



COMHAIRLE | CLARE
CONTAE AN CHLÁIR | COUNTY COUNCIL

Registered Post

Siobhan Ni Ghairbhith
c/o David King
Planning Street
Collorus House,
Lauragh,
Co. Kerry.
V93 XY03

1st April, 2021

Section 5 referral Reference R21-9 – Siobhan Ni Ghairbhith

Whether the installation of 360 square metres of solar collectors on the roof of the goat shed (Cheese Factory) at Inagh Farmhouse Cheese Ltd, Gortbofearna, Ennistymon, Co. Clare is development and if so, is it exempted development.

A Chara,

I refer to your application received on 19th February and Further Information received on the 22nd March 2021 under Section 5 of the Planning & Development Act 2000 (as amended) in relation to the above.

The Planning Authority has considered the matter and I attach herewith the Council's findings in this matter.

Where a declaration is issued by the Planning Authority, any person issued with a declaration, may on payment to an Bord Pleanála of the required fee, refer a declaration for review by An Bord Pleanála within 4 weeks of the date of the issuing of the declaration. Details on making such appeal are available on the Board's website at www.pleanala.ie

Mise, le meas

Kieran O'Donnell
Administrative Officer
Planning Department
Economic Development Directorate

An Roinn Pleanála
An Stiúrthóireacht Forbairt Gheilleagrach
Áras Contae an Chláir, Bóthar Nua, Inis, Co. an Chláir, V95 DXP2

Planning Department
Economic Development Directorate
Áras Contae an Chláir, New Road, Ennis, Co. Clare, V95 DXP2



**DECLARATION ISSUED UNDER SECTION 5 OF THE
PLANNING & DEVELOPMENT ACT 2000 (AS AMENDED)**

Reference No.: R21-9



Section 5 referral Reference R21-9

Whether the installation of 360 square metres of solar collectors on the roof of the goat shed (Cheese Factory) at Inagh Farmhouse Cheese Ltd, Gortbofearna, Ennistymon, Co. Clare is development and if so, is it exempted development.

AND WHEREAS, Siobhan Ni Ghairbhith has requested a declaration from Clare County Council on the said question.

AND WHEREAS Clare County Council, in considering this referral, had regard in particular to –

- (a) Sections 2, and 3 of the Planning and Development Act 2000, as amended,
- (b) Class 18 (c) Renewable Technologies Part 3 Article 6, Exempted Development Rural Planning and Development Regulations 2001 as amended
- (c) Article 9 of the Planning and Development Regulations 2001 as amended
- (d) The details and drawings as indicated in submitted documents from the referrer as received by the Planning Authority on the 19th February 2021 as amended by details received on the 22nd March 2021.

And whereas Clare County Council has concluded:

- (a) The development consisting of the installation of solar panels constitutes “works” and “development” which come within the scope of sections 2 and 3 of the Planning and Development Act 2000, as amended.

Based on the details received to date, the Planning Authority considers that

- (b) The said development, consisting of the installation of 360 sq.m. of solar panels on a goat shed, is not exempted development having regard to Class 18 (c) Renewable Technologies Part 3 Article 6, Exempted Development Rural Planning and Development Regulations 2001 as amended including the conditions and limitations therein.

THEREFORE: The Planning Authority in exercise of the powers conferred on it by Section 5 of the Planning and Development Act, 2000 (as amended), hereby decides that:

The proposed development consisting of the installation of 360 sq.m. of solar panels on a goat shed at Inagh Farmhouse Cheese Ltd, Gortbofearna, Ennistymon, Co. Clare **constitutes development** which is **not exempted development** as defined within the Planning & Development Acts, 2000 (as amended) and associated regulations.



Kieran O'Donnell
Administrative Officer
Planning Department
Economic Development Directorate

1st April 2021

CLARE COUNTY COUNCIL

SECTION 5 OF THE PLANNING AND DEVELOPMENT ACT 2000 AS AMENDED

DECLARATION ON DEVELOPMENT AND/OR EXEMPTED DEVELOPMENT

Chief Executive's Order No:

77 380

Reference Number:

R21-9

Date Referral Received:

19th February 2021

Name of Applicant:

Siobhan Ni Ghairbhith

Location of works in question:

Inagh Farmmhouse Cheese Ltd,
Gortbofearna, Ennistymon, Co. Clare

Section 5 referral Reference R21-9 – Siobhan Ni Ghairbhith

Whether the installation of 360 square metres of solar collectors on the roof of the goat shed (Cheese Factory) at Inagh Farmmhouse Cheese Ltd, Gortbofearna, Ennistymon, Co. Clare is development and if so, is it exempted development.

AND WHEREAS Clare County Council, in considering this referral, had regard in particular to –

- (a) Sections 2, and 3 of the Planning and Development Act 2000, as amended,
- (b) Class 18 (c) Renewable Technologies Part 3 Article 6, Exempted Development Rural Planning and Development Regulations 2001 as amended
- (c) Article 9 of the Planning and Development Regulations 2001 as amended
- (d) The details and drawings as indicated in submitted documents from the referrer as received by the Planning Authority on the 19th February 2021 as amended by details received on the 22nd March 2021.

AND WHEREAS Clare County Council has concluded:

- (a) The development consisting of the installation of solar panels constitutes “works” and “development” which come within the scope of sections 2 and 3 of the Planning and Development Act 2000, as amended.

Based on the details received to date, the Planning Authority considers that

- (b) The said development, consisting of the installation of 360 sq.m. of solar panels on a goat shed, is not exempted development having regard to Class 18 (c) Renewable Technologies Part 3 Article 6, Exempted Development Rural Planning and Development Regulations 2001 as amended including the conditions and limitations therein.

ORDER: Whereas by Chief Executive's Order No. HR 334 dated 2nd June 2020, Pat Dowling, Chief Executive for Clare County Council, did, pursuant to the powers conferred on him by Section 154 of the Local Government Act 2001, delegate to Garreth Ruane, A/ Senior Executive Planner, the powers, functions and duties as set out herein,

NOW THEREFORE pursuant to the delegation of the said powers, functions and duties and under Section 5(2)(a) of the Planning & Development Act 2000 (as amended) and having considered the various submissions and reports in connection with the referral described above, I, Garreth Ruane, A/ Senior Executive Planner, hereby declare that the installation of 360 sq.m. of solar panels on a goat shed at Inagh Farmhouse Cheese Ltd, Gortbofearna, Ennistymon, Co. Clare, is considered development which is not exempted development

Signed:



**GARRETH RUANE,
A/ SENIOR EXECUTIVE PLANNER**

Date:

1st April 2021

CLARE COUNTY COUNCIL
SECTION 5 DECLARATION OF EXEMPTION APPLICATION
PLANNERS REPORT

FILE REF:	R21/ 9
APPLICANT(S):	Siobhan Ni Ghairbhith
REFERENCE:	Whether the instillation of 360 sq.m. of solar collectors on the roof of the goat shed (Cheese factory) is or is not development and is or is not exempted development.
LOCATION:	Gortbofearna Co. Clare
DUE DATE:	9th April 2021

Further information was requested as follows 16th March 2021 as follows:

- A. Please be advised that under Part 3 Article 6, Exempted Development Rural Class 18 (c) Renewable Technologies Planning and Development Regulations 2001-2018, the following is considered to constitute exempted development subject the conditions and limitations set out below:.

'The installation or erection on an agricultural structure, or within the curtilage of an agricultural holding , of solar panels(thermal collector or photovoltaic)'.

Conditions and Limitations

- 1.The total aperture area of any such panels , taken together with any other such panels previously placed on or within the said holding , shall not exceed 50 sq.m. or 50 %of the total roof area, whichever is lesser.
- 2.The distance between the plane of the wall and the panel shall not exceed 15 cm.
- 3.The distance between the plane of a pitched roof and the panel shall not exceed 50cm .
- 4.The solar panel shall be a minimum of 50 cm from the edge of the wall or roof on which it is mounted, or 2m in the case of a flat roof.
5. Any equipment associated with the panels including water tank shall be located within the roof space of the building.

6. No sign, advertisement , or objects , not required for the functioning or safety of the panels shall be attached to or exhibited on the panels.

Having regard to the aforementioned requirements please arrange to submit a scaled drawing of the roof plan of the goat shed indicating the location and extent (square meters) of the solar panels thereon together with confirmation that the panels comply with the conditions and limitation no 1 to no 6 above.

Applicants Response

The applicant does not have a drawing of the proposal. While the panels would satisfy limitation/ conditions 2-6 of the Regulations the area of the panels is 360 sq.m. and as such exceeds the limitation.

Assessment

The applicant has not submitted scaled drawings so it is not possible to determine compliance with the condition and limitations. However the applicant has confirmed that the total area of the panels is 360 sq.m. which exceeds the area permitted by the conditions/ limitation. It is therefore considered that the proposal constitutes development which is not exempted development .

Conclusion

Having regard to the above it is considered that the proposed development constitutes both 'works' and 'development'. Regard has been had to Class (c) Renewable Technologies Part 3 Article 6, Exempted Development Rural Planning and Development Regulations 2001 as amended.

Recommendation

The following questions have been referred to the Planning Authority:

Whether the installation of solar panel at a goat shed on Gortbofearna is or is not development and is or is not exempted development.

The Planning Authority in considering this referral had regard to:

- (a) Sections 2, and 3 of the Planning and Development Act 2000, as amended,
- (b) Class 18 (c) Renewable Technologies Part 3 Article 6, Exempted Development Rural Planning and Development Regulations 2001 as amended
- (c) Article 9 of the Planning and Development Regulations 2001 as amended
- (d) The details and drawings as indicated in submitted documents from the referrer as received by the Planning Authority on the 19th February 2021 as amended by details received on the 22nd March 2021.

And whereas Clare County Council (Planning Authority) has concluded:

- (a) the development consisting of the installation of solar panels constitutes "works" and "development" which come within the scope of sections 2 and 3 of the Planning and Development Act 2000, as amended.

Based on the details received to date, the Planning Authority considers that

- (e) The said development, consisting of the installation of 360 sq.m. of solar panels on a goat shed , is not exempted development having regard to Class 18 (c) Renewable Technologies Part 3 Article 6, Exempted Development Rural Planning and Development Regulations 2001 as amended including the conditions and limitations therein.

Now therefore Clare County Council (Planning Authority), hereby decides that the installation of 360 sq.m. of solar panels on a goat shed , is development and is not exempted development.

Signed Elio Corej.
E.P.

Date 31/3/21.

Noted.


Signed 
A/S.E.P.

Date 31/03/21.



David King
PlanningStreet
Collorus House
Lauragh
Kenmare
Count Kerry
V93 XY03

087 436 4425

SECTION 5 REFERENCE R21 – 9 SIOBHAN NI GHAIRBHITH
solar panels on roof of goat shed at cheese factory

Dear Josephine,

Thank you for your letter dated 16th March referring to the above.

You request a scaled drawing, however our purpose in submitted a S 5 was to avoid production of expensive drawings if possible. We do not therefore have a drawing.

I can confirm that the panels proposed would satisfy your conditions 2-6.

However the panel area (You condition 1 in your letter) , as stated on our application for a S 5 certificate, is 360 square metres.

This is above the 50 square metres allowed under the exception (your condition 1 in your letter) and so, it would appear that the proposed panels are not covered.

As we can satisfy conditions 2-6, The matter seems to comes down simply to the area of the panels.

As we are proposing 360m2 can you please therefore confirm that this would require planning permission.

If you can do this, we will submit an application.

PLEASE ADVISE THE CORRECT FORM FOPR SUCH AN APPLICATION.

Many thanks

David King
PlanningStreet

A handwritten signature in black ink, appearing to be 'David King'.

Mark Kerin

From: Planning Office
Sent: Monday 22 March 2021 11:24
To: Mark Kerin
Subject: FW: FOR THE ATTENTION OF JOSEPHINE CONNORS

From: David King <hogpos@hotmail.com>
Sent: Monday 22 March 2021 09:49
To: Planning Office <planoff@clarecoco.ie>
Subject: RE: FOR THE ATTENTION OF JOSEPHINE CONNORS

SECTION 5 REFERENCE R21 – 9 SIOBHAN NI GHAIRBHITH solar panels on roof of goat shed at cheese factory

Dear Josephine,

Thank you for your letter dated 16th March referring to the above.

You request a scaled drawing, however our purpose in submitted a S 5 was to avoid production of expensive drawings if possible. We do not therefore have a drawing.

I can confirm that the panels proposed would satisfy your conditions 2-6.

However the panel area (You condition 1 in your letter) , as stated on our application for a S 5 certificate, is **360 square metres**.

This is above the 50 square metres allowed under the exception (your condition 1 in your letter) and so, it would appear that the proposed panels are not covered.

As we can satisfy conditions 2-6, The matter seems to comes down simply to the area of the panels.

As we are proposing 360m2 can you please therefore confirm that this would require planning permission.

If you can do this, we will submit an application.

PLEASE ADVISE THE CORRECT FORM FOPR SUCH AN APPLICATION.

Many thanks

David King
PlanningStreet



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Siobhan Ni Ghairbhith
c/o David King
Planning Street
Collorus House,
Lauragh,
Co. Kerry.
V93 XY03

16th March 2021

Section 5 referral Reference R21-9 – Siobhan Ni Ghairbhith

Whether the installation of 360 square metres of solar collectors on the roof of the goat shed (Cheese Factory) is or is not development and if so is it exempted development.

A Chara,

I refer to your application received on 19th February 2021 under Section 5 of the Planning & Development Act 2000 (as amended) in relation to the above

In accordance with Section 5 (2) (b) of the Planning and Development Act 2000 as amended, and in order for the Planning Authority to make an assessment on this declaration application you are requested to submit the following information:

In order for the Planning Authority to fully assess your request for a Section 5 declaration please address the following:

- A. Please be advised that under Part 3 Article 6, Exempted Development Rural Class 18 (c) Renewable Technologies Planning and Development Regulations 2001-2018, the following is considered to constitute exempted development subject the conditions and limitations set out below:

'The installation or erection on an agricultural structure, or within the curtilage of an agricultural holding, of solar panels (thermal collector or photovoltaic).'

Conditions and Limitations

1. The total aperture area of any such panels, taken together with any other such panels previously placed on or within the said holding, shall not exceed 50 sq.m. or 50 % of the total roof area, whichever is lesser.
2. The distance between the plane of the wall and the panel shall not exceed 15 cm.
3. The distance between the plane of a pitched roof and the panel shall not exceed 50cm .
4. The solar panel shall be a minimum of 50 cm from the edge of the wall or roof on which it is mounted, or 2m in the case of a flat roof.

An Roinn Pleanála
An Stiúirthóireacht Forbairt Gheilleagrach
Áras Contae an Chláir, Bóthar Nua, Inis, Co. an Chláir, V95 DXP2

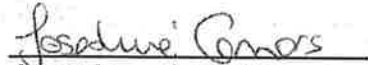
Planning Department
Economic Development Directorate
Áras Contae an Chláir, New Road, Ennis, Co. Clare, V95 DXP2



5. Any equipment associated with the panels including water tank shall be located within the roof space of the building.
6. No sign, advertisement, or objects not required for the functioning or safety of the panels shall be attached to or exhibited on the panels.

Having regard to the aforementioned requirements please arrange to submit a scaled drawing of the roof plan of the goat shed indicating the location and extent (square meters) of the solar panels thereon together with confirmation that the panels comply with the conditions and limitations No. 1 to No. 6 above.

Mise, le meas



Josephine Connors

Planning Department

Economic Development Directorate

CLARE COUNTY COUNCIL
SECTION 5 DECLARATION OF EXEMPTION APPLICATION
PLANNERS REPORT

FILE REF:	R21/ 9
APPLICANT(S):	Siobhan Ni Ghairbhith
REFERENCE:	Whether the instillation of 360 sq.m. of solar collectors on the roof of the goat shed (Cheese factory) is or is not development and is or is not exempted development.
LOCATION:	Gortbofearna Co. Clare
DUE DATE:	16 th March 2021

Site Location

The subject site is located in Gortbofearna. The site is occupied by the cheese house building and large goat shed together with waste water treatment facility.

Planning History on site

11/ 489 Inagh Farm house Cheese Ltd. Permission granted to RETAIN extension to cheese house

06/ 1677 Siobhan Ni Ghairbhith . Permission granted to extend existing cheese house, extend existing goat housing, construct farm yard manure pit, construct sealed slurry tank, construct silage storage slab, construct concrete yard and ancillary works

98/ 1621 Siobhan Ni Ghairbhith. Planning permission granted for the construction of a food processing facilities, storage sheds, septic tank and reed bed filtration system at Gortbofearna.

Details submitted with the application

- Folio map showing the holding outlined in red and the existing building on site .
- Completed application form.
- No drawings have been submitted of the roof plan of the cheese house showing the extent of the panels

I note from the planning history on site that the cheese factory is a separate building from the goat shed. The wording of the query is confusing because the goat shed and cheese factory are presented as one building which is not the case on site. As a result of this it is not clear if the panels are intended for the shed or the cheese factory because no drawings have been submitted. This has a bearing on the interpretation of the regulations relating to exemptions for renewable which make a distinction between renewable technologies for industrial building and renewable technologies for agricultural buildings. I would consider that the cheese house is light industrial and the goat shed is agricultural. Having regard to the planning history drawings which show a solar panel on the roof of the cheese factory and given that that the total area of panel is to be 360 sq.m. the Planning Authority assumes that panels are to be located on the agriculture building (goat shed). **It was confirmed by the agent (by email) 9th March 2021 that the solar panels are to go on the goat shed.**

Background to Referral

Statutory Provisions

Planning and Development Act, 2000 (as amended)

In order to assess this proposal, regard has to be had to the *Planning and Development Act 2000, as amended*.

S.3.(1) In this Act, "development" means, except where the context otherwise requires, the carrying out of any works on, in, over or under land or the making of any material change in the use of any structures or other land.

'Works' are defined in Section 2 of the *Planning and Development Act 2000, as amended* as follows:

"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.

Planning & Development Regulations, 2001, as amended

Article 6 refers to Exempted Development and states that subject to Article 9, development of a class specified in column 1 of Part 3 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 3 opposite the mention of that class in the said column 1.

Planning and Development Regulations 2001 (as amended)

Part 3 Article 6 . Exempted Development Rural

Class 18 (c) Renewable Technologies

The installation or erection on an agricultural structure, or within the curtilage of an agricultural holding , of solar panels(thermal collector or photovoltaic).

1.The total aperture area of any such panels , taken together with any other such panels previously placed on or within the said holding , shall not exceed 50 sq.m. or 50 %of the total roof area, whichever is lesser.

2.The distance between the plane of the wall and the panel shall not exceed 15 cm.

3. *The distance between the plane of a pitched roof and the panel shall not exceed 50cm .*
4. *The distance between the plane of a flat roof and the panel shall not exceed 2m .*
5. *The solar panel shall be a minimum of 50 cm from the edge of the wall or roof on which it is mounted, or 2m in the case of a flat roof.*
6. *The total aperture area of any wall mounted panel, or free standing solar array shall not exceed 25 sq.m.*
7. *Any equipment associated with the panels including water tank shall be located within the roof space of the building.*
8. *The height of a free standing solar array shall not exceed 2m, at its highest point above ground level.*
9. *A free standing solar array shall not be located forward of the front wall of the building or premises.*
10. *No sign, advertisement , or objects , not required for the functioning or safety of the turbine shall be attached to or exhibited on the panels.*

Under Article 9 (1) of the same Regulations, 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*
- (ii) consist of or compromise the formation, laying out or material widening of a means of access to a public road the surfaced carriageway of which exceeds 4 metres in width,*
- (iii) endanger public safety by reason of traffic hazard or obstruction of road users,*
- (iv) interfere with the character of a landscape, or a view or prospect of special amenity value or special interest, the preservation of which is an objective of a development plan for the area in which the development is proposed or, pending the variation of a development plan or the making of a new development plan, in the draft variation of the development plan or the draft development plan.*
- (vii) consist of or comprise the excavation, alteration or demolition (other than peat extraction) of places, caves, sites, features or other objects of archaeological, geological, historical, scientific or ecological interest, the preservation, conservation or protection of which is an objective of a development plan or local area plan for the area in which the development is proposed or, pending the variation of a development plan or local area plan, or the making of a new development plan or local area plan, in the draft variation of the development plan or the local area plan or the draft development plan or draft local area plan,*
- (viiiA) consist of or comprise the excavation, alteration or demolition of any archaeological monument included in the Record of Monuments and Places, pursuant to section 12(1) of the National Monuments (Amendment) Act 1994, save that this provision shall not apply to any excavation or any works,*

pursuant to and in accordance with a consent granted under section 14 or a licence granted under section 26 of the National Monuments Act 1930 (No. 2 of 1930) as amended,

(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,

(viiC) consist of or comprise development which would be likely to have an adverse impact on an area designated as a natural heritage area by order made under section 18 of the Wildlife (Amendment) Act 2000."

(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,

(ix) consist of the demolition or such alteration of a building or other structure as would preclude or restrict the continuance of an existing use of a building or other structure where it is an objective of the planning authority to ensure that the building or other structure would remain available for such use and such objective has been specified in a development plan for the area or, pending the variation of a development plan or the making of a new development plan, in the draft variation of the development plan or the draft development plan,

(x) consist of the fencing or enclosure of any land habitually open to or used by the public during the 10 years preceding such fencing or enclosure for recreational purposes or as a means of access to any seashore, mountain, lakeshore, riverbank or other place of natural beauty or recreational utility,

(xi) obstruct any public right of way,

(xii) further to the provisions of section 82 of the Act, consist of or comprise the carrying out of works to the exterior of a structure, where the structure concerned is located within an architectural conservation area or an area specified as an architectural conservation area in a development plan for the area or, pending the variation of a development plan or the making of a new development plan, in the draft variation of the development plan or the draft development plan and the development would materially affect the character of the area.

Assessment

Basis of Referral

The applicant is seeking a Section 5 Declaration as to whether the installation of 360 sq.m. of solar collectors on the roof of the goat shed (Cheese factory) is development and is or is not exempted development.

Notwithstanding the wording of the query as received by the Planning Authority, it was confirmed by the agent (by email) 9th March 2021 that the solar panels are to go on the goat shed not on the cheese house and as such the relevant regulations relate to renewable technologies on agricultural holdings or structures.

Planning and Development Regulations 2001 (as amended)

Part 3 Article 6 . Exempted Development Rural

Class 18 (c) Renewable Technologies

The installation or erection on an agricultural structure, or within the curtilage of an agricultural holding, of solar panels (thermal collector or photovoltaic).

1. The total aperture area of any such panels, taken together with any other such panels previously placed on or within the said holding, shall not exceed 50 sq.m. or 50 % of the total roof area, whichever is lesser.

No drawing of the roof plan of the goat shed has been submitted so it is not possible to determine if 360 sq.m. aperture does not exceed 50 % of the total roof area.

2. The distance between the plane of the wall and the panel shall not exceed 15 cm.

No drawings have been submitted to demonstrate if this requirement is relevant to the development.

3. The distance between the plane of a pitched roof and the panel shall not exceed 50cm.

No drawings have been submitted to demonstrate compliance with this requirement. I note from planning history drawings that the roof of the goat shed is pitched.

4. The distance between the plane of a flat roof and the panel shall not exceed 2m.

N/A

5. The solar panel shall be a minimum of 50 cm from the edge of the wall or roof on which it is mounted, or 2m in the case of a flat roof.

N/A

6. The total aperture area of any wall mounted panel, or free standing solar array shall not exceed 25 sq.m.

N/A

7. Any equipment associated with the panels including water tank shall be located within the roof space of the building.

No details have been submitted in this regard.

8. The height of a free standing solar array shall not exceed 2m, at its highest point above ground level.

N/A

9. A free standing solar array shall not be located forward of the front wall of the building or premises.

N/A

10. No sign, advertisement, or objects, not required for the functioning or safety of the turbine shall be attached to or exhibited on the panels.

The regulations refer to a turbine at this section which I consider is a typing error and should relate to the safety of the panels.

No details have been submitted re any attachments to the panels.

Under Article 9 (1) of the same Regulations, development to which Article 6 relates shall not be exempted development for the purposes of the Act:

(b) 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

There are no conditions preventing the locating of solar panels on the roof of the goat shed.

(ii) consist of or compromise the formation, laying out or material widening of a means of access to a public road the surfaced carriageway of which exceeds 4 metres in width,

Not Applicable

(iii) endanger public safety by reason of traffic hazard or obstruction of road users,

Not Applicable

(iv) interfere with the character of a landscape, or a view or prospect of special amenity value or special interest, the preservation of which is an objective of a development plan for the area in which the development is proposed or, pending the variation of a development plan or the making of a new development plan, in the draft variation of the development plan or the draft development plan.

Not Applicable

(vii) consist of or comprise the excavation, alteration or demolition (other than peat extraction) of places, caves, sites, features or other objects of archaeological, geological, historical, scientific or ecological interest, the preservation, conservation or protection of which is an objective of a development plan or local area plan for the area in which the development is proposed or, pending the variation of a development plan or local area plan, or the making of a new development plan or local area plan, in the draft variation of the development plan or the local area plan or the draft development plan or draft local area plan,

Not Applicable.

(viiA) consist of or comprise the excavation, alteration or demolition of any archaeological monument included in the Record of Monuments and Places, pursuant to section 12(1) of the National Monuments (Amendment) Act 1994, save that this provision shall not apply to any excavation or any works, pursuant to and in accordance with a consent granted under section 14 or a licence granted under section 26 of the National Monuments Act 1930 (No. 2 of 1930) as amended,

Not Applicable

(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,

Not Applicable. See AA screening report attached.

(viiC) consist of or comprise development which would be likely to have an adverse impact on an area designated as a natural heritage area by order made under section 18 of the Wildlife (Amendment) Act 2000."

Not Applicable

(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,

Not Applicable

(ix) consist of the demolition or such alteration of a building or other structure as would preclude or restrict the continuance of an existing use of a building or other structure where it is an objective of the planning authority to ensure that the building or other structure would remain available for such use and such objective has been specified in a development plan for the area or, pending the variation of a development plan or the making of a new development plan, in the draft variation of the development plan or the draft development plan,

Not Applicable

(x) consist of the fencing or enclosure of any land habitually open to or used by the public during the 10 years preceding such fencing or enclosure for recreational purposes or as a means of access to any seashore, mountain, lakeshore, riverbank or other place of natural beauty or recreational utility,

Not Applicable

(xi) obstruct any public right of way,

Not Applicable

(xii) further to the provisions of section 82 of the Act, consist of or comprise the carrying out of works to the exterior of a structure, where the structure concerned is located within an architectural conservation area or an area specified as an architectural conservation area in a development plan for the area or, pending the variation of a development plan or the making of a new development plan, in the draft variation of the development plan or the draft development plan and the development would materially affect the character of the area.

Not Applicable

Conclusion

There is insufficient information on file to determine whether the instillation of 360 sq.m. of solar collectors on the roof of the goat shed is or is not development and is or is not exempted development

Recommendation

I recommend requesting additional information as follows: .

- A. Please be advised that under Part 3 Article 6, Exempted Development Rural Class 18 (c) Renewable Technologies Planning and Development Regulations 2001-2018, the following is considered to constitute exempted development subject the conditions and limitations set out below:.

‘The installation or erection on an agricultural structure, or within the curtilage of an agricultural holding , of solar panels(thermal collector or photovoltaic)’.

Conditions and Limitations

- 1.The total aperture area of any such panels , taken together with any other such panels previously placed on or within the said holding , shall not exceed 50 sq.m. or 50 %of the total roof area, whichever is lesser.
- 2.The distance between the plane of the wall and the panel shall not exceed 15 cm.
- 3.The distance between the plane of a pitched roof and the panel shall not exceed 50cm .
- 4.The solar panel shall be a minimum of 50 cm from the edge of the wall or roof on which it is mounted, or 2m in the case of a flat roof.
5. Any equipment associated with the panels including water tank shall be located within the roof space of the building.

6. No sign, advertisement , or objects , not required for the functioning or safety of the panels shall be attached to or exhibited on the panels.

Having regard to the aforementioned requirements please arrange to submit a scaled drawing of the roof plan of the goat shed indicating the location and extent (square meters) of the solar panels thereon together with confirmation that the panels comply with the conditions and limitations no 1 to no 6 above.



Ellen Carey
Executive Planner

Date: 15/3/21



Garreth Ruane
A/Senior Executive Planner

Date: 16/03/21

Clare County Council
Screening for Appropriate Assessment & Determination

1. Table 1 to be filled in for all development applications.
2. Where proposed development is within a European site(s) site, go directly to table 3.
3. For all other development proposals, fill in table 2, and if required, table 3.
4. A Habitats Directive Screening Statement should be sought for all developments regardless of location which require an EIS

Table 1: Project Details

Planning File Reference	R 21/9
Applicant Name	Siobhan Ni Ghairbhith
Development Location	Gortbofearma
Application accompanied by an EIS	No
Application accompanied by an NIS	No
Description of the project (To include a site location map):	
<p>Section 5 referral</p> <p>Whether the instillation of 360 sq.m. of solar collectors on the roof of the goat shed (Cheese factory) is or is not development and is or is not exempted development.</p>	

Table 2: Identification of European sites which may be impacted by the proposed development.

This section identifies the European Sites within the likely zone of impact of the plan or project. For plans an initial 15km zone of influence (NPWS-DAHG)¹ is recommended. For projects, the distance could be much less than 15km, and in some cases less than 100m, but this must be evaluated on a case-by-case basis with reference to the nature, size and location of the project, and the sensitivities of the ecological receptors, and the potential for in combination effects. Qualifying Interests/Special conservation Interests for each site and the distance relevant to the proposal are listed (Table 2 (a)).

Table 2 (a): European Sites within 15km of Applicant Site

European Sites ²	Qualifying Interests (QIs)/Special Conservation Interests (SCIs) and conservation objectives (either generic or detailed) (available on www.npws.ie/protectedsites) or through Intranet.	Distance to Applicant Site (km)
Ballycullinan Lough SAC 00016	Annex I habitats: • Calcareous fens with <i>Cladium mariscus</i> and species of the <i>Caricion davallianae</i> [7210]	7.9km

1	Impacts on designated rivers, streams, lakes and fresh water dependant habitats and species.	Is the development in the catchment of or immediately upstream of a watercourse that has been designated as a European site?	no
2	Impacts on terrestrial habitats & species.	Is the development within 1km of a European site with terrestrial based habitats or species?	No
3	Impacts on designated marine habitats & species.	Is the development located within marine or intertidal areas and within 5 km of a European site whose qualifying habitats or species include the following: <i>Mudflats, sandflats, saltmarsh, shingle, reefs, sea cliffs</i>	no
4	Impacts on birds in SPAs	Is the development within 1km of a Special Protection Area	no
5	Indirect effects	Is the development, in combination with other existing or proposed developments	No

¹ European Sites that are more than 15km from the proposal may have to be considered. For example in the case of sites with water dependent habitats or species and where a proposal could affect water quality or quantity it may be necessary to consider the full extent of the upstream and/or downstream catchment.

² European Site details are available on <http://webgis.npws.ie/npwsviewer/> or maybe obtained from internal mapping systems.

		<p><i>likely to impact on an adjacent European site?</i></p> <p><i>Is any emission from the development (including noise) likely to impact on an adjacent habitat or species?</i></p>	
--	--	---	--

Conclusion:

- If the answer to all of the above is *no*, significant impacts on European sites are unlikely. No further assessment is required; go directly to the conclusion statement.
- If the answer is *unknown* or *yes* proceed to Table 3 and refer to the relevant sections of Table 3.

Table 3: Identification of potential impacts.

1	Impacts on designated rivers, streams, lakes and fresh water dependant habitats and species. <i>Please answer the following if the answer to question 1 in table 2 was "yes" or "unknown".</i> <i>Does the development involve any of the following:</i>	
1.1	Removal of or interference with habitat within a European site. This may include any element of a project liable to interfere with breeding, nesting or roosting sites of birds, bats, water based species	NA
1.2	Discharges either directly (via pipe from the development) or indirectly (via sewer) to surfacewater or groundwater What is the likely volume of the discharge?	None
1.3	Abstraction from surfacewater or groundwater in or adjacent to a European site, where hydrology is a critical element in the protection of habitat and species at the site? What is the likely volume of the abstraction?	NA
1.4	Is removal of topsoil proposed within 500m of watercourses? What transportation requirements are provided? Does the removal involve reduction in area, population density or fragmentation of area of any habitat or species?	NA
1.5	Infilling or raising of ground levels within 500m of watercourses? What transportation requirements are provided? Does the infilling or raising involve interference with area, population density or fragmentation of area of any habitat or species?	NA
1.6	Construction of drainage ditches - (scale?) Where the run off is directed to? Is the drainage run off directed to a European site where species are identified and whose conservation status may be impacted by this drainage?	NA
1.7	Installation of waste water treatment systems; percolation areas; septic tanks within 500m of watercourses?	NA
1.8	Construction within a floodplain or within an area liable to flood (See www.floodmaps.ie , internal flood risk maps, County Development Plan SFRA and www.cframes.ie)	NA
1.9	Crossing or culverting of rivers or streams, installation of weirs, temporary watercourse crossings or any interference with a watercourse.	NA

1.10	Storage of chemicals or hydrocarbons (including oils and fuels) within 500m of a watercourse	NA
1.11	Development within catchment of a European site of a scale or type which involves the production of an EIS	NA
1.12	Consideration of effects in combination with existing development?	NA
2	Impacts on terrestrial habitats and species. <i>Please answer the following if the answer to question 2 in table 2 was yes.</i> <i>Does the development involve any of the following:</i>	
2a	Removal of or interference with habitat within the European site. This includes reduction in habitat area or fragmentation of habitat. Is the timing of this interference liable to impact on the nesting or breeding period of any protected species?	NA
2b	Construction of roads or other infrastructure on peat habitats within 1km of bog, marsh, fen or heath habitat within a European site	NA
2c	Is the development liable to impact on water quality in the European site, or liable to give rise to any change in a key indicator of water quality, including salinity. If yes, is the site designated for any bird species or other plant species whose feeding ground or life cycle may be affected by changes in water quality?	NA
2d	Development within 1km of terrestrial European site of a scale or type which involves the production of an EIS.	NA
3	Impacts on designated marine habitats and species. <i>Please answer the following if the answer to question 3 in table 2 was yes.</i> <i>Does the development involve any of the following:</i>	
3a	Removal of or interference with habitat within the European site. This includes timing of the project if there is potential to interfere with nesting or breeding periods, either directly or indirectly (e.g. by noise emission) or any aspect of the life cycle of a protected species. This also includes potential fragmentation, size reduction of habitat, or reduction in species density.	NA
3b	Coastal protection works on intertidal or marine habitats within 5km of a European site supporting coastal or marine habitats or species. This includes any works which may give rise to potential changes in hydrology or salinity of these areas.	NA

3c	Development of piers, slipways, marinas, pontoons or any other infrastructure within 5km of a European site that was designated because it supports marine habitats and/or species.	NA
3d	Dredging within 5km of a European site supporting coastal or marine habitats or species.	NA
3e	Removal of topsoil or infilling within 100m of marine habitats within the designated site.	NA
3f	Land based development within 1km of a European site of a scale or type which involves the production of an EIS.	NA
3g	Marine or intertidal based development within 5km of a European site of a scale or type which involves the production of an EIS.	NA

4	<p align="center">Impacts on birds in SPAs</p> <p align="center"><i>Please answer the following if the answer to question 5 in table 2 was yes.</i></p> <p align="center"><i>Does the development involve any of the following:</i></p>	
4a	Removal of or interference with habitats within an SPA. This includes consideration of indirect and in combination effects on the feeding, breeding and nesting grounds of Annex 1 birds	NA
4b	Erection of wind turbines within 1km of an SPA.	NA
4c	All construction works within 100m of intertidal areas – Coastal SPAs, including indirect and in combination effects on the feeding, breeding and nesting grounds of Annex 1 birds	NA
4d	Infilling of coastal habitats within 500m of SPA, including indirect and in combination effects on the feeding, breeding and nesting grounds of Annex 1 birds	NA
4e	Discharges to coastal SPA, including any element of a discharge liable to give rise to disturbance of this habitat, either by direct, indirect, or in combination effects	NA
4f	Development of cycleways or walking routes within 100m of intertidal areas. This includes consideration of indirect and in combination effects on the feeding, breeding and nesting grounds of Annex 1 birds	NA
4g	Development within 1km of SPA of a scale or type which involves the production of an EIS. This includes consideration of indirect and in combination effects on the feeding, breeding and nesting grounds of Annex 1 birds	NA

Conclusion:

- If the answer to all of the above is *no*, significant impacts on European sites are unlikely. No further assessment is required; go directly to the conclusion statement.
- If the answer to any of the above is *yes*, or *unknown* effects on the European sites need to be assessed and a Natura Impact Statement will be required

Appropriate Assessment Screening Determination	
Planning File Reference	R21/ 9
Proposed Development	Section 5 referral
Development Location	Gortbofearna
European sites within impact zone	
Description of the project:	
Installation on solar panels on roof of goat shed	
Qualifying Interests (QIs)/Special Conservation Interests (SCIs) of European site	
As above	
Describe how the project or plan (alone or in combination) is likely to affect the European site(s).	
Not likely –	
If there are potential negative impacts, explain whether you consider if these are likely to be significant, and if not, why not?	
Documentation reviewed for making this statement	
<ul style="list-style-type: none"> - County Development Plan (including Flood Maps, SEA & AA) - NPWS website - Documents received as part of the planning application - EPA Code of Practice 	
Conclusion of assessment (a, b, c or d)	
(a) The proposed development is directly connected with or necessary to the nature conservation management of a European Site(s) ³	No
(b) There is no potential for significant effects to European Sites ³	There is no potential for significant effects to European Sites
(c) The potential for significant effects to	The potential for significant effects to European Site(s) can be ruled out

³ Appropriate Assessment is not required and therefore Planning permission may be granted at this stage subject to all other planning considerations. However, no material changes may be made to the proposed development after this conclusion has been reached as this would invalidate the findings of the screening exercise.

European Site(s) cannot be ruled out⁴	
(d) Significant effects to European sites are certain or likely or where potential for significant effects to European sites remains following receipt of Further Information requested under S177U of the Planning and Development (Amendment) Act 2010⁵	F.I. does not relate to AA issues
Completed By	Ellen Carey
Date	15 th March 2021

⁴ In accordance with S177U of the Planning and Development (Amendment) Act 2010, the applicant should be requested to submit an 'Appropriate Assessment Screening Matrix' completed by a suitably qualified ecologist, by way of Further Information. Following receipt of this information a new Appropriate Screening Report should be completed. The requested 'Appropriate Assessment Screening Matrix' should be in accordance with the template outlined in Annex 2, Figure 1 of the EU (2001) guidance document 'Assessment of plans and projects significantly affecting European Sites – Methodological guidance on the provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC. This guidance document is available from http://ec.europa.eu/environment/nature/natura2000/management/docs/art6/natura_2000_assess_en.pdf Alternatively, where other planning concerns arise the proposal could be refused planning permission.

⁵ The proposed development must either by refused planning permission or alternatively an 'Appropriate Assessment' (AA) should be carried out by the Planning Authority. In order to facilitate the preparation of an AA the applicant should be requested to submit a Natura Impact Statement (NIS) in accordance with S177 (T) of the Planning and Development (Amendment) Act 2010. However, in the case of an application to retain unauthorised development of land and where the authority decides that an 'appropriate assessment' should have been carried out prior to the commencement of development, the application is required to be invalidated by the Planning Authority as per S34 (12) of the Planning and Development (Amendment) Act 2010 and accordingly an NIS should not be requested in such instances.



COMHAIRLE | CLARE
CONTAE AN CHLÁIR | COUNTY COUNCIL

Siobhan Ni Ghairbhith
c/o David King
Planning Street
Collorus House,
Lauragh,
Co. Kerry.
V93 XY03

22nd February 2021

Section 5 referral Reference R21-9 – Siobhan Ni Ghairbhith

Whether the installation of 360 square metres of solar collectors on the roof of the goat shed (Cheese Factory) is development and if so is it exempted development.

A Chara,

I refer to your application received on 19th February 2021 under Section 5 of the Planning & Development Act 2000 (as amended) in relation to the above.

Please note that the Planning Authority is considering the matter and a reply will issue to you in due course.

Mise, le meas

Josephine Connors
Planning Department
Economic Development Directorate

An Roinn Pleanála
An Stiúrthóireacht Forbairt Gheilleagrach
Áras Contae an Chláir, Bóthar Nua, Inis, Co. an Chláir, V95 DXP2

Planning Department
Economic Development Directorate
Áras Contae an Chláir, New Road, Ennis, Co. Clare, V95 DXP2





David King
PlanningStreet
Collorus House
Lauragh
Kerry
V93 XY03
087 436 4425
hogpos@hotmail.com

Request for Declaration under Section 5 of the Planning and Development Act 2000

Dear Sir / Madam,

I enclose a complete Form P07 and cheque for €80 fee for a declaration under section 5.

I also include 2 copies of maps and technical information.

In the event of any queries, please contact me rather than the applicant as I am their agent.

Many thanks

A handwritten signature in black ink, appearing to read 'D. King'.

David King
PlanningStreet



P07

**CLARE COUNTY COUNCIL
COMHAIRLE CONTAE AN CHLÁIR**

Planning Department,
Economic Development Directorate,
Clare County Council,
New Road, Ennis,
Co. Clare.
V95DXP2

Telephone No. (065) 6821616
Fax No. (065) 6892071
Email: planoff@clarecoco.ie
Website: www.clarecoco.ie



**REQUEST FOR A DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT
(Section 5 of the Planning & Development Act 2000 (as amended))**

FEE: €80

This following form is a non-statutory form which has been prepared by Clare County Council for the purpose of obtaining the necessary information required for a declaration to be made under Section 5 by the Planning Authority

1. CORRESPONDENCE DETAILS.	
(a) Name and Address of person seeking the declaration	<u>Siobhan Ni Ghairbhith</u> <u>Inagh Farmhouse Cheese Ltd</u> <u>Gortbofearna</u> <u>Ennistymon, Co Clare</u>
(b) Telephone No.:	
(c) Email Address:	
(d) Agent's Name and address:	<u>David King</u> <u>PlanningStreet</u> <u>Collorus House</u> <u>Lauragh, Kerry V93 XY03 planningstreet@gmail.com</u>



2. DETAILS REGARDING DECLARATION BEING SOUGHT

- (a) PLEASE STATE THE SPECIFIC QUESTION FOR WHICH A DECLARATION IS SOUGHT
Note: only works listed and described under this section will be assessed.

Sample Question: *Is the construction of a shed at 1 Main St., Ennis development and if so is it exempted development?*

Does the installation of 360 square metres of solar collectors on the roof of our Goat Shed (Cheese Factory) require planning permission? We have been asked to provide either planning permission or a Section 5 Certificate as we have applied for a grant from the Local Enterprise Office for the solar panels

- (b) Provide a full description of the question/matter/subject which arises wherein a declaration of the question is sought.


The proposal is to fit 360 square metres of PV solar panels to the roof of our goat shed to generate electricity and reduce carbon emissions. As this area of panels is less than 50% of the total roof area, and as the intention of Government is to remove the requirement of planning permission from solar applications, we trust that a planning application will not be needed in this instance. However, we need this confirming for grant purposes.

- (c) List of plans, drawings etc. submitted with this request for a declaration:
(Note: Please provide a site location map to a scale of not less than 1:2500 based on Ordnance Survey map for the areas, to identify the lands in question)

Two copies Site Location Maps
 Technical information

3. DETAILS RE: PROPERTY/SITE/BUILDING FOR WHICH DECLARATION IS SOUGHT	
(a) Postal Address of the Property/Site/Building for which the declaration sought:	Inagh Farmhouse Cheese Ltd, Gortbofearna, Ennistyon Co Clare V95XA9C
(b) Do the works in question affect a Protected Structure or are within the curtilage of a Protected Structure? If yes, has a Declaration under Section 57 of the Planning & Development Act 2000 (as amended) been requested or issued for the property by the Planning Authority?	No
(c) Legal interest in the land or structure in question of the person requesting the declaration (Give Details):	Full owner
(d) If the person in (c) above is not the owner and/or occupier, state the name and address of the owner of the property in question: <i>Note: Observations in relation to a referral may be requested from the owner/occupier where appropriate.</i>	N/A
(e) Is the owner aware of the current request for a Declaration under Section 5 of the Planning & Development Act 2000 (as amended)?:	Yes
(f) Are you aware of any enforcement proceedings connected to this site? <i>If so please supply details:</i>	No
(g) Were there previous planning application/s on this site? <i>If so please supply details:</i>	Yes. Application Refs: P98/1621 P06/1677 P11/489
(h) Date on which 'works' in question were completed/are likely to take place:	September 2021

SIGNED:


 DAVID KING (AGENT)

DATE:

16/2/21

GUIDANCE NOTES

This following are non-statutory advice notes prepared by Clare County Council for the purpose of advising people what information is required for a decision to be made under Section 5 by the Planning Authority

- (i) The request for a declaration under Section 5 must be accompanied by 2 copies of site location map based on the Ordnance Survey map for the area of a scale not less than 1:1000 in urban areas and 1:2500 in rural areas and should clearly identify the site in question.
- (ii) The request for a declaration under Section 5 must be accompanied by the required fee of €80.00.
- (iii) If submitting any additional plans/reports etc. as part of the request for a declaration, please submit 2 copies.
- (iv) The request for a declaration should be sent to the following address:

Planning Department,
Economic Development Directorate,
Clare County Council
Aras Contae an Chlair,
New Road,
Ennis,
Co. Clare
V95DXP2

- (v) Notwithstanding the completion of the above form, the Planning Authority may require the submission of further information with regard to the request in order to enable the Authority to issue a declaration on the question.
- (vi) The Planning Authority may also request other persons to submit information on the question which has arisen and on which the declaration is sought

FOR OFFICE USE ONLY

Date Received:	Fee Paid:
Date Acknowledged:	Reference No.:
Date Declaration made:	CEO No.:
Decision:.....			

Introduction

This Solar PV Panel proposal is based on a roof area of 360sq metre south facing roof suitable for the placing of the proposed solar panel array. The electrical equipment will be placed in a building convenient to the panel array. All necessary civil works to be carried out by others.

Solar Photovoltaic System

Quotation Summary & System Performance Expectation

Provide and Fit a Solar PV System Including Installation and commissioning:

System Size	60 kWp
Total Cost (ex VAT @ 13.5%)	€ 78,210
Estimated Annual System Generation*	56,820kWh
Annual CO ² offset	29.27t

NOTE: Solar PV panels have a guaranteed lifespan of at least twenty five years with little or no maintenance required each year

Solar PV System Cost Details

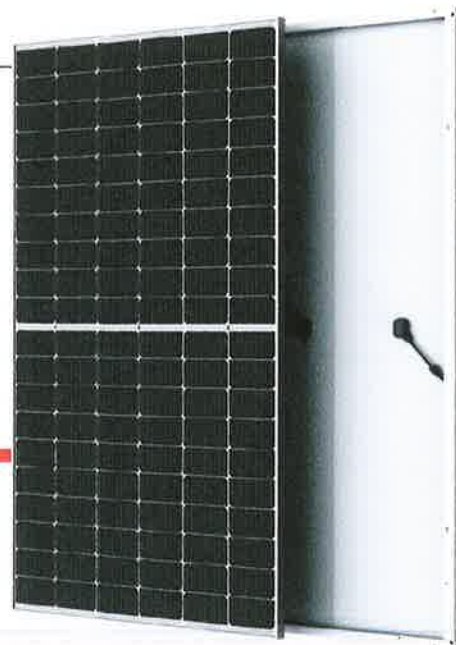
Total System Supply, installation and commission **€78,210 + Vat 13.5%**

Quotation Details:

- 170no. x JA Solar 370W All-Black Panels
 - 10 year product warranty
 - 25 year performance guarantee for a power output of 80 %
 - IEC and CE certified
- 2no. Solax ZDNY TL17000 3 Phase Dual MPPT inc WiFi & DC Inverter
- 7 year inverter warranty (20 year extended warranty available – POA)
- 1no. IEC & CE Approved 3 Phase Total Generation Meter
- Balance of system incl. DC & AC isolators. Armoured cable, MC4 connectors, switches
- Standard Hanger Bold Panel Mounting Kit.
- Design, installation, commissioning and monitoring of the solar array system by certified Comet Renewable Energy operatives.

THE Honey^M

FRAMED 60 LAYOUT MODULE



120 LAYOUT
MONOCRYSTALLINE MODULE

360-380W
POWER OUTPUT RANGE

20.7%
MAXIMUM EFFICIENCY

0~+5W
POSITIVE POWER TOLERANCE

Founded in 1997, Trina Solar is the world's leading total solution provider for solar energy. With local presence around the globe, Trina Solar is able to provide exceptional service to each customer in each market and deliver our innovative, reliable products with the backing of Trina as a strong, bankable brand. Trina Solar now distributes its PV products to over 100 countries all over the world. We are committed to building strategic, mutually beneficial collaborations with installers, developers, distributors and other partners in driving smart energy together.

Comprehensive Products and System Certificates

IEC61215/IEC61730/IEC61701/IEC62716
ISO 9001: Quality Management System
ISO 14001: Environmental Management System
ISO14064: Greenhouse Gases Emissions Verification
ISO45001: Occupational Health and Safety Management System



Trinasolar

PRODUCTS

TSM-DE08M(II)

POWER RANGE

360-380W



High power

- Up to 380W front power and 20.7% module efficiency with half-cut and MBB (Multi Busbar) technology bringing more BOS savings
- Lower resistance of half-cut and good reflection effect of MBB ensure high power



High reliability

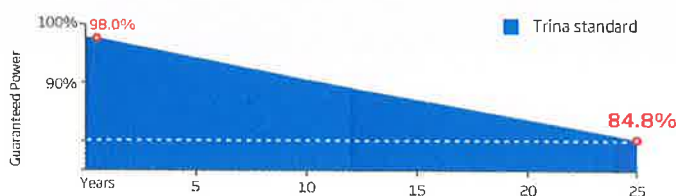
- Ensured PID resistance through cell process and module material control
- Resistant to salt, acid and ammonia
- Mechanical performance: Up to 5400 Pa positive load and 2400 Pa negative load



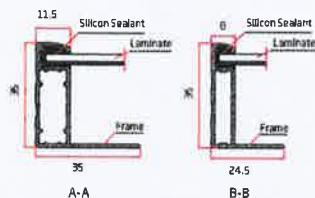
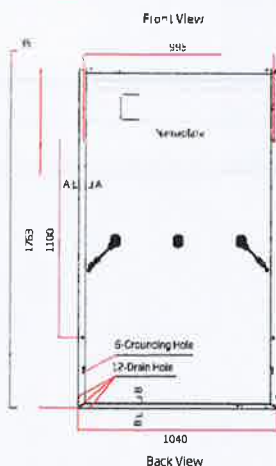
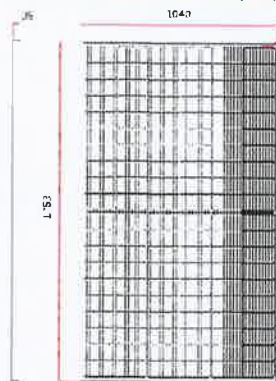
High energy generation

- Excellent IAM and low light performance validated by 3rd party with cell process and module material optimization
- Lower temp coefficient (-0.36%) and NMOT bring more energy leading to lower LCOE
- Better anti-shading performance and lower operating temperature

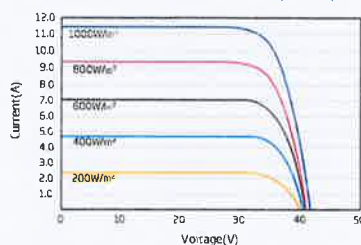
PERFORMANCE WARRANTY



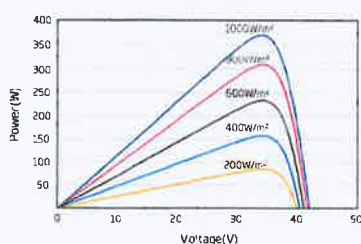
DIMENSIONS OF PV MODULE(mm)



I-V CURVES OF PV MODULE(370W)



P-V CURVES OF PV MODULE(370W)



ELECTRICAL DATA (STC)

Peak Power Watts- P_{MAX} (Wp)*	360	365	370	375	380
Power Tolerance- P_{MAX} (W)	0 ~ +5				
Maximum Power Voltage- V_{MP} (V)	33.6	33.9	34.2	34.4	34.7
Maximum Power Current- I_{MP} (A)	10.70	10.76	10.82	10.89	10.96
Open Circuit Voltage- V_{OC} (V)	40.7	41.0	41.3	41.6	41.9
Short Circuit Current- I_{SC} (A)	11.24	11.30	11.37	11.45	11.52
Module Efficiency η_m (%)	19.6	19.9	20.2	20.5	20.7

STC: Irradiance 1000W/m², Cell Temperature 25°C, Air Mass AM1.5.
*Measuring tolerance: $\pm 3\%$.

ELECTRICAL DATA (NMOT)

Maximum Power- P_{MAX} (Wp)	272	276	280	283	288
Maximum Power Voltage- V_{MP} (V)	31.7	32.0	32.2	32.4	32.7
Maximum Power Current- I_{MP} (A)	8.57	8.62	8.67	8.73	8.80
Open Circuit Voltage- V_{OC} (V)	38.4	38.7	39.0	39.3	39.5
Short Circuit Current- I_{SC} (A)	9.05	9.10	9.15	9.22	9.27

NMOT: Irradiance at 800W/m², Ambient Temperature 20°C, Wind Speed 1m/s.

MECHANICAL DATA

Solar Cells	Monocrystalline
Cell Orientation	120 cells (6 × 20)
Module Dimensions	1763 × 1040 × 35 mm (69.41 × 40.94 × 1.38 inches)
Weight	20.0 kg (44.1 lb)
Glass	3.2mm (0.13 inches), High Transmission, AR Coated Heat Strengthened Glass
Encapsulant Material	EVA
Backsheet	White
Frame	35 mm (1.38 inches) Anodized Aluminium Alloy
J-Box	IP68 rated
Cables	Photovoltaic Technology Cable 4.0mm ² (0.006 inches ²), Portrait: N 280mm/P 280mm(11.02/11.02inches) Landscape: N 1200 mm /P 1200 mm (47.24/47.24 inches)
Connector	MC4 EV02/TS4*

*Please refer to regional datasheet for specified connector.

TEMPERATURE RATINGS

NMOT(Nominal Module Operating Temperature)	41°C (± 3 °C)
Temperature Coefficient of P_{MAX}	-0.36%/°C
Temperature Coefficient of V_{OC}	-0.26%/°C
Temperature Coefficient of I_{SC}	0.04%/°C

(Do not connect Fuse in Combiner Box with two or more strings in parallel connection)

MAXIMUM RATINGS

Operational Temperature	-40 ~ +85°C
Maximum System Voltage	1500V DC (IEC)
Max Series Fuse Rating	20A

WARRANTY

12 year Product Workmanship Warranty
25 year Power Warranty
2% first year degradation
0.55% Annual Power Attenuation

(Please refer to product warranty for details)

PACKAGING CONFIGURATION

Modules per box: 30 pieces
Modules per 40' container: 780 pieces

Clare County Council
Aras Contae an Chláir
New Road
Ennis
Co Clare

19/02/2021 12:07:38

Receipt No. : L1CASH/0/312826

REPRINT

SIOBHAN NI GHAIRBHITH
C/O DAVID KING
PLANNING STREET
COLLORUS HOUSE
LAURAGH
KERRY V93 XY03

SECTION 5 REFERENCES	80.00
GOODS	80.00
VAT Exempt/Non-vatable	

Total : 80.00 EUR

Tendered :
CHEQUES 80.00

Change : 0.00

Issued By : L1CASH - Patricia Quinlivan

521110 mE, 684490 mN

The Property
Registration Authority
An tÚdarás
Clárúcháin Maoine



Folio: CE30972F

This map should be read in conjunction with the folio.

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(centre-line of parcel(s) edged)

- Freehold
- Leasehold
- SubLeasehold



Burdens (may not all be represented on map)

- Right of Way / Wayleave
- Turbary
- Pipeline
- Well
- Pump
- Septic Tank
- Soak Pit

A full list of burdens and their symbology can be found at: www.landdirect.ie

The registry operates a non-conclusive boundary system. The Registry Map identifies properties not boundaries meaning neither the description of land in a register nor its identification by reference to a registry map is conclusive as to the boundaries or extent. (see Section 85 of the Registration of Title Act, 1964). As Inserted by Section 62 of the Registration of Deed and Title Act 2006.

