



An
Bord
Pleanála

Inspector's Report ABP-317166-23

Development

Upgrading of a driving range facility, to include the construction of 22-bay covered driving range building, 4 open-air bays, accessible toilets, golf ball processing area and all associated site works.

Location

Kilmainham, Kells, Co. Meath, A82 E330.

Planning Authority

Meath County Council

Planning Authority Reg. Ref.

22/1535.

Applicant(s)

Headfort Golf Club.

Type of Application

Permission.

Planning Authority Decision

Grant of Permission.

Type of Appeal

Third Party v Grant of Permission

Appellant

Joseph Dillon

Observer(s)

None

Date of Site Inspection

22nd September 2023.

Inspector

Enda Duignan

1.0 Site Location and Description

- 1.1.** The appeal site has an address at Kilmainham, Kells, Co. Meath, A82 E330 and forms part of Headfort Golf Club. The site is located at the eastern end of the golf club's grounds, c. 2km to the east of Kells town centre and c. 1.4km to the north of the M3. The site is accessed via an existing vehicular entrance on the northern side of the R147. There is an area of hardstanding located inside the site entrance which is understood to be historically used as car parking. It is also understood that this area of the golf club has been used as a long game practice area. The irregular shaped site has a stated area of c. 6.43ha. and its topography is relatively flat. A stand of large mature trees forms the site's eastern and northern boundaries. There is also a relatively intact hedgerow which delineates the site from the golf course along its western boundary.
- 1.2.** In terms of the site surrounds, there are a number of established residential properties to the east of the site. The golf course grounds are located to the north and west and lands to the south of the site, on the opposite side of the R147 appear to be predominantly in agricultural use.

2.0 Proposed Development

- 2.1.** The Applicant is seeking planning permission to upgrade the existing long game practice area through the provision of a new 22-bay covered driving range building. The development is also to include 4 no. open air bays, accessible toilets, a golf ball processing area and a new car parking area for 30 no. cars.
- 2.2.** The driving range building is located within the southern portion of the site and has a bow shape with a total floor area of c. 368sq.m. The building has a length of c. 65m and a mono-pitched roof with a maximum height of c. 4.5m. A total of 22 no. bays are provided within the building itself. The open bays are located to the east of the driving range building and covers an area of c. 66sq.m. I note that the proposed ball management facility (23sq.m.) and the accessible toilets (15sq.m.) adjoin the rear of the proposed driving range building.
- 2.3.** It is proposed to access the site from within the golf course itself and via the existing

entrance gate off the R147. The new car parking area is located adjacent to this entrance and will include 30 no. delineated spaces and circulation aisles.

- 2.4.** A new permeable resin surfaced pathway is proposed to the rear of the structures in order to provide access to the building from the proposed car parking area. The development also includes the installation of a new on-site wastewater treatment system with percolation area to service the new toilets. This is proposed to be located to the south-west of the new pathway, between it and the demesne wall which demarcates the southern boundary of the site.
- 2.5.** Permission is also sought for all associated site works included signage; external lighting (including range lighting) and landscaping.

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1.** The Planning Authority granted permission for the proposed development subject to compliance with 14 no. conditions.
- 3.1.2.** Conditions of note include:
- Condition No. 3 requires a Bat Assessment be carried out and submitted to the Planning Authority for agreement prior to the commencement of development on the site.
 - Condition 8 requires lights to be cowled away from areas outside the site and shall not operate outside the approved hours of operation.
 - Condition No. 7 restricts the driving range's hours of operation to between 08:00am and 09:00pm (Monday to Sunday).
 - Condition No. 10 relates to the issue of noise emissions.
 - Condition No. 14 relates to the issue of surface water management and flooding and includes a requirement for:
 - o The FFL of the building be no lower than 50,000m;
 - o The proposed toilets be moved north-wards to above the 50m contour away from the potential flood plain;
 - o There will be no increase in ground levels in these areas below the

49.5m contour line to avoid any impact on the potential flood plain.

3.2. Planning Authority Reports

3.2.1. Planning Report

The Meath County Council Planning Reports forms the basis for the decision. The first report provides a description of the proposed development, a summary of the policy at local and national level that is applicable to the development proposal and an outline of the matters raised in the observation on the planning file.

In terms of their assessment, the principle of development was deemed to be acceptable by the Planning Authority. However, the Applicant was requested to submit the following details by way of further information:

- Revised layout plan illustrating the position of lighting infrastructure,
- A Noise Impact Assessment for the proposed development, and,
- An assessment of light overspill on the ecology of the area, most notably bat species.

Following the submission of further information, a grant of planning permission was recommended by the Planning Authority subject to 14 no. conditions.

3.2.2. Other Technical Reports

Roads: Report received stating no objection.

Public Lighting: Report received stating no objection.

Environment: Report received stating no objection subject to conditions.

Water Services: Report received stating no objection subject to conditions.

Fire Officer: Report received indicating that a Fire Certificate is required.

3.3. Prescribed Bodies

3.3.1. Irish Water: Report received stating no objection subject to conditions.

3.4. Third Party Observations

- 3.4.1. One (1) no. observation was received from a Third Party. I note that the observer is the Third Party appellant in this instance and the matters raised in the observation are largely similar to those raised in the grounds of appeal which I will discuss in detail in Section 6 of this report.

4.0 Site Planning History

- 4.1.1. No recent history of planning applications on the appeal site.

5.0 Policy Context

5.1. Meath County Development Plan (CDP), 2021-2027.

- 5.1.1. Under the Meath County Development Plan 2021-2027, the appeal site is located outside the settlement boundary of Kells within an area zoned 'RA Rural Areas' (Kells Sheet No. 18(a) Land Use Zoning). The objective of RA zoned lands is 'To protect and promote in a balanced way, the development of agriculture, forestry and sustainable rural-related enterprise, community facilities, biodiversity, the rural landscape, and the built and cultural heritage'. I note that a 'Golf Course' use is identified as a 'Permitted Use' under the 'RA' zoning.
- 5.1.2. Section 7.7.6 of the current Plan provides policies and objectives with regard to the provision of sporting and leisure infrastructure. The Plan acknowledges that the presence of golfing facilities has, inter alia, a growing and important role to play in promoting a healthy lifestyle among the communities they serve and in the development of the tourism economy. The following policy is noted:
- SOC POL 32 - To encourage and support local sports, community groups and other groups in the provision of outdoor and indoor sporting and community facilities.
- 5.1.3. Section 8.9 (Biodiversity) of the current Plan acknowledges that 'The protection and wise use of the county's natural resources is vital to achieving sustainable development. Policies and objectives of relevance to the appeal include:
- HER POL 27 - To protect, conserve and enhance the County's biodiversity

where appropriate.

- HER POL 28 - To integrate in the development management process the protection and enhancement of biodiversity and landscape features wherever possible, by minimising adverse impacts on existing habitats (whether designated or not) and by including mitigation and/or compensation measures, as appropriate.
- HER POL 31 - To ensure that the ecological impact of all development proposals on habitats and species are appropriately assessed by suitably qualified professional(s) in accordance with best practice guidelines – e.g. the preparation of an Ecological Impact Assessment (EclA), Screening Statement for Appropriate Assessment, Environmental Impact Assessment, Natura Impact Statement (NIS), species surveys etc. (as appropriate).
- HER POL 36 - To consult with the National Parks and Wildlife Service and take account of their views and any licensing requirements, when undertaking, approving or authorising development which is likely to affect plant, animal or bird species protected by law.
- HER OBJ 35 - To ensure that development does not have a significant adverse impact, incapable of satisfactory avoidance or mitigation, on plant, animal or bird species protected by law.

5.1.4. In terms of landscape capacity, the area within which the site is located is classified as a "Lowland Landscape" of "Moderate Value" and "Moderate Sensitivity". The current Plan contains the following policies and objectives which are deemed relevant to the consideration of the proposal:

- HER POL 52 To protect and enhance the quality, character, and distinctiveness of the landscapes of the County in accordance with national policy and guidelines and the recommendations of the Meath Landscape Character Assessment (2007) in Appendix 5, to ensure that new development meets high standards of siting and design.
- HER POL 53 To discourage proposals necessitating the removal of extensive amount of trees, hedgerows and historic walls or other distinctive boundary treatments.
- HER OBJ 49 To ensure that the management of development will have regard

to the value of the landscape, its character, importance, sensitivity and capacity to absorb change as outlined in Appendix 5 Meath Landscape Character Assessment and its recommendations.

- HER OBJ 50 To require landscape and visual impact assessments prepared by suitably qualified professionals be submitted with planning applications for development which may have significant impact on landscape character areas of medium or high sensitivity.

5.2. Natural Heritage Designations

- 5.2.1. There are no European designated sites within the immediate vicinity of the site. The nearest designated site is the River Boyne and River Blackwater Special Area of Conservation (Site Code: 002299), which is located c. 180m to the north of the site. The River Boyne and River Blackwater Special Protection Area (SPA) (Site Code: 004232) is also located c. 220m to the north of the site.

5.3. EIA Screening

- 5.3.1. My assessment is that the form of development proposed, and which is the subject of this application, is such that it would not be of a class for the purposes of EIA as per the classes of development set out in the Fifth Schedule of the Planning and Development Regulations, 2001 (as amended). No mandatory requirement for EIA therefore arises and there is also no requirement for a sub threshold assessment.

6.0 The Appeal

6.1. Grounds of Appeal

- 6.1.1. A Third Party planning appeal has been submitted by Joseph Dillon who has an address at Fordstown, Navan, Co. Meath. The grounds of appeal can be summarised as follows:

Applicant and consent to make a planning application.

- 6.1.2. It is contended that the ownership of the subject site has been incorrectly stated to the Planning Authority and therefore the validity of the application is questioned. The submission notes that the Applicant (Headfort Golf Club) is not the landowner and no letter of consent was submitted with the application from the landowners, who are named as being the registered owners of the property. The appellant notes that it is a

fundamental requirement in the Planning and Development Regulations that the Applicant, if not the land owner, must obtain and submit the written consent of the landowner to make a planning application. The Planning Authority do not have the discretion to determine implied or assumed consent.

Possible unauthorised (existing) development.

- 6.1.3. It is highlighted that the issue of existing unauthorised development was raised during the application process but was not addressed by the Planning Authority. The Meath County Council Planning Report lists no planning history for the subject site. This would indicate that as there is no relevant planning history on the subject site, no planning permission exists for the "existing driving range facility" and the use is therefore unauthorised development. It is argued by the appellant that planning permission cannot be granted which permits unauthorised development without a retention element to the application.

Wastewater Treatment Location within Potential Root Protection Zones of Existing Trees being Retained on Site.

- 6.1.4. Concerns have been raised by the appellant with respect to the location of the percolation area associated with the wastewater treatment system relative to the root protection zones of existing mature trees. The appellant refers to their original observation which noted that no arborist assessment was submitted with the application. It is contended that its location relative to the existing trees would most likely cause their root structures irreparable damage.

Bat Survey.

- 6.1.5. The submission notes that it is apparent that the applicant's agent and the Planning Authority liaised and agreed that the requested bat survey be conditioned in a planning permission and not submitted with the FI response. Considering that the FI response was submitted on the 29/03/2023, a time of year when it would be very appropriate to carry out a bat survey, the appellant notes that it is surprising that the Planning Authority would agree to this. It is submitted that the bat survey should be carried out prior the granting of planning permission, as would be the requirement for most development planning applications, particularly applications so close to a Natura 2000

site.

6.2. Planning Authority Response

- 6.2.1. A response was received on 15th June 2023 which confirms the Planning Authority's decision and requests the Board to uphold same.

6.3. First Party Response

- 6.3.1. A response to the Third Party appeal has been prepared by Jim Brogan Planning and Development Consultant on behalf of the Applicant. The submission provides background information about the Headfort Golf Club and how it expanded over the years. The submission then goes on to provide detailed information regarding the proposed development, the Planning Authority's decision and the policy of the current County Development Plan that is relevant to the subject proposal. The submission provides a response to each of the appellant's grounds of appeal which are summarised as follows:

Applicant and consent to make a planning application.

- 6.3.2. In response to the appellant's claims, it is confirmed that the Applicant in this case is Headfort Golf Club, and the subject development site is owned by Headfort Golf Club. It is stated that the persons referred to by the appellant are former trustees of the Club. The property and assets of the Club are held in trust for all the members of the Club by its trustees. The legal title to land owned by the Club is vested in them but they are not the owners of the property. The submission notes that this is a common arrangement in golf clubs, and they deal with the property as directed by the membership. In this case, the 3 no. persons referred to in the appeal, were, but are no longer, trustees of the Club. It is stated that the Club's registration is being updated at present to register the current trustees and all the documentation necessary for this process has been signed and is being lodged in the Land Registry at the present time. It is concluded that the application is valid and in compliance with the requisite regulatory provisions.

Possible unauthorised (existing) development.

- 6.3.3. In terms of the appellant's claims of unauthorised development, the submission provides a background as to how this area of the golf course came into use as a long

game practice area. It is stated that practice areas form part of a golf course's infrastructure. The informal use of these lands for that purpose is long established and would come within the area used for golfing activities by the Club on its lands. In any event, what is being proposed in this instance is the development of a new purpose-built driving range with all the necessary ancillary facilities, for which planning permission is required and being sought under the terms of the current application.

Wastewater Treatment Location within Potential Root Protection Zones of Existing Trees being Retained on Site.

- 6.3.4. In response to the concerns raised regarding the impact of the proposal on existing trees, it is stated that trees referred to by the appellant are a sycamore and a chestnut which are sited along the demesne wall i.e. the south-western boundary to the site which have originated from seedlings and do not form part of the Headfort Estate's original stock of trees. The submission notes that the percolation area as shown on the "Proposed Part Site Layout" and the "Proposed Floor Plan" is outside the crown area of both of the above-mentioned trees. In the case of both specimens of tree, the extent of the area of root cover is less than their crown cover. It is also the case that when trial holes were dug as part of the assessment of the site's suitability for the percolation area, no roots were encountered. Whilst it is contended that this objection should be dismissed, should the Board consider that the clearance of the percolation area from the trees should be increased, the Applicant would have no objection to the attachment of a condition to this effect in the event of a grant of permission.

Bat Survey.

- 6.3.5. In response to the appellant's concerns regarding the requirement of a Bat Survey being conditioned as part of the grant of planning permission, the Applicant has now engaged M. Brian Keeley, Wildlife Surveys Ireland Limited to undertake a 'Bat Assessment' which has been attached to the appeal response (Appendix No. 1). The submission notes that the assessment refers to a number of "Potential Impacts" on bats in the area in which the proposed driving range is to be located with regard to "Loss of Roost" and "Reduced Feeding and Commuting". It also identifies a number of "Mitigation Measures" which are intended to mitigate these impacts. The submission notes that the Applicant is prepared to implement these measures and would have no objection to their incorporation in a planning condition in the event of a grant of

permission.

6.1. Observations

6.1.1. None.

6.2. Further Planning Authority Response

6.2.1. A response was received on 7th July 2023 which noted that the Planning Authority have no further comments to make.

6.3. Further Response

6.3.1. None.

7.0 Assessment

Having examined the application details and all other documentation on file, including the reports of the Local Authority, and having inspected the site, and having regard to the relevant local/regional/national policies and guidance, I consider that the substantive issues in this appeal to be considered are as follows:

- Principle of Development & Procedural Matters
- Ecology
- Wastewater Treatment & Impact on Trees
- Appropriate Assessment

7.1. Principle of Development & Procedural Matters

7.1.1. Planning permission is being sought by the Applicant to upgrade the existing long game practice area associated with the golf course, by providing a new 22-bay covered driving range building. The proposed development also includes 4 no. open air bays, accessible toilets, a golf ball processing area, a new car parking area and all associated lighting. Under the current Plan (2021-2027), the entirety of the golf course, including the appeal site is located outside the settlement boundary of Kells and is therefore within an area zoned 'RA Rural Areas' (Kells Sheet No. 18(a) Land Use Zoning). The objective of RA zoned lands is 'To protect and promote in a balanced way, the development of agriculture, forestry and sustainable rural-related enterprise, community facilities, biodiversity, the rural landscape, and the built and cultural

heritage’.

7.1.2. The Applicant’s response to the appeal confirms that the golf club was first established in 1928. It is stated that the course was extended from nine to eighteen holes in 1956 through an extension of the leasing arrangement with the owners of the Headfort Estate. Shortly afterwards, a practice zone for driving was established just inside the main entrance gate. The submission notes that as the Club’s membership grew during the late fifties and early sixties, this area of the course was deemed to be unsuitable for this purpose and the land at the Kilmainham end of the course, where the subject site is located, came into use as a long game practice area. In terms of the rationale for the proposed development, the Applicant notes that the informal nature of this practice facility has severely constrained its utility for that purpose, given that it was of very limited value for practice purposes in inclement weather and it could only be used during daylight. As club membership has increased, it is noted that there has been a growing demand to upgrade the practice area and for the development of a modern all-weather flood lit driving range, which would facilitate long game practice.

7.1.3. The appellant has raised concerns within their appeal that the existing long game practice area does not benefit from having planning permission and the existing use of the site for this purpose would therefore constitute unauthorised development. In response, the Applicant confirms that the practice areas form part of a golf course’s infrastructure and the informal use of these lands for that purpose is long established and would come within the area used for golfing activities by the Club on its lands. In my view, it is entirely reasonable for an area of the established golf course to be utilised as an informal practice area. Irrespective of this, the Applicant is now seeking planning permission to develop a new facility on the appeal site, comprising a driving range and associated facilities. I note that a driving range is not a use that is specifically defined or identified in the current Plan (2021-2027). However, a ‘Golf Course’ is identified as a ‘Permitted Use’ under the ‘RA’ zoning, and it is evident that the proposed driving range is intrinsically linked and ancillary to the established Golf Course. In this regard, I am satisfied that the principle of development is acceptable at this location and the proposal will support the ongoing operation and functioning of the Club.

7.1.4. The appellant in their submission has also raised concerns regarding the validity of

the application. It is claimed that a letter of consent had not been provided by the relevant landowners to make the application as required by the Planning and Development Regulations, 2001 (as amended). In response to this ground of appeal, it is confirmed that the appeal site is owned by Headfort Golf Club (i.e. the Applicant) and the persons referred to by the appellant are former trustees of the Club. It is explained in the response to the appeal that the legal title is vested in former trustees, but they are not the owners of the property. The submission goes on to note that this is a common arrangement in golf clubs, and they deal with the property as directed by the membership. In this regard, I am satisfied that the application is valid, and the Planning Authority has met their obligations in terms of the relevant requirements of the Regulations.

7.2. Ecology

- 7.2.1. In support of the application, the Applicant submitted an Ecological Impact Assessment of the proposed development. In terms of Flora, Section 4.3 of the assessment notes that the most significant ecological feature within the site are the treelines which occur along the eastern and northern site boundaries, particularly the treeline along the eastern boundary. The treeline along the eastern site boundary is relatively species rich (albeit many non-native species), with a number of mature veteran trees. It is stated that the staggered layout of the trees in this treeline almost makes this feature a thin strip of woodland. However, the assessment notes that overall, the biodiversity of this application site is of low - medium value on a local level only and the habitats within it are generally highly modified. The amenity grassland and bare soil habitats which comprise the majority of the site are of no biodiversity value, whilst the grassy verge habitats provide some suitable sources of nectar for local populations of pollinating insects. Again, it is noted that the treelines within the site are of higher biodiversity value which may provide suitable nesting sites for birds with some older, mature trees also potentially providing suitable roosting habitats for bats.
- 7.2.2. In terms of fauna and protected mammals, Section 4.4 again notes that there are trees present within the site that are of significant bat roost potential, particularly those along the eastern site boundary. Overall, the landscape is considered to be of local

importance (higher value) for bats due to a good network of hedgerows and treelines around the fields in the wider area. It is stated that the River Blackwater and its riparian habitats to the north of the site would also form an important part of the bat landscape. Any mature treelines along the site boundaries therefore have the potential to be important for foraging and commuting (and potentially roosting) bats in a local context.

- 7.2.3. The assessment notes that no red listed bird species were noted from the site. Given the modified habitats within and surrounding the site, along with the proximity of the site to a busy road; the site is unlikely to be of high value to these bird species. For Amphibians, Reptiles and Invertebrate, no frogs or reptiles were noted on the site on the day of the survey and there are no ponds or watercourses in the site that would provide suitable breeding habitat for frogs. It is stated that there are also no habitats suitable within the site for smooth newts.
- 7.2.4. The Applicant's assessment provides an analysis of the potential impacts of the development, both during the construction phase (habitat loss and fragmentation, pollution and disturbance to local wildlife) and the operational phase (disturbance to local wildlife, lighting, landscaping and cumulative impacts). However, a suite of mitigation measures has been recommended in Section 6 of the assessment in order to protect the existing ecological features on the site and the surrounding area. It is recommended within the assessment that these measures are included in a Construction and Environmental Management Plan. Overall, it was concluded within the report that the proposed development will have a neutral impact upon the local ecology and biodiversity of the area and the creation of new habitats on the site through landscaping will be a positive benefit to local ecology. With the proper management of the site and its green areas, then local areas of biodiversity will be allowed to develop.
- 7.2.5. Within their assessment of the application, the Planning Authority noted the conclusions of the Applicant's assessment but requested the Applicant to submit an assessment of light overspill from the proposed development on the ecology of the area, most notably bat species. This was due to the location of the proposed development in a rural area adjacent to mature trees and hedgerows. It was stated that the assessment should be carried out by an Ecologist and the effect of the

proposed development on bat species living in the vicinity of the site should be determined. It is evident from the Applicant's response to the request for further information that they engaged with the Planning Authority on this matter, and it was agreed that a bat survey would be carried out prior to the commencement of development and a suitable condition was attached to the grant of permission. It is the appellant's contention that this should not be agreed by way of condition and an assessment of the potential impact should have been undertaken by the Applicant.

- 7.2.6. In support of the appeal, the Applicant engaged the services of Brian Keeley, Wildlife Surveys Ireland Limited to undertake a 'Bat Assessment' of the proposed development. This now forms an appendix to the Applicant's response to the appeal. As part of the assessment, the site was examined on 2 no. dates in June 2023 and also with remote monitoring over a period of 4 full nights to determine the species of bat present, feeding and commuting routes within the grounds and potential for nearby roosts or roosts within the immediate trees or other structures. The assessment indicates that bat activity was noted most especially along the trees to the north of the development including the north-eastern corner where there are the remains of a ruined castle. Bats were also seen to feed along the hedge separating the driving range area from the golf course as well as along the mature trees to the east. The following potential impacts were identified:

Table 7.1

Loss of Roost	Illumination of the oak trees to the north of the site would affect the potential for bats to use these trees as roosts or mating perches. To illuminate these trees and consequently to deter bat usage would be to interfere with the access of bats to a protected structure for an Annex IV species under the Wildlife Act and all Statutory Instruments implementing the Birds and Habitats Directive. This would be a long-term significant negative impact without mitigation as it would contravene the Wildlife Act.
Reduced Feeding and Commuting	Illumination of the oak trees or eastern trees or western hedge may affect the ability of bats to feed on the exposed sides (i.e., the western side of the eastern trees and the eastern side of the western

	<p>hedge). This would constitute a long-term slight negative impact for these sites. Illumination of trees at the north-eastern corner would have a greater significance as these trees and associated vegetation have a greater level of bat activity and diversity. This would be a moderate long-term negative impact.</p>
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7.2.7. The Applicant's assessment sets out the various mitigation measures required which include limiting light levels through design and by means of cowls, planting of hedgerows, installation of bat boxes and the monitoring of bat activity following commencement of the development. Having regard to the various mitigation measures outlined in both the Ecological Impact Assessment and the Bat Assessment, I am satisfied that the proposed development is acceptable and would not unduly impact on the ecology of the site and surrounding area. However, it is my recommendation that a condition is included which shall require the Applicant to prepare and submit a Construction and Environmental Management Plan (CEMP) for the proposed development. This CEMP shall collate all the relevant mitigation measures outlined in the application and appeal documents and shall be agreed in writing with the Planning Authority prior to the commencement of development.

7.3. Wastewater Treatment & Impact on Trees

7.3.1. As the development is to be served by toilets, permission is sought for the installation of a wastewater treatment system (WWTS) and percolation area. The WWTS and percolation area is proposed to be located to the south of the driving range building, adjacent to the southern site boundary. The site is in an area with a poor aquifer of high vulnerability. The Site Characterisation Form notes that groundwater was not encountered in the 2.1m deep trial hole. Bedrock was also not encountered. The soil was silt/clay in the upper 300mm, clay intermixed with stone and pebbles within the remainder of the hole. I note that the Site Characterisation Form identifies a Groundwater Response of R1. As per Table E1 (Response Matrix for DWWTSs) of the EPA Code of Practice Domestic Wastewater Treatment (Population Equivalent \leq 10), 2021, a Groundwater Response of R1 is 'Acceptable subject to normal good practice (i.e. system selection, construction, operation and maintenance in accordance with this CoP)'.

- 7.3.2. The T-test result was 9.35. A P-test was also carried out which gave a result of 6.32. I consider the results to be generally consistent with the ground conditions observed on site. Section 3.1 of the Site Characterisation Form states that the ground condition was dry and firm at the time of inspection and I did not observe there to be any water courses either on or within the immediate surrounds of the appeal site. The site comprises a greenfield area of an existing golf course with no indication of, for example, water ponding, outcrops etc. Section 5 of the Site Characterisation Form recommends the installation of a purpose-built polishing filter which is constructed to ensure that there is a minimum of 0.90m of suitable percolating material between the base of the lowest part of the percolation area at all times. The distribution pipes used in this system will be smooth walled, have a diameter of 100mm, have 8mm holes drilled in them 75mm apart, and each pipe should be spaced parallel and 2500mm centre to centre apart. It is also recommended that the O' Reilly Oakstown Treatment System (20PE) and polishing filter construction is overseen by a suitable qualified and accredited person.
- 7.3.3. Having inspected the appeal site and examined the ground conditions and having regard to the information on file, including the Site Characterisation Report, I am satisfied that the Applicant's proposals for the disposal and treatment of wastewater are acceptable in this instance and therefore, the proposal will not be prejudicial to public health. Due to the commercial nature of the project and the predicted PE of 20, the appellant submitted in their original observation to the application that the EPA Wastewater Treatment Manual for Treatment Systems for Small Communities, Business, Leisure Centres and Hotels is the relevant standard to assess the proposal against and not the EPA Code of Practice for Domestic Wastewater Treatment Systems (2021) as referred to in the Site Characterisation Form. Notwithstanding this, it is evident from the Applicant's Site Characterisation Form and Suitability Assessment Report that the PE for the subject proposal was determined on the basis of the recommended wastewater loading rates from commercial premises (Toilet Blocks (per use)) as outlined under Table 3 of the EPA Wastewater Treatment Manual for Treatment Systems for Small Communities, Business, Leisure Centres and Hotels. I am therefore satisfied that the proposed WWTS is adequately sized to cater for a development of this scale.

7.3.4. The appellant has also raised concerns with respect to the location of the proposed percolation area relative to the root zone of 2 no. existing mature trees located adjacent the southern site boundary. Although it is not clearly indicated on the application documents, the percolation area covers a floor area of c. 160sq.m. Within their response to the appeal, it is stated that the percolation area as shown on the submitted plans lies outside the crown area of both the above-mentioned trees. It is also stated that when trial holes were dug as part of the assessment of the site's suitability for the percolation area, no roots were encountered. Irrespective of this, I note that the application has not been supported by a tree survey or an arboricultural assessment to substantiate these claims. Mitigation measures outlined in the Ecological Impact Assessment include the engagement of an arborist to undertake an assessment of the existing trees within the site and to prepare a plan of the future management of the treelines and hedgerows within the site. Therefore, it is my recommendation that appropriate tree protection measures are put in place for the existing trees, and I note that it may be required to relocate/alter the size of the percolation area associated with the WWTS depending on the advice of the arboricultural consultant. I am satisfied that this matter can reasonably be addressed by way of condition.

7.4. Appropriate Assessment

Background & Description of Project

7.4.1. I have considered the proposed residential development, in light of the requirements of S177U of the Planning and Development Act 2000 as amended. An Appropriate Assessment Screening Report was originally submitted with the application. This report was prepared in October 2022 by Whitehill Environmental. I note that the application is also supported by an Ecological Impact Assessment. These documents have been prepared on behalf of the Applicant and the objective information presented informs the screening determination.

7.4.2. The site forms part of Headfort Golf Club and has an address at Kilmainham, Kells, Co. Meath, A82 E330. The site has a stated area of c. 6.43ha. and is located at the eastern end of the golf club's grounds, c. 2km to the east of Kells town centre and c. 1.4km to the north of the M3. In terms of the site surrounds, there are a number of

established residential properties to the east of the site. The golf course grounds are located to the north and west and lands to the south of the site, on the opposite side of the R147 appear to be in agricultural use.

- 7.4.3. The study area consists of one large open field and the field boundaries are generally defined by stonewalls, hedgerow and / or treelines. Approximately half of the field (southern section) consists of levelled areas and mounds of bare soil (Spoil and Bare Ground ED2). The northern half of the site remains as an amenity grassland habitat (GA2) that is frequently mowed and fertilised. The application site is within the Boyne Hydrometric Area (07) and Catchment (07), the Blackwater Sub-Catchment (030) and the Blackwater Sub-Basin (110). There are no drains or streams within or immediately adjacent to the application site. The AA Screening Report notes that there is a small stream approximately 70m north of the site. This stream flows along the edge of the woodland that borders the adjacent golf course and flows north and enters the River Blackwater, which is 338m north of the site.
- 7.4.4. The nearest designated sites are the River Boyne and River Blackwater Special Area of Conservation (Site Code: 002299) (c. 180m to the north of the site) and The River Boyne and River Blackwater Special Protection Area (SPA) (Site Code: 004232) (c. 220m to the north of the site).
- 7.4.5. I have provided a detailed description of the development in section 2. Detailed specifications of the proposed development are provided in the AA Screening Report and in other planning documents provided by the applicant.
- 7.4.6. No submissions were received in respect of the proposed development from prescribed bodies.

European Sites at risk from impacts of the proposed project and likely significant effects on the European site(s) 'alone'

- 7.4.7. The applicant has included 4 no. European sites in the Screening Report, all of which are located entirely within 15km of the development site. There is no ecological justification for the inclusion of 2 of those sites, namely the Killyconny Bog SAC

(000006) and the Girley Bog SAC (002203). Table 1 of the Screening Report screens out significant effects on both the Killyconny Bog and Girley Bog SAC due to the separation distances and the absence of hydrological connectivity. I consider this to be an acceptable conclusion when considering the distance to these sites and the lack of a hydrological connection.

7.4.8. The qualifying interests and conservation objectives of the River Boyne and River Blackwater SAC and SPA are included as follows:

Table 7.2

European Site	Qualifying Interest	Conservation Objectives	Distance from Site
River Boyne and River Blackwater SAC (002299)	Alkaline fens [7230] Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (Alno-Padion, <i>Alnion incanae</i> , <i>Salicion albae</i>) [91E0] <i>Lampetra fluviatilis</i> (River Lamprey) [1099] <i>Salmo salar</i> (Salmon) [1106] <i>Lutra lutra</i> (Otter) [1355]	[7230] To maintain the favourable conservation condition of Alkaline fens in River Boyne and River Blackwater SAC. [91E0] To restore the favourable conservation condition of Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (Alno-Padion, <i>Alnion incanae</i> , <i>Salicion albae</i>)* in River Boyne and River Blackwater SAC. [1099] To restore the favourable conservation condition of River Lamprey (<i>Lampetra fluviatilis</i>) in River Boyne and River Blackwater SAC. [1106] To restore the favourable conservation condition of Atlantic Salmon (<i>Salmo salar</i>) in River Boyne and River Blackwater SAC. [1355] To maintain the	180m

		favourable conservation condition of Otter (<i>Lutra lutra</i>) in River Boyne and River Blackwater SAC.	
River Boyne and River Blackwater SPA (004232)	A229 Kingfisher Alcedo atthis	To maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA.	220m

7.4.9. In carrying out my assessment I have had regard to the nature and scale of the project, the distance from the appeal site to Natura 2000 sites, and any potential pathways which may exist from the development site to a Natura 2000 site, aided in part by the EPA Appropriate Assessment Tool (www.epa.ie), as well as by the information on file. I have also visited the appeal site. Having regard to the separation distances between the appeal site and River Boyne and River Blackwater SAC and SPA, Section 3.4 of the Applicant's AA Screening Report has further considered the potential significant effects on the Natura 2000 sites and their Qualifying Interests arising from the construction and operation of the proposed development. A summary of the two sites is presented below and full details of these sites are available on the website of the National Parks and Wildlife Service.

7.4.10. The River Boyne and River Blackwater SAC (002299) comprises the freshwater element of the River Boyne as far as the Boyne Aqueduct, the Blackwater as far as Lough Ramor and the Boyne tributaries including the Deel, Stoneyford and Tremblestown Rivers. These riverine stretches drain a considerable area of Meath and Westmeath, and smaller areas of Cavan and Louth. The underlying geology is Carboniferous Limestone for the most part, with areas of Upper, Lower and Middle well represented. In the vicinity of Kells Silurian Quartzite is present while close to Trim are Carboniferous Shales and Sandstones. There are many large towns adjacent to but not within the site, including Slane, Navan, Kells, Trim, Athboy and Ballivor. The Qualifying Interests for the SAC have been identified in Table 7.1 of this report.

7.4.11. In terms of the River Boyne and River Blackwater SPA (004232), it is a long, linear

site that comprises stretches of the River Boyne and several of its tributaries; most of the site is in Co. Meath, but it extends also into Counties Cavan, Louth and Westmeath. The SPA is of high ornithological importance as it supports a nationally important population of Kingfisher, a species that is listed on Annex I of the E.U. Birds Directive.

7.4.12. Section 3.4 (Impact Assessment) of the Applicant's AA Screening Report provides an analysis of the potential significant effects of the proposed development on the River Boyne and River Blackwater SAC and SPA which is reproduced in Table 7.2 below.

Table 7.3

Describe the individual elements of the project either alone or in combination with other plans or projects likely to give rise to impacts on nearby Natura 2000 sites.	The construction and operation of the proposed driving range at this site will have no significant effects upon the designated sites identified, i.e., the River Boyne and Blackwater SAC/SPA. There are no individual elements of the proposed project that are likely to give rise to negative impacts on these aforementioned sites. The application site is close to the SAC/SPA; however, there are no watercourses on the site itself and there are no direct source-pathway-receptor linkages between the application site, the construction work areas and the SAC / SPA, therefore significant effects upon these sites are unlikely to arise.
Describe any likely direct, indirect or secondary impacts of the project either alone or in combination with other plans and projects on the nearby Natura 2000 sites by virtue of:	<p><i>Size and Scale</i> - Having regard to small size and scale of the development in relation to the overall size of the River Boyne and Blackwater SAC/SPA, the likelihood of any direct, indirect or cumulative impacts on these designated sites arising from the construction and operation of the proposed development is low.</p> <p><i>Land-take</i> – It is stated that there will be no land-take from any designated site and there will be no interference with the boundaries of any designated site.</p> <p><i>Distance from Natura 2000 Site or Key Features of the Site</i> - There are four European sites within 15km of the application site. At its closest point, the proposed development site is 148m south of the River Boyne and Blackwater SAC and 210m south of the SPA. In this instance, this distance is sufficient to ensure that no impacts will arise as there are no direct pollution pathways between the application site and the SAC/SPA, therefore the potential for pollution and subsequent effects to arise is low.</p> <p><i>Resource Requirements Water Abstraction Etc.</i> – It is stated that no resources will be taken from any Natura 2000 site and there are no</p>

	<p>resource requirements that will impact upon any designated site.</p> <p><i>Emissions</i> – Neither the construction nor the operation of the proposed development will result in any emissions to the River Boyne and Blackwater SAC or SPA. There are no watercourses within the site or close to the construction work area and there will be no run-off from the site directly to the River Boyne and Blackwater SAC or SPA. There will be no run-off from the site into any local watercourse that leads to the River Blackwater. During operation, surface water from the site will be directed into a soakpit via an oil interceptor.</p> <p>The proposed treatment plant and polishing filter will be installed by a suitably qualified person and good management of this plant will be followed at all times during its future operation. It will comply with all EPA requirements (Code of Practice for Wastewater Treatment Systems for Single Houses, 2021). The system will be de-sludged by a registered contractor at least once a year. Therefore, it can be concluded that there will be no risk of groundwater or surface water pollution from the operation of the proposed system.</p> <p><i>Excavation Requirements</i> – It is noted that there will be no excavation works within any designated area.</p> <p><i>Transportation Requirements</i> – It is indicated that there will be no additional transportation requirements resulting from the proposed development and associated works that will have any impact upon the Natura 2000 sites identified.</p> <p><i>In-combination / Cumulative Impacts</i> – The report notes that proposed application was considered in combination with other developments or proposed developments in the Kells area and potential cumulative impacts were considered. A number of other developments have been granted planning permission in the general area in the last five years. Where necessary these developments were screened for AA, or else AA was carried out and an NIS was submitted.</p> <p>The proposed development will have no cumulative impacts upon any designated sites when considered in combination with other developments that have been screened properly for AA (Stage I) or where AA has taken place (Stage II). Any future individual application that has the potential to impact upon a Natura 2000 site will be subject to Appropriate Assessment as required under Articles 6(3) of the Habitats Directive.</p> <p><i>Duration of construction, operation, decommissioning etc.</i> – It is</p>
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	stated that once construction begins, it should be completed within one year.
Describe any likely changes to the nearby Natura 2000 sites arising as a result of:	<p><i>Reduction of Habitat Area</i> – It is stated that proposed development lies outside the boundaries of the Natura 2000 sites identified in Section 3.3. There will be no reduction of designated habitat area within any SAC or SPA. There will be no impacts upon the habitat qualifying interests of the River Boyne and Blackwater SAC, i.e., alkaline fens or alluvial forests with alder <i>Alnus glutinosa</i> and ash <i>Fraxinus excelsior</i>. Both these features are outside of the zone of influence of the development and there are no source-pathway-receptor linkages between the area of construction works and these designated features, therefore there are no potential pollution pathways. There will be no interference with the boundaries of the River Boyne and Blackwater SAC/SPA</p> <p><i>Disturbance to Key Species</i> - There are four species listed as qualifying interests of the River Boyne and River Blackwater SAC and SPA, i.e. the otter, salmon, river lamprey and kingfisher. It is indicated that there are no direct pollution pathways between the application site and the designated sites and potential effects upon these listed species will therefore be avoided. There will also be no loss of riparian habitats used by the Otter.</p> <p><i>Habitat or Species Fragmentation</i> – It is stated there will be no habitat or species fragmentation within the SAC or SPA. In addition, there are no ecological corridors between the proposed site and the Natura 2000 sites identified and will therefore not be damaged or destroyed.</p> <p><i>Reduction in Species Density</i> – It is indicated that there will be no reduction in species density within the SAC or SPA.</p> <p><i>Changes in Key Indicators of Conservation Value.</i> It is stated that there will be no negative impacts upon surface or groundwater quality within the SAC or SPA. There will be no negative impacts upon the water quality in either the SAC or SPA and there will be no changes in groundwater quantity or quality which would lead to impacts upon the protected alkaline fen habitats of the SAC or SPA.</p>
Describe any likely impacts on the nearby Natura 2000 sites as a whole in terms of:	<i>Interference with the Key Relationships that Define the Structure or Function of the Site</i> – It is not considered likely that there will be any impacts on the key relationships that define the structure or function of the Natura 2000 sites identified.
Provide indicators of significance as a result of the identification of	<p><i>Loss - Estimated Percentage of Lost Area of Habitat:</i> None.</p> <p><i>Fragmentation, Disruption and Disturbance:</i> None.</p> <p><i>Change The Key Elements of the Site:</i> None.</p>

7.4.13. The Applicant's AA Screening Report concludes that an AA of the proposed development is not required as it can be excluded on the basis of objective information provided in their report, that the proposed development, individually or in combination with other plans or projects, will not have a significant effect on any European sites. Having examined the totality of the documentation on file, it is evident that neither the construction nor the operation of the proposed development will result in any emissions to the River Boyne and Blackwater SAC or SPA. This is due to the fact that there are no watercourses within the site or close to the construction work area. In addition, there will be no run-off from the site directly to the SAC or SPA, nor will there be run-off from the site into any local watercourse that leads to the River Blackwater. As noted in Section 7.2 of this report, the submitted Ecological Impact Assessment has recommended that a Construction and Environmental Management Plan be prepared for the proposed development which includes a suite of best practice pollution control measures which include surface water management, material storage, waste management and other environmental management measures. Notwithstanding the fact that these are identified as mitigation measures in the Applicant's Ecological Impact Assessment, I am satisfied that these measures are standard practices and would be required for a development on any site in order to protect local receiving waters, irrespective of any potential hydrological connection to Natura 2000 sites. It is my view that the measures outlined are typical and well proven construction methods and would be expected by any competent developer whether or not they were explicitly required by the terms and conditions of a planning permission.

7.4.14. In terms of the operational stage of the proposed development, surface water from the site will be directed into a soakpit via an oil interceptor. In addition, the proposed WWTS and percolation will be installed by a suitably qualified person and good management of this plant will be followed at all times during its future operation as I have outlined in Section 7.3 of this report. The screening report notes that it will comply with all EPA requirements (Code of Practice for Wastewater Treatment Systems for Single Houses, 2021) and the system will be de-sludged by a registered contractor at least once a year. Therefore, I am satisfied that there will be no risk of groundwater or

surface water pollution from the construction or operation phases of the proposed development.

In-combination Effects.

- 7.4.15. The development is catered for through land use planning, including the Meath County Development Plan, 2021-2027 covering the location of the application site. This has been subject to AA by the Planning Authority, which concluded that its implementation would not result in significant adverse effects to the integrity of any Natura 2000 areas. I note that the development is located on the grounds of an established Golf Course and it has been identified that the site is connected to an existing public water supply. In addition, a WWTS and percolation area will serve the proposed development. Given the overall scale of the development, I am satisfied that the proposal will not generate significant demands on the existing municipal sewers for surface water.
- 7.4.16. In-combination/cumulative effects have also considered in the Applicant's AA screening report. It is stated that in combination with other developments or proposed developments in the Kell's area and potential cumulative impacts were considered. The screening report notes that a number of other developments have been granted planning permission in the general area in the last five years. Where necessary these developments were screened for AA, or else AA was carried out and an NIS was submitted. Whilst the Screening Report has not identified permitted development within the site surrounds, these mainly relate to other residential, recreational and agricultural developments which are typical of the site's location on the periphery of an urban settlement. I note that these developments would be subject to the similar construction management and drainage arrangements as the subject proposal (cannot be considered as mitigation measures as they would apply regardless of connection to European Sites). Therefore, I conclude that the proposed development would have no likely significant effect in combination with other plans and projects on the qualifying features of any European site(s). No further assessment is required for the project.

Conclusion and Screening Determination

- 7.4.17. The proposed development was considered in light of the requirements of Section 177U of the Planning and Development Act, 2000, as amended. In conclusion, having

regard to the nature and scale of the proposed development, which comprises the development of a driving range facility within the grounds of an established golf course, the nature of the receiving environment, the distances to the nearest European sites, and the lack of a hydrological pathway between the appeal site and any Natura 2000 site as outlined above, it is reasonable to conclude that on the basis of the information on the file, which I consider adequate in order to issue a screening determination, that the proposed development, individually or in combination with other plans or projects would not be likely to have a significant effect on any European sites, in view of the sites' Conservation Objectives, and a Stage 2 Appropriate Assessment is not therefore required.

8.0 Recommendation

8.1. Grant of permission is recommended.

9.0 Reasons and Considerations

9.1. Having regard to the:

- The location of the appeal site within the grounds of an established golf course,
- The nature of the proposed development, i.e. a purpose built driving range associated with and ancillary to the running and functioning of the established golf course,
- The scale and design of the proposed development,
- The policy 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 various conditions set out below, including a requirement for the Applicant to submit and comply with a Construction and Environmental Management Plan, the proposed development would not seriously injure the residential amenities of the area or of property in the vicinity, is 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.

10.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application and as amended by further plans and particulars received on 29th 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. In default of agreement the matter(s) in dispute shall be referred to An Bord Pleanála for determination.

Reason: In the interest of clarity.

2. Materials, colours and textures of all 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 CEMP 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. The Applicant shall retain the services of an Arboricultural Consultant for the duration of the project. Prior to the commencement of development, the Applicant shall submit an Arboricultural Assessment in accordance with the recommendations contained within the submitted Ecological Impact Assessment (November 2022).

Reason: To protect the visual amenity and natural heritage of the area.

5. 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.

6. Prior to the commencement of development, the developer shall enter into water and waste-water connection agreement(s) with Irish Water.

Reason: In the interest of public health.

7. The site and associated activities shall take place only between the hours of 8.00am to 9.00pm 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 interests of the proper planning and development of the area.

8. 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 interests of the proper planning and development of the area and to protect amenity of the area

9.

- a. The proposed FFL of the building shall be no lower than 50.000m
- b. The proposed toilets shall be moved northwards and away from the potential flood plain to above the 50m contour.
- c. There shall be no increase in ground levels in those areas below the existing 49.5m contour line such that the potential flood plain is not impacted.

Reason: In the Interest of Surface Water Management and Flooding.

10.

- a. The onsite DWWTS 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 DWWTS has been satisfactorily installed and commissioned to accord with the provisions of the EPA Code of Practice, Waste Water Treatment Systems (Population Equivalent ≤ 10), 2021 and the Site Characterisation Form submitted on 25/11/22, 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 DWWTS, including any associated infiltration/treatment area.

- b. The installation and maintenance of this DWWTS 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 DWWTS 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 interests of public health and to provide for the protection of the environment.

11. 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.

12. 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.

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

Enda Duignan
Planning Inspector

27/06/2024

Appendix 1 - Form 1

EIA Pre-Screening

[EIAR not submitted]

An Bord Pleanála Case Reference	ABP-317166-23		
Proposed Development Summary	Upgrading of a driving range facility, to include the construction of 22-bay covered driving range building, 4 open-air bays, accessible toilets, golf ball processing area and all associated site works.		
Development Address	Kilmainham, Kells, Co. Meath, A82 E330.		
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (that is involving construction works, demolition, or interventions in the natural surroundings)		Yes	Yes
		No	No further action required
2. Is the proposed development of a class specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) or does it equal or exceed any relevant quantity, area or limit where specified for that class?			
Yes			EIA Mandatory EIAR required
No	X		Proceed to Q.3
3. Is the proposed development of a class specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) but does not equal or exceed a relevant quantity, area or other limit specified [sub-threshold development]?			
		Threshold	Comment (if relevant)
Conclusion			
No	X		No EIAR or Preliminary Examination required
Yes			Proceed to Q.4

4. Has Schedule 7A information been submitted?

No	X	Preliminary Examination required
Yes		Screening Determination required

Inspector: _____**Date:** 27th June 2024