



An
Bord
Pleanála

**Board Order
ABP-317166-23**

Planning and Development Acts 2000 to 2022

Planning Authority: Meath County Council

Planning Register Reference Number: 22/1535

Appeal by Joseph Dillon of The Grove, Girley, Fordstown, Navan, County Meath against the decision made on the 24th day of April, 2023 by Meath County Council to grant subject to conditions a permission to Headfort Golf Club care of Paul O'Neill Architects of Bective Street, Kells, County Meath in accordance with plans and particulars lodged with the said Council.

Proposed Development: Upgrading of an existing driving range facility, to include the construction of a new 22-bay covered driving range building, four open-air bays, accessible toilets and golf ball processing area. The plans also include the extension of an existing car parking area, installation of a new on-site wastewater treatment system with percolation area, signage, external lighting (including range lighting), landscaping and ancillary site works at Headfort Pl, Kilmainham, Kells, County Meath.

Decision

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

Reasons and Considerations

Having regard to the location of the appeal site within the grounds of an established golf course and to the nature and scale of the proposed development as a driving range associated with and ancillary to the running and functioning of the established golf course, and the provisions of the Meath County Development Plan 2021-2027, including the 'RU Rural' zoning objective that applies to the appeal site, the specific characteristics of the site and surrounds, and the pattern of development in the surrounding area, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential amenities of the area or of property in the vicinity, would be acceptable having regard to the visual amenity and ecology of the site and surrounds and would not be prejudicial to public health. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by further plans and particulars received on the 29th day of March 2023, 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. Details of materials, colours and textures of all the external finishes shall be in accordance with the drawings and specifications hereby approved.
Reason: In the interest of visual amenity.
3. Prior to the commencement of development, the Applicant shall submit to the planning authority for written agreement, a Construction and Environmental Management Plan (CEMP) for the development. The Construction and Environmental Management Plan shall collate and implement the various mitigation measures outlined in the submitted Ecological Impact Assessment (November 2022) and the Bat Assessment (June 2023).
Reason: In the interest of ecology and the proper planning and sustainable development of the area.
4. Drainage arrangements, including the 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.
5. Prior to the commencement of development, the developer shall enter into water and wastewater connection agreement(s) with Uisce Éireann.
Reason: In the interest of public health.
6. The site and associated activities shall take place only between the hours of 0800 to 2100 Monday to Sunday. In exceptional circumstances, hours of operation may be extended for a specified period of time subject to written agreement from the planning authority.
Reason: In the interest of the proper planning and sustainable development of the area.

7. Lights shall be cowled away from areas outside site and shall not be in operation outside of the approved hours of operation of the driving range.

Reason: In the interest of the proper planning and sustainable development of the area and to protect amenity of the area.

8. (a) The proposed finished floor level of the building shall be no lower than 50 metres.
- (b) The proposed toilets shall be moved northwards and away from the potential flood plain to above the 50 metres contour.
- (c) There shall be no increase in ground levels in those areas below the existing 49.5 metres contour line such that the potential flood plain is not impacted.

Reason: In the interest of surface water management and flooding.

9. (a) The onsite drainage wastewater treatment system proposed shall be constructed in accordance with the recommendations provided in Sections 4, 5 and 6 of the Site Characterisation Form submitted with the application and contained in the Environmental Protection Agency Code of Practice for Wastewater Treatment Systems (2021). Certification from an appropriately trained and qualified person, as well as the manufacturer or supplier in the case of secondary packaged wastewater treatment system, that the complete drainage wastewater treatment system has been satisfactorily installed and commissioned to accord with the provisions of the EPA Code of Practice, Wastewater Treatment Systems (Population Equivalent ≤ 10), 2021 and the Site Characterisation Form submitted on the 25th day of November, 2022 shall be submitted to the planning authority prior to operation of the driving range. The certification shall include an as constructed cross-sectional drawing through the installed drainage wastewater treatment system, including any associated infiltration/treatment area.
- (b) The installation and maintenance of this drainage wastewater treatment system shall be such so as to ensure that all minimum separation distances to receptors, as outlined in Table 6.2 of the EPA Code of Practice (2021) must be adhered to.
- (c) The applicant shall provide and arrange for the continuous and indefinite maintenance of the entire drainage wastewater treatment system installed, which shall be maintained in accordance with the manufacturer's instructions and in line with Table 12.1 of the EPA Code of Practice (2021).

Reason: In the interest of public health and to provide for the protection of the environment.

10. Site development and building works shall be carried out only between the hours of 0700 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.

11. 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 or 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 Bord 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.



Patricia Calleary

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**

Dated this 16 day of July 2024.