



An  
Bord  
Pleanála

**Board Order  
06D.RL.3549**

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**Planning and Development Acts 2000 to 2018**

**Planning Authority: Dún Laoghaire-Rathdown County Council**

**Planning Register Reference Number: Ref 14916**

**WHEREAS** a question has arisen as to whether the erection of a ball catch fence which would be 22 metres in height and 60 metres in length at Milltown Golf Course, Lower Churchtown Road, Dublin is or is not development or is or is not exempted development:

**AND WHEREAS** Milltown Golf Club care of Simon Clear and Associates of 3 Terenure Road West, Terenure, Dublin requested a declaration on this question from Dún Laoghaire-Rathdown County Council and the Council issued a declaration on the 20<sup>th</sup> day of January, 2017 stating that the matter is development and is not exempted development:

**AND WHEREAS** Milltown Golf Club referred this declaration for review to An Bord Pleanála, on the 15<sup>th</sup> day of February, 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) Article 6(1) and Article 9(1) of the Planning and Development Regulations, 2001, as amended,
- (d) Part 1 and Part 4 of Schedule 2 to the Planning and Development Regulations, 2001, as amended,
- (e) the planning history of the site, and
- (f) the pattern of development in the area:

**AND WHEREAS** An Bord Pleanála has concluded that:

- (a) the works of alteration to the golf course comprising the erection of a ball catch fence with a height of 22 metres and a length of 60 metres come within the meaning of Section 3 of the Planning and Development Act, 2000, as amended, and are, therefore, development, and
- (b) the works to the golf course do not come within the scope of Class 34 of Part 1 of Schedule 2 to the Planning and Development Regulations, 2001, as amended, not being works incidental to the maintenance or management of the golf course:

**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 erection of a ball catch fence which would be 22 metres in height and 60 metres in length at Milltown Golf Course, Lower Churchtown Road, Milltown, Dublin 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                                  2018**