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**Planning and Development Acts 2000 to 2017**

**Planning Authority: Wicklow County Council**

**Planning Register Reference Number: EX 67/16**

**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 Ó'Gallachóir and Associates Limited of 94 Rathdown Park, Greystones, County Wicklow requested a declaration on the said question from Wicklow County Council and the said Council issued a declaration on the 7<sup>th</sup> 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 12<sup>th</sup> 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,
- (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 2000 Act, hereby decides that the use of a golf course for the activities described at Djouce Golf Club, Ballinastoe, Roundwood, County Wicklow is development and is not exempted development.

## **Matters Considered**

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

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

**Dated this        day of                                2017**