2)(a) 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—*

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- (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).

(4) 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.

Section 57 of the Act states:

Notwithstanding section 4(1)(a), (h), (i), (ia) (j), (k), or (l) and any regulations made under section 4(2) the carrying out of works to a protected structure, or a proposed protected structure, shall be exempted development only if those works would not materially affect the character of—

- (a) the structure, or
- (b) any element of the structure which contributes to its special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest.

### **Planning and Development Regulations 2001, as amended**

Article 5 of the Planning and Development Regulations 2001, as amended states:

#### **Interpretation for this Part.**

5.(1) In this Part—

“ancillary equipment” for the purpose of rooftop solar photo-voltaic or solar thermal collector panels in classes 56(d), 56(e), 60 or 61 of Part 1 of Schedule 2 and class 18(c) of Part 3 of Schedule 2 does not include any equipment which must be placed or erected on a wall, or a rooftop allow a solar photo-voltaic or solar thermal collector installation to function;

“solar safeguarding zone” has the same meaning as in the Planning and Development (Solar Safeguarding Zone) Regulations 2022;

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.

Class 61 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001, as amended states:

<b>Description of Development</b>	<b>Conditions and Limitations</b>
The placing or erection on a roof, or within the curtilage, or on a roof of any ancillary buildings within the curtilage, of the following buildings or sites of a solar photo-voltaic and/or solar thermal collector installation:	<ol style="list-style-type: none"> <li>Where such development is located within a solar safeguarding zone, the total aperture area of any solar photovoltaic and/or solar thermal collector panels, taken together with any other such panels previously placed on a roof, shall not exceed 300 square metres.</li> <li>Where such development is located within a solar safeguarding zone, the planning authority for the area shall be notified in writing no later than 4 weeks after the commencement of such</li> </ol>

<p>(i) an educational building,</p> <p>(ii) health centre or hospital,</p> <p>(iii) recreational or sports facility,</p> <p>(iv) place of worship,</p> <p>(v) community facility or centre,</p> <p>(vi) library,</p> <p>(vii) sites for the provision of gas, electricity, telecommunications services or water supplies or wastewater services operated by a statutory undertaker.</p>	<p>development and such notification shall include details regarding the location and scale of the development.</p> <p>3. The distance between the plane of the roof and the solar photo-voltaic or solar thermal collector panels shall not exceed 1.2 metres in the case of a flat roof or 15cm in any other case.</p> <p>4. The solar photo-voltaic or solar thermal collector panels shall be a minimum of 2 metres in the case of a flat roof or 50cm in any other case from the edge of the roof on which it is mounted.</p> <p>5. Any ancillary equipment associated with solar photo-voltaic or solar thermal collector panels shall not be placed or erected on a wall or any roof that is not a flat roof.</p> <p>6. The height of any ancillary equipment associated with solar photo-voltaic or solar thermal collector panels on a flat roof shall not exceed 1.6 metres above roof level.</p> <p>7. Any ancillary equipment associated with solar photo-voltaic or solar thermal collector panels on a flat roof shall be a minimum of 2 metres from the edge of the roof on which it is mounted. 8. Any free-standing solar photo-voltaic or solar thermal collector installation shall not be placed or erected forward of the front wall of the building or site. 9. The total aperture area of any freestanding solar photo-voltaic and solar thermal collector panels taken together with any other such existing free-standing panels shall not exceed 75 square metres. 10. The height of any free-standing solar photo-voltaic or solar thermal collector installation shall not exceed 2.5 metres at its highest point above ground level.</p> <p>11. The placing or erection of a solar photo-voltaic or solar thermal collector installation on any wall shall not be exempted development.</p> <p>12. The placing or erection of any freestanding solar photo-voltaic or solar thermal collector installation within an Architectural Conservation Area shall only be exempted development if those works would not materially affect the character of the area.</p> <p>13. No sign, advertisement or object not required for the functioning or safety of the solar photo-voltaic or solar thermal collector installation shall be attached to or exhibited on such installation.</p> <p>479</p> <p>14. Development under this Class shall only be exempted development where the solar photo-voltaic or solar thermal collector installation is primarily used for the provision of electricity or heating for use within the curtilage of the building or site, and shall not be considered a change of use for the purposes of the Act.</p> <p>15. Development under this Class which causes hazardous glint and/or glare shall not be exempted development and any solar photo-voltaic or solar thermal collector panels which are causing hazardous glint and/or glare shall either be removed or be covered until such time as a mitigation plan to address the</p>
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	<i>hazardous glint and/or glare is agreed and implemented to the satisfaction of the Planning Authority.</i>
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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—*

*(i) contravene a condition attached to a permission under the Act or be inconsistent with any use specified in a permission under the Act,*

*(iia) endanger public safety by reason of hazardous glint and/or glare for the operation of airports, aerodromes or aircraft,*

*(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.*

*(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 buildings on which the PV panels are to be erected are under Eircodes

- E41NN12-School
- E41F5NO-Church- Protected Structure
- E41P281 Community Hall
- E41FK30 The Cottage Tea rooms
- E41FE40-Staplestons Bar

#### **b. Relevant Planning History**

21/247 -Permission GRANTED for pre school

20/682- Permission granted for alterations and extensions to school

14510013- Permission granted for alterations to previously granted permission (Ref. 13510215)

13510215-Permission granted for alterations and extensions to school

05510871-Grant of permission to demolish existing boiler house and staff toilets and to construct an extension which consists of 3 new classrooms, boiler house, toilets, and storage facilities

02/510650-Grant of permission for prefab.

20/760- Permission granted to extend the existing kitchen to the rear of the property and all associated works

#### **c. Assessment**

##### **A. "Is or is not Development"**

Having considered all of the details and documentation on file with regards the question asked, I am satisfied that the proposal would involve "works" and such works would constitute "development" within the meaning of Section 3 of the Planning and Development Act 2000, as amended.



B. "Is or is not Exempted Development"

The proposal is assessed relative to Class 56 and Class 61 of Part 1 of Schedule 2 of the Regulations. The application has not included for any elevation, section or roof plan drawings in order to determine if the proposed solar panels meet all Conditions and Limitations under Class 56 and 61. Further information be requested.

C. Restrictions under Article 9 / Section 57 of Planning Act

This can be evaluated on receipt of further information in respect of the buildings. The attachment of PV panels to the Church Roof would likely be restricted under Section 57 as it would materially affect the character of the structure.

D. Requirement for Appropriate Assessment and Environmental Impact Assessment

**AA**

AA is not required in respect of the proposal.

**EIA**

EIA is not required in respect of the proposal.

4. **RECOMMENDATION**

It is recommended that **Further Information** be requested as follows;

1. The applicant is advised the purpose of a Section 5 of the Planning and Development Act 2000, as amended, is to establish if a particular development is or is not an exempted development within the meaning of the above-mentioned Act based on the proposed development as outlined on the declaration application form and the submitted drawings.

The applicant is advised that there are exemptions available under Class 56 and Class 61 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001, as amended, for the placing or erection on a roof, or within the curtilage, or on a roof of any ancillary buildings within the curtilage of a business premises (Class 56), educational building, community facility and place of worship (Class 61) of a solar photo-voltaic and/or solar thermal collector installation.

This exemptions are subject conditions and limitations.

The application as submitted does not include for appropriately scaled elevation, section or roof plan drawings in order for the Planning Authority to determine if the proposal meets the exemptions under the above referenced Classes and the associated conditions/limitations.

In order to enable an informed determination of the application the applicant is requested to submit;

- Plans/Elevations and Sections as necessary demonstrating that the conditions and limitations of Class 56 and Class 61 of Part 1 of Schedule 2 of the above mentioned Regulations are satisfied

**Advice Note:** The applicant is advised that the placement of PV panels on the Church roof may not avail of a planning exemption as this is a protected structure.

Senior Executive Planner:

*Jonathan Flood*

Date: 22/8/2025

## **1.ASSESSMENT OF FURTHER INFORMAITON**

Further information (FI) was requested from the applicant on 25.08.2025 and a response was received on 03.09.2025. The FI request is outlined below in italics with assessment under same in bold.

1. *The applicant is advised the purpose of a Section 5 of the Planning and Development Act 2000, as amended, is to establish if a particular development is or is not an exempted development within the meaning of the above-mentioned Act based on the proposed development as outlined on the declaration application form and the submitted drawings.*

*The applicant is advised that there are exemptions available under Class 56 and Class 61 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001, as amended, for the placing or erection on a roof, or within the curtilage, or on a roof of any ancillary buildings within the curtilage of a business premises (Class 56), educational building, community facility and place of worship (Class 61) of a solar photo-voltaic and/or solar thermal collector installation.*

*This exemptions are subject conditions and limitations.*

*The application as submitted does not include for appropriately scaled elevation, section or roof plan drawings in order for the Planning Authority to determine if the proposal meets the exemptions under the above referenced Classes and the associated conditions/limitations.*

*In order to enable an informed determination of the application the applicant is requested to submit;*

- *Plans/Elevations and Sections as necessary demonstrating that the conditions and limitations of Class 56 and Class 61 of Part 1 of Schedule 2 of the above mentioned Regulations are satisfied*

**Advice Note:** *The applicant is advised that the placement of PV panels on the Church roof may not avail of a planning exemption as this is a protected structure.*

**The applicant submitted a catalogue of photographs of the subject buildings as part of a letter outlining that it was not safe to carry out survey work on these structures and therefore not possible to provide a cross section of same. In the absence of the information required under the FI request it is not possible to confirm whether the proposals constitute exempt development.**

## **5. RECOMMENDATION**

**The information received on 03.09.2025 is incomplete and does not provide the information requested by letter dated 25/8/2025. The information requested by letter dated 25/8/2025 is required in order for the Planning Authority to determine whether the proposals meet planning exemptions.**

If this information is not provided the Planning Authority will not be able to determine whether the proposals meet planning exemptions.

A reply is required provided the information requested in letter dated 25/8/2025.

---

Executive Planner: 

Date: 17.09.2025

Senior Executive Planner: 

Date: 17/9/2025

## HABITATS DIRECTIVE APPROPRIATE ASSESSMENT (AA) SCREENING REPORT

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

(a) File Reference No:	S5/25/110
(b) Brief description of the project or plan:	As per planners report
(c) Brief description of site characteristics:	As per planners report
(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 <sup>1</sup>	Distance from proposed development <sup>2</sup> (km)	Connections (Source-Pathway-Receptor)	Considered further in screening Y/N
002137 Lower River Suir SAC	<a href="https://www.npws.ie/protected-sites/sac/002137">https://www.npws.ie/protected-sites/sac/002137</a>	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.)
<b>Construction phase e.g.</b> <ul style="list-style-type: none"> <li>Vegetation clearance</li> <li>Demolition</li> <li>Surface water runoff from soil excavation/infill/landscaping (including borrow pits)</li> <li>Dust, noise, vibration</li> <li>Lighting disturbance</li> <li>Impact on groundwater/dewatering</li> <li>Storage of excavated/construction materials</li> <li>Access to site</li> <li>Pests</li> </ul>	No potential impacts. No changes to surface water arrangements.
<b>Operational phase e.g.</b> <ul style="list-style-type: none"> <li>Direct emission to air and water</li> <li>Surface water runoff containing contaminant or sediment</li> <li>Lighting disturbance</li> <li>Noise/vibration</li> <li>Changes to water/groundwater due to drainage or abstraction</li> <li>Presence of people, vehicles and activities</li> <li>Physical presence of structures (e.g. collision risks)</li> </ul>	No potential impacts. No changes to surface water arrangements.



<ul style="list-style-type: none"> <li>Potential for accidents or incidents</li> </ul>													
In-combination/Other	No potential impacts												
<b>(b) Describe any likely changes to the European site:</b>													
<p>Examples of the type of changes to give consideration to include:</p> <ul style="list-style-type: none"> <li>Reduction or fragmentation of habitat area</li> <li>Disturbance to QI species</li> <li>Habitat or species fragmentation</li> <li>Reduction or fragmentation in species density</li> <li>Changes in key indicators of conservation status value (water or air quality etc.)</li> <li>Changes to areas of sensitivity or threats to QI</li> <li>Interference with the key relationships that define the structure or ecological function of the site</li> </ul>	No potential impacts												
<b>(c) Are 'mitigation' measures necessary to reach a conclusion that likely significant effects can be ruled out at screening?</b>													
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No													
<b>STEP 4. Screening Determination Statement</b>													
<p>The assessment of significance of effects:</p> <p>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.</p>													
The proposed development is not likely to have significant effects.													
<b>Conclusion:</b>													
	<table border="1"> <thead> <tr> <th></th><th>Tick as Appropriate:</th><th>Recommendation:</th></tr> </thead> <tbody> <tr> <td>(i) It is clear that there is no likelihood of significant effects on a European site.</td><td><input checked="" type="checkbox"/></td><td>The proposal can be screened out: Appropriate assessment not required.</td></tr> <tr> <td>(ii) It is uncertain whether the proposal will have a significant effect on a European site.</td><td><input type="checkbox"/></td><td> <input type="checkbox"/> Request further information to complete screening  <input type="checkbox"/> Request NIS  <input type="checkbox"/> Refuse planning permission               </td></tr> <tr> <td>(iii) Significant effects are likely.</td><td><input type="checkbox"/></td><td> <input type="checkbox"/> Request NIS  <input type="checkbox"/> Refuse planning permission               </td></tr> </tbody> </table>		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.	<input type="checkbox"/>	<input type="checkbox"/> Request NIS <input type="checkbox"/> Refuse planning permission
	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.											
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(iii) Significant effects are likely.	<input type="checkbox"/>	<input type="checkbox"/> Request NIS <input type="checkbox"/> Refuse planning permission											
<b>EIA Pre-Screening</b> <b>Establishing a development is a 'sub-threshold development'</b>													
<b>File Reference:</b>	S5/25/110												
<b>Development Summary:</b>	As per planners report												

<b>Was a Screening Determination carried out under Section 176A-C?</b>		<input type="checkbox"/> Yes, no further action required  <input checked="" type="checkbox"/> No, Proceed to <b>Part A</b>
<b>A. Schedule 5 Part 1</b> - Does the development comprise a project listed in Schedule 5, <b>Part 1</b> , of the Planning and Development Regulations 2001 (as amended)? (Tick as appropriate)		
<input type="checkbox"/> Yes, specify class _____	<b>EIA is mandatory</b>  No Screening required	
<input checked="" type="checkbox"/> No	Proceed to <b>Part B</b>	
<b>B. Schedule 5 Part 2</b> - Does the development comprise a project listed in Schedule 5, <b>Part 2</b> , of the Planning and Development Regulations 2001 (as amended) <b>and</b> 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	<b>No Screening required</b>	
<input type="checkbox"/> Yes the project is listed in Schedule 5, Part 2 <b>and</b> meets/exceeds the threshold, specify class (including threshold): _____	<b>EIA is mandatory</b>  No Screening required	
<input type="checkbox"/> Yes the project is of a type listed <b>but</b> is <i>sub-threshold</i> : _____	Proceed to <b>Part C</b>	
<b>C. If Yes</b> , has Schedule 7A information/screening report been submitted?		
<input type="checkbox"/> Yes, Schedule 7A information/screening report has been submitted by the applicant	<b>Screening Determination required</b>	
<input type="checkbox"/> No, Schedule 7A information/screening report has not been submitted by the applicant	<b>Preliminary Examination required</b>	



Date: 19<sup>th</sup> September, 2025

Our Ref: S5/25/110

Civic Offices, Nenagh

**Loughmore Development Group  
C/O Tom Larkin  
The Mill  
Loughmore  
Templemore  
Co. Tipperary**

**Re: Application for a Section 5 Declaration – Installation of solar panels on roof space of each building at 5 buildings within Loughmore, Co. Tipperary  
Eircodes E41NN12, E41F5No, E41P281, E41FK30 and E41FE40**

Dear Mr Larkin,

I refer to an application received from you on 13<sup>th</sup> August, 2025 and Further Information received on 3<sup>rd</sup> September 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 to request the following further information pursuant to Section 5 (2) (b) of the Planning and Development Act 2000, as amended

**The information received on 03.09.2025** is incomplete and does not provide the information requested by letter dated 25/8/2025. The information requested by letter dated 25/8/2025 is required in order for the Planning Authority to determine whether the proposals meet planning exemptions.

If this information is not provided the Planning Authority will not be able to determine whether the proposals meet planning exemptions.

A reply is required provided the information requested in letter dated 25/8/2025.

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

Yours sincerely

for **Director of Services**

# LOUGHMORE DEVELOPMENT GROUP

C/O THE COTTAGE , THE VILLAGE , LOUGHMORE , TEMPLEMORE .

PH - 0504 35846.

MOBILE - 086 3526922

EMAIL - TOM.LARKIN@TGLCONSULTING



DATE - 05/11/2025

Re – Your Ref : S5/25/110

A chara ,

Enclosed are (as requested ) drawings ( sects and elevations ) and photos of the proposed buildings which are selected in the village for solar panel installation .

The enclosed submission is backed up by drawings as produced by Ecoaer .

It is to be noted that ( in some instances ) , there are more panels in my drawings than those produced by Ecoaer . This is simply down to financial constraints on our part . I have maximised the number of panels that can be installed on buildings , in the event that any extra panels installed in the future will be covered under Sect 5 requirements .

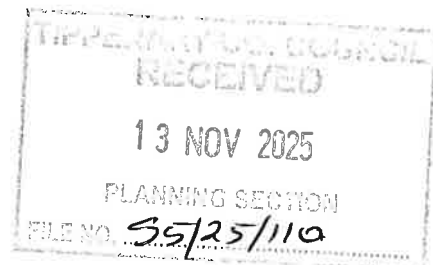
The objective of this project is to ( apart from reducing the energy costs) is to quantify and validate the Carbon reduction as a result of installing these solar panels .

It will be 75% funded by Leader .

We have excluded the Church from this project due to its location in Conserved grounds

Kind Regards ,

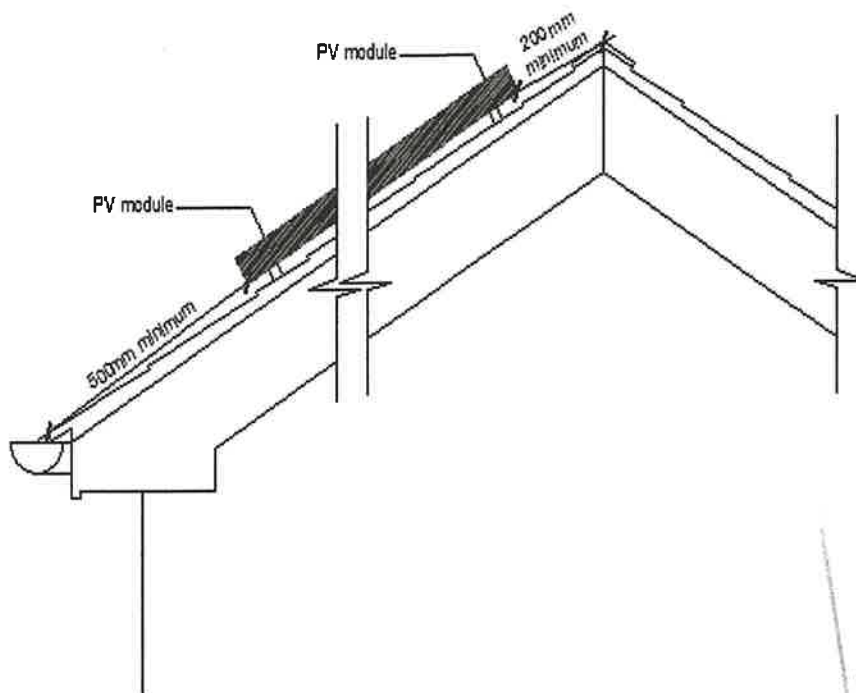
Tom Larkin





The following drawings are produced utilising the specifications for solar panel installation as per SEAI specifications ( as included )

## Proposed layout showing setback distances from the various roof edges



13 NOV 2023  
 PLANNING SECTION  
 FILE NO. 55/25/110

The above is the required minimum measurements of roof solar panel installations on each of the proposed 5 buildings ( school , community hall , church, cottage , local public house ) .  
 Setback distance - what is the minimum set back distances for panels from the roof edge?

The PV modules must not overhang the edge of the roof at any point, must not extend within 500mm of the roof edge/perimeter. In addition, the panels must not extend within 200mm of the top of the ridge or be fixed at the ridge.

## Proposed solar panel mounting system .



Mounting System

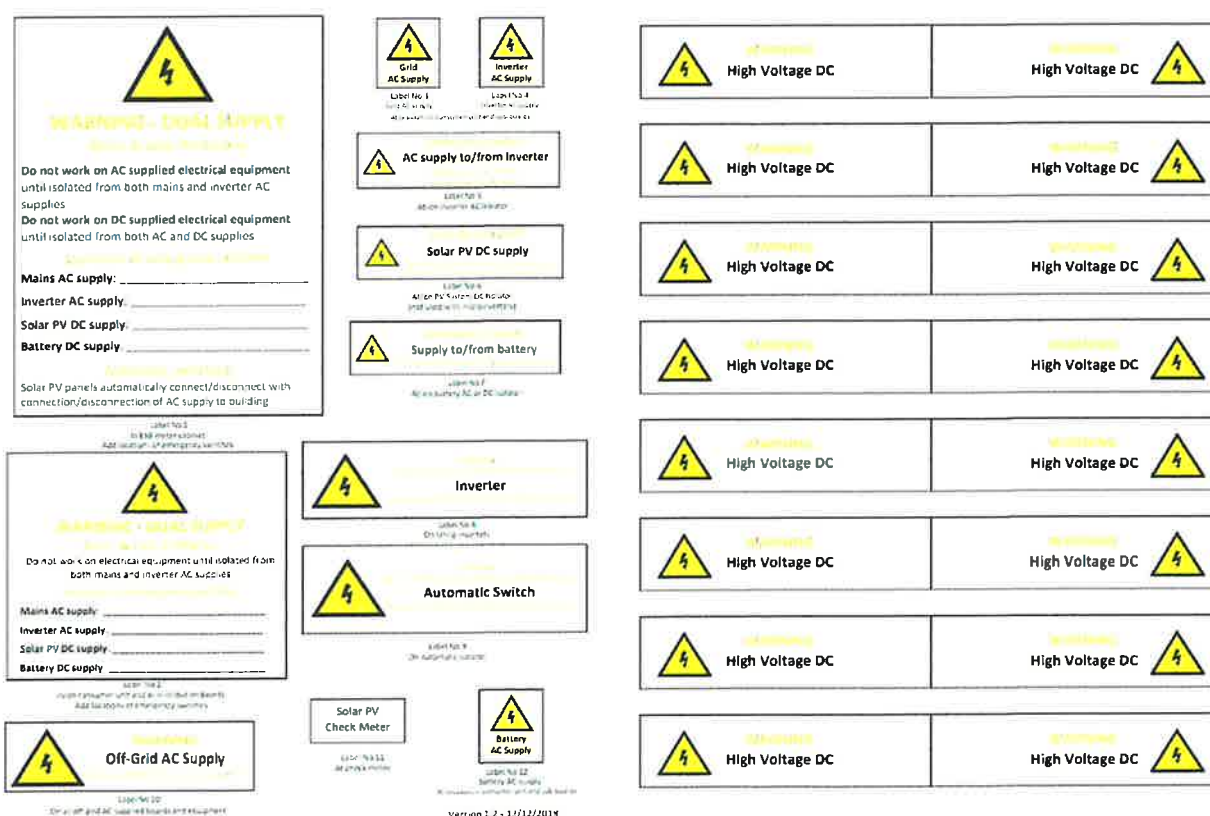
The above shows the proposed mounting system , as per SEAI specifications .

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PLANNING & BUILDING  
55/25/110  
FILE

## Safety Requirements .

All Safety and Information labels must be in place. The required safety labels are as follows:

- In ESB meter cabinet. Add locations of emergency switches.
- In/on consumer unit and all distribution boards. Add locations of emergency switches.
- At breakers in consumer unit and sub-boards
- At/on inverter AC Isolator .
- At/on PV System DC Isolator
- At/on battery AC or DC Isolator
- On string inverters
- On automatic Isolator
- On all off-grid AC supplied boards and equipment
- At check meter
- At breakers in consumer unit and sub-boards
- 



Version 1.2 - 12/12/2019



Client - Loughmore Dev Group

Date 05 / 11 / 2025

DRAWING Ref No	TITLE	SCALE	PAGE No	QTY
1	Loughmore national school			
2	Cottage tearooms			
3	Stapletons Bar			
4	Community Hall			

TRIPPLEHART & CO. LTD  
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FILE NO. 35/25/110

Drawn By Tom Larkin ( TGL Consulting ),  
The Mill, Loughmore  
Client -

DRAWING SCHEDULE

Scale - ~~N.T.S~~  
Drawing Ref No - 01





①  
Loughmore  
National  
School,

③  
STAPLETONS  
BAR

④ Loughmore  
Community  
Hall,

②  
Cottage tea-Rooms





RECEIVED  
13 NOV 2025  
PLANNING SECTION  
FILE NO. 55/25/110

11







DRAWN BY - Tom Larkin (TGL Consulting )  
The Mill , Loughmore , Templemore  
Client -

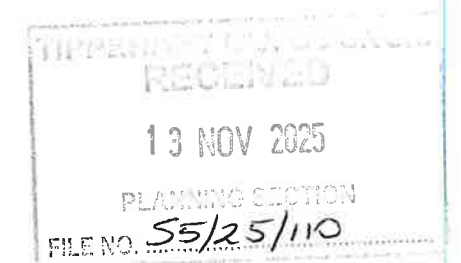
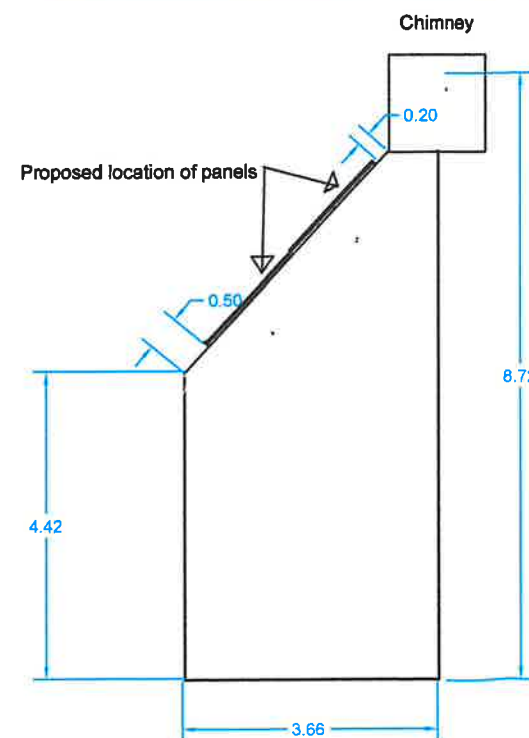
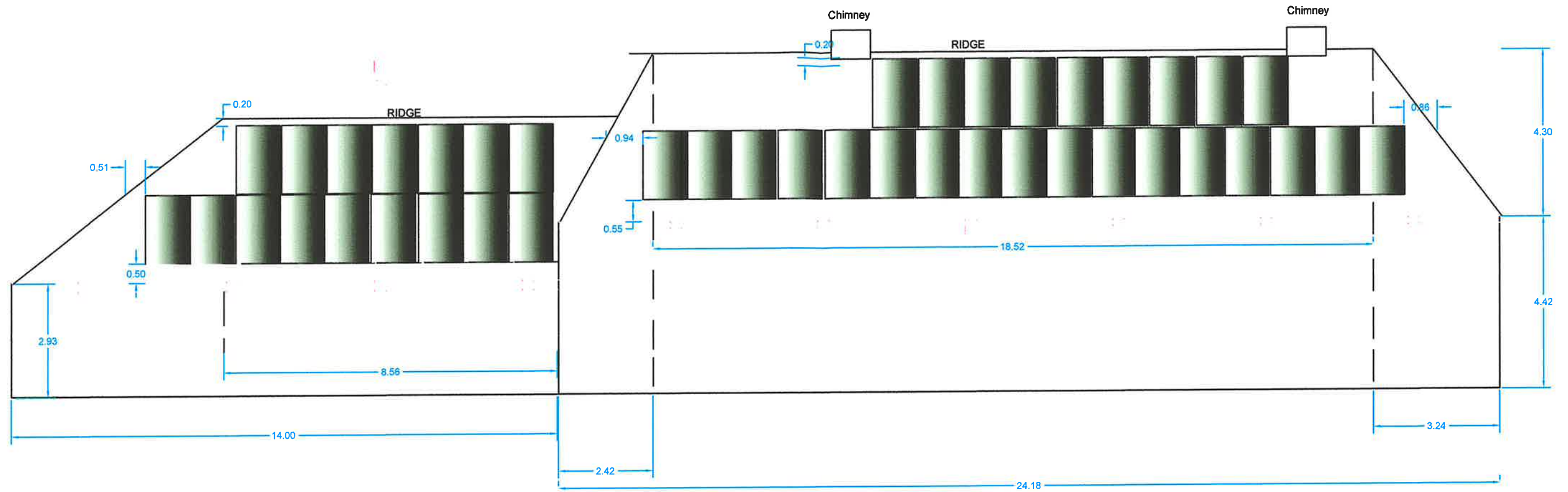
Location of  
Solar Panels

proposed location of solar panels as per solar panel  
contractors (South)

TEMPERARY COUNCIL  
RECEIVED  
13 NOV 2025  
PLANNING  
35/25/110

Scale -







## < Back to 40 Panels System

17.80kW 74m x 23.2kW 14905kWh

### Panel Group 1

26 modules - 19.28m x 3.52m - 17 wide, 2 high

**TSM-445NEG9RC.27**

Trina Solar Co., Ltd. 445W

Add optimisers to [all](#) panels or [some](#) panels.

Basic Settings

Advanced

Racking



Flush



Single-tilt



Dual-tilt



Drawings produced by  
ECOARR.







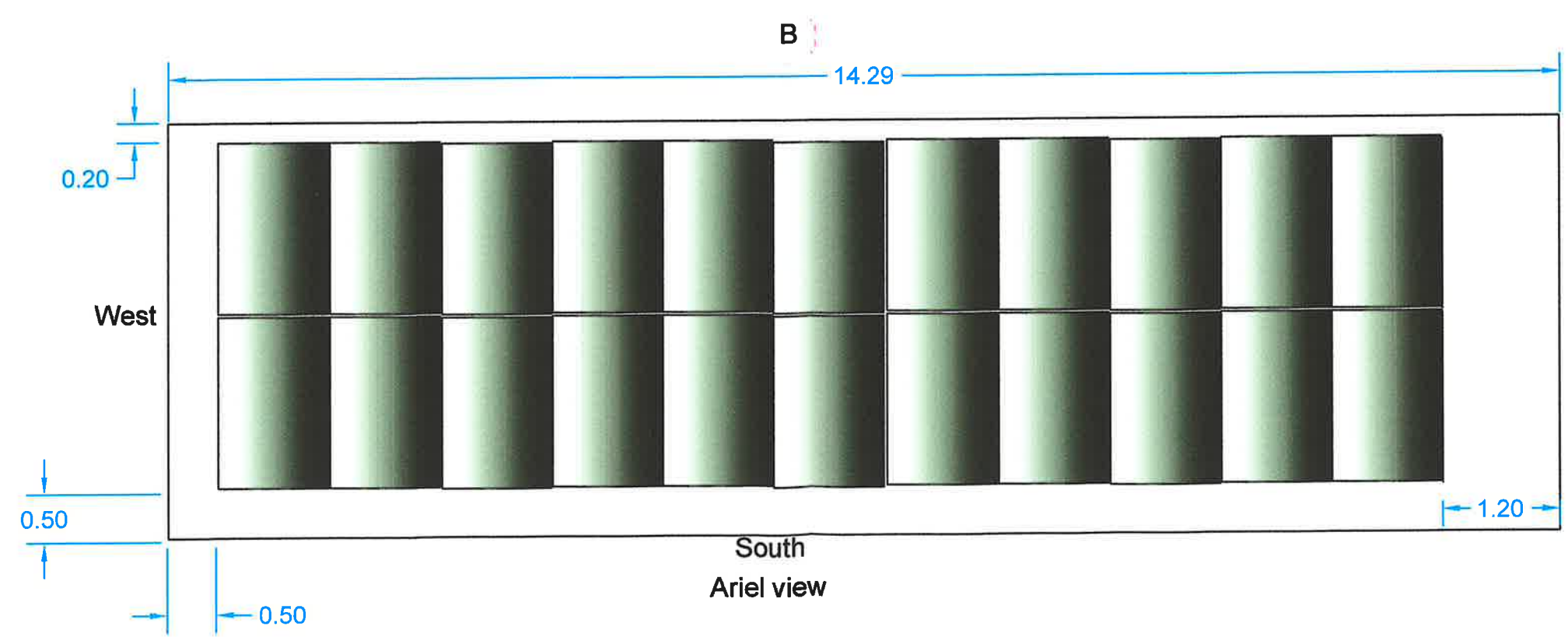
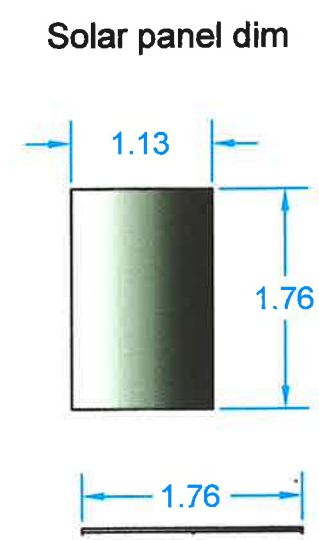
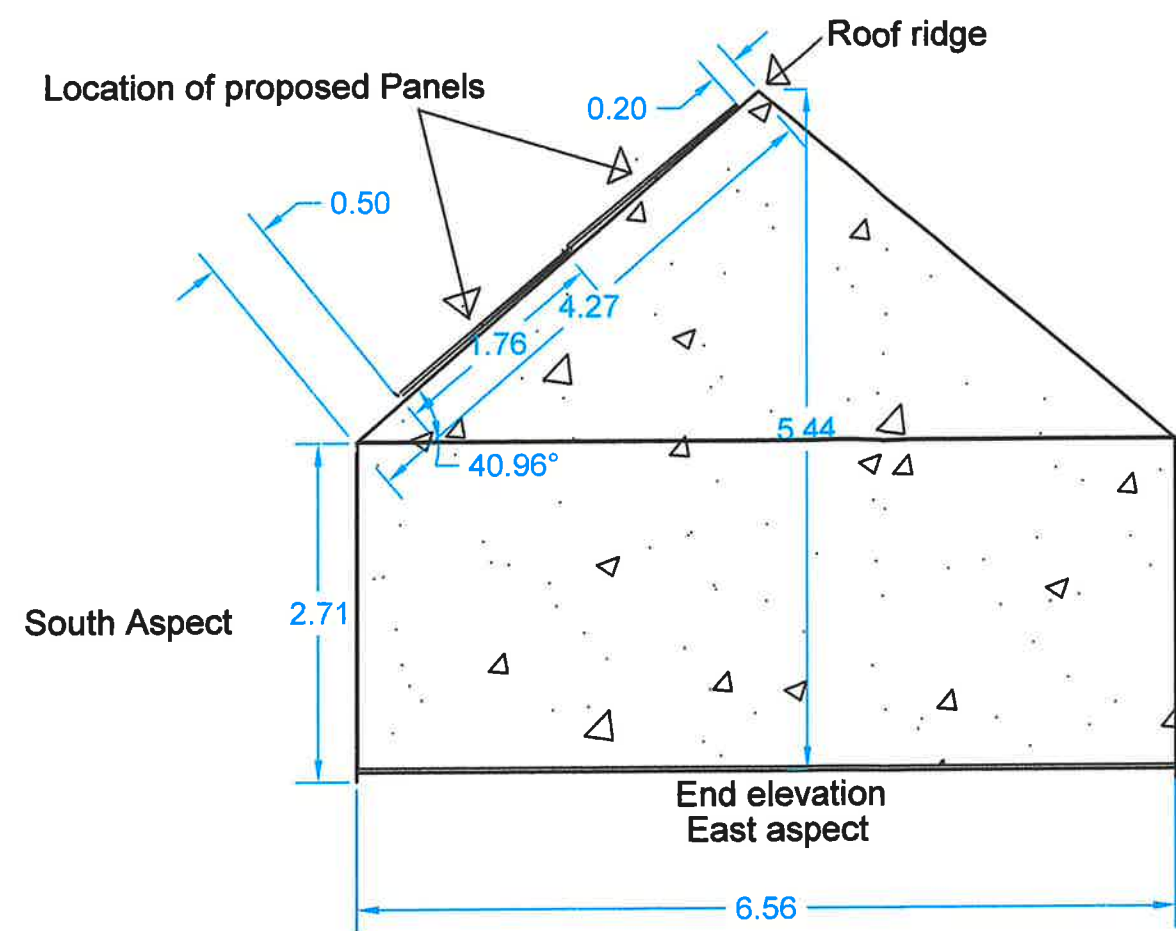
2

Proposed removal of existing low quality panels to be replaced by higher quality panels



NB - Existing Panels to be Removed.





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PLANNING SECTION  
85/25/110



[Back to 40 Panels System](#)

## Panel Group 1

20 modules - 11.34m x 3.52m - 10 wide 2 high

TSM-445NEG9RC.27

Trina Solar Co., Ltd. 445W

Add optimisers to [all](#) panels or [some](#) panels

## Basic Settings

## Advanced

## Racking



Flush



Single-tilt



Dual-tilt

## Azimuth

160.9

## Slope

20

## Panel Orientation



Portrait



Landscape



as RECOM

Drawings as Recommended  
Produced by ECOAER.

The contracted Company to install

13 NOV 2025

PLANTING

55/25/110



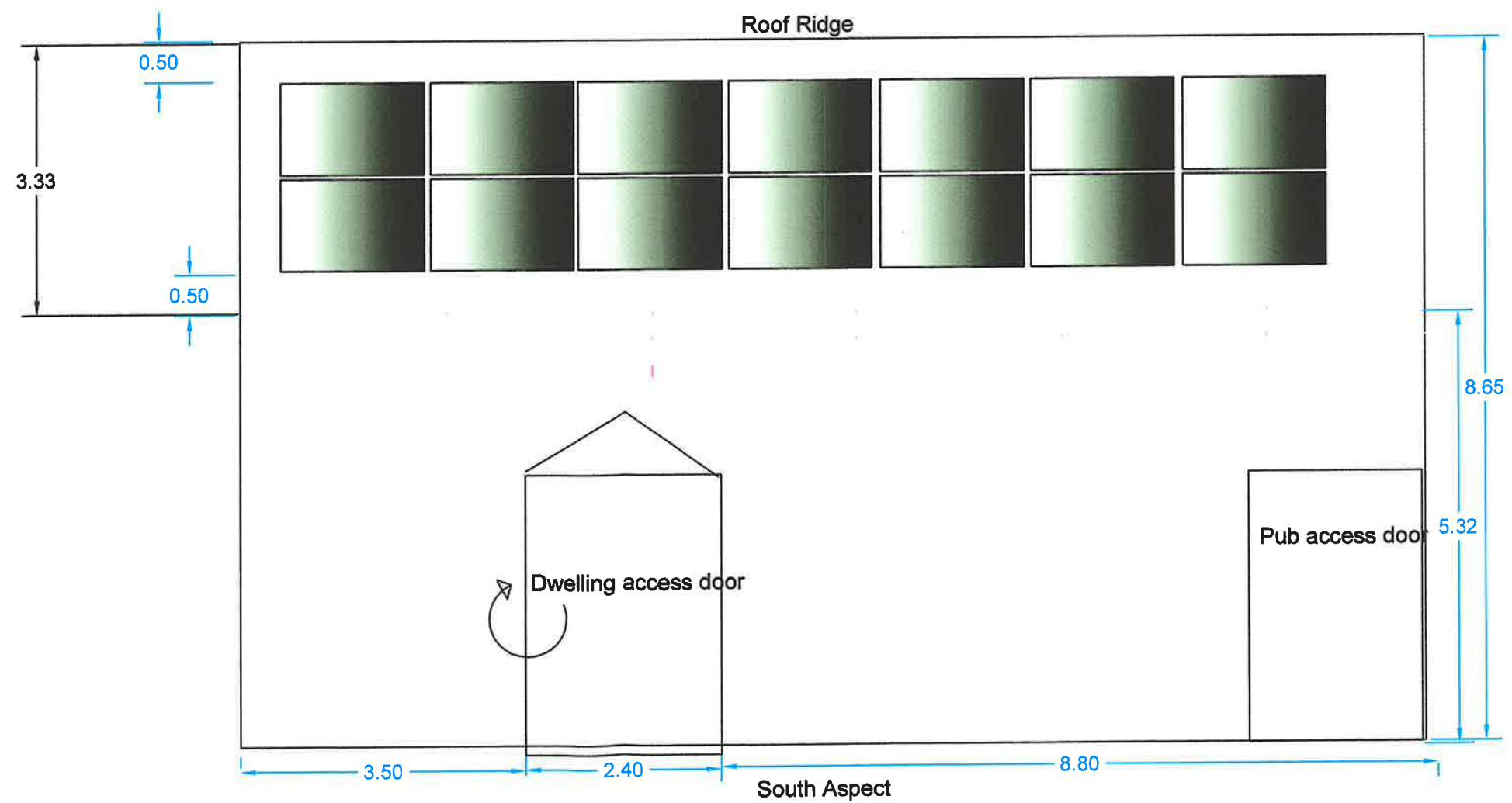
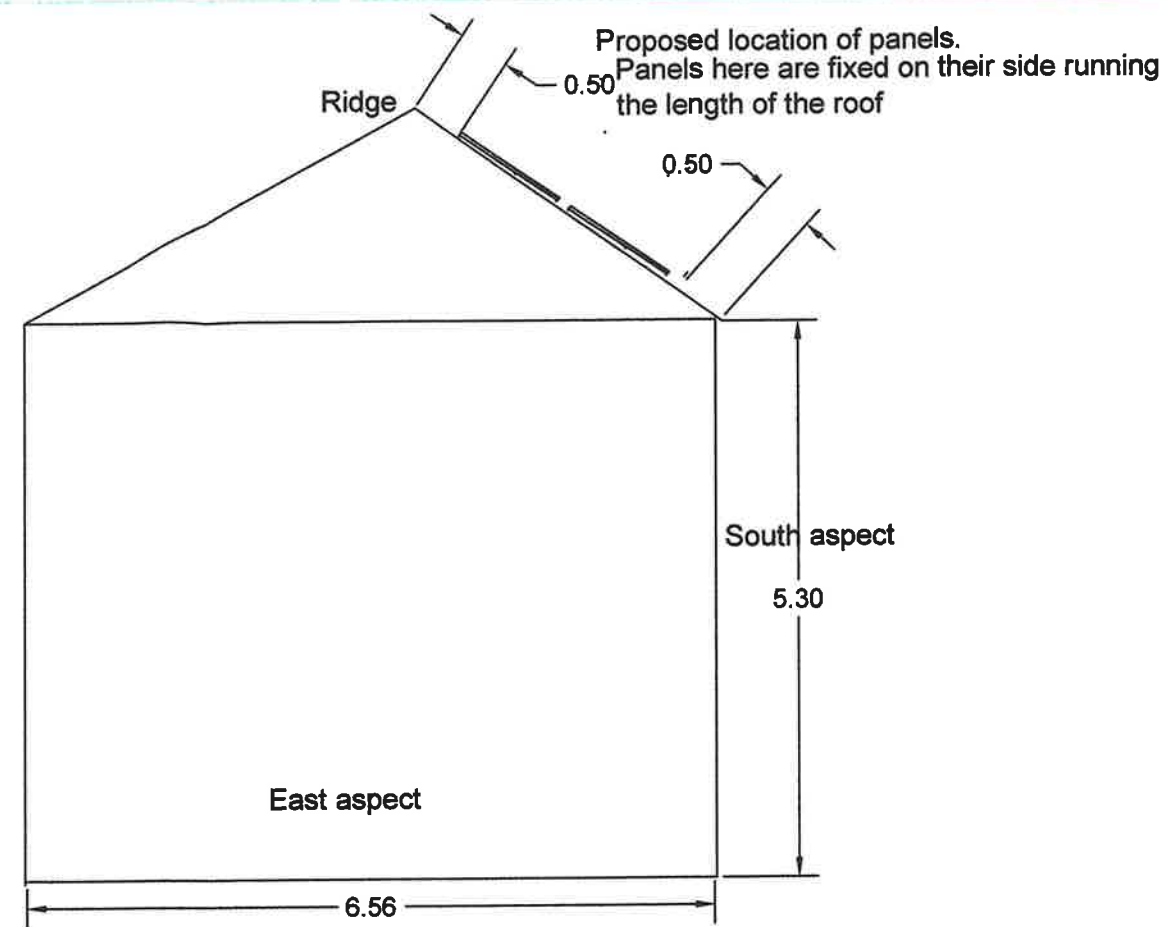


DRAWN BY - Tom Larkin (TGL Consulting )  
The Mill , Loughmore , Templemore  
Client - Stapeltons Bar

Picture showing roof location of proposed solar panels  
on Community Pub

Scale -





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PLANNING SECTION  
FILE NO. 55/25/110



## Back to 22 Panels System

21 9,790W 43 23,214W 8261W

### Panel Group 2

8 modules - 7.05m x 2.27m - 4 wide, 2 high

**TSM-445NEG9RC.27**

Trina Solar Co., Ltd. 445W

Add optimisers to [all](#) panels or [some](#) panels.

#### Basic Settings

#### Advanced

Racking



Flush



Single-tilt



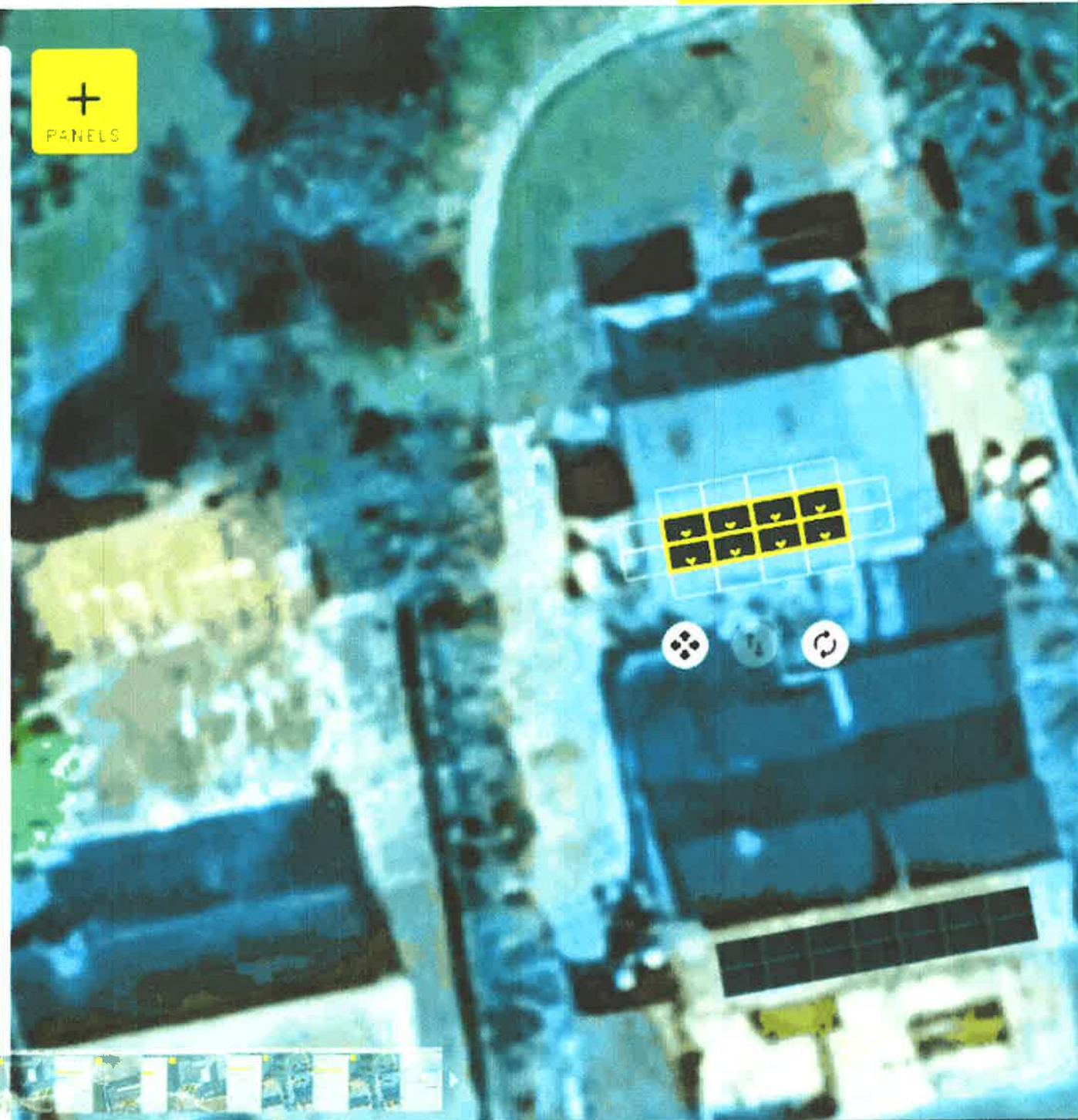
Dual-tilt

Azimuth

169.9

Slope

20



The above as suggested by  
the contracted company

13 NOV 2025

55/25/110





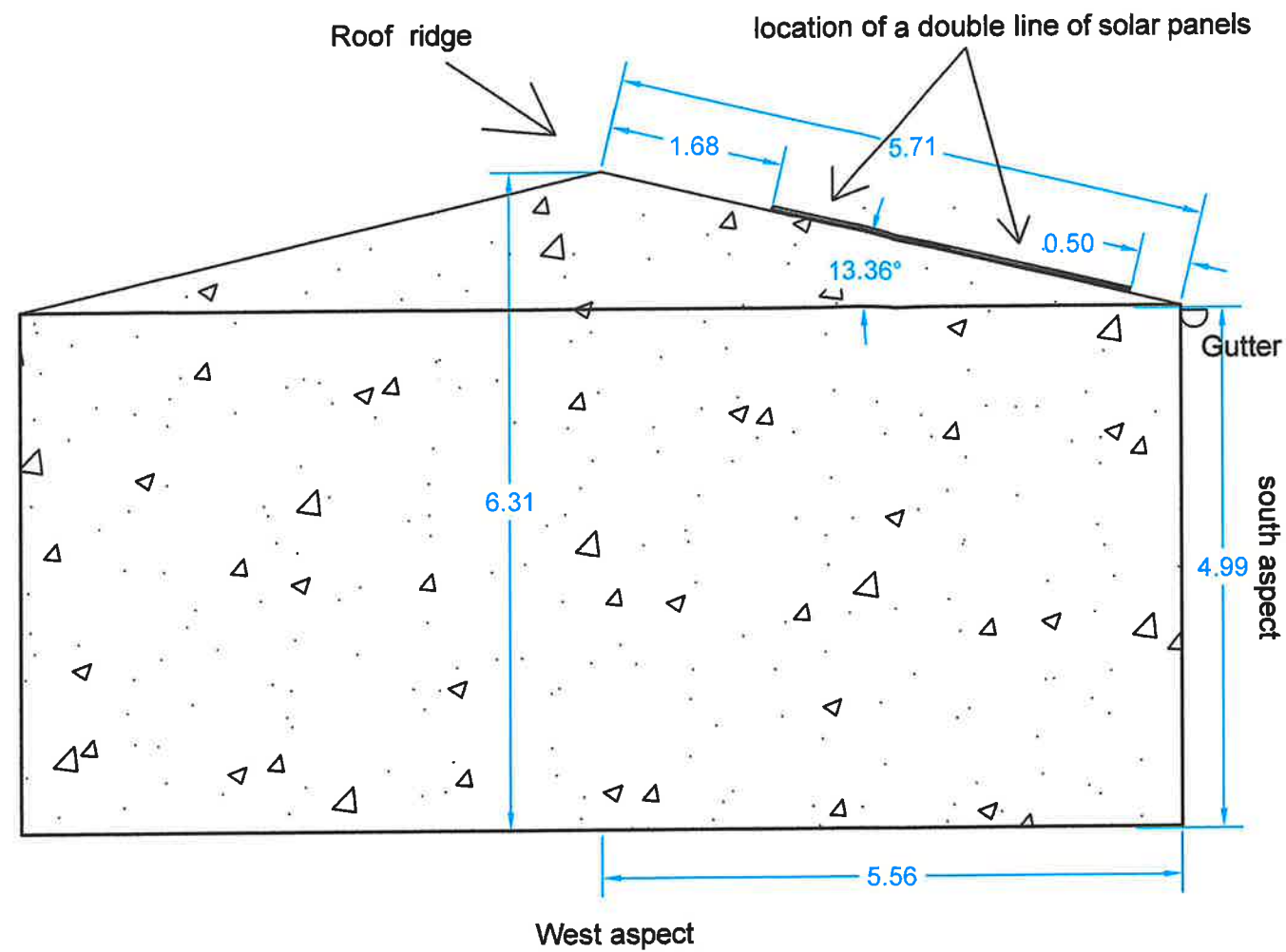
DRAWN BY - Tom Larkin (TGL Consulting )  
The Mill , Loughmore , Templemore  
Client - Loughmore Community hall

Picture showing roof location of proposed solar panels  
on community hall

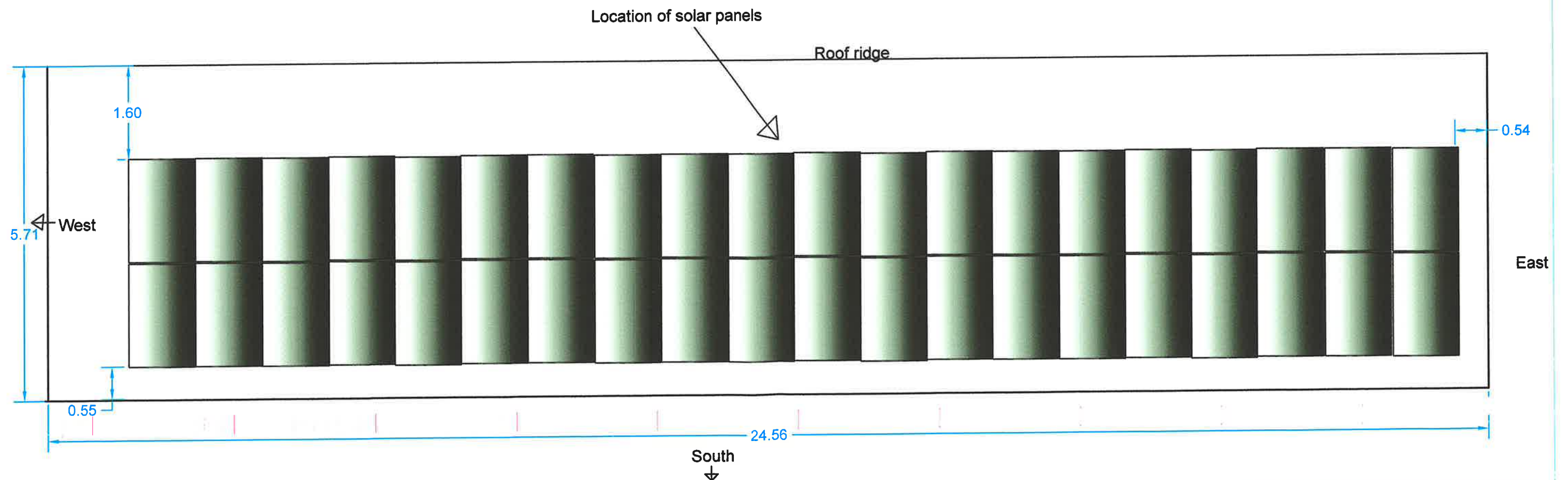
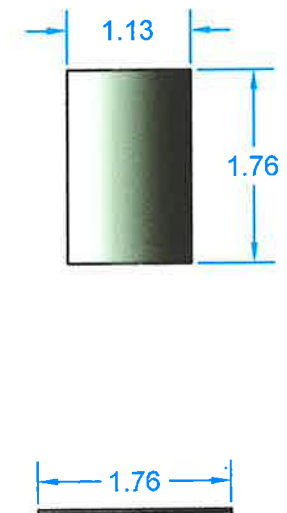
Scale -



13 NOV 2025  
 PLANNING SECTION  
 FILE NO. S5/25/110



Solar panel dim



Scale -

## < Back to 16 Panels System

117.120kW 419% 23.2kWh 5968kWh

### Panel Group 1

16 modules - 9.07m x 3.52m - 8 wide, 2 high

**TSM-445NEG9RC.27**

Trina Solar Co., Ltd. 445W

Add optimisers to **all** panels or **some** panels

#### Basic Settings

#### Advanced

Racking



Flush



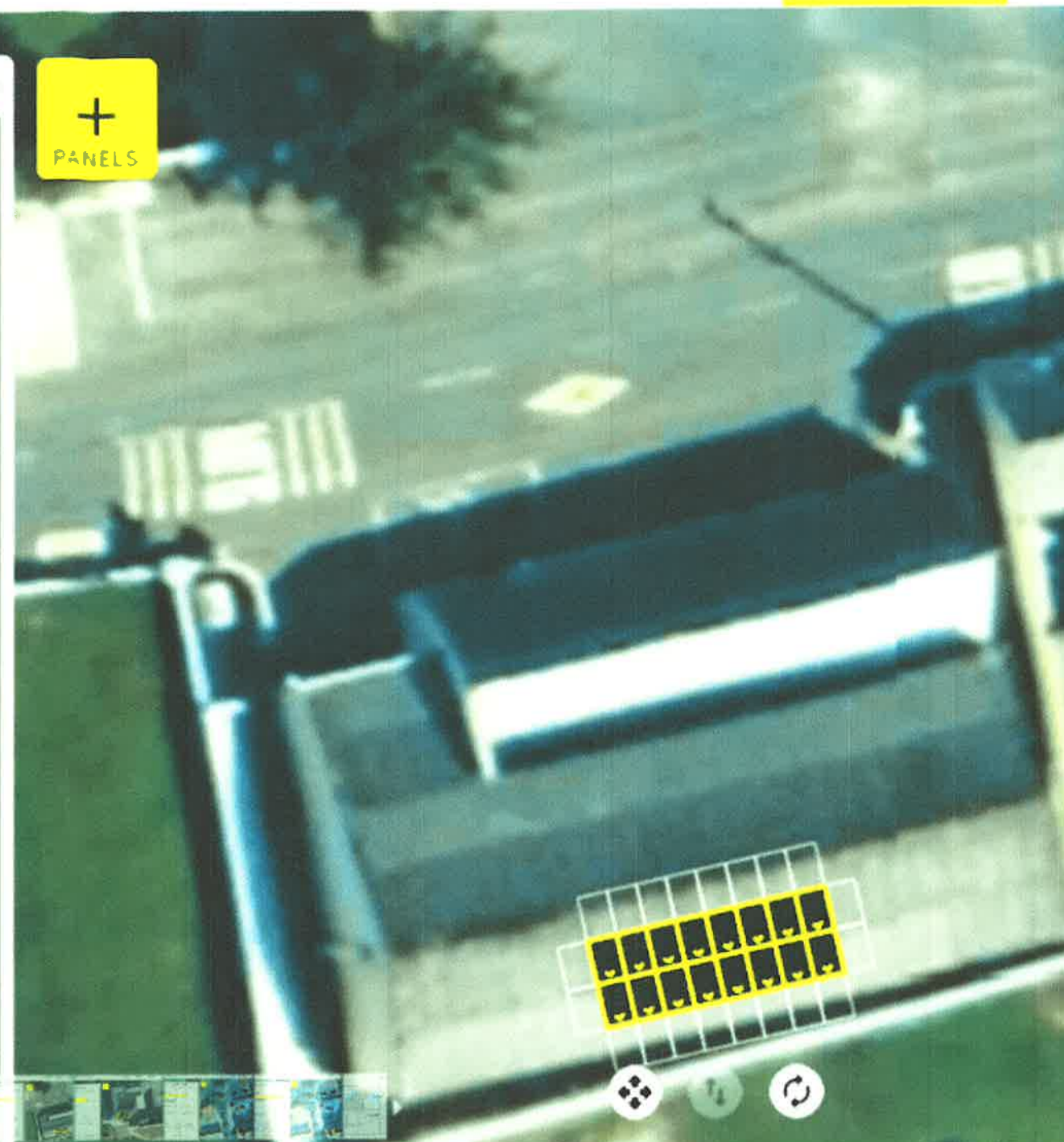
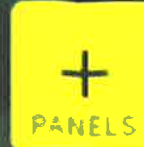
Single-tilt



Dual-tilt

Azimuth

Slope



13 NOV 2025  
PLANNING SECTION  
FILE NO. 55/25/110





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 5000/600  
e customerservice  
@tipperarycoco.ie  
tipperarycoco.ie

Date: 13<sup>th</sup> November, 2025      Our Ref: S5/25/110      Civic Offices, Nenagh

**Loughmore Development Group  
C/O Tom Larkin  
The Mill  
Loughmore  
Templemore**

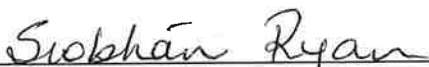
**Re: Application for a Section 5 Declaration – Installation of solar panels on roof space of each building at 5 buildings within Loughmore, Co. Tipperary Eircodes E41NN12, E41F5No, E41P281, E41FK30 and E41FE40**

Dear Mr Larkin,

I acknowledge receipt of Further Information received on 13<sup>th</sup> November 2025 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

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<b>Planning Reference:</b>	S5/25/110
<b>Applicant:</b>	Loughmore Development Group
<b>Development Address:</b>	5 buildings within Loughmore, Co. Tipperary Eircodes E41NN12, E41F5No, E41P281, E41FK30 and E41FE40
<b>Proposed Development:</b>	Installation of solar panels on roof space of each building

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**1. GENERAL**

On 13<sup>th</sup> August 2025 a request was made for a declaration under Section 5 of the Planning and Development Act, 2000 as amended by Rosegreen Development Association as to whether or not the following works constituted development and if so, whether same was exempted development:

Installation of solar panels on roof space of each building.

The buildings are under Eircodes

- E41NN12-School
- E41F5NO-Church- Protected Structure
- E41P281 Community Hall
- E41FK30 The Cottage Tea rooms
- E41FE40-Staplestons Bar

**2. STATUTORY PROVISIONS**

The following statutory provisions are relevant to this case;

**Planning and Development Act 2000, as amended**

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.*

Section 4 of the Planning and Development Act, 2000, as amended states:

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

*(2)(a) 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).

(4) 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.

Section 57 of the Act states:

Notwithstanding section 4(1)(a), (h), (i), (ia) (j), (k), or (l) and any regulations made under section 4(2) the carrying out of works to a protected structure, or a proposed protected structure, shall be exempted development only if those works would not materially affect the character of—

(a) the structure, or

(b) any element of the structure which contributes to its special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest.

### **Planning and Development Regulations 2001, as amended**

Article 5 of the Planning and Development Regulations 2001, as amended states:

#### **Interpretation for this Part.**

5.(1) In this Part—

“ancillary equipment” for the purpose of rooftop solar photo-voltaic or solar thermal collector panels in classes 56(d), 56(e), 60 or 61 of Part 1 of Schedule 2 and class 18(c) of Part 3 of Schedule 2 does not include any equipment which must be placed or erected on a wall, or a rooftop allow a solar photo-voltaic or solar thermal collector installation to function;

“solar safeguarding zone” has the same meaning as in the Planning and Development (Solar Safeguarding Zone) Regulations 2022;

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.

Class 61 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001, as amended states:

<b>Description of Development</b>	<b>Conditions and Limitations</b>
The placing or erection on a roof, or within the curtilage, or on a roof of any ancillary buildings within the curtilage, of the following buildings or sites of a solar photo-voltaic and/or solar thermal collector installation:  (i) an educational building,  (ii) health centre or hospital,	1. Where such development is located within a solar safeguarding zone, the total aperture area of any solar photovoltaic and/or solar thermal collector panels, taken together with any other such panels previously placed on a roof, shall not exceed 300 square metres.  2. Where such development is located within a solar safeguarding zone, the planning authority for the area shall be notified in writing no later than 4 weeks after the commencement of such development and such notification shall include details regarding the location and scale of the development.

<p>(iii) recreational or sports facility,</p> <p>(iv) place of worship,</p> <p>(v) community facility or centre,</p> <p>(vi) library,</p> <p>(vii) sites for the provision of gas, electricity, telecommunications services or water supplies or wastewater services operated by a statutory undertaker.</p>	<p>3. The distance between the plane of the roof and the solar photo-voltaic or solar thermal collector panels shall not exceed 1.2 metres in the case of a flat roof or 15cm in any other case.</p> <p>4. The solar photo-voltaic or solar thermal collector panels shall be a minimum of 2 metres in the case of a flat roof or 50cm in any other case from the edge of the roof on which it is mounted.</p> <p>5. Any ancillary equipment associated with solar photo-voltaic or solar thermal collector panels shall not be placed or erected on a wall or any roof that is not a flat roof.</p> <p>6. The height of any ancillary equipment associated with solar photo-voltaic or solar thermal collector panels on a flat roof shall not exceed 1.6 metres above roof level.</p> <p>7. Any ancillary equipment associated with solar photo-voltaic or solar thermal collector panels on a flat roof shall be a minimum of 2 metres from the edge of the roof on which it is mounted. 8. Any free-standing solar photo-voltaic or solar thermal collector installation shall not be placed or erected forward of the front wall of the building or site. 9. The total aperture area of any freestanding solar photo-voltaic and solar thermal collector panels taken together with any other such existing free-standing panels shall not exceed 75 square metres. 10. The height of any free-standing solar photo-voltaic or solar thermal collector installation shall not exceed 2.5 metres at its highest point above ground level.</p> <p>11. The placing or erection of a solar photo-voltaic or solar thermal collector installation on any wall shall not be exempted development.</p> <p>12. The placing or erection of any freestanding solar photo-voltaic or solar thermal collector installation within an Architectural Conservation Area shall only be exempted development if those works would not materially affect the character of the area.</p> <p>13. No sign, advertisement or object not required for the functioning or safety of the solar photo-voltaic or solar thermal collector installation shall be attached to or exhibited on such installation.</p> <p>479</p> <p>14. Development under this Class shall only be exempted development where the solar photo-voltaic or solar thermal collector installation is primarily used for the provision of electricity or heating for use within the curtilage of the building or site, and shall not be considered a change of use for the purposes of the Act.</p> <p>15. Development under this Class which causes hazardous glint and/or glare shall not be exempted development and any solar photo-voltaic or solar thermal collector panels which are causing hazardous glint and/or glare shall either be removed or be covered until such time as a mitigation plan to address the hazardous glint and/or glare is agreed and implemented to the satisfaction of the Planning Authority.</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—*

(i) *contravene a condition attached to a permission under the Act or be inconsistent with any use specified in a permission under the Act,*

(iiia) *endanger public safety by reason of hazardous glint and/or glare for the operation of airports, aerodromes or aircraft,*

(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.*

(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 buildings on which the PV panels are to be erected are under Eircodes

- E41NN12-School
- E41F5NO-Church- Protected Structure
- E41P281 Community Hall
- E41FK30 The Cottage Tea rooms
- E41FE40-Stapletons Bar

#### **b. Relevant Planning History**

21/247 -Permission GRANTED for pre school

20/682- Permission granted for alterations and extensions to school

14510013- Permission granted for alterations to previously granted permission (Ref. 13510215)

13510215-Permission granted for alterations and extensions to school

05510871-Grant of permission to demolish existing boiler house and staff toilets and to construct an extension which consists of 3 new classrooms, boiler house, toilets, and storage facilities

02/510650-Grant of permission for prefab.

20/760- Permission granted to extend the existing kitchen to the rear of the property and all associated works

#### **c. Assessment**

##### **A. "Is or is not Development"**

Having considered all of the details and documentation on file with regards the question asked, I am satisfied that the proposal would involve "works" and such works would constitute "development" within the meaning of Section 3 of the Planning and Development Act 2000, as amended.

##### **B. "Is or is not Exempted Development"**

The proposal is assessed relative to Class 56 and Class 61 of Part 1 of Schedule 2 of the Regulations. The application has not included for any elevation, section or roof plan drawings in order to determine if the proposed solar panels meet all Conditions and Limitations under Class 56 and 61. Further information be requested.

##### **C. Restrictions under Article 9 / Section 57 of Planning Act**

This can be evaluated on receipt of further information in respect of the buildings. The attachment of PV panels to the Church Roof would likely be restricted under Section 57 as it would materially affect the character of the structure.

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D. Requirement for Appropriate Assessment and Environmental Impact Assessment

**AA**

AA is not required in respect of the proposal.

**EIA**

EIA is not required in respect of the proposal.

**4. RECOMMENDATION**

It is recommended that **Further Information** be requested as follows;

1. The applicant is advised the purpose of a Section 5 of the Planning and Development Act 2000, as amended, is to establish if a particular development is or is not an exempted development within the meaning of the above-mentioned Act based on the proposed development as outlined on the declaration application form **and** the submitted drawings.

The applicant is advised that there are exemptions available under Class 56 and Class 61 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001, as amended, for the placing or erection on a roof, or within the curtilage, or on a roof of any ancillary buildings within the curtilage of a business premises (Class 56), educational building, community facility and place of worship (Class 61) of a solar photo-voltaic and/or solar thermal collector installation.

This exemptions are subject conditions and limitations.

The application as submitted does not include for appropriately scaled elevation, section or roof plan drawings in order for the Planning Authority to determine if the proposal meets the exemptions under the above referenced Classes and the associated conditions/limitations.

In order to enable an informed determination of the application the applicant is requested to submit;

- Plans/Elevations and Sections as necessary demonstrating that the conditions and limitations of Class 56 and Class 61 of Part 1 of Schedule 2 of the above mentioned Regulations are satisfied

**Advice Note:** The applicant is advised that the placement of PV panels on the Church roof may not avail of a planning exemption as this is a protected structure.

Senior Executive Planner:

*Jonathan Flood*

Date: 22/8/2025

**5. ASSESSMENT OF FURTHER INFORMAITON**

Further information (FI) was requested from the applicant on 25.08.2025 and a response was received on 03.09.2025. The FI request is outlined below in italics with assessment under same in bold.

1. *The applicant is advised the purpose of a Section 5 of the Planning and Development Act 2000, as amended, is to establish if a particular development is or is not an exempted development within the meaning of the above-mentioned Act based on the proposed development as outlined on the declaration application form and the submitted drawings.*

*The applicant is advised that there are exemptions available under Class 56 and Class 61 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001, as amended, for the placing or*

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erection on a roof, or within the curtilage, or on a roof of any ancillary buildings within the curtilage of a business premises (Class 56), educational building, community facility and place of worship (Class 61) of a solar photo-voltaic and/or solar thermal collector installation.

*This exemptions are subject conditions and limitations.*

*The application as submitted does not include for appropriately scaled elevation, section or roof plan drawings in order for the Planning Authority to determine if the proposal meets the exemptions under the above referenced Classes and the associated conditions/limitations.*

*In order to enable an informed determination of the application the applicant is requested to submit;*

- *Plans/Elevations and Sections as necessary demonstrating that the conditions and limitations of Class 56 and Class 61 of Part 1 of Schedule 2 of the above mentioned Regulations are satisfied*

**Advice Note:** *The applicant is advised that the placement of PV panels on the Church roof may not avail of a planning exemption as this is a protected structure.*

**The applicant submitted a catalogue of photographs of the subject buildings as part of a letter outlining that it was not safe to carry out survey work on these structures and therefore not possible to provide a cross section of same. In the absence of the information required under the FI request it is not possible to confirm whether the proposals constitute exempt development.**

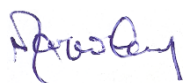
## **6. RECOMMENDATION**

**The information received on 03.09.2025 is incomplete and does not provide the information requested by letter dated 25/8/2025. The information requested by letter dated 25/8/2025 is required in order for the Planning Authority to determine whether the proposals meet planning exemptions.**

If this information is not provided the Planning Authority will not be able to determine whether the proposals meet planning exemptions.

A reply is required provided the information requested in letter dated 25/8/2025.

**Executive Planner:**



**Date: 17.09.2025**

**Senior Executive Planner:**



**Date: 17/9/2025**

## **7. ASSESSMENT OF FURTHER INFORMAITON**

Further information (FI) was requested from the applicant on 25.08.2025 and a response was received on 03.09.2025 which included a catalogue of photographs of the subject buildings as part of a letter outlining that it was not safe to carry out survey work on these structures and therefore not possible to provide a cross section of same.

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On 19.09.2025 a letter issued to the applicant as set out below (in italics) and a response received from the applicant on 13.11.2025.

*The information received on 03.09.2025 is incomplete and does not provide the information requested by letter dated 25/8/2025. The information requested by letter dated 25/8/2025 is required in order for the Planning Authority to determine whether the proposals meet planning exemptions. If this information is not provided the Planning Authority will not be able to determine whether the proposals meet planning exemptions.*

*A reply is required provided the information requested in letter dated 25/8/2025.*

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

2. *The applicant is advised the purpose of a Section 5 of the Planning and Development Act 2000, as amended, is to establish if a particular development is or is not an exempted development within the meaning of the above-mentioned Act based on the proposed development as outlined on the declaration application form and the submitted drawings.*

*The applicant is advised that there are exemptions available under Class 56 and Class 61 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001, as amended, for the placing or erection on a roof, or within the curtilage, or on a roof of any ancillary buildings within the curtilage of a business premises (Class 56), educational building, community facility and place of worship (Class 61) of a solar photo-voltaic and/or solar thermal collector installation.*

*This exemptions are subject conditions and limitations.*

*The application as submitted does not include for appropriately scaled elevation, section or roof plan drawings in order for the Planning Authority to determine if the proposal meets the exemptions under the above referenced Classes and the associated conditions/limitations.*

*In order to enable an informed determination of the application the applicant is requested to submit;*

- *Plans/Elevations and Sections as necessary demonstrating that the conditions and limitations of Class 56 and Class 61 of Part 1 of Schedule 2 of the above mentioned Regulations are satisfied*

**Advice Note:** *The applicant is advised that the placement of PV panels on the Church roof may not avail of a planning exemption as this is a protected structure.*

A. "Is or is not Development"

Having considered all of the details and documentation on file with regards the question asked, I am satisfied that the proposal would involve "works" and such works would constitute "development" within the meaning of Section 3 of the Planning and Development Act 2000, as amended.

B. "Is or is not Exempted Development"

On 13.11.2025 the applicant submitted a response to the FI request including photographs, aerial photographs and drawings. The applicant has confirmed that the proposed works to the Church will no longer be undertaken. As such the assessment will relate only to the following buildings which will be assessed individually below:

- E41NN12-School
  - E41P281 Community Hall
  - E41FK30 The Cottage Tea rooms
  - E41FE40-Staplestons Bar
-



The proposals are assessed relative to Class 56 and Class 61 of Part 1 of Schedule 2 of the Regulations.

## **(I) LOUGHMORE PRIMARY SCHOOL**

The proposal is assessed relative to Class 61 of Part 1 of Schedule 2 of the Regulations in order to determine if the proposed solar panels meet all Conditions and Limitations under Class 61. The applicant has submitted a photograph of the front elevation of the school, an aerial photograph, a front and a partial side elevation of the school (noting that the elevations are blank save for solar panels) and have no scale stated. The applicant has also submitted an aerial photograph on which solar panels have been superimposed, however same are not scaled and are not of a standard required to adequately assess the Section 5 request. The panel arrays shown on the aerial photograph are not the same as those outlined on the drawings.

**Class 61 Conditions no.1 & 2:** In the case of Loughmore Primary School, it is noted that Class 61, conditions no's 1 & 2 do not apply to the proposed development.

### **Class 61 Condition no.3:**

Condition no. 3 states that

*'The distance between the plane of the roof and the solar photo-voltaic or solar thermal collector panels shall not exceed 1.2 metres in the case of a flat roof or 15cm in any other case*

The drawings include a section drawing which show the panel will be laid parallel to the roof. The panels as shown on the drawing submitted will not be 1.2 metres off set from the roof plane.

### **Class 61 Condition no. 4:**

Condition no. 4 states that

*'The solar photo-voltaic or solar thermal collector panels shall be a minimum of 2 metres in the case of a flat roof or **50cm** in any other case from the edge of the roof on which it is mounted.*

It is noted that the elevational drawings submitted are not scaled, properly labelled or suitably annotated, however same appear to show the proposed panels at a distance of over **50cm** from the edge of the roof on which it will be mounted. A distance of 20cm is shown to the ridge however I do not take the ridge to be the roof edge.

It is further noted that the annotated aerial photo submitted as further information illustrates solar panels to the edge of the roof to which it will be mounted.

It is not possible to confirm that this condition is satisfied given the limitations in the information provided.

**Class 61 Condition no. 5, 6 & 7:** Conditions no's 5, 6 & 7 relates to ancillary equipment. The submission received from the applicant does not provide any detail in relation to the ancillary equipment associated with the solar photo-voltaic panels and therefore it is not possible to ascertain whether the proposal complies with conditions no. 5, 6 & 7 of Class 61.

**Class 61 Conditions no. 8, 9 & 10:** Conditions 8, 9 and 10 relate to free-standing solar photo-voltaic collector installations and therefore do not apply to the school building.

**Class 61 Condition no. 11:** Condition no. 11 relates to the placing of a solar photo-voltaic or solar thermal collector installation on any wall. This is not applicable to the school building.

**Class 61 Condition no. 12:** Condition no. 12 relates to the placing of a solar photo-voltaic or solar thermal collector installation within an ACA. This is not applicable to the school building

**Class 61 Condition no. 13:** Condition no. 13 relates to signage/advertising required in relation to the functioning or safety of the photovoltaic collector installation. It is noted that no such signage is proposed therefore condition no.13 does not apply.

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**Class 61 Condition no. 14:** Condition no. 14 relates to the usage of the installation for the provision of electricity or heating for use within the curtilage of the building. The proposed development complies with this exemption.

**Class 61 Condition no. 15:** Condition no. 15 relates to the risk of hazardous glint and or glare resulting from the development. The Planning Authority is satisfied that the proposed development will not result in hazardous glint and glare.

## **(II) LOUGHMORE COMMUNITY HALL**

The proposal is assessed relative to Class 61 of Part 1 of Schedule 2 of the Regulations in order to determine if the proposed solar panels meet all Conditions and Limitations under Class 61.

The proposal is assessed relative to Class 61 of Part 1 of Schedule 2 of the Regulations in order to determine if the proposed solar panels meet all Conditions and Limitations under 61. The applicant has submitted a photograph of the rear elevation of the community hall, an end elevation (not scaled), a drawing which is annotated as the location of the solar panels and appears to be part of a roof plan for the community hall, (not scaled), an aerial photograph on which solar panels have been superimposed, however same are not scaled and are not of a standard required to adequately assess the Section 5 request. The solar arrays shown on the aerial image differ from that shown on the drawing. The section drawing appears to inaccurately show the building.

**Class 61 Conditions no.1 & 2:** In the case of Loughmore Community Hall, it is noted that Class 61, conditions no's 1 & 2 do not apply to the proposed development.

### **Class 61 Condition no.3:**

#### **Condition no. 3 requires that**

*'The distance between the plane of the roof and the solar photo-voltaic or solar thermal collector panels shall not exceed 1.2 metres in the case of a flat roof or 15cm in any other case*

The drawings include a section drawing which show the panel will be laid parallel to the roof. The panels as shown on the drawing submitted will not be 1.2 metres off set from the roof plane.

### **Class 61 Condition no. 4:**

#### **Condition no. 4 states that**

*'The solar photo-voltaic or solar thermal collector panels shall be a minimum of 2 metres in the case of a flat roof or 50cm in any other case from the edge of the roof on which it is mounted.*

It is noted that the elevational drawings submitted are not scaled, properly labelled or suitably annotated or of sufficient detail to confirm the proposed PV collector panels are at the minimum distance of 50cm from the edge of the roof. The drawings submitted contain contradictory information (i.e. distances from edge) and include partial sections of the roof plane etc.

It is noted that the annotated aerial photo submitted illustrates solar panels to the edge of the roof to which it will be mounted.

It is not possible to confirm that this condition is satisfied given the limitations in the information provided.

### **Class 61 Condition no. 5, 6 & 7:**

Conditions no's 5, 6 & 7 relates to ancillary equipment. The submission received from the applicant does not provide any detail in relation to the ancillary equipment associated with the solar photo-voltaic panels and therefore it is not possible to ascertain whether the proposal complies with conditions no. 5, 6 & 7 of Class 61.

**Class 61 Conditions no. 8, 9 & 10:** Conditions 8, 9 and 10 relate to free-standing solar photo-voltaic collector installations and therefore do not apply to the proposed development.

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**Class 61 Condition no. 11:** Condition no. 11 relates to the placing of a solar photo-voltaic or solar thermal collector installation on any wall and therefore does not apply to the proposed development.

**Class 61 Condition no. 12:** Condition no. 12 relates to the placing of a solar photo-voltaic or solar thermal collector installation within an ACA and therefore does not apply to the proposed development.

**Class 61 Condition no. 13:** Condition no. 13 relates to signage/advertising required in relation to the functioning or safety of the photovoltaic collector installation. It is noted that no such signage is proposed therefore condition no.13 does not apply to the proposed development.

**Class 61 Condition no. 14:** Condition no. 14 relates to the usage of the installation for the provision of electricity or heating for use within the curtilage of the building. The proposed development complies with this exemption.

**Class 61 Condition no. 15:** Condition no. 15 relates to the risk of hazardous glint and or glare resulting from the development. The Planning Authority is satisfied that the proposed development will not result in hazardous glint and glare.

### **(III) LOUGHMORE COMMUNITY TEA ROOMS**

The proposal is assessed relative to Class 56 of Part 1 of Schedule 2 of the Regulations in order to determine if the proposed solar panels meet all Conditions and Limitations under Class 56.

The applicant has submitted a photograph of the front elevation, an end elevation (not scaled), a drawing of a PV array, title 'Ariel View' which appears to relate to part of a roof plan, and an aerial photograph on which solar panels have been superimposed, however same are not scaled and are not of a standard required to adequately assess the Section 5 request.

**Class 56(e) Conditions no.1&2:** In the case of the Loughmore Community Tea Rooms, it is noted that Class 56(e), conditions no's 1 & 2 do not apply to the proposed development.

#### **Class 56(e) Condition no.3:**

##### **Condition no. 3 of Class 56(e)(3) requires that**

*'The distance between the plane of the roof and the solar photo-voltaic or solar thermal collector panels shall not exceed: a. for a business premises, 1.2 metres in the case of a flat roof or 15cm in any other case. b. for a light industrial building, 2 metres in the case of a flat roof or 50cm in any other case.'*

The drawings include a section drawing which show the panel will be laid parallel to the roof. The panels as shown on the drawing submitted but the dimension between the panels and roof place is not indicated.

#### **Class 56(e) Condition no. 4:**

##### **Class 56(e)(4) requires that**

*'The solar photo-voltaic or solar thermal collector panels shall be a minimum of 2 metres in the case of a flat roof or 50cm in any other case from the edge of the roof on which it is mounted.'*

It is noted that the elevational drawings submitted are not scaled, properly labelled or suitably annotated or of sufficient detail to confirm the proposed PV collector panels are at the minimum distance of 50cm from the edge of the roof.

The end elevation drawing submitted appears to show the proposed panels at a distance of 20cm from the edge of the roof on which it will be mounted, however the annotated aerial photo submitted as further information illustrates solar panels to the edge of the roof to which it will be mounted.

It is not possible to confirm that this condition is satisfied given the limitations in the information provided.

#### **Class 56(e) Condition no.5:**

##### **Condition no. 5 states that**

*'Development shall not be exempted development where the highest part of the solar photo-voltaic or solar thermal collector installation exceeds the highest part of any roof that is not a flat roof (excluding any chimney).'*

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It is noted on the end elevation drawing submitted that the proposed development does not appear to exceed the highest part of the roof and would therefore comply with condition no. 5 of Class 56(e).

**Class 56(e) Condition no. 6, 7 & 8.:**

Conditions no's 6, 7 & 8 relates to ancillary equipment. The submission received from the applicant does not provide any detail in relation to the ancillary equipment associated with the solar photo-voltaic panels and therefore it is not possible to ascertain whether the proposal complies with conditions no. 6, 7 & 8 of Class 56(e).

**Class 56(e) Conditions no. 9, 10 & 11:** Conditions 9, 10 and 11 relate to free-standing solar photo-voltaic collector installations and therefore do not apply to the proposed development.

**Class 56(e) Condition no. 12:** Condition no. 12 relates to the placing of a solar photo-voltaic or solar thermal collector installation on any wall and therefore does not apply to the proposed development.

**Class 56(e) Condition no. 13:** Condition no. 13 relates to the placing of a solar photo-voltaic or solar thermal collector installation within an ACA and therefore does not apply to the proposed development.

**Class 56(e) Condition no. 14:** Condition no. 14 relates to signage/advertising required in relation to the functioning or safety of the photovoltaic collector installation. It is noted that no such signage is proposed therefore condition no.13 does not apply to the proposed development.

**Class 56(e) Condition no. 15:** Condition no. 14 relates to the usage of the installation for the provision of electricity or heating for use within the curtilage of the building. The proposed development complies with this exemption.

**Class 56(e) Condition no. 16:** Condition no. 16 relates to the risk of hazardous glint and or glare resulting from the development. The Planning Authority is satisfied that the proposed development will not result in hazardous glint and glare.

**(IV) STAPLETONS BAR**

The proposal is assessed relative to Class 56 of Part 1 of Schedule 2 of the Regulations in order to determine if the proposed solar panels meet all Conditions and Limitations under Class 56.

The applicant has submitted a photograph of the front elevation, an end elevation (not scaled), a drawing of a PV array, front elevation of the building (noting same is blank except for a 2 no. doors and a solar array but does not have detail of the roof plane, and an aerial view of 2 no. buildings on which solar panels have been superimposed, however same are not labelled or scaled and are not of a standard required to adequately assess the Section 5 request.

**Class 56(e) Conditions no.1&2:** In the case of the Stapletons Bar, it is noted that Class 56(e), conditions no's 1 & 2 do not apply to the proposed development.

**Class 56(e) Condition no.3:**

**Condition no. 3 of Class 56(e)(3) requires that**

*'The distance between the plane of the roof and the solar photo-voltaic or solar thermal collector panels shall not exceed: a. for a business premises, 1.2 metres in the case of a flat roof or 15cm in any other case. b. for a light industrial building, 2 metres in the case of a flat roof or 50cm in any other case.'*

The drawings include a section drawing which show the panel will be laid parallel to the roof. The panels as shown on the drawing submitted but the dimension between the panels and roof place is not indicated.

**Class 56(e) Condition no. 4:**

**Class 56(e)(4) requires that**

*'The solar photo-voltaic or solar thermal collector panels shall be a minimum of 2 metres in the case of a flat roof or 50cm in any other case from the edge of the roof on which it is mounted.'*

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It is noted that the elevational drawings submitted are not scaled, properly labelled or suitably annotated or of sufficient detail to confirm the proposed PV collector panels are at the minimum distance of 50cm from the edge of the roof. The elevation shows 14 no. panels. The end elevation drawing submitted appears to show the proposed panels at a distance of 50cm from the edge of the roof on which it will be mounted.

It is noted that the annotated aerial photo submitted as further information illustrates solar panels to the edge of the roof on 2 no. buildings (showing 22 no panels as stated on the drawing).

It is not possible to confirm that this condition is satisfied given the limitations in the information provided.

**Class 56(e) Condition no.5:**

**Condition no. 5 states that**

*'Development shall not be exempted development where the highest part of the solar photo-voltaic or solar thermal collector installation exceeds the highest part of any roof that is not a flat roof (excluding any chimney).'*

It is noted on the end elevation drawing submitted that the proposed development does not appear to exceed the highest part of the roof on an end elevation submitted, however it is noted that the aerial photos show the proposed development on two no. building.

The Planning Authority considers that the applicant has not submitted drawings which are scaled, properly labelled or suitably annotated or of sufficient detail to confirm compliance with condition no. 5 of Class 56(e).

**Class 56(e) Condition no. 6, 7 & 8.:**

Conditions no's 6, 7 & 8 relates to ancillary equipment. The submission received from the applicant does not provide any detail in relation to the ancillary equipment associated with the solar photo-voltaic panels and therefore it is not possible to ascertain whether the proposal complies with conditions no. 6, 7 & 8 of Class 56(e).

**Class 56(e) Conditions no. 9, 10 & 11:** Conditions 9, 10 and 11 relate to free-standing solar photo-voltaic collector installations and therefore do not apply to the proposed development.

**Class 56(e) Condition no. 12:** Condition no. 12 relates to the placing of a solar photo-voltaic or solar thermal collector installation on any wall and therefore does not apply to the proposed development.

**Class 56(e) Condition no. 13:** Condition no. 13 relates to the placing of a solar photo-voltaic or solar thermal collector installation within an ACA and therefore does not apply to the proposed development.

**Class 56(e) Condition no. 14:** Condition no. 14 relates to signage/advertising required in relation to the functioning or safety of the photovoltaic collector installation. It is noted that no such signage is proposed therefore condition no.13 does not apply to the proposed development.

**Class 56(e) Condition no. 15:** Condition no. 14 relates to the usage of the installation for the provision of electricity or heating for use within the curtilage of the building. The proposed development complies with this exemption.

**Class 56(e) Condition no. 16:** Condition no. 16 relates to the risk of hazardous glint and or glare resulting from the development. The Planning Authority is satisfied that the proposed development will not result in hazardous glint and glare.

C. Restrictions under Article 9 / Section 57 of Planning Act

I am satisfied that the proposal would not be restricted by Article 9(1)(iia) *endanger public safety by reason of hazardous glint and/or glare for the operation of airports, aerodromes or aircraft,*

I note no restrictions that would apply in the event an extension satisfied the available exemption.

D. Requirement for Appropriate Assessment and Environmental Impact Assessment

**AA**

AA is not required in respect of the proposal.

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## EIA

EIA is not required in respect of the proposal.

## 8. RECOMMENDATION

**WHEREAS** a question has arisen as to whether the Installation of solar PV panels on roof space of each building.

The buildings are under Eircodes

- E41NN12-School
- E41P281 Community Hall
- E41FK30 The Cottage Tea rooms
- E41FE40-Staplestons Bar

is development and is or is not exempted development:

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

- (a) Sections 2, 3 and 4 of the Planning and Development Act, 2000, as amended
- (b) Article 5, 6 and 9 of the Planning and Development Regulations 2001, as amended,
- (c) Class 56(e) and Class 61 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001, as amended
- (d) The Declaration application and supporting information and further information submitted

**AND WHEREAS** Tipperary County Council has concluded that –

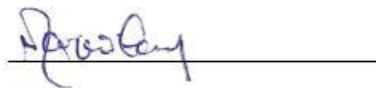
The Installation of solar PV panels on roof space of the following buildings within Loughmore, Co. Tipperary

- E41NN12-School
- E41P281 Community Hall
- E41FK30 The Cottage Tea rooms
- E41FE40-Staplestons Bar

is development within the meaning of the Planning and Development act 2000, as amended and is not exempted development.

Reason: Having regard to the limitations in the information submitted, primarily the absence of suitably scaled drawings that accurately indicate the proposed development and buildings onto which same are to be mounted, the Planning Authority is not satisfied that the proposal meet the planning exemptions set down under Class 56(e) and Class 61 of Schedule 2, Part 1 of the Planning and Development Regulations 2001, as amended.

Executive Planner:



Date: 26.11.2025

Senior Executive Planner:



Date: 28/11/2025



## HABITATS DIRECTIVE APPROPRIATE ASSESSMENT (AA) SCREENING REPORT

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

(a) File Reference No:	S5/25/110
(b) Brief description of the project or plan:	As per planners report
(c) Brief description of site characteristics:	As per planners report
(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 <sup>1</sup>	Distance from proposed development <sup>2</sup> (km)	Connections (Source-Pathway-Receptor)	Considered further in screening Y/N
002137 Lower River Suir SAC	<a href="https://www.npws.ie/protected-sites/sac/002137">https://www.npws.ie/protected-sites/sac/002137</a>	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.)
<b>Construction phase e.g.</b> <ul style="list-style-type: none"> <li>Vegetation clearance</li> <li>Demolition</li> <li>Surface water runoff from soil excavation/infill/landscaping (including borrow pits)</li> <li>Dust, noise, vibration</li> <li>Lighting disturbance</li> <li>Impact on groundwater/dewatering</li> <li>Storage of excavated/construction materials</li> <li>Access to site</li> <li>Pests</li> </ul>	No potential impacts. No changes to surface water arrangements.
<b>Operational phase e.g.</b> <ul style="list-style-type: none"> <li>Direct emission to air and water</li> <li>Surface water runoff containing contaminant or sediment</li> <li>Lighting disturbance</li> <li>Noise/vibration</li> </ul>	No potential impacts. No changes to surface water arrangements.

<ul style="list-style-type: none"> <li>• Changes to water/groundwater due to drainage or abstraction</li> <li>• Presence of people, vehicles and activities</li> <li>• Physical presence of structures (e.g. collision risks)</li> <li>• Potential for accidents or incidents</li> </ul>													
In-combination/Other	No potential impacts												
<b>(b) Describe any likely changes to the European site:</b>													
<p>Examples of the type of changes to give consideration to include:</p> <ul style="list-style-type: none"> <li>• Reduction or fragmentation of habitat area</li> <li>• Disturbance to QI species</li> <li>• Habitat or species fragmentation</li> <li>• Reduction or fragmentation in species density</li> <li>• Changes in key indicators of conservation status value (water or air quality etc.)</li> <li>• Changes to areas of sensitivity or threats to QI</li> <li>• Interference with the key relationships that define the structure or ecological function of the site</li> </ul>	No potential impacts												
<b>(c) Are 'mitigation' measures necessary to reach a conclusion that likely significant effects can be ruled out at screening?</b>													
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No													
<b>STEP 4. Screening Determination Statement</b>													
<p>The assessment of significance of effects:</p> <p>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.</p>													
The proposed development is not likely to have significant effects.													
<b>Conclusion:</b>													
	<table border="1"> <thead> <tr> <th></th> <th>Tick as Appropriate:</th> <th>Recommendation:</th> </tr> </thead> <tbody> <tr> <td>(i) It is clear that there is no likelihood of significant effects on a European site.</td> <td><input checked="" type="checkbox"/></td> <td>The proposal can be screened out: Appropriate assessment not required.</td> </tr> <tr> <td>(ii) It is uncertain whether the proposal will have a significant effect on a European site.</td> <td><input type="checkbox"/></td> <td> <input type="checkbox"/> Request further information to complete screening  <input type="checkbox"/> Request NIS  <input type="checkbox"/> Refuse planning permission </td> </tr> <tr> <td>(iii) Significant effects are likely.</td> <td><input type="checkbox"/></td> <td> <input type="checkbox"/> Request NIS  <input type="checkbox"/> Refuse planning permission </td> </tr> </tbody> </table>		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.	<input type="checkbox"/>	<input type="checkbox"/> Request NIS <input type="checkbox"/> Refuse planning permission
	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.	<input type="checkbox"/>	<input type="checkbox"/> Request NIS <input type="checkbox"/> Refuse planning permission											
<b>EIA Pre-Screening</b> <b>Establishing a development is a 'sub-threshold development'</b>													
<b>File Reference:</b>	S5/25/110												



<b>Development Summary:</b>	As per planners report	
<b>Was a Screening Determination carried out under Section 176A-C?</b>	<input type="checkbox"/> Yes, no further action required	
	<input checked="" type="checkbox"/> No, Proceed to <b>Part A</b>	
<b>A. Schedule 5 Part 1</b> - Does the development comprise a project listed in Schedule 5, <b>Part 1</b> , of the Planning and Development Regulations 2001 (as amended)? (Tick as appropriate)		
<input type="checkbox"/> Yes, specify class _____	<b>EIA is mandatory</b>	
	No Screening required	
<input checked="" type="checkbox"/> No	Proceed to <b>Part B</b>	
<b>B. Schedule 5 Part 2</b> - Does the development comprise a project listed in Schedule 5, <b>Part 2</b> , of the Planning and Development Regulations 2001 (as amended) <b>and</b> 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	<b>No Screening required</b>	
<input type="checkbox"/> Yes the project is listed in Schedule 5, Part 2 <b>and</b> meets/exceeds the threshold, specify class (including threshold): _____	<b>EIA is mandatory</b>	
	No Screening required	
<input type="checkbox"/> Yes the project is of a type listed <b>but</b> is <i>sub-threshold</i> : _____	Proceed to <b>Part C</b>	
<b>C. If Yes</b> , has Schedule 7A information/screening report been submitted?		
<input type="checkbox"/> Yes, Schedule 7A information/screening report has been submitted by the applicant	<b>Screening Determination required</b>	
<input type="checkbox"/> No, Schedule 7A information/screening report has not been submitted by the applicant	<b>Preliminary Examination required</b>	



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  
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Civic Offices, Nenagh,  
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E45 A099

t 0818 06 5000/6000  
e customerservice  
@tipperarycoco.ie  
tipperarycoco.ie

Date: 1<sup>st</sup> December, 2025

Our Ref: S5/25/110

Civic Offices, Nenagh

Loughmore Development Group  
C/O Tom Larkin  
The Mill  
Loughmore  
Templemore

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

Dear Mr Larkin,

I refer to your application for a Section 5 Declaration received on 13<sup>th</sup> August, 2025, and Further Information received on 3<sup>rd</sup> September, 2025 and 13<sup>th</sup> November, 2025 in relation to the following proposed works:

**Installation of solar panels on roof space of each building at 5 buildings within Loughmore, Co. Tipperary Eircodes E41NN12, E41F5No, E41P281, E41FK30 and E41FE40**

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

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

- a) Sections 2, 3 and 4 of the Planning and Development Act, 2000, as amended
- b) Article 5, 6 and 9 of the Planning and Development Regulations 2001, as amended,
- c) Class 56(e) and Class 61 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001, as amended
- d) The Declaration application and supporting information and further information submitted



**AND WHEREAS** Tipperary County Council has concluded that –

The Installation of solar PV panels on roof space of the following buildings within Loughmore, Co. Tipperary

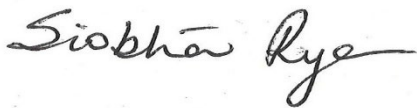
- E41NN12-School
- E41P281 Community Hall
- E41FK30 The Cottage Tea rooms
- E41FE40-Staplestons Bar

is development within the meaning of the Planning and Development act 2000, as amended and is not exempted development.

Reason: Having regard to the limitations in the information submitted, primarily the absence of suitably scaled drawings that accurately indicate the proposed development and buildings onto which same are to be mounted, the Planning Authority is not satisfied that the proposal meet the planning exemptions set down under Class 56(e) and Class 61 of Schedule 2, Part 1 of the Planning and Development Regulations 2001, as amended.

**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



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for **Director of Services**

**Original**

**TIPPERARY COUNTY COUNCIL**

**DELEGATED EMPLOYEE'S ORDER**

File Ref: **S5/25/110**      **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 3<sup>rd</sup> 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 Loughmore Development Group C/O Tom Larkin, The Mill, Louoghmore, Co. Tipperary at 5 buildings within Loughmore, Co. Tipperary Eircodes E41NN12, E41F5No, E41P281, E41FK30 and E41FE40 is development and is exempted development.

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

- a) Sections 2, 3 and 4 of the Planning and Development Act, 2000, as amended
- b) Article 5, 6 and 9 of the Planning and Development Regulations 2001, as amended,
- c) Class 56(e) and Class 61 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001, as amended
- d) The Declaration application and supporting information and further information submitted

**AND WHEREAS** Tipperary County Council has concluded that –

The Installation of solar PV panels on roof space of the following buildings within Loughmore, Co. Tipperary

- E41NN12-School
- E41P281 Community Hall
- E41FK30 The Cottage Tea rooms
- E41FE40-Staplestons Bar

is development within the meaning of the Planning and Development Act 2000, as amended and is not exempted development.

Reason: Having regard to the limitations in the information submitted, primarily the absence of suitably scaled drawings that accurately indicate the proposed development and buildings onto which same are to be mounted, the Planning Authority is not satisfied that the proposal meets the planning exemptions set down under Class 56(e) and Class 61 of Schedule 2, Part 1 of the Planning and Development Regulations 2001, as amended.

**Signed:**   
**Brian Beck**  
**Director of Services**

**Date: 01/12/2025**