
[External] Section 5 Application

From Niall Heenan Fuchsia Lane Farm [REDACTED]
Date Tue 17 Feb 2026 6:39 PM
To Planning <planning@tipperarycoco.ie>
Cc Cllr O'Meara, JP 365 [REDACTED]

 3 attachments (11 MB)

N Heenan maps.pdf; N Heenan Application form.pdf; N Heenan supporting docs 2.pdf;

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To the planning dept, Tipperary Co Co, Nenagh Offices

I attach my completed Application Form and relevant supporting information. I completely appreciate that you have a very busy workload in Planning, however I would appreciate it if this could be looked at ASAP [REDACTED]

I will be ringing the cash desk first thing in the morning to pay the required fee of 80€.

If you need any more information please do not hesitate to come back to me.

Le gach dea ghuí,

Niall Heenan

[REDACTED]

[REDACTED]



Comhairle Contae Thiobraid Árann
Tipperary County Council

TIPPERARY CO. COUNCIL

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18 FEB 2026

PLANNING SECTION
FILE NO. 55/26/17

PLANNING & DEVELOPMENT ACT, 2000 (as amended)

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

1. Applicant's address/contact details:

Applicant	NIAL HEGHAN
Address	RORAN TERYGLASS NEWACH, CO. TIPPERARY
Telephone No.	[REDACTED]
E-mail	[REDACTED]

2. Agent's (if any) address:

Agent	
Address	
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)	RORAN
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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.)

(SEE ATTACHED SHEET FOR FURTHER INFO)
INSTALLATION OF GROUND MOUNTED SOLAR PANELS
FOR EXISTING HOLYDAY COTTAGES
Proposed floor area of proposed works/uses: 43 sqm sqm

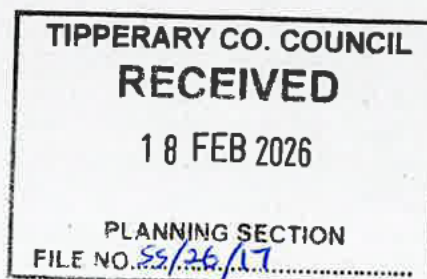
5. Legal Interest of Applicant in the Land or Structure:

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

Signature of Applicant ([Redacted Signature])

Date: 16/2/26

Note: If the proposed development consists of works to a (Proposed) Protected Structure and/or any structure within the curtilage of a (Proposed) Protected Structure, an application for a Section 57 Declaration may be more appropriate.



GUIDANCE NOTES

- (1) All queries on the form must be completed and the form must be accompanied by the relevant fee. The amount of the fee is currently €80.00.
- (2) This application should be accompanied by **TWO COPIES** of the following documentation
 - o OSI Site Location Map with the site outlined clearly – 1:1000 in urban areas and 1:2500 in rural areas
 - o Floor Plans & Elevations at a scale of not less than 1:200
 - o Site layout plan indicating position of proposed development relative to premises and adjoining properties
 - o Other details e.g. brochures, photographs if appropriate.

(All dimensions must be given in metric scale and drawings should be accompanied by a brief description outlining the use of the proposed development)
- (3) Where a proper and complete application is received, a decision must be conveyed to the applicant within four (4) weeks except where additional necessary information is required.

This application form and relevant fee should be submitted to:

Planning Section, Tipperary County Council, Civic Offices, Limerick Road, Nenagh, Co. Tipperary	OR	Planning Section, Tipperary County Council, Civic Offices, Emmet Street, Clonmel, Co. Tipperary
Enquires:		
Telephone 0818 06 5000		
E-Mail planning@tipperarycoco.ie		

FOR OFFICE USE ONLY	
Fee Recd. € <u>80 —</u>	DATE STAMP
Receipt No. <u>135180</u>	TIPPERARY CO. COUNCIL RECEIVED 18 FEB 2026
Date <u>18/2/26.</u>	
Received by _____	
PLANNING SECTION FILE NO. <u>55/26/17</u>	

Proposed Development of solar panels on a ground array for 3 cottages at Fuchsia Lane Farm Roran Terryglass

At Fuchsia Lane Farm we are following a programme of actions and projects grounded in providing a more sustainable and regenerative farm diversification rural tourism experience. With this in mind we have undertaken studies on Regenerative Tourism with MTU and developed action plans in the areas of energy management, waste reduction, biodiversity protection and native woodland creation etc.

Our application comprises the installation of a ground based solar array to service 3 cottages that we have on our farm since the late 1990s. This entails solar panels in one installation on the ground, divided between the three cottages, as each cottage is a separate account and has its own MPRN. The array is adjacent to the cottages however will not be visible from the cottages, neighbouring houses or the local road.

Two of these cottages have already been converted to SMART electric radiators and the third one is being converted from fossil fuel LPG boiler to electric in the coming weeks.

This solar installation would result in a significant reduction in our carbon emissions associated with these cottages

This project directly supports County Tipperary's commitment to building a sustainable, low-carbon Green Economy by delivering measurable environmental, economic, and social outcomes. The solar panels will be in three sections, one for each cottage with all equipment and inverters located under the solar panels. These panels will not exceed 2 metres in height and will be substantially below the size of an exempted ground array as allowed on an agricultural holding of 300 square metres as per SI No 493 of 2022. All associated equipment, inverters etc will be located under panels in waterproof units.

- **Carbon Reduction & Renewable Energy:** The installation of solar technology will reduce emissions by approximately 6 tonnes of CO₂ annually. In addition, up to 40% of the renewable electricity generated will be exported to the national grid, strengthening energy resilience and providing credits for winter heating demand.
- **Energy Efficiency & Future Resilience:** Coupled with existing upgrades, including remote heating controls and energy-efficient appliances, our cottages represent best practice in sustainable rural tourism. This approach future-proofs the business against energy shocks, reduces reliance on fossil fuels, and aligns with Tipperary's climate adaptation goals.



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10.68 kw
 System Size

[Redacted]
 Estimated Annual
 Electricity Bill Savings

[Redacted]
 Estimated Annual Solar
 Generation

[Redacted]
 Net Cost of this solar
 system



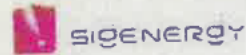
PROPOSED SOLAR PANELS

System Hardware

Solar Panels
 TCL Solar
 10.7 kW Total Module Power
 24 x 445 Watt Panels (HSM-BD54-DA445)
 8,727 kWh per year

**Sigen Energy Controller Single
 Phase**
 11.04 kW of Inverter Power
 Sigenenergy
 3 x SigenStor EC 3.6SP
 10.0 Year Warranty

[View](#) [Details](#) [Specs](#)



Warranties: 25 Year Panel Product Warranty, 30 Year Panel Performance Warranty, 10 Year Inverter Product Warranty

18 FEB 2026

PLANNING SECTION
FILE NO. 55/26/17

Planning Pack Map

A n R ó r á n
R o r á n

3.70

2.79

0.29

1.19

EXISTING DWELLING HOUSE

FIELD

PROPOSED LOCATION
OF SOLAR PANELS

HOLIDAY COTTAGES



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CENTRE COORDINATES:
ITM 588273.698857

PUBLISHED: 30/06/2025
ORDER NO.: 50475883_1

MAP SERIES: 1:2,500
MAP SHEETS: 3928-A

COMPILED AND PUBLISHED BY:
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Phoenix Park,
Dublin 8,
Ireland.
D08F6E4

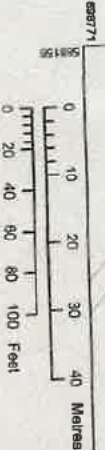
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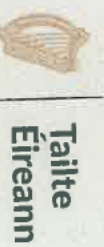
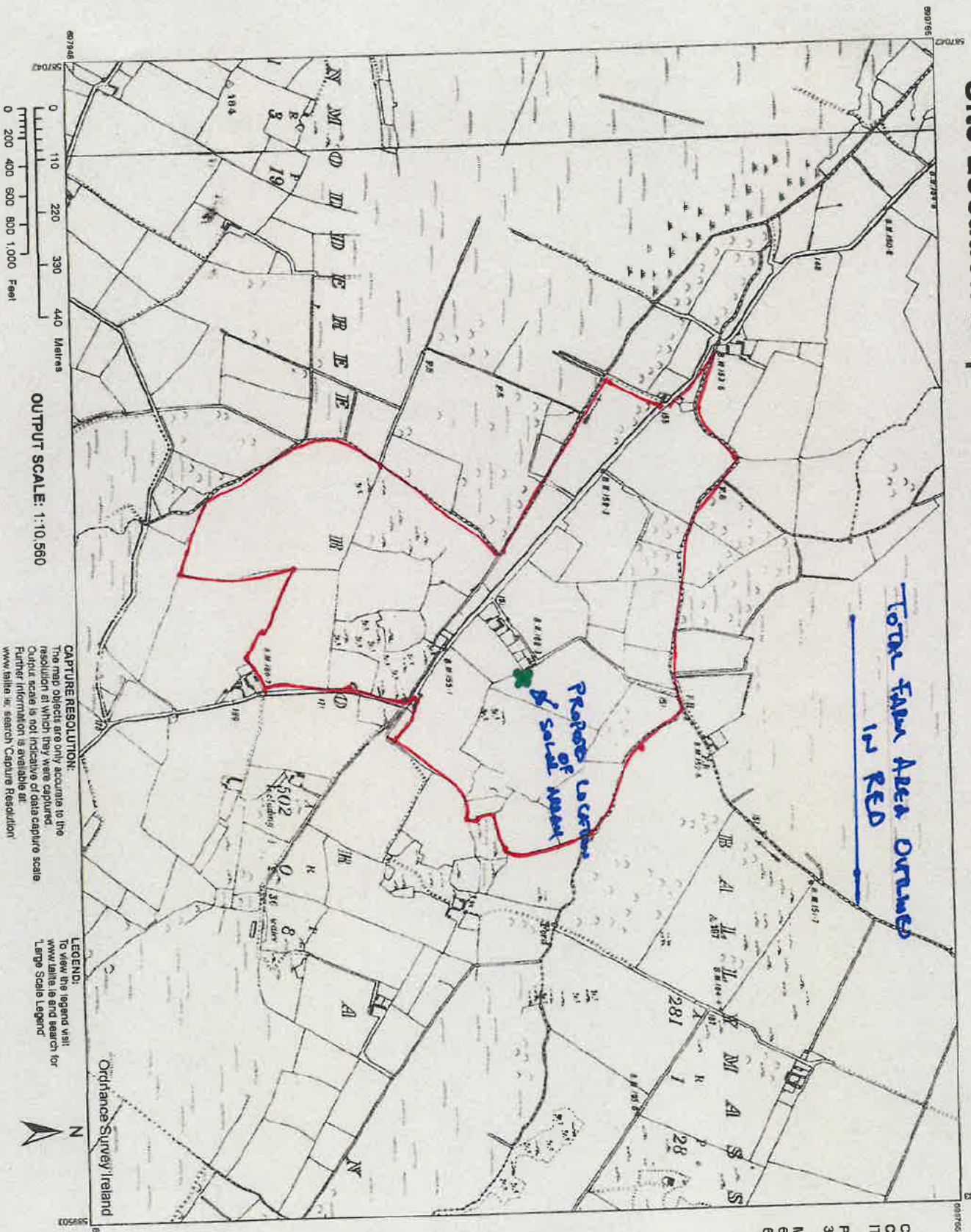
OUTPUT SCALE: 1:1,000

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



Site Location Map



**Tailte
Éireann**

CENTRE COORDINATES:
 TTM 588273,698657
PUBLISHED: 30/06/2025
ORDER NO.: 50475883_1
MAP SERIES: 6 inch Raster
MAP SHEETS: T006
 6 inch Raster T007

COMPILED AND PUBLISHED BY:
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LEGEND:
 To view the legend visit www.tailte.ie and search for 'Large Scale Legend'

Ordnance Survey Ireland



OUTPUT SCALE: 1:10,560

0 110 220 330 440 Metres
 0 200 400 600 800 1,000 Feet



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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
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Civic Offices, Nenagh,
Co. Tipperary
E45 A099

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

Date: 18 February 2026

Our Ref: S5/26/17

Civic Offices, Nenagh

**Niall Heenan
Roran
Terryglass
Nenagh
Co Tipperary**

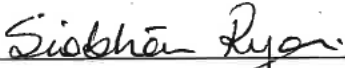
Re: Application for a Section 5 Declaration – installation of ground mounted solar panels for existing holiday cottages at Roran, Terryglass, Nenagh, Co Tipperary.

Dear Niall,

I acknowledge receipt of your application for a Section 5 Declaration received on 18th February 2026, in connection with the above.

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

Yours sincerely


for **Director of Services**

TIPPERARY COUNTY COUNCIL

Application for Declaration under Section 5

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

Planning Ref.: S5/26/17

Applicant: Niall Heenan

Development Address: Roran, Borrisokane, Co. Tipperary

Proposed Development: Installation of ground mounted solar panels for existing holiday cottages.

1. GENERAL

On the 18/02/2026, a request was made for a declaration under Section 5 of the Planning and Development Act, 2000 as amended in respect of the following development at Roran, Borrisokane, Co. Tipperary.

- Installation of ground mounted solar panels for existing holiday cottages.

2. STATUTORY PROVISIONS

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) 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.

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 56(e) of Part 1 of Schedule 2 of the Planning and Development Regulations 2001, as amended states:

Description of Development	Conditions and Limitations
The placing or erection on a roof of a <u>business premises</u> 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"> 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. 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.

	<ol style="list-style-type: none">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">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. Commented [j820]: Class 56(e) is substituted (with 16 conditions) by article 5(2)(a) of S.I. No. 493/2022 Planning and Development Act 2000 (Exempted Development) (No. 3) Regulations 2022 4664. 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.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).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.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.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.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.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.11. The height of any free-standing solar photo-voltaic or solar thermal collector 467 installation shall not exceed 2.5 metres at its highest point above ground level.12. The placing or erection of a solar photo-voltaic or solar thermal collector installation on any wall shall not be exempted development.
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	<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 site is located at Roran approximately 2.5km south east of Terryglass and is accessed from the local road L10892. The site contains existing self-catering units.

b. Relevant Planning History

On site:

5121849 Permission granted for One self-catering cottage, upgrade septic tank and percolation area and associated site works (granted 16/05/2000)

5120710 Permission granted for Retention of Conversion of existing outbuildings to twin self-contained single storey apartments, entrance, septic tank & associated site works (granted 30/06/1999)

5118052 Permission granted for Permission to construct a self-catering cottage & septic tank (granted 17/07/1996)

Adjoining Lands:

21622 – Planning permission granted for the conversion of part of existing agricultural hay shed into an internal games room ancillary to existing self-catering holiday cottages and all ancillary site works

S5/21/29 Deemed not exempt - Use of part of existing hay shed as multi purpose indoor activity centre ancillary to the self-catering holiday cottages

S5/24/117 Deemed not exempt - Conversion of part of internal space of existing tack area within existing hay shed into a general-purpose storage space ancillary to indoor activity space planning ref 21622

Enforcement: None

Pre-Planning: None

c. Assessment

Pursuant to Section 5 of the Planning & Development Act, this report will examine whether the proposal constitutes a) development and b) exempted development.

A) “Is or is not Development”

It is considered that the above listed proposal constitutes “works” as understood by the Planning and Development Act 2000, as amended. The above listed proposals therefore constitute “development” within the meaning of the Planning and Development Act 2000, as amended.

B) “Is or is not Exempted Development”

The proposal is assessed relative to Class 56(e) of Part 1 of Schedule 2 of the Planning and Development Regulations 2001, as amended. The application has not included for any elevation, section or site plan drawings in order to determine if the proposed solar panels meet all Conditions and Limitations under Class 56(e).

d. Requirement for Appropriate Assessment (AA) and Environmental Impact Assessment (EIA)

Appropriate Assessment (AA)

The proposed development has been screened as to the requirement for AA and it has been determined that the requirement for Stage 2 AA does not arise. See Screening Report attached.

Environmental Impact Assessment (EIA):

The proposed development is not a type of development included for under Schedule 5 of the Planning and Development Regulations 2001, as amended. See screening report attached.

4. RECOMMENDATION

A question has arisen as to whether the following proposed development at Roran, Borrisokane, Co. Tipperary is or is not exempted development:

- Installation of ground mounted solar panels for existing holiday cottages

Section 5(2)(b) of the Planning and Development Act 2000, as amended states that:

‘A planning authority may require any person who made a request under subsection (1) to submit further information with regard to the request in order to enable the authority to issue the declaration on the question and, where further information is received under this paragraph, the planning authority shall issue the declaration within 3 weeks of the date of the receipt of the further information’.

Therefore, it is recommended that the following further information is sought from the applicant:

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 is an exemption available under Class 56(e) of Part 1 of Schedule 2 of the Planning and Development Regulations 2001, as amended, for the

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.

This exemption is subject to 16 conditions and limitations.

The application as submitted does not include for appropriately scaled elevation, section or site plan drawings in order for the Planning Authority to determine if the proposal meets the limitations and conditions of Class 56(e).

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(e) of Part 1 of Schedule 2 of the above-mentioned Regulations are satisfied

District Planner:

Olive O'Donnell

Date: 27/02/2026

Senior Executive Planner: *Jonathan Flood* Date: 27/2/2026

HABITATS DIRECTIVE APPROPRIATE ASSESSMENT (AA) SCREENING REPORT

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

(a) File Reference No:	S5/26/17
(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:	N/a

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

European (code)	Site	List of Qualifying Interest/Special Conservation Interest ¹	Distance from proposed development (km)	Connections (Source-Pathway-Receptor)	Considered further in screening Y/N
	Slieve Aughty Mountains SPA	https://www.npws.ie/protected-sites/spa/004168	Within 15km	None	No
	Lough Derg North East Shore	https://www.npws.ie/protected-sites/sac/002241	Within 15km	None	No
	River Shannon Callows SAC	https://www.npws.ie/protected-sites/sac/000216	Within 15km	None	No
	Barroughter Bog SAC	https://www.npws.ie/protected-sites/sac/000231	Within 15km	None	No
	Cloonmoylan Bog	https://www.npws.ie/protected-sites/sac/000248	Within 15km	None	No
	Derrycrag Wood Nature Reserve	https://www.npws.ie/protected-sites/sac/000261	Within 15km	None	No
	Pollnacknockaun Wood Nature Reserve	https://www.npws.ie/protected-sites/sac/000391	Within 15km	None	No
	Ballyduff / Clonfinane Bog	https://www.npws.ie/protected-sites/sac/000641	Within 15km	None	No
	Kilcarren Firville Bog SAC	https://www.npws.ie/protected-sites/sac/000647	Within 15km	None	No
	Rosturra Wood	https://www.npws.ie/protected-sites/sac/001313	Within 15km	None	No

Liskeenan Fen SAC	https://www.npws.ie/protected-sites/sac/001683	Within 15km	None	No
Redwood Bog SAC	https://www.npws.ie/protected-sites/sac/002353	Within 15km	None	No
Ardgraique Bog SAC	https://www.npws.ie/protected-sites/sac/002356	Within 15km	None	No
River Little Brosna Callows SPA	https://www.npws.ie/protected-sites/spa/002356	Within 15km	None	No
Middle Shannon Callows SPA	https://www.npws.ie/protected-sites/spa/004096	Within 10km	None	No
Lough Derg (Shannon) SPA	https://www.npws.ie/protected-sites/sac/004058	Within 10km	None	No

STEP 3. Assessment of Likely Significant Effects

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

Impacts:	Possible Significance of Impacts: (duration/magnitude etc.)
Construction phase e.g. <ul style="list-style-type: none"> • Vegetation clearance • Demolition • Surface water runoff from soil excavation/infill/landscaping (including borrow pits) • Dust, noise, vibration • Lighting disturbance • Impact on groundwater/dewatering • Storage of excavated/construction materials • Access to site • Pests 	None.
Operational phase e.g. <ul style="list-style-type: none"> • Direct emission to air and water • Surface water runoff containing contaminant or sediment • Lighting disturbance • Noise/vibration • Changes to water/groundwater due to drainage or abstraction • Presence of people, vehicles and activities • Physical presence of structures (e.g. collision risks) • Potential for accidents or incidents 	None.
In-combination/Other	None.

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

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

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

None.

(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.

On the basis of the information on file, which is considered adequate to undertake a screening determination and having regard to: the nature and scale of the proposed development, the proposed land use and distance from European sites, the lack of direct connections with regard to the Source-Pathway-Receptor model, it is concluded that the proposed development, individually or in-combination with other plans or projects, would not be likely to have a significant effect on the above listed European sites or any other European site, in view of the said sites' 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
Signature and Date of Recommending Officer:	Olive O'Donnell	Date: 27/02/2026

EIA PRE-SCREENING	
Establishing a development is a 'sub-threshold development'	
File Reference:	S5/26/17
Development Summary:	As per planners report
Was a Screening Determination carried out under Section 176A-C?	<input type="checkbox"/> Yes, no further action required <input checked="" type="checkbox"/> No, Proceed to Part A
A. Schedule 5 Part 1 - Does the development comprise a project listed in Schedule 5, Part 1 , of the Planning and Development Regulations 2001 (as amended)? (Tick as appropriate)	
<input type="checkbox"/> Yes, specify class _____	EIA is mandatory No Screening required
<input checked="" type="checkbox"/> No	Proceed to Part B
B. Schedule 5 Part 2 - Does the development comprise a project listed in Schedule 5, Part 2 , of the Planning and Development Regulations 2001 (as amended) and does it meet/exceed the thresholds? (Tick as appropriate)	
<input checked="" type="checkbox"/> No, the development is not a project listed in Schedule 5, Part 2	No Screening required
<input type="checkbox"/> Yes the project is listed in Schedule 5, Part 2 and meets/exceeds the threshold, specify class (including threshold): _____	EIA is mandatory No Screening required
<input type="checkbox"/> Yes the project is of a type listed but is <i>sub-threshold</i> : _____	Proceed to Part C
C. If Yes , has Schedule 7A information/screening report been submitted?	
<input type="checkbox"/> Yes, Schedule 7A information/screening report has been submitted by the applicant	Screening Determination required
<input type="checkbox"/> No, Schedule 7A information/screening report has not been submitted by the applicant	Preliminary Examination required



Date: 27th February, 2026

Our Ref: S5/26/17

Civic Offices, Nenagh

**Niall Heenan
Roran
Terryglass
Nenagh
Co. Tipperary**

Re: Application for a Section 5 Declaration – Installation of ground mounted solar panels for existing holiday cottages is or is not development and if so is it exempted development at Roran, Borrisokane, Co. Tipperary

Dear Mr Heenan,

I refer to an application received from you on 18th February, 2026 requesting a Declaration from this Planning Authority as to whether or not certain works constitute development within the meaning of the Planning and Development Act 2000, as amended.

Further information is requested as follows;

It is recommended 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 is an exemption available under Class 56(e) of Part 1 of Schedule 2 of the Planning and Development Regulations 2001, as amended, for the

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.

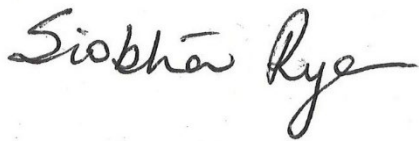
This exemption is subject to 16 conditions and limitations.

The application as submitted does not include for appropriately scaled elevation, section or site plan drawings in order for the Planning Authority to determine if the proposal meets the limitations and conditions of Class 56(e).

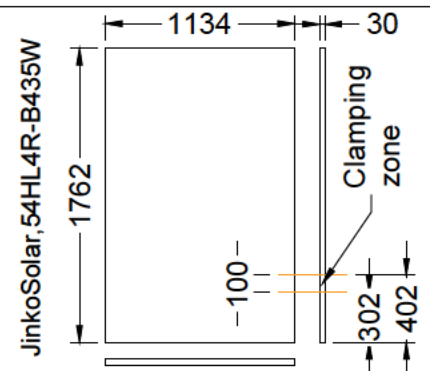
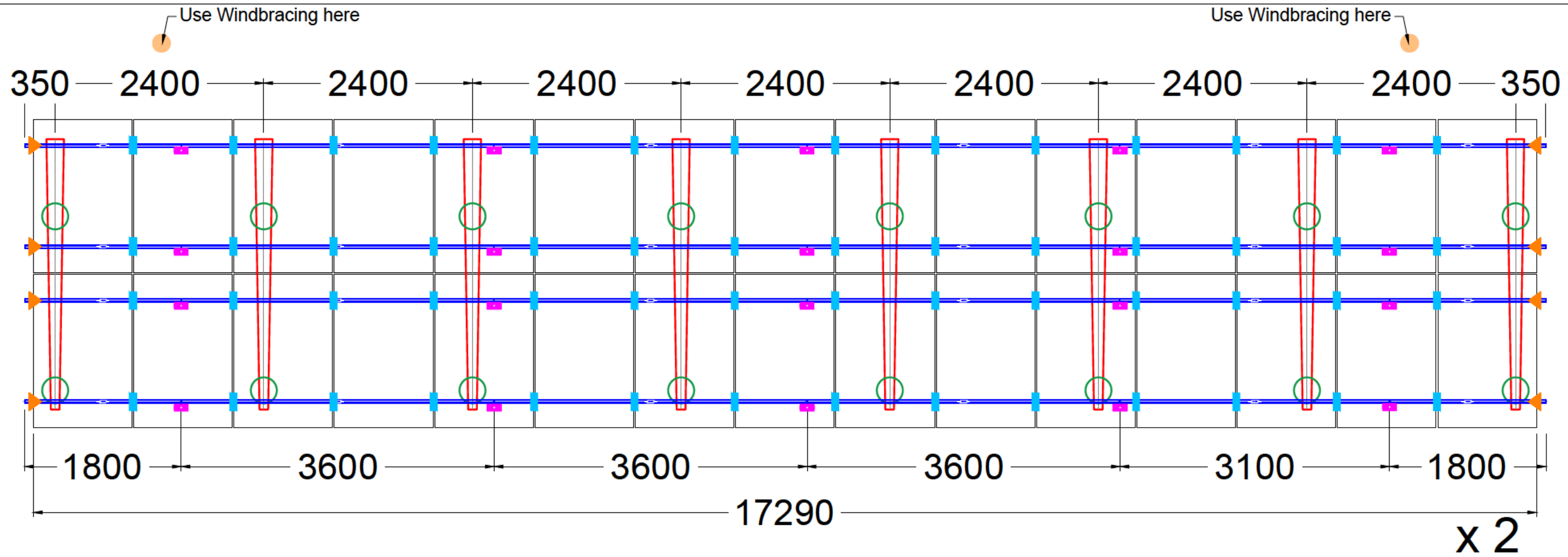
In order to enable an informed determination of the application the applicant is requested to submit Plans/Elevations and Sections as necessary demonstrating that the conditions and limitations of Class 56(e) of Part 1 of Schedule 2 of the above-mentioned Regulations are satisfied

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

Yours sincerely

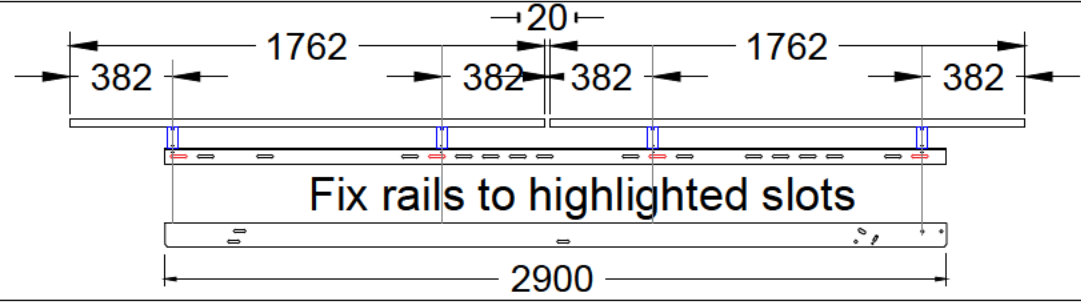
A handwritten signature in black ink that reads "Siobhán Rye". The signature is written in a cursive style with a long, sweeping tail on the letter 'y'.

for **Director of Services**



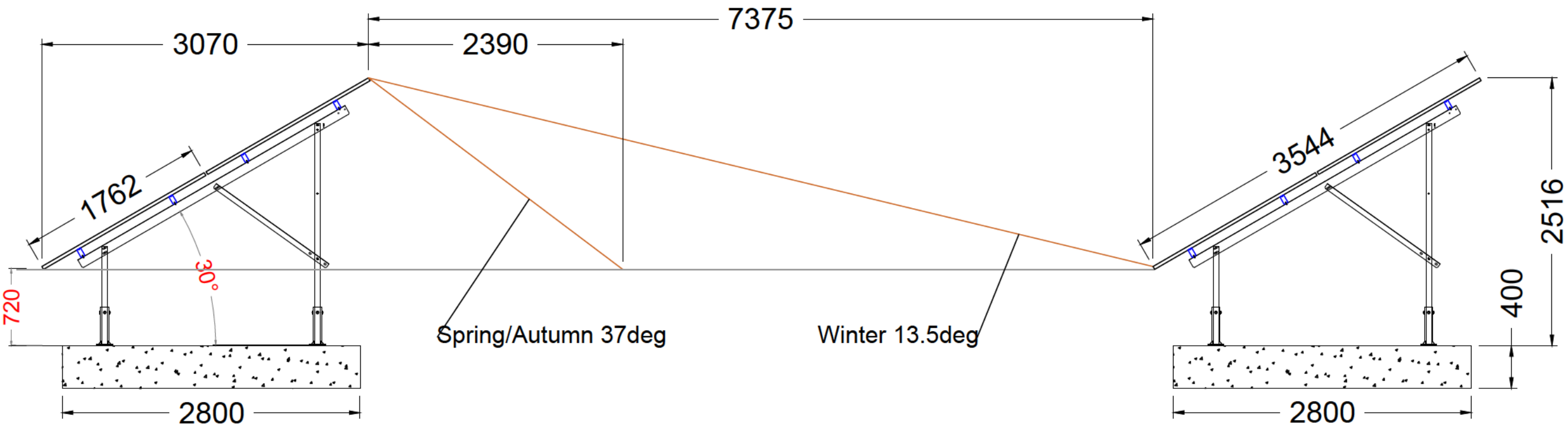
- Legend:**
- Module
 - Corner Clamp
 - Middle Clamp
 - Rail Connector Fixed
 - Module Rail
 - Base Rail
 - Windbracing
 - Cross Connector
 - Fixing Point
 - Substructure
 - Crows / Seams
 - Elevation / Park Tegra
 - Rail Connector Flexible
 - Roof Line

Notes:
18 modules



CONFIDENTIAL PROPOSAL ONLY

Latitude +/- 53 deg



Ballast Block 2.8 x 0.4 x 0.4 = 0.448m³ > 1075.2kg

Project: Liam McEvoy
System: Ireland PT B
Mod. Dimensions: 1762x1134x30mm
Base Rail: n/a
Module Rail: 40x80
Date: 07/09/2025
Dwn: JURAJ POTOCKY Ckd: JP



Ground mounted systems are subject to ground conditions. Roof mounted systems are subject to structural survey. Information is correct according to submitted checklist and is subject to change. Please refer to the system Mounting Instructions, failure to do so will void warranties. This drawing, with respect to this project is prepared on the assumption that Sunfixings' products will be used and that they are not intended for any other use. Consequently, Sunfixings cannot accept any responsibility for the use of and/or reliance upon this drawing by third parties. All third parties should calculate their own specifications and drawings in order to ensure these are correct for their own products. Do not scale from this drawing. All dimensions are indicative only and are in mm unless otherwise stated. Do not use any dimensions without checking on site. The drawing is copyright of Sunfixings and these drawings must not be used or replicated without Sunfixings' written consent.
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PARK TEGRA **PILE DRIVEN**

Our standard structure is designed to support 2 modules high in portrait orientation. This allows more space within the array for more modules. There isn't a limit to how many modules can be installed in 1 line.



Using traditional piling techniques used throughout the construction industry, this system has a single leg that is driven into the ground to achieve a secure anchoring point.

8.00kg/m²
Weight

Portrait
Module orientation

30°
Standard module angle

Aluminium, stainless & galvanised steel (EN ISO 1461)
Material

Back to 24 Panels System

10.68 kW 188 % 0.0 kWh 8890 kWh

Panel Group 1

24 Modules - 13.61m x 4.01m - 12 wide, 2 high

HSM-BD54-DA445

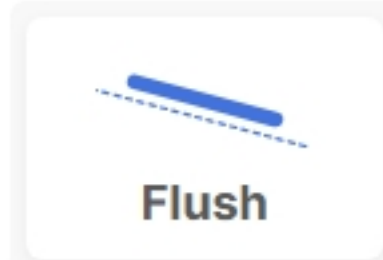
TCL Solar 445W

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

Basic Settings

Advanced

Racking



Flush



Single-tilt



Dual-tilt

Azimuth

160. °

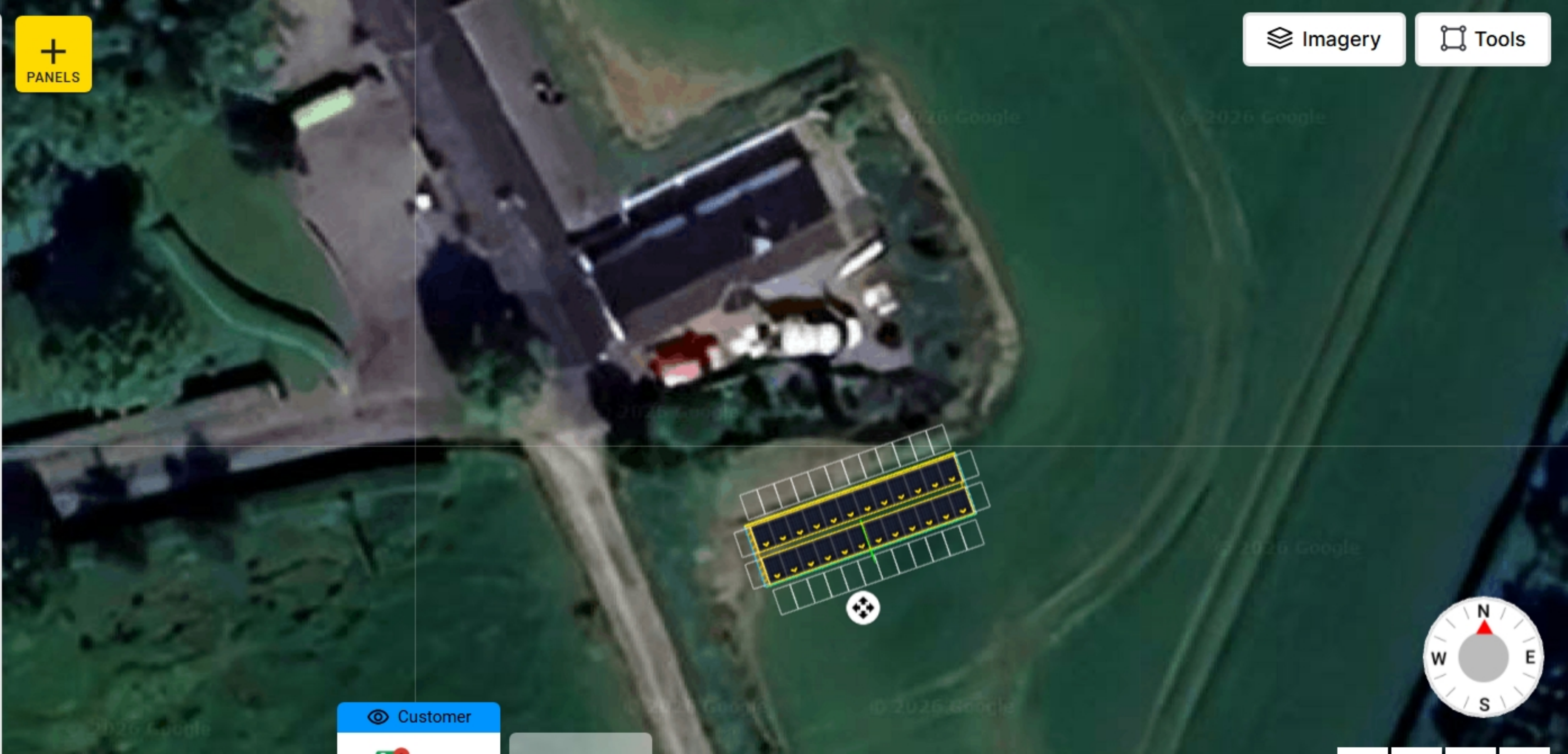
Slope

20 °



Imagery

Tools



Customer

Planning Pack Map

588156
698943



Tailte
Éireann

CENTRE COORDINATES:
ITM 588273,698857

PUBLISHED: 30/06/2025
ORDER NO.: 50475883_1

MAP SERIES: 1:2,500
MAP SHEETS: 3928-A

COMPILED AND PUBLISHED BY:

Tailte Éireann,
Phoenix Park,
Dublin 8,
Ireland.
D08F6E4

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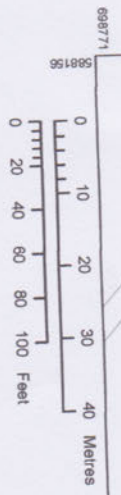
1.19

FAMILY DWELLING HOUSE

FARMYARD

HOLIDAY COTTAGES

PROPOSED LOCATION OF SOLAR PANELS



OUTPUT SCALE: 1:1,000

CAPTURE RESOLUTION:
The map objects are only accurate to the resolution at which they were captured. Output scale is not indicative of data capture scale. Further information is available at: www.tailte.ie, search 'Capture Resolution'

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



698771

583039

698771

Site Location Map



**Taitte
Eireann**

**CENTRE
COORDINATES:**
ITM 588273,698857

PUBLISHED: 30/06/2025
ORDER NO.: 50475883_1

MAP SERIES: 6 Inch Raster
MAP SHEETS: T7006
6 Inch Raster T7007

COMPILED AND PUBLISHED BY:

Taitte Eireann,
Phoenix Park,
Dublin 8,
Ireland.
D08F6E4

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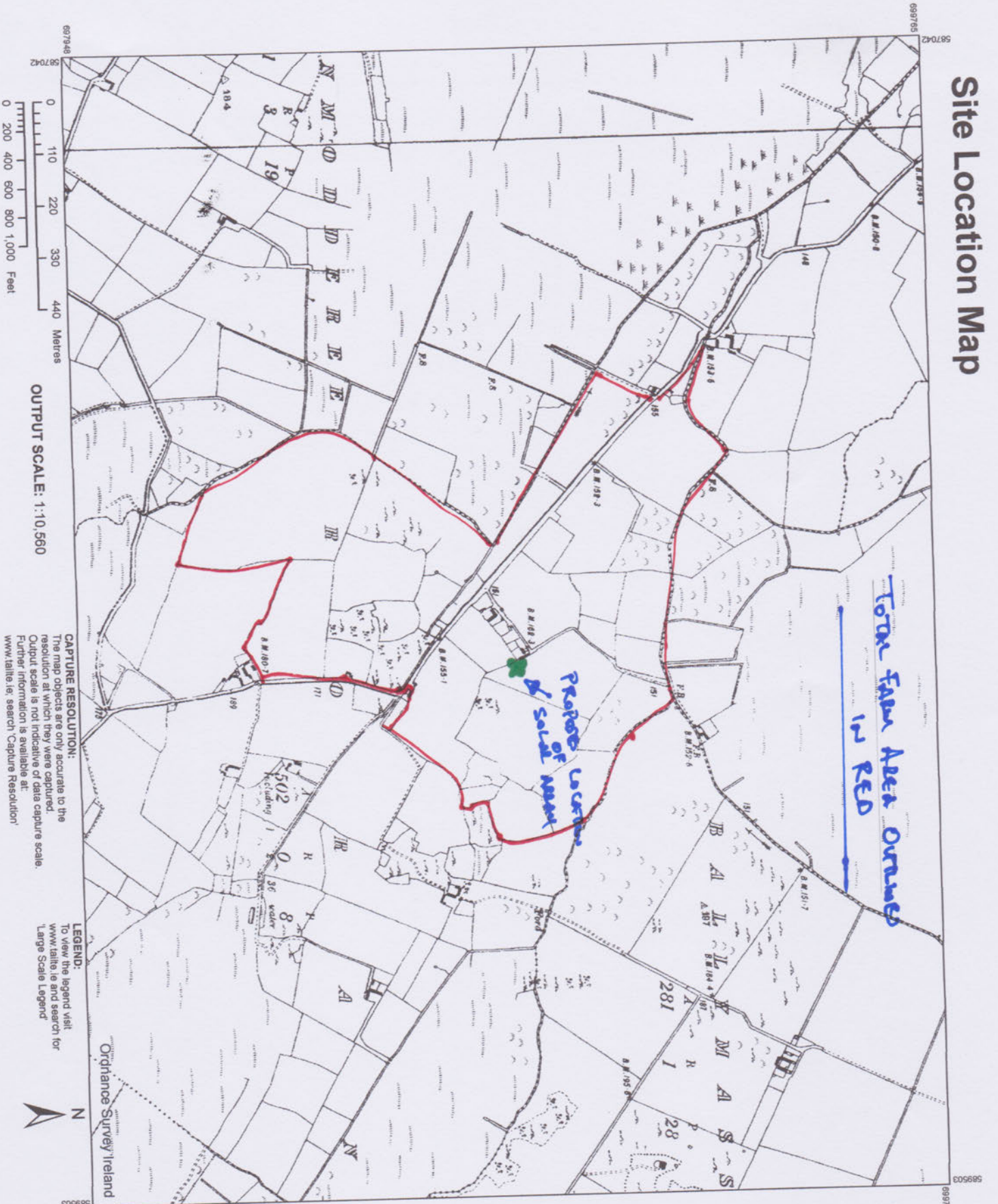
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Further information is available at:
www.taitte.ie/search/CaptureResolution

LEGEND:
To view the legend visit
www.taitte.ie and search for
"Large Scale Legend"

Ordnance Survey Ireland

OUTPUT SCALE: 1:10,560



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: 12th March 2026

Our Ref: S5/26/17

Civic Offices, Clonmel

**Niall Heenan,
Roran,
Terryglass,
Nenagh,
Co. Tipperary.**

Re: Application for a Section 5 Declaration – installation of ground mounted solar panels for existing holiday cottages at Roran, Terryglass, Nenagh, Co Tipperary.

A Chara,

I acknowledge receipt of Further Information received on 12th March 2026 in connection with the above.

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

Yours sincerely,

for **Director of Services.**

TIPPERARY COUNTY COUNCIL

Application for Declaration under Section 5

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

Planning Ref.: S5/26/17
Applicant: Niall Heenan
Development Address: Roran, Borrisokane, Co. Tipperary
Proposed Development: Installation of ground mounted solar panels for existing holiday cottages.

1. GENERAL

On the 18/02/2026, a request was made for a declaration under Section 5 of the Planning and Development Act, 2000 as amended in respect of the following development at Roran, Borrisokane, Co. Tipperary.

- Installation of ground mounted solar panels for existing holiday cottages.

2. STATUTORY PROVISIONS

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) 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.

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 56(e) of Part 1 of Schedule 2 of the Planning and Development Regulations 2001, as amended states:

Description of Development	Conditions and Limitations
<p>The placing or erection on a roof of a <u>business premises</u> 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.</p>	<ol style="list-style-type: none"> 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. 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.

	<ol style="list-style-type: none">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">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. Commented [j820]: Class 56(e) is substituted (with 16 conditions) by article 5(2)(a) of S.I. No. 493/2022 Planning and Development Act 2000 (Exempted Development) (No. 3) Regulations 2022 4664. 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.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).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.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.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.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.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.11. The height of any free-standing solar photo-voltaic or solar thermal collector 467 installation shall not exceed 2.5 metres at its highest point above ground level.12. The placing or erection of a solar photo-voltaic or solar thermal collector installation on any wall shall not be exempted development.
--	--

	<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 site is located at Roran approximately 2.5km south east of Terryglass and is accessed from the local road L10892. The site contains existing self-catering units.

b. Relevant Planning History

On site:

5121849 Permission granted for One self-catering cottage, upgrade septic tank and percolation area and associated site works (granted 16/05/2000)

5120710 Permission granted for Retention of Conversion of existing outbuildings to twin self-contained single storey apartments, entrance, septic tank & associated site works (granted 30/06/1999)

5118052 Permission granted for Permission to construct a self-catering cottage & septic tank (granted 17/07/1996)

Adjoining Lands:

21622 – Planning permission granted for the conversion of part of existing agricultural hay shed into an internal games room ancillary to existing self-catering holiday cottages and all ancillary site works

S5/21/29 Deemed not exempt - Use of part of existing hay shed as multi purpose indoor activity centre ancillary to the self-catering holiday cottages

S5/24/117 Deemed not exempt - Conversion of part of internal space of existing tack area within existing hay shed into a general-purpose storage space ancillary to indoor activity space planning ref 21622

Enforcement: None

Pre-Planning: None

c. Assessment

Pursuant to Section 5 of the Planning & Development Act, this report will examine whether the proposal constitutes a) development and b) exempted development.

A) “Is or is not Development”

It is considered that the above listed proposal constitutes “works” as understood by the Planning and Development Act 2000, as amended. The above listed proposals therefore constitute “development” within the meaning of the Planning and Development Act 2000, as amended.

B) “Is or is not Exempted Development”

The proposal is assessed relative to Class 56(e) of Part 1 of Schedule 2 of the Planning and Development Regulations 2001, as amended. The application has not included for any elevation, section or site plan drawings in order to determine if the proposed solar panels meet all Conditions and Limitations under Class 56(e).

d. Requirement for Appropriate Assessment (AA) and Environmental Impact Assessment (EIA)

Appropriate Assessment (AA)

The proposed development has been screened as to the requirement for AA and it has been determined that the requirement for Stage 2 AA does not arise. See Screening Report attached.

Environmental Impact Assessment (EIA):

The proposed development is not a type of development included for under Schedule 5 of the Planning and Development Regulations 2001, as amended. See screening report attached.

4. RECOMMENDATION

A question has arisen as to whether the following proposed development at Roran, Borrisokane, Co. Tipperary is or is not exempted development:

- Installation of ground mounted solar panels for existing holiday cottages

Section 5(2)(b) of the Planning and Development Act 2000, as amended states that:

‘A planning authority may require any person who made a request under subsection (1) to submit further information with regard to the request in order to enable the authority to issue the declaration on the question and, where further information is received under this paragraph, the planning authority shall issue the declaration within 3 weeks of the date of the receipt of the further information’.

Therefore, it is recommended that the following further information is sought from the applicant:

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 is an exemption available under Class 56(e) of Part 1 of Schedule 2 of the Planning and Development Regulations 2001, as amended, for the

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.

This exemption is subject to 16 conditions and limitations.

The application as submitted does not include for appropriately scaled elevation, section or site plan drawings in order for the Planning Authority to determine if the proposal meets the limitations and conditions of Class 56(e).

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(e) of Part 1 of Schedule 2 of the above-mentioned Regulations are satisfied

District Planner:

Olive O'Donnell

Date: 27/02/2026

Senior Executive Planner: *Jonathan Flood* Date: 27/2/2026

4. FURTHER INFORMATION

One points of further information was requested from the applicant in a letter dated 27/02/2026. 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 is an exemption available under Class 56(e) of Part 1 of Schedule 2 of the Planning and Development Regulations 2001, as amended, for the

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.

This exemption is subject to 16 conditions and limitations.

The application as submitted does not include for appropriately scaled elevation, section or site plan drawings in order for the Planning Authority to determine if the proposal meets the limitations and conditions of Class 56(e).

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(e) of Part 1 of Schedule 2 of the above-mentioned Regulations are satisfied

The applicant has submitted plans and particulars for consideration. In relation to Class 56(e) of Part 1 of Schedule 2 of the Planning and Development Regulations 2001, as amended, it is noted that:

Description of Development	Conditions and Limitations
The placing or erection on a roof of a <u>business premises</u> 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">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 not located in a solar safeguarding zone2. 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. The site is not located in a solar safeguarding zone

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.
- b) for a light industrial building, 2 metres in the case of a flat roof or 50cm in any other case. Commented [j820]: Class 56(e) is substituted (with 16 conditions) by article 5(2)(a) of S.I. No. 493/2022 Planning and Development Act 2000 (Exempted Development) (No. 3) Regulations 2022 466

The proposal is for ground mounted solar panels

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 proposal is for ground mounted solar panels

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).

The proposal is for ground mounted solar panels

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.

The proposal is for ground mounted solar panels

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.

The proposal is for ground mounted solar panels

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.

The proposal is for ground mounted solar panels

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.

The ground mounted solar panels would be sited forward of the front wall of the business premises (approved under planning application reference PLC/21849)

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.

The application form refers to a development of 43sqm.

Each module is shown to be 1.762 x 1.134 = 1.99 on drawing no. JP263. This document refers to 18 modules while an unnamed plan refers to 24 modules.

The submitted information therefore appears to be contradictory, although it is accepted that both are below 75sqm.

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.

The free-standing solar photo-voltaics are shown to be 2.516m high on a 400mm plinth on drawing no. JP263, which exceeds 2.5m.

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

The proposal is for ground mounted solar panels

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 site is not within an Architectural Conservation Area

14. No sign, advertisement or object not required for the functioning or safety of the solar photo-voltaic or solar

	<p>thermal collector installation shall be attached to or exhibited on such installation.</p> <p>N/A</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>As per the planning history, the site contains self-catering cottages</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> <p>There is no evidence of hazardous glint and/or glare</p>
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Overall, the proposal fails to comply with the conditions and limitations of Class 56(e) of Part 1 of Schedule 2 of the Planning and Development Regulations 2001, as amended.

6. RECOMMENDATION

WHEREAS a question has arisen as to whether the following proposal to be undertaken at Roran, Borrisokane, Co. Tipperary is development and is or is not exempted development:

- Installation of ground mounted solar panels for existing holiday cottages.

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) Articles 5, 6 and 9 of the Planning & Development Regulations 2001, as amended
- (c) Class 56, Schedule 2, Part 1 of the Planning and Development Regulations 2001 (as amended), and
- (d) The plans and documentation submitted, including further information.

AND WHEREAS Tipperary County Council has concluded that –

The proposed development, as presented on the drawings and details provided with the Declaration application on 18/02/2026, as amended by Further Information received on 12/03/2026, constitutes “development” within the meaning of the Planning and Development Act 2000 as amended and is **NOT exempted development** as:

- 1) The proposal would be sited forward of the front wall of the business premises (approved under planning application reference PLC/21849) and therefore fails to satisfy condition / limitation 9 of Class 56(e) which stipulates that *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.*
- 2) The solar photo-voltaics are shown to be 2.516m high on a 400mm plinth on drawing no. JP263 and therefore fails to satisfy condition / limitation 11 of Class 56(e) which stipulates that *The height of any free-standing solar photo-voltaic or solar thermal collector 467 installation shall not exceed 2.5 metres at its highest point above ground level.*

Advisory note to applicant

The application form refers to a development of 43sqm.

Each module is shown to be 1.762 x 1.134 = 1.99 on drawing no. JP263. This document refers to 18 modules while an unnamed plan refers to 24 modules.

The submitted information therefore appears to be contradictory, although it is accepted that both are below 75sqm.

District Planner:

Olive O'Donnell

Date: 23/03/2026

Senior Executive Planner:

Jonathan Flood

Date: 24/3/2026

HABITATS DIRECTIVE APPROPRIATE ASSESSMENT (AA) SCREENING REPORT

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

(a) File Reference No:	S5/26/17
(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:	N/a

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

European (code)	Site	List of Qualifying Interest/Special Conservation Interest ¹	Distance from proposed development (km)	Connections (Source-Pathway-Receptor)	Considered further in screening Y/N
Slieve Aughty Mountains SPA		https://www.npws.ie/protected-sites/spa/004168	Within 15km	None	No
Lough Derg North East Shore		https://www.npws.ie/protected-sites/sac/002241	Within 15km	None	No
River Shannon Callows SAC		https://www.npws.ie/protected-sites/sac/000216	Within 15km	None	No
Barroughter Bog SAC		https://www.npws.ie/protected-sites/sac/000231	Within 15km	None	No
Cloonmoylan Bog		https://www.npws.ie/protected-sites/sac/000248	Within 15km	None	No
Derrycrag Wood Nature Reserve		https://www.npws.ie/protected-sites/sac/000261	Within 15km	None	No
Pollnacknockaun Wood Nature Reserve		https://www.npws.ie/protected-sites/sac/000391	Within 15km	None	No
Ballyduff / Clonfinane Bog		https://www.npws.ie/protected-sites/sac/000641	Within 15km	None	No
Kilcarren Firville Bog SAC		https://www.npws.ie/protected-sites/sac/000647	Within 15km	None	No
Rosturra Wood		https://www.npws.ie/protected-sites/sac/001313	Within 15km	None	No

Liskeenan Fen SAC	https://www.npws.ie/protected-sites/sac/001683	Within 15km	None	No
Redwood Bog SAC	https://www.npws.ie/protected-sites/sac/002353	Within 15km	None	No
Ardgraique Bog SAC	https://www.npws.ie/protected-sites/sac/002356	Within 15km	None	No
River Little Brosna Callows SPA	https://www.npws.ie/protected-sites/spa/002356	Within 15km	None	No
Middle Shannon Callows SPA	https://www.npws.ie/protected-sites/spa/004096	Within 10km	None	No
Lough Derg (Shannon) SPA	https://www.npws.ie/protected-sites/sac/004058	Within 10km	None	No

STEP 3. Assessment of Likely Significant Effects

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

Impacts:	Possible Significance of Impacts: (duration/magnitude etc.)
Construction phase e.g. <ul style="list-style-type: none"> • Vegetation clearance • Demolition • Surface water runoff from soil excavation/infill/landscaping (including borrow pits) • Dust, noise, vibration • Lighting disturbance • Impact on groundwater/dewatering • Storage of excavated/construction materials • Access to site • Pests 	None.
Operational phase e.g. <ul style="list-style-type: none"> • Direct emission to air and water • Surface water runoff containing contaminant or sediment • Lighting disturbance • Noise/vibration • Changes to water/groundwater due to drainage or abstraction • Presence of people, vehicles and activities • Physical presence of structures (e.g. collision risks) • Potential for accidents or incidents 	None.
In-combination/Other	None.

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

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

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

None.

(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.

On the basis of the information on file, which is considered adequate to undertake a screening determination and having regard to: the nature and scale of the proposed development, the proposed land use and distance from European sites, the lack of direct connections with regard to the Source-Pathway-Receptor model, it is concluded that the proposed development, individually or in-combination with other plans or projects, would not be likely to have a significant effect on the above listed European sites or any other European site, in view of the said sites' 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
Signature and Date of Recommending Officer:	Olive O'Donnell	Date: 27/02/2026

EIA PRE-SCREENING	
Establishing a development is a 'sub-threshold development'	
File Reference:	S5/26/17
Development Summary:	As per planners report
Was a Screening Determination carried out under Section 176A-C?	<input type="checkbox"/> Yes, no further action required <input checked="" type="checkbox"/> No, Proceed to Part A
A. Schedule 5 Part 1 - Does the development comprise a project listed in Schedule 5, Part 1 , of the Planning and Development Regulations 2001 (as amended)? (Tick as appropriate)	
<input type="checkbox"/> Yes, specify class _____	EIA is mandatory No Screening required
<input checked="" type="checkbox"/> No	Proceed to Part B
B. Schedule 5 Part 2 - Does the development comprise a project listed in Schedule 5, Part 2 , of the Planning and Development Regulations 2001 (as amended) and does it meet/exceed the thresholds? (Tick as appropriate)	
<input checked="" type="checkbox"/> No, the development is not a project listed in Schedule 5, Part 2	No Screening required
<input type="checkbox"/> Yes the project is listed in Schedule 5, Part 2 and meets/exceeds the threshold, specify class (including threshold): _____	EIA is mandatory No Screening required
<input type="checkbox"/> Yes the project is of a type listed but is <i>sub-threshold</i> : _____	Proceed to Part C
C. If Yes , has Schedule 7A information/screening report been submitted?	
<input type="checkbox"/> Yes, Schedule 7A information/screening report has been submitted by the applicant	Screening Determination required
<input type="checkbox"/> No, Schedule 7A information/screening report has not been submitted by the applicant	Preliminary Examination required

Original

TIPPERARY COUNTY COUNCIL

DELEGATED EMPLOYEE'S ORDER

File Ref: **S5/26/17** **Delegated Employee's Order No:** _____

SUBJECT: Section 5 Declaration

I, Brian Beck, Director of Services, Tipperary County Council, by virtue of the powers delegated to me in accordance with the provisions of Section 154 of the Local Government Act 2001, as amended by Schedule 1, Part 1 of the Local Government Reform Act 2014 under Chief Executive's Order No. 44188 dated 3rd October, 2025, hereby order that pursuant to the provisions of the Planning and Development Act 2000, as amended, that an application under Section 5 from Niall Heenan, Roran, Terryglass, Nenagh, Co. Tipperary, RE: Installation of ground mounted solar panels for existing holiday cottages at Roran, Borrisokane, 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) Articles 5, 6 and 9 of the Planning & Development Regulations 2001, as amended
- (c) Class 56, Schedule 2, Part 1 of the Planning and Development Regulations 2001 (as amended), and
- (d) The plans and documentation submitted including further information.

Tipperary County Council has concluded that –

The proposed development, as presented on the drawings and details provided with the Declaration application on 18/02/2026, as amended by Further Information received on 12/03/2026, constitutes "development" within the meaning of the Planning and Development Act 2000 as amended and is **NOT exempted development** as:

- 1) The proposal would be sited forward of the front wall of the business premises (approved under planning application reference PLC/21849) and therefore fails to satisfy condition / limitation 9 of Class 56(e) which stipulates that *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.*
- 2) The solar photo-voltaics are shown to be 2.516m high on a 400mm plinth on drawing no. JP263 and therefore fails to satisfy condition / limitation 11 of Class 56(e) which stipulates that *The height of any free-standing solar photo-voltaic or solar thermal collector 467*

installation shall not exceed 2.5 metres at its highest point above ground level.

Advisory note to applicant

The application form refers to a development of 43sqm.

Each module is shown to be $1.762 \times 1.134 = 1.99$ on drawing no. JP263. This document refers to 18 modules while an unnamed plan refers to 24 modules.

The submitted information therefore appears to be contradictory, although it is accepted that both are below 75sqm.

Signed: 

Brian Beck
Director of Services

Date: 25/03/2026



Comhairle Contae Thiobraid Árann
Tipperary County Council

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

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

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

Date: 25th March 2026

Our Ref: S5/25/17

Civic Offices, Nenagh

**Niall Heenan
Roran
Terryglass
Nenagh
Co. Tipperary**

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

Dear Niall,

I refer to your application for a Section 5 Declaration received on 18th February, 2026, and Further Information received on 12th March 2026 in relation to the following proposed works:

Installation of ground mounted solar panels for existing holiday cottages at Roran, Borrisokane, Co. Tipperary

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

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

- (a) Sections 2, 3 and 4 of the Planning and Development Act, 2000, as amended
- (b) Articles 5, 6 and 9 of the Planning & Development Regulations 2001, as amended
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Advisory note to applicant

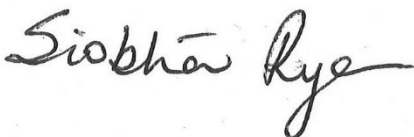
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Each module is shown to be 1.762 x 1.134 = 1.99 on drawing no. JP263. This document refers to 18 modules while an unnamed plan refers to 24 modules.

The submitted information therefore appears to be contradictory, although it is accepted that both are below 75sqm.

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



for **Director of Services**