



Inspector's Report

PL-500426-TY-25

Development	RETENTION of ball dispenser and ball washing unit as constructed and PERMISSION to complete same.
Location	Graigue, Nenagh, Co. Tipperary
Planning Authority	Tipperary County Council
Planning Authority Reg. Ref.	2560994
Applicant(s)	John Sheridan Captain of Nenagh Golf Club
Type of Application	Retention
Planning Authority Decision	Grant Retention with Conditions
Type of Appeal	Third Party Normal Planning Appeal
Appellant(s)	David Reddan
Observer(s)	None
Date of Site Inspection	2 nd March 2026
Inspector	Carol Hurley

1.0 Site Location and Description

- 1.1. The subject site is located within the grounds of Nenagh Golf Club, Graigue, Co. Tipperary. The site has a stated area of 1.087 hectares and is located to the southwest of the main clubhouse. Access to the subject site is via a gravel treelined path.
- 1.2. Nenagh Golf Club is an established use, and the character of the lands reflect this. The wider area can be characterised as being rural in nature and is located to the northeast of Nenagh town.
- 1.3. The development which is the subject of the appeal is located on the western part of the overall golf club lands and to the northeast of the structure approved for use as a teaching studio.
- 1.4. The structure is situated at a lower level to the grounds to the east, with the lands to the west being lower again than that of the position where the structure is situated.
- 1.5. The closest dwellings are c. 285m to the northwest of the subject site.
- 1.6. At the time of site visit, the structure was in an unfinished state with exposed block walls, no roof or doors in place.

2.0 Development Seeking Retention and Completion

- 2.1. The development seeks to **retain** a ball dispenser and ball washing unit as constructed. **Permission** is also being sought to complete the works. The development would be associated with the teaching studio and practice area.
- 2.2. The structure has a stated length of 6.550m and a stated width of 2.270m with a principal height of 3.420m. An opening is indicated to the front (northwest) elevation, and a door will be provided to the rear (southeast) elevation.
- 2.3. The unit will be finished with a mono-pitch roof profile, with green cladding to the roof. The walls are currently exposed blockwork and are indicated to be finished with plaster.
- 2.4. The structure is located to the northeast of the existing covered teaching area and to the southeast of the covered practice area. The Planning Application was accompanied by the relevant completed form and standard plans.

3.0 Planning Authority Decision

3.1. Decision

On the 13th of November 2025, Tipperary County Council issued a notification of a decision to Grant Permission for Retention of ball dispenser and ball washing unit as constructed and Permission to complete same. The decision was subject to six conditions. Conditions of note include:

- Condition No. 1 – Development to be in accordance with the plans and particulars.
- Condition No. 2 – Restriction on use to be as per the detail in the approved plans and particulars.
- Condition No. 3 – That the development including the external finishes shall be consistent with the details received by the Planning Authority on 3rd October 2025, unless otherwise agreed in writing with the Planning Authority, prior to the commencement of the development.
- Condition No. 4 – Construction management practices.
- Condition No. 5 – Surface water management.
- Condition No. 6 – Financial Contributions.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The report of the Planning Authority dated 12th November 2025 notes the site location and description, description of the development, relevant planning history, summary of the observations and submissions received, planning policy overview, assessment of required infrastructure services and environmental screenings in relation to EIA and AA.

The assessment concluded that the development is acceptable.

3.2.2. Other Technical Reports

None

3.3. Prescribed Bodies

The Planning Authority did not refer the planning application to any Prescribed Bodies.

3.4. Third Party Observations

Third party submissions received by Tipperary County Council can be summarised as follows;

- Overview of the planning history provided.
- Disregard for the planning laws.
- Intensification of use of an unauthorised use.
- No planning permission granted for a commercially run driving range.
- Intensification of use results in additional pressure on services.
- Concerns in relation water quality and wastewater capacity.
- No EIA.
- While not strictly related to the subject application, doubt remains over the validity of several documents provided to the 2025 IEHC 172 not exclusive to water test results.
- Environmental breaches.
- No consideration has been given to wayward balls.
- Validity of the application.

4.0 Planning History

The following are planning histories which are relevant to the subject site. Having regard to the extensive size of the golf course lands, I acknowledge that there is additional planning histories associated with Nenagh Golf Club but are not relevant to the subject site.

ABP-317865-23 (PA. Ref 2360334) retention permission granted to Nenagh Golf Club on 5th September 2024 for a 6-bay covered practice area with all ancillary site works. Operational hours were set out by condition to be the same as Nenagh Golf Club, i.e.

summertime 0700-2130 hours and wintertime 0900-1630 hours. External materials were required to be consistent with and complementary to those of the existing adjacent teaching studio. The developer was required to agree details with the planning authority regarding the installation of an effective natural barrier of mature trees to provide mitigation as a ball stop to the neighbouring folio. Application for Judicial Review was refused.

PA. Ref. 21203 – Retention permission granted on 18th May 2021 to Nenagh Golf Club for the concrete floor slab as constructed and permission granted for a covered teaching studio, hardstanding access path along with all ancillary site works. Conditions included for the development to be in accordance with the plans and particulars received and for the disposal of surface water.

PA Ref 09510736 – Permission granted to Sean Minogue (Hon Secretary, Nenagh Golf Club) for the replacement of the existing septic tank with a new septic tank and wastewater treatment system and polishing filter.

North of the subject site (within the golf club lands)

ABP-322741-25 (PA Ref. 2560239) – Permission granted to Nenagh Golf Club on the 1st of October 2025 for the installation of a water storage tank with concrete base to be located adjacent to the maintenance yard along with private well, pumphouse and all ancillary site works. Conditions included the requirement to undertake works in accordance with the plans and particulars lodged with the application, disposal of surface water, requirement to comply with stated hours for site development and building works, requirement to implement measures to prevent spillage of material onto the road and the payment of a financial contribution. An application for Judicial Review has been sought in this case.

5.0 Policy Context

5.1. Development Plan

Tipperary County Development Plan 2022-2028

The Tipperary County Development Plan 2022-2028 is the operative plan for the area. This came into effect on 22nd August 2022.

Section 6.4.2 of the Development Plan entitled 'Delivery of Community Facilities' recognises the importance of community amenity. The Council will seek to ensure that adequate and safe amenity, sports and recreational open space and facilities, including community facilities, sports fields, playgrounds and centres are available for all groups of the population at a convenient distance from their homes and places of work.

5.2. **Natural Heritage Designations**

The subject site is not located within or immediately adjacent to any European Site or other Natural Heritage Site.

The site is located c. 3.6km to the southeast of Lough Ourna pNHA (000650), c. 6km to the southeast of Willsborough Esker pNHA (000943), c. 8.8km to the southwest of Scohaboy Bog NHA (000937), c.9.0km to the west of Ballintemple Bog pNHA (000882)

The site is located c.9.9km to the southeast of Lough Derg, North-East Shore (002241) Special Area of Conservation, c. 9.8km to the southwest of Scohaboy (Sopwell) Bog (002206) Special Area of Conservation, c.15km to the northeast of Silvermines Mountains (002258) Special Area of Conservation and c.16.7km to the northwest of Kilduff, Devilsbit Mountain (000934) Special Area of Conservation.

The site is located c. 9.9km to the southeast of Lough Derg (Shannon) (004058) Special Protection Area, c. 13.7km to the northeast of Slieve Felim to Silvermines Mountains (004165) Special Protection Area and c. 28km to the southwest of Slieve Bloom Mountains (004160) Special Protection Area.

6.0 **EIA Screening**

The development seeking retention and permission is a project but is not a class under Part 1 or 2 of the Planning and Development Regulations 2001, as amended 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 report.

7.0 The Appeal

7.1. Grounds of Appeal

The third-party grounds of appeal submitted by David Reddan, a resident in the vicinity of the appeal site can be summarised as follows;

- Description of the development is ambiguous and questions of the validity of the application as a whole. There is only the structure there in place at present and no equipment is enclosed.
- Development would lead to the unregulated use of the lands and issues with club insurance in addition to the site operating on a standalone basis.
- No planning permission granted for a commercially run driving range on this site. Submits that the Commission, in dispute of the use would need to provide clarity and reasons as to why this is not the correct description and characterisation of unauthorised usage. The appellant contends that the Revenue Commissioners would not have any difficulty with characterisation of usage.
- Points of issues relating to the report of the Planning Authority including references to there being no adjoining lands in respect of the planning history and failure to address issues raised by appellant in submission to the Planning Authority.
- Multiple breaches of planning laws and retention applications.
- No consideration has been given to the intensification of and cumulative impact of use or reasons provided why consideration had not been given.
- Irrational to not consider cumulative impact on groundwater, wastewater treatment and in this instance where a concern has been raised regarding the validity of documents.
- No consideration has been given to impact on adjoining properties because of intensification of use and no reasons given notwithstanding the fact that no planning was ever granted for a commercially run driving range on this site.
- Failure to provide documents in relation to water test results.
- Refers to and expands upon a submission made by Nenagh Golf Club on 8th July 2025 but acknowledges that this relates to a different application (ABP-322741-25).

- Acknowledges appellants and any member of the public's entitlement to make a submission.
- Five core issues are set out;
 - Impact of cumulative development on wastewater infrastructure
 - Impact of intensification of use on neighbouring properties,
 - No planning permission was ever granted for a commercially run driving range,
 - Water test results allegedly carried out in May 2024 by Tipperary County Council have not been provided.
 - Why are concerns raised about public health being ignored?
- Notes that this is the third retention application in 4 years in relation to a commercially run driving range for which no planning was ever granted.

7.2. Applicant Response

None

7.3. Planning Authority Response

None

7.4. Observations

None

7.5. Prescribed Bodies

The appeal was referred to The Heritage Council, Development Applications Unit and An Taisce by An Coimisiun Pleanála on 19th January 2026. No responses were received.

8.0 Assessment

8.1. Introduction

Having examined the application details and all other documentation on file, including all of the submissions received in relation to the appeal, the reports of the Local Authority, and having visited the site, and having regard to the relevant local policies

and guidance, I consider that the substantive issues in this appeal to be considered are as follows;

- New Issue
- Scope of the Appeal
- Development Description
- Principle of the Development
- Impact (Visual, Residential and Cumulative)
- Other Issues
- Appropriate Assessment
- Water Framework Directive Screening

8.2. **New Issue**

8.2.1. I note that the Site Location Map which accompanies the planning application outlines the subject site in red but does not include the blue line of ownership demonstrating the wider lands associated with Nenagh Golf Club, in accordance with Article 22(2)(b)(ii) of the Planning and Development Regulations 2001, as amended. The Planning Authority did not raise this as an issue however I suggest that this maybe a validation issue.

8.3. **Scope of the Appeal**

8.3.1. The appellant contends that to grant retention for the subject development would enable non-members of the golf club to avail of the facilities without signing in and therefore would not be covered by the insurance of the Golf Club. The appeal further contends that the development would lead to unregulated behaviour by patrons with no ties to the club and the potential for operation on a completely standalone basis to the club.

8.3.2. I am cognisant of the concerns of the appellant in this regard however I contend that the operation and management of the overall golf club is outside the scope of this appeal.

- 8.3.3. The appellant raises concerns in relation to the lack of a planning application being made by Nenagh Golf Club for a commercially run driving range.
- 8.3.4. The appellant submits that it is incumbent upon the Commission to provide clarity and reasons as to why this is not a correct description and characterisation of unauthorised usage.
- 8.3.5. At time of site visit, while there were grass mats in place to the north of the appeal site and distance markers on the grass to the west, the permitted works under ABP-317865-23 had not been undertaken.
- 8.3.6. I contend that the nature and history of use across the entire golf club lands was considered previously by the Commission in deciding to grant permission under ABP-317865-23.
- 8.3.7. The structure which is the subject of the current appeal does not form part of the above-mentioned development approved under ABP-317865-23.
- 8.3.8. I submit that the characterisation usage by the Revenue Commissioners as intimated by the appellant is not a matter for the Commission and therefore outside of the scope of the appeal.
- 8.3.9. Furthermore, the issue of unauthorised development and enforcement proceedings is a remit for the planning authority and not a matter for the Commission and is therefore outside of the scope of the appeal.
- 8.3.10. The appellant also raises concerns regarding water test results which were carried out in 2024 by Tipperary County Council in addition to public health concerns which are contended not to have been addressed. Having regard to the nature of the development which is the subject of the appeal which has no stated water connections or raises public health issues, I consider that these issues are outside the scope of the appeal.

8.4. **Development description**

- 8.4.1. The appellant contends that this application is for the structure for which the retention pertains and its use is to house a ball dispenser and washing unit. No equipment is enclosed within the structure. In this regard it is submitted that the description of the development is ambiguous and the appellant questions the validity of the retention

application as a whole as a result. I note that the Planning Authority did not raise concern regarding the development description.

8.4.2. I acknowledge from my site visit that the appellant is correct, the structure does not contain any equipment, but I confirm the structure was not complete. I do acknowledge that the description of the development seeking retention and completion could be clearer, however the plans submitted are clear with regard to the scope of the application in respect of the structure to be completed.

8.4.3. Notwithstanding the foregoing, I would submit that the development description seeks to retain the unit as constructed and seeks permission to complete same. In this regard, my understanding from the plans and particulars is that the unit is the incomplete structure. It would appear that it is intention of the applicant to use the structure to house the ball washing and dispensing equipment however no such detail has been provided with the application. I am satisfied that the partially constructed development on site and the detail on the plans and particulars corresponds appropriately with the development description in the Statutory Notices. In the event of a grant of permission, I recommend that a condition be attached to clarify the extent of the permission and that the use of the structure to be for the purposes ancillary to the golf club lands,

8.5. **Principle of the Development**

8.5.1. The structure seeking retention permission when completed will be ancillary to the established golf club use of the lands and in this regard, I am satisfied that the principle of the development is acceptable.

8.6. **Impact (Visual, Residential, Cumulative)**

Visual

8.6.1. The structure is modest in scale and subordinate in height relative to the adjoining structure (teaching studio). The levels of the surrounding lands are undulating which results in the subject structure being positioned at a lower level relative to the lands to the east. The site, relative to the lands to the west, is positioned on a higher level, however having regard to the modest scale and height I submit that the structure is not unduly visible and is adequately set off mutual boundaries.

8.6.2. I consider that the design of the structure is complementary to the adjoining teaching studio and integrates appropriately within the golf club lands without detriment to the visual amenities of the area.

Residential

8.6.3. I note that the boundary associated with the closest dwelling is c. 285m to the northwest of the subject development. By virtue of the ancillary nature of the structure, the sensitive design and modest height, the location within the golf club lands and adjoining the permitted teaching facility, I am satisfied that the structure would not give rise to undue impact to the surrounding residential amenities of the area.

Cumulative Impact

8.6.4. The appellant contends that no consideration has been given to the intensification of use or the impact of the cumulative development in respect of neighbouring properties / residential amenity, groundwater and wastewater.

8.6.5. In response to these concerns raised I would contend that the nature of the development which is the subject of the appeal is wholly ancillary to the use of the lands for the purposes of golf. I do not consider that the structure contributes to the intensification of use of the lands in any way. It is my understanding that a ball dispenser and ball washing unit merely improves the experience for the patrons attending the permitted teaching studio or the adjacent practice mats or permitted covered practice area, which is yet to be constructed. I note that the application documents are silent on the supply of water to any proposed washer unit in addition to the nature and arrangement for the subsequent disposal of wash water. There are no wastewater facilities within the application site and the on-site WWTS serving the wider golf course lands is not identified in the application or within an area outlined in blue. It would not therefore be appropriate to grant permission for such development. In the event of a grant of permission, I recommend that a condition be included to clarify the extent of the permission. Given the nature of the development, i.e. the structure seeking permission for retention and completion, this will not intensify the established use or contribute to a detrimental cumulative impact upon the residential amenities, groundwater or wastewater. By virtue of the ancillary nature of the structure, I do not consider that the development intensifies the established use or contributes to a

detrimental cumulative impact upon the residential amenities, groundwater or wastewater.

8.7. **Other Issues**

8.7.1. The appellant has raised points of issue with the report of the Planning Authority. I acknowledge the concerns set out and I have sought to address these issues throughout my assessment with particular reference to the inclusion of the relevant planning history associated with the subject lands and the concerns as set out by the appellant.

9.0 **AA Screening**

9.1. I have considered the development seeking retention and permission in light of the requirements of S177U the Planning and Development Act 2000 as amended. The subject site is not located within or adjacent to any European Site.

9.2. The site is located at Nenagh Golf Club, Graigue, Co. Tipperary.

9.3. The development is seeking retention permission for the ball dispenser and ball washing unit as constructed and permission to complete same, as described in the submitted plans and drawings.

9.4. Having considered the nature, scale and location of the development seeking retention and permission I am satisfied that it can be eliminated from further assessment because it could not have any appreciable effect on a European Site. The reason for this conclusion is as follows:

- Due to the distance of the site from any SAC and SPA, no impacts/ effects are predicted in this regard.
- There are no identifiable hydrological/ecological connector pathways between the development which is the subject of the application and the SAC or SPA.

9.5. I conclude that on the basis of objective information, that the development seeking retention and permission 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 (stage 2) (under Section 177V of the Planning and Development Act 2000) is not required.

10.0 Water Framework Directive

- 10.1. An assessment of the development seeking retention and permission has been undertaken with regard to the objectives set out in Article 4 of the EU Water Framework Directive.
- 10.2. Having considered the nature, scale, and location of the development, it is concluded that the development does not result in any risk of deterioration in the status of any water body, including surface waters (rivers and lakes), groundwater, transitional waters, or coastal waters. This applies to both qualitative and quantitative status, and in respect of temporary and permanent effects.
- 10.3. In addition, the development does not adversely affect the achievement of established environmental objectives, including the protection, maintenance, and improvement of water body status, as required under the Directive.
- 10.4. Accordingly, the development is considered to be compliant with the requirements of Article 4.

11.0 Recommendation

I recommend that retention permission and permission be granted subject to the following conditions.

12.0 Reasons and Considerations

Having regard to the grounds of appeal, the nature of the development seeking retention and completion together with the location within the lands associated with an established golf course use, the distance to the closest dwellings and the provisions of the Tipperary County Development Plan 2022-2028, it is considered that the development by virtue of the ancillary nature and modest size, subject to compliance with the conditions below would not contribute to the intensification of the use of the lands, give rise to cumulative impact to wastewater and groundwater or negatively

impact upon the residential or visual amenity of the area. The development would be consistent with the proper planning and sustainable development of the area.

13.0 Conditions

1. The development to be retained and completed shall be in accordance with the plans and particulars received by the Planning Authority on the 3rd day of October 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. This permission solely authorises the retention and completion of the structure as indicated in the plans and particulars but does not include for any equipment that may be housed within the structure.

Reason: In the interest of clarity.

3. Notwithstanding the exempted development provisions of the Planning and Development Regulations 2001 and any statutory provision amending or replacing them, the use of the structure shall be restricted to use ancillary to the established golf club, unless otherwise authorised by a prior grant of planning permission.

Reason: In the interest of clarity.

4. External finishes shall be consistent with the details received by the Planning Authority on 3rd October 2025, unless otherwise agreed in writing with the Planning Authority prior to the commencement of the works to complete the development.

Reason: In the interests of visual amenity.

5. Drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the Planning Authority for such works and services.

Reason: In the interest of public health and surface water management.

6. Site development and building works shall be carried out between the operational hours of Nenagh Golf Club as follows;
Summertime hours 0700 to 2130 hours
Wintertime hours 0900 to 1630 hours Deviation from these times shall only be allowed in exceptional circumstances where prior written agreement has been received from the planning authority.

Reason: To safeguard the amenity of property in the vicinity.

7. The developer shall ensure that material from the site is not deposited on the public roadway and shall maintain the roadway in a clean, tidy and safe condition. Any damage to or interference with roadside drainage shall be made good at the developer's expense, to satisfaction of the Local Authority.

Reason: To protect the amenities of the area.

8. 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. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Coimisiún Pleanála to determine the proper application of the terms of the Scheme.
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 me, directly or indirectly, following my professional assessment and recommendation set out in my report in an improper or inappropriate way.”

Carol Hurley
Planning Inspector

20th May 2026

Form 1 - EIA Pre-Screening

No EIAR Submitted

Case Reference	PL-500426-TY-25
Proposed Development Summary	To retain ball dispenser and ball washing unit as constructed and permission to complete same.
Development Address	Nenagh Golf Club, Graigue, Nenagh, 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)	<input checked="" type="checkbox"/> Yes, it is a 'Project'. Proceed to Q2.
	<input type="checkbox"/> 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)?	
<input type="checkbox"/> Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	State the Class here
<input checked="" type="checkbox"/> 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?	
<input checked="" type="checkbox"/> 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.	

<p>No Screening required.</p>	
<p><input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold.</p> <p>EIA is Mandatory. No Screening Required</p>	
<p><input type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold.</p> <p>Preliminary examination required. (Form 2)</p> <p>OR</p> <p>If Schedule 7A information submitted proceed to Q4. (Form 3 Required)</p>	

<p>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)?</p>	
<p>Yes <input type="checkbox"/></p>	
<p>No <input checked="" type="checkbox"/></p>	

Inspector: _____ **Date:** _____