



An
Bord
Pleanála

**Board Direction
27RL3534**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 14th December 2017.

The Board decided, as set out in the following Order, that

WHEREAS a question has arisen as to whether the use of a golf course for ancillary recreational activities (Bush Crafts, Walks/Jogging/Running, Bike Track, Zorbing, Footgolf and Tag Archery) at off-peak times at Djouce Golf Club, Ballinastoe, Roundwood, County Wicklow, is or is not development or is or is not exempted development:

AND WHEREAS Donal Óg McGillicuddy care of Frank O'Gallachóir and Associates Limited of 94 Rathdown Park, Greystones, County Wicklow, requested a declaration on the said question from Wicklow Council and the said Council issued a declaration on the 7th day of December, 2016 stating that the said matter is development and is not exempted development:

AND WHEREAS Donal Óg McGillicuddy referred the declaration for review to An Bord Pleanála, on the 12th day of January 2017:

AND WHEREAS An Bord Pleanála, in considering this referral, had regard particularly to –

- (a) section 2(1) of the Planning and Development Act, 2000, as amended,
- (b) Section 3(1) of the Planning and Development Act, 2000, as amended,
- (c) Section 4(1) of the Planning and Development Act, 2000, as amended,
- (d) article 6(1), article 9(1) and article 10(1) of the Planning and Development Regulations, 2001, as amended,
- (e) Part 1 and Part 4 of Schedule 2 to the Planning and Development Regulations, 2001, as amended,
- (f) the pattern of use of the existing golf club, including the nature of the traffic and wastewater generated
- (g) the pattern of development, including the sensitivity of water resources in the area in proximity to the Vartry reservoir, and
- (h) the difference in character and nature of intensity of the proposed uses compared with golf activity

AND WHEREAS An Bord Pleanála has concluded that:

- (a) The use of Djouce golf course for ancillary recreational activities (Bush Crafts, Walks/Jogging,/Running, Bike Track, Zorbing, Footgolf and Tag Archery) would give rise to materially different traffic and wastewater impacts, and
- (b) The proposed change of use is, therefore, considered to be a material change of use which does not come within the scope of the exempted development provisions of section 4(1) of the Planning and Development Act, 2000, as amended, or the Planning and Development Regulations, 2001, as amended.

NOW THEREFORE An Bord Pleanála, in exercise of the powers conferred on it by Section 5 (3)(a) of the Planning and Development Act, 2000, as amended, hereby decides that the use of the golf course for the activities described at Djouce Golf

Club, Ballinastoe, Roundwood, County Wicklow is development and is not exempted development.

Note: The Board noted the Inspector's comments in relation to the Bike Track but decided not to raise this matter with the parties, given its conclusions in relation to the specific question which was posed.

Board Member

Date: 14th December 2017

John Connolly