



**Comhairle Contae Thiobraid Árann**  
Tipperary County Council

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

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

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

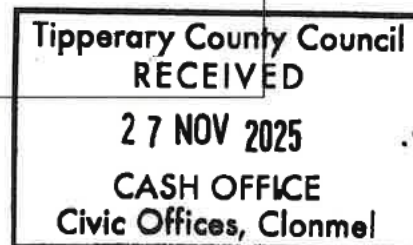
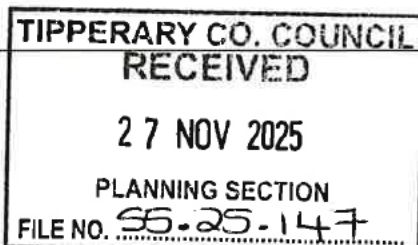
Applicant	TIPPERARY TECHNOLOGY PARK CLG
Address	ROSANNA ROAD TIPPERARY TOWN E34 P658
Telephone No.	
E-mail	

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

Agent	TIPPERARY EMEELY AGENCY
Address	93 SILVER STREET DENAGH CO. TIPPERARY E45 AD65
Telephone No.	
E-mail	
Please advise where all correspondence in relation to this application is to be sent;	
Applicant [ <input checked="" type="checkbox"/> ] Agent [ <input type="checkbox"/> ]	

**3. Location of Proposed Development:**

Postal Address or Townland or Location (as may best identify the land or structure in question)	TIPPERARY TECHNOLOGY PARK ROSANNA ROAD TIPPERARY TOWN E34 P658
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Receipt No 198 510  
Issued 27/11/2025  
€80.00 Cheque

#### 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.)

40.5 kW ROOF MOUNTED SOLAR PV SYSTEM WITH
BATTERY ELECTRIC STORAGE SYSTEM (BESS)
Proposed floor area of proposed works/uses: 592.9 sqm

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

Please tick appropriate box to show applicant's legal interest in the land or structure	A. Owner	B. Occupier
	C. Other <input checked="" type="checkbox"/>	
Where legal interest is 'Other', please expand further on your interest in the land or structure	LONG TERM LEASEHOLDER	
If you are not the legal owner, please state the name and address of the owner	Name: TIPPERARY ETB Address: UNIT 1 TONE PENAGH CO. TIPPERARY E45 B896	

Signature of Applicant(s)

Date: 26/11/2025

**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.**

TIPPERARY TECHNOLOGY PARK CLG

CRO No. [REDACTED]

VAT No. [REDACTED]

Phone No: 062-80911

## **GUIDANCE NOTES**

- (1) All queries on the form must be completed and the form must be accompanied by the relevant fee. The amount of the fee is currently **€80.00**.
- (2) This application should be accompanied by **TWO COPIES** of the following documentation
- OSI Site Location Map with the site outlined clearly – 1:1000 in urban areas and 1:2500 in rural areas
  - Floor Plans & Elevations at a scale of not less than 1:200
  - Site layout plan indicating position of proposed development relative to premises and adjoining properties
  - Other details e.g. brochures, photographs if appropriate.
- (All dimensions must be given in metric scale and drawings should be accompanied by a brief description outlining the use of the proposed development)
- (3) Where a proper and complete application is received, a decision must be conveyed to the applicant within four (4) weeks except where additional necessary information is required.

**This application form and relevant fee should be submitted to:**

**Planning Section,  
Tipperary County Council,  
Civic Offices,  
Limerick Road,  
Nenagh,  
Co. Tipperary**

**OR**

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

**Enquires:**

**Telephone 0818 06 5000**

**E-Mail [planning@tipperarycoco.ie](mailto:planning@tipperarycoco.ie)**

**FOR OFFICE USE ONLY**

**DATE STAMP**

**Fee Recd. €** \_\_\_\_\_

**Receipt No** \_\_\_\_\_

**Date** \_\_\_\_\_

**Receipted by** \_\_\_\_\_



## OSI Location Map

--- TIPPERARY TECHNOLOGY  
PARK SOLAR PV SITE  
OUTLINE



Prepared by: Dylan Whiteford  
Date: 21/11/2025



## Project Overview [Excerpts from PV modelling]

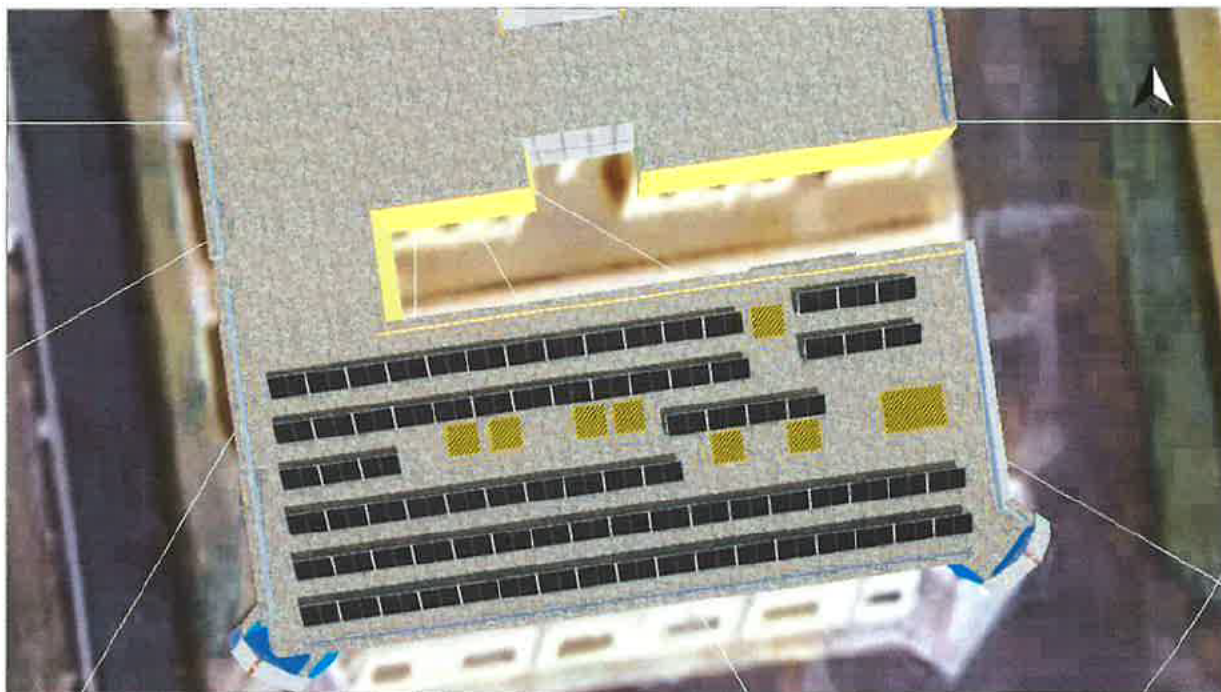


Figure: Overview Image, 3D Design

### PV System

PV Generator Output	40.5 kWp
PV Generator Surface	180.1 m <sup>2</sup>
Number of PV Modules	81
Number of Inverters	1
No. of battery systems	2

## Module Areas

### 1. Module Area - Building 02-Roof Area South

PV Generator, 1. Module Area - Building 02-Roof Area South

Name	Building 02-Roof Area South
PV Modules	81 x JKM500N-54HL4M-BDV (v3)
Inclination	15 °
Orientation	South 172 °
Installation Type	Mounted - Roof
PV Generator Surface	180.1 m <sup>2</sup>

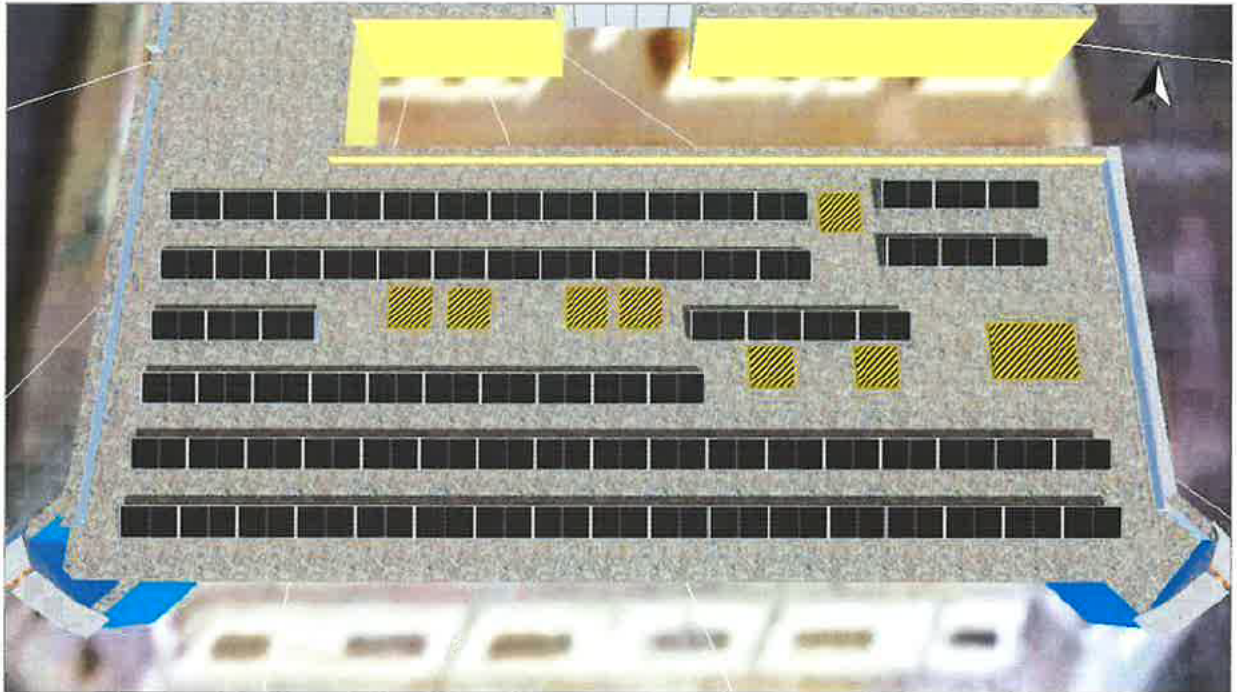


Figure: 1. Module      Buil      Roof Area

## Dimensioning Plan

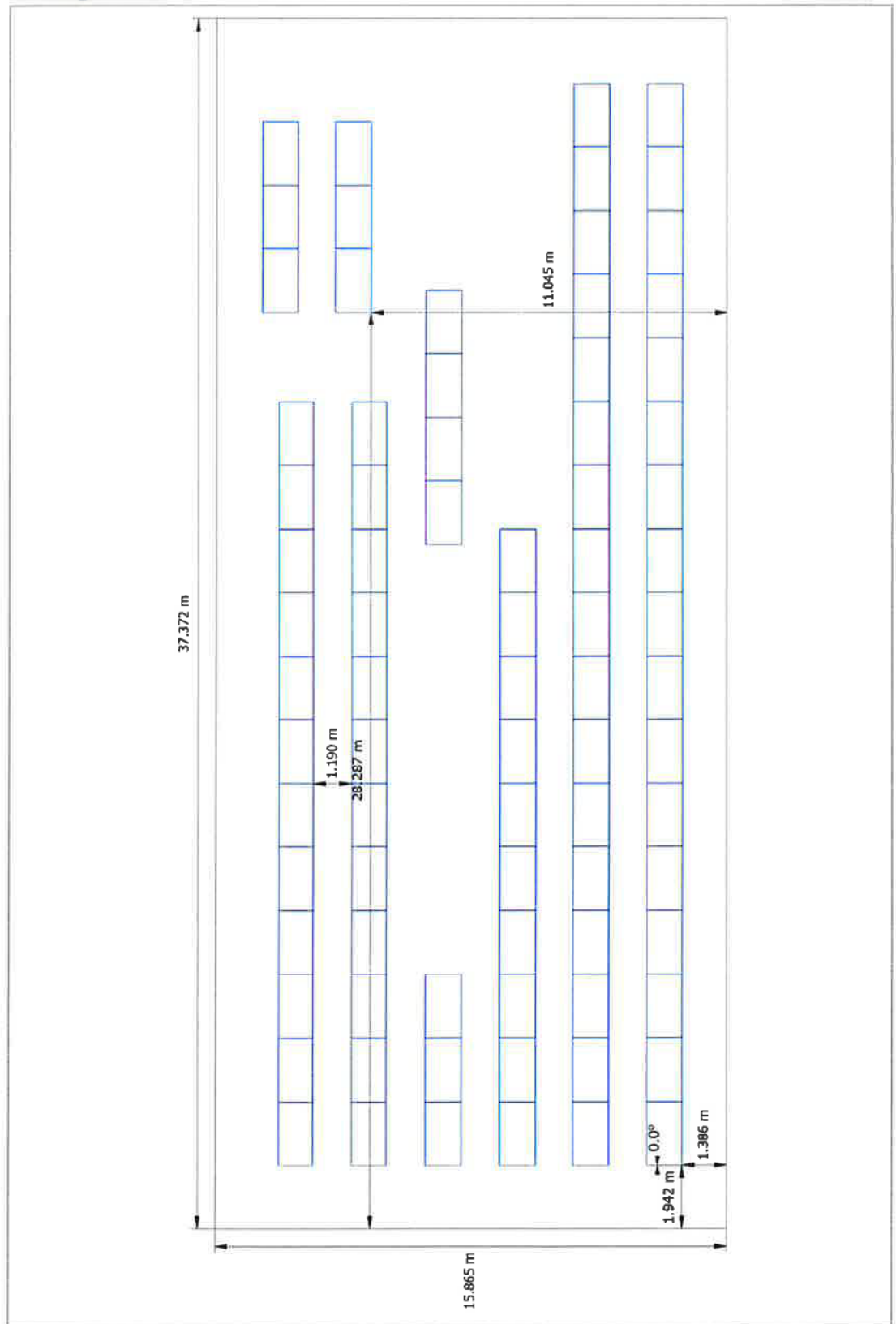
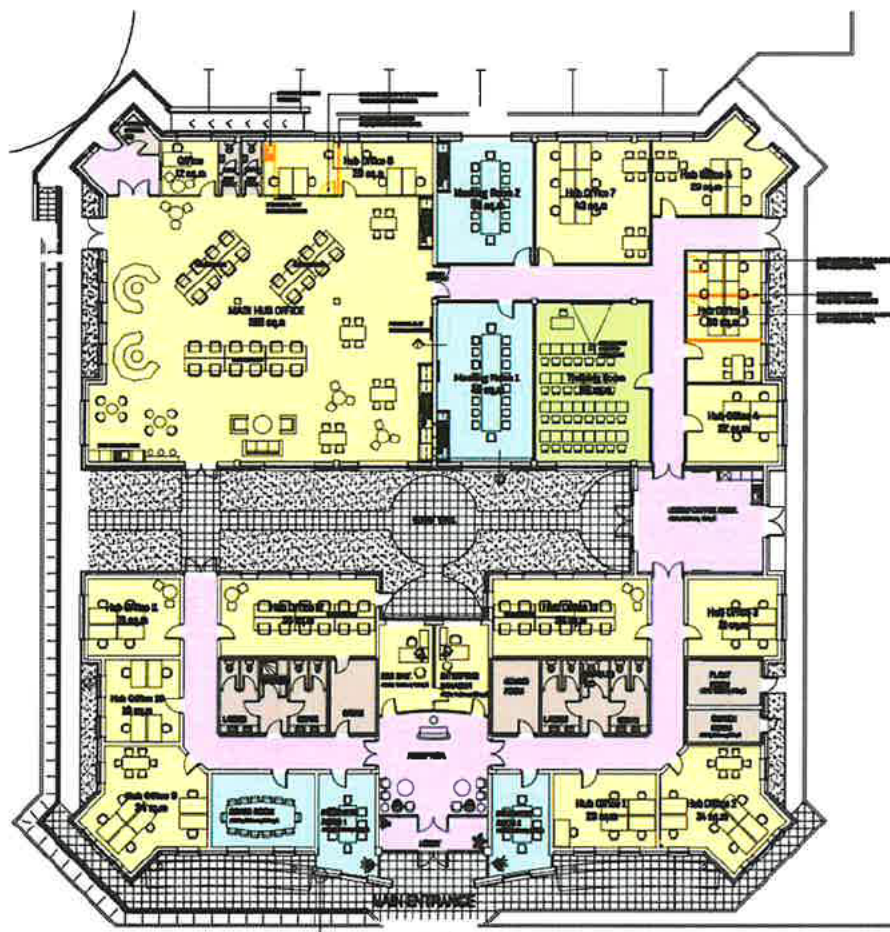


Figure: Building Roof Area

# Parts list

## Parts list

#	Type	Item number	Manufacturer	Name	Quantity	Unit
1	PV Module		Jinko Solar	JKM500N-54HL4MBDV	81	Piece
2	Inverter		Sigenergy	SigenStor EC 25.0TP	1	Piece
3	Battery System		Sigenergy	Sigen Hybrid 6.0 + BAT 10.0 (9.04kWh,314Ah)	2	Piece
4	Components			Surge protection	1	Piece
5	Components			Energy flow sensor	1	Piece
6	Components			Fuse	1	Piece
7	Components			Circuit Breaker B 50A 1		Piece



#### LEGEND

- OFFICE ACCOMMODATION
- MEETING ROOMS
- TRAINING ROOM
- TOILETS/ BREAK
- CIRCULATION SPACES
- NEW BUILD EXTENSIONS
- TO BE DEMOLISHED

#### SECTION OF WORKSPACE



#### SCUPE OF WORKSPACE



#### SCUPE OF OPEN PLAN OFFICE AREA



#### FRONT ELEVATION



## 01- GROUND FLOOR PLAN

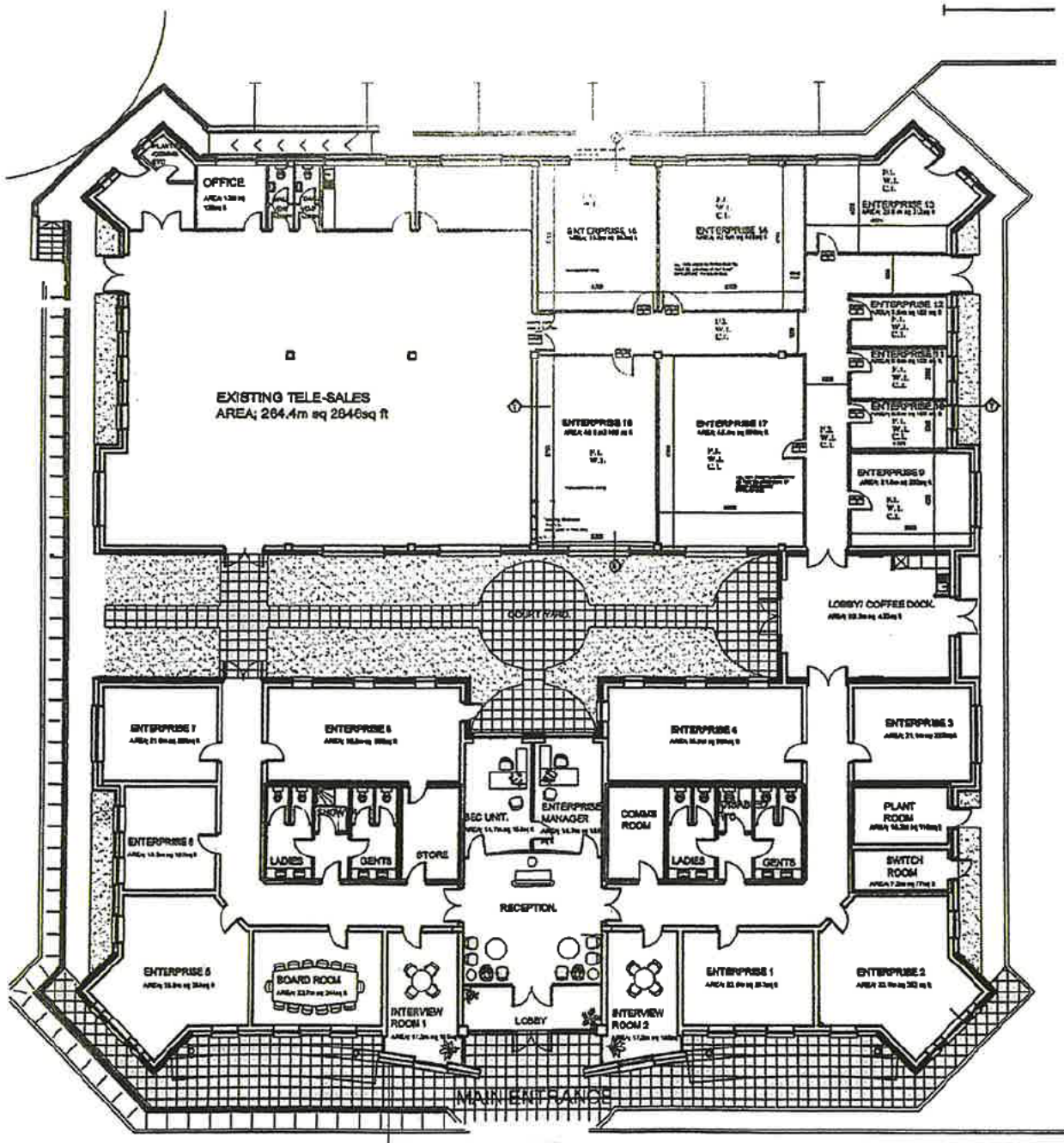
Scale 1:100 @ A1

TIPPERARY ENGINE - DEPT 2000

MCSH Architects - 6th Floor, Church Street, Portlaoise - T: 057-6422596 - E: info@mcsa.ie - W: www.mcsa.ie







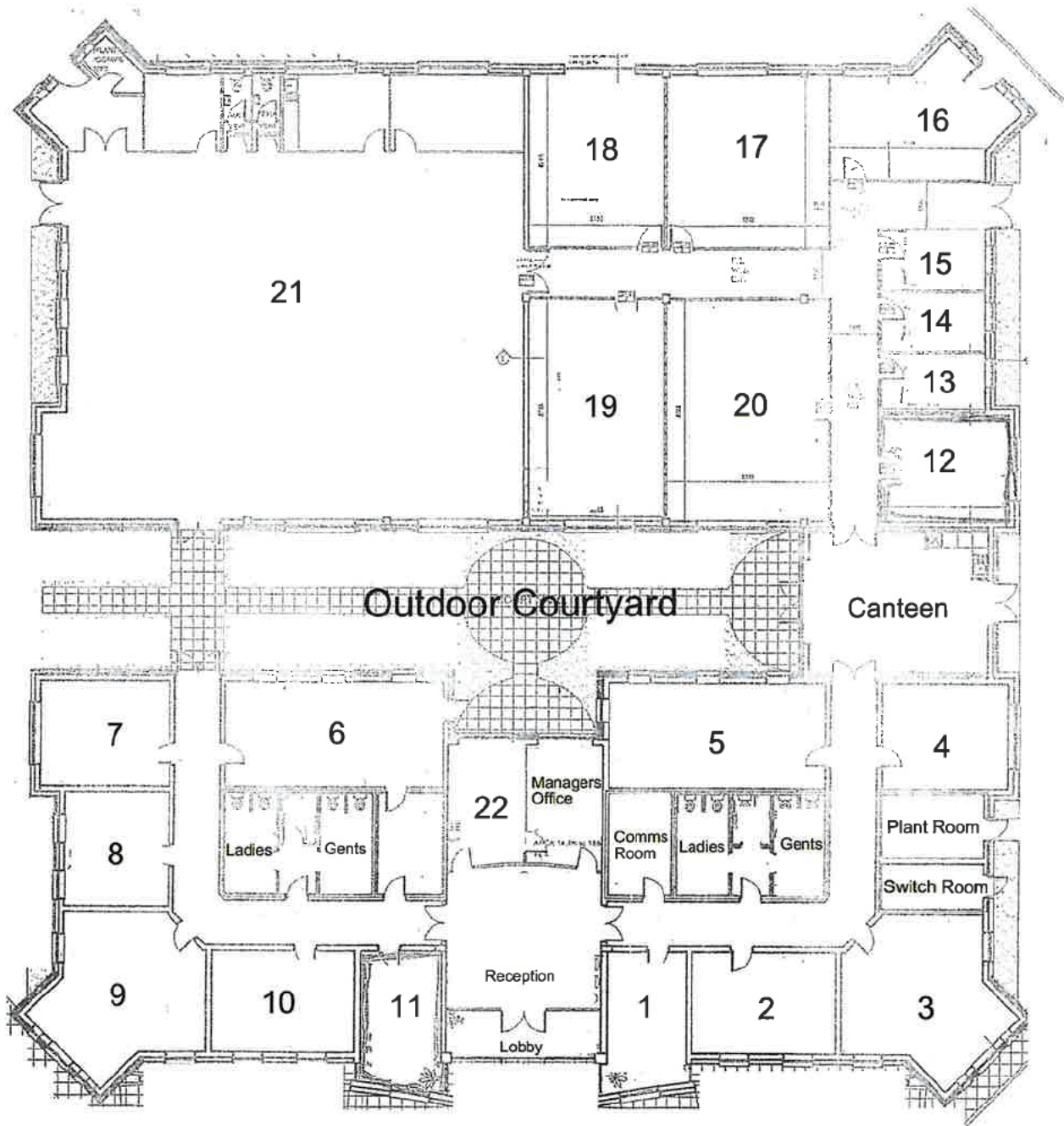
WORK

REVISIONS

G  
F  
E  
D  
C  
B



# Unit Numbers 2022





## OSI Location Map

 TIPPERARY TECHNOLOGY  
PARK SOLAR PV SITE  
OUTLINE



Prepared by: Dylan Whiteford  
Date: 21/11/2025



## Project Overview [Excerpts from PV modelling]

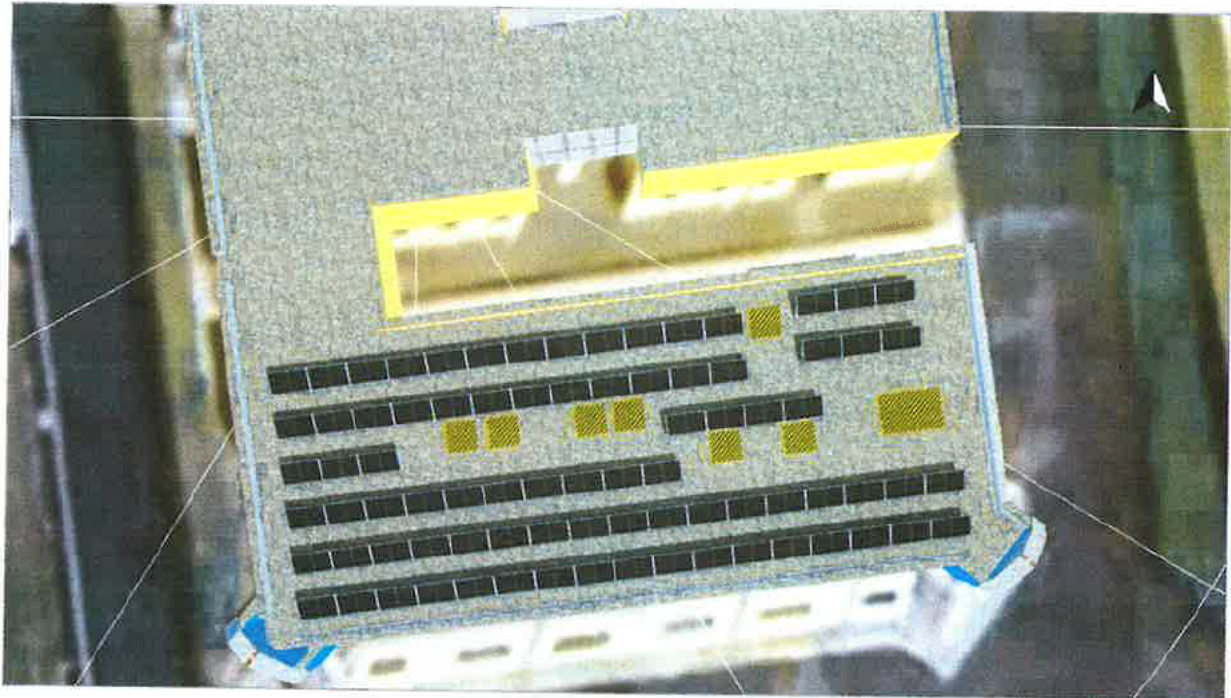


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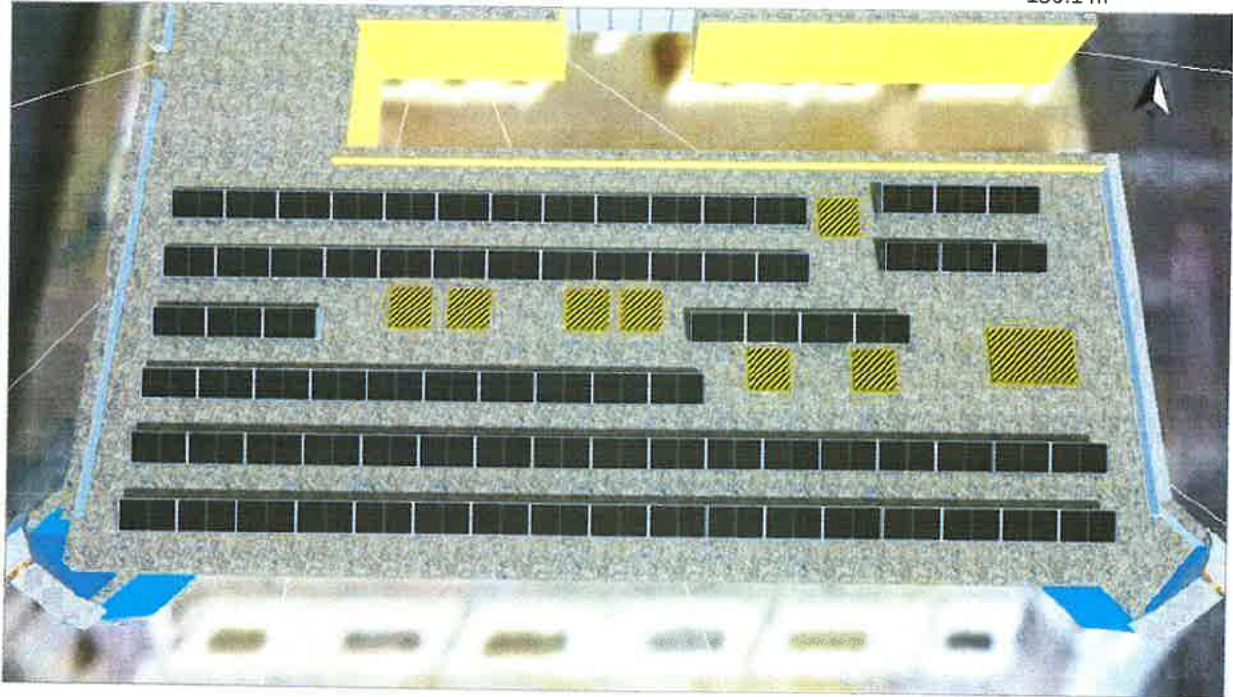


Figure: 1. Module      Buil      Roof Area



## Dimensioning Plan

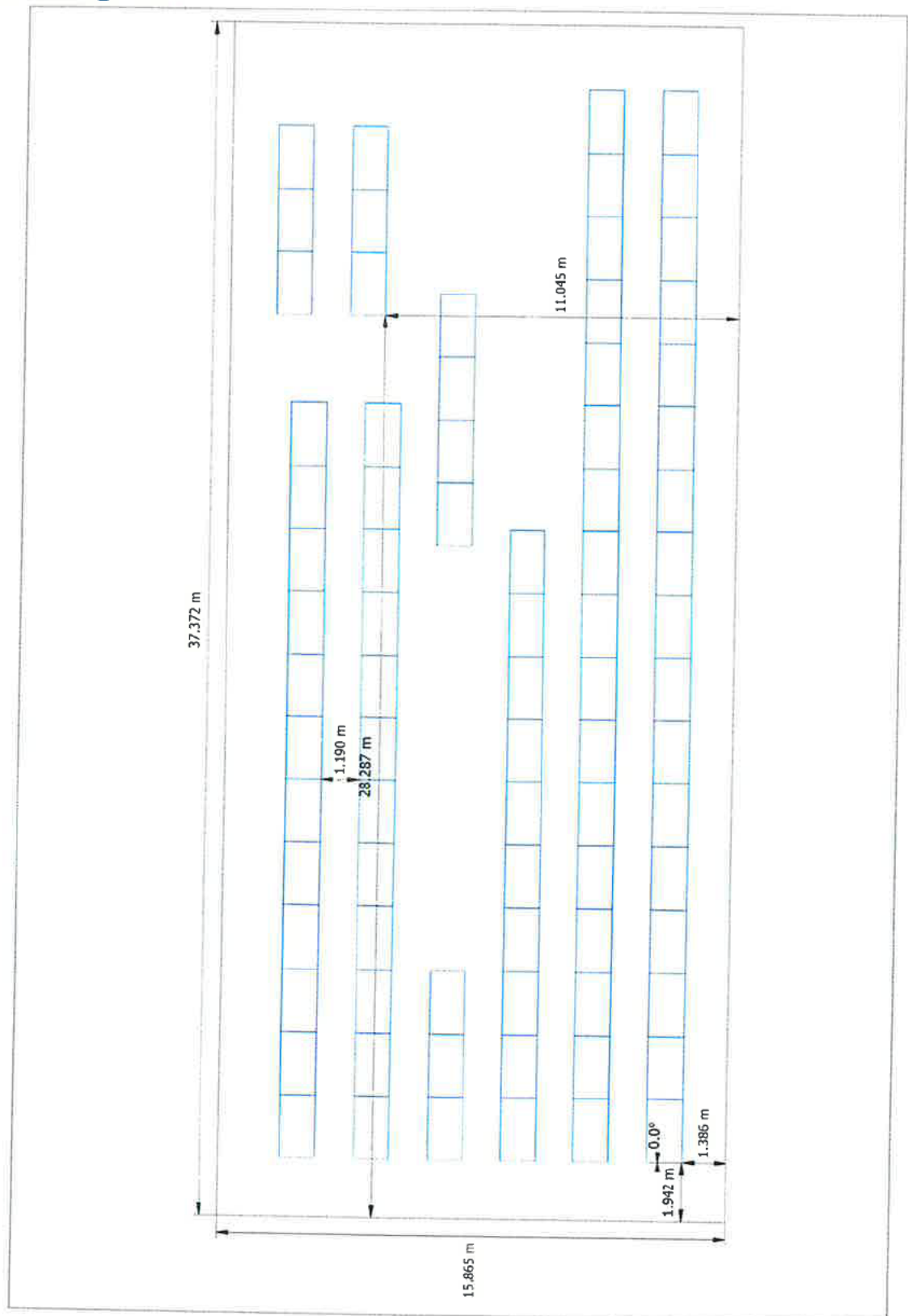
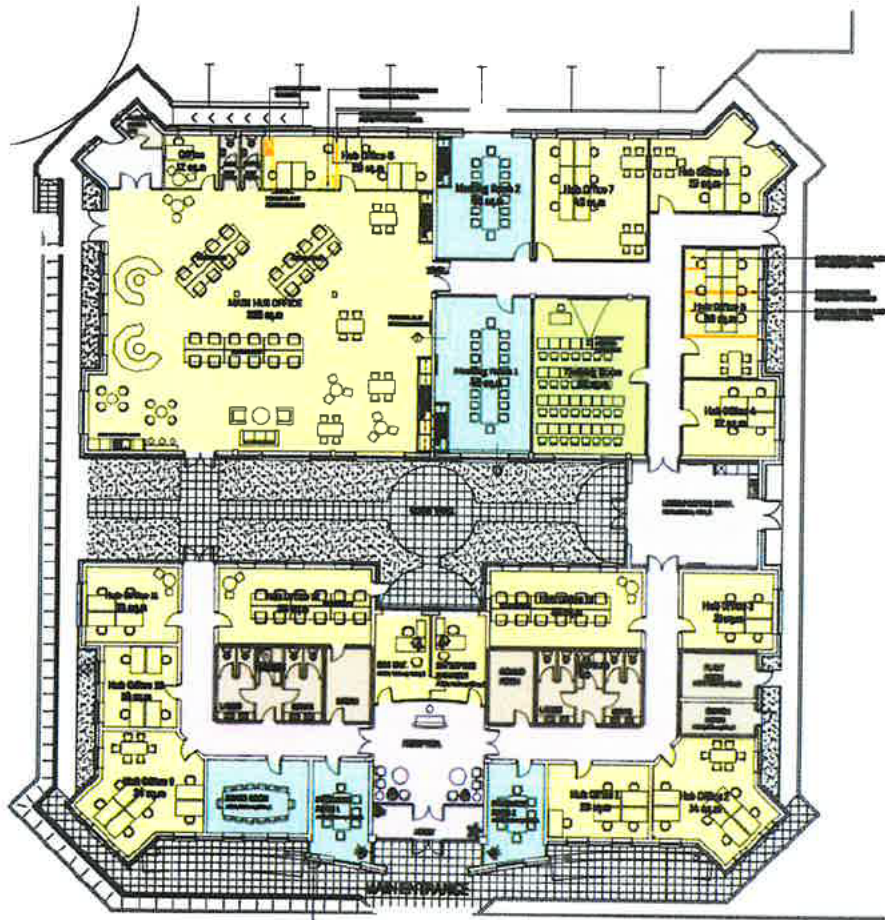


Figure: Building Roof Area

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5	Components			Energy flow sensor	1	Piece
6	Components			Fuse	1	Piece
7	Components			Circuit Breaker B 50A 1		Piece



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- OFFICE ACCOMMODATION
- MEETING ROOM
- TRAINING ROOM
- TOILET/ KITCHEN
- CIRCULATION AREAS
- NEW BUILD FOOTPRINT
- TO BE DEMOLISHED

#### SKETCHES OF INTERIOR



#### SKETCHES OF INTERIOR



#### SKETCHES OF INTERIOR AREA



#### FRONT ELEVATION

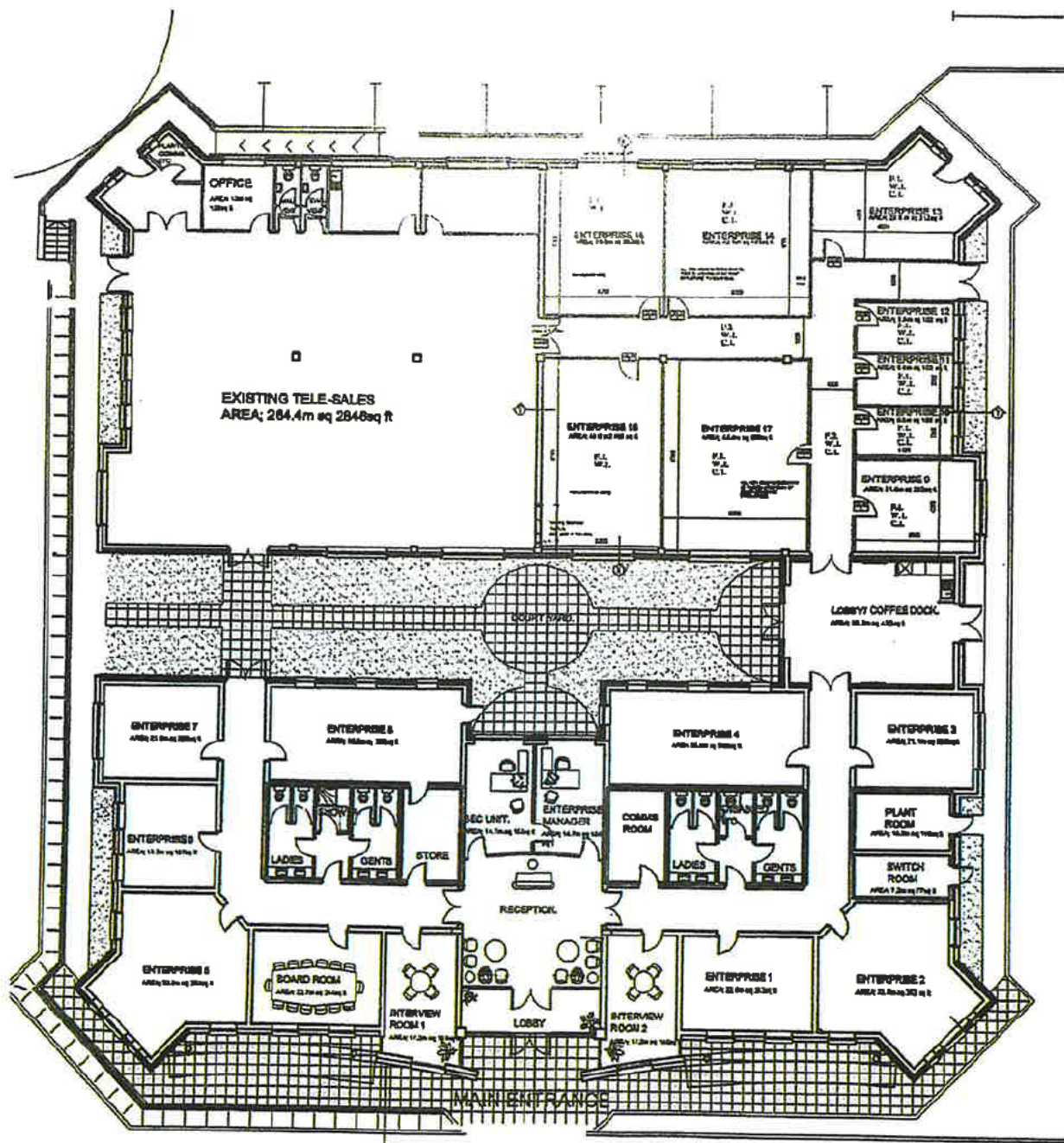


## 01- GROUND FLOOR PLAN

Scale 1:100 @ A1

TOPPERARY ENGINE - SEPT 2008  
 MODH Architects - Old Church, Church Street, Portlaoise - T: 057-6022000 - E: info@modh.ie - W: www.modh.ie





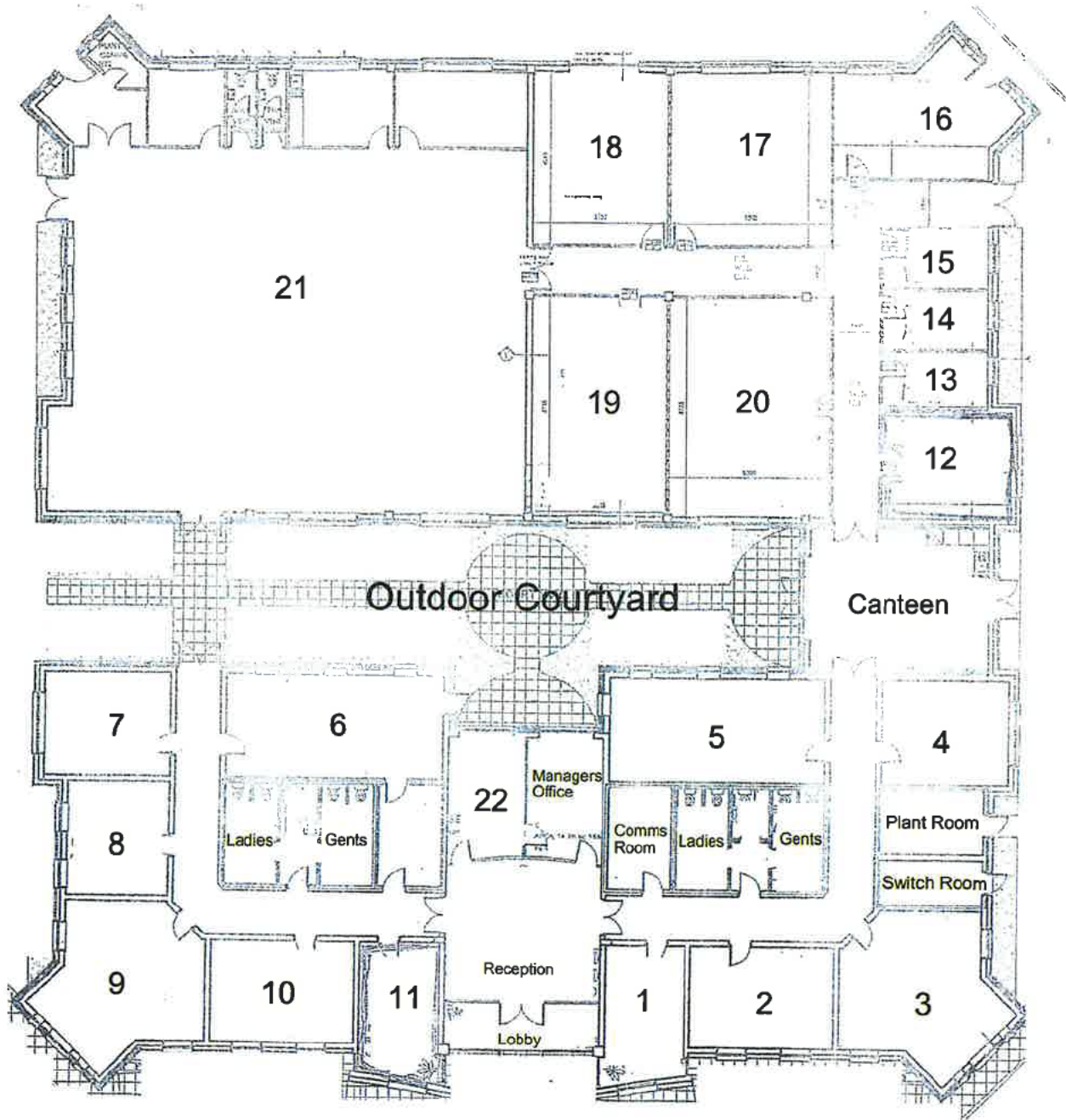
WORK

REVISIONS	
1	G
2	F
3	E
4	D
5	C
6	R





# Unit Numbers 2022







Comhairle Contae Thiobraid Árann  
Tipperary County Council

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

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

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

**27<sup>th</sup> November 2025**

**Our Ref: S5/25/147**

Eoin Barrett  
Tipperary Technology Park CLG  
Rosanna Road  
Tipperary Town  
Co Tipperary

**Re: Application for a Section 5 Declaration – 40.5KW roof mounted solar PV system with battery electric storage system (BESS) at Tipperary Technology Park CLG, Rosanna Road, Tipperary Town, Co. Tipperary, E34 P658.**

Dear Mr. Barrett,

I acknowledge receipt of your application for a Section 5 Declaration received on 27<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>	S5/25147
<b>Applicant:</b>	Tipperary Technology Park CLG
<b>Development Address:</b>	Rosanna Road, Tipperary Town, Co. Tipperary
<b>Proposed Development:</b>	40.5KW roof mounted solar PV system with battery electric storage system (BESS)

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#### **1. GENERAL**

On 27<sup>th</sup> November 2025 a request was made for a declaration under Section 5 of the Planning and Development Act, 2000 as amended by Tipperary Technology Park CLG c/o Tipperary Energy Agency as to whether or not the following works constituted development and if so, whether same was exempted development:

#### ***40.5KW roof mounted solar PV system with battery electric storage system (BESS)***

The application was accompanied by the following documentation;

- Section 5 Application Form
- Proposed Site Layout Plan
- Site Location Map
- Proposed Roof Plan



Figure 1 Site Location

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

The following statutory provisions are relevant to this case;

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

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

*“works” includes any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal and, in relation to a protected structure or proposed protected*

*structure, includes any act or operation involving the application or removal of plaster, paint, wallpaper, tiles or other material to or from the surfaces of the interior or exterior of a structure.*

Section 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.”*

*‘solar energy equipment’ means equipment that converts energy from the sun into thermal or electrical energy, including solar thermal and solar photovoltaic equipment.*

Section 4(1)(h) of the Planning and Development Act, 2000, as amended states:

4(1) *The following shall be exempted developments for the purposes of this Act—*

*(h) development consisting of the carrying out of works for the maintenance, improvement or other alteration of any structure, being works which affect only the interior of the structure or which do not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure or of neighbouring structures.*

4. - (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).*

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

4(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.*

### **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 to allow a solar photo-voltaic or solar thermal collector installation to function;*

*“business premises” means—*

- (a) any structure or other land (not being an excluded premises) which is normally used for the carrying on of any professional, commercial, or industrial undertaking or any structure (not being an excluded premises) which is normally used for the provision therein of services to persons,*
- (b) a hotel, hostel (other than a hostel where care is provided) or public house, or*

(c) any structure or other land used for the purposes of, or in connection with, the functions of a State authority;

“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 56(e) 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>
(e) The placing or erection on a roof of a <b>business premises</b> or light industrial building, or within the curtilage of a business premises or light industrial building, or on a roof of any ancillary buildings within the curtilage of a business premises or light industrial building of a solar photo-voltaic and/or solar thermal collector installation.	<ol style="list-style-type: none"><li>1. Where such development is located within a solar safeguarding zone, the total aperture area of any solar photo-voltaic 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>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.</li><li>3. The distance between the plane of the roof and the solar photo-voltaic or solar thermal collector panels shall not exceed:<ol style="list-style-type: none"><li>a. for a business premises, 1.2 metres in the case of a flat roof or 15cm in any other case.</li><li>b. for a light industrial building, 2 metres in the case of a flat roof or 50cm in any other case.</li></ol></li><li>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.</li><li>5. 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).</li><li>6. 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.</li><li>7. 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.</li><li>8. 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.</li><li>9. Any free-standing solar photo-voltaic or solar thermal collector installation shall not be placed or erected forward of the front wall of the business premises or light industrial building.</li><li>10. The total aperture area of any free-standing solar photo-voltaic and solar thermal collector panels taken together with any other such existing free-standing panels shall not exceed 75 square metres.</li></ol>

	<p>11. <i>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.</i></p> <p>12. <i>The placing or erection of a solar photo-voltaic or solar thermal collector installation on any wall shall not be exempted development.</i></p> <p>13. <i>The placing or erection of any free-standing 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.</i></p> <p>14. <i>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.</i></p> <p>15. <i>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 business premises or light industrial building, and shall not be considered a change of use for the purposes of the Act.</i></p> <p>16. <i>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.</i></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 subject site is located on the Rosanna Road within the centre of Tipperary Town and occupied by Tipperary Technology Park.

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

**00581417** Permission GRANTED to West Tipperary Enterprise Group Ltd



**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(e) of Part 1 of Schedule 2 below.

*(e) The placing or erection on a roof of a business premises or light industrial building, or within the curtilage of a business premises or light industrial building, or on a roof of any ancillary buildings within the curtilage of a business premises or light industrial building of a solar photo-voltaic and/or solar thermal collector installation.*

**The proposal for Solar Panels is located on a building which is considered a business premises as defined under Article 5(1) of the above cited Regulations.**

Subject to the following conditions and limitations;

1. *Where such development is located within a solar safeguarding zone, the total aperture area of any solar photo-voltaic and/or solar thermal collector panels, taken together with any other such panels previously placed on a roof, shall not exceed 300 square metres.*

**The site is outside a solar safeguarding zone.**

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.*

**Not applicable.**

3. *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.*

**The submitted application does not demonstrate that this requirement is met.**

- b. *for a light industrial building, 2 metres in the case of a flat roof or 50cm in any other case.*

**Not applicable.**

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.*

**The submitted drawings are not to scale and do not demonstrate that this requirement is met.**

5. *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).*

**Not applicable.**

6. *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.*

**It is not clear from the drawings submitted where the equipment will be stored.**

7. *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.*

**Not clear if this condition and limitation is applicable. Details of inverters and battery systems not included.**

8. *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.*

Not clear is this condition is satisfied.

9. Any free-standing solar photo-voltaic or solar thermal collector installation shall not be placed or erected forward of the front wall of the business premises or light industrial building.

Not applicable as the proposal includes for roof mounted panels.

10. The total aperture area of any free-standing solar photo-voltaic and solar thermal collector panels taken together with any other such existing free-standing panels shall not exceed 75 square metres.

Not applicable as the proposal includes for roof mounted panels.

11. 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.

Not applicable as the proposal includes for roof mounted panels.

12. The placing or erection of a solar photo-voltaic or solar thermal collector installation on any wall shall not be exempted development.

Not applicable as the proposal includes for roof mounted panels only.

13. The placing or erection of any free-standing 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.

The lands are located at a remove from the Tipperary Town ACA.

14. 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.

Not applicable as the proposal do not include for any sign, advertisement or object not required for the functioning or safety of the solar photo-voltaic or solar thermal collector installation.

15. 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 business premises or light industrial building, and shall not be considered a change of use for the purposes of the Act.

It is unclear if all the power generated by the photovoltaic panels will only provide electricity for use within the building.

16. 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.

Noting the distance to the public road and owing to the nature of the building and the flat roof design I am satisfied there would be no hazardous glint and/or glare

C. Restrictions under Article 9

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 the solar panels satisfied the available exemption.

D. Requirement for Appropriate Assessment and Environmental Impact Assessment

**AA**

Screening for AA is not required in respect of the proposal which is not considered to constitute development.

## EIA

Screening for EIA is not required in respect of the proposal which is not considered to constitute development.

### 4. RECOMMENDATION

It is recommended that further information is requested as follows:

1. Having reviewed the details submitted with the declaration and having considered the conditions and limitations associated with the exemption allowed for under Class 56(e) of Schedule 2, Part 3 of the Planning and Development Regulations 2001 (as amended), the applicant is requested to submit plans, elevations, details as necessary to confirm the following in order for the Planning Authority to determine if the works proposed constitute exempted development;
  - 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 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.
  - 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.
  - 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 (no details of the battery storage etc was submitted)
  - 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.
  - All power generated is primarily used for the provision of electricity or heating for use within the curtilage of the business premises.

District Planner:



Date: 16/12/2025

Senior Executive Planner:



Date: 18.12.2025

## HABITATS DIRECTIVE APPROPRIATE ASSESSMENT (AA) SCREENING REPORT

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

(a) File Reference No:	S5/25/147
(b) Brief description of the project or plan:	40.5KW roof mounted solar PV system with battery electric storage system (BESS)
(c) Brief description of site characteristics:	Existing business premises in an urban serviced area
(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.

• Potential for accidents or incidents													
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> <p>The proposed development is not likely to have significant effects.</p>													
<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											



EIA Pre-Screening Establishing a development is a 'sub-threshold development'	
<b>File Reference:</b>	S5/25/147
<b>Development Summary:</b>	40.5KW roof mounted solar PV system with battery electric storage system (BESS)
<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, has Schedule 7A information/screening report been submitted?</b>	
<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>

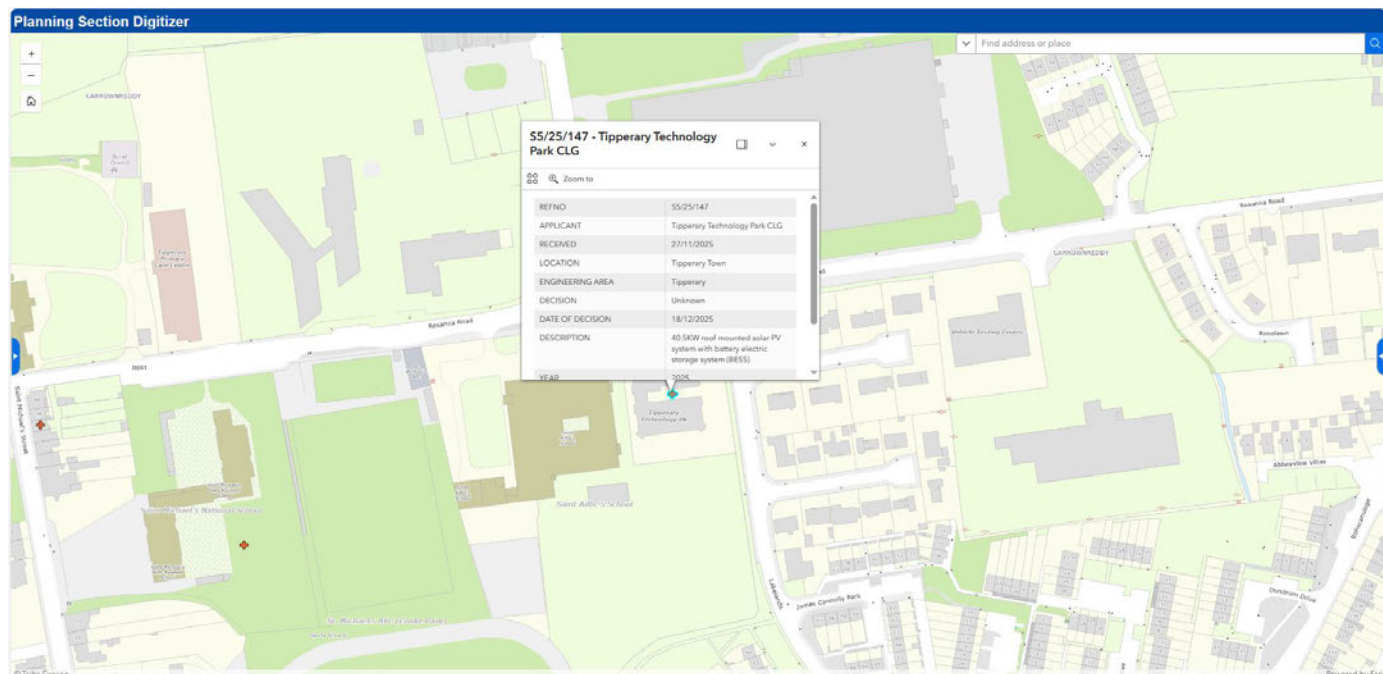


Figure 2 Planning Register



Date: 18<sup>th</sup> December 2025

Our Ref: S5/25/147

Civic Offices, Nenagh

Eoin Barrett  
Tipperary Technology Park CLG  
Rosanna Road  
Tipperary Town  
Co Tipperary

**Re: Application for a Section 5 Declaration** – 40.5KW roof mounted solar PV system with battery electric storage system (BESS) at Rosanna Road, Tipperary Town, Co. Tipperary

Dear Eoin,

I refer to an application received from you on 27<sup>th</sup> November, 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;**

Having reviewed the details submitted with the declaration and having considered the conditions and limitations associated with the exemption allowed for under Class 56(e) of Schedule 2, Part 3 of the Planning and Development Regulations 2001 (as amended), the applicant is requested to submit plans, elevations, details as necessary to confirm the following in order for the Planning Authority to determine if the works proposed constitute exempted development;

- 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.
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- 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.
- All power generated is primarily used for the provision of electricity or heating for use within the curtilage of the business premises.

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

Yours sincerely

  
for **Director of Services**



Outlook

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## S5/25/147 - Tipperary Technology Park

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From Begley, Michael <[REDACTED]>

Date Fri 9 Jan 2026 11:49 AM

To Hendy, Pauline <pauline.hendy@tipperarycoco.ie>

Cc Murray, Paul <[REDACTED]>; 'Dylan Whiteford' <[REDACTED]>

 2 attachments (2 MB)

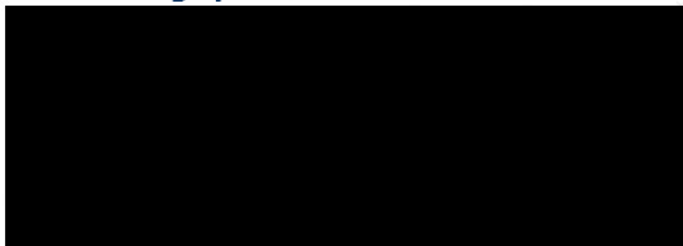
Letter from Tipperary County Council - re Section V Declaration - 18.12.2025.pdf; ES-100\_Solar.pdf;

Pauline,

I hope you are well. I refer to the attached request for additional information in relation to the installation of a solar PV system at Tipperary Technology Park, Tipperary Town. I have attached the detailed specification for the project that was prepared by Tipperary Energy Agency. When the planning section have had an opportunity to review could you confirm whether the attached specification satisfactorily addresses the queries raised.

Much appreciated.

**Michael Begley**



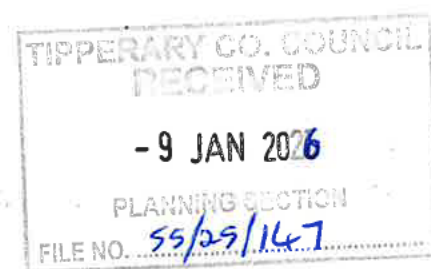
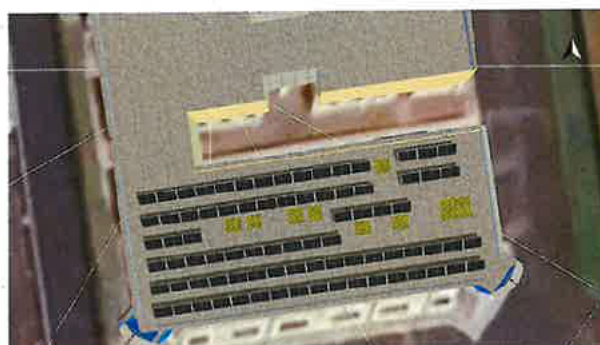


10/11/2025

## Your PV system

Address of Installation

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## Project Overview

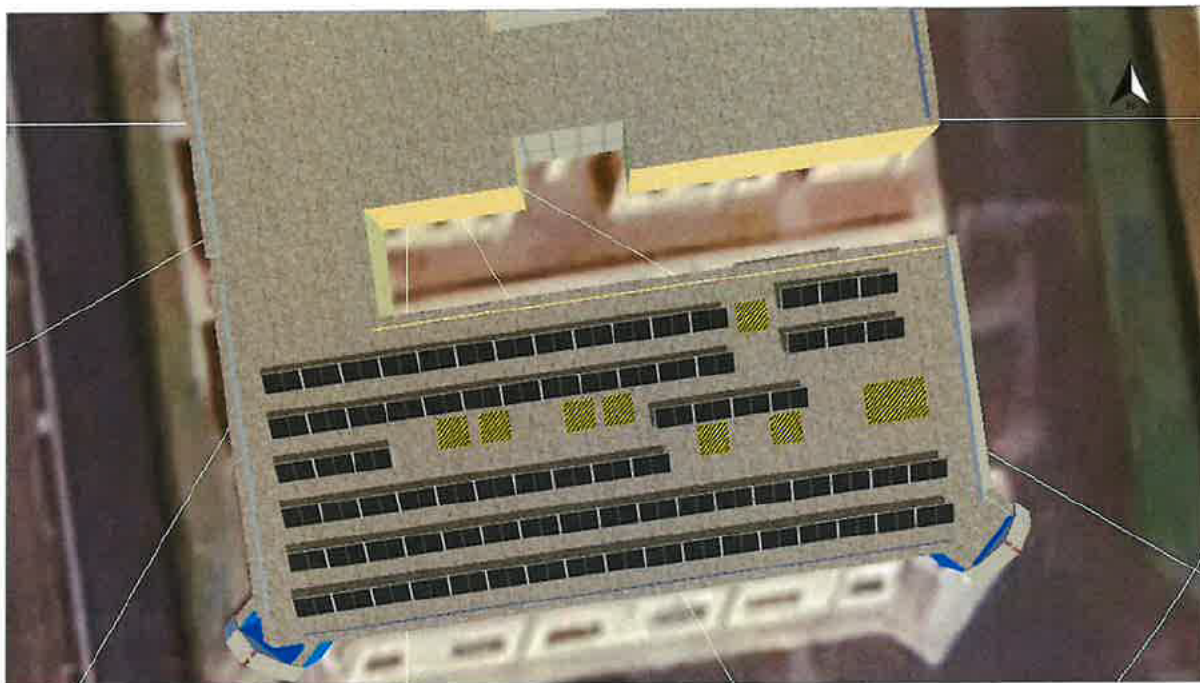


Figure: Overview Image, 3D Design

## PV System

### 3D, Grid-connected PV System with Electrical Appliances and Battery Systems

Climate Data	Shannon Airp., IRL (2001 - 2020)
Values source	Meteonorm 8.2
PV Generator Output	40.5 kWp
PV Generator Surface	180.1 m <sup>2</sup>
Number of PV Modules	81
Number of Inverters	1
No. of battery systems	2

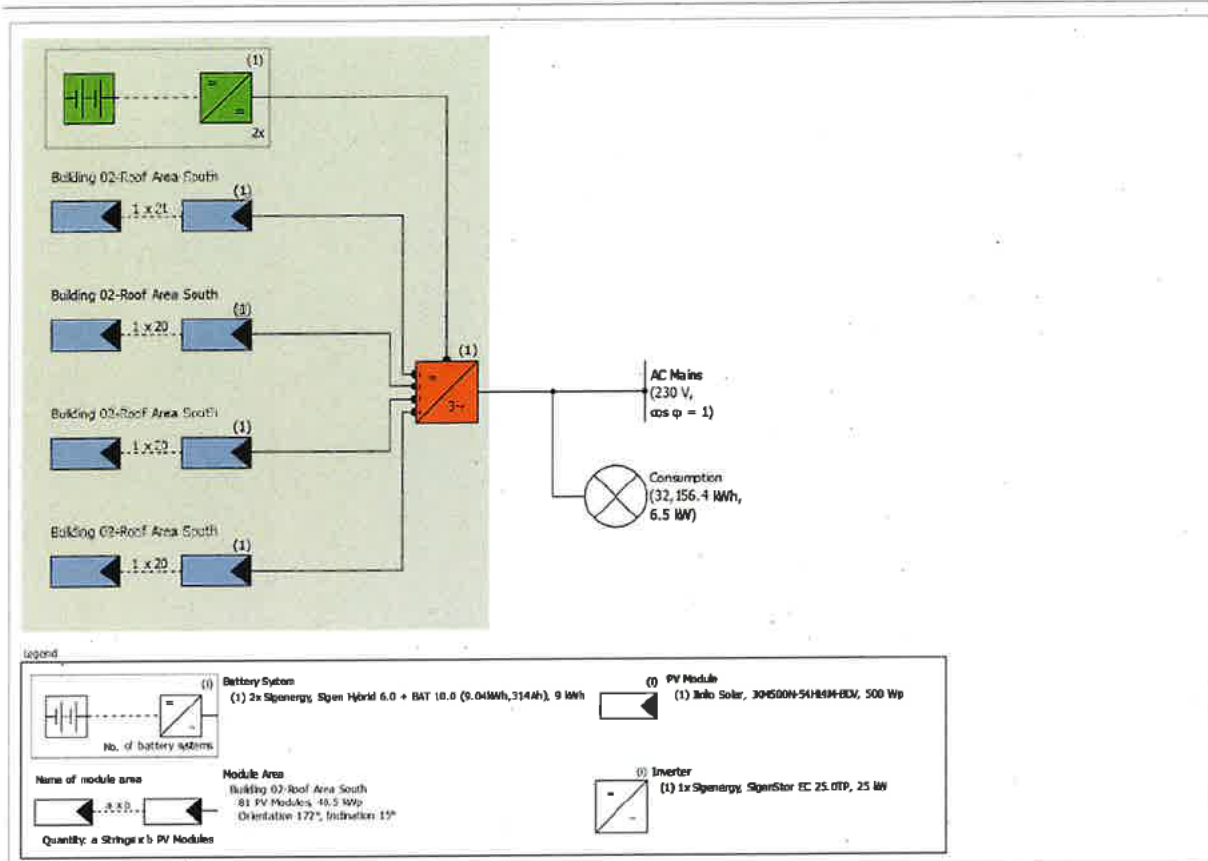


Figure: Schematic diagram

## Production Forecast

### Production Forecast

PV Generator Output	40.50 kWp
Spec. Annual Yield	824.55 kWh/kWp
Performance Ratio (PR)	77.54 %
Yield Reduction due to Shading	1.4 %
PV Generator Energy (AC grid) with battery	33,239 kWh/Year
Direct Own Use	17,918 kWh/Year
Clipping at Feed-in Point	0 kWh/Year
Grid Export	15,321 kWh/Year
Own Power Consumption	53.9 %
CO <sub>2</sub> Emissions avoided	12,545 kg / year
Level of Self-sufficiency	55.7 %

# Set-up of the System

## Overview

### System Data

Type of System	3D, Grid-connected PV System with Electrical Appliances and Battery Systems
----------------	---

### Climate Data

Location	Shannon Airp., IRL (2001 - 2020)
Values source	Meteonorm 8.2
Data resolution	1 min
Simulation models used:	
- Diffuse Irradiation onto Horizontal Plane	Hofmann
- Irradiance onto tilted surface	Hay & Davies

### Consumption

Total Consumption	32156 kWh
estimate office space based on a 2.126 OH to OOH ratio	32156 kWh
Load Peak	6.5 kW

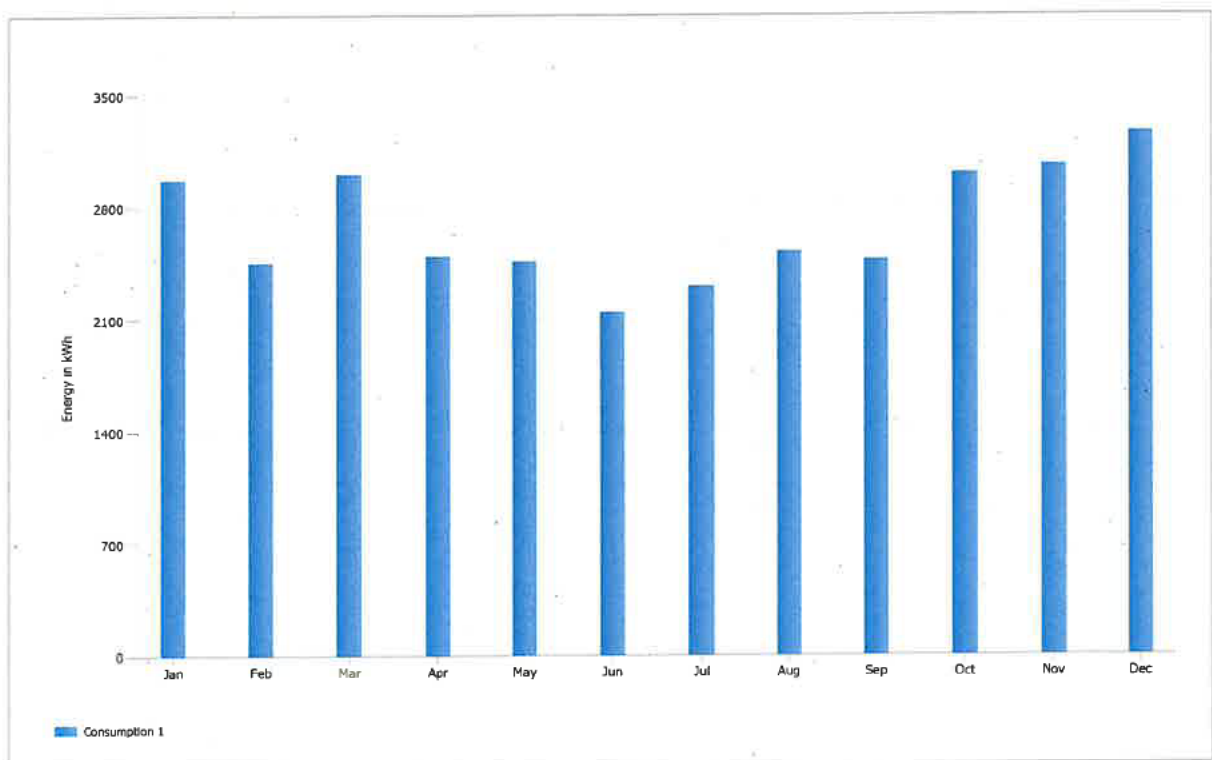


Figure: Consumption



## Module Areas

### 1. Module Area - Building 02-Roof Area South

#### PV Generator, 1. Module Area - Building 02-Roof Area South

Name	Building 02-Roof Area South
PV Modules	81 x JKM500N-54HL4M-BDV (v3)
Manufacturer	Jinko Solar
Inclination	15 °
Orientation	South 172 °
Installation Type	Mounted - Roof
PV Generator Surface	180.1 m <sup>2</sup>

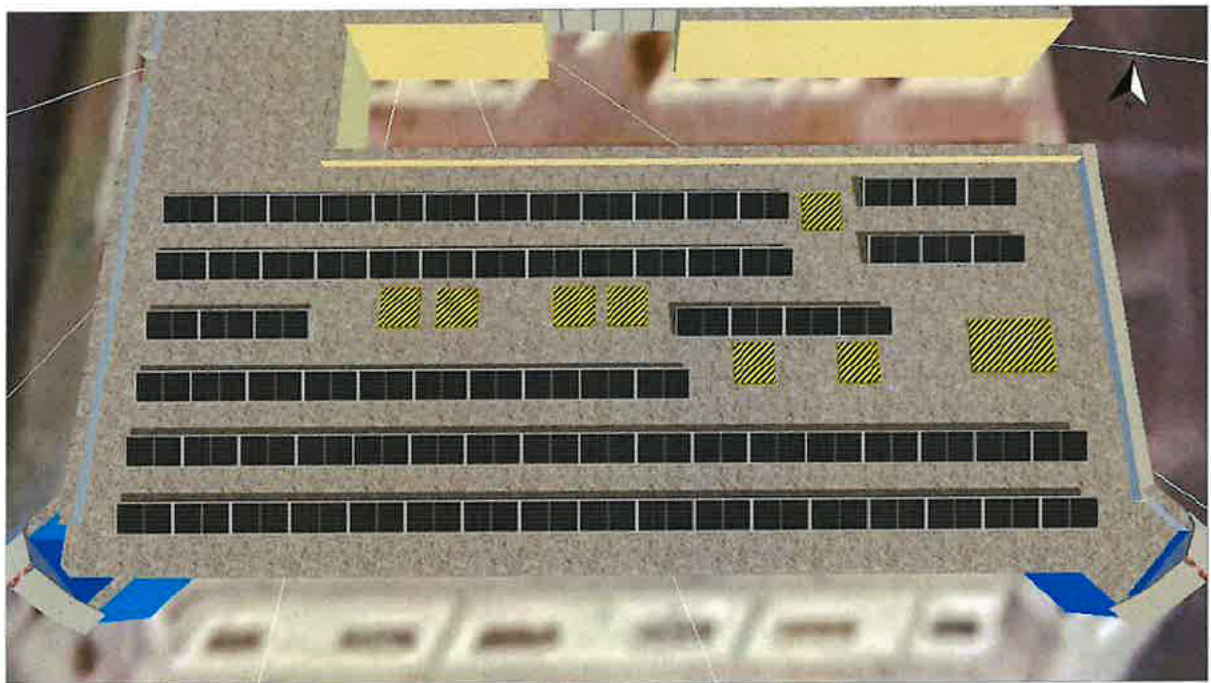


Figure: 1. Module Area - Building 02-Roof Area South

## Horizon Line, 3D Design

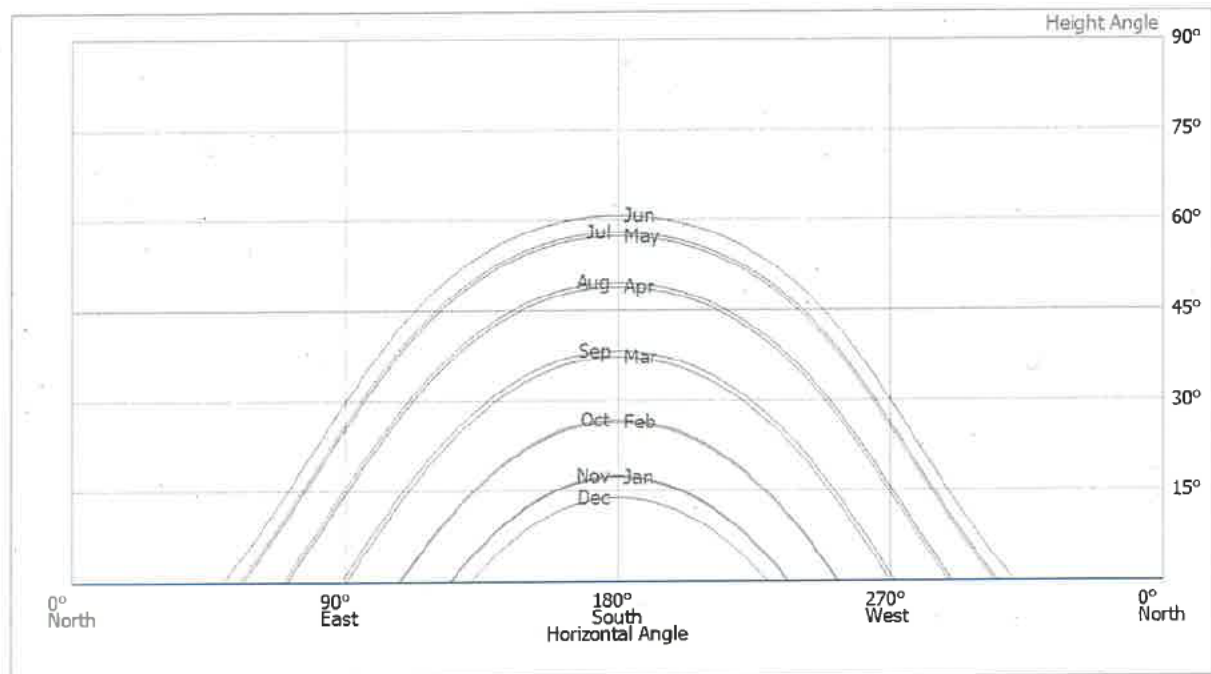


Figure: Horizon (3D Design)

## Inverter configuration

### Configuration 1

Module Area	Building 02-Roof Area South
Inverter 1	
Model	SigenStor EC 25.0TP (v5)
Manufacturer	Sigenergy
Quantity	1
Sizing Factor	162 %
Configuration	MPP 1: 1 x 21
	MPP 2: 1 x 20
	MPP 3: 1 x 20
	MPP 4: 1 x 20

## AC Mains

### AC Mains

Number of Phases	3
Mains voltage between phase and neutral	230 V
Displacement Power Factor (cos phi)	+/- 1

## Battery Systems

### Battery System - Group 1

Model	Sigen Hybrid 6.0 + BAT 10.0 (9.04kWh,314Ah) (v1)
Manufacturer	Sigenergy
Quantity	2
Battery Inverter	
Type of Coupling	DC intermediate circuit coupling
Nominal output	5 kW
Battery	
Manufacturer	Sigenergy
Model	SigenStor BAT 10.0 (314) (v1)
Quantity	1
Battery Energy	9 kWh
Battery Type	Lithium iron phosphate

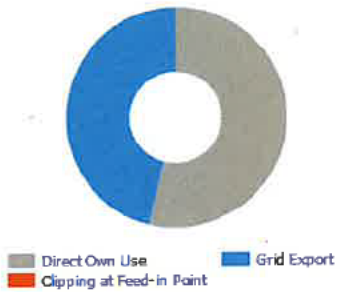
# Simulation Results

## Results Total System

### PV System

PV Generator Output	40.50 kWp
Spec. Annual Yield	824.55 kWh/kWp
Performance Ratio (PR)	77.54 %
Yield Reduction due to Shading	1.4 %
PV Generator Energy (AC grid) with battery	33,239 kWh/Year
Direct Own Use	17,918 kWh/Year
Clipping at Feed-in Point	0 kWh/Year
Grid Export	15,321 kWh/Year
Own Power Consumption	53.9 %
CO <sub>2</sub> Emissions avoided	12,545 kg / year

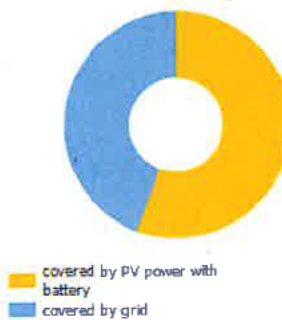
PV Generator Energy (AC grid) with battery



### Appliances

Appliances	32,156 kWh/Year
Standby Consumption (Inverter)	25 kWh/Year
Total Consumption	32,182 kWh/Year
covered by PV power with battery	17,918 kWh/Year
covered by grid	14,264 kWh/Year
Solar Fraction	55.7 %

Total Consumption



### Battery System

Charge at beginning	18 kWh
Battery Charge (PV System)	5,013 kWh/Year
Battery Energy for the Covering of Consumption	4,832 kWh/Year
Battery discharge into the grid	0 kWh/Year
Losses due to charging/discharging	174 kWh/Year
Losses in Battery	25 kWh/Year
Cycle Load	3.7 %
Service Life	>20 Years

### Level of Self-sufficiency

Total Consumption	32,182 kWh/Year
covered by grid	14,264 kWh/Year
Level of Self-sufficiency	55.7 %



## Project: TTTPV2b



Figure: Energy flow

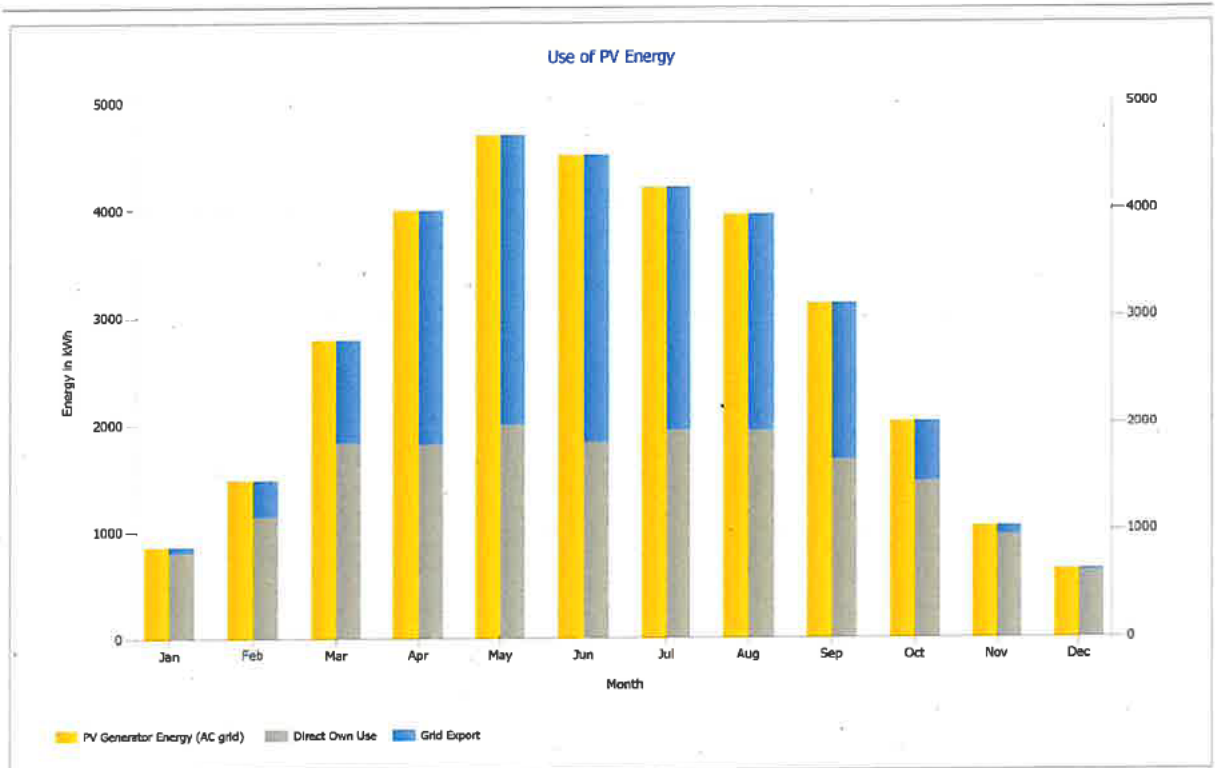


Figure: Use of PV Energy

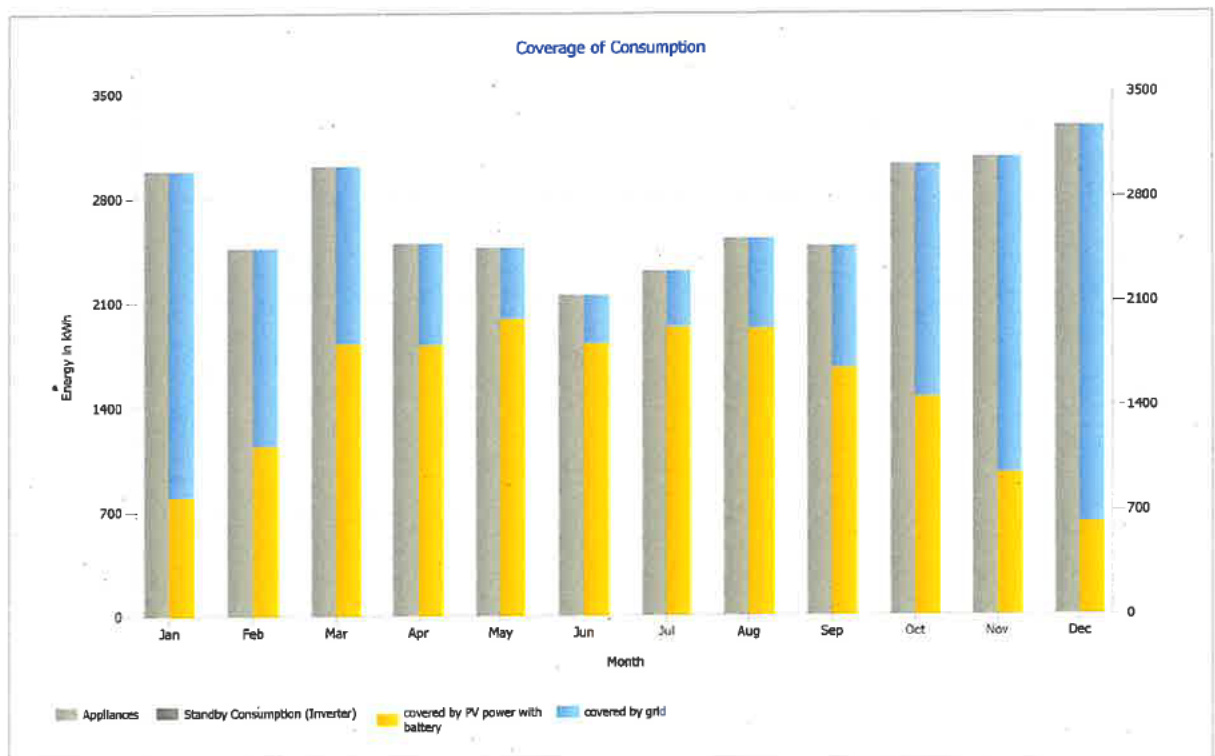


Figure: Coverage of Consumption

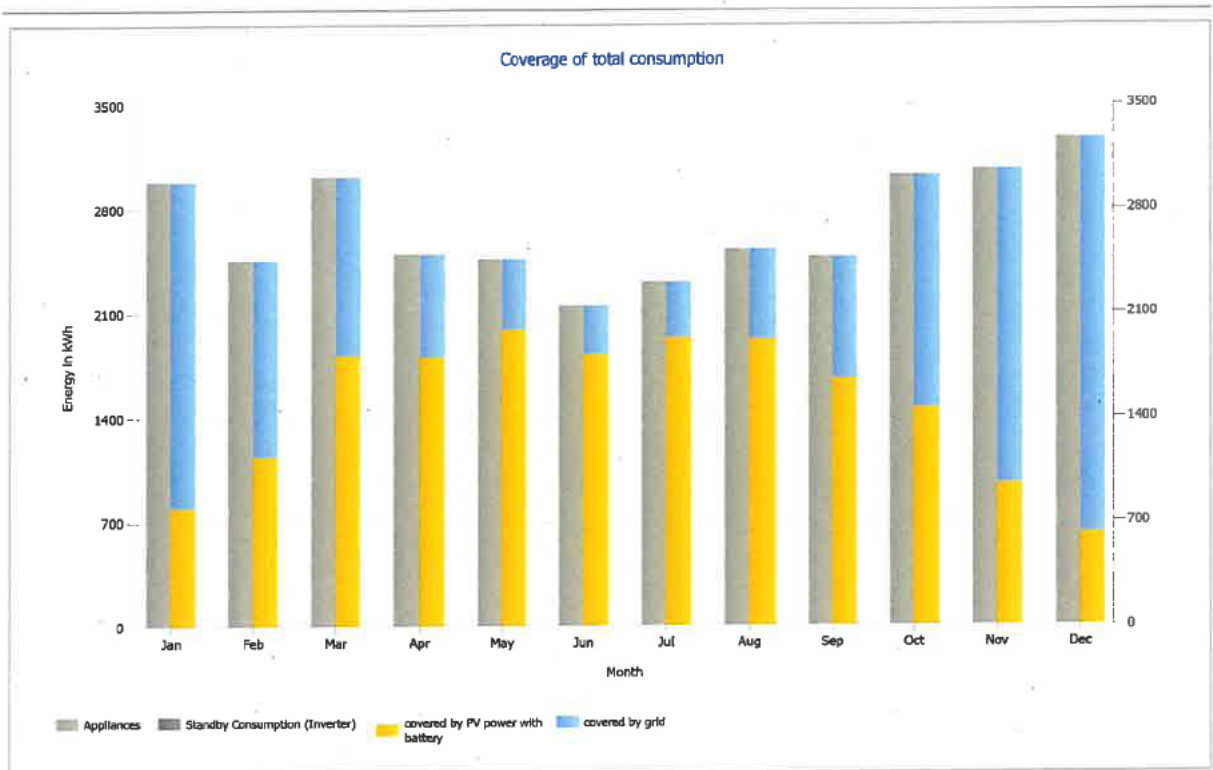


Figure: Coverage of total consumption

# Plans and parts list

## Circuit Diagram

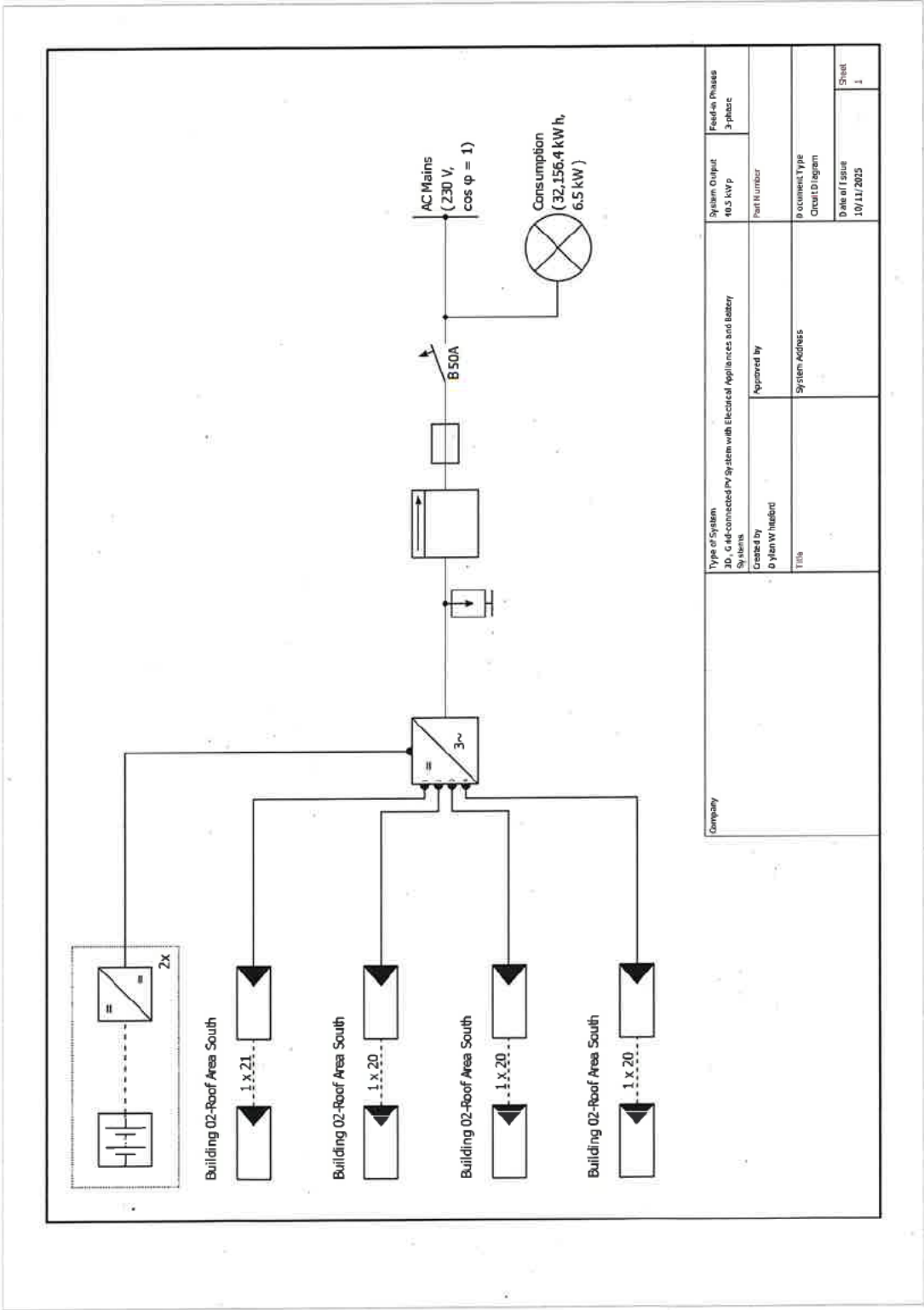


Figure: Circuit Diagram



## Overview plan

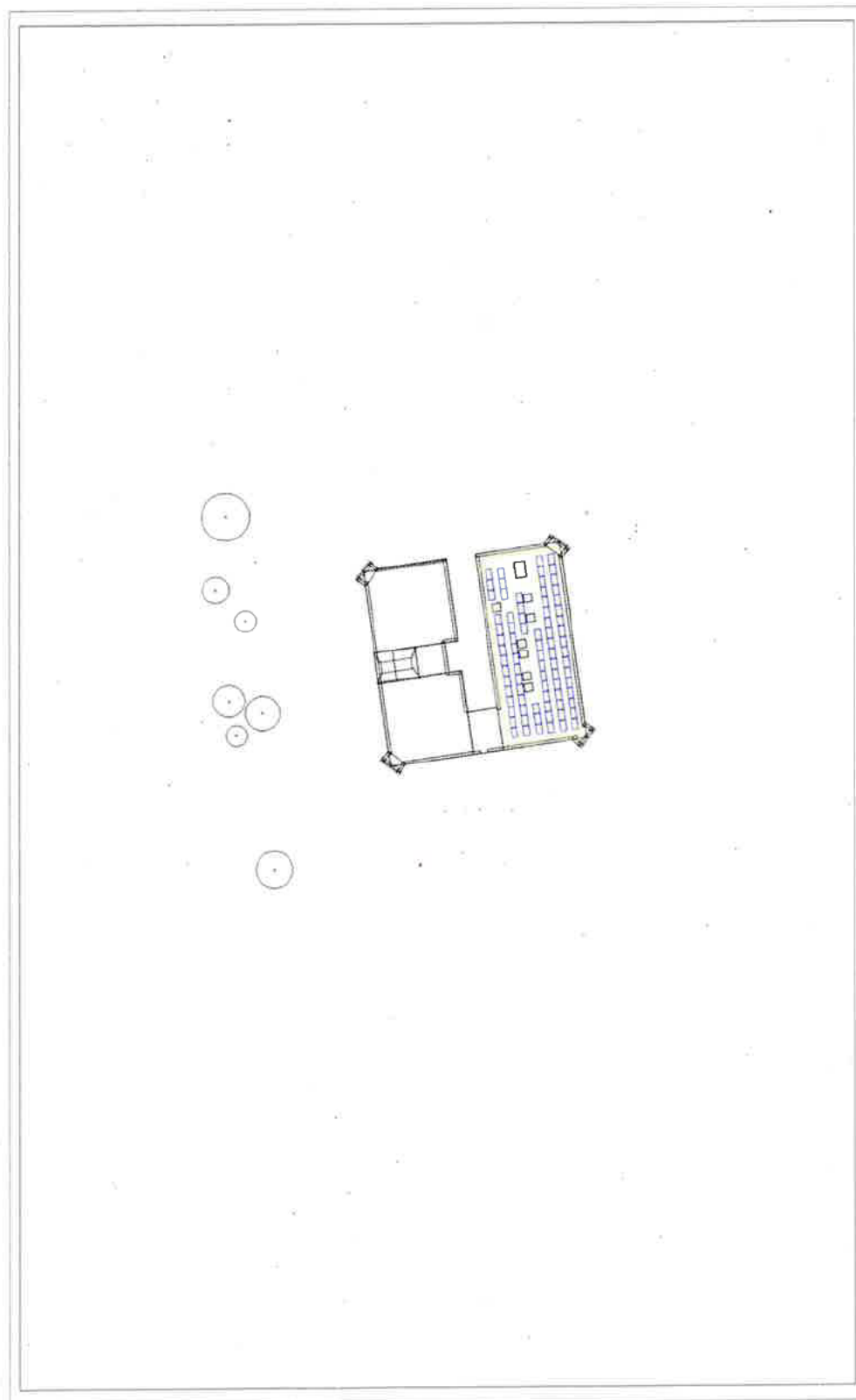


Figure: Overview plan

# Dimensioning Plan

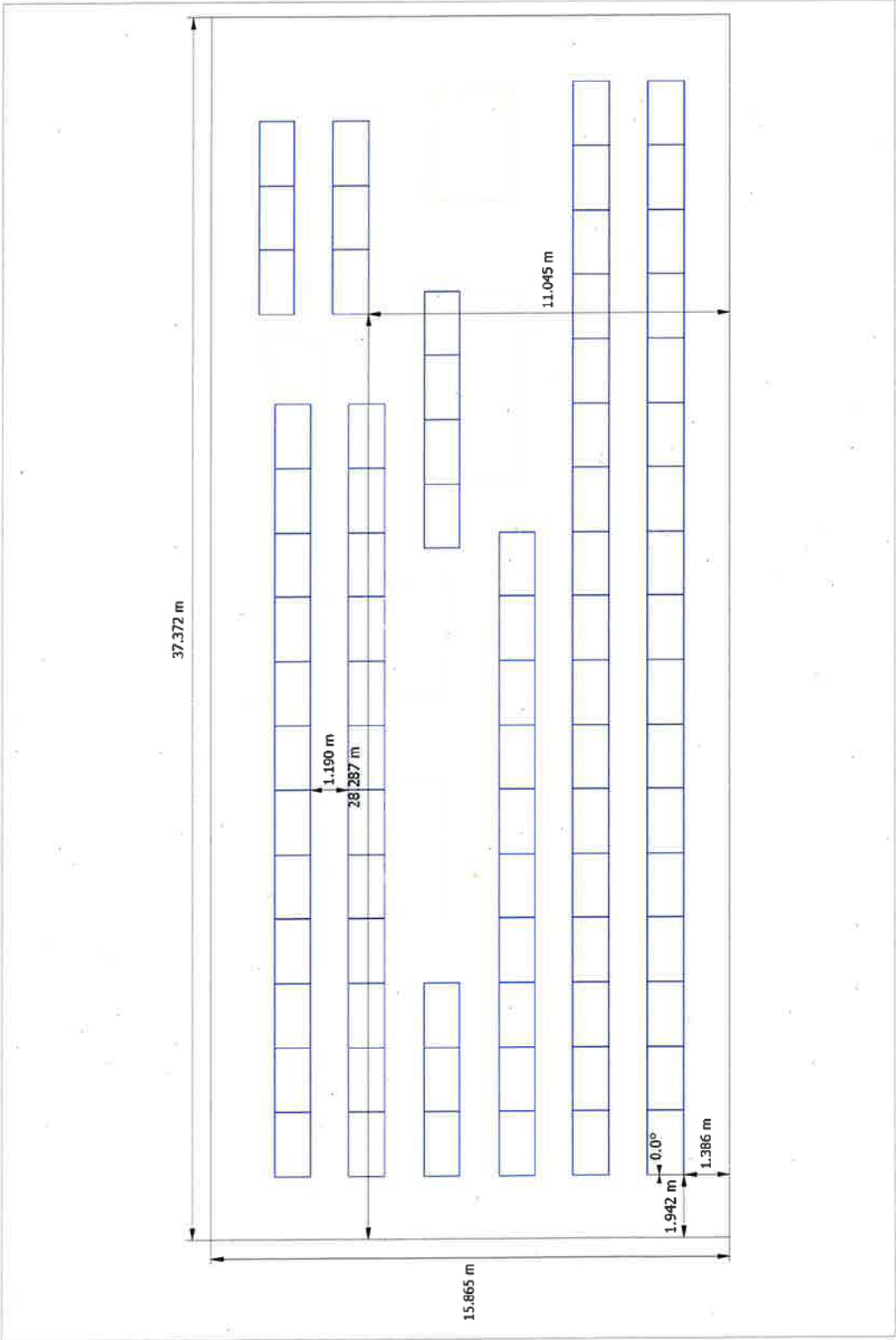


Figure: Building 02 - Roof Area South

## String Plan

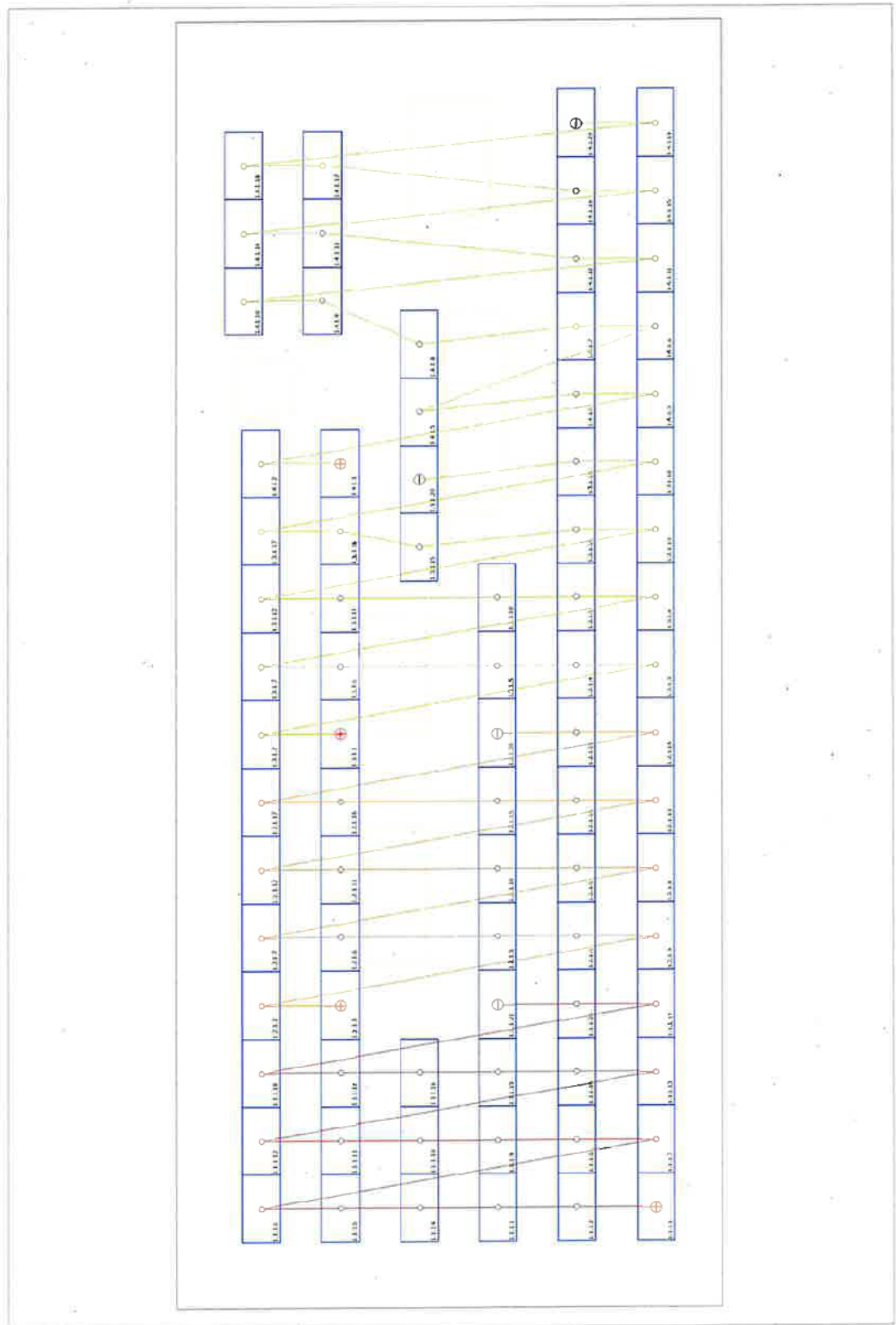


Figure: Building 02 - Roof Area South

## Parts list

### Parts list

#	Type	Item number.	Manufacturer	Name	Quantity	Unit
1	PV Module		Jinko Solar	JKM500N-54HL4M-BDV	81	Piece
2	Inverter		Sigenergy	SigenStor EC 25.0TP	1	Piece
3	Battery System		Sigenergy	Sigen Hybrid 6.0 + BAT 10.0 (9.04kWh,314Ah)	2	Piece
4	Components			Surge protection	1	Piece
5	Components			Energy flow sensor	1	Piece
6	Components			Fuse	1	Piece
7	Components			Circuit Breaker B 50A	1	Piece



Comhairle Contae Thiobraid Árann  
Tipperary County Council

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

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

☎ 0818 06 5000/600  
✉ customerservice  
@tipperarycoco.ie  
[tipperarycoco.ie](http://tipperarycoco.ie)

Date: 9<sup>th</sup> January 2026

Our Ref: S5/25/147

Civic Offices, Nenagh

Eoin Barrett  
Tipperary Technology Park CLG  
Rosanna Road  
Tipperary Town  
Co Tipperary

**Re: Application for a Section 5 Declaration** – 40.5KW roof mounted solar PV system with battery electric storage system (BESS) at Rosanna Road, Tipperary Town, Co. Tipperary

Dear Eoin

I acknowledge receipt of Further Information received on 9<sup>th</sup> January 2026 in connection with the above.

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

Yours sincerely

  
for **Director of Services**



## TIPPERARY COUNTY COUNCIL

### Application for Declaration under Section 5 Report No. 2

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

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<b>Planning Reference:</b>	S5/25/147
<b>Applicant:</b>	Tipperary Technology Park CLG
<b>Development Address:</b>	Rosanna Road, Tipperary Town, Co. Tipperary
<b>Proposed Development:</b>	40.5KW roof mounted solar PV system with battery electric storage system (BESS)

---

**Further information was requested on 18<sup>th</sup> December 2025 under Section 5(2) of the above cited Act. Further information response was received on 9<sup>th</sup> January 2026.**

#### 1. GENERAL

On 27<sup>th</sup> November 2025 a request was made for a declaration under Section 5 of the Planning and Development Act, 2000 as amended by Tipperary Technology Park CLG c/o Tipperary Energy Agency as to whether or not the following works constituted development and if so, whether same was exempted development:

#### ***40.5KW roof mounted solar PV system with battery electric storage system (BESS)***

The application was accompanied by the following documentation;

- Section 5 Application Form
- Proposed Site Layout Plan
- Site Location Map
- Proposed Roof Plan



*Figure 1 Site Location*

## 2. STATUTORY PROVISIONS

The following statutory provisions are relevant to this case;

### Planning and Development Act 2000, as amended

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

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

Section 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.”*

*‘solar energy equipment’ means equipment that converts energy from the sun into thermal or electrical energy, including solar thermal and solar photovoltaic equipment.*

Section 4(1)(h) of the Planning and Development Act, 2000, as amended states:

4(1) *The following shall be exempted developments for the purposes of this Act—*

*(h) development consisting of the carrying out of works for the maintenance, improvement or other alteration of any structure, being works which affect only the interior of the structure or which do not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure or of neighbouring structures.*

4.- (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).*

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

*4(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.*

### 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 to allow a solar photo-voltaic or solar thermal collector installation to function;*

*“business premises” means—*

- (a) any structure or other land (not being an excluded premises) which is normally used for the carrying on of any professional, commercial, or industrial undertaking or any structure (not being an excluded premises) which is normally used for the provision therein of services to persons,
- (b) a hotel, hostel (other than a hostel where care is provided) or public house, or
- (c) any structure or other land used for the purposes of, or in connection with, the functions of a State authority;

“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 56(e) 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>
(e) The placing or erection on a roof of a <b>business premises</b> or light industrial building, or within the curtilage of a business premises or light industrial building, or on a roof of any ancillary buildings within the curtilage of a business premises or light industrial building of a solar photo-voltaic and/or solar thermal collector installation.	<ol style="list-style-type: none"> <li>1. Where such development is located within a solar safeguarding zone, the total aperture area of any solar photo-voltaic 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>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.</li> <li>3. The distance between the plane of the roof and the solar photo-voltaic or solar thermal collector panels shall not exceed: <ol style="list-style-type: none"> <li>a. for a business premises, 1.2 metres in the case of a flat roof or 15cm in any other case.</li> <li>b. for a light industrial building, 2 metres in the case of a flat roof or 50cm in any other case.</li> </ol> </li> <li>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.</li> <li>5. 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).</li> <li>6. 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.</li> <li>7. 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.</li> <li>8. 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.</li> <li>9. Any free-standing solar photo-voltaic or solar thermal collector installation shall not be placed or erected forward of the front wall of the business premises or light industrial building.</li> </ol>

	<p>10. The total aperture area of any free-standing solar photo-voltaic and solar thermal collector panels taken together with any other such existing free-standing panels shall not exceed 75 square metres.</p> <p>11. 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>12. The placing or erection of a solar photo-voltaic or solar thermal collector installation on any wall shall not be exempted development.</p> <p>13. The placing or erection of any free-standing 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>14. 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>15. 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 business premises or light industrial building, and shall not be considered a change of use for the purposes of the Act.</p> <p>16. 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 subject site is located on the Rosanna Road within the centre of Tipperary Town and occupied by Tipperary Technology Park.

**b. Relevant Planning History**

**00581417** Permission GRANTED to West Tipperary Enterprise Group Ltd.

**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(e) of Part 1 of Schedule 2 below.

*(e) The placing or erection on a roof of a business premises or light industrial building, or within the curtilage of a business premises or light industrial building, or on a roof of any ancillary buildings within the curtilage of a business premises or light industrial building of a solar photo-voltaic and/or solar thermal collector installation.*

**The proposal for Solar Panels is located on a building which is considered a business premises as defined under Article 5(1) of the above cited Regulations.**

Subject to the following conditions and limitations;

*1. Where such development is located within a solar safeguarding zone, the total aperture area of any solar photo-voltaic and/or solar thermal collector panels, taken together with any other such panels previously placed on a roof, shall not exceed 300 square metres.*

**The site is outside a solar safeguarding zone.**

*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.*

**Not applicable.**

*3. 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.*

**The submitted application does not demonstrate that this requirement is met.**

*b. for a light industrial building, 2 metres in the case of a flat roof or 50cm in any other case.*

**Not applicable.**

*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.*

**The submitted drawings are not to scale and do not demonstrate that this requirement is met.**

*5. 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).*

**Not applicable.**

*6. 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.*

**It is not clear from the drawings submitted where the equipment will be stored.**

*7. 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.*



Not clear if this condition and limitation is applicable. Details of inverters and battery systems not included.

8. 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.

Not clear is this condition is satisfied.

9. Any free-standing solar photo-voltaic or solar thermal collector installation shall not be placed or erected forward of the front wall of the business premises or light industrial building.

Not applicable as the proposal includes for roof mounted panels.

10. The total aperture area of any free-standing solar photo-voltaic and solar thermal collector panels taken together with any other such existing free-standing panels shall not exceed 75 square metres.

Not applicable as the proposal includes for roof mounted panels.

11. 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.

Not applicable as the proposal includes for roof mounted panels.

12. The placing or erection of a solar photo-voltaic or solar thermal collector installation on any wall shall not be exempted development.

Not applicable as the proposal includes for roof mounted panels only.

13. The placing or erection of any free-standing 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.

The lands are located at a remove from the Tipperary Town ACA.

14. 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.

Not applicable as the proposal do not include for any sign, advertisement or object not required for the functioning or safety of the solar photo-voltaic or solar thermal collector installation.

15. 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 business premises or light industrial building, and shall not be considered a change of use for the purposes of the Act.

It is unclear if all the power generated by the photovoltaic panels will only provide electricity for use within the building.

16. 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.

Noting the distance to the public road and owing to the nature of the building and the flat roof design I am satisfied there would be no hazardous glint and/or glare

#### C. Restrictions under Article 9

I am satisfied that the proposal would not be restricted by Article 9(1)(iiiia) *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 the solar panels satisfied the available exemption.

**D. Requirement for Appropriate Assessment and Environmental Impact Assessment**

**AA**

Screening for AA is not required in respect of the proposal which is not considered to constitute development.

**EIA**

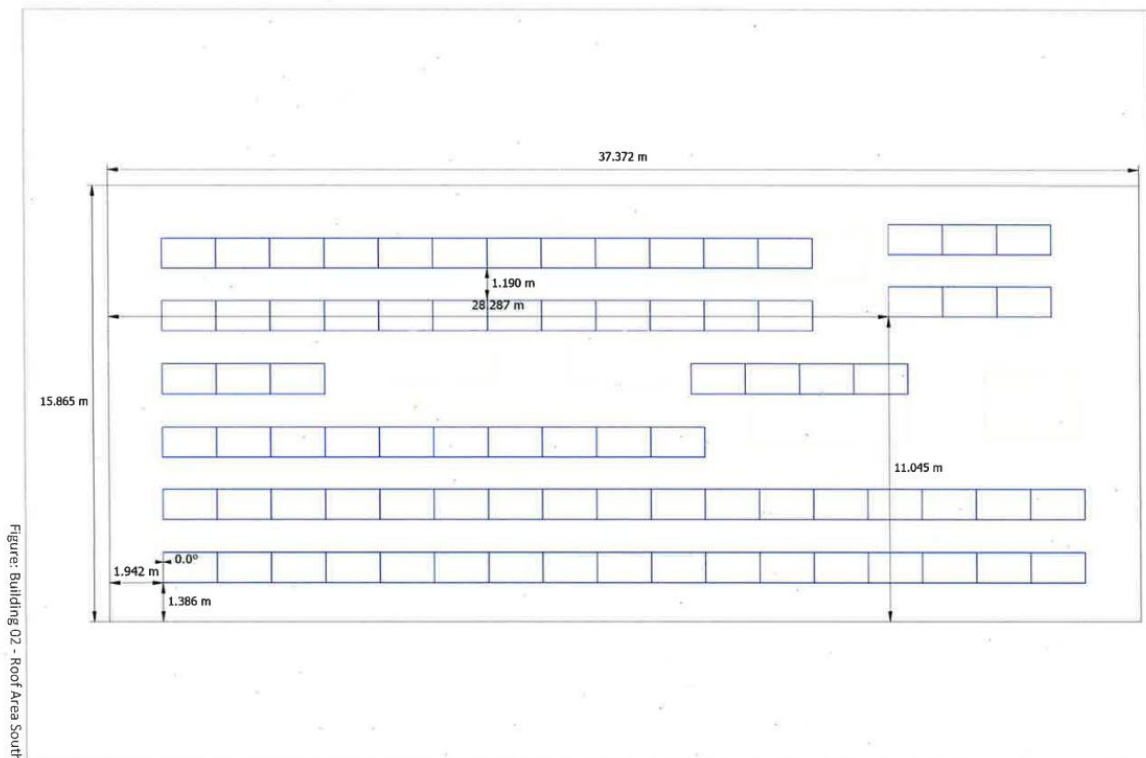
Screening for EIA is not required in respect of the proposal which is not considered to constitute development.

**4. FUTURE INFORMATION REQUEST, RESPONSE & ASSESSMENT**

Further Information was requested on 18<sup>th</sup> December 2025 under Section 5(2) of the Act as follows;

1. *Having reviewed the details submitted with the declaration and having considered the conditions and limitations associated with the exemption allowed for under Class 56(e) of Schedule 2, Part 3 of the Planning and Development Regulations 2001 (as amended), the applicant is requested to submit plans, elevations, details as necessary to confirm the following in order for the Planning Authority to determine if the works proposed constitute exempted development;*
  - *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 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.*
  - *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.*
  - *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 (no details of the battery storage etc was submitted)*
  - *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.*
  - *All power generated is primarily used for the provision of electricity or heating for use within the curtilage of the business premises.*

A Further Information response was received on 9<sup>th</sup> January 2026. A Site Layout Plan, Roof Plan and drawings and other information on the operation and output of the solar panels has been submitted



- The receiving structure has a flat roof. It is not clear if the distance between the plane of the roof and the solar photo-voltaic panels exceeds 1.2m.
- The drawings show the distance between the proposed panels or ancillary equipment to the roof edge in less than the 2m separation distance in places.
- 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. This was confirmed via telephone by Eoin Barrett (Tipperary Technology Park CLG) on 26<sup>th</sup> January 2026. It was further advised that this equipment will be placed inside the building within the plant room area.
- There is no additional equipment for the panels on the roof shown in excess of 1.6m in height or within 2m of the roof edge.
- All power generated is primarily used for the provision of electricity or heating for use within the curtilage of the business premises. This was queried noting the detail in the information submitted as part of the response and confirmed via telephone by Eoin Barrett (Tipperary Technology Park CLG) on 26<sup>th</sup> January 2026.

## 5. RECOMMENDATION

**WHEREAS** a question has arisen from Tipperary Technology Park CLG as to whether 40.5KW roof mounted solar PV system with battery electric storage system (BESS) at Rosanna Road, Tipperary Town, Co. Tipperary 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 61 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001, as amended
- (d) The plans and details submitted by the applicant on 27<sup>th</sup> November 2025 and the further information received on 9th January 2026.

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

40.5KW roof mounted solar PV system with battery electric storage system (BESS) at Rosanna Road, Tipperary Town, Co. Tipperary is development and is not exempted development as same does not satisfy the exemption available under Class 56 (e) of Part 1 of Schedule 2 of the Planning and Development Regulations 2001, as amended.

**NOW WHEREAS** Tipperary County Council, in exercise of the powers conferred on it by section 5(2)(a) of the Planning and Development Act 2000 as amended, it is hereby decided that the proposal to which the Section 5 Declaration Application relates is **development and is NOT exempted development.**

### Reason:

- The details submitted with the application has not confirmed that the distance between the plane of the flat roof and the solar photo-voltaic panels will not exceed 1.2m. (Class 56 (e) Condition no. 3)
- The submitted drawings identify the distance between the proposed panels or ancillary equipment to the roof edge is less than the 2m separation distance in some places. (Class 56 (e) Condition no. 4).

**District Planner:**



**Date:** 29/01/2026



**Senior Executive Planner:**

**Date:** 29.1.2026

## HABITATS DIRECTIVE APPROPRIATE ASSESSMENT (AA) SCREENING REPORT

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

(a) File Reference No:	S5/25/147
(b) Brief description of the project or plan:	40.5KW roof mounted solar PV system with battery electric storage system (BESS)
(c) Brief description of site characteristics:	Existing business premises in an urban serviced area
(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> </ul>	No potential impacts. No changes to surface water arrangements.



<ul style="list-style-type: none"> <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>													
<b>The assessment of significance of effects:</b>													
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.													
<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											

EIA Pre-Screening Establishing a development is a 'sub-threshold development'	
<b>File Reference:</b>	S5/25/147
<b>Development Summary:</b>	40.5KW roof mounted solar PV system with battery electric storage system (BESS)
<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, has Schedule 7A information/screening report been submitted?</b>	
<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>

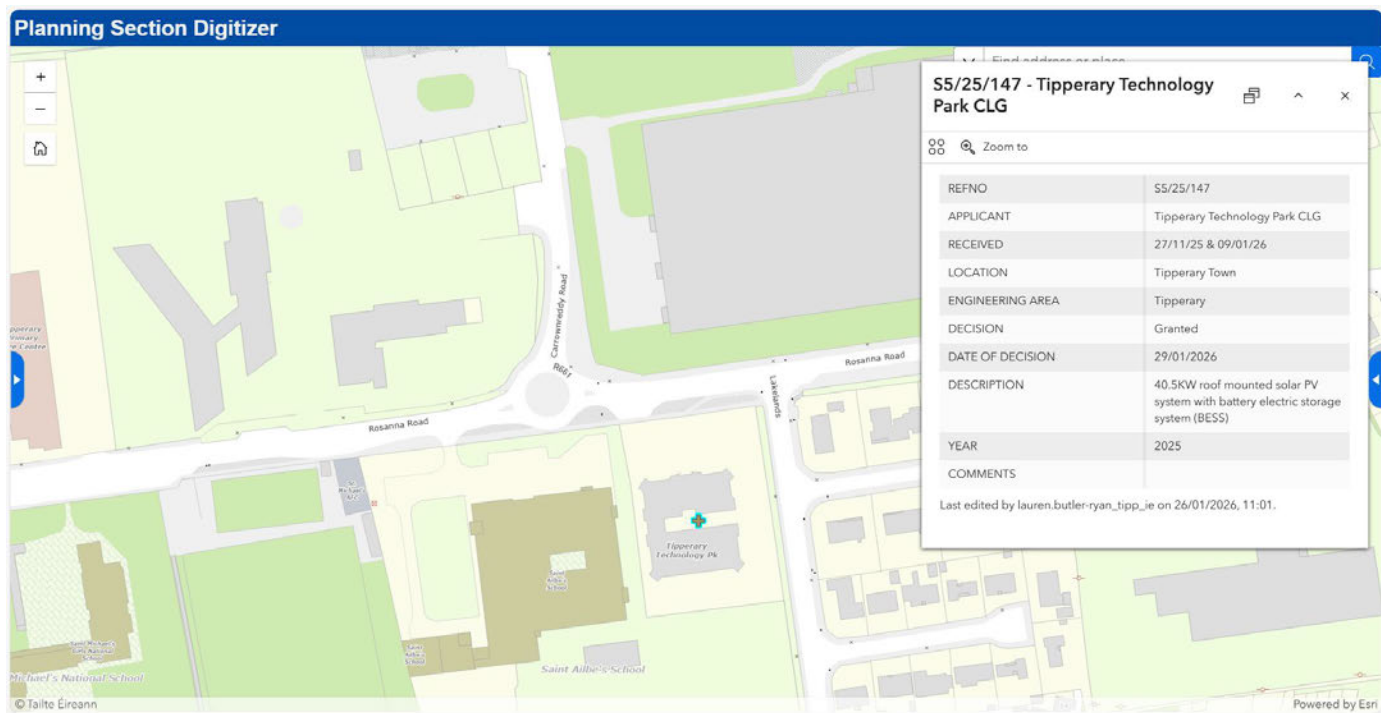


Figure 2 Planning Register

**Original**

**TIPPERARY COUNTY COUNCIL**

**DELEGATED EMPLOYEE'S ORDER**

File Ref: **S5/25/147**      **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 Eoin Barrett, Tipperary Technology Park CLG, Rosanna Road, Tipperary Town, Co Tipperary , re: 40.5KW roof mounted solar PV system with battery electric storage system (BESS) at Rosanna Road, Tipperary Town, Co. Tipperary is development and is exempted development.

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

- (a) Sections 2, 3 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 61 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001, as amended
- (d) The plans and details submitted by the applicant on 27<sup>th</sup> November 2025 and the further information received on 9th January 2026.

Tipperary County Council has concluded that 40.5KW roof mounted solar PV system with battery electric storage system (BESS) at Rosanna Road, Tipperary Town, Co. Tipperary is development and is not exempted development as same does not satisfy the exemption available under Class 56 (e) of Part 1 of Schedule 2 of the Planning and Development Regulations 2001, as amended.

**NOW WHEREAS** Tipperary County Council, in exercise of the powers conferred on it by section 5(2)(a) of the Planning and Development Act 2000 as amended, it is hereby decided that the proposal to which the Section 5 Declaration Application relates is **development and is NOT exempted development.**

**Reason:**

- The details submitted with the application has not confirmed if the distance between the plane of the flat roof and the solar photo-voltaic panels exceeds 1.2m. (Class 56 (e) Condition no. 3)
- The submitted drawings identify the distance between the proposed panels or ancillary equipment to the roof edge in less than the 2m separation distance in some places. (Class 56 (e) Condition no. 4).

**Signed:**

A handwritten signature in black ink, appearing to read 'Brian Beck', is written over a horizontal line.

**Brian Beck**  
**Director of Services**

**Date: 29/01/2026**





Date: 29<sup>th</sup> January 2026

Our Ref: S5/25/147

Civic Offices, Nenagh

Eoin Barrett  
Tipperary Technology Park CLG  
Rosanna Road  
Tipperary Town  
Co Tipperary

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

Dear Eoin,

I refer to your application for a Section 5 Declaration received on 27<sup>th</sup> November, 2025, and Further Information received on 9<sup>th</sup> January 2026 in relation to the following proposed works:

40.5KW roof mounted solar PV system with battery electric storage system (BESS) at Rosanna Road, Tipperary Town, Co. Tipperary

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

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

**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 61 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001, as amended
- (d) The plans and details submitted by the applicant on 27<sup>th</sup> November 2025 and the further information received on 9<sup>th</sup> January 2026.

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

40.5KW roof mounted solar PV system with battery electric storage system (BESS) at Rosanna Road, Tipperary Town, Co. Tipperary is development and is not exempted development as same does not satisfy the exemption available under Class 56 (e) of Part 1 of Schedule 2 of the Planning and Development Regulations 2001, as amended.

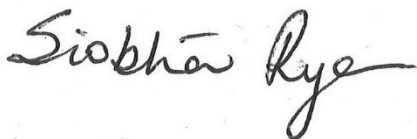
**NOW WHEREAS** Tipperary County Council, in exercise of the powers conferred on it by section 5(2)(a) of the Planning and Development Act 2000 as amended, it is hereby decided that the proposal to which the Section 5 Declaration Application relates is **development and is NOT exempted development.**

**Reason:**

- The details submitted with the application has not confirmed if the distance between the plane of the flat roof and the solar photo-voltaic panels exceeds 1.2m. (Class 56 (e) Condition no. 3)
- The submitted drawings identify the distance between the proposed panels or ancillary equipment to the roof edge in less than the 2m separation distance in some places. (Class 56 (e) Condition no. 4).

**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**