



An
Bord
Pleanála

Board Order
ABP-318801-24

Planning and Development Acts 2000 to 2022

Planning Authority: Kildare County Council

Planning Register Reference Number: 23/772

Appeal by John and Jacinta Tuite of Dunmurragh Hill, Donadea, County Kildare against the decision made on the 1st day of December, 2023 by Kildare County Council to grant subject to conditions a permission to Zipit Forest Adventure Limited care of Cunnane Stratton Reynolds of 3 Molesworth Place, Dublin in accordance with plans and particulars lodged with the said Council.

Proposed Development: The erection of a highwire and nets adventure activity course comprised of wooden platforms which are suspended on trees and connected by different elements together with a new single storey reception cabin and decking area, staff cabin and associated works within the curtilage of Donadea Castle (RPS reference number B09-02) and Donadea Demense (RPS reference number B09-06) at Donadea Forest Park, Donadea Demense, Donadea, County Kildare.

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 condition(s) set out below.

Reasons and Considerations

Having regard to the location of the subject site within Donadea Wood Proposed Natural Heritage Area, to the nature and limited scale of the proposed development, to the provisions of the Kildare County Development Plan 2023-2029, and having regard to the totality of the documentation on file, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential or visual amenities of the area or of property in the vicinity, would be acceptable in terms of traffic safety and convenience, and would not adversely impact on the cultural assets or ecology of the area. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area. The Board was satisfied that a grant of permission for the proposed development would be consistent with national climate ambitions and with the relevant provisions of the Climate Action Plan 2024.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 5th day of October 2023, as amended by the further plans and particulars received by the planning authority on the 15th day of November 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. The proposed development shall not include any provision for sale of food and drink on the premises or site.

Reason: In the interest of clarity.

3. The mitigation measures contained in the submitted 'Ecological Impact Assessment at Proposed High Wire Zip Line Adventure Centre, Donadea Forest Park, Co. Kildare' submitted with the application and the 'Ecology Response to further information request Donadea' received by the planning authority on the 5th day of October 2023, shall be implemented.

Reason: to protect the integrity of designated conservation sites.

4. Restoration shall be carried out in accordance with a restoration plan, which shall include, proposals for removal of the development and a timescale for implementation should the activities associated with the development cease. This plan shall be prepared by the developer, and shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: To ensure the satisfactory restoration of the site, in the interest of visual amenity.

5. The disposal of surface water shall comply with the requirements of the planning authority for such works and services and only clean, uncontaminated water shall be discharged to the surface water drainage network. Prior to the commencement of development, the developer shall submit details for the disposal of surface water from the site for the written agreement of the planning authority.

Reason: To prevent flooding and in the interests of sustainable drainage.

6. Prior to the commencement of development, the applicant shall submit to, and agree in writing with the planning authority, the operational hours of the proposed development.

Reason: In the interest of clarity and to protect the amenities of the area.

7. 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 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.



Tom Rabbette

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

Dated this 17th day of Jan. 2025.