



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

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

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

Applicant	INEZ AND NIALL HEENAN
Address	ROHAN TERRYGLASS NENAGH, CO. TIPPERARY
Telephone No.	[REDACTED]
E-mail	[REDACTED]

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

Agent	
Address	
Telephone No.	
E-mail	
Please advise where all correspondence in relation to this application is to be sent;	
Applicant [ <input checked="" type="checkbox"/> ]	Agent [ <input type="checkbox"/> ]

**3. Location of Proposed Development:**

Postal Address or Townland or Location (as may best identify the land or structure in question)	ROHAN
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**4. Development Details:**

Please provide details of the proposed development for which an exemption under Section 5 of the Planning and Development Act is applied for.

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

INSTALLATION OF 2 ROWS OF GROUND MOUNTED SOLAR PANELS	
COMPRISING 20 PANELS IN TOTAL TO SERVE 3 COTTAGES. TOTAL	
AREA OF PANELS = 54m <sup>2</sup> (18m <sup>2</sup> PER COTTAGE). THIS WORK	
IS IN LINE WITH OUR AIMS AS A SUSTAINABLE AND	
REGENERATIVE RURAL TOURISM DESTINATION	
Proposed floor area of proposed works/uses:	sqm

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

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

Signature of Applicant(s) 

Date: 7/4/26

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

## GUIDANCE NOTES

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

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

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

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

**OR**

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

**Enquires:**

**Telephone 0818 06 5000**

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

**FOR OFFICE USE ONLY**

**Fee Recd. €80.00 \_\_\_\_\_**

Receipt No: 202482

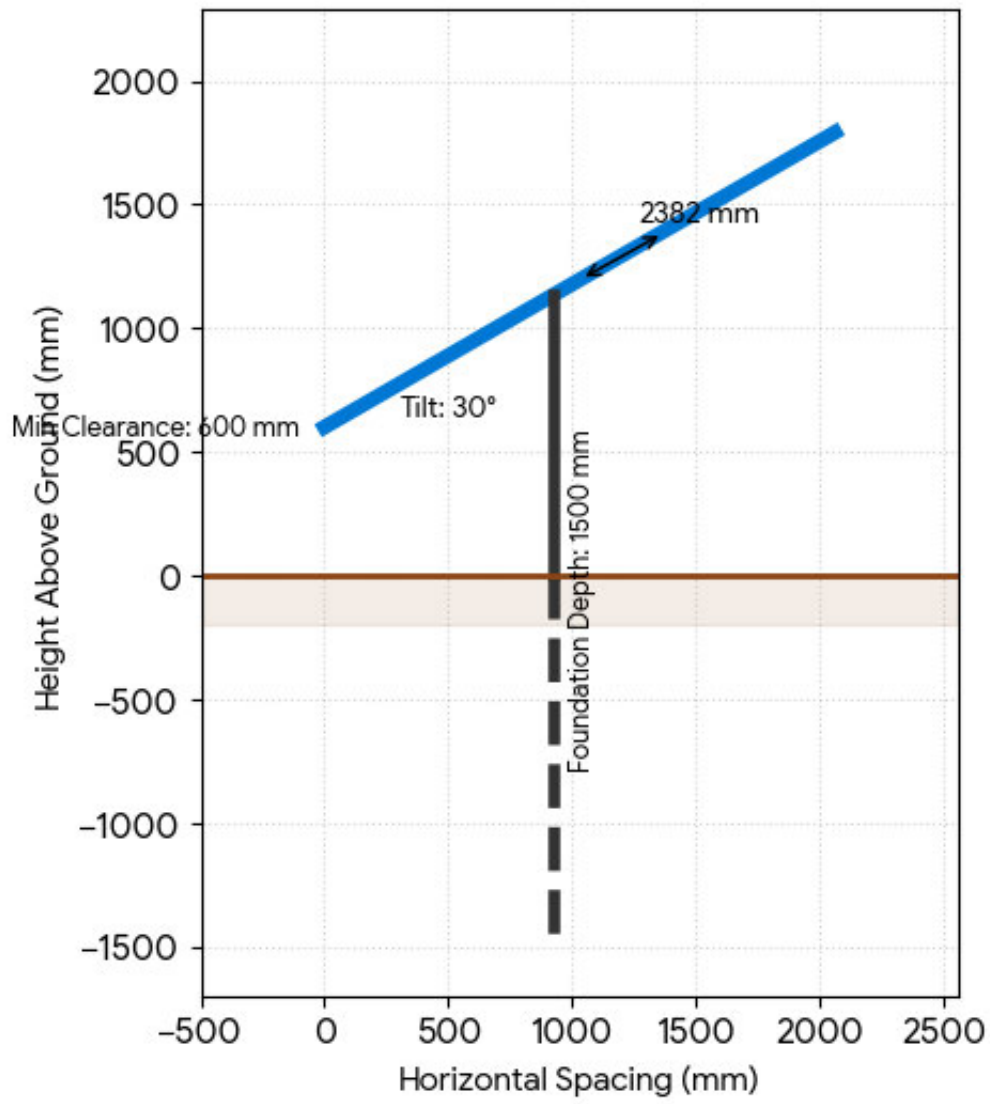
Date: 07/04/2026

Received by **C Ahern**

**DATE STAMP**

**Tipperary County Council  
Planning Section by email  
Received 07/04/2026  
File ref: S5/26/47**

# Cross-Section: Single Row Ground Mount (TCL 620W)



Tipperary County  
Council  
Planning Section by  
email  
Received  
07/04/2026  
File ref: S5/26/47

Cross-Section: 2-Row Array with 5m Spacing & Overall Height



**Tipperary County  
Council  
Planning Section  
by email  
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07/04/2026  
File ref:  
S5/26/47**

# Site Location Map



Tailte  
Éireann

**CENTRE  
COORDINATES:**  
ITM 588273,698857

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

**MAP SERIES:** 6 Inch Raster  
**MAP SHEETS:** TY006  
6 Inch Raster TY007

Tipperary County Council  
Planning Section by email  
Received 07/04/2026  
File ref: S5/26/47

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

[www.tailte.ie](http://www.tailte.ie)

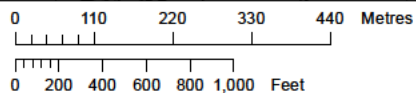
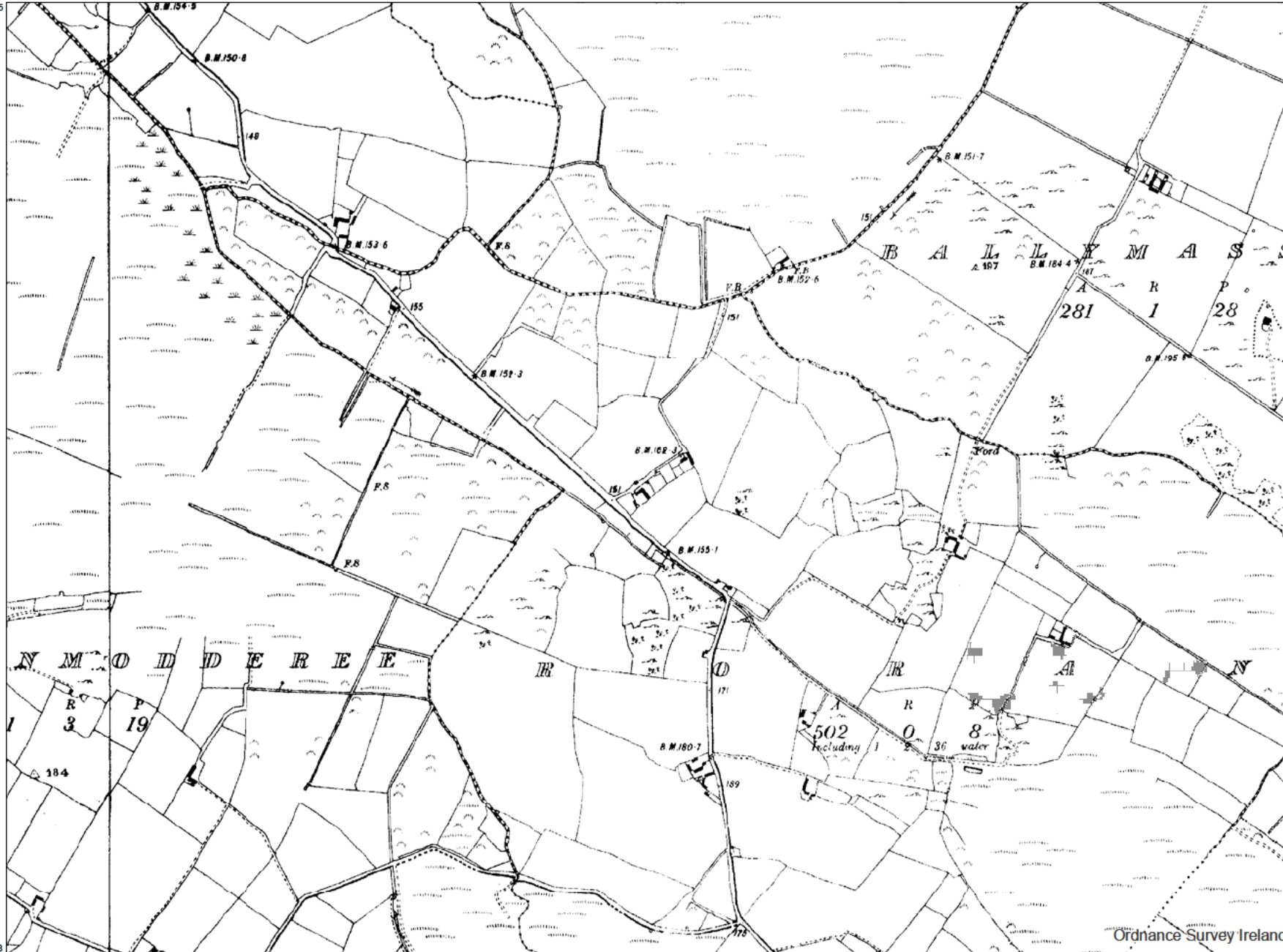
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'Large Scale Legend'



Ordnance Survey Ireland

Tipperary County Council

Planning Section by email

Received 07/04/2026

File ref: S5/26/47

Tipperary County Council

Civic Offices

Clonmel

Co Tipperary

07/04/2026 15:27:23

Receipt No. : CLONMEL/0/202482

INEZ & NIALL HEENAN

RORAN

TERRYGLASS

NENAGH

CO TIPPERARY

SECTION5 EXEMPTION DECLARATION 80.00

GOODS 80.00

VAT Exempt/Non-vatable

Total : 80.00 EUR

Tendered :

Credit Card 80.00

Change : 0.00

Issued By : CATHERINE AHERN

From : CLONMEL TOWN RECEIPTS DESK

Vat reg No.3259712MH



Granary Cottage

Fuchsia Lane Farm  
- Holiday Rentals...

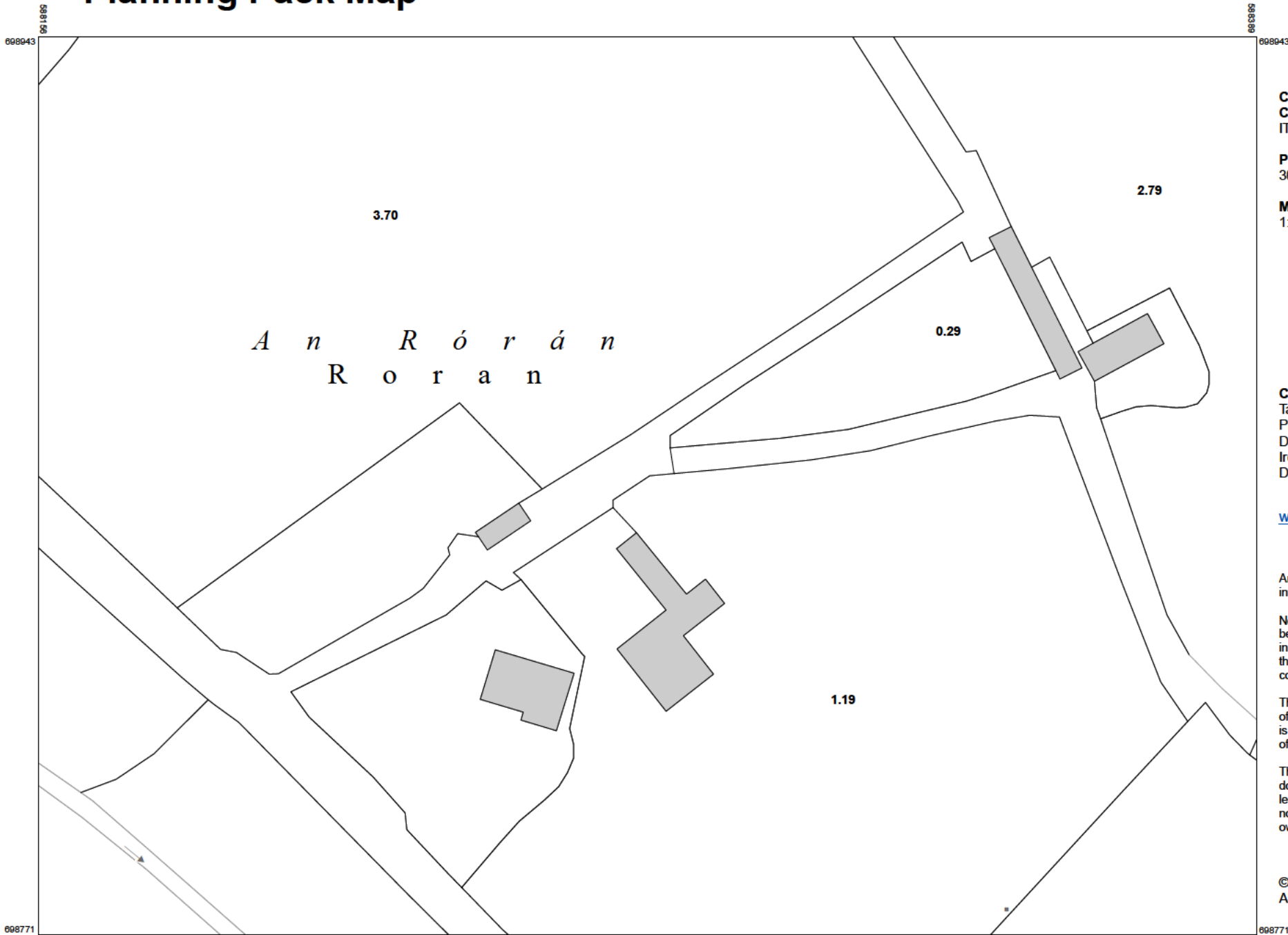
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Planning Section by  
email  
Received 07/04/2026  
File ref: S5/26/47



# Planning Pack Map



Tailte  
Éireann



**CENTRE COORDINATES:**  
ITM 588273,698857

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

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

Tipperary County Council  
Planning Section by email  
Received 07/04/2026  
File ref: S5/26/47

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

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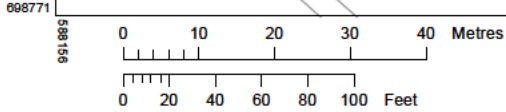
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**LEGEND:**  
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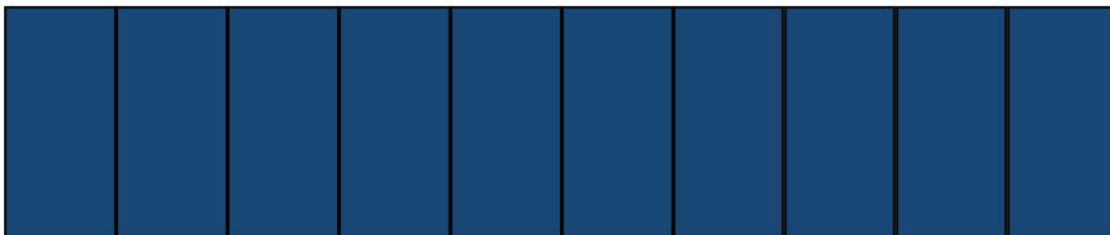


1134 mm



Row Spacing: 5 m

2382 mm



Total Length: 11520 mm (11.52 m)

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[External] Section 5 Declaration application

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**From** Niall Heenan Fuchsia Lane Farm [REDACTED]  
**Date** Tue 7 Apr 2026 3:24 PM  
**To** Planning <planning@tipperarycoco.ie>

 7 attachments (5 MB)

Cross section of two rows ground mount.pdf; cross section showing ground mount.pdf; Application Form Niall and Inez Heenan.pdf; site location.pdf; Farm boundary.pdf; Site layout of solar panels.pdf; two row ground array plan.pdf;

**CAUTION FROM TIPPERARY COUNTY COUNCIL IT SECTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To whom it concerns

We wish to apply for a Section 5 exemption for the installation of ground mounted solar panels to the rear of our three holiday cottages at Roran, Terryglass, Co Tipperary. These panels will be situated to the rear of the three cottages and will be under 2 metres in height, in accordance with S.I. No. 493 of 2022.

This work is part of our actions on climate action and decarbonisation of our rural tourism enterprise and aligns with our sustainable tourism policy.

We attach drawings and maps of the proposed works and please let us know should you require further information.

Le gach dea ghúí,

Niall and Inez Heenan

[www.FuchsiaLaneFarm.ie](http://www.FuchsiaLaneFarm.ie)

Listed in: Irish Independent 10 Guilt Free Getaways, Irish Times 100 Best Places to Stay in Ireland  
Winner ISCF Self Catering Awards 2024  
Shortlisted Chambers Ireland Sustainability Impact Awards 2025

[REDACTED]  
LinkedIn [Fuchsia Lane Farm](#)  
Facebook: FuchsiaLaneFarm  
Instagram: fuchsialanefarm

Authentic Rural Retreat Holiday Cottages



Comhairle Contae Thiobraid Árann  
Tipperary County Council

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

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

t 0818 06 5000/6000  
e customerservice  
@tipperarycoco.ie  
[tipperarycoco.ie](http://tipperarycoco.ie)

Date: 7<sup>th</sup> April 2026

Our Ref: S5/26/47

Civic Offices, Clonmel

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

**Re: Application for a Section 5 Declaration – Installation of 2 rows of ground mounted solar panels comprising of 20 panels to serve 3 cottages at Roran, Terryglass, Nenagh, Co. Tipperary.**

Dear Mr. Heenan,

I acknowledge receipt of your application for a Section 5 Declaration received on 7<sup>th</sup> April 2026 in connection with the above.

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

Yours sincerely,

  
for **Director of Services**

## TIPPERARY COUNTY COUNCIL

### Application for Declaration under Section 5

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

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<b>Planning Ref.:</b>	S5/26/47
<b>Applicant:</b>	Niall and Inez Heenan
<b>Development Address:</b>	Roran, Terryglass, Co. Tipperary
<b>Proposed Development:</b>	Installation of 2 rows of ground mounted solar panels comprising 20 panels in total to serve 3 cottages.

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#### 1. **GENERAL**

On the 07/04/2026, a request was made for a declaration under Section 5 of the Planning and Development Act, 2000 as amended in respect of the following development at Roran, Borrisokane, Co. Tipperary.

- Installation of 2 rows of ground mounted solar panels comprising 20 panels in total to serve 3 cottages.

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

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

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

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

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

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

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

*(2)(a) The Minister may by regulations provide for any class of development to be exempted development for the purposes of this Act where he or she is of the opinion that—*

*(i) by reason of the size, nature or limited effect on its surroundings, of development belonging to that class, the carrying out of such development would not offend against principles of proper planning and sustainable development, or*

*(ii) the development is authorised, or is required to be authorised, by or under any enactment (whether the authorisation takes the form*

*of the grant of a licence, consent, approval or any other type of authorisation) where the enactment concerned requires there to be consultation (howsoever described) with members of the public in relation to the proposed development prior to the granting of the authorisation (howsoever described).*

*(4) Notwithstanding paragraphs (a), (i), (ia) and (l) of subsection (1) and any regulations under subsection (2), development shall not be exempted development if an environmental impact assessment or an appropriate assessment of the development is required.*

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

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

**Interpretation for this Part.**

5.(1) *In this Part—*

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

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

Article 6 of the Planning and Development Regulations 2001, as amended states:

***Exempted Development.***

*6. (1) Subject to article 9, development of a class specified in column 1 of Part 1 of Schedule 2 shall be exempted development for the purposes of the Act, provided that such development complies with the conditions and limitations specified in column 2 of the said Part 1 opposite the mention of that class in the said column 1.*

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

<b>Description of Development</b>	<b>Conditions and Limitations</b>
The placing or erection on a roof of a <u>business premises</u> or light industrial building, or within the curtilage of a business premises or light industrial building, or on a roof of any ancillary buildings within the curtilage of a business premises or light industrial building of a solar photo-voltaic and/or solar thermal collector installation.	<ol style="list-style-type: none"> <li>1. Where such development is located within a solar safeguarding zone, the total aperture area of any solar photo-voltaic and/or solar thermal collector panels, taken together with any other such panels previously placed on a roof, shall not exceed 300 square metres.</li> <li>2. Where such development is located within a solar safeguarding zone, the planning authority for the area shall be notified in writing no later than 4 weeks after the commencement of such development and such notification shall include details regarding the location and scale of the development.</li> <li>3. The distance between the plane of the roof and the solar photo-voltaic or solar thermal collector panels shall not exceed:</li> </ol>

	<p>a) for a business premises, 1.2 metres in the case of a flat roof or 15cm in any other case.</p> <p>b) for a light industrial building, 2 metres in the case of a flat roof or 50cm in any other case. Commented [i820]: Class 56(e) is substituted (with 16 conditions) by article 5(2)(a) of S.I. No. 493/2022 Planning and Development Act 2000 (Exempted Development) (No. 3) Regulations 2022 466</p> <p>4. The solar photo-voltaic or solar thermal collector panels shall be a minimum of 2 metres in the case of a flat roof or 50cm in any other case from the edge of the roof on which it is mounted.</p> <p>5. Development shall not be exempted development where the highest part of the solar photo-voltaic or solar thermal collector installation exceeds the highest part of any roof that is not a flat roof (excluding any chimney).</p> <p>6. Any ancillary equipment associated with solar photo-voltaic or solar thermal collector panels shall not be placed or erected on a wall or any roof that is not a flat roof.</p> <p>7. The height of any ancillary equipment associated with solar photo-voltaic or solar thermal collector panels on a flat roof shall not exceed 1.6 metres above roof level.</p> <p>8. Any ancillary equipment associated with solar photo-voltaic or solar thermal collector panels on a flat roof shall be a minimum of 2 metres from the edge of the roof on which it is mounted.</p> <p>9. Any free-standing solar photo-voltaic or solar thermal collector installation shall not be placed or erected forward of the front wall of the business premises or light industrial building.</p> <p>10. The total aperture area of any free-standing solar photo-voltaic and solar thermal collector panels taken together with any other such existing free-standing panels shall not exceed 75 square metres.</p> <p>11. The height of any free-standing solar photo-voltaic or solar thermal collector 467 installation shall not exceed 2.5 metres at its highest point above ground level.</p> <p>12. The placing or erection of a solar photo-voltaic or solar thermal collector installation on any wall shall not be exempted development.</p> <p>13. The placing or erection of any free-standing solar photo-voltaic or solar thermal collector installation within an Architectural Conservation Area shall only be exempted</p>
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	<p>development if those works would not materially affect the character of the area.</p> <p>14. No sign, advertisement or object not required for the functioning or safety of the solar photo-voltaic or solar thermal collector installation shall be attached to or exhibited on such installation.</p> <p>15. Development under this Class shall only be exempted development where the solar photo-voltaic or solar thermal collector installation is primarily used for the provision of electricity or heating for use within the curtilage of the business premises or light industrial building, and shall not be considered a change of use for the purposes of the Act.</p> <p>16. Development under this Class which causes hazardous glint and/or glare shall not be exempted development and any solar photo-voltaic or solar thermal collector panels which are causing hazardous glint and/or glare shall either be removed or be covered until such time as a mitigation plan to address the hazardous glint and/or glare is agreed and implemented to the satisfaction of the Planning Authority.</p>
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Article 9 of the Planning and Development Regulations 2001, as amended sets out restrictions on exemptions and states:

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

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

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

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

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

**On site:**

S5 26 17 - Installation of ground mounted solar panels for existing holiday cottages – Not Exempt

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

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

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

**Adjoining Lands:**

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

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

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

**Enforcement:** None

**Pre-Planning:** None

**c. Assessment**

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

A) “Is or is not Development”

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

B) “Is or is not Exempted Development”

The proposal is assessed relative to Class 56(e) of Part 1 of Schedule 2 of the Planning and Development Regulations 2001, as amended.

<b>Description of Development</b>	<b>Conditions and Limitations</b>
The placing or erection on a roof of a <u>business premises</u> or light industrial building, or within the curtilage of a business premises or light industrial building, or on a roof of any ancillary buildings within the curtilage of a business premises or light	1. Where such development is located within a solar safeguarding zone, the total aperture area of any solar photo-voltaic and/or solar thermal collector panels, taken together with any other such panels previously placed on a roof, shall not exceed 300 square metres.  <b>The site is not located in a solar safeguarding zone</b>

industrial building of a solar photo-voltaic and/or solar thermal collector installation.

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.

**The site is not located in a solar safeguarding zone**

3. The distance between the plane of the roof and the solar photo-voltaic or solar thermal collector panels shall not exceed:
  - a) for a business premises, 1.2 metres in the case of a flat roof or 15cm in any other case.
  - b) for a light industrial building, 2 metres in the case of a flat roof or 50cm in any other case. Commented [j820]: Class 56(e) is substituted (with 16 conditions) by article 5(2)(a) of S.I. No. 493/2022 Planning and Development Act 2000 (Exempted Development) (No. 3) Regulations 2022 466

**The proposal is for ground mounted solar panels**

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

**The proposal is for ground mounted solar panels**

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

**The proposal is for ground mounted solar panels**

6. Any ancillary equipment associated with solar photo-voltaic or solar thermal collector panels shall not be placed or erected on a wall or any roof that is not a flat roof.

**The proposal is for ground mounted solar panels**

7. The height of any ancillary equipment associated with solar photo-voltaic or solar thermal collector panels on a flat roof shall not exceed 1.6 metres above roof level.

**The proposal is for ground mounted solar panels**

8. Any ancillary equipment associated with solar photo-voltaic or solar thermal collector panels on a flat roof shall be a minimum of 2 metres from the edge of the roof on which it is mounted.

**The proposal is for ground mounted solar panels**

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

**The ground mounted solar panels would be sited to the rear of the front wall of the business premises.**

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

**The total area would be 54sqm.**

11. The height of any free-standing solar photo-voltaic or solar thermal collector installation shall not exceed 2.5 metres at its highest point above ground level.

**The free-standing solar photo-voltaics would be less than 2.5m in height.**

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

**The proposal is for ground mounted solar panels**

13. The placing or erection of any free-standing solar photo-voltaic or solar thermal collector installation within an Architectural Conservation Area shall only be exempted development if those works would not materially affect the character of the area.

**The site is not within an Architectural Conservation Area**

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

	<p>thermal collector installation shall be attached to or exhibited on such installation.</p> <p><b>N/A</b></p> <p>15. Development under this Class shall only be exempted development where the solar photo-voltaic or solar thermal collector installation is primarily used for the provision of electricity or heating for use within the curtilage of the business premises or light industrial building, and shall not be considered a change of use for the purposes of the Act.</p> <p><b>As per the planning history, the site contains self-catering cottages</b></p> <p>16. Development under this Class which causes hazardous glint and/or glare shall not be exempted development and any solar photo-voltaic or solar thermal collector panels which are causing hazardous glint and/or glare shall either be removed or be covered until such time as a mitigation plan to address the hazardous glint and/or glare is agreed and implemented to the satisfaction of the Planning Authority.</p> <p><b>There is no evidence of hazardous glint and/or glare</b></p>
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**d. Requirement for Appropriate Assessment (AA) and Environmental Impact Assessment (EIA)**

Appropriate Assessment (AA)

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

Environmental Impact Assessment (EIA):

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

**4. RECOMMENDATION**

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

- Installation of 2 rows of ground mounted solar panels comprising 20 panels in total to serve 3 cottages.

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

- (a) Sections 2, 3 and 4 of the Planning and Development Act, 2000, as amended
- (b) Articles 5, 6 and 9 of the Planning & Development Regulations 2001, as amended
- (c) Class 56, Schedule 2, Part 1 of the Planning and Development Regulations 2001 (as amended), and
- (d) The plans and documentation submitted.

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

The proposed development, as presented on the drawings and details provided with the Declaration application on 07/04/2026, constitutes “development” within the meaning of the Planning and Development Act 2000 as amended and is **exempted development**

**District Planner:** *Olive O'Donnell*

**Date:** 22/04/2026

**Senior Executive Planner** *Jonathan Flood*

**Date:** 22/4/2026

## HABITATS DIRECTIVE APPROPRIATE ASSESSMENT (AA) SCREENING REPORT

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

(a) File Reference No:	S5/26/47
(b) Brief description of the project or plan:	As per planners report
(c) Brief description of site characteristics:	As per planners report
(d) Relevant prescribed bodies consulted: e.g. DHLGH (NPWS), EPA, OPW	None
(e) Response to consultation:	N/a

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

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

Rosturra Wood	<a href="https://www.npws.ie/protected-sites/sac/001313">https://www.npws.ie/protected-sites/sac/001313</a>	Within 15km	None	No
Liskeenan Fen SAC	<a href="https://www.npws.ie/protected-sites/sac/001683">https://www.npws.ie/protected-sites/sac/001683</a>	Within 15km	None	No
Redwood Bog SAC	<a href="https://www.npws.ie/protected-sites/sac/002353">https://www.npws.ie/protected-sites/sac/002353</a>	Within 15km	None	No
Ardgraique Bog SAC	<a href="https://www.npws.ie/protected-sites/sac/002356">https://www.npws.ie/protected-sites/sac/002356</a>	Within 15km	None	No
River Little Brosna Callows SPA	<a href="https://www.npws.ie/protected-sites/spa/002356">https://www.npws.ie/protected-sites/spa/002356</a>	Within 15km	None	No
Middle Shannon Callows SPA	<a href="https://www.npws.ie/protected-sites/spa/004096">https://www.npws.ie/protected-sites/spa/004096</a>	Within 10km	None	No
Lough Derg (Shannon) SPA	<a href="https://www.npws.ie/protected-sites/sac/004058">https://www.npws.ie/protected-sites/sac/004058</a>	Within 10km	None	No

### STEP 3. Assessment of Likely Significant Effects

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

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

In-combination/Other	None.
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**(b) Describe any likely changes to the European site:**

<p>Examples of the type of changes to give consideration to include:</p> <ul style="list-style-type: none"> <li>• Reduction or fragmentation of habitat area</li> <li>• Disturbance to QI species</li> <li>• Habitat or species fragmentation</li> <li>• Reduction or fragmentation in species density</li> <li>• Changes in key indicators of conservation status value (water or air quality etc.)</li> <li>• Changes to areas of sensitivity or threats to QI</li> <li>• Interference with the key relationships that define the structure or ecological function of the site</li> </ul>	None.
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**(c) Are 'mitigation' measures necessary to reach a conclusion that likely significant effects can be ruled out at screening?**

Yes  No

**STEP 4. Screening Determination Statement**

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

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

The proposed development is not likely to have significant effects.

**Conclusion:**

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

<b>Signature and Date of</b>	Olive O'Donnell	<b>Date:</b>	22/04/2026
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**Recommending Officer:**

EIA PRE-SCREENING	
Establishing a development is a 'sub-threshold development'	
File Reference:	S5/26/47
Development Summary:	As per planners report
Was a Screening Determination carried out under Section 176A-C?	<input type="checkbox"/> Yes, no further action required <input checked="" type="checkbox"/> No, Proceed to <b>Part A</b>
<b>A. Schedule 5 Part 1</b> - Does the development comprise a project listed in Schedule 5, <b>Part 1</b> , of the Planning and Development Regulations 2001 (as amended)? (Tick as appropriate)	
<input type="checkbox"/> Yes, specify class _____	<b>EIA is mandatory</b> No Screening required
<input checked="" type="checkbox"/> No	Proceed to <b>Part B</b>
<b>B. Schedule 5 Part 2</b> - Does the development comprise a project listed in Schedule 5, <b>Part 2</b> , of the Planning and Development Regulations 2001 (as amended) <b>and</b> does it meet/exceed the thresholds? (Tick as appropriate)	
<input checked="" type="checkbox"/> No, the development is not a project listed in Schedule 5, Part 2	<b>No Screening required</b>
<input type="checkbox"/> Yes the project is listed in Schedule 5, Part 2 <b>and</b> meets/exceeds the threshold, specify class (including threshold): _____	<b>EIA is mandatory</b> No Screening required
<input type="checkbox"/> Yes the project is of a type listed <b>but</b> is <i>sub-threshold</i> : _____	Proceed to <b>Part C</b>
<b>C. If Yes</b> , has Schedule 7A information/screening report been submitted?	
<input type="checkbox"/> Yes, Schedule 7A information/screening report has been submitted by the applicant	<b>Screening Determination required</b>
<input type="checkbox"/> No, Schedule 7A information/screening report has not been submitted by the applicant	<b>Preliminary Examination required</b>

Original

TIPPERARY COUNTY COUNCIL

DELEGATED EMPLOYEE'S ORDER

File Ref: **S5/26/47**      **Delegated Employee's Order No:** \_\_\_\_\_

**SUBJECT: Section 5 Declaration**

I, Brian Beck, Director of Services, Tipperary County Council, by virtue of the powers delegated to me in accordance with the provisions of Section 154 of the Local Government Act 2001, as amended by Schedule 1, Part 1 of the Local Government Reform Act 2014 under Chief Executive's Order No. 44188 dated 3<sup>rd</sup> October, 2025, hereby order that pursuant to the provisions of the Planning and Development Act 2000, as amended, that an application under Section 5 from Niall & Inez Heenan, Roran, Terryglass, Nenagh, Co. Tipperary, Re: Installation of 2 rows of ground mounted solar panels comprising 20 panels in total to serve 3 cottages at Roran, Terryglass, Co. Tipperary is development and is exempted development.

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

QMK

- (a) Sections 2, 3 and 4 of the Planning and Development Act, 2000, as amended
- (b) Articles 5, 6 and 9 of the Planning & Development Regulations 2001, as amended
- (c) Class 56, Schedule 2, Part 1 of the Planning and Development Regulations 2001 (as amended), and
- (d) The plans and documentation submitted.

Tipperary County Council has concluded that the proposed development, as presented on the drawings and details provided with the Declaration application on 07/04/2026, constitutes "development" within the meaning of the Planning and Development Act 2000 as amended and is **exempted development**.

**Signed:**

  
\_\_\_\_\_

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

**Date: 23/04/2026**



Date: 23<sup>rd</sup> April 2026

Our Ref: S5/26/47

Civic Offices, Nenagh

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

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

Dear Sir/Madam,

I refer to your application for a Section 5 Declaration received on 7<sup>th</sup> April 2026 in relation to the following proposed works:

**Installation of 2 rows of ground mounted solar panels comprising 20 panels in total to serve 3 cottages at Roran, Terryglass, Co. Tipperary.**

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

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

- (a) Sections 2, 3 and 4 of the Planning and Development Act, 2000, as amended
- (b) Articles 5, 6 and 9 of the Planning & Development Regulations 2001, as amended
- (c) Class 56, Schedule 2, Part 1 of the Planning and Development Regulations 2001 (as amended), and
- (d) The plans and documentation submitted.

Tipperary County Council has concluded that the proposed development, as presented on the drawings and details provided with the Declaration application on 07/04/2026, constitutes “development” within the meaning of the Planning and Development Act 2000 as amended and is **exempted development**.

**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 M Keaveney  
for **Director of Services**