



An
Coimisiún
Pleanála

Inspector's Report

ACP-323089-25

Development	Construction of 10 range bays & golf studio together with all associated site works.
Location	Cahir Park Golf Club, Kilcommon, Cahir, Co. Tipperary.
Planning Authority	Tipperary County Council
Planning Authority Reg. Ref.	2560371
Applicant(s)	Paul Eivers
Type of Application	Permission
Planning Authority Decision	Grant Permission
Type of Appeal	Third Party
Appellant(s)	Kathleen, Michelle, Dara Crimmins Simon and Julie Roche Kevin and Caroline Sullivan
Observer(s)	None

Date of Site Inspection

23rd October 2025

Inspector

Patricia Byrne

1.0 Site Location and Description

- 1.1. The appeal site relates to an existing golf course and driving range at Cahir Park Golf Club, Kilcommon, Cahir, Co. Tipperary. The facility is located to the south of Cahir town and is accessed off the R668 carriageway.
- 1.2. The club house, maintenance area and car park serving the complex lie to the north of the appeal site. The River Suir, which is flanked by the golf course on both sides, flows to the east.
- 1.3. 2 no. two-storey residential properties and their attendant grounds lie adjacent the western boundary of the site, while a private laneway/access road runs to the south, beyond which lie agricultural lands. A wayleave/right of way is denoted over this route which serves a private dwelling to the southeast. The northern boundary of the laneway is edged with young trees and a post and wire fence where it addresses the appeal site.
- 1.4. Lands further to the west on the opposite side of the regional road are industrial in nature with occupants including ABP Cahir food group.
- 1.5. The appeal site relates to the driving range which contains a curved roof structure comprising 6 no. driving bays with external uncovered bays adjacent to the north. The topography is relatively flat, falling slightly down from the western boundary.
- 1.6. The overall area of the site is stated as 3.33Ha.

2.0 Proposed Development

- 2.1. Permission is sought for the construction of 6 no. covered range bays, a golf studio building incorporating utilities space and associated lighting; 4 no. external range bays, safety netting and associated site works.
- 2.2. The applicant is indicated as a lessee and consent from the owner-Cahir Park Golf Course to make the application is demonstrated.
- 2.3. The gross floor area of the proposed works is stated as 59.70sq.m.

- 2.4. Services proposed include a connection to the public water mains. No wastewater connections are proposed. Surface water will be disposed of to soakpits.

3.0 Planning Authority Decision

- 3.1. A notification of decision to Grant Permission was made by Tipperary County Council on the 25th of June 2025 and was subject to 9 no. conditions set out in Schedule Two. The following are noted:

Condition No. 2

Prior to the commencement of development, the applicant shall submit the following details for the written agreement of the Planning Authority;

- *The material finishes of the covered range bays and golf studio building.*
- *The hours of operation of the driving range and associated lighting.*

Condition No. 3

The ball stop nets shall be green in colour. The ball stop net shall be amended so that a 1 metre gap at the bottom of the fence is provided to maintain a wildlife corridor for species that may use the area. The height of the net shall not increase. Revised details of same are to be submitted to the Planning Authority for agreement prior to the commencement of works on site.

Condition No. 4

The existing trees along the perimeter of the site shall be retained and protected during site development works. Should any tree be damaged, it shall be replaced by a semi mature tree of a similar species to the tree to be replaced.

Condition No. 5

Any external lighting shall be suitably cowled and directed inwards towards the site. In the event that the Planning Authority receives complaints from neighbouring properties about light spillage the Planning Authority may request the carrying out a survey, by a suitably qualified person, of light emanating from the lights permitted by this permission. In the event that it is found that the lighting is resulting in an unacceptable nuisance, the operator of the facility shall take such steps as are required to adequately address this issue.

3.2. Planning Authority Reports

3.2.1. Planning Report

3.2.2. The Planning Report concluded that development would not impact the character of the area or the amenities of adjoining properties and recommended the granting of permission subject to 9 no. conditions. The scheme was found to comply with the provisions of the Tipperary County Development Plan 2022-2028 and the Cahir Local Area Plan 2021-2027. No ecological or biodiversity impacts were identified and Appropriate Assessment Screening undertaken concluded that the development would not significantly affect European sites. The recommendation is reflective of the decision of the planning authority made on the 25th June 2025.

3.2.3. Other Technical Reports

District Engineer Report made no comments.

3.3. Prescribed Bodies

None received by the Planning Authority.

Note: The application was referred to the following, however no responses were received:

- The Heritage Council
- An Taisce

- Development Applications Unit -Department of Housing, Local Government and Heritage

3.4. Third Party Observations

3 no. third party submissions were received in relation to the planning application. The issues of concern related to:

- Impact on residential amenity through intensification of use leading to increased noise generation, disturbance, safety concerns, increased hours of operation and invasion of privacy.
- Loss of visual amenity, sunlight and impact on views.
- Netting is out of character and would impact bird life and trees.
- Inadequate car parking and traffic management arrangements giving rise to intensification, longer hours of operation, congestion, road safety concerns and parking overspill.
- No hours of operation or measures to control use specified.
- Light pollution, security concerns, sleep disruption.
- Shortcomings in Environmental and Ecological Assessment.
- Compliance with requirements of previous planning permissions.
- Management and disposal of construction waste leading to uncontrolled dumping.
- Lack of public consultation.
- Interference with legal right of way.

4.0 Planning History

The following planning applications pertaining to the landholding are noted:

Subject Site

Reg. Ref. 21184

Permission GRANTED for 6 no. awnings mounted on concrete bases and associated works.

Decision Date: 13th April 2021.

Golf Course Complex

Reg. Ref. 19600559

Permission GRANTED to RETAIN (a) entrance signs (b) flag poles (c) illuminated golf club sign (d) two information signs.

Decision Date: 21st August 2019.

Reg. Ref. 061213

Permission GRANTED to demolish redundant club house and locker building and to construct a machinery shed with staff facilities including toilets, changing rooms and canteen and secure storage.

Decision Date: 13th September 2006.

Reg. Ref. 04766

Permission GRANTED to change the use of the existing ground floor store to a boardroom and to extend the clubhouse to relocate the shop, provide additional office space and extend the kitchen area at first floor level.

Decision Date: 6th December 2004.

Reg. Ref. P34925

Permission GRANTED for a Machinery Shed

Decision Date: 8th February 1978.

Reg. Ref. P32163

Permission GRANTED for an extension to club house.

Decision Date: 4th May 1973.

5.0 Policy Context

5.1. Tipperary County Development Plan 2022-2028

The Tipperary County Development Plan 2022-2028 came into effect on the 22nd of August 2022 and is the operable Development Plan for the county. The following provisions are considered relevant:

- Cahir is identified as a District Town within the County Settlement Hierarchy Table 4.1.
- Section 6.4 refers to Community Amenity and Sports, acknowledging the county's long history of active participation and excellence in sports.
- Section 9.0 relates to Tourism. Objective 9-H seeks *'to support, encourage and promote sports tourism within the county'*.
- Volume 3 Appendix 6 Development Management Standards specifies under Table 6.4 Minimum Car Parking Standards that Golf Courses require 0.5 spaces per staff member plus 4 spaces per hole.
- Volume 3 Appendix 3 relates to Landscape Character Assessment and Schedule of Views and Routes.
- Section 8.5 and Policy 8-9 Volume 1 relate to non-conforming established uses. Policy 8-9 states that *'where commercial/industrial enterprises exist as non-conforming but long-established uses, to support their continued operation and expansion, provided such does not result in loss of amenity to adjoining properties, adverse impact on the environment, visual detriment to the character of the area or creation of a traffic hazard.'*

5.2. Cahir Local Area Plan (LAP) 2021-2027

The appeal site is located within the boundary of the Cahir LAP which came into effect on the 24th May 2021. The following provisions are considered relevant:

- The appeal site is zoned Open Space (OS) where the objective seeks *‘to provide, preserve and enhance open space and amenity uses’*
- Sports/Leisure Facilities (Commercial) is not generally permitted within the Open Space zoning.
- Section 5.7 relates to Open Space and Amenities noting the town is well-served by both, with soccer, GAA, tennis and golf facilities *in situ*.
- Lands to the west are zoned for Enterprise and Employment.
- Section 6.2 states that *‘the general industry land at Kilcommon is the desired location for heavy/general industry’*.
- Section 8.4 Green and Blue Infrastructure: The site is identified within the Green and Blue Assets of the town as per Figure 19. The Council, *‘subject to resources, will seek to undertake a ‘Green and Blue Infrastructure Strategy’ for the study area identified’*, noting that such a study would *inter alia-* examine *‘how green and blue infrastructure can be managed to accommodate increased use and visitor numbers, and accommodate improved links and amenity walks’*
- Natural and Built Heritage Policy NBH1 states *‘protect and conserve the integrity and ecological and biodiversity value of the Lower River Suir SAC and the Cahir Woodlands NHA. Ensure that any development proposals within or adjacent to the Lower River Suir SAC are appropriately screened, and assessed if necessary, in accordance with the Habitats Directive.*

5.3. Natural Heritage Designations

The Lower River Suir SAC (Site Code 002137) is approximately 160m to the east of the appeal site.

Cahir Park Woodland pNHA (Site Code 000947) is approximately 350m to the east.

The Galtee Mountains SAC (Site Code 000646) lies c.7.7km to the west and the Comeragh Mountains SAC -Site Code 001952 is approximately 24.0km to the south-east.

5.4. EIA Screening

The proposed development is not a class for the purposes of EIA as per the classes of development set out in Schedule 5 of the Planning and Development Regulations 2001, as amended (or Part V of the 1994 Roads Regulations). No mandatory requirement for EIA therefore arises and there is also no requirement for a screening determination. Refer to Form 1 in Appendix 1 of this report.

6.0 The Appeal

6.1. Grounds of Appeal

6.1.1. The decision of the Planning Authority is the subject of a third-party appeal by a number of parties: Kathleen, Michelle and Dara Crimmins; Simon and Julie Roche; and Kevin and Caroline Sullivan. The grounds may be summarised as follows:

- Lack of clarity and contradictory statements provided as to whether pre-planning engagement was conducted with the Planning Authority leading to a lack of transparency.
- Loss of residential and visual amenity due to the proximity of the development to third party properties and given its future operation.
- The development will impact sunlight/daylight, including to habitable rooms and private garden areas; is unsightly, overbearing and imposing in terms of materials, scale and proximity; and reduces the amenity value and privacy of adjacent homes. No sunlight/daylight impact assessment has been undertaken.
- Location within an exposed area prone to high wind events. No evidence of compliance with EU EN 1991-1-4 (Wind Actions) or equivalent Irish standards for wind load resistance provided, giving rise to risks including roof panel detachment, wind borne projectiles and fire risk. Poses potential risk to personnel and to third-party property.
- Lighting and extended hours of use/unrestricted access give rise to additional disturbance and noise pollution, intensifying activity and use. The new structure

is closer to existing housing than earlier development giving rise to increased noise intrusion from users and ancillary equipment and netting. No assessment has been undertaken of noise levels and sound mitigation measures/ insulation have not been demonstrated. Operating hours are not stipulated and access is uncontrolled.

- Light pollution will impact wildlife including bats.
- Netting is excessive in scale and constitutes an obstacle to birds and wildlife.
- Lack of environmental due diligence given proximity to the river and woodland.
- Significant levels of excavation and waste material arise with shortcomings identified in relation to waste management proposals. Reference is made to waste disposal adjacent to the SAC.
- Conclusion of the Planning Authority that EIA was not required should be reassessed.
- Compliance with the Cahir Local Area Plan. Development is contrary to land use zoning.
- Lack of rationale regarding the position of the structure relative to existing bays and third-party properties. Concerns arise in relation to ball trajectory towards third-party property entrance gates/right of way.
- All bays are directed towards woodlands and the SAC. Distance between the appeal site and SAC is disputed.
- Reference to inaccuracies within the plans lodged.
- Development would give rise to increased traffic volumes which cannot be supported on site. Traffic management, parking and road safety have not been assessed. The car park operates at capacity at weekends and during the summer.
- No community engagement undertaken.
- Compliance with previous planning permissions, including the position relative to site boundaries. Reference is also made to the planning status of uncovered platforms and to a structure to the rear of the clubhouse.

- Planning report refers to the established use of the golf course but does not refer to the fact that housing pre-dates the driving range.
- Effectiveness of the planning conditions pertaining to the permission.

6.2. Applicants Response

The response is summarised below:

- No pre-planning was held with the Planning Authority in relation to the subject development. Reference within the Planning Report to such engagement relates to consultation held in late 2018/early 2019 and is unconnected with the current scheme.
- The development will improve user experience and will not increase overall numbers on site. Maximum capacity for 19 no. users at any one time.
- The proposal will formalise where shots can be taken on the driving range and will be 14.0m from the boundary wall.
- Environmentally friendly electric mowers and ball collection equipment will be utilised.
- Fencing will eliminate public access to the area between the adjoining dwellings and the rear of the existing and proposed bays. The existing pathway will become obsolete.
- That section of building 6.56m from the boundary is not directly behind the neighbouring house. Where located behind a dwelling the separation increases.
- Sufficient parking is available to serve the development.
- No impact on sunlight/daylight to neighbouring properties will arise given the location east/northeast of properties. No overshadowing arises given the building height. The development will be sunken to minimise impacts with Finished Floor Levels below neighbouring property. Proposed dimensions of the structure relative to existing boundaries and dwellings are provided, together with a Cross Section- Figure A.

- The development will be constructed to all safety standards and regulations. The site is not within a High Wind Zone.
- The design and layout provide a crescent formation directed towards the centre of the driving range. This encourages golfers to hit towards the centre and is a typical layout for such use.
- Screen planting will be provided behind uncovered bays
- Opening hours will be typical of this type of development and is the subject of a planning condition. No condition relating to hours of use was applied under Reg. Ref. 21184.
- Lighting will be designed to eliminate glare and light pollution. The purpose is to view the ball in flight on screen rather than light the range to view the ball in the dark. Lights will be pointed away from properties to the west, concentrating on the initial 40-50m of the range.
- Netting to ensure ball retention is similar to that found at GAA complexes. No evidence is provided by third parties that netting will endanger bird life.
- The development is in keeping with the existing use of the lands and is located within the Cahir Local Area Plan 2021-2027 where objectives to improve Green and Blue Infrastructure relate.
- The application site does not adjoin the SAC.
- Waste stored is organic matter (trees and soil) and is typical of golf course maintenance and up-keep. Soil to be excavated will be limited in extent, graded, levelled and re-seeded on the existing range.
- No direct communication with neighbouring properties was conducted. The development was advertised in a local newspaper with multiple site notices erected.
- The previous development did not utilise GPS data explaining minor variations between previous and proposed developments.
- The outdoor seating area referenced is a temporary structure and its planning status is to be regularised.

- The First Party is agreeable to planning conditions as deemed applicable by the Commission.
- Section 6.0 refers to photographic attachments Figures 1-8 forming part of the third-party appeal. The First Party provides commentary in relation to each as follows:
 - Fig 1- The current elevation is in shade from the house and demonstrates that the proposed development will not impact daylight levels.
 - Fig 2- Steel poles are positioned closer to the boundary than the proposed building without context or measurements. The image is not reflective of proposals to sink the building into the ground. Photographs of the boundary are appended.
 - Figure 3- No planning condition relating to operational hours pertains to the existing bays. Operational hours agreed under the current application will regulate this situation.
 - Fig 4- The First Party indicates that all bays are designed to be centred on the driving range, are appointed in a crescent formation to centralise the golfers aim and to assist with ball retention.
 - Fig 5- The golf club is an existing use and forms part of the LAP.
 - Fig 6- The appeal site does not adjoin the SAC.
 - Fig 7- Soil and branches mounds are indicated in Fig 7. Material proposed to be excavated will be graded, levelled and reseeded on the existing grass area of the range.
 - Fig 8- There is no evidence that the car park is at capacity. Parking is available to serve the existing and proposed developments.

6.3. Planning Authority Response

None on file.

6.4. Observations

None on file.

7.0 Assessment

7.1. Having examined the application details and all other documentation on file, including the submission received in relation to the appeal and inspected the site, and having regard to the relevant local, regional and national policies and guidance, I consider that the main issues in this appeal relate to:

- Principle of Development
- Design and Layout
- Construction and Operational Impacts
- Impacts on Wildlife and Biodiversity
- Other Matters

7.2. Principle of Development

7.2.1. The subject lands are zoned Open Space in the Cahir Local Area Plan (LAP) 2021-2027, where the objective seeks *'to provide, preserve and enhance open space and amenity uses'*. The Land Use Zoning Framework in Section 10.0 refers to those uses which are generally permitted, those open for consideration and those not generally permitted. I note the Appellants contention that Sports/Leisure Facilities (Commercial) is not a use permitted under the Open Space zoning. Whilst this is the case, the development before the Commission relates to works to an established golf course/driving range rather than a new development. I note in this regard Planning Policy 8-9 of the Tipperary County Development Plan 2022-2028 Volume 1 which states *'where commercial/industrial enterprises exist as non-conforming but long-established uses, to support their continued operation and expansion, provided such does not result in loss of amenity to adjoining properties, adverse impact on the environment, visual detriment to the character of the area or creation of a traffic*

hazard'. I am of the view that the development can be assessed as an extension to an established sporting facility. I note in this regard numerous planning applications pertaining to the wider golf course lands which have been determined by the planning authority, including more recently, Reg. Ref. 21184 which permitted 6 no. awnings within the appeal site, and which are operational.

- 7.2.2. I note also the relevance of Section 8.4 of the LAP relating to Green and Blue Infrastructure and the inclusion of the appeal site within Figure 19 identifying such assets. Notwithstanding that the Council will, subject to resources, seek to undertake a Green and Blue Infrastructure Strategy for the study area, I am not of the opinion that the proposal would prejudice such a study, noting the requirement to examine how such infrastructure can be managed to accommodate increased use and visitor numbers and to improve links and amenity walks.

Accordingly, having regard to Planning Policy 8-9 of the Tipperary County Development Plan 2022-2028; the provisions of the Cahir Local Area Plan 2021-2027 and to the established nature of the golf course complex, I consider that in principle, the proposed development is generally acceptable.

7.3. Design and Layout

- 7.3.1. The Appellants raise a number of specific concerns in relation to design and layout aspects of the proposal, which they contend give rise to loss of amenity to adjacent dwellings. The matters raised may be broadly divided into two categories being impacts stemming from the design/build and impacts arising from the operation and intensification of use of the driving range. In terms of design and layout, the proposed structure containing the bay and golf studio aligns broadly parallel with the western site boundary which separates the driving range from the rear gardens of the two adjacent properties. The boundary contains trees and hedging. The bay structure extends to a stated c. 29.3m in length, is of an open-sided, mono-pitched design with a stated maximum roof height of 4.8m, reducing to 2.79m in proximity to the boundary. Corrugated sheeting in an unspecified (dark) colour is the predominant finish proposed.

- 7.3.2. A setback of 6.56m between the ball wash/ball vending area and the western boundary is detailed while the majority of the structure is a stated 11.6m from the boundary. It is important to note that the site slopes gently down from the western boundary as evidenced from site inspection and as shown on Site Layout Plan Drawing No. 2502-07-01. The First Party response includes Figure A-Cross Section illustrating a further cut into the site, thereby further reducing the overall height of the structure relative to the boundary and third-party properties.
- 7.3.3. While the Appellants raise concern in relation to the layout and arrangement of the covered and external bays relative to the existing structure, I am of the view that the gradual arc formation would not be unduly impactful and is a functional requirement, constraining shots towards the centre of the driving range. I do not consider given the overall height, design and set back from the western boundary that the development would have an overbearing impact on neighbouring residential properties. The visual impact arising would also be limited given the characteristics and design of the structure and given the boundary treatment currently in place. Supplementary planting to the boundary may be conditioned. The exact colour of the external cladding has not been specified and may also be addressed by planning condition.
- 7.3.4. While the application did not include day/light sunlight analysis, the location (due east) and design attributes of the proposed structure as detailed above, would indicate that overshadowing of habitable rooms or of private rear garden areas is unlikely to arise.
- 7.3.5. The scheme also provides for the erection of netting extending to a height of 14m over a distance of 230m. The alignment follows a private access laneway to the site's southern boundary, over which a wayleave is identified. The predominant view of the netting would be from the south travelling north along the R668 towards Cahir town. Views would also be evident travelling south on the Regional Road R668 but these would be largely obscured by golf course structures and existing housing. The netting would be positioned to the inside face of a row of young deciduous trees planted along the northern side of the laneway/access road. The trees would provide partial screening to this boundary, increasing over time with maturity. While located on the outskirts of the town, given the presence of large-scale industrial development to the immediate west of the golf course lands and the designation of such lands for

enterprise and employment in the Cahir LAP, I am of the view that the surrounding area could be considered to be quasi-rural in character. While the golf course is located on a principal approach road to the town from the south, the lands are not located within a defined scenic amenity area and the approach road and views into the site are not identified within the Tipperary County Development Plan or Cahir LAP as scenic routes.

I am of the view therefore that the ball stop netting would not appear as an unduly oppressive feature in the landscape given its nature and composition. I note the Planning Authority imposed conditions relating to the colour of the netting as well as measures to protect the boundary trees. Similar conditions would be considered appropriate should permission be granted by the Commission.

7.4. Construction and Operational Impacts

- 7.4.1. Given the limited nature and scale of the development proposed, the excavation and disposal of soil and construction waste arising may be adequately addressed by a planning condition. Similarly, a condition in relation to hours of construction would be appropriate should permission be under consideration. I note concerns regarding waste management generally within the golf course. The matter was not identified as a concern by the planning authority in its reports and I am of the view that waste management practices relating to the wider golf course lands is not directly relevant to this appeal. I am satisfied that compliance with conditions referred to above would ensure that the subject development is delivered in a satisfactory manner and any waste arising appropriately addressed.
- 7.4.2. I note concerns raised regarding intensification of use arising from the development which point in particular to an increase in numbers of participants, noise levels, light intrusion and unrestricted access. Particular concerns are raised in relation to unregulated hours of operation. This matter was the subject of Condition No. 2 (b) of the planning authority's decision. I consider it appropriate that a condition attach limiting use of the development, including all lighting to 21:00hrs throughout the year. The Commission is advised that adjacent development permitted under Reg. Ref. 21184 for a 6no. bay awning did not attract a similar condition.

7.4.3. I note the response of the applicant that the development will reduce the number of golfers using the range to a maximum of 19 no. and will formalise tee-off locations, stating this would improve current arrangements whereby *'the existing grass range is utilised by golfers who are able to tee up in a random manner adjacent to the stone path'*. Site Layout Plan Drawing No. 2502-07-01 details the composition of the proposed structure aligned in a slight arc relative to the extant covered bays. The existing stone path from the club house would be removed and the area behind the new and existing buildings kept free of personnel to facilitate automated mowers and ball collectors returning to charger stations. A new concrete/asphalt path would direct golfers to a formal entrance to the ball vending area and thereafter to the new and existing external and internal bays. I agree that the arrangement would formalise access to the driving range and coupled with a condition restricting use of the area between the western boundary and the structure/tee off locations, would assist in mitigating intrusion/noise impacts arising.

7.4.4. I note concerns in relation to noise and lighting intrusion arising from the operation of the facility, including from the erection of the proposed netting. I am satisfied that the location of the structure vis-à-vis the boundary to the west, its height and finished floor level would not significantly impact the amenities of neighbouring properties. While I note the presence of external (uncovered bays) such areas are to be screened by landscaping and a condition to this effect should be included if the Commission is minded to award permission.

In relation to lighting proposals, the application contains a lighting study specifying the erection of 3 no. Galaxy-300-ttx-V1 lights (Building Mount) to the eastern elevation of the structure directed towards the driving range. Associated Illuminance (Lux) values and fields are indicated, with all lighting directed towards the centre of the range. The applicant's response states that lighting will be designed to eliminate glare and light pollution with the purpose to view the ball in flight on screen rather than light the range to view the ball. Lights will be pointed away from properties to the west, concentrating on the initial 40-50m of the range. Given the direction of the lighting as well as separation from neighbouring dwellings to the south-east, I am of the view that the lighting measures proposed would not significantly impact amenities.

A planning condition relating to the use, control and review (as appropriate) of proposed lighting and with operational hours controlled to those of the driving range is recommended.

- 7.4.5. Having regard to the established nature of the golf club and driving range, I do not consider it necessary that a site-specific noise measurement assessment is required. Furthermore, I do not consider noise nuisance to be a substantive issue which would warrant refusal of the development. Coupled with the formalised access arrangements and imposition of a condition controlling the hours of usage, I am not of the view that the development would significantly impact the amenities of residential properties.

Concerns are raised in relation to noise intrusion resulting from ancillary equipment including the proposed netting. In this regard, the ball wash and vending areas are internal to the structure and sufficiently distant from the closest adjoining dwelling house. With regard to noise impacts from the proposed netting, I note the separation between existing dwellings and the intended feature and would argue that there is no basis upon which to conclude that significant loss of amenity due to noise intrusion would arise.

I note concerns regarding an increase in demand for parking and traffic movement arising from the scheme. The golf course and driving range are served by a car park located to the north of and adjacent the club house. No particular concerns were raised by the planning authority regarding parking demand, access or road traffic safety. The Tipperary County Development Plan – Development Management Standards, Volume 3 requires under Table 6.4 Minimum Car Parking Standards, that Golf Courses require 0.5 spaces per staff member plus 4 spaces per hole. Given proposals to formalise the manner in which the driving range is used with a maximum capacity of 19 no. users on the range at any one time and given the limited extent of the development (59.7sq.m), I am not of the view that the proposal would generate significant levels of additional traffic or parking demand beyond that which could be accommodated by the existing parking facilities on site.

7.5. Impacts on Wildlife and Biodiversity

- 7.5.1. Based on the qualifying interests of the Lower River Suir SAC (Site Code 002137), I do not believe that the proposed development would undermine the conservation objectives pertaining to the Natura 2000 site which is designated for habitats and species (not birds) and which would not be affected by the installation of netting, or the wider operation of the driving range. While the site synopsis does list bird species associated with the SAC, these are not Qualifying Interests, and no Special Protection Area (SPA) designation is located in the immediate area.

In terms of wider biodiversity, concerns are raised that the ball stop netting may cause a collision risk to birds and bats. Given its location perpendicular to the River Suir and adjacent woodland, I am of the view that this would constitute a low threat. The netting does not align with an established mature hedgerow or connected network of ecological corridors which could impact commuting bats and does not form a barrier to access to the riparian area (river edge habitats). While foraging may take place in the wider area, there is no evidence of significant roost potential in the form of buildings or mature trees on the driving range.

Furthermore, it is important to acknowledge that the golf course complex has been established at this location for some time as reflected in the planning history associated with the site.

The application does not contain specific design details with respect to the netting proposed, other than to specify its overall dimensions. Consequently, should the Commission be minded to award planning permission, a condition pertaining to the specific design and colour of the netting would be appropriate. Considerations include a knotless form and smooth uniform texture to prevent snagging, which would reduce the likelihood of animals getting caught. Durable, non-toxic, weather-resistant materials are required, and the netting should be installed to be taut and securely anchored to prevent sagging and potential entanglement points. A suitable gap should be provided to the underside to allow badgers, hedgehogs, foxes and other animals to move freely. The netting should be black in colour to provide contrast for wildlife.

7.6. Other Matters

7.6.1. Pre-Planning Consultation and Public Engagement

The Appellants point to a lack of clarity as to whether pre-planning consultation with the planning authority took place in relation to the subject application. The applicant acknowledges pre-planning was conducted late 2018/early 2019 and concerned proposals unrelated to the subject development and which were of a general nature. No pre-planning is stated to have taken place with respect to the current proposal and as such no minutes are available. Notwithstanding, Section 247 of the Planning and Development Act 2000, as amended, makes clear that such consultations *'shall not prejudice the performance by a planning authority of any other of its functions under this Act, or any regulations made under this Act and cannot be relied upon in the formal planning process or in legal proceedings.*

The Appellants raise concerns that consultation with local residents was not conducted during any phase of the application process. In this regard, there is no legislative requirement for intending applicants to facilitate public consultation under Planning and Development legislation. Additionally, the appeal documents, including the planning authority planning report, do not identify any shortcomings regarding legislative compliance, specifically with regard to the publication of newspaper and site notices. I note also that submissions were received from the Appellants during the application process.

7.6.2. Structural Hazard

I note concerns that the structure, featuring a mono-pitched roof with open high-side, is susceptible to high wind events given its exposed location and compliance with Eurocode EN 1991 1-4 (Wind Actions) or equivalent Irish standards is not demonstrated. In the event of a grant of permission, the structure would be required to comply with all relevant Building Regulations and other relevant Codes of Practice. As this matter is the subject of a separate regulatory process it is recommended that a condition is not necessary in this instance.

7.6.3. Environmental Assessments

The Appellants raise concerns in relation to a lack of environmental due diligence undertaken with respect to the development and disagree with the conclusion that EIA is not required. As indicated under Section 5.4, I conclude that the proposed development is not a type listed under Schedule 5, Part 1 of the Planning and Development Regulations 2001, as amended, and there is no requirement for environmental impact assessment. Furthermore, as concluded under Section 8.0, the development is located outside of the Lower River Suir SAC and does not impact the Natura 2000 site or the qualifying interests for which it is so designated- see Section 8.0 below.

7.6.4. Planning Enforcement

I note concerns in relation to the planning status of structures to the rear of the clubhouse, to uncovered platforms and to compliance with the requirements of previous planning permissions on site. While planning enforcement is a separate regulatory function available to the local authority, I note in this regard the planning report prepared by the authority states that no enforcement is recorded on site. Accordingly, I am of the opinion that the Commission may proceed to determine the appeal before it.

8.0 **Appropriate Assessment Screening**

- 8.1. I have considered the proposed development in light of the requirements of S177U of the Planning and Development Act 2000, as amended.
- 8.2. The subject site is not located within a European site and is approximately 160m west of the Lower River Suir SAC (Site Code 002137).
- 8.3. The Galtee Mountains SAC (Site Code 000646) lies c. 7.7km from the site to the west and the Comeragh Mountains SAC -Site Code 001952 is approximately 24.0km to the south-east.
- 8.4. Having considered the nature, scale and location of the proposed development I am satisfied that it can be eliminated from further assessment because it could not have

any appreciable effect on the Qualifying Interests of European Sites. The reason for this conclusion is as follows:

- Small scale nature of the development proposed.
- The separation between the appeal site and the nearest European Site, together with absence of an ecological pathway.
- Having regard to the Qualifying Interests of the European Site.

I conclude, on the basis of objective information, that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects. Likely significant effects are excluded and therefore Appropriate Assessment (under Section 177V of the Planning and Development Act 2000) is not required.

9.0 Water Framework Directive

- 9.1. The appeal site is located c.370m west of the River Suir Ref: IE_SE_16S021930; is c. 580m south of the Raheen Stream (Caher) Ref: IE_SE_16S021930. The underlying ground waterbody is Clonmel EI_SE_C_040, with an overall groundwater status value of good.
- 9.2. The development comprises the construction of 6 no. range bays, a golf studio, 4 no. external bays and associated site works. No water deterioration concerns were raised in the planning appeal. The proposed development will connect to public water mains and surface water will be disposed of to soakpits. No wastewater connection is proposed.
- 9.3. I have assessed the development seeking permission and have considered the objectives as set out in Article 4 of the Water Framework Directive which seek to protect and, where necessary, restore surface and ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any surface and/or groundwater water bodies either qualitatively or quantitatively. The reason for this conclusion is as follows:

- Nature of the works- small scale nature of the development.
- Separation distance from the nearest water bodies and lack of hydrological connections.

9.4. I conclude that on the basis of objective information, that the proposed development will not result in a risk of deterioration on any water body (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives and consequently can be excluded from further assessment.

10.0 Recommendation

I recommend that permission is granted subject to conditions.

11.0 Reasons and Considerations

Having regard to the location of the site within the town of Cahir Co. Tipperary, the provisions of the Tipperary County Development Plan 2022-2028 and the Cahir Local Area Plan 2021-2027 and given the nature and limited scale of the development proposed; it is not considered that the proposal would negatively impact the residential or visual amenities of the area or the impact the biodiversity therefore. Subject to compliance with the conditions set out below, the proposed development would be appropriate and would accord with the proper planning and sustainable development of the area.

12.0 Conditions

1.	The development shall be carried out and completed in accordance with the plans and particulars lodged with the application on the 1 st May 2025, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with
----	---

	the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars. Reason: In the interest of clarity.
2.	The following shall be complied with: (a) The range bays, golf studio and associated lighting shall not operate after 21.00hrs or before 08:00hrs, seven days per week. (b) No unauthorised access to the facility shall be permitted outside of the above hours. (c) The area between the western site boundary and the rear of the proposed and existing driving bays (covered and external) and golf studio shall not be accessible to the general public. Reason: In the interests of clarity and to protect the amenities of adjoining properties.
3.	Detailed landscaping proposals for the site, including supplementary planting to the western site boundary and adjacent the external bays shall be submitted to and agreed in writing with the planning authority, prior to the commencement of development. All planting shall be completed on site prior to the coming into operation of the permitted development. Reason: In the interests of visual amenities.
4.	All external finishes and colours to the golf studio, range bays and netting supports shall be submitted to and shall be agreed in writing with the planning authority, prior to the commencement of development. Reason: In the interests of visual amenities.
5.	The following shall be complied with: (a) The ball stop netting shall be of a durable, knotless, non-toxic, weather-resistant material, and shall be of a smooth and uniform texture to prevent snagging. (b) The netting shall be black in colour.

	(c) A 1.0m gap shall be provided between ground level and the bottom of the net to maintain a wildlife corridor. The overall height of the netting shall not exceed 14.0m. inclusive of the gap. (d) The netting shall be installed taut and securely anchored to posts to prevent sagging. The netting shall be regularly inspected and maintained to a high standard. Reason: In the interests of environmental and visual amenity.
6.	Existing trees along the southern perimeter of the site shall be retained and protected during site development works in accordance with details to be submitted and agreed in writing with the planning authority. Any tree which becomes damaged during the course of the works shall be replaced with a similar species. Reason: To ensure the protection of existing planting and in the interests of visual amenity.
7.	All external lighting shall be suitably cowled and directed inwards towards the site. The developer shall comply with all future requirements of the planning authority in relation to lighting adjustments, including fitting appropriate additional louvres to address glare or distraction that may arise and which may only become apparent when the lighting is commissioned. Reason: To preserve and protect amenities.
8.	Notwithstanding the exempted development provisions of the Planning and Development Regulations 2001, as amended, no additional advertising signs or structures shall be erected on the site without a prior grant of planning permission. Reason: To protect the amenities of the area.
9.	Drainage arrangements, including the disposal of surface water shall be in accordance with the requirements of the planning authority.

	Reason: In the interests of proper and efficient drainage.
10.	All necessary measures shall be taken by the contractor to prevent spillage or deposit of clay, rubble or other debris on adjoining roads during the course of the works. In the event of any such spillage or deposit, immediate steps shall be taken to remove the material from the road surface at the applicants/ developers own expense. Reason: To protect the amenities of the area.
11.	Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays (inclusive), between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the Planning Authority. Reason: In order to safeguard the residential amenities of property in the vicinity.
12.	Prior to commencement of site works, the developer shall submit to, and agree in writing with the planning authority, a Construction Management Plan, which shall be adhered to during construction. This plan shall provide details of intended construction practice for the development, including hours of working, noise and dust management measures and off-site disposal of construction waste. Reason: In the interest of ecology and the proper planning and sustainable development of the area.
13.	The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased

	payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under Section 48 of the Act be applied to the permission.
--	--

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

Patricia Byrne
Planning Inspector

9th January 2026

Form 1 - EIA Pre-Screening

Case Reference	ACP-323089-25
Proposed Development Summary	Construction of 6 no. range bays and golf studio, 4 no. external bays, together with associated site works.
Development Address	Cahir Park Golf Club Kilcommon, Cahir Co. Tipperary.
In all cases check box /or leave blank	
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	☒ Yes, it is a 'Project'. Proceed to Q2.
	☐ No, No further action required.
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
☐ Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	
☒ No, it is not a Class specified in Part 1. Proceed to Q3	
3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	
☒ No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road	

development under Article 8 of the Roads Regulations, 1994. No Screening required.	
☐ Yes, the proposed development is of a Class and meets/exceeds the threshold. EIA is Mandatory. No Screening Required	
☐ Yes, the proposed development is of a Class but is sub-threshold. Preliminary examination required. (Form 2) OR If Schedule 7A information submitted proceed to Q4. (Form 3 Required)	

4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?	
Yes ☐	Screening Determination required (Complete Form 3)
No ☒	Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: _____

Date: _____