



Comhairle Contae Thiobraid Árann
Tipperary County Council

Tipperary County Council
RECEIVED
26 MAR 2025
CASH OFFICE
Civic Offices, Clonmel

PLANNING & DEVELOPMENT ACT, 2000 (as amended)

Application for a Section 5 Declaration
Development / Exempted Development

Tipperary County Council
RECEIVED
26 MAR 2025
CASH OFFICE
Civic Offices, Clonmel

1. Applicant's address/contact details:

Applicant	DUALLA COMMUNITY ASSOCIATION CLG
Address	c/o Kieran O'Dwyer BALLYKELLY DUALLA, CASHEL, CO TIPP
Telephone No.	
E-mail	

2. Agent's (if any) address:

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

3. Location of Proposed Development:

Postal Address or Townland or Location (as may best identify the land or structure in question)	DENIS LEAMY Community Field E25N X 92 DUALLA CASHEL CO TIPPERARY
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TIPPERARY CO. COUNCIL
RECEIVED
26 MAR 2025
PLANNING SECTION
FILE NO.

Receipt No 190 982
Issued 26 03 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.

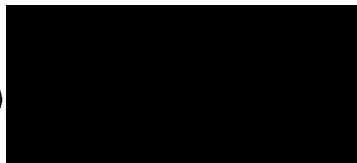
(Note: only works and uses listed and described under this section will be assessed under this Section 5 Application. Use additional sheets if required.)

Installation of 20 PV Solar	
panels on roof of existing building	
Proposed floor area of proposed works/uses: sqm N/A Roof: Rear + Front of premises	

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

Signature of Applicant(s)



Date: 20/3/25

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	<u>OR</u>	Planning Section, Tipperary County Council, Civic Offices, Emmet Street, Clonmel, Co. Tipperary
Enquires: Telephone 0818 06 5000 E-Mail planning@tipperarycoco.ie		

FOR OFFICE USE ONLY

DATE STAMP

Fee Recd. € _____
Receipt No _____
Date _____
Received by _____

KFH

PROJECT REF : 2147
DUALLA FIELD DEVELOPMENT
FEASIBILITY STUDY

Client: Dualla Community Association

Newpark,
Dualla,
Cashel,
Co. Tipperary,
E25 NX92

Project No: 2147

Date: 17th December 2021

PROJECT BRIEF

Development of an existing community playing field and clubhouse in Dualla = €450,000

The client wishes to develop the existing soccer field and clubhouse, add a new multi-use games area, a new perimeter walking track and a formalized car parking layout.

-The brief includes the following elements:

- Redevelopment the existing soccer pitch.
- New perimeter walking/ running track.
- New multi use games area.
- Formalized car parking layout.
- Alterations to the existing clubhouse to provide showering facilities to a larger home changing room, review of existing sanitary facilities and a revised layout of meeting/ reception room.
- Review of site boundaries and proposals to address vermin (rabbits). Rabbits are damaging the playing surface of the soccer field.
- Review of existing foul water treatment.

Accommodation to be provided includes:

GRASS FIELD

Upgrade grass pitch 100x60m
Two 'mini' pitches across each half

BOUNDARY TRACK

Improved surface, wider than current walkway. Possibly 3m with gentle curves
Led lighting with dusk sensor

PARKING

Car park 1,750 sqm
Layout for 40-50 cars, with lines
Generous spaces size

FENCING

Boundary fence around the perimeter of the site for pest control
Boundary fence to go around the perimeter of each surface area

SPORTS COURT

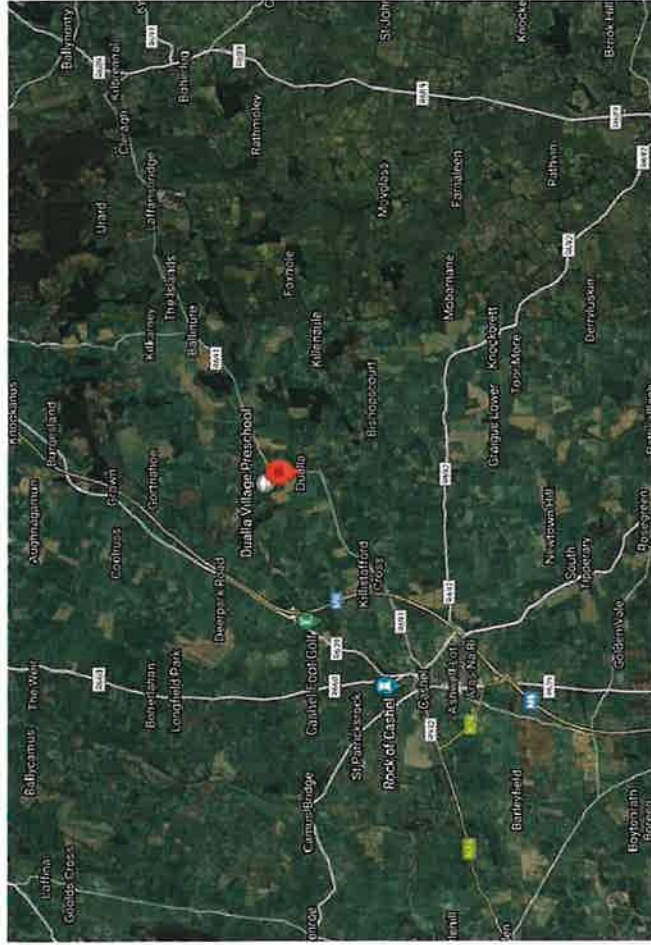
General court area 40x30m
Basketball/ Tennis/ Soccer/ Mini athletics/ Circuit training

EXERCISE AREA

All ages exercise area 30x20m

SITE LOCATION

(Image taken from Google maps)



①

ROADS CONNECTIONS

The site at Newpark, Dualla, Cashel is located beside the R691 which joins directly to Cashel. Cashel is approximately 7km from the site itself. The M8 is located to the West of the site .

(Image taken from Google maps)



①

ACCESS AND BOUNDARIES

- Access is gained from a public road at the North of the site which joins to the R691.
- Boundaries to the front are a post and rail fence.
- Boundaries to the side and rear of the site are hedges that are overgrown and making the walking path narrower. Hedge boundary on the East side of the site may be removed.
- Possibility of the West boundary hedge being removed also if needed.

- The site is located in the rural area of Newpark, Dualla, Cashel.
- Access to the site is gained from a side road, which is connected to the R691, the main road from Cashel to Killenaule.
- Driveway entrance is open, with a post and rail fence marking the boundary of the site at the road side.
- The rear and sides of the site boundary is marked by a boundary hedge.
- The site entrance is located approximately 600m from Dualla village centre.

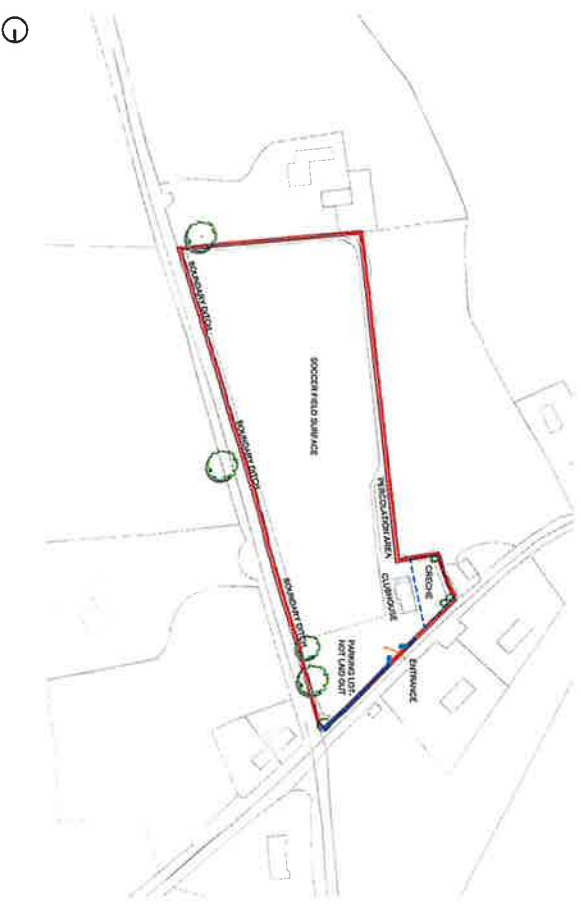
PLANNING HISTORY

(Image taken from Tipperary County Council maps)



- The local planning authority is Tipperary County Council.
- There are two planning applications for the land to the East of the site. One for a two storey dwelling (04225), and a single storey extension (11232).
- To the North there is retention on two dwellings (071920).
- To the North-East planning for conversion of an attic, a new boundary fence and entrance (16600874)
- To the South-East planning for 45 houses (071355)

SITE PLAN

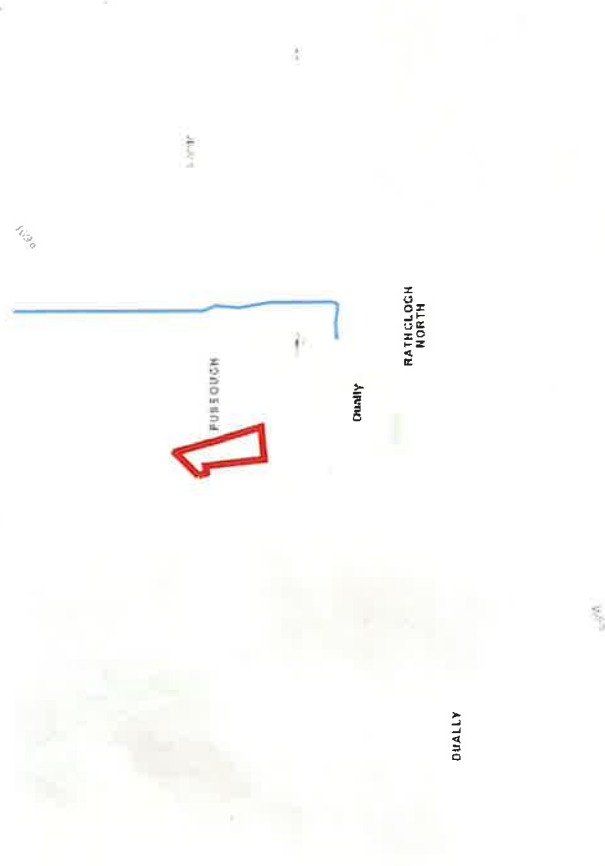


EXISTING SITE PLAN

- The site entrance is on the North boundary formed by sprayed fencing.
- The site boundary on the North side is a post and rail fence.
- The site consists of a clubhouse, an unmarked parking lot, the soccer field, and the perimeter track. A separate tenant occupies a creche to the rear of the clubhouse, which is not included in any proposed development.
- There are a number of mature trees on the East boundary.

FLOODING

(Image taken from FloodInfo.ie maps)

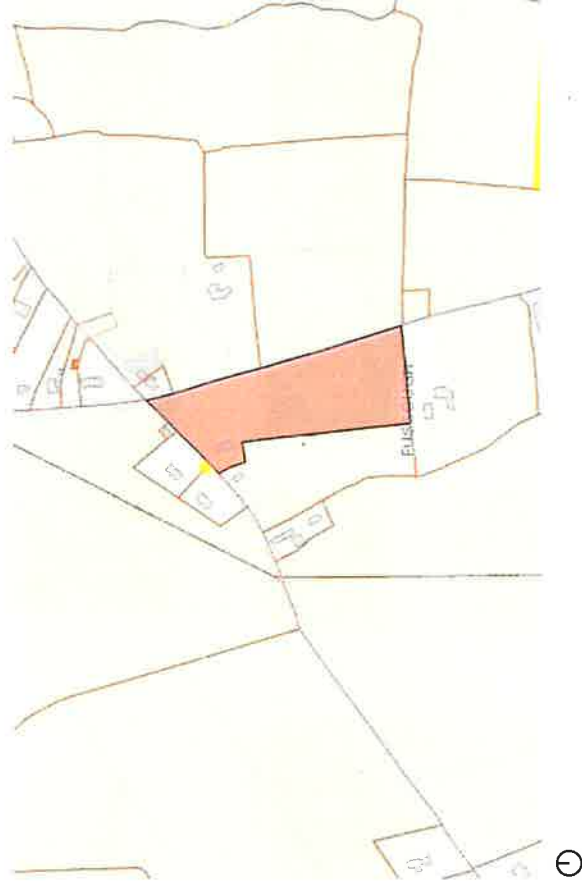


①

- As indicated on the map with the red boundary, the site is not situated within a flood zone.
- The small stream that runs to the East is not in close enough proximity to the site to present a risk of flooding.

LAND OWNERSHIP

Newpark, Dualla, Casthel



①

LAND OWNERSHIP

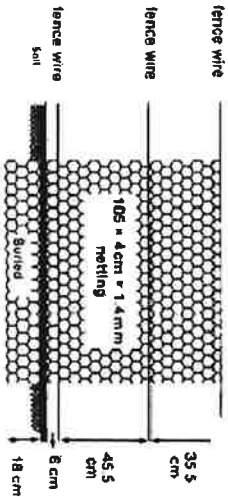
- A plot of land adjacent to the West boundary is in single ownership.
- The land to the South has a dwelling in single ownership.
- The land across the R691 is split between three owners, with two dwellings present.

PRECEDENTS

EXAMPLE OF HIGH MESH BOUNDARY FENCE SURROUNDING PLAYING AREA



FENCING DIMENSIONS SUITABLE FOR STOPPING VERMIN ENTERING THE SITE. WIRE BURIED UNDERGROUND TO PREVENT TUNNELING UNDERNEATH.



EXAMPLE OF HIGH MESH BOUNDARY FENCE SURROUNDING PLAYING AREA



EXAMPLE OF A WALKING/ RUNNING TRACK LAYOUT



RESIN BONDED STONE



PORPLASTIC SURFACE



EXAMPLE OF AN EXTERIOR COURT INCORPORATED INTO A GREEN AREA



EXAMPLE OF AN EXTERIOR COURT WITH HIGH BOUNDARY FENCE SURROUNDING



EXTERIOR EXERCISE LAYOUT, INCORPORATING VARIOUS HANGING BARS AND BENCHES FOR DIFFERENT EXERCISES



EXAMPLE OF COURT AREA SETUP WITH AN OVERALL BOUNDARY FENCE AND DIVISIONS AT EACH COURT.



PRECEDENTS

FRS FENCING:
frsfencing.ie

TRACK BOUNDARY STYLE FENCING



COURT STYLE FENCING



LOW MAINTENANCE AGRICULTURAL STYLE FENCING BY FRS FENCING. 4FT CREOSOTE POSTS



LOW MAINTENANCE AGRICULTURAL STYLE FENCING BY FRS FENCING. 4FT CONCRETE POSTS



MCSWEENEY SPORTS SURFACES:
mcsweeneyssportsurfaces.ie

PORPLASTIC RUNNING TRACK



POLYMERIC COURT STYLE. MANY COLOURS AVAILABLE



RESIN STONE SURFACE. NO LOOSE UNEVEN STONES. NO WEEDING



OUTFIT:
outfit.ie

OUTDOOR GYM EQUIPMENT



MIX OF CALISTHENICS AND OUTDOOR GYM EQUIPMENT

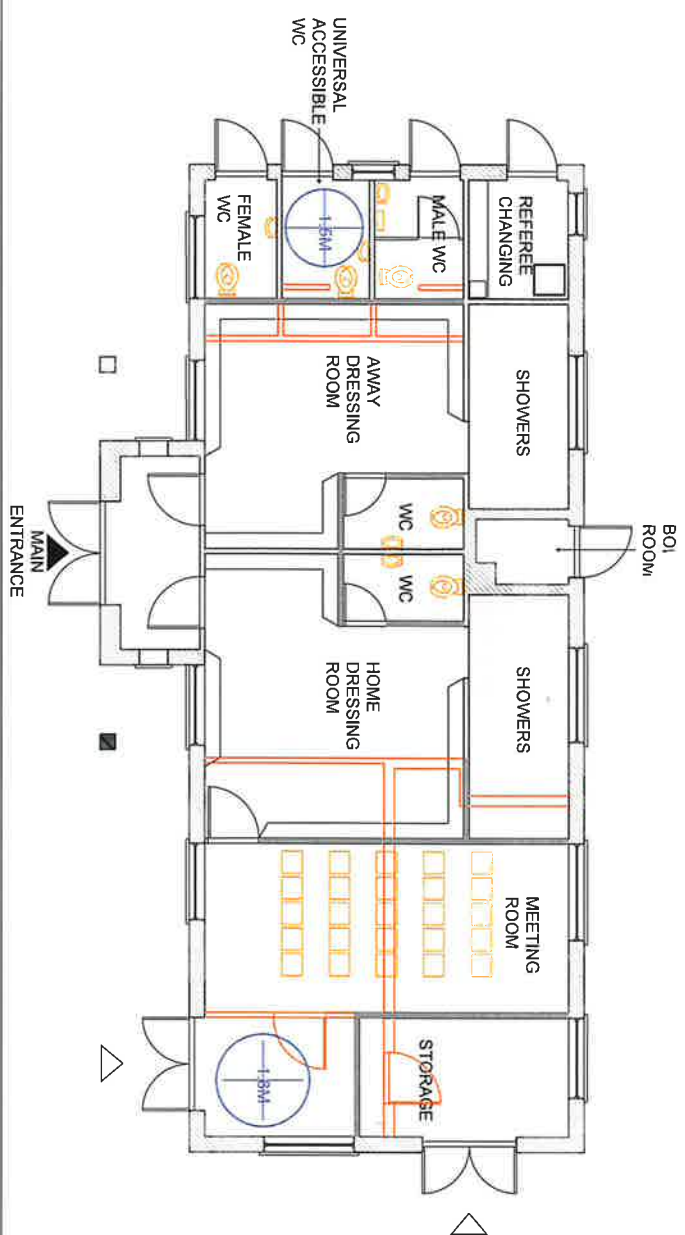


CALISTHENICS EQUIPMENT



OUTDOOR EXERCISE EQUIPMENT

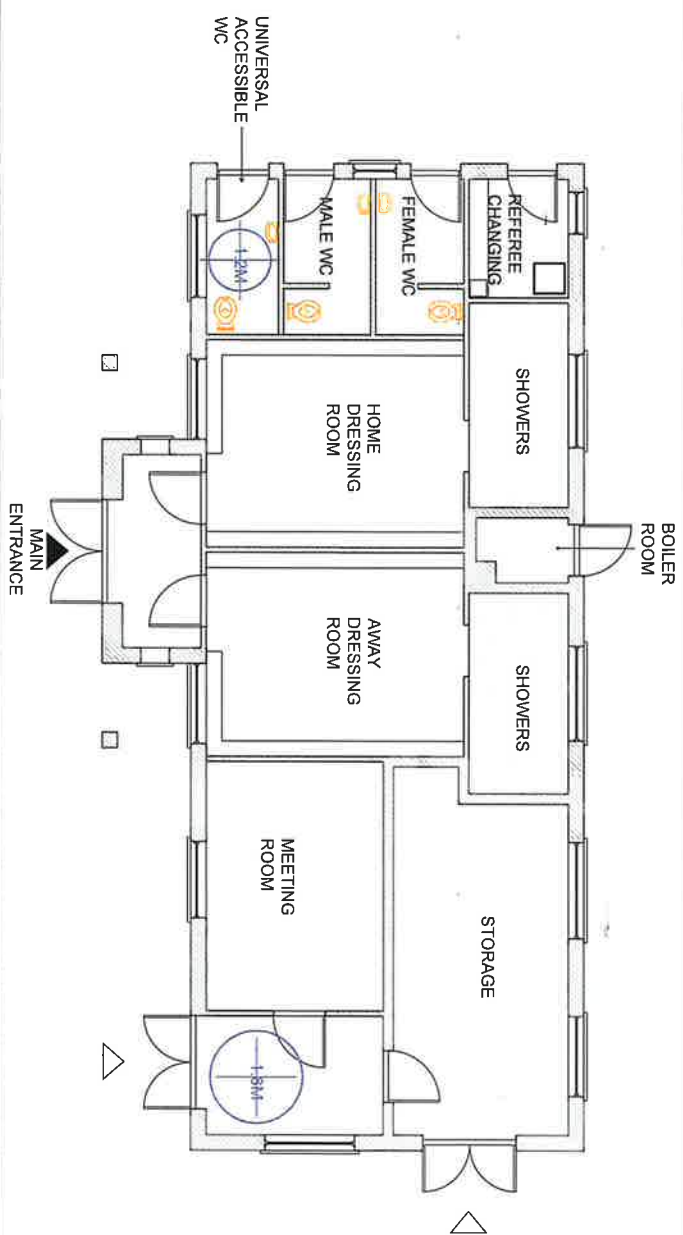




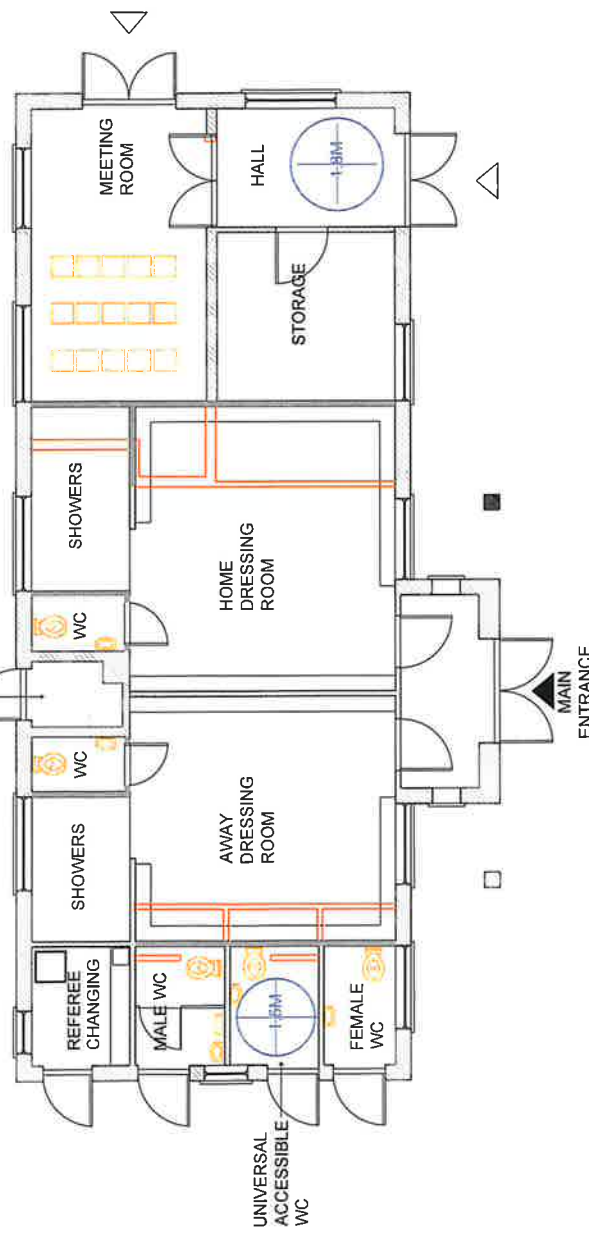
OPTION A

HOME DRESSING ROOM	24.19 SQM
HOME SHOWERS	8.93 SQM
AWAY DRESSING ROOM	18.93 SQM
AWAY SHOWERS	7.68 SQM
WC	2.99 SQM
FEMALE WC	3.16 SQM
UNIVERSAL ACCESS WC	3.92 SQM
MALE WC	3.92 SQM
REFEREE CHANGING	4.45 SQM
MEETING ROOM	23.16 SQM
STORAGE	13.6 SQM

EXISTING PLAN (PER PLANNING SUBMISSION)

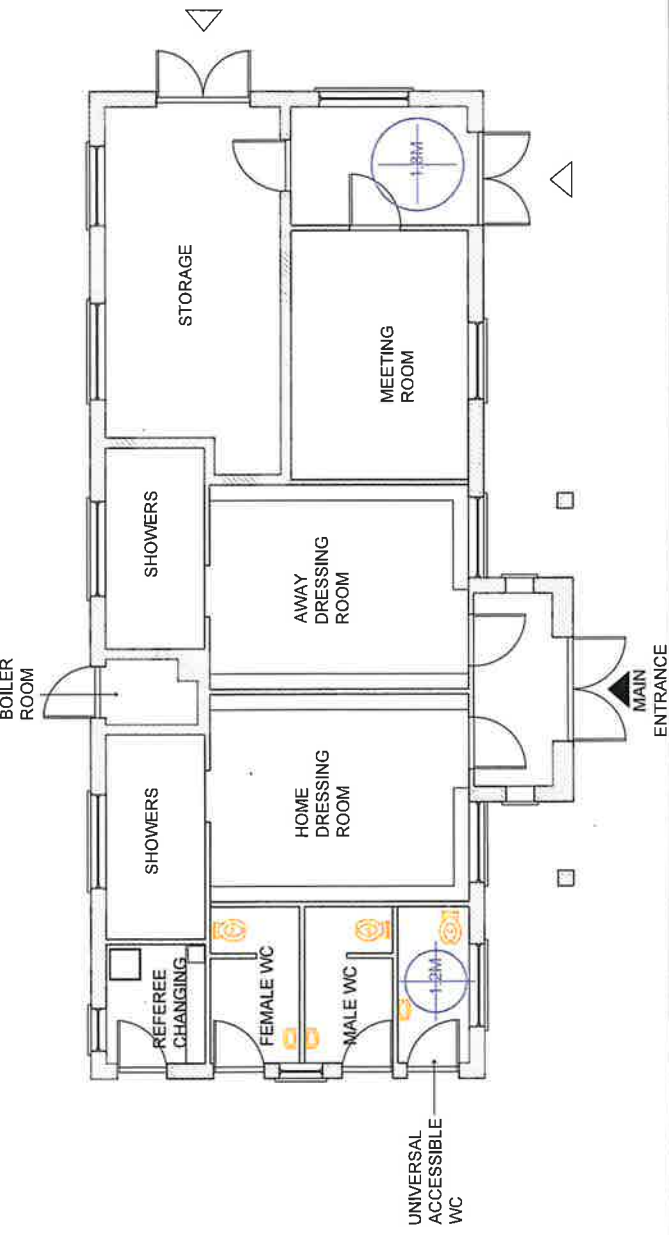


HOME DRESSING ROOM	20.01 SQM
HOME SHOWERS	7.78 SQM
AWAY DRESSING ROOM	20.01 SQM
AWAY SHOWERS	7.78 SQM
WC	3.16 SQM
FEMALE WC	3.92 SQM
UNIVERSAL ACCESS WC	3.92 SQM
MALE WC	3.92 SQM
REFEREE CHANGING	4.45 SQM
MEETING ROOM	16.41 SQM
STORAGE	21.62 SQM



OPTION B

HOME DRESSING ROOM	27.5 SQM
HOME SHOWERS	6.85 SQM
AWAY DRESSING ROOM	23.5 SQM
AWAY SHOWERS	5.32 SQM
WC	1.98 SQM
FEMALE WC	3.16 SQM
UNIVERSAL ACCESS WC	3.92 SQM
MALE WC	3.92 SQM
REFEREE CHANGING	4.45 SQM
MEETING ROOM	18.81 SQM
STORAGE	10.88 SQM
HALL	7.82 SQM

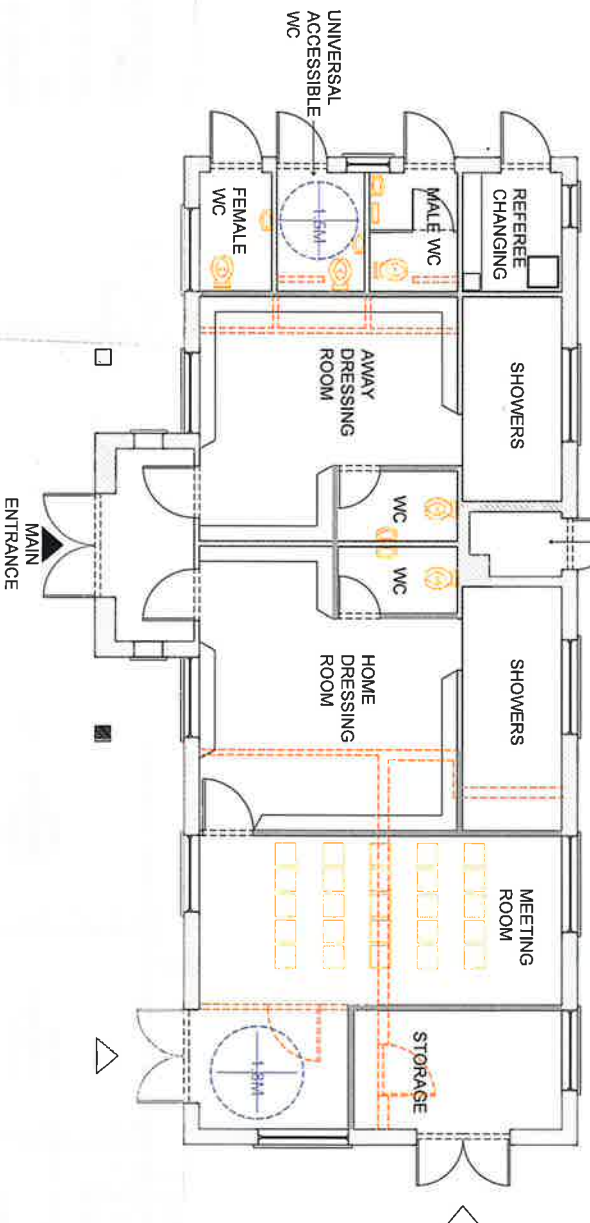


EXISTING PLAN (PER PLANNING SUBMISSION)

HOME DRESSING ROOM	20.01 SQM
HOME SHOWERS	7.78 SQM
AWAY DRESSING ROOM	20.01 SQM
AWAY SHOWERS	7.78 SQM
WC	3.16 SQM
FEMALE WC	3.92 SQM
UNIVERSAL ACCESS WC	3.92 SQM
MALE WC	3.92 SQM
REFEREE CHANGING	4.45 SQM
MEETING ROOM	16.41 SQM
STORAGE	21.62 SQM

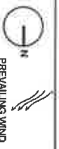


OPTION A:



DISABLED
PARKING
AREA



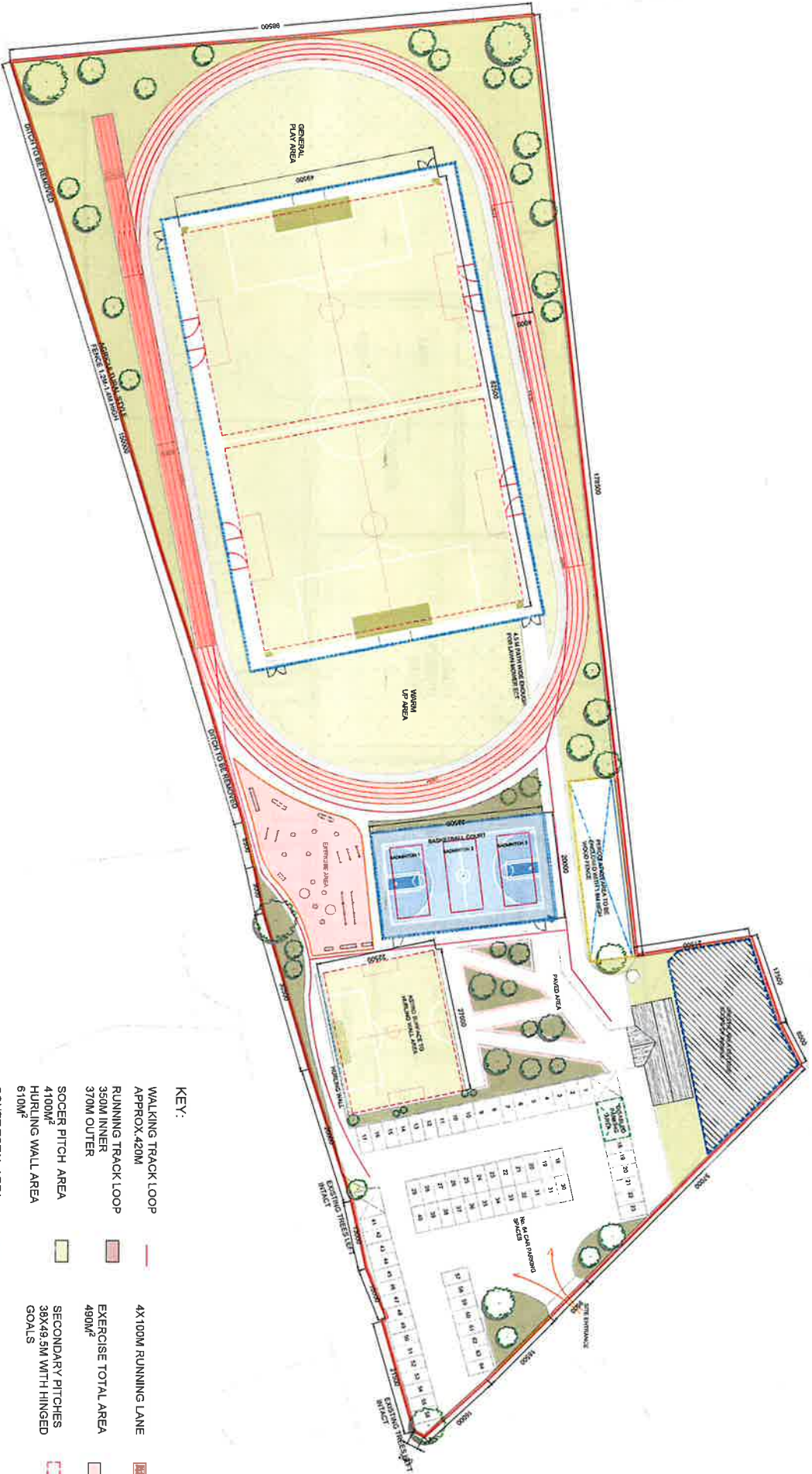


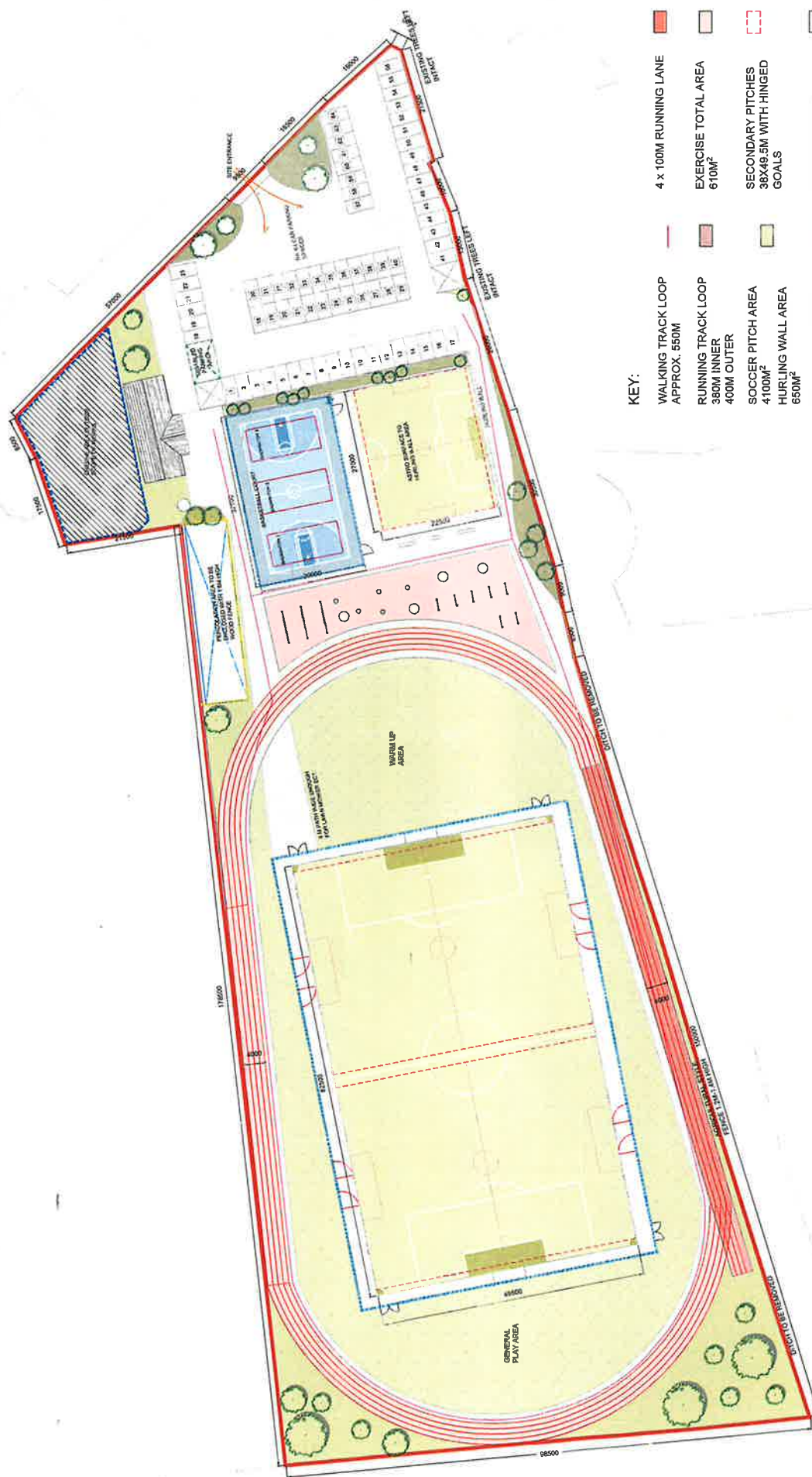
OPTION 1
DUALLA, CO. TIPPERARY

DUALLA COMMUNITY ASSOCIATION
20TH DECEMBER 2021

KEY:

	WALKING TRACK LOOP APPROX. 420M		4X 100M RUNNING LANE
	RUNNING TRACK LOOP 350M INNER 370M OUTER		EXERCISE TOTAL AREA 490M ²
	SOCCER PITCH AREA 4100M ² HURLING WALL AREA 610M ²		SECONDARY PITCHES 36X49.5M WITH HINGED GOALS
	COURT TOTAL AREA 650M ²		PAVED AREA
	PERCOLATION AREA WITH 1800MM HIGH TIMBER FENCE TO THE PERIMETER		SEATING
			LIGHTING
			ENTRANCE
			SITE BOUNDARY

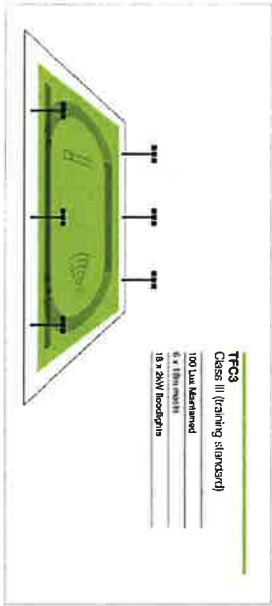




- KEY:**
- WALKING TRACK LOOP APPROX. 550M
 - RUNNING TRACK LOOP 380M INNER 400M OUTER
 - SOCCER PITCH AREA 4100M²
 - HURLING WALL AREA 650M²
 - COURT TOTAL AREA 650M²
 - PERCOLATION AREA WITH 1800MM HIGH TIMBER FENCE TO THE PERIMETER
 - 4 x 100M RUNNING LANE
 - EXERCISE TOTAL AREA 610M²
 - SECONDARY PITCHES 38x48.5M WITH HINGED GOALS
 - STORAGE 10x5M
 - TRACK AND FIELD LIGHTING
 - ENTRANCE
 - SITE BOUNDARY

TRACK AND FIELD LIGHTING GUIDANCE

For track and field stadiums the most cost effective solution is to locate 6-8 masts around the whole perimeter of the track with a clearance of 4.5m from the track edge. The mast height is determined as for football but with the additional requirement of a maximum mast height to ensure adequate vertical illuminance for competitors on the outside of the track. The masts mounted along the straight section of track illuminate the centre field area providing good vertical illuminance for javelin, shot, hammer and discus events. Double asymmetric or flat glass double asymmetric beam floodlights using high-pressure sodium or metal halide lamps are suitable for this application.

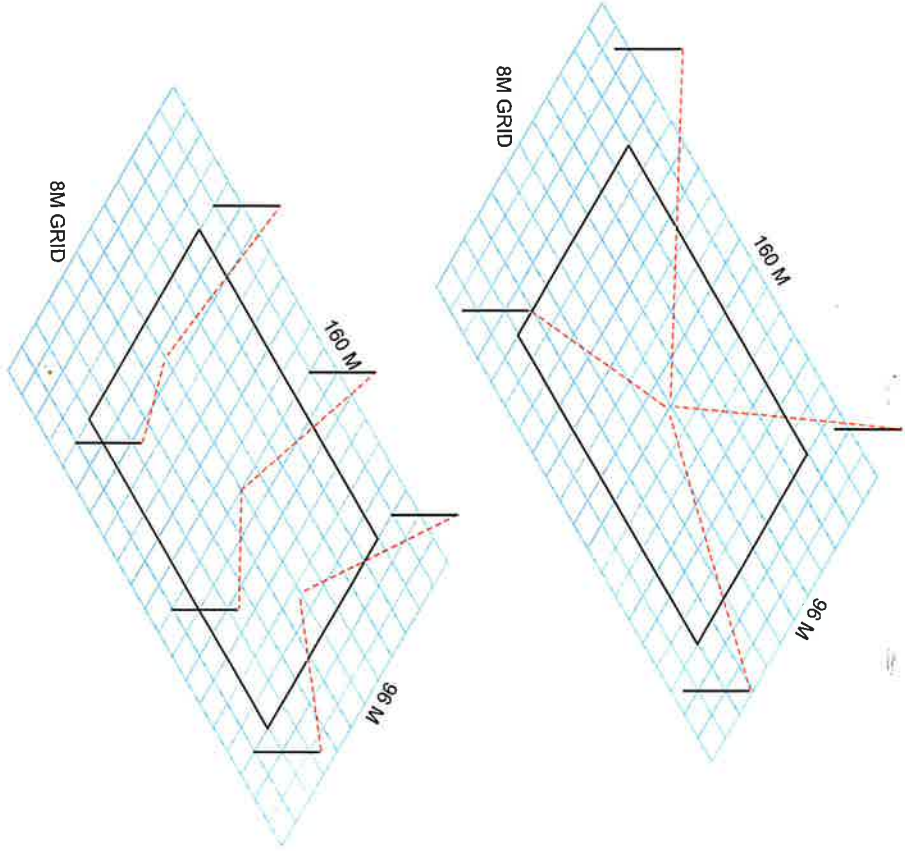


FIELD SPORT

The most common approach is the use of lighting masts, approximately four each side of 12m-20m height to achieve a minimum angle above the pitch centre of 20° to the lowest floodlight, but preferably 25°. These are spaced along the long axis of the playing area, positioned away from the touchlines to avoid collisions. For football they are also positioned away from the corners to avoid glare to goalkeepers. The floodlights are normally rated 1kW- 2kW and have a double asymmetric beam shape to ensure good uniformity and glare control. An alternative option is four corner masts where long throw symmetrical narrow beam floodlights are used. The same conditions apply to mast positioning and height to achieve high utilisation of lamp flux and the avoidance of glare



COLUMN LIGHTING LAYOUTS:



FIFA FLOOD LIGHTING STANDARDS:
 Corner flood lighting for small grounds.
 Doesn't obstruct views for spectators.
 More expensive to install.

Side lighting is the preferred system.
 The lighting columns do not need to be as high which keeps
 their scale relevant to rural landscapes

Document issued on: 20/12/2021
Document prepared by: GD
Document approved by: MC



**KENNETH HENNESSY
ARCHITECTS**

tel: 052 6123966
fax: 052 6180690
email: info@kharchitects.ie

Anglesea House, Anglesea Street
Clonmel, Co. Tipperary



Request for Tender (RFT)
Solar Panel Installation Projects
Dualla Community Association CLG

1. Introduction

This Request for Tender (RFT) invites suppliers to submit bids for the provision, installation, and testing of solar energy systems for two separate projects. The scope for each project includes the supply of all necessary components and services for the successful completion of a fully operational solar power system. The projects are as follows:

- **Project 1:** Installation of solar panels on **Dualla Community Hall**
- **Project 2:** Installation of solar panels on **Denis Leamy Centre, Dualla**

Details of the scope for both projects are outlined below.

2. Project Scope

Project 1: Dualla Community Hall

The scope of the project includes the following components and services:

Requirements

- 20 Solar Panels (circa. 72 cell/power output of 440W)- minimum of 20 year warranty on panels.
- Mounting Kit
- Inverter (5kV)- minimum of a 5 year warranty
- Battery Management System (BMS) x 1
- 5kV Battery x 2 – minimum of 10 years or 6000 cycles warranty on the battery (whichever comes first)
- All Necessary Accessories and Cabling
- Roofing Services
- Labour for Installation
- Testing and Certification of the System

Scope of Work

1. **Supply of Materials:** The supplier will provide all listed components, including the solar panels, inverter, batteries, BMS, and all necessary accessories and cabling required for full installation.
2. **Installation:** The supplier will be responsible for the full installation of the solar system, including mounting panels, connecting the inverter, and setting up the batteries and BMS.
3. **Roofing Work:** Any necessary roofing services to ensure proper mounting and sealing of the solar panels.
4. **Labour:** All necessary labour for installation and commissioning.
5. **Testing and Certification:** Comprehensive testing of the

system after installation and certification to confirm system compliance. The supplier should outline the warranty for the installed solar system.

6. **Compliance with Planning Regulations:** The installation must meet the requirements for an exempted development under the planning regulations.

Project 2: Denis Leamy Centre, Dualla

The scope of the project is similar to Project 1, with one key difference: it includes one less battery.

Requirements

- 20 Solar Panels (circa. 72 cell/power output of 440W)- minimum of 20 year warranty on panels.
- Mounting Kit
- Inverter (5kW)- minimum of a 5 year warranty
- Battery Management System (BMS) x 1
- 5kW Battery x 1 – minimum of 10 years or 6000 cycles warranty on the battery (whichever comes first)
- All Necessary Accessories and Cabling
- Roofing Services
- Labour for Installation
- Testing and Certification of the System

Scope of Work

1. **Supply of Materials:** The supplier will provide all listed components, including solar panels, inverter, batteries, BMS, and all necessary accessories and cabling for the full installation.
2. **Installation:** The supplier will be responsible for the full installation of the solar system, including mounting panels, connecting the inverter, and setting up the batteries and BMS.
3. **Roofing Work:** Any necessary roofing services to ensure proper mounting and sealing of the solar panels.
4. **Labour:** All necessary labour for installation and commissioning.
5. **Testing and Certification:** Comprehensive testing of the system after installation and certification to confirm system compliance. The supplier should outline the warranty for the installed solar system.
6. **Compliance with Planning Regulations:** The installation must meet the requirements for an exempted development under the planning regulations.

3. Supplier Requirements

The successful supplier must meet the following criteria for both projects:

- The supplier must be a **RECI Registered Electrician**.
- The supplier must have **adequate public liability insurance** to cover the full scope of work.

4. Evaluation Criteria

The successful supplier will be selected based on the following evaluation criteria for each project:

- **60% Cost:** The overall price of the quotation, inclusive of all materials, installation, and taxes, if applicable.
- **35% Previous Experience:** Demonstrated experience in providing and installing solar systems, with a preference for work completed on similar community or public sector projects. The supplier must provide the names and contact details for two past customer where a similar scale/size project was completed, ideally one being a community type install.
- **5% Sustainability of Supplier:** The environmental and sustainability practices of the supplier, including any certifications or commitments to reducing their environmental impact, will be considered. We prioritise suppliers who adhere to ethical sourcing standards, ensuring that the materials used in the panels are responsibly sourced. This includes verifying that the panels come from manufacturers who are committed to sustainable production processes/use eco-friendly materials/support fair labour practices etc. Our goal is to collaborate with suppliers who align with our commitment to reducing environmental harm and fostering positive social impact.

5. Reference Requirements

As part of the tender submission, the supplier is required to provide contact details of two recent references from other clients where they have successfully completed a similar project, particularly in the provision and installation of solar panels. These will be used to assess the qualifications and reliability of the supplier for this project.

6. Pricing Structure

Please provide separate pricing for each project in the table below:

Component/Service	Dualla Community Hall	Denis Leamy Centre
	€	€
20 Solar Panels		
Mounting Kit		
Inverter (5kV)		
Battery Management System (BMS)		
5kV Battery (x2) (project 1)		N/A
5kV Battery (x1) (project 2)	N/A	
All Necessary Accessories and Cabling		
Roofing Services		

Labour for Installation		
Testing and Certification		
Total Price		
*VAT, if Applicable		

*Please provide the total cost exclusive of VAT, and if applicable, list VAT separately in the table

7. Submission Instructions

Please submit your tender by email, **including all required documentation** (See below) by **close of business on 25th March 2025** to duallacommunityassociation@gmail.com ensuring that all costs, including delivery, installation, and any applicable taxes, are outlined clearly. Late submissions will not be considered.

Documents to be submitted with costs for the proposed works include:

- Proof of RECI registration.
- Public liability insurance.
- Tax Clearance Certificate.
- The names and contact details for two past customers where a similar scale/size project was completed, ideally one being a community type install.
- Provide the specifications of the materials being used, including details on the brand/type of panels, batteries, and inverters being quoted for in your submission.
- Any sustainability or environmental policies/statements that demonstrate your company's commitment to sustainable sourcing/reducing their environmental footprint/social responsibility.

8. Conclusion

We look forward to receiving your tender and appreciate your interest in these projects. Please contact Kieran O'Dwyer at [REDACTED] if you have any questions or require further clarification regarding the scope of work or the tender process.

9. Location of Each Project

Project 1: Dualla Community Hall

2 story community hall at Rathclogh North, Dualla, Co.
Tipperary



Project 2: Denis Leamy Centre, Dualla

Single story community centre adjustment to the Community
Field, Newpark (Fussough)
Dualla, Cashel. E25 NX92





Comhairle Contae Thiobraid Árann
Tipperary County Council

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

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

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

Date: 31th March, 2025 Our Ref: S5/25/31 Civic Offices, Clonmel

Dualla Community Association CLG
C/O Kieran O'Dwyer
Ballykelly
Dualla
Cashel
Co. Tipperary

Re: Application for a Section 5 Declaration – Installation of 20 PV solar panels on roof, front and rear of existing building at Denis Leamy Community Field, Dualla, Cashel, Co. Tipperary E25NX92

Dear Mr O'Dwyer,

I acknowledge receipt of your application for a Section 5 Declaration received on 26th March, 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

Planning Reference:	S5/25/31
Applicant:	Dualla Community Association CLG
Development Address:	Denis Leamy Community Field, Dualla, Cashel, Co. Tipperary
Proposed Development:	Installation of 20 PV Solar Panels on roof of existing building. Rear & Front of premises.

1. GENERAL

On 26th March 2025 a request was made for a declaration under Section 5 of the Planning and Development Act, 2000 as amended by Dualla Community Association CLG as to whether or not the following works constituted development and if so, whether same was exempted development:

Installation of 20 PV Solar Panels on roof of existing building. Rear & Front of premises.

The application was accompanied by the following documentation;

- Section 5 Application Form
- Document named "Feasibility Study" dated 17th December 2021.
- Document named "Request for Tender"

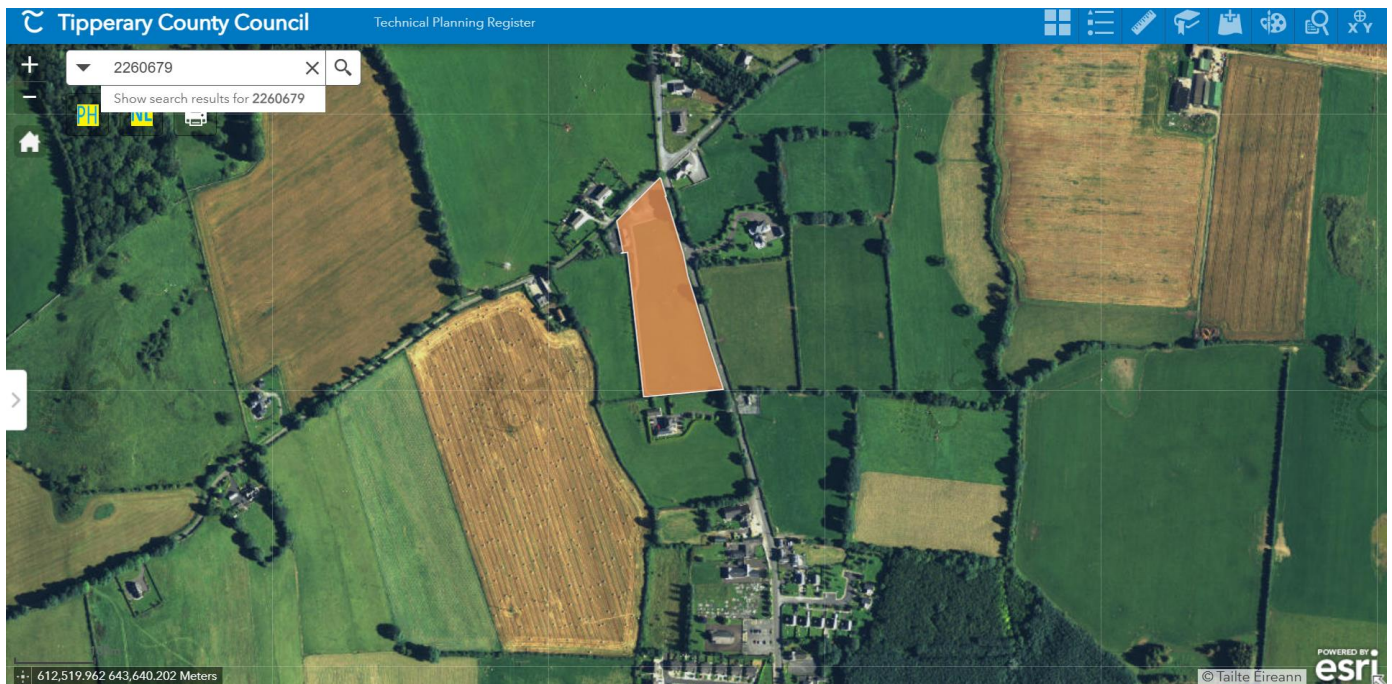


Figure 1 Site Location

2. STATUTORY PROVISIONS

The following statutory provisions are relevant to this case;

Planning and Development Act 2000, as amended

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

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

Section 2(1) of the same Act 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 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;

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.

Description of Development	Conditions and Limitations
<p><i>The placing or erection on a roof, or within the curtilage, or on a roof of any ancillary buildings within the curtilage, of the following buildings or sites of a solar photo-voltaic and/or solar thermal collector installation:</i></p> <p><i>(i) an educational building,</i></p> <p><i>(ii) health centre or hospital,</i></p> <p><i>(iii) recreational or sports facility,</i></p> <p><i>(iv) place of worship,</i></p> <p><i>(v) community facility or centre,</i></p> <p><i>(vi) library,</i></p> <p><i>(vii) sites for the provision of gas, electricity, telecommunications services or water supplies or wastewater services operated by a statutory undertaker.</i></p>	<ol style="list-style-type: none"> <i>1. Where such development is located within a solar safeguarding zone, the total aperture area of any solar photovoltaic and/or solar thermal collector panels, taken together with any other such panels previously placed on a roof, shall not exceed 300 square metres.</i> <i>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.</i> <i>3. The distance between the plane of the roof and the solar photo-voltaic or solar thermal collector panels shall not exceed 1.2 metres in the case of a flat roof or 15cm in any other case.</i> <i>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.</i> <i>5. Any ancillary equipment associated with solar photo-voltaic or solar thermal collector panels shall not be placed or erected on a wall or any roof that is not a flat roof.</i> <i>6. The height of any ancillary equipment associated with solar photo-voltaic or solar thermal collector panels on a flat roof shall not exceed 1.6 metres above roof level.</i> <i>7. Any ancillary equipment associated with solar photo-voltaic or solar thermal collector panels on a flat roof shall be a minimum of 2 metres from the edge of the roof on which it is mounted.</i> <i>8. Any free-standing solar photo-voltaic or solar thermal collector installation shall not be placed or erected forward of the front wall of the building or site.</i> <i>9. The total aperture area of any freestanding solar photo-voltaic and solar thermal collector panels taken together with any other such existing free-standing panels shall not exceed 75 square metres.</i> <i>10. The height of any free-standing solar photo-voltaic or solar thermal collector installation shall not exceed 2.5 metres at its highest point above ground level.</i> <i>11. The placing or erection of a solar photo-voltaic or solar thermal collector installation on any wall shall not be exempted development.</i> <i>12. The placing or erection of any freestanding solar photo-voltaic or solar thermal collector installation within an Architectural Conservation Area shall only be exempted development if those works would not materially affect the character of the area.</i> <i>13. No sign, advertisement or object not required for the functioning or safety of the solar photo-voltaic or solar thermal collector installation shall be attached to or exhibited on such installation.</i> <p><i>479</i></p>

	<p>14. Development under this Class shall only be exempted development where the solar photo-voltaic or solar thermal collector installation is primarily used for the provision of electricity or heating for use within the curtilage of the building or site, and shall not be considered a change of use for the purposes of the Act.</p> <p>15. Development under this Class which causes hazardous glint and/or glare shall not be exempted development and any solar photo-voltaic or solar thermal collector panels which are causing hazardous glint and/or glare shall either be removed or be covered until such time as a mitigation plan to address the hazardous glint and/or glare is agreed and implemented to the satisfaction of the Planning Authority.</p>
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Article 9 of the Planning and Development Regulations 2001, as amended sets out restrictions on exemptions and states:

9. (1) Development to which article 6 relates shall not be exempted development for the purposes of the Act—

(a) if the carrying out of such development would—

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

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

(viiB) comprise development in relation to which a planning authority or An Bord Pleanála is the competent authority in relation to appropriate assessment and the development would require an appropriate assessment because it would be likely to have a significant effect on the integrity of a European site.

(viii) consist of or comprise the extension, alteration, repair or renewal of an unauthorised structure or a structure the use of which is an unauthorised use.

3. **ASSESSMENT**

a. Site Location

The subject site is occupied by Dualla Community Field in the settlement of Dualla.

b. Relevant Planning History

- 05933** Permission GRANTED to develop a new community field as follows:- club house containing changing rooms, meeting room, storage, toilets and showers, a sewerage treatment system, new entrance, car park, playground, main pitch training pitch, dugout and training lighting.
- 19600371** Permission GRANTED for the erection of a portacabin for sessional use for childcare facilities including after school care from 7.30 a.m. to 9.10 a.m. (ages 4-12 yrs), preschool care from 9.20 a.m. to 12.20 p.m. (ages 2.5-5 yrs) and after school care from 2.00 p.m. to 6.00 p.m. (ages 4-12 yrs) Monday to Friday, connection to on-site wastewater treatment system and for all associated works.
- 22/60679** Permission GRANTED for construction of a 400m running track, perimeter walking track, long jump & external exercise area. Reconfiguration of existing soccer field, provision of pitch drainage, and two new dugouts. Construction of a precast hurling wall, training area & basketball court, enclosed by a 2.4 meter high weld-mesh fence and 2.6 meter netting on top. Flood lighting and associated site lighting, site boundary & site development works

TUD-19-083 Case Closed

TUD-23-128 Case Closed

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 61 of Part 1 of Schedule 2 of the Regulations. The application has not included for any, Site location Maps, elevation, section or roof plan drawings in order to determine if the proposed solar panels meet all Conditions and Limitations under Class 61.

Further information be requested.

C. Restrictions under Article 9

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

D. Requirement for Appropriate Assessment and Environmental Impact Assessment

AA

The proposal has been assessed having regard to the requirements of the EU Habitats Directive. The proposal has been screened as to the requirements for AA and the screening assessment considers that the proposal does not impact on any Natura 2000 site. See also Appropriate Assessment (AA) screening report attached.

EIA

The proposed development has been subject to a preliminary examination to determine the requirement for EIA. EIA is not required in respect of the development. See also for Environmental Impact Assessment (EIA) preliminary examination screening report attached.

4. RECOMMENDATION

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

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

The applicant is advised that there is an exemption available under Class 61 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001, as amended, for the placing or erection on a roof, or within the curtilage, or on a roof of any ancillary buildings within the curtilage of a community facility or centre, of a solar photo-voltaic and/or solar thermal collector installation. This exemption is subject to 15 conditions and limitations.

The application as submitted does not include for appropriately scaled Site Location Maps, Site Layout Plan, elevation, section or roof plan drawings in order for the Planning Authority to determine if the proposal meets the limitations and conditions of Class 61.

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

- Site Location Map identifying the proposed building
- Site Layout Plan (1:500) showing the location of the proposal

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

District Planner:



Date: 04/04/2025

Senior Executive Planner:



Date: 8.4.2025

HABITATS DIRECTIVE APPROPRIATE ASSESSMENT (AA) SCREENING REPORT

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

(a) File Reference No:	S5/25/31
(b) Brief description of the project or plan:	Installation of 20 PV Solar Panels on roof of existing building. Front and Rear roof of premises.
(c) Brief description of site characteristics:	Existing community centre 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 ¹	Distance from proposed development ² (km)	Connections (Source-Pathway-Receptor)	Considered further in screening Y/N
002137 Lower River Suir SAC	https://www.npws.ie/protected-sites/sac/002137	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 	No potential impacts. No changes to surface water arrangements.
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 	No potential impacts. No changes to surface water arrangements.

<ul style="list-style-type: none"> Physical presence of structures (e.g. collision risks) Potential for accidents or incidents 	
In-combination/Other	No potential impacts
(b) Describe any likely changes to the European site:	
<p>Examples of the type of changes to give consideration to include:</p> <ul style="list-style-type: none"> 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 	No potential impacts
(c) Are 'mitigation' measures necessary to reach a conclusion that likely significant effects can be ruled out at screening?	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

STEP 4. Screening Determination Statement

The assessment of significance of effects:

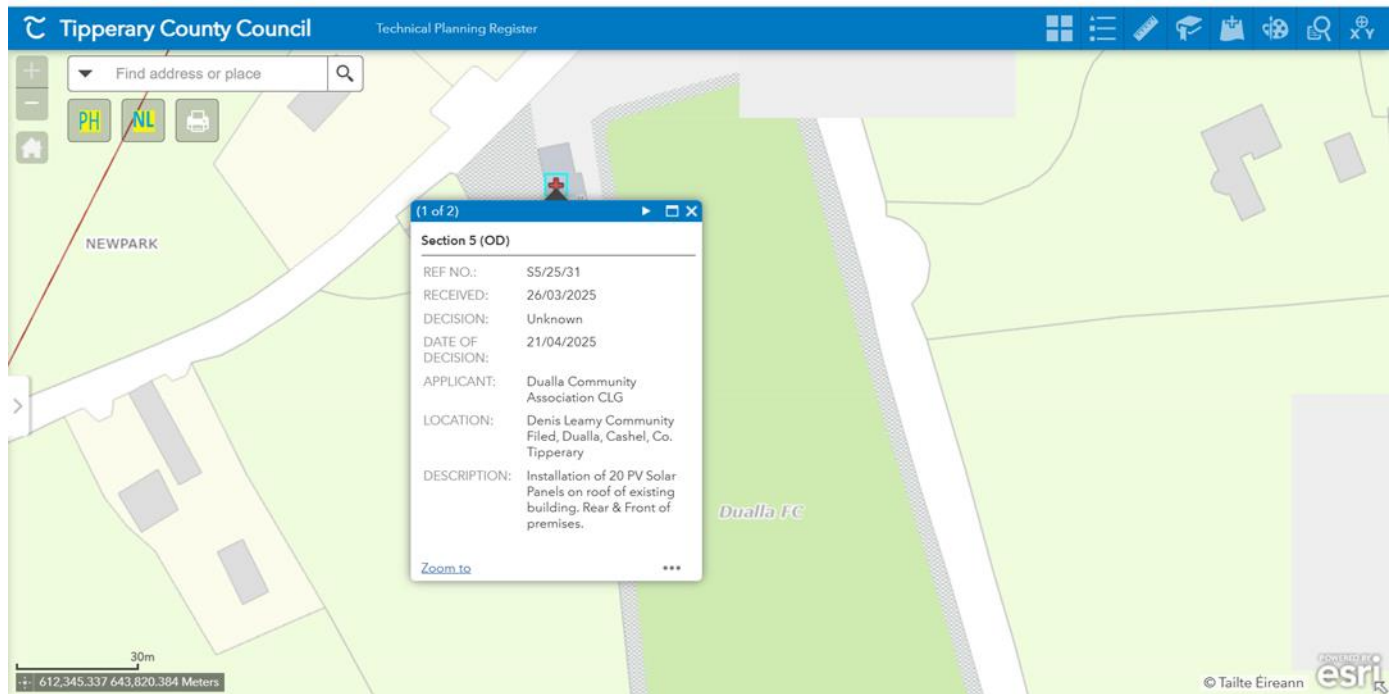
Describe how the proposed development (alone or in-combination) is/is not likely to have significant effects on European site(s) in view of its conservation objectives.

The proposed development is not likely to have significant effects.

Conclusion:

	Tick as Appropriate:	Recommendation:
(i) It is clear that there is no likelihood of significant effects on a European site.	<input checked="" type="checkbox"/>	The proposal can be screened out: Appropriate assessment not required.
(ii) It is uncertain whether the proposal will have a significant effect on a European site.	<input type="checkbox"/>	<input type="checkbox"/> Request further information to complete screening <input type="checkbox"/> Request NIS <input type="checkbox"/> Refuse planning permission
(iii) Significant effects are likely.	<input type="checkbox"/>	<input type="checkbox"/> Request NIS <input type="checkbox"/> Refuse planning permission

EIA Pre-Screening Establishing a development is a 'sub-threshold development'	
File Reference:	S5/25/31
Development Summary:	Installation of 20 PV Solar Panels on roof of existing building.
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





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: 8th April, 2025

Our Ref: S5/25/31

Civic Offices, Nenagh

**Dualla Community Association
C/O Kieran O'Dwyer
Ballykelly
Dualla
Cashel
Co. Tipperary**

Re: Application for a Section 5 Declaration – Installation of 20 PV Solar Panels on roof of existing building. Rear & Front of premises at Denis Leamy Community Field, Dualla, Cashel, Co. Tipperary

Dear Mr O'Dwyer,

I refer to an application received from you on 26th March, 2025 requesting a Declaration from this Planning Authority as to whether or not certain works constitute development within the meaning of the Planning and Development Act 2000, as amended.

Further information is requested as follows;

It is recommended to request the following further information pursuant to Section 5 (2) (b) of the Planning and Development Act 2000, as amended

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

The applicant is advised that there is an exemption available under Class 61 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001, as amended, for the placing or erection on a roof, or within the curtilage, or on a roof of any ancillary buildings within the curtilage of a community facility or centre, of a solar photo-voltaic and/or solar thermal collector installation. This exemption is subject to 15 conditions and limitations.

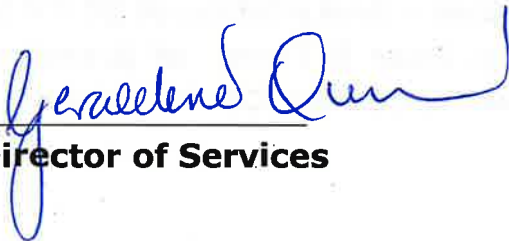
The application as submitted does not include for appropriately scaled Site Location Maps, Site Layout Plan, elevation, section or roof plan drawings in order for the Planning Authority to determine if the proposal meets the limitations and conditions of Class 61.

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

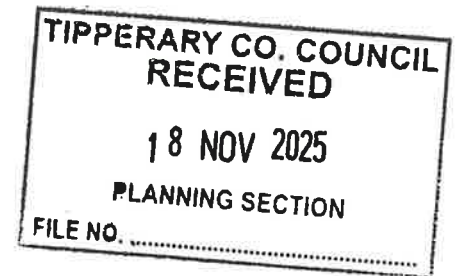
- Site Location Map identifying the proposed building
- Site Layout Plan (1:500) showing the location of the proposal
- Plans/Elevations and Sections as necessary demonstrating that the conditions and limitations of Class 61 of Part 1 of Schedule 2 of the above mentioned Regulations are satisfied

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

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Geraldine Quinn', is written over a horizontal line.

for **Director of Services**



Planning Department
Tipperary County Council
Civic Offices
Emmet Street
Clonmel
Co. Tipperary

4th November 2025

Re: Section 5 Declaration Application – Installation of 20 PV Panels on the Roof of the Existing Clubhouse Building at the Denis Leamy Community Field, Dualla, Cashel, Co. Tipperary – TCC Ref: S5/25/31

Dear Sir/Madam,

On behalf of the Dualla Community Association, we are writing in relation to our Section 5 Declaration Application seeking clarification as to whether the proposed installation of 20 photovoltaic (PV) solar panels on the existing clubhouse building at the Denis Leamy Community Field, Dualla constitutes *exempted development* under the Planning and Development Regulations 2001 (as amended).

The proposed PV panels will be fixed to the roof of the existing clubhouse building. As shown in the attached Planning Pack, page three highlights in purple the section of the roof where the panels are to be installed. The installation has been carefully designed to ensure that the panels will not alter the overall height, character, or visual setting of the building.

Please find attached the following documentation for your consideration:

- **Planning Pack**, including Site Location Map, Floor Plans, and Elevations; which were prepared for the recent planning application for the development of the field, astro etc.
- Highlighted roof area (in purple on page 3) showing the proposed location of the PV panels; and

The appointed contractor has confirmed that the proposed installation will comply fully with **Class 61, Part 1 of Schedule 2** of the Planning and Development Regulations 2001 (as amended). The panels will be securely fixed to the existing roof structure and installed in accordance with all relevant **safety, engineering, and building standards**.

As you may be aware, this project has been awarded **LEADER funding**, subject to the Section 5 declaration being in place. The funding deadline is **December 2025**, and we would greatly appreciate your assistance in progressing and finalising this declaration at your earliest convenience. The project cannot proceed without the support of the LEADER programme and the associated funding it provides.

Registered Address
C/O Kieran O'Dwyer
Ballykelly, Dualla, Cashel,
Co. Tipperary
Company No. 572420



Compliance with Class 61 – Conditions and Adherence by Dualla Community Association

No.	Class 61 Requirement (Summary)	Dualla Community Association Compliance
1	Panels must be used solely for the production of electricity for consumption primarily within the building or site.	Electricity generated will be used to power the clubhouse and lights at the field, reducing grid consumption and supporting sustainability.
2	Panels shall not be placed on any wall or roof slope facing a public road if that elevation forms part of the front façade.	Panels will be installed on the roof section not facing the public road.
3	The total area of the panels shall not exceed 50m ² or 50% of the roof area, whichever is lesser.	The total proposed area is approximately 35m ² , within the allowable limit.
4	The angle between the plane of the roof and the panel surface shall not exceed 15 degrees.	Panels will be mounted flush to the existing roof pitch, consistent with the roof angle.
5	The highest point of the panel shall not exceed the highest point of the roof.	Panels will be positioned below the ridge line, ensuring no increase in building height.
6	The installation shall not adversely affect the character or appearance of a protected structure or its setting.	The clubhouse is a modern building and not a protected structure; the installation will not affect the setting of any protected structure nearby.
7	Panels shall not be installed on or forward of the front elevation of a building in an ACA.	The site is not located within an Architectural Conservation Area (ACA).
8	Glare and reflection must be minimised to avoid nuisance or impact on neighbouring properties or road users.	Non-reflective PV panels will be used, positioned to avoid glare toward any public road or nearby dwelling.
9	Installation must comply with relevant safety, structural, and building standards.	Certified installers will ensure full compliance with Irish Building Regulations.
10	No advertisement, logo, or branding shall be displayed on the panels or supports.	Panels will be plain, free of markings or logos.

Registered Address
 C/O Kieran O'Dwyer
 Ballykelly, Dualla, Cashel,
 Co. Tipperary
 Company No. 572420



No.	Class 61 Requirement (Summary)	Dualla Community Association Compliance
11	Panels and supports must be kept in good repair.	The Community Association will maintain a regular inspection and maintenance schedule.
12	Installation shall not give rise to water run-off onto adjoining property or roads.	Proper drainage and flashing details will ensure controlled roof water run-off.
13	No part of the installation shall obstruct access to or maintenance of the roof or building services.	Panels will be positioned to maintain adequate access for maintenance.
14	Installation shall not impact existing telecommunications or radio reception.	Certified panels and inverters will ensure no interference with local communications.
15	On cessation of use, the installation shall be removed and the site reinstated.	The Association undertakes to remove the panels and reinstate the roof as required.

We trust that the above information demonstrates **full compliance with Class 61 – Solar Panels (Roof-Mounted)** of the Planning and Development Regulations 2001 (as amended).

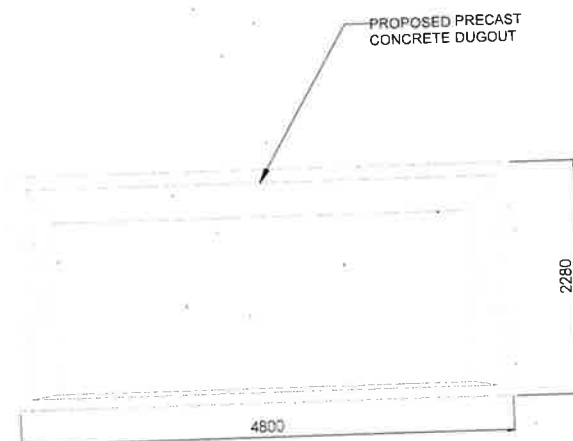
We appreciate your time and assistance and look forward to your determination on this matter.

Yours faithfully,

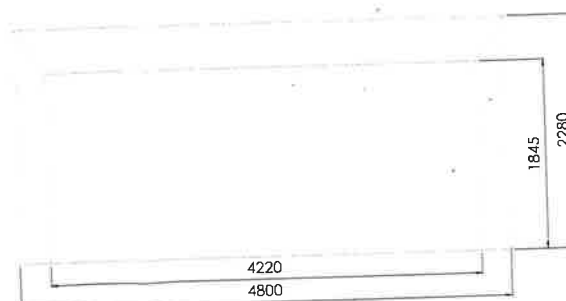
Jack Maher

On behalf of **Dualla Community Association**

Registered Address
C/O Kieran O'Dwyer
Ballykelly, Dualla, Cashel,
Co. Tipperary
Company No. 572420



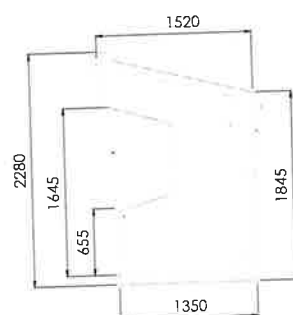
Dug-out Front Elevation (West)
Scale 1:50



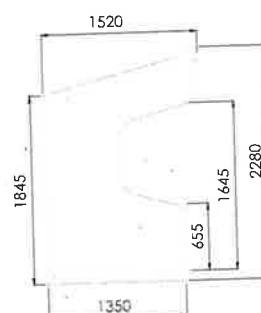
Dug-out Rear Elevation (East)
Scale 1:50



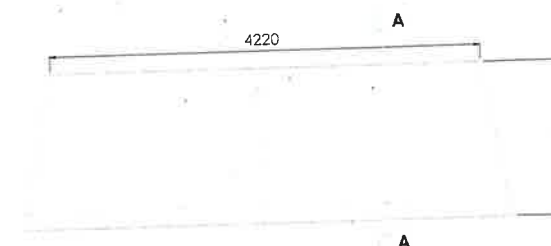
Dug-out Section AA
Scale 1:50



Hurling Wall Side Elevation (South)
Scale 1:50



Dug-out Side Elevation (North)
Scale 1:50



 **Dug-out Plan**
Scale 1:50



STANDARD INSTRUCTIONS

THE STAFF CONDUCTED A SEARCH OF THE RECORDS OF THE
VETERAN'S SERVICE RECORDS AND FOUND NO RECORD OF
VETERAN'S SERVICE. THE SEARCH WAS
CONDUCTED BY THE STAFF OF THE VETERAN'S SERVICE
RECORDS AND THE RESULTS WERE
FURNISHED TO THE STAFF OF THE VETERAN'S SERVICE
RECORDS. THE STAFF OF THE VETERAN'S SERVICE
RECORDS IS CURRENTLY CONDUCTING A SEARCH OF THE
RECORDS OF THE VETERAN'S SERVICE RECORDS.

[illegible]

KA-708-5-CONFIDENTIAL-LEADERSHIP-RECORDS-CONFIDENTIAL
ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

GENERAL NOTES

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 08-11-2013 BY 60322 UCBAW/SJS/STW AT WILLOW
SPRING
ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
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SPRING
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SPRING

At work = 100% interest

REVISION REGISTER					
"	<u> </u>	"		"	"
"	<u> </u>	"		"	"
"	<u> </u>	"		"	"
"	<u> </u>	"		"	"
P01	02/12/2022	Issued for planning.			
		ISSUED BY:	DESIGN	CHECKED BY:	DATE



KENRICH HENNESSY
ARCHITECTS

SCALE
1/50 @ A2



RNI
Registered Professional
Authoritative
Information

STATUS	PLANNING
--------	----------

CLIENT	DUALLA COMMUNITY ASSOCIATION
PROJECT	PROPOSED SPORTS COMPLEX NEWPARK (FUSSOUGH), CASHEL, CO. TIPPERARY

DRAWING TITLE
**PROPOSED DUGOUTS
GENERAL ARRANGEMENTS**

2147	KHA	ZZ00	DRI	SD	2100	S1	P
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**TIPPERARY CO. COUNCIL
RECEIVED
18 NOV 2025
PLANNING SECTION
FILE NO.**

Projection / Spatial Reference:
IRENET95_Irish_Transverse_Mercator

Centre Point Coordinates:
X,Y = 612386.2391,643616.553

Data Extraction Date:
17-Aug-2021

Product Version:
1.3

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— Extent of landowners property
— Extent of development site

RECORD PLACE MAP (Scale 1:10560)

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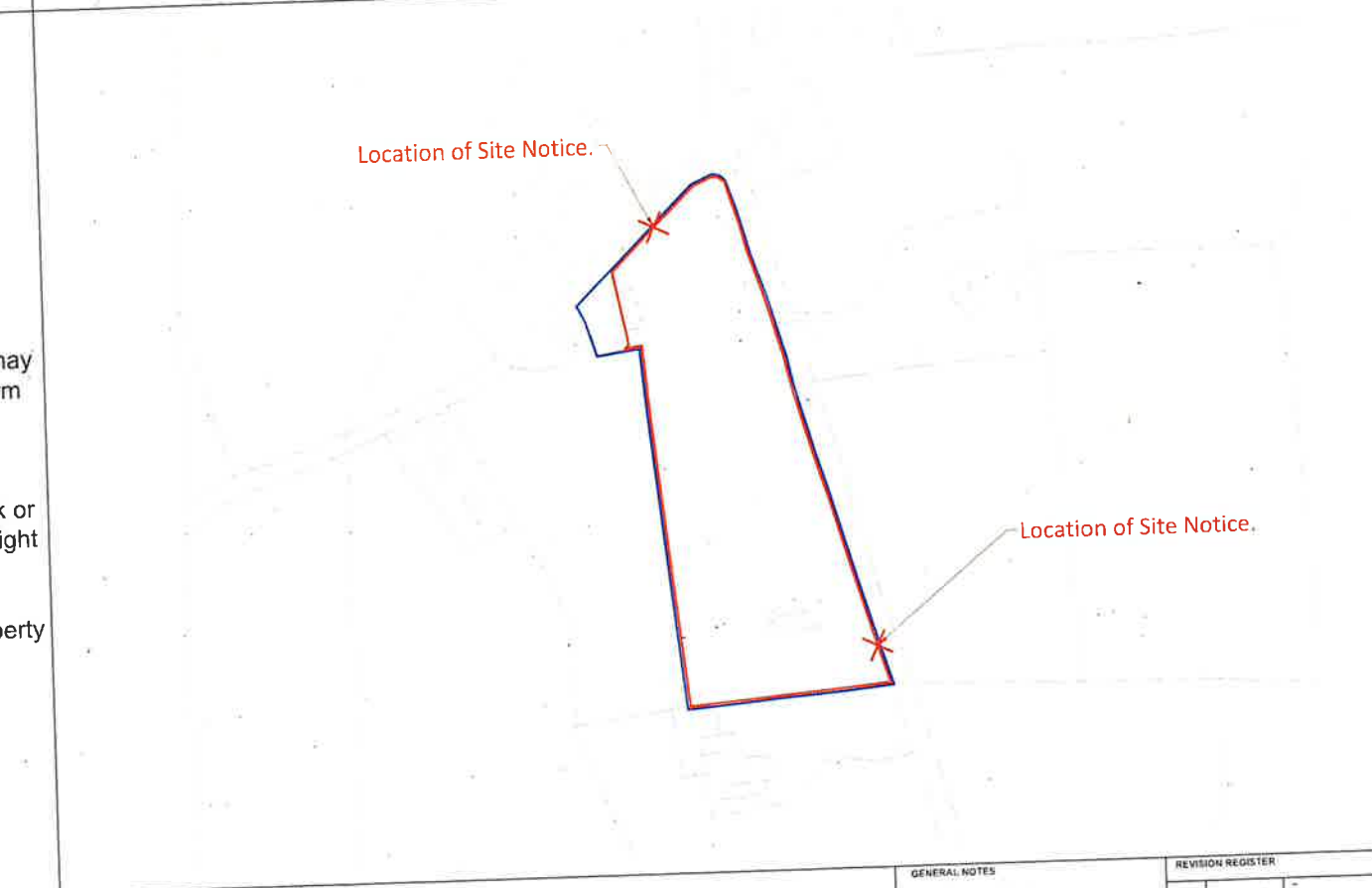
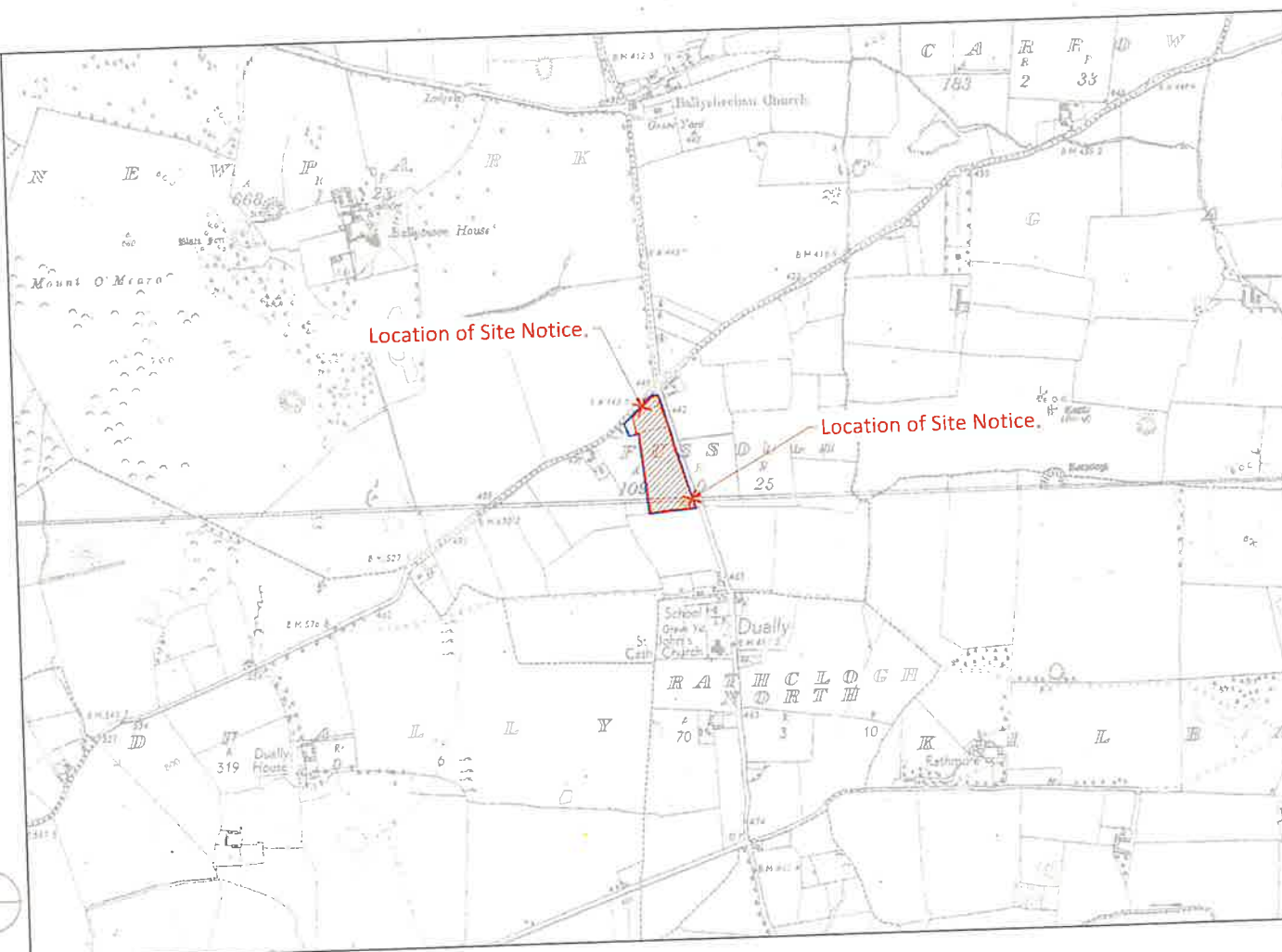
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The representation on this map of a road, track or footpath is not evidence of the existence of a right of way.

Ordnance Survey maps never show legal property boundaries, nor do they show ownership of physical features.

— Extent of landowners property
— Extent of development site

RURAL PLACE MAP (Scale 1:2500)



Description:
Historic 6" Latest Edition

Publisher / Source:
Ordnance Survey Ireland (OSi)

Data Source / Reference:
TY053
Revision Date =
Survey Date =
Levelled Date = 31-Dec-1956

TY061
Revision Date =
Survey Date = 31-Dec-1954
Levelled Date = 31-Dec-1957

File Format:
Tagged Image File Format (TIFF)

File Name:
R_50213851_1.tif

Clip Extent / Area of Interest (AOI):
LLX,LLY= 609789.2391,640111.553
LRX,LRY= 614983.2391,640111.553
ULX,ULY= 609789.2391,647121.553
URX,URY= 614983.2391,647121.553

Description:
Digital Cartographic Model (DCM)

Publisher / Source:
Ordnance Survey Ireland (OSi)

Data Source / Reference:
PRIME2

File Format:
Autodesk AutoCAD (DWG_R2013)

File Name:
v_50213851_1.dwg

Clip Extent / Area of Interest (AOI):
LLX,LLY= 612078.7391,643201.553
LRX,LRY= 612693.7391,643201.553
ULX,ULY= 612078.7391,644031.553
URX,URY= 612693.7391,644031.553

Projection / Spatial Reference:
Projection= IRENET95_Irish_Transverse_Mercator

Centre Point Coordinates:
X,Y= 612386.2391,643616.553

Reference Index:
Map Series | Map Sheets
1:2,500 | 5002-A
1:2,500 | 5002-C

TIPPERARY CO. COUNCIL
RECEIVED
18 NOV 2025
PLANNING SECTION
FILE NO.

STANDARD INSTRUCTIONS

THESE MAPS ARE THE PROPERTY OF THE ORDNANCE SURVEY IRELAND. THEY ARE NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS WITHOUT THE PRIOR WRITTEN PERMISSION OF THE ORDNANCE SURVEY IRELAND. THE ORDNANCE SURVEY IRELAND IS NOT RESPONSIBLE FOR ANY LOSS OR DAMAGE TO ANY PROPERTY OR PERSONS ARISING FROM THE USE OF THESE MAPS.

GENERAL NOTES

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REVISION REGISTER

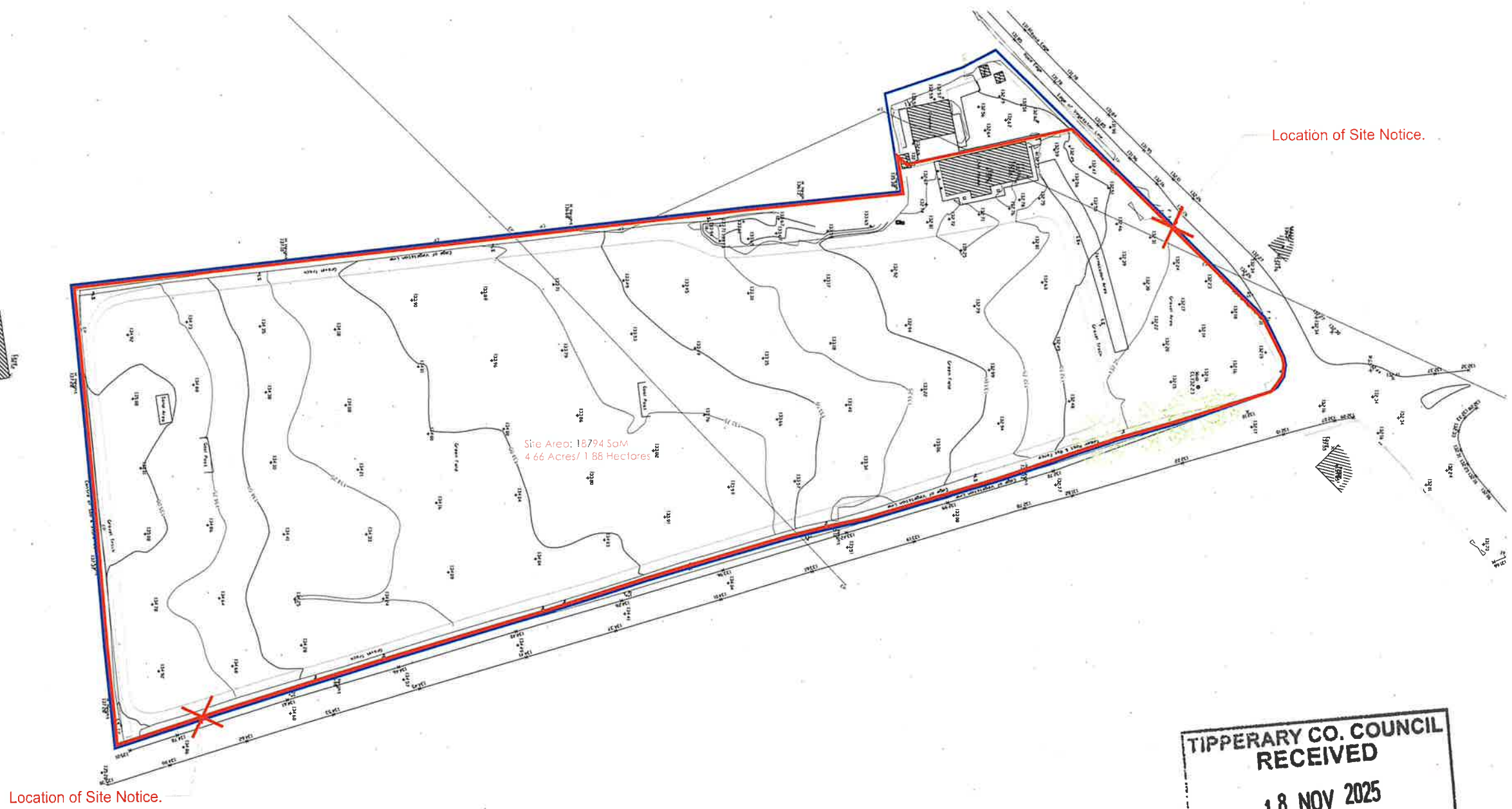
REV	DATE	DESCRIPTION
P01	02/12/22	Issued for planning

KENNETH HENNESSY
ARCHITECTS

1/10560 1/2500 @A2

PLANNING

CLIENT: DUALLA COMMUNITY ASSOCIATION
PROJECT: PROPOSED SPORTS COMPLEX
NEWPARK (FUSFOUGH), CASHEL,
CO. TIPPERARY
DRAWING TITLE: RECORD AND RURAL
PLACE MAP
2147 P 0001 P01



Existing Survey Plan
Scale 1:500



Extent of development site
Extent of landowners property

STANDARD INSTRUCTIONS

1. THE DRAWING IS TO BE USED FOR THE PURPOSES OF THE PROJECT ONLY AND IS NOT TO BE USED FOR ANY OTHER PURPOSE.
2. THE DRAWING IS TO BE USED IN CONJUNCTION WITH THE PROJECT REPORT AND NOT AS A SUBSTITUTE THEREFOR.
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REVISION REGISTER

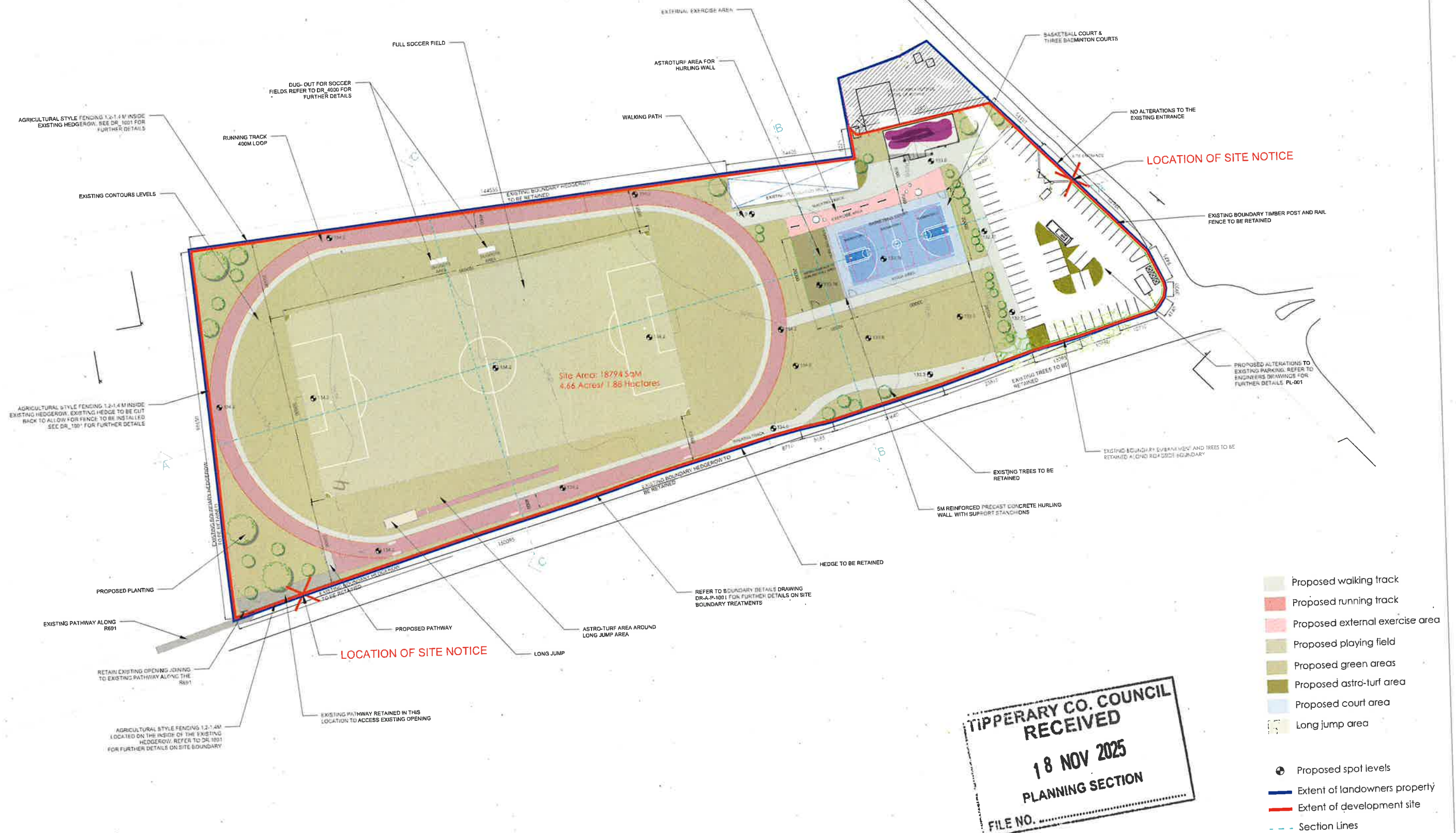
NO.	DATE	DESCRIPTION	DRAWN	CHECKED	APPROVED
1	02/12/2022	Issued for planning			

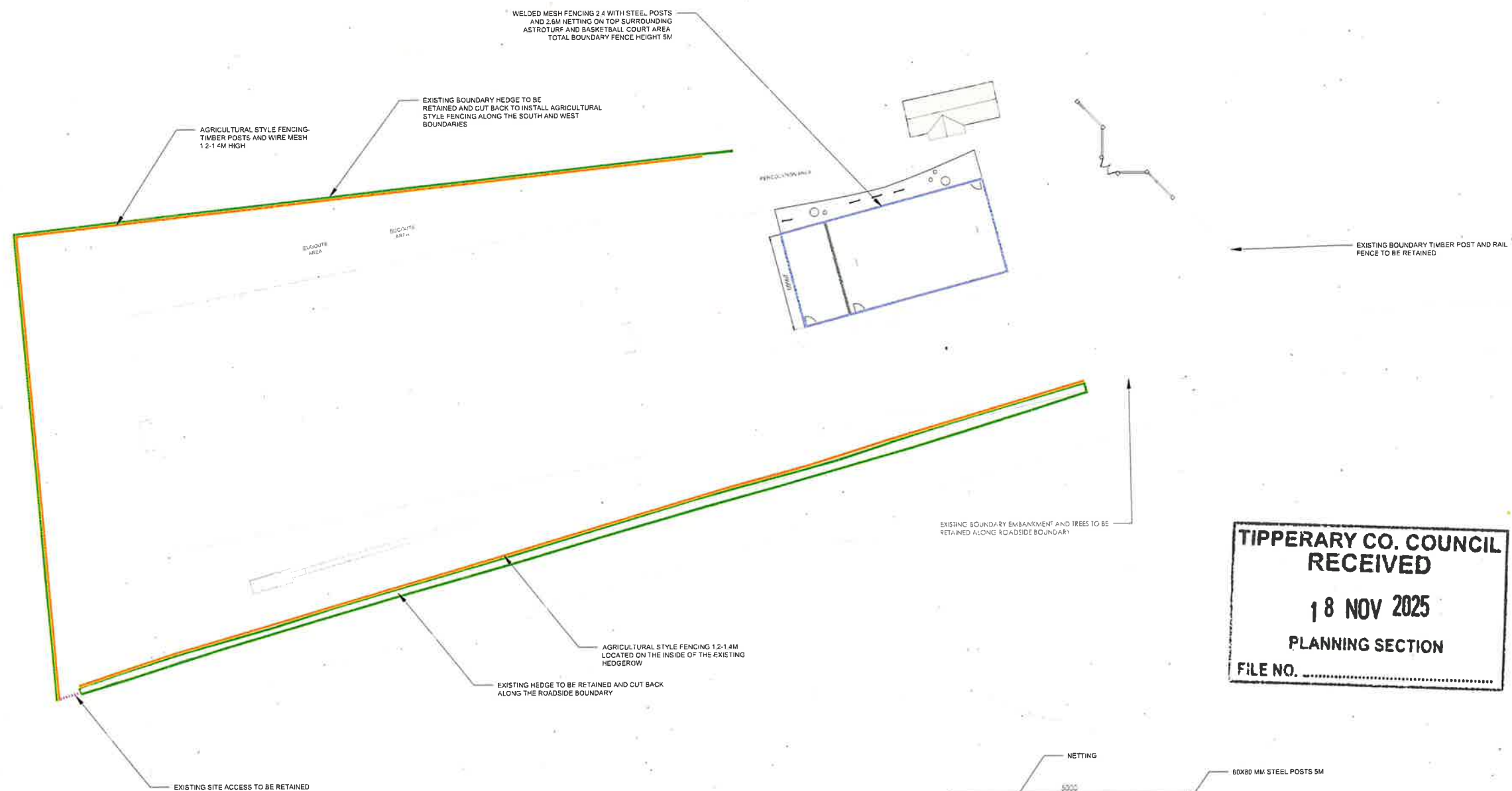


SCALE: 1/500@A1

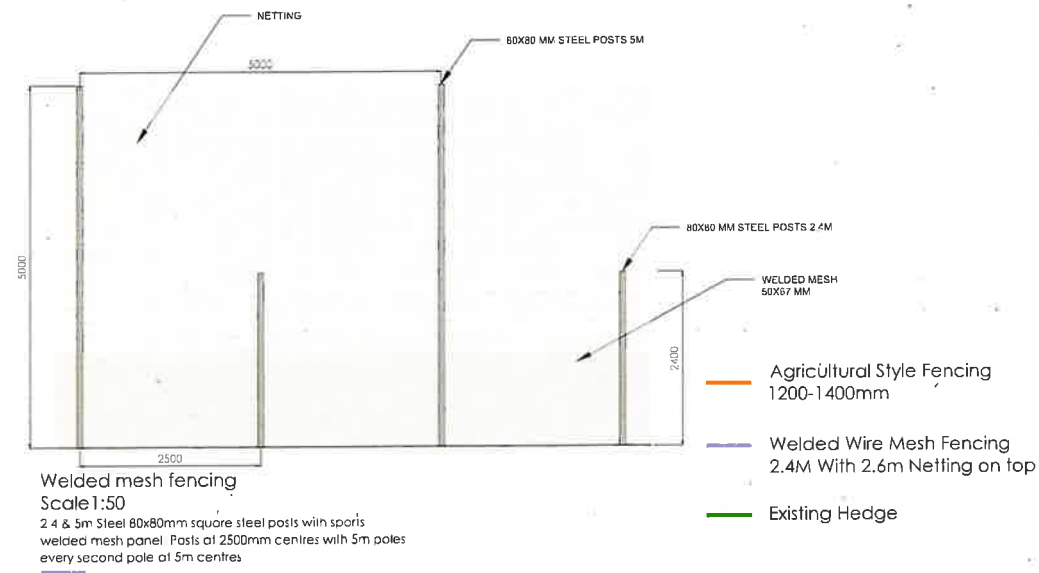
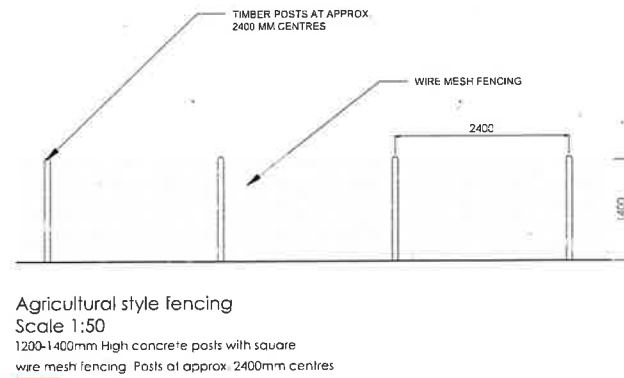
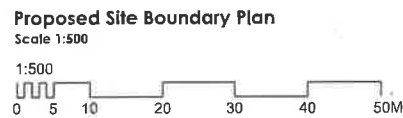
PLANNING




CLIENT	DUALLA COMMUNITY ASSOCIATION
PROJECT	PROPOSED SPORTS COMPLEX NEWPARK (FUSSOUGH), CASHEL, CO. TIPPERARY
DOCUMENT TITLE	EXISTING SURVEY PLAN
PROJECT NUMBER	2147 KHA ZZ03 DR A P 0100 S1 P01



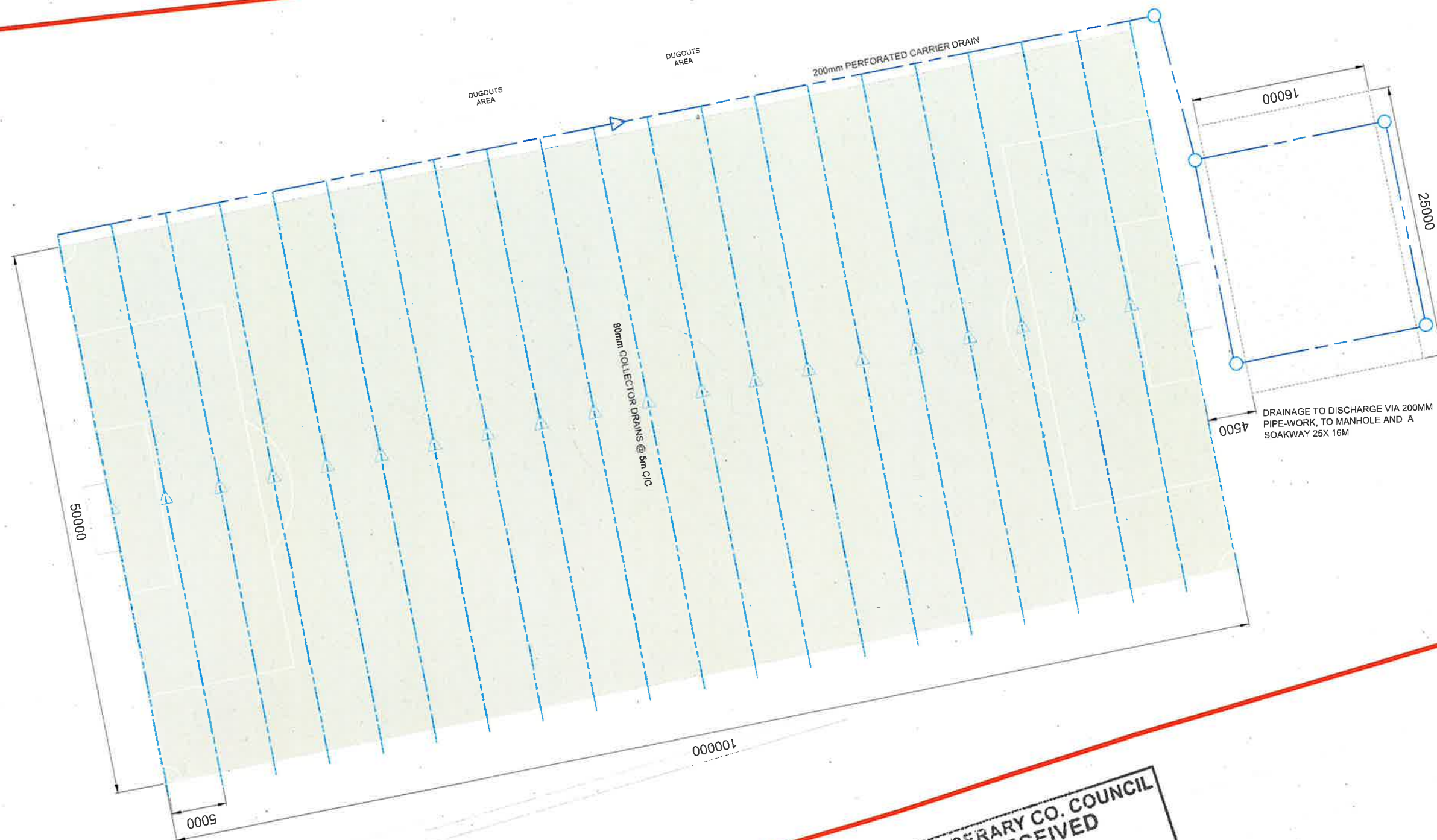


TIPPERARY CO. COUNCIL
RECEIVED
18 NOV 2025
PLANNING SECTION
FILE NO.



		STANDARD INSTRUCTIONS				GENERAL NOTES		REVISION REGISTER		 KENNETH HENNESSY ARCHITECTS		 RPA				DUALLA COMMUNITY ASSOCIATION	
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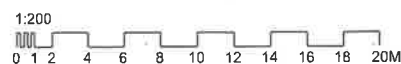


Proposed Field Drainage Plan
Scale 1:200

TIPPERARY CO. COUNCIL
RECEIVED
18 NOV 2025
PLANNING SECTION
FILE NO.

200mm Perforated & corrugated pitch carrier drains where shown on layout, invert level to be 1100mm below finished pitch/ ground level

80MM Perforated & corrugated pitch collector drains at 5m centres, invert level to be 800mm below finished ground/ pitch level



STANDARD INSTRUCTIONS

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REVISION REGISTER

REV	DATE	DESCRIPTION	DESIGN	CHECKED	APPROVED
P01	02/12/2022	Issued for planning			

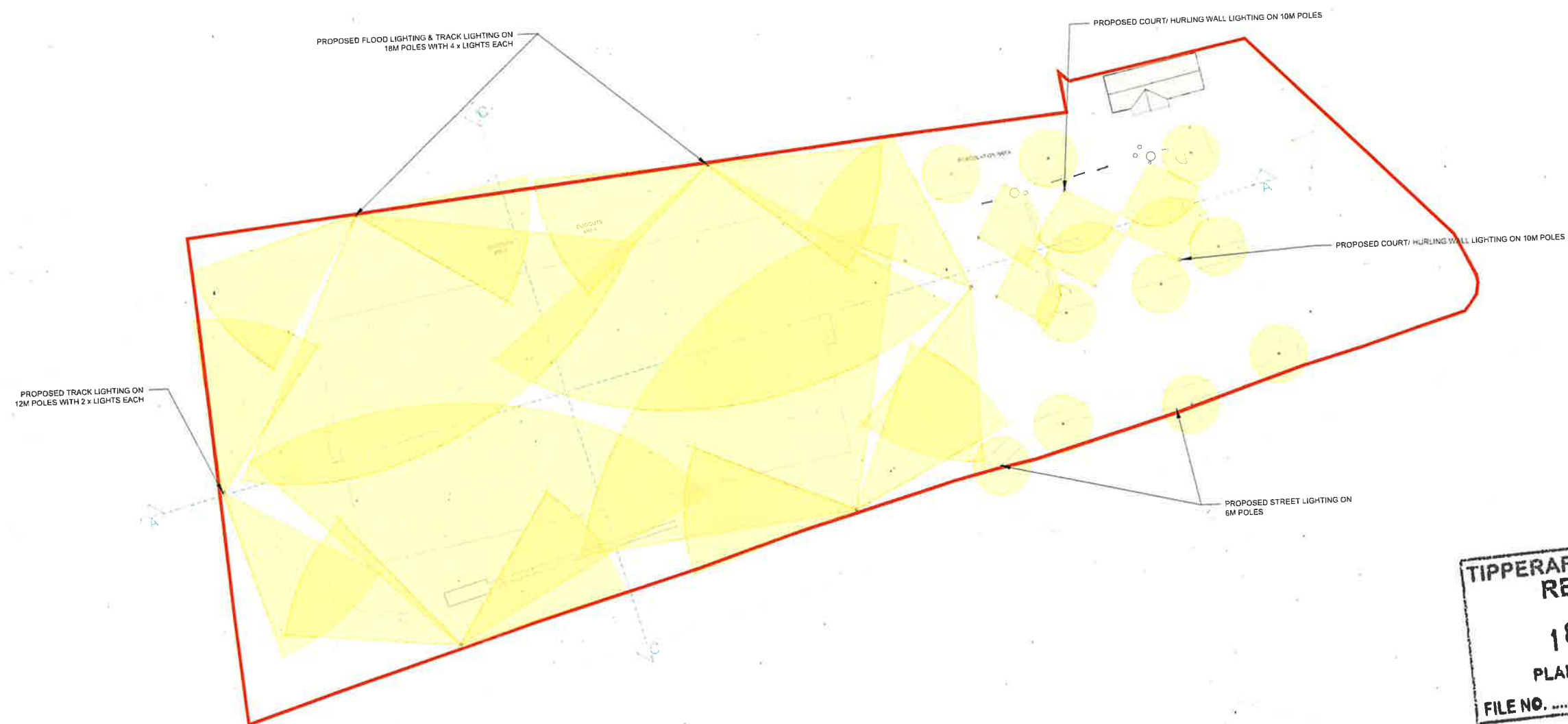
KENNETH HENNESSY
ARCHITECTS

SCALE
1/200 @A1

STATUS
PLANNING

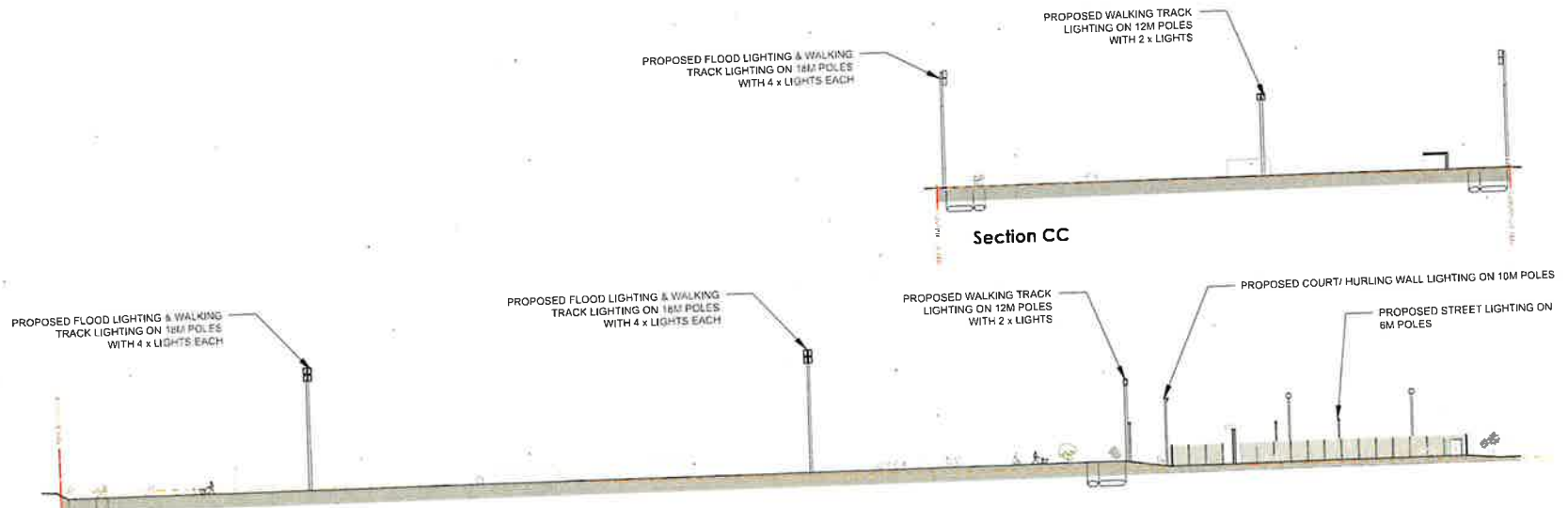
CLIENT: DUALLA COMMUNITY ASSOCIATION
PROJECT: PROPOSED SPORTS COMPLEX
NEWPARK (FUSSOUGH), CASHEL,
CO. TIPPERARY
DRAWING TITLE: PROPOSED FIELD DRAINAGE
PLAN

2147 KHA ZZ03DRIA P 1002 S1 P01



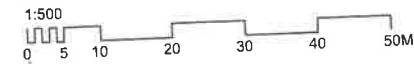
**TIPPERARY CO. COUNCIL
RECEIVED**
18 NOV 2025
PLANNING SECTION
FILE NO.

Proposed Lighting Layout Plan
Scale 1:500



Section AA
Proposed Lighting Layout Elevations
Scale 1:500

Section CC



STANDARD INSTRUCTIONS

1. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
2. ALL DIMENSIONS ARE TO BE TAKEN FROM THE EXTERIOR OF THE BUILDING.
3. ALL DIMENSIONS ARE TO BE TAKEN FROM THE EXTERIOR OF THE BUILDING.
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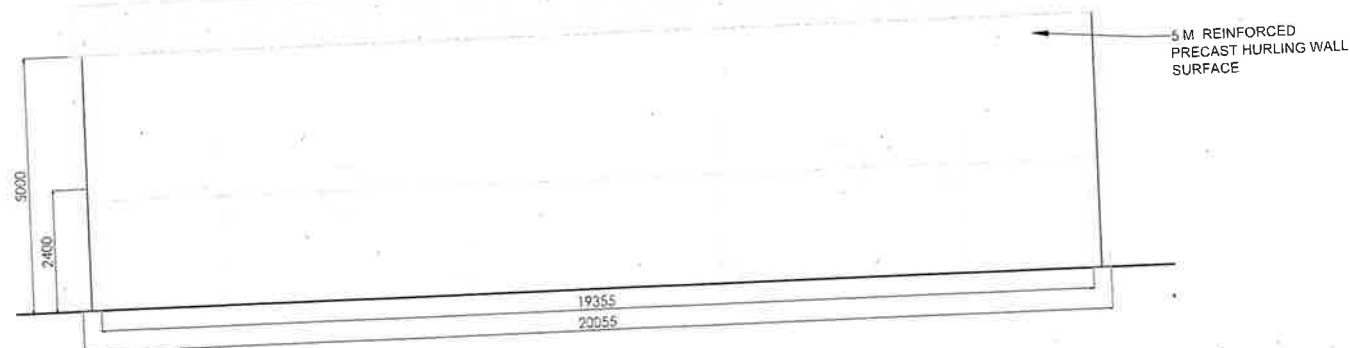
REVISION REGISTER			
NO.	DATE	DESCRIPTION	BY
P01	02/12/2022	Issued for planning	



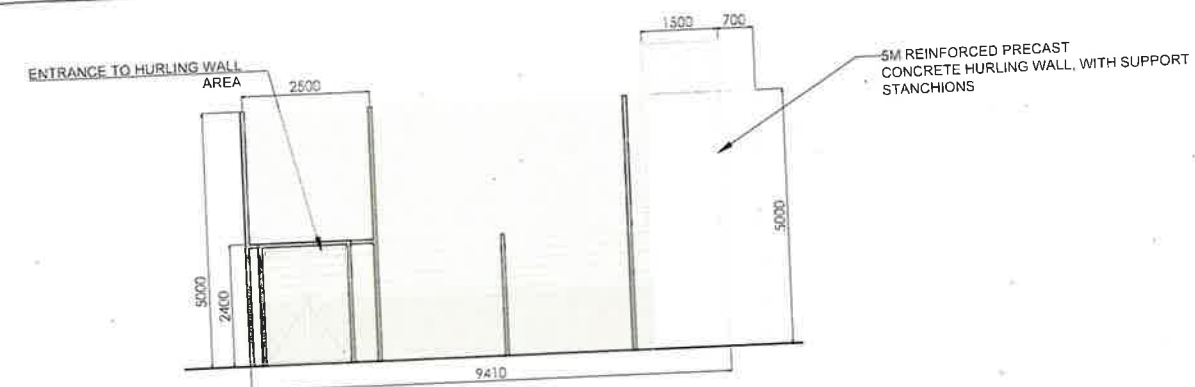
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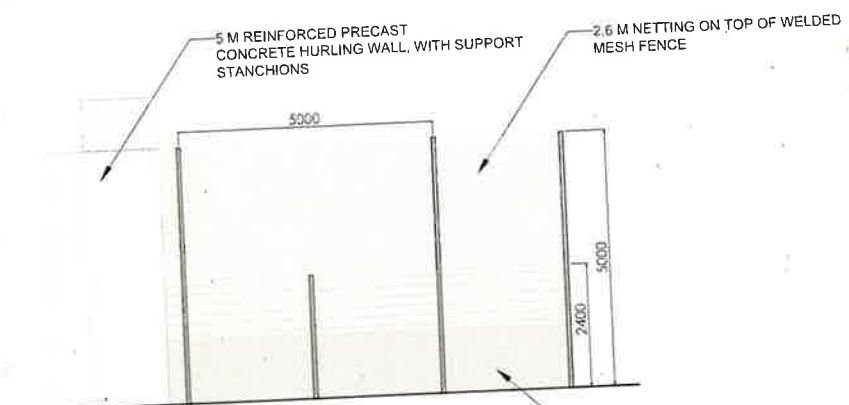
CLIENT	DUALLA COMMUNITY ASSOCIATION
PROJECT	PROPOSED SPORTS COMPLEX NEWPARK (FUSSOUGH), CASHEL, CO. TIPPERARY
DRAWN BY	2147 KHA ZZD DRP
CHECKED BY	1003 ST P01



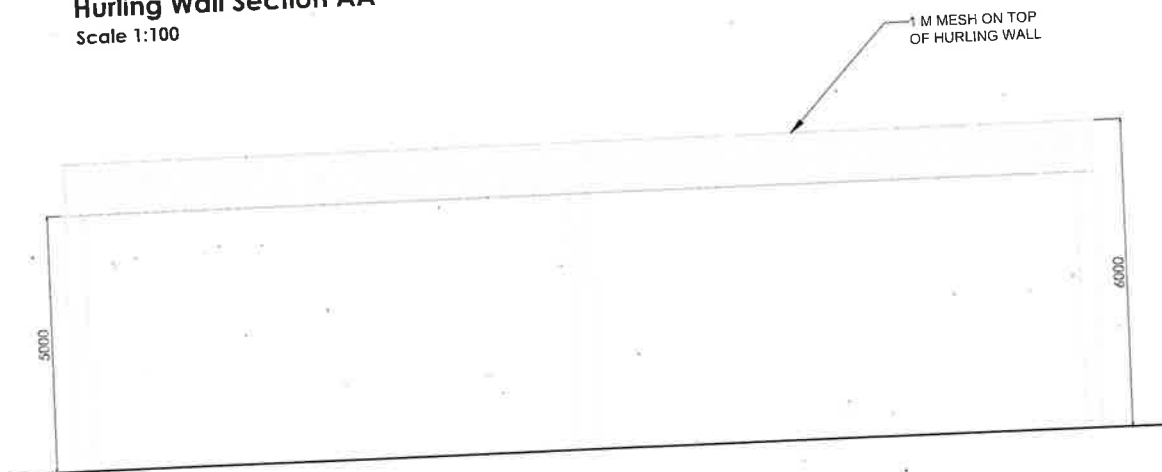
Hurling Wall Section AA
Scale 1:100



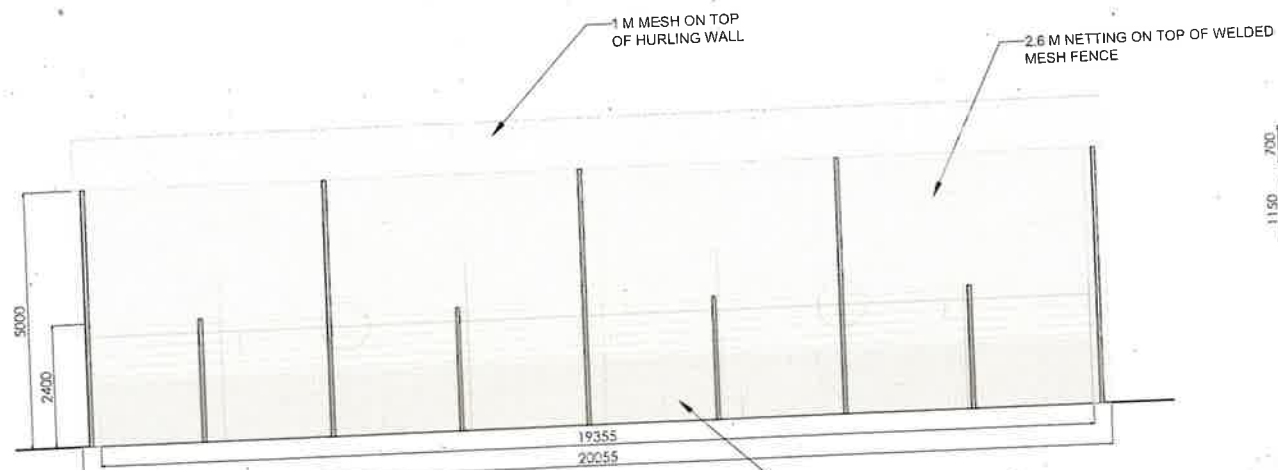
Hurling Wall Side Elevation (East)
Scale 1:100



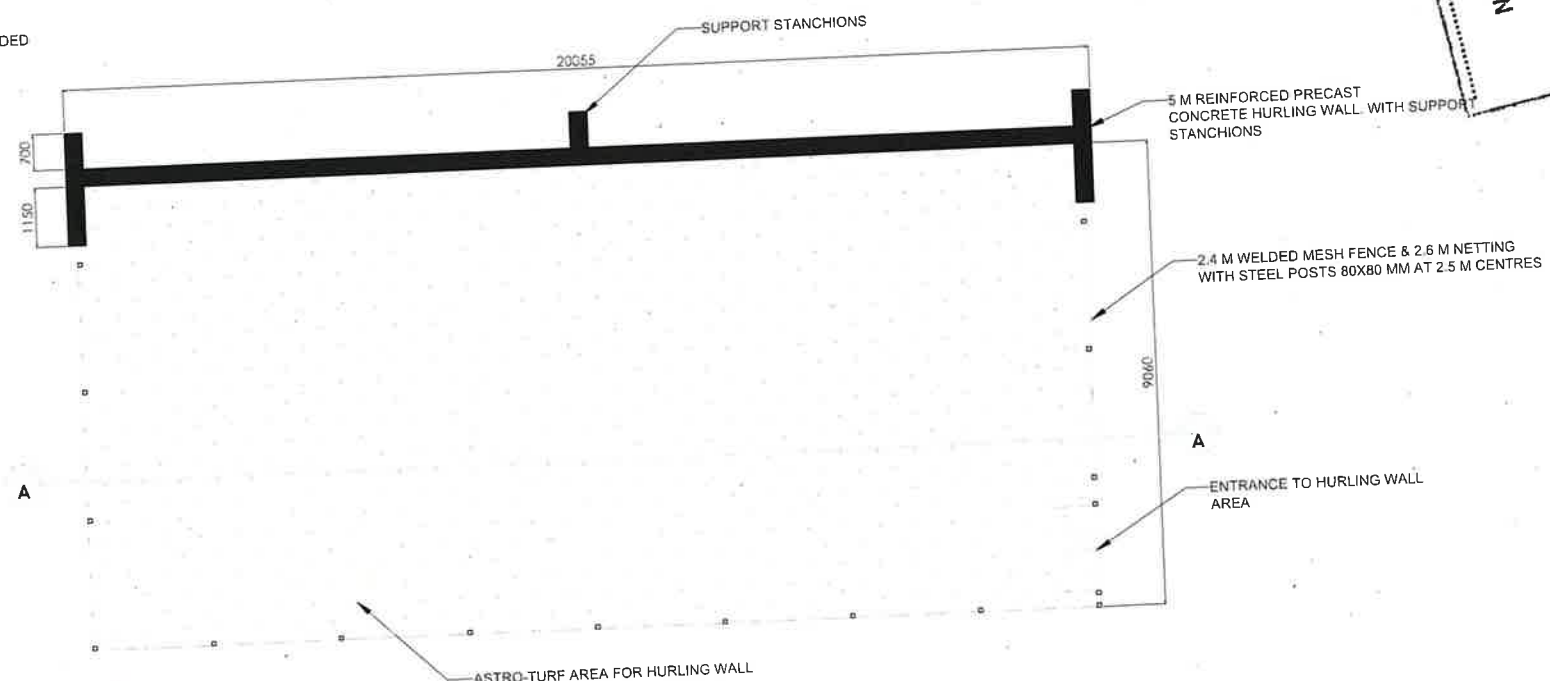
Hurling Wall Side Elevation (West)
Scale 1:100



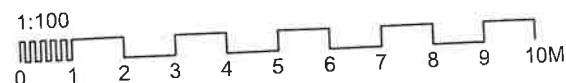
Hurling Wall Rear Elevation (North)
Scale 1:100



Hurling Wall Front Elevation (South)
Scale 1:100



Hurling Wall Plan
Scale 1:100



STANDARD INSTRUCTIONS

[illegible]

GENERAL NOTES:

ALPHABETICALLY BY FIRST AND LAST NAME
THE INFORMATION IS NOT TO BE RELEASED TO ANY PRIVATE
PERSON OR ORGANIZATION
IN THE EVENT OF A DISCREPANCY BETWEEN NAMES IN
THIS LIST AND THE NATIONAL ARCHIVES
DOMESTIC SECURITY DISBURSEMENT UNIT
ALL WORK IS COMPLETED BY THE END OF THE DAY

REVISION REGISTER

	02/12/2022	Account for planning				
BOOK	DATES	DESCRIPTION	DEB	CRED	AMOUNT	



KENNETH HENNESSY
ARCHITECTS

1/100 @ A2

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PLANNING

COMMUNITY ASSOCIATION

PROJECT PROPOSED SPORTS COMPLEX
NEWPARK (FUSSOUGH), CASHEL,
CO. TIPPERARY

PROPOSED HURLING WALL PLAN
SECTION. ELEVATION

2147	KHA	ZZ	00	DR	A	SD	2000	S	P01
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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,
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tipperarycoco.ie

Our Ref: S5/25/31

18/11/2025

Dualla Community Association CLG
C/O Kieran O'Dwyer
Ballykelly
Dualla
Cashel
Co. Tipperary

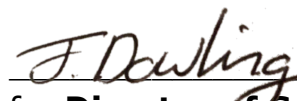
Re: Application for a Section 5 Declaration – Installation of 20 PV solar panels on roof, front and rear of existing building at Denis Leamy Community Field, Dualla, Cashel, Co. Tipperary E25NX92

A Chara,

I acknowledge receipt of your further information received on 18th 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.

Mise le meas,


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

Planning Reference:	S5/25/31
Applicant:	Dualla Community Association CLG
Development Address:	Denis Leamy Community Field, Dualla, Cashel, Co. Tipperary
Proposed Development:	Installation of 20 PV Solar Panels on roof of existing building. Rear & Front of premises.

Further information was requested on 8th April 2025 under Section 5(2) of the Act. A Further Information Response was received on 18th November 2025.

1. GENERAL

On 26th March 2025 a request was made for a declaration under Section 5 of the Planning and Development Act, 2000 as amended by Dualla Community Association CLG as to whether or not the following works constituted development and if so, whether same was exempted development:

Installation of 20 PV Solar Panels on roof of existing building. Rear & Front of premises.

The application was accompanied by the following documentation;

- Section 5 Application Form
- Document named "Feasibility Study" dated 17th December 2021.
- Document named "Request for Tender"

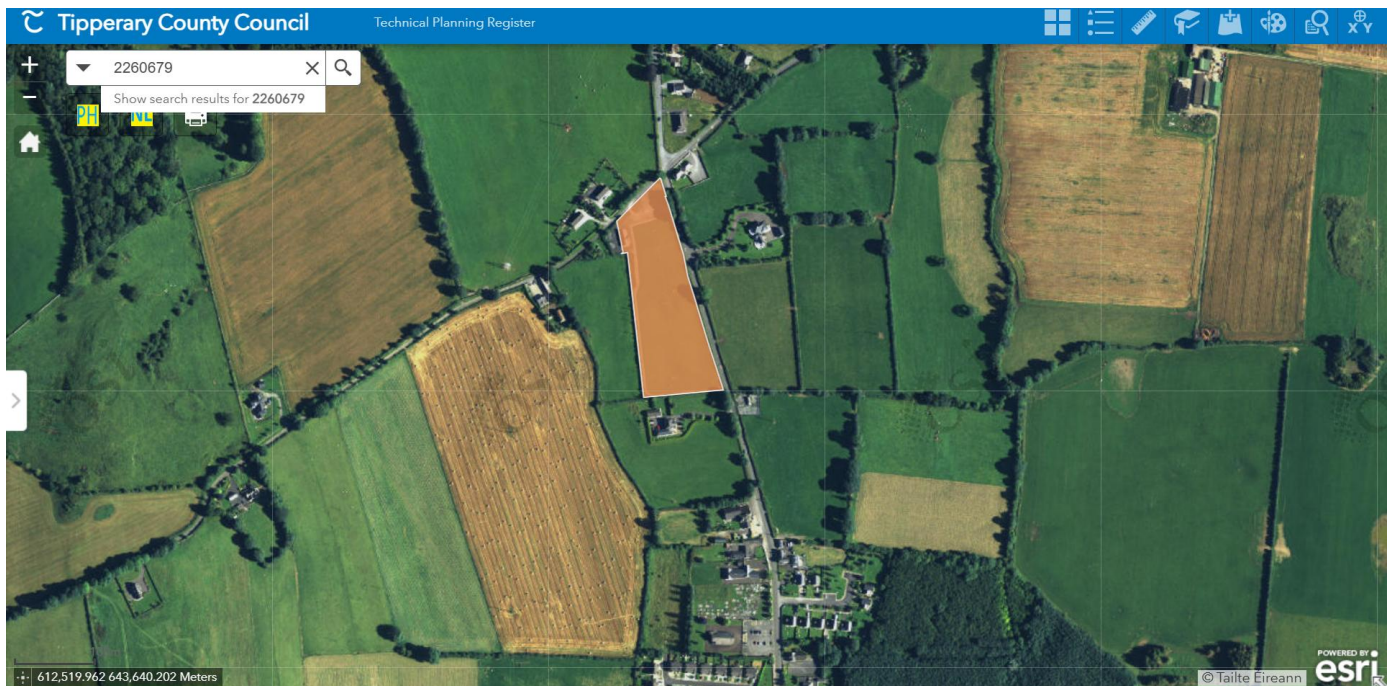


Figure 1 Site Location

2. STATUTORY PROVISIONS

The following statutory provisions are relevant to this case;

Planning and Development Act 2000, as amended

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

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

Section 2(1) of the same Act 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 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;

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.

Description of Development	Conditions and Limitations
<p><i>The placing or erection on a roof, or within the curtilage, or on a roof of any ancillary buildings within the curtilage, of the following buildings or sites of a solar photo-voltaic and/or solar thermal collector installation:</i></p> <p><i>(i) an educational building,</i></p> <p><i>(ii) health centre or hospital,</i></p> <p><i>(iii) recreational or sports facility,</i></p> <p><i>(iv) place of worship,</i></p> <p><i>(v) community facility or centre,</i></p> <p><i>(vi) library,</i></p> <p><i>(vii) sites for the provision of gas, electricity, telecommunications services or water supplies or wastewater services operated by a statutory undertaker.</i></p>	<ol style="list-style-type: none"> <i>1. Where such development is located within a solar safeguarding zone, the total aperture area of any solar photovoltaic and/or solar thermal collector panels, taken together with any other such panels previously placed on a roof, shall not exceed 300 square metres.</i> <i>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.</i> <i>3. The distance between the plane of the roof and the solar photo-voltaic or solar thermal collector panels shall not exceed 1.2 metres in the case of a flat roof or 15cm in any other case.</i> <i>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.</i> <i>5. Any ancillary equipment associated with solar photo-voltaic or solar thermal collector panels shall not be placed or erected on a wall or any roof that is not a flat roof.</i> <i>6. The height of any ancillary equipment associated with solar photo-voltaic or solar thermal collector panels on a flat roof shall not exceed 1.6 metres above roof level.</i> <i>7. Any ancillary equipment associated with solar photo-voltaic or solar thermal collector panels on a flat roof shall be a minimum of 2 metres from the edge of the roof on which it is mounted.</i> <i>8. Any free-standing solar photo-voltaic or solar thermal collector installation shall not be placed or erected forward of the front wall of the building or site.</i> <i>9. The total aperture area of any freestanding solar photo-voltaic and solar thermal collector panels taken together with any other such existing free-standing panels shall not exceed 75 square metres.</i> <i>10. The height of any free-standing solar photo-voltaic or solar thermal collector installation shall not exceed 2.5 metres at its highest point above ground level.</i> <i>11. The placing or erection of a solar photo-voltaic or solar thermal collector installation on any wall shall not be exempted development.</i> <i>12. The placing or erection of any freestanding solar photo-voltaic or solar thermal collector installation within an Architectural Conservation Area shall only be exempted development if those works would not materially affect the character of the area.</i> <i>13. No sign, advertisement or object not required for the functioning or safety of the solar photo-voltaic or solar thermal collector installation shall be attached to or exhibited on such installation.</i> <p><i>479</i></p>

	<p>14. Development under this Class shall only be exempted development where the solar photo-voltaic or solar thermal collector installation is primarily used for the provision of electricity or heating for use within the curtilage of the building or site, and shall not be considered a change of use for the purposes of the Act.</p> <p>15. Development under this Class which causes hazardous glint and/or glare shall not be exempted development and any solar photo-voltaic or solar thermal collector panels which are causing hazardous glint and/or glare shall either be removed or be covered until such time as a mitigation plan to address the hazardous glint and/or glare is agreed and implemented to the satisfaction of the Planning Authority.</p>
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Article 9 of the Planning and Development Regulations 2001, as amended sets out restrictions on exemptions and states:

9. (1) Development to which article 6 relates shall not be exempted development for the purposes of the Act—

(a) if the carrying out of such development would—

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

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

(viiB) comprise development in relation to which a planning authority or An Bord Pleanála is the competent authority in relation to appropriate assessment and the development would require an appropriate assessment because it would be likely to have a significant effect on the integrity of a European site.

(viii) consist of or comprise the extension, alteration, repair or renewal of an unauthorised structure or a structure the use of which is an unauthorised use.

3. **ASSESSMENT**

a. Site Location

The subject site is occupied by Dualla Community Field in the settlement of Dualla.

b. Relevant Planning History

- | | |
|-----------------|--|
| 05933 | Permission GRANTED to develop a new community field as follows:- club house containing changing rooms, meeting room, storage, toilets and showers, a sewerage treatment system, new entrance, car park, playground, main pitch training pitch, dugout and training lighting. |
| 19600371 | Permission GRANTED for the erection of a portacabin for sessional use for childcare facilities including after school care from 7.30 a.m. to 9.10 a.m. (ages 4-12 yrs), preschool care from 9.20 a.m. to 12.20 p.m. (ages 2.5-5 yrs) and after school care from 2.00 p.m. to 6.00 p.m. (ages 4-12 yrs) Monday to Friday, connection to on-site wastewater treatment system and for all associated works. |
| 22/60679 | Permission GRANTED for construction of a 400m running track, perimeter walking track, long jump & external exercise area. Reconfiguration of existing soccer field, provision of pitch drainage, and two new dugouts. Construction of a precast hurling wall, training area & basketball court, enclosed by a 2.4 meter high weld-mesh fence and 2.6 meter netting on top. Flood lighting and associated site lighting, site boundary & site development works |

TUD-19-083 Case Closed

TUD-23-128 Case Closed

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 61 of Part 1 of Schedule 2 of the Regulations. The application has not included for any Site location Maps, elevation, section or roof plan drawings in order to determine if the proposed solar panels meet all Conditions and Limitations under Class 61.

Further information be requested.

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,*

D. Requirement for Appropriate Assessment and Environmental Impact Assessment

AA

The proposal has been assessed having regard to the requirements of the EU Habitats Directive. The proposal has been screened as to the requirements for AA and the screening assessment considers that the proposal does not impact on any Natura 2000 site. See also Appropriate Assessment (AA) screening report attached.

EIA

The proposed development has been subject to a preliminary examination to determine the requirement for EIA. EIA is not required in respect of the development. See also for Environmental Impact Assessment (EIA) preliminary examination screening report attached.

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

Further Information was requested on 08/04/2025 under Section 5(2) of the Act as follows;

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

The applicant is advised that there is an exemption available under Class 61 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001, as amended, for the placing or erection on a roof, or within the curtilage, or on a roof of any ancillary buildings within the curtilage of a community facility or centre, of a solar photo-voltaic and/or solar thermal collector installation. This exemption is subject to 15 conditions and limitations.

The application as submitted does not include for appropriately scaled Site Location Maps, Site Layout Plan, elevation, section or roof plan drawings in order for the Planning Authority to determine if the proposal meets the limitations and conditions of Class 61.

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

- *Site Location Map identifying the proposed building*
- *Site Layout Plan (1:500) showing the location of the proposal*
- *Plans/Elevations and Sections as necessary demonstrating that the conditions and limitations of Class 61 of Part 1 of Schedule 2 of the above mentioned Regulations are satisfied*

The Response included for the following:

- Cover Letter including a commentary on how the applicant considers that the proposal satisfies the class 61 exemption
- Site Location Maps,
- Site Layout plan identifying in the purple the proposed location of the solar panels on the roof.

The placing or erection on a roof, or within the curtilage, or on a roof of any ancillary buildings within the curtilage, of the following buildings or sites of a solar photo-voltaic and/or solar thermal collector installation:

(v) community facility or centre,

The proposal for Solar Panels is located on a building which is considered a community building.

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

The site is not located within a safe guarding 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.*

N/A

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

The panels will be mounted flush to the roof.

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 response states that the panels will be below the ridgeline. The submitted drawings are not to scale and the distance to the edge of the roof cannot be measured. I am satisfied that an advice note can attach to the declaration advising the applicant of the requirement to comply with this condition.
5. *Any ancillary equipment associated with solar photo-voltaic or solar thermal collector panels shall not be placed or erected on a wall or any roof that is not a flat roof.*
N/A as no ancillary equipment proposed.
6. *The height of any ancillary equipment associated with solar photo-voltaic or solar thermal collector panels on a flat roof shall not exceed 1.6 metres above roof level.*
N/A
7. *Any ancillary equipment associated with solar photo-voltaic or solar thermal collector panels on a flat roof shall be a minimum of 2 metres from the edge of the roof on which it is mounted.*
N/A
8. *Any free-standing solar photo-voltaic or solar thermal collector installation shall not be placed or erected forward of the front wall of the building or site.*
N/A - Panels located on roof only.
9. *The total aperture area of any freestanding solar photo-voltaic and solar thermal collector panels taken together with any other such existing free-standing panels shall not exceed 75 square metres.*
N/A - Panels located on roof only.
10. *The height of any free-standing solar photo-voltaic or solar thermal collector installation shall not exceed 2.5 metres at its highest point above ground level.*
N/A - Panels located on roof only.
11. *The placing or erection of a solar photo-voltaic or solar thermal collector installation on any wall shall not be exempted development.*
N/A - Panels located on roof only.
12. *The placing or erection of any freestanding solar photo-voltaic or solar thermal collector installation within an Architectural Conservation Area shall only be exempted development if those works would not materially affect the character of the area.*
N/A - Panels located on roof only and not located within an ACA.
13. *No sign, advertisement or object not required for the functioning or safety of the solar photo-voltaic or solar thermal collector installation shall be attached to or exhibited on such installation.*
479
N/A
14. *Development under this Class shall only be exempted development where the solar photo-voltaic or solar thermal collector installation is primarily used for the provision of electricity or heating for use within the curtilage of the building or site, and shall not be considered a change of use for the purposes of the Act.*
The over letter states that the electricity generated will be used to power the club only.
15. *Development under this Class which causes hazardous glint and/or glare shall not be exempted development and any solar photo-voltaic or solar thermal collector panels which are causing hazardous glint and/or glare shall either be removed or be covered until such time as a mitigation plan to address the hazardous glint and/or glare is agreed and implemented to the satisfaction of the Planning Authority.*
None reflective panels are proposed to be used.

5. RECOMMENDATION

WHEREAS a question has arisen as to whether the installation of 20 PV Solar Panels on roof of existing building. Rear & Front of premises at Denis Leamy Community Field, Dualla, Cashel, 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 & 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

AND WHEREAS Tipperary County Council has concluded that –

The installation of 20 PV Solar Panels on roof of existing building. Rear & Front of premises at Denis Leamy Community Field, Dualla, Cashel, Co. Tipperary is development and is exempted development as same satisfies the exemption available under Class 61 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 exempted development.**

Advice Note: The applicant is advised that condition and limitation No. 4 attached to the exemption set out under Class 61 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001, as amended, requires that the solar photo-voltaic or solar thermal collector panels shall be a minimum of 50cm in the case of a pitched roof from the edge of the roof on which it is mounted.

District Planner:



Date: 02/12/2025



Senior Executive Planner:

Date: 3.12.2025

HABITATS DIRECTIVE APPROPRIATE ASSESSMENT (AA) SCREENING REPORT

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

(a) File Reference No:	S5/25/31
(b) Brief description of the project or plan:	Installation of 20 PV Solar Panels on roof of existing building. Front and Rear roof of premises.
(c) Brief description of site characteristics:	Existing community centre 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 ¹	Distance from proposed development ² (km)	Connections (Source-Pathway-Receptor)	Considered further in screening Y/N
002137 Lower River Suir SAC	https://www.npws.ie/protected-sites/sac/002137	Within 10km	None	No

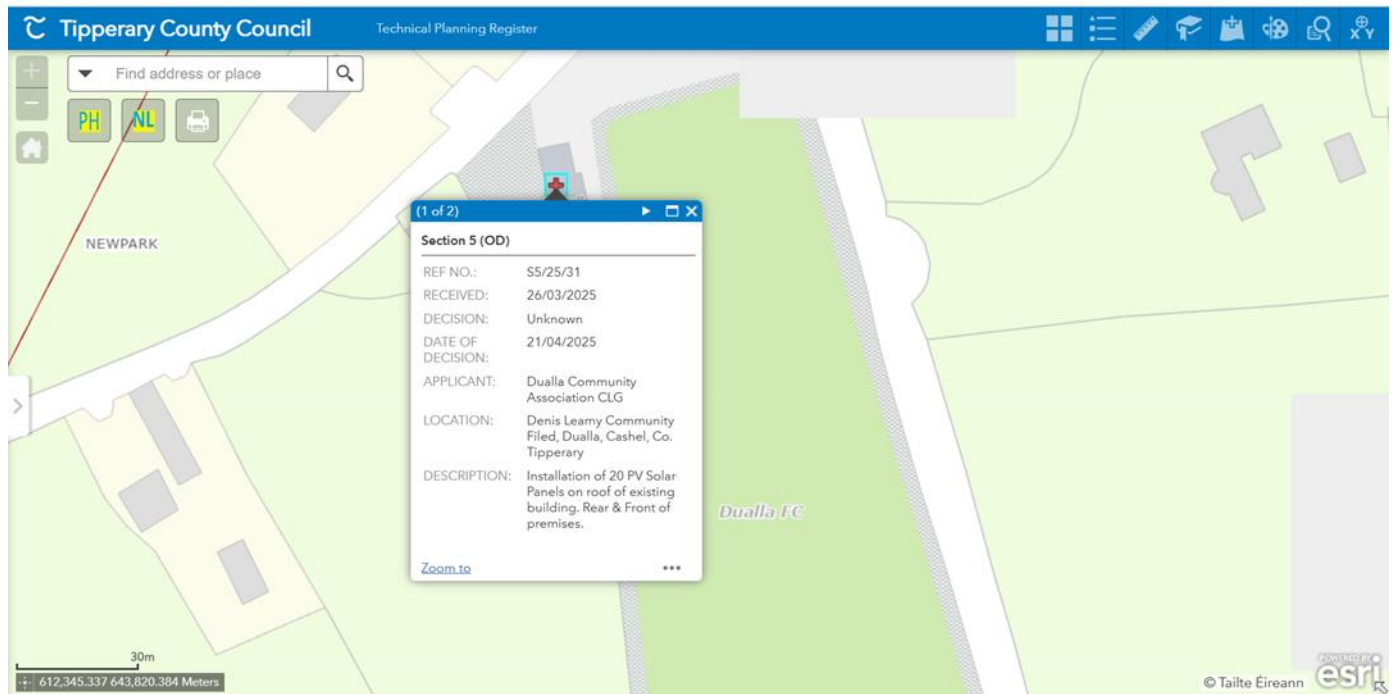
STEP 3. Assessment of Likely Significant Effects

(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 	No potential impacts. No changes to surface water arrangements.
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 	No potential impacts. No changes to surface water arrangements.

<ul style="list-style-type: none"> Physical presence of structures (e.g. collision risks) Potential for accidents or incidents 													
In-combination/Other	No potential impacts												
(b) Describe any likely changes to the European site:													
<p>Examples of the type of changes to give consideration to include:</p> <ul style="list-style-type: none"> 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 	No potential impacts												
(c) Are 'mitigation' measures necessary to reach a conclusion that likely significant effects can be ruled out at screening?													
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No													
STEP 4. Screening Determination Statement													
<p>The assessment of significance of effects:</p> <p>Describe how the proposed development (alone or in-combination) is/is not likely to have significant effects on European site(s) in view of its conservation objectives.</p>													
The proposed development is not likely to have significant effects.													
Conclusion:													
	<table border="1"> <thead> <tr> <th></th> <th>Tick as Appropriate:</th> <th>Recommendation:</th> </tr> </thead> <tbody> <tr> <td>(i) It is clear that there is no likelihood of significant effects on a European site.</td> <td><input checked="" type="checkbox"/></td> <td>The proposal can be screened out: Appropriate assessment not required.</td> </tr> <tr> <td>(ii) It is uncertain whether the proposal will have a significant effect on a European site.</td> <td><input type="checkbox"/></td> <td> <input type="checkbox"/> Request further information to complete screening <input type="checkbox"/> Request NIS <input type="checkbox"/> Refuse planning permission </td> </tr> <tr> <td>(iii) Significant effects are likely.</td> <td><input type="checkbox"/></td> <td> <input type="checkbox"/> Request NIS <input type="checkbox"/> Refuse planning permission </td> </tr> </tbody> </table>		Tick as Appropriate:	Recommendation:	(i) It is clear that there is no likelihood of significant effects on a European site.	<input checked="" type="checkbox"/>	The proposal can be screened out: Appropriate assessment not required.	(ii) It is uncertain whether the proposal will have a significant effect on a European site.	<input type="checkbox"/>	<input type="checkbox"/> Request further information to complete screening <input type="checkbox"/> Request NIS <input type="checkbox"/> Refuse planning permission	(iii) Significant effects are likely.	<input type="checkbox"/>	<input type="checkbox"/> Request NIS <input type="checkbox"/> Refuse planning permission
	Tick as Appropriate:	Recommendation:											
(i) It is clear that there is no likelihood of significant effects on a European site.	<input checked="" type="checkbox"/>	The proposal can be screened out: Appropriate assessment not required.											
(ii) It is uncertain whether the proposal will have a significant effect on a European site.	<input type="checkbox"/>	<input type="checkbox"/> Request further information to complete screening <input type="checkbox"/> Request NIS <input type="checkbox"/> Refuse planning permission											
(iii) Significant effects are likely.	<input type="checkbox"/>	<input type="checkbox"/> Request NIS <input type="checkbox"/> Refuse planning permission											

EIA Pre-Screening Establishing a development is a 'sub-threshold development'	
File Reference:	S5/25/31
Development Summary:	Installation of 20 PV Solar Panels on roof of existing building.
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





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
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Date: 4th December, 2025

Our Ref: S5/25/31

Civic Offices, Nenagh

Dualla Community Association CLG
C/O Kieran O'Dwyer
Ballykelly
Dualla
Cashel
Co. Tipperary

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

A Chara,

I refer to your application for a Section 5 Declaration received on 26th March, 2025, and Further Information received on 18th November, 2025 in relation to the following proposed works:

Installation of 20 PV Solar Panels on roof of existing building. Rear & Front of premises at Denis Leamy Community Field, Dualla, Cashel, Co. Tipperary

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

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

- a) Sections 2, 3 & 4 of the Planning and Development Act, 2000, as amended
- b) 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

AND WHEREAS Tipperary County Council has concluded that –

The installation of 20 PV Solar Panels on roof of existing building. Rear & Front of premises at Denis Leamy Community Field, Dualla, Cashel, Co. Tipperary is development and is exempted development as same satisfies the exemption

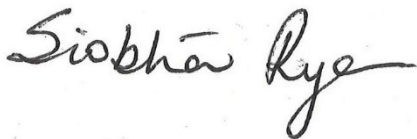
available under Class 61 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001, as amended.

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 exempted development.**

Advice Note: The applicant is advised that condition and limitation No. 4 attached to the exemption set out under Class 61 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001, as amended, requires that the solar photo-voltaic or solar thermal collector panels shall be a minimum of 50cm in the case of a pitched roof from the edge of the roof on which it is mounted.

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

Yours sincerely

A handwritten signature in black ink, reading "Siobhán Rye". The signature is written in a cursive style with a large, stylized 'S' and 'R'.

for **Director of Services**

Original

TIPPERARY COUNTY COUNCIL

DELEGATED EMPLOYEE'S ORDER

File Ref: **S5/25/31** **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 Dualla Community Association CLG, re: Installation of 20 PV Solar Panels on roof of existing building. Rear & Front of premises at Denis Leamy Community Field, Dualla, Cashel, Co. Tipperary is development and is exempted development.

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

- a) Sections 2, 3 & 4 of the Planning and Development Act, 2000, as amended
- b) 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

AND WHEREAS Tipperary County Council has concluded that –

The installation of 20 PV Solar Panels on roof of existing building. Rear & Front of premises at Denis Leamy Community Field, Dualla, Cashel, Co. Tipperary is development and is exempted development as same satisfies the exemption available under Class 61 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 exempted development.**

Signed:



Brian Beck
Director of Services

Date: 04/12/2025