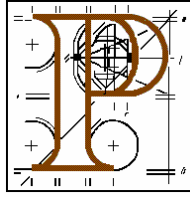


An Bord Pleanála



Inspector's Report

PL 26.238515

Development: Phased developments including spectator terraces, playing pitches, WC facilities, medical station, turnpikes, floodlighting, access roads, parking and all associated works.

Location: Bellfield GAA Grounds, Enniscorthy Rural, Co. Wexford

Planning Application:

Planning Authority: Wexford County Council

Planning Authority Reg. Ref. No.: 20101260

Applicant: Rapparees Starlights GAA Club

Type of Application: Permission

Planning Authority Decision: Grant Permission + conditions

Planning Appeal:

Type of Appeal: Third Party v grant

Appellant: Terry & Betty Morrissey

Observers: None on file

Date of Site Inspection: 10th April 2011

Inspector: Sarah Moran

1.0 SITE LOCATION AND DESCRIPTION

- 1.1 The site has a stated area of 6.42 ha and is the grounds of the Rapparees Starlights GAA Club. It is located on the R702 Enniscorthy-Kiltealy regional road, situated on the western side of the built up area of Enniscorthy in a predominantly residential, suburban area. The club is well established at this location and the documentation on file indicates that the main playing pitch has been in place since at least the 1920s. The application states that the club facilities are used for hurling, camogie and gaelic football from under age to senior levels with up to 250 children, up to a dozen senior teams and the local St. Aiden's Primary School using the facilities for training and playing games.
- 1.2 The site is bound as follows:
- Road frontage to R702/Bellfield Road to the north also the rear of several individual residential properties fronting onto Bellfield Road.
 - Residential lands to the west, east and south.
 - Rugby club grounds to the south.
- 1.3 The main playing pitch (described on file as Pitch No. 1) is located on the eastern side of the site. Pitch No. 1 is floodlit and has ball nets behind both goalposts. There is a two storey clubhouse on the western side of Pitch No. 1. There is a limited amount of spectator seating adjacent to the clubhouse but no other formal spectator seating. There is a small parking area to the north and west of the clubhouse. The western side of the site is informally laid out as 2 no. training pitches, which are not floodlit. A small area of disturbed ground was noted at the south western corner of this part of the site. Topography falls gently from north to south across the site.
- 1.4 The site has one vehicular access from Bellfield Road. Visibility in both directions is limited due to the narrow width of Bellfield Road at this point. There is a high concrete wall along much of the Bellfield Road frontage. This frontage also has three pedestrian entrances, which were closed on the day of inspection. The sides and rear of the western part of the site, where the training pitches are located, are hedgerows with mature trees. There is pedestrian access to the rugby club grounds to the south of the site. There is a high concrete wall along the southern and eastern sides of Pitch No. 1. It is noted that the residential lands to the east of Pitch No. 1 generally have a much higher ground level. There is an earthen bank inside the eastern site boundary. The residential lands to the south are at a slightly lower ground level.
- 1.5 The existing buildings on the site have a total stated area of 1,918 sq.m. The clubhouse is a two storey concrete structure with a metal roof. It contains club facilities comprising changing rooms, showers, meeting rooms, function rooms, bar, lounge and ancillary accommodation. Most of these facilities are located on the first floor of the clubhouse. The ground floor of the building appears to be largely in use as a local vocational educational facility. Aside from the clubhouse, there are various small outbuildings such as storage sheds, outdoor toilets, etc., many of which are old and in poor condition. There is an existing electricity substation at the north western corner of Pitch No. 1. The site has an existing connection to the public water main and sewer.

2.0 PLANNING HISTORY

- 2.1 The applicants have provided a list of planning applications on the site dating back to 1968. The following applications have been made in the last decade.
- 2.2 20032464 Permission granted subject to conditions for (a) demolition of 2 storey entrance lobby and single storey shop (b) erection of 2 storey extension to existing GAA club comprising entrance lobby and committee room on the ground floor and extension to existing licensed premises on the first floor, associated site works.
- 2.3 20032349 Permission granted for the retention of (a) 4 no. extension structures to existing GAA club comprising (i) 2 storey entrance lobby, (ii) 2 storey store and WC structure (iii) single storey store structure (iv) single storey shop (b) change of use of floor area from recreational uses to educational uses comprising (i) 280 sq.m. and 74 sq.m. ground floor and (ii) 74 sq.m. first floor. This application was concurrent with 20032464 in order to regularise the pre-existing situation.
- 2.4 20064145 Permission sought for floodlighting to existing sports field and associated works (Pitch No. 1 in the subject application). Permission was granted subject to 4 no. conditions. Condition No. 2 specified that floodlights could only be used until 10 pm. Condition No. 3 required that levels of illumination on the site and external light sources shall be designed so as to minimise overall light emission from the site and to prevent glare or dazzle on adjoining access road, public road or on adjoining properties.
- 2.5 Details of these applications are available in a pouch to the rear of the file.

3.0 PROPOSED DEVELOPMENT

- 3.1 The application was lodged with the planning authority on the 30th November 2010. The proposal is described as the redevelopment of playing fields, provision of spectator facilities and site development works. It has a stated total floor area of 26,715 sq.m. and comprises the following:
- Works to the existing playing pitch (Pitch No. 1). Enclosure of the pitch with a 1.3m high perimeter fence.
 - Viewing facilities for Pitch No. 1. West stand with total capacity for 1,834 people. North terrace with capacity for 1,450. East terrace with capacity for 2,220. Total capacity when complete to be c. 5,500. Toilet block on eastern side of pitch. Ancillary facilities comprising crush barriers; ball nets; scoreboard; footpaths; turnstile entrance/exit to north from Bellfield Road and west from car park; disabled visitors area with access ramp; media section; medical station.
 - Improvement works to existing clubhouse with bar area 262.4 sq.m.; 2 no. function rooms with a combined total floor area of 320.4 sq.m.; snooker area 37 sq.m.; classrooms; gym; changing facilities; storage; meeting rooms. Canopy from the clubhouse over the western spectator stand. The drawings indicate that this would be a metal sheet roof on steel columns. Demolition of 76 sq.m.

- Layout for training Pitches Nos. 2 and 3 on the western side of the site (Pitch No. 2 total stated area 11,900 sq.m.; Pitch No. 3 total stated area 8,850 sq.m.) 6 no. floodlights for each pitch. Perimeter fence 1.3 m high to both pitches.
- Hurling wall to the north of Pitch No. 3, adjacent to the western site boundary.
- Car park with 167 no. standard spaces and 8 no. wheelchair accessible spaces, 6 no. coach parking spaces, located at the north western corner of the site. The existing vehicular access from Bellfield Road would be maintained. A new additional vehicular access from Bellfield Road would be provided at the north western corner of the site. Overflow parking for special events would be provided on Pitch No. 3 (supporting documentation states a capacity for 550 cars).
- Switch unit next to existing ESB substation.
- Landscaping works.
- Connection to public water supply and foul and surface water sewers. Drainage details are supplied.

3.2 A 7 year permission is sought comprising the following phases:

- | | |
|---------|---|
| Phase 1 | Spectator terrace along the eastern side of Pitch 1, also east side public WC facilities. Creation of playing pitch enclosure. Ancillary facilities comprising scoreboard, ball nets, flagpoles and dug outs. Turnstiles A and B. |
| Phase 2 | Development of Pitches Nos. 2 and 3. Associated floodlighting and ball nets. |
| Phase 3 | Works to northern side of Pitch 1. Spectator terrace, public WC facilities, turn stiles, medical station, turnstiles C and D. |
| Phase 4 | Works to western side of Pitch 1. Cover of existing stand, Public WC facilities. Improvement works to club house. |
| Phase 5 | Completion of site perimeter enclosures; hurling wall; access roads; car and coach park and site landscaping works. |

3.3 Details of pre-planning consultation with the planning authority are on file.

4.0 DECISION OF PLANNING AUTHORITY

4.1 Permission was granted subject to 10 no. conditions. Condition no. 3 required revised drainage plans in accordance with Dublin City Council's SuDS guidance document. Condition No. 5 required the provision of a 2m wide footpath along the road frontage where the existing boundary is altered. Condition No. 6 required that levels of illumination on the site and external light sources be designed so as to minimise overall light emission from the site and to prevent glare or dazzle on adjoining access road, public road or adjoining properties. Condition No. 7 restricted the use of the proposed floodlights to between the hours of 9 am and 10 pm. Condition No. 10

required that the proposed floodlights be positioned and tested to prevent direct light spillage onto the adjoining residential properties.

5.0 THIRD PARTY APPEAL

5.1 The appellants are residents of 17 Meadowlands, Enniscorthy, which adjoins the southern boundary of Pitch No. 1. The appeal, which includes a copy of the appellant's original submission to the planning authority, makes the following main points;

- Invalidity of application due to inconsistencies in the naming of the applicant on file and in the as listed in the planning applications checklist. The Rapparees, Starlights GAA Club is not a registered company. Enniscorthy Town Council is the registered owner of part of the property, Town Council consent was not lodged with the application.
- Inadequate surface water drainage arrangement. The application understates the attenuation requirements for correct surface water drainage of the site. This is recognised by the planning authority as per Condition No. 3, which requires a revised drainage arrangement.
- Works have already been carried out to the site. In 2008 Pitch No. 1 was laid out as a sandbased sports ground with drainage works including a 150 mm pipe adjacent to the appellants' property. The construction of the pitch and drainage was carried out without any planning permission even through the drainage outfall was connected to the public surface water drains. There is rapid dispersal of rainwater from the pitch. These works resulted in intermittent flooding of the appellants' property, which had never flooded previously. The appellants understand that these works were carried out without license or permission. Legal proceedings commenced around August 2009 relating to the works carried out on behalf of the club resulting in the flooding of the observers' property. These proceedings remain pending before the Wexford Circuit Court under Record Number 1103/2009.
- The subject application appears to include surface water drains. It appears that the proposed works have already been carried out. If this is the case they should be the subject of a retention application.
- Additional works already carried out on the site comprise the removal of a bank of earth and a row of mature trees adjacent to the appellant's property. These works have had adverse impacts on the amenities of the appellants' property. These adverse impacts have been brought to the attention of the club since July 2009, however the appellants were not consulted prior to the current application.
- In addition, ball nets were erected at the site without planning permission on or before December 2010. This work is included in Phase 1 of the proposed scheme.
- Concern that further works to Pitch No. 1 may intensify and/or prolong flooding of the appellants' property unless remedial work is put in place. The proposed volume of surface water attenuation storage is insufficient. The method of calculation used to determine the green field run off is not provided with the application. The site run off calculation provides only for the impermeable surface water run off and underestimates the actual proposed run off. The sports pitches are to be a sand based surface with

associated drainage layer and specialist drainage. This surface operates on the principle of the accelerated removal of rainwater from the pitch surface. This accelerated run off is not included in the attenuation storage calculations. Accordingly the proposed attenuation is not adequate and will result in further flooding which will adversely affect the objectors' property.

- Details of correspondence between the objectors and the applicant's agent are submitted regarding drainage works carried out on the site is provided. The appellants submit that surface water from the site is discharging into an existing local authority surface water sewer. CCTV footage from the applicants shows that a new 150 mm pipe installed as part of the Pitch No. 1 works has not been installed correctly.
- Development involves an intensification of use with consequent adverse impacts on the objectors' property due to noise pollution and light from floodlights at night time.
- The appeal submission includes photographs of flooding of the appellants' property and ball nets as erected dated 25th February 2011.

6.0 RESPONSE OF PLANNING AUTHORITY TO APPEAL

6.1 The main points made may be summarised as follows:

- The development is acceptable in principle and in accordance with the zoning of the site under the Town Development Plan. The development would improve the facilities of the site and the overall visual appearance of the grounds both internally and from Bellfield Road.
- The works are to be phased and should not create any undue disruption to residential properties in the area. The proposals would relieve pressure points on match days on Bellfield Road with the creation of a second formal entrance and some parking.
- Condition No. 3 was attached to the permission to address the concerns of the observer with regard to surface water drainage.
- Appropriate conditions have been attached to ensure there is no adverse impact on residential amenity.
- The Board is requested to uphold the decision of the planning authority and to grant permission.

7.0 RESPONSE OF APPLICANT TO APPEAL

7.1 The response comprises submissions by the applicant's architect and engineer. The main points made may be summarised as follows:

- The Area Engineer of the planning authority makes no adverse comment in relation to surface water drainage or attenuation proposals in the assessment on file. The applicant would accept the condition imposed by the planning authority or any subsequent additional requirement of the Board.
- The works already carried out to Pitch No. 1 include the laying of field drains, removal of concrete seating to the south east boundary, removal of earthen bank and trees on the south west boundary and re-seeding of the playing field. These works were completed in 2009. They were carried out

as part of overall improvements to the surface of the club's main playing pitch. There was no intensification of use, the works were of a maintenance and repair nature.

- It is submitted that the appellants' concern about flooding risk from the site is without foundation having regard to the design and installation of surface water drainage to Pitch No. 1.
- The storm water attenuation is based on the principle of retaining all flows exceeding the green field flow rate as calculated in accordance with the Dublin City Council SuDS guidance document. The proposed storage would accommodate a 100 year storm, in accordance with Council policy in relation to storm water attenuation. The calculations on the flow rate are based on formulae of the DCC SuDS document. The applicant confirms drainage proposals for connection to the Local Authority main drainage services. In the event that permission is granted the applicant assumes that the local authority would not unreasonably withhold such facilities in view of the requirements to adhere to the sustainable economic and planning objectives of the Development Plan and to consolidate municipal infrastructure.
- Ball nets were erected on Pitch No. 1 without planning permission. They were necessary for safety reasons due to the close proximity of housing and the public road. The current nets were erected as a replacement for nets that had been in place for over 15 years.
- The applicant submitted details of the application to the agent's legal representative on the 11th January 2011. The applicant is not aware of any current flooding problem arising from works on the site affecting the appellant's property.
- The site has hosted inter-county National League, Provincial and County Championship games over the past 60 years, at times accommodating 10-12,000 spectators at a single event on the main playing pitch. It is not proposed to intensify the established capacity of the site. The proposed development would result in a spectator capacity of 5,500 persons, which represents a significant reduction on previous capacity. The applicant does not propose to alter the use or character of the site and has made a substantial effort to ensure that the open playing surfaces that presently exist in harmony with residential amenities will be maintained and improved.
- The applicant confirms that the drainage pipes installed under Pitch No. 1 are correctly installed and operating satisfactorily. This has been confirmed by the contractor responsible for the works.
- The appellant's concerns with regard to noise pollution must be considered in the context of the established use of the site.
- Permission was granted by Wexford County Council for floodlighting to Pitch No. 1 in 2006 under 20064145. The floodlighting was subsequently erected in accordance with this permission. It is submitted that the proposed floodlighting of Pitches Nos. 2 and 3 would not have any adverse impact on the appellant due to the design and separation distance.
- The application form clearly states the name of the applicant as Mr. John Browne, Chairperson, Rapparees Starlights GAA Club. The application form clearly states the applicant's legal interest in the site.

7.2 The submission by the applicant's engineer makes the following additional points in relation to storm water runoff:

- The improving of field drainage is not intended to keep the field dry. At present rainwater cannot penetrate below the topsoil and as a result the topsoil is often wet. This means that rain falling on the field flows off directly with a time lag of 10-20 minutes.
- The proposed drainage would create a deep layer of dry soil through which the water must move to reach the drainage pipe network. The time taken to travel down to the base of the 'improved' soil and then horizontally to the pipe network would exceed the time taken to simply runoff the surface field as at present, i.e. the flow would be slowed. This drainage improvement would result in a dry pitch. The dry top layer would also have attenuation capacity. Both of these factors would decrease runoff rates from the pitches.
- In addition, since all flows up to 1 hour duration are retained in the attenuation system, changing the runoff time by a few minutes would not have any significant effect, though the additional retentive capacity of the improved soil would give beneficial attenuation.
- The attenuation system is designed to collect and store water from the existing roofs and paved areas. These are extensive and the proposed system represents a significant improvement on the present situation.
- The freeboard of 100mm in the surface retention system doubles the capacity of the surface retention system, another significant improvement over fully underground storage systems.

8.0 APPELLANT'S REBUTTAL OF APPLICANT'S RESPONSE TO APPEAL

8.1 The main points made may be summarised as follows:

- The development has caused a nuisance to the appellants and is now the subject of ongoing court proceedings.
- Full details of the drainage calculations have not been provided. However, no provision has been made for the surface water run-off from any of the new pitches (Pitches 1, 2 or 3). This omission invalidates the attenuation calculation and renders it incorrect. The application does not provide information on soil structure, drainage spacing and the grading of the sand layer, all of which would determine the amount of attenuation required.
- A list of flooding events that have occurred at the appellants' property is provided. It is submitted that this flooding results from the location of the main drainage pipe for Pitch No.1 close to the appellants' property. These works were carried out without consultation with the appellants.
- The applicant has not made a substantive effort to address the applicants' flooding concerns, despite considerable correspondence on the matter.
- The drainage pipes are not correctly installed and operating, despite a statement by the applicants to the contrary. A CCTV inspection of the pipe adjacent to the appellants' property showed that the pipes were not laid correctly, that water was lodging in sections of the pipe and a number of gaps and intrusions were noted. The applicants have stated in correspondence that remedial work may be required to the drain. To the

appellants' knowledge, these repairs have never been carried out, there is no evidence of a second CCTV survey to confirm repair works. A copy of the CCTV footage is submitted on DVD.

- Due to the flooding, the development does not comply with Section 6.4 of the Wexford County Development Plan, which requires surface water attenuation facilities to provide temporary storage for surface water in excess of the predevelopment run off rates.
- The planning authority should have refused the application rather than permit it subject to the submission of revised drainage plans. This would have allowed the applicant to submit a correct attenuation application that would have been open to inspection and comment for all parties.
- The applicant should have applied for retention of elements of the project already carried out. The appellants do not accept that demolition works and the removal of trees along their boundary forms part of repair and maintenance work. The applicant should submit a copy of correspondence with the Council to confirm exactly what was confirmed as exempted development.
- The applicants erected ball nets without planning permission. The club could have held games elsewhere pending such permission. The existing nets are much larger than those previously in place and are located closer to the appellants' house.
- The applicants have now confirmed that Mr. John Browne is the applicant. He is not the legal owner of the site and permission should not have been granted without clarification on this issue. Enniscorthy Town Council are also registered owners of the site, their written consent was not lodged with the application.
- The appellants are not objecting to the development on frivolous grounds but have been subjected to continued flooding of their property due to the club's failure to address the problem. They have therefore been forced to enter into legal proceedings, which are currently before the courts.
- The submission is accompanied by photographs of flooding incidents at the appellants' property; an annotated map of Pitch No. 1 showing a suggested location for a new drainage pipe, away from the appellants' property; a copy of correspondence with the applicant; a copy of the CCTV report on the drainage pipe; a DVD of the pipe survey and a DVD with still pictures of the pipe survey.

9.0 APPLICANT'S RESPONSE TO REBUTTAL OF APPELLANT

9.1 The main points made may be summarised as follows:

- The applicant considers that any flooding or surface water damage that occurred to the appellants' property was the result of rainfall runoff in excess of that normally experienced during the construction period. The applicant is not aware of any incidents of 'significant ongoing flooding' beyond that first advised to the applicant in June 2009. No incident of flooding is recorded for November 2009 which according to Met Eireann was the wettest November on record, during which the town centre flooded (details submitted). The applicant has not been advised of repeated flooding events and has not had the opportunity to inspect the effects of

such flooding and repair any resulting damage to the appellants' property. The applicant therefore does not accept that there is ongoing flooding.

- The applicant responded immediately to the appellant's concerns about flooding incidents during April-June 2009. The applicant met with the appellant on the 28th May, 2010. The applicant is willing to engage with the appellants to reach a satisfactory resolution to any of the issues raised in the appeal or any issues associated with the flooding of the appellants' garden. The appellant has been advised of this. The applicant has been at all times prepared to reinstate the appellants' garden and the applicant's contractor has attended the appellants' property in pursuit of arrangements in this regard.
- The drainage has been inspected and repairs carried out and the applicant is satisfied that the drainage pipes are working correctly to discharge water. The repairs addressed the defects noted in the CCTV survey. The appellants and their agent confirmed that these works were complete. If requested by the Board the applicant is prepared to furnish further CCTV survey to confirm the condition of the drainage pipes.
- The drainage provision follows the natural topography of the site. The drain is located 4.1m from the appellants' rear boundary wall. The relocation of the collector pipe as advised by the appellants' engineer would involve raising the ground levels on the playing pitch by at least 1m adjoining the appellants' rear boundary wall. This would significantly alter the nature of the pre-existing site topography and would likely cause flooding due to the location of the appellants' garden c. 1.4m lower than the playing field in those circumstances.
- The applicant has made a technical submission in the planning application for surface water disposal for the entire development. This proposal was satisfactory to the planning authority subject to a standard condition. The engineer's report was satisfied with the proposal. Provided the Board is in agreement with the design and the applicant constructs in accordance with this design or any modification thereof approved by the Board there can be no risk of flooding to the appellants' property.
- Construction of Pitch No. 1 does not form part of the application, only the provision of a boundary fence and advertising structure. Pitch No. 1 is considered exempt development by the planning authority and the completed works associated with its improvement are outside the scope of the planning application. It is respectfully suggested that the works are outside the scope of this appeal and that the appellants' claims in relation to flooding are more properly to be dealt with through the ongoing legal proceedings.
- The 'demolition works and removal of trees' comprise removal of concrete seating and a row of conifer trees and was advised by the Planning Authority to the applicant as exempted development. All of the works to Pitch No. 1 were completed in 2009.
- The applicant replaced pre-existing ball nets prior to carrying out improvement works to Pitch No. 1. The applicant has acknowledged previously that ball nets were erected on Pitch No. 1 in advance of receipt of the local authority decision on the planning application for the entire development.

- The planning application form clearly states the name of the applicant. The applicant consulted with the Town Council prior to lodging the application.

9.2 A submission by the applicant's engineer makes the following additional points:

- Additional details of calculations of the allowable runoff rate are provided.
- All existing storm and land drainage pipes would be connected to the proposed main site drainage system. These flows are included in the submitted calculations. This could be included in a condition of permission if the Board is so minded.

10.0 SECOND SUBMISSION OF PLANNING AUTHORITY

10.1 The submission states:

“Having regard to the submission dated the 11 April 2011 made by Terry and Betty Morrissey the planning authority has no further comment to make.”

11.0 SECTION 132 REQUEST

11.1 Discrepancies were found in the drawings on file upon receipt of the appeal. The Board issued a request under Section 132 of the Planning and Development Act 2000 (as amended) for the following:

- Elevations of the existing clubhouse and elevations of the proposed structure.
- Revised ground and first floor plans of the existing clubhouse clearly indicating the existing internal layout of the structure.
- Revised ground and first floor plans of the proposed development clearly indicating the proposed ground and first floor layouts.
- The drawings shall be marked or coloured so as to distinguish between the existing structure and the works proposed.

11.2 The response comprised:

- Ground and first floor layout of the existing clubhouse.
- Sections and elevations of the existing clubhouse.
- Proposed floor plans with amendments to the existing layout indicate in colour.
- Proposed sections and elevations with amendments indicated in colour.

This response is satisfactory.

12.0 ENNISCORTHY TOWN AND ENVIRONS DEVELOPMENT PLAN 2008-2014

12.1 The site is within the development boundary of the Town Development Plan. Most of the site is zoned for *Open Space & Amenity (OS)- To Protect and Provide for Recreation, Open Space and Amenity Provision*. The plan states the following in relation to this zone:

“This zone relates to both public and private open space and such land use zoning objectives are dispersed throughout the town. The Joint Councils will not normally permit development that would result in a loss of established open space within the town except where specifically provided for in this Development Plan.”

- 12.2 A small area of the site which fronts onto Bellfield Road is zoned *Existing Residential and Infill/Medium Density (R) - To Protect and Enhance the Residential Amenity of Existing and Developed Communities*. The plan states the following in relation to this zone:

“This zoning relates to existing residential lands that have been granted permission or are fully or partially built on. The purpose of this zone is to preserve existing residential uses and to provide for infill residential development at a density that is considered suitable to the area and to the needs of the population. While infill or re-development proposals would be acceptable in principle, careful consideration would have to be given to protecting residential amenities.

- 12.3 Policy TR7:

“To investigate ways of improving the quality and capacity of existing sporting and recreational facilities through initiatives in both the public and private sector.”

- 12.4 The site is situated within Zone 5 of the Development Plan Area, known as Cherryorchard, St. Johns. This is an area west of the town centre, bound by the R702 to the north, the N30 to the southeast and the River Urrin to the southwest. The uses of the area comprise mainly residential, open space and educational/community. The plan emphasises the improvement of road infrastructure in the area and states;

“The main goal within Zone 5 will be to facilitate the regeneration of the older, more established residential areas within improved community and retail facilities on a co-ordinated orderly basis and to ensure that development is sustainable and is properly integrated into the area ... The provision of integrated community facilities will also be of prime importance in this zone.”

The plan states the following with regard to services in Zone 5:

“Parts of area are serviced by public water, public foul sewers and public storm sewers. However, there are a number of constraints within this area regarding public services. In particular, these constraints relate to both the existing level of capacity within the Enniscorthy Town wastewater treatment system and the actual pipe infrastructure at a number of locations within the area.

The pipe network for the distribution of public water also needs development for a large part of the zoned land within the Development Plan area. However, there is an available supply of quality public water for any development proposals in this area. Similarly, the storm water pipe network

needs to be developed to the zoned lands. A standard requirement for any proposals within the area will be the attenuation of storm water at a rate of 4 l/sec per hectare.”

- 12.5 Section 11.4 sets out standards for access, transport and car parking. It states the following with regard to access to public roads;

“Generally, where the capacity, width, alignment or surface condition of the road is inadequate, development will not be considered favourably. The Councils may require the submission of a Traffic Impact Assessment as part of an application ...”

Car parking standards are set out such that the use “*cinemas, theatres, stadia*” require 1 space per 10 seats and the use “*sports clubs, grounds, swimming pools*” require 1 space per 15 sq.m. and 6 spaces for each pitch.

13.0 ASSESSMENT

- 13.1 Having regard to the long-established use of the site, and the Town Development Plan zoning of the site for open space and amenity purposes, it is considered that the proposed development is acceptable in principle. The following are the principal factors for consideration in this case:

- Legal issues raised by appellants.
- Drainage
- Noise impacts
- Floodlighting
- Vehicular access and parking
- Visual impacts

These issues may be considered separately as follows.

13.2 Legal Issues

- 13.2.1 The appellants contend that the application is invalid due to inconsistencies in the naming of the applicant on the file and as listed in the planning applications checklist. The newspaper and site notices and the application form describe the applicant as ‘Repparees/Starlights GAA Club’ and ‘John Browne (Chairperson of Rapparees/Starlights GAA Club, Enniscorthy)’. The application form indicates that the stated applicant is also the owner of the site. A letter submitted with the application confirms that the Enniscorthy Hurling and Football Club are a non-profit making organisation. It is considered that the documentation and notices clearly indicate the applicant in accordance with the requirements of the Planning and Development Regulations 2001 (as amended). No evidence of ownership has been submitted, or evidence of any interest in adjoining or nearby land. Although the appeal contends that the Town Council owns part of the site, there is no indication in the application form that this is the case and the applicant is stated as the owner of the site. However, given the longstanding nature of the club’s occupation of the site, I am reasonably satisfied that the applicant has sufficient interest in the land to make the planning application as submitted.

13.2.2 The appeal submits that the applicant has already carried out unauthorised works at the site comprising pitch layout and drainage works, the removal of an earthen bank and trees and the erection of ball nets at Pitch No. 1. The appellants contend that permission should be sought for the retention of these works. The applicant's response to the appeal accepts that works already carried out to Pitch No. 1 by 2009 comprised the laying of field drains, removal of concrete seating to the south east boundary, removal of earthen bank and trees on the south west boundary, re-seeding of the playing field and erection of ball nets. It is submitted that these works were of a maintenance and repair nature and that the ball nets were erected to replace nets that had been in place for about 15 years. This point is generally accepted given that the works are minor in nature, they did not involve any intensification in the use of the site and that the club is very well established at this location. It is therefore considered that the works come within the scope of Section 4(1)(h) of the Planning and Development Act 2000 (as amended), which specifies that the following shall be exempted development;

“development consisting of the carrying out of works for the maintenance, improvement or other alteration of any structure, being works which affect only the interior of the structure or which do not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure or of neighbouring structures.”

13.2.3 It is also noted that Class 33 of Schedule 2 Part 1 of the Regulations states the following to be exempted development;

*“Development consisting of the laying out and use of land –
(a) As a park, private open space or ornamental garden,
(b) As a roadside shrine, or
(c) For athletics or sports (other than golf or pitch and putt or sports involving the use of motor vehicles, aircraft or firearms), where no charge is made for admission of the public to the land.”*

This would not apply if admission is charged for events at the club, as is likely to be the case at the subject site. However, it is considered that the works are exempt under Section 4(i)(h) in any case.

13.3 Drainage

13.3.1 The appellants are residents of a property adjoining the southern boundary of Pitch No. 1 (see enclosed map indicating the location of the appellants' property). They contend that works already carried out to Pitch No. 1 have resulted in rapid rainwater dispersal from the pitch and the flooding of their property. They have concerns that the current proposal would exacerbate this situation. The appeal includes a photo of a flooding incident at the appellants' property. The appeal states that this issue is the subject of legal proceedings currently before Wexford Circuit Court.

13.3.2 Drawing no. P.03, the existing site plan, indicates two 'french drains' at Pitch No. 1, one running along the eastern side of the pitch and one running along

part of the southern side of the pitch, adjacent to the appellants' property. The drawing indicates that the southern drain is a '6 inch drainage pipe'. The applicant states that the existing drainage pipes for Pitch No. 1 are correctly installed and are operating satisfactorily. However, the applicant's agent confirms that a CCTV survey of a 150mm diameter PVC surface water drain between the site and the appellants' property was carried out on the 10th and 11th June 2010. A DVD of the survey footage and the survey report on file confirm that there was water standing in the drain at two locations and an intrusion at one location. Correspondence submitted by the agent, dated 11th June 2010, states;

“Remedial works may be required to this drain and we are in the process of establishing these requirements. We hope to carry out further investigation in the coming week and will revert to you at that stage.”

The applicant's subsequent rebuttal of the appellant's submission states that repairs have been carried out to address the defects noted in the CCTV survey. The applicant is now satisfied that the drainage pipes are working correctly to discharge water. It is submitted that the flooding incidents that occurred were associated with the construction works carried out on Pitch No. 1 in 2009. The applicant has not been informed of flooding at the appellants' property since then, including a particularly wet period in November 2009 during which the town centre flooded (Met Eireann details submitted). The applicant does not accept the contention of the appellants that there is an ongoing flooding problem at their property. The applicant is prepared to provide the Board with further CCTV survey to confirm the condition of the drainage pipes if requested and is willing to engage with the appellants to reach a satisfactory resolution to any of the issues raised in the appeal or any issues associated with the flooding of the appellants' garden.

- 13.3.3 Given that the appellants' property is situated at a lower level than Pitch No. 1 and that the topography of the site generally falls in a southerly direction, it is logical that works on the southern side of Pitch No. 1 could have resulted in flooding at this location. In any case, the current proposal represents an opportunity to rectify this situation. The proposed drainage layout, as per drawing no. P 01, indicates storm sewers along all sides of Pitch No. 1, draining to an attenuation tank on the western side of the site. The attenuation tank would drain to the public sewer via a hydrobrake or equivalent flow control with flow limited to 54.6 l/s. The proposed drainage works also include a 400mm high berm at the south western corner of the site (location of Pitch No. 2), which is intended to hold water during 100 year storm events. The applicant contends that the proposed surface water drainage arrangement is based on the principle of retaining all flows exceeding the green field flow rate as calculated in accordance with the Dublin City Council SuDs guidance document. It is submitted that the proposed system has been designed with regard to Met Eireann Rainfall Intensity/Return Period data for Enniscorthy, the permissible flow from the site, the runoff volumes from the site for the return periods and storm durations in the Met Eireann table, the storage required on site to limit the outflow to the permissible value for all durations

of 30 year and 100 year return period storms and the maximum storm storage requirements for 30 and 100 year storms.

13.3.4 This proposal was generally acceptable to the planning authority. The report of the Senior Executive Engineer, dated 26th January 2011, recommends permission subject to conditions. Accordingly, Condition No. 3 of the permission requires the submission and agreement of a revised plan to provide surface water attenuation and disposal for the site in accordance with Dublin City Council's SuDs guidance document. As the report does not state any concerns about the capacity of the town drainage system to cater for the development, it is assumed that there is sufficient capacity at present. Moreover, if adequate attenuation is provided, run-off should not exceed green field rates. It is considered that the site could be satisfactorily drained by way of an agreement with the planning authority, as per Condition No. 3. The applicant's rebuttal of the appellant's appeal response states that all existing storm and land drainage pipes on the site would be connected to the proposed drainage system and drain to mains drainage. This could be included as a condition of permission.

13.3.5 Given that the applicant has provided a detailed drainage proposal to the satisfaction of the planning authority and is prepared to rectify any concerns regarding the layout adjacent to the appellants' property, it is considered reasonable that permission could be granted for the proposed drainage layout, subject to a final agreement with the planning authority. It is noted that Section 34(5) of the Planning and Development Act 2000, as amended, provides that conditions may provide that points of detail in relation to a grant of planning permission may be agreed between the planning authority and the person carrying out the development. In *Boland v An Bord Pleanála* [1996] 3 IR 435 (HC & SC) the Supreme Court held that in imposing a condition making some of the detailed aspects of a development the subject of a negotiated agreement between the planning authority and the developer, the Board is entitled to have regard to:

- (a) *the desirability of leaving to a developer who is hoping to engage in a complex enterprise, a certain limited degree of flexibility having regard to the nature of the enterprise,*
- (b) *the desirability of leaving technical matters or matters of detail to be agreed between the developer and the planning authority, particularly when such matters or such details are within the responsibility of the planning authority and may require redesign in the light of practical experience,*
- (c) *the impracticability of imposing detailed conditions, having regard to the nature of the development, and*
- (d) *whether enforcement of a condition requires monitoring or supervision.*

It is considered that these points apply in this case. In default of agreement that matter may be referred to the Board for determination. While it is accepted that the appellant is concerned that the applicant would not address any ongoing flooding incidents, it is noted that the issue is also the subject of current legal proceedings.

13.3.6 Aside from the above, it is noted that the proposed drainage layout does not provide a hydrocarbon interceptor for the parking area. The provision of same could also be a condition of permission.

13.4 Noise Impacts

13.4.1 The site is surrounded by residential development. The appellants state concerns about adverse impacts on residential amenities by way of noise from club activities.

13.4.2 It is considered that the development would not result in any significant adverse noise impact on residential amenities with regard to the following:

- The club has been at this location since at least the 1920s. The existing facility provides limited spectator seating. The applicant states that the club has hosted inter-county National League, Provincial and County Championship games over the past 60 years, at times accommodating 10-12,000 spectators at a single event on Pitch No. 1. It is submitted that the proposed development would represent a reduction in the overall capacity of the facility. Drawings on file indicate that the development would cater for c. 5,500 people in total. Most G.A.A. matches are seasonal and held at weekends. It is not considered that the development would result in an intensification of the existing use at Pitch No. 1.
- The development does not include any spectator seating at the southern side of Pitch No. 1, i.e. that adjacent to the appellant's property. In addition, the clubhouse has a central location on the site, well away from adjacent residential properties. The development would not substantially increase the capacity of the licensed premises within the clubhouse.
- There are several residential properties adjoining the western side of the site, where the proposed Pitches Nos. 2 and 3 are located. Given that this part of the site is already informally laid out as a training area, it is not considered that the proposed layout would result in a significant increased noise impact. GAA training usually occurs mid-week and does not attract a huge public following apart from the individuals involved.
- Although the site is located in a residential area, no other objections or appeals have been submitted. Thus, there is no evidence of widespread concern about impacts on residential amenities from existing or proposed club activities.

13.4.3 It is noted that the permissions for the existing clubhouse, ref. 20032349 and 20032464 did not impose any conditions regarding hours of use, type of use of the licensed premises, etc. Given that the development would not result in an increased intensity of use and that there is no evidence of any widespread concern regarding the existing premises, no such conditions are recommended in this case.

13.5 Floodlighting

13.5.1 Pitch No. 1 is already floodlit. The planning authority granted permission for 4 no. 25 m high floodlights at the four corners of the playing field under Reg.

Ref. 20064145 (details of same are in a pouch at the rear of the file). The proposed development involves the installation of floodlights to Pitches Nos. 2 and 3. The site layout indicates that Pitch no. 2 would have 6 no. floodlights on 20 m high masts. Pitch no. 3 would have 6 no. floodlights on masts 18 m high. This proposal was acceptable to the planning authority.

- 13.5.2 The location of Pitches Nos. 2 and 3 is immediately adjoined by several residential properties to the north, east and west. There is also potential for adverse impacts to motorists on Bellfield Road. Although there is some vegetation along the site boundaries, this would provide little screening. Drawing No. LS19048, submitted with the application, indicates a detailed specification of the proposed floodlights and projected horizontal illuminance levels for each pitch. It also indicates isolux contours (i.e. spillover lighting) for the area immediately around Pitches Nos. 2 and 3. The 50 lux contour touches several adjoining residential properties. UK guidance on the issue of light spillage is provided by the *Guidance Notes for the Reduction of Obtrusive Light* issued by the Institution of Lighting Engineers in 2005 (see enclosed copy of same). These guidelines recommend a limit of 10 lux for light trespass into windows pre-curfew, in medium district brightness areas such as small town centres or urban locations. Therefore, the projected illumination of 50 lux at adjoining residential properties indicates a high level of light trespass.
- 13.5.3 A study prepared for the GAA on the pros and cons of floodlighting, ref. *Flood Lighting Pros & Cons*, SAA Architects, Nov. 2006 (see enclosed copy), states that lighting levels of 75 lux are required for gaelic football training and 200 lux are required to facilitate Hurling training. Drawing No. LS19048 indicates an average maintained horizontal illuminance of 351 lux for Pitch 2 and 257 lux for Pitch 3. These levels are therefore in excess of the required maximum for hurling training. The floodlighting study advises GAA clubs to design lighting with the most effective low light pollution systems. Examples are provided of floodlighting that minimises light overspill outside the playing area.
- 13.5.4 With regard to the above, it should be possible to provide a satisfactory level of illumination for training pitches at this location without undue light spillage to surrounding residential properties or Bellfield Road. This provision would involve the use of floodlights that are designed in such a manner as to control light spread, as in the examples indicated in the study on file. In addition, the hours of use of the floodlights can be limited by condition as in the decision of the planning authority. It is therefore considered that a refusal of permission on the basis of adverse impacts from light spillage would be unwarranted in this case.

13.6 Vehicular Access and Parking

- 13.6.1 The development involves works to the existing site entrance and the creation of a new access from the R702/Bellfield Road, at the north western end of the site. As the existing entrance has limited visibility in both directions, it is desirable that a new entrance be created. The proposed access would serve a

substantial amount of vehicular movements for match events. The site layout, ref. drawing No. P.07, indicates that the new entrance would have sight distances of 65 m in both directions at a set back of 2m from the edge of the road, i.e. very limited visibility with regard to the standards set out in the NRA TD 41-42 (Geometric Design of Major/Minor Priority Junctions and Vehicular Access to National Roads). However, Section 11.4 of the Town Development Plan states the following in relation to vehicular accesses within Enniscorthy:

“Within the urban area of Enniscorthy, sightline requirements are determined by the Councils on a case-by-case basis. Factors including the type of development, speed limit, potential traffic hazard and condition of the road are taken into consideration. Each proposed development will be carefully assessed and sight distance requirements may vary depending on the location and the nature and scale of the development.”

13.6.2 Thus, there is scope for consideration of the proposed access notwithstanding the limited visibility indicated in the site layout. Having inspected the site and the vicinity, on balance it is considered that the access is acceptable with regard to the following:

- The site is located in a built up area where the maximum speed limit applies. The traffic movements observed in the vicinity were generally very slow on the day of site inspection.
- The club is a well established use at this location. Presumably traffic for events currently uses the existing restricted access. The proposed layout would represent a significant improvement on this arrangement.
- Although there are constraints along the road frontage of the site, it is considered that there is some scope to improve visibility at the proposed access. This would involve the removal of some of the existing road frontage and possibly the omission of some car parking. However, the car parking provision is generally acceptable and it is not considered that such works would have a significant adverse visual impact (see consideration of visual impacts below).
- It is noted that a report on file by the Road Engineer of the Planning Authority dated 13th December 2010 does not object to the proposed access arrangement. The report recommends a condition requiring a 2m wide footpath wherever a new or altered boundary wall is being provided, this could be a condition of permission.

13.6.3 With regard to parking, the proposed car parking area has 167 no. standard spaces, 8 no. wheelchair accessible spaces and 6 no. coach spaces. The Town Development Plan standard for “*cinemas, theatres and stadia*” requires 1 space per 10 seats, i.e. 550 spaces to cater for the projected 5,500 spectators. This provision would be deficient in this respect. The provision would also fall short of the Town Development plan standard for “*sports clubs, grounds, swimming pools*”, which requires 1 space per 15 sq.m. and 6 spaces for each pitch. Based on the stated total floor area of 2,671 sq.m., this entails a provision of 179 no. spaces along with 18 spaces for the 3 no. pitches, i.e. a total of 197 no. spaces. However, the layout includes 6 no. coach spaces that would cater for a large number of spectators. In addition, the applicant proposes that Pitch No. 3 could be used for temporary parking for events, with

a capacity for 550 cars. The parking provision is considered acceptable on this basis. Monitoring and proper management of larger events would be anticipated which would further assist in appropriate parking restriction. As noted above, the ground floor of the clubhouse is currently used for educational purposes. Given that this use would generally be during daytime hours and on weekdays, it is considered that the parking demand generated would be at different times to the demand generated by club activities in the evenings and at weekends.

13.6.4 To conclude, the proposed access and parking arrangements are considered satisfactory subject to conditions.

13.7 Visual Impacts

13.7.1 It is considered that the elements of the development that are most likely to have a significant visual impact are the works to Pitch 1 comprising the enclosures and viewing facilities; the works to the clubhouse; the hurling wall and the new vehicular entrance and other works to the Bellfield Road site frontage. While the proposed floodlights would have lighting impacts on local amenities, the light fixtures themselves would not have a substantial visual impact.

13.7.2 The existing clubhouse would be retained and extended in the course of the development. It is a substantial 2 storey structure that appears to have been changed and enlarged incrementally over the years. By far the most visually prominent aspect of the development would be involve the removal of existing concrete seating areas facing Pitch No. 1 and their replacement by a new concrete stand with a total capacity of 1,834 people including toilet block, covered by a metal sheet roof. However, the stand would be well set back from the surrounding residential area, limiting its visual impact. Other relatively minor improvement works to the clubhouse comprise the following:

- Internal changes to the ground floor to provide access to the new stand, also new shower room and official suite on the western side of the building.
- Internal changes to the first floor providing access to the stand. New control room. New function room measuring 73.4 sq.m.
- The demolition of 76 sq.m. of the existing structure.

It is considered that these works would not have a significant visual impact due to their minor nature.

13.7.3 The new enclosures to Pitch No. 1 comprise a 1.3 m high fence around the pitch surface; a northern terrace with capacity for 1,450 people and an eastern terrace with capacity for 2,220, including disabled visitors area and toilet block. The northern terrace would primarily be visible from Bellfield Road, this is considered further below. There is an existing embankment along the eastern side of the site. The east terrace would be at a lower level than the existing boundary wall at this location. It is therefore considered that the terrace would not have an adverse visual impact.

- 13.7.4 The club grounds currently have a strong visual presence along Bellfield Road, with the clubhouse and vehicular entrance clearly visible from the public realm. The road frontage is currently dominated by a high concrete wall. Drawing no. P13 indicates the proposed elevation to Bellfield Road. On the eastern side of the site, there would be 2 no. new turnstile entrances/exits to Pitch No. 1. However, most of the existing boundary wall would be retained. The rear of the northern stand would be visible, and the side of the proposed new stand at the clubhouse. The proposed score board would also be prominently visible. While these structures would change the current appearance of this part of the site, it is considered that the visual impact is acceptable. The western side of the site would have a new vehicular access and a new boundary treatment comprising a 2m high railing fence. This treatment involves the removal of the existing hedgerow along this part of the site frontage. The floodlights, hurling wall and ball nets would also be visible. Again, while the current outlook would change, the amendments are considered acceptable. It is noted that the report on file of the Senior Executive Architect of the planning authority considers the possibility of an alternative boundary treatment, no specific suggestion is made in this regard.
- 13.7.5 The drawings indicate a 2.4 m high gridmesh fence along the western site boundary, which is shared with many residential properties. It is important that the existing hedgerow along this boundary is retained for screening, visual amenity and habitat conservation purposes. It appears that the specified fencing would be constructed inside the hedgerow and this should be a condition of any permission. In addition, there is potential visual and residential amenity impact associated with the proposed 6 m high hurling wall, which is close to an adjacent rear garden. This structure should be relocated 10 m further to the east. The relocation would involve amendments to the car park layout, however it is necessary to prevent adverse impacts on residential amenities. The intervening vegetation present would also provide some screening to the adjacent rear garden.
- 13.7.6 Part of the parking area would project close to the rear of a house facing the northern site boundary (see photo no. 9). There is currently a fence and hedge along this stretch of the site boundary. The proposed site layout indicates a 2.4m high gridmesh fence along this area, which is acceptable.
- 13.7.7 To conclude, it is considered that the development overall would not have any significant adverse visual impact on the vicinity.

14.0 RECOMMENDATION

- 14.1 The development is acceptable in principle with regard to the long established use of the site and its zoning under the Enniscorthy Town Development Plan. The proposed drainage arrangements are generally acceptable and represent an opportunity to rectify the current situation causing concern to the appellants. The development would not result in an intensification of the use of the site with regard to spectators on match occasions or the provision of additional entertainment facilities. It is therefore considered that it would not have an adverse impact on residential amenities by way of noise impacts. The

proposed floodlighting to the training pitches is acceptable subject to conditions that floodlights are designed to control light spread, to limit the hours of use and to provide the necessary levels of illumination only. Vehicular access and parking arrangements are satisfactory. It is considered that the development would not have a significant adverse impact on visual or residential amenities subject to the imposition of certain conditions as discussed above. Accordingly, permission is recommended subject to the conditions set out below.

REASONS AND CONSIDERATIONS

Having regard to the pattern of development in the area, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities or depreciate the value of properties in the vicinity of the site, would not be prejudicial to public health, would be acceptable in terms of traffic safety and convenience and would be in accordance with the proper planning and sustainable development of the area.

CONDITIONS

Note:

It is noted that the original permission of the planning authority did not include a development contribution condition. The standard condition is included here, subject to the agreement of the planning authority.

1)

The development shall be carried out in accordance with the plans and particulars submitted to the Planning Authority on the 30th of November 2010, as amended by the drawings submitted to An Bord Pleanála on the 19th of May 2011 except as may otherwise be required in order to comply with the following conditions. Where such conditions require points of detail to be agreed with the planning authority, these matters shall be the subject of written agreement and shall be implemented 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)

This permission is for a period of 7 years and shall be carried out in a phased manner as per the plans and particulars lodged with the planning application., or as otherwise agreed in writing with the planning authority.

Reason: Having regard to the phased nature of the development, the Board considers it appropriate to specify a period of validity of this permission in excess of five years.

3)

The proposed water supply and drainage arrangements, including the attenuation and disposal of surface water, shall be in accordance with the drainage proposals submitted to the planning authority on the 30th of November, 2010 and shall comply

with the requirements of the planning authority for such works and services. All existing storm and land drainage pipes shall be connected to the proposed main site drainage system. The drainage system shall include a hydrocarbon interceptor for the parking area. Full details of the drainage arrangements shall be agreed in writing with the planning authority prior to the commencement of development.

Reason: In the interest of public health.

4)

The hurling wall shall be relocated 10m to the east and the car park layout amended accordingly. Revised drawings in accordance with this requirement shall be agreed in writing with the planning authority prior to the commencement of development.

Reason: In order to protect the residential amenities of properties to the immediate west of the site.

5)

A 2m wide footpath shall be provided along the public road where the existing boundary is altered. Plans shall be submitted to the planning authority for written agreement for the design of the footpath, its construction detail, gradient and provision for people with disabilities accessing the facility. The proposals should also identify any alterations to the roadside, roadside drainage and measures to incorporate any changes to the surface of the road. The development shall be carried out in accordance with the agreed scheme.

Reason: in the interests of traffic safety.

6)

The existing hedgerow on the western site boundary shall be retained in full. Measures to protect the hedgerow from damage during construction works shall be submitted to the planning authority and agreed in writing prior to the commencement of development. The proposed fencing along this boundary shall be located inside the hedgerow.

Reason: In the interests of visual and residential amenities.

7)

The landscaping scheme shown on drawing no. P.13, as submitted to the planning authority on the 30th day of November, 2010 shall be carried out within the first planting season following substantial completion of external construction works. All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of 5 years from the completion of the development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In the interests of residential and visual amenity.

8)

Advertising structures/devices erected within the site shall not be visible when viewed from outside the curtilage of the site.

Reason: In the interest of visual amenity.

9)

Floodlighting levels and arrangements shall not be such as to cause excessive glare or distraction to road users or adjoining property owners. Measures to avoid glare and light spill to adjoining residential properties and onto the road network in the vicinity shall include the use of diffusers, cowls, canopies and protective baffles where appropriate. Maximum lighting levels shall not exceed 200 Lux over the playing surface of the training pitches. The extent and level of illumination and details of proposed floodlighting shall be agreed in writing with the Planning Authority prior to commencement of the development. Notwithstanding any such initial agreement, the level of illumination may be reviewed at any time by the Planning Authority and adjustments shall be made upon request at the applicant's sole expense.

Reason: In the interests of traffic safety and to protect the amenities of the area

10)

The floodlighting shall be used only during periods when training or matches are taking place, and at all other times the floodlighting shall remain off. The operational hours of the floodlighting shall not extend beyond 2200 hours with automatic cut-off of floodlighting at that time.

Reason: To protect the amenity of properties in the vicinity.

11)

Site development and building works shall be carried out only between the hours of 08.00 to 19.00 Mondays to Fridays inclusive, between 08.00 to 14.00 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 amenities of property in the vicinity.

12)

All public services within the development (electricity, telephone, etc.) shall be laid underground.

Reason: In the interests of visual amenity.

13)

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. The contribution shall be paid prior to the 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 the Board to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000 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.

Sarah Moran
Senior Planning Inspector
07th June, 2011