



An
Bord
Pleanála

Board Direction
PL 91.248039

The submissions on this file and the Inspector's report were considered at a Board meeting held on 16th August 2017.

The Board decided to grant permission generally in accordance with the Inspector's recommendation, for the following reasons and considerations, and subject to the following conditions.

Reasons and Considerations

Having regard to the planning history of the site, to the zoning of the site as neighbourhood parkland and recreational open space in the Castletroy Local Area Plan 2009-2019, the location and use of the site for sport and recreational purposes, the nature, extent and design of the development proposed, it is considered that subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential or visual amenities of the area, would be acceptable in terms of traffic safety and convenience and would be in keeping with the established character of the area. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and

particulars submitted on the 21st day of December 2016, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity

2. (a) The lighting fixtures shall be designed, orientated, maintained and of a lighting level such that light spillage outside the site boundaries shall not exceed a maximum of 10 Lux, as measured at the boundary of the dwelling houses to the immediate east of the tennis courts, in accordance with the Lighting Assessment and Report, submitted to the planning authority on the 21st day of December 2016.

(b) The use of mobile electric generators on the site for the purpose of powering floodlights is not permitted, unless authorised by a further grant of planning permission.

Reason: In the interest of protecting the residential amenities of the area.

3. The operational hours of the floodlighting shall not extend outside the period of 0900 to 2100 hours with automatic cut-off of mechanisms for floodlighting at 2100 hours.

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

4. The floodlights or any equivalent replacement floodlights shall consist as specified in the application. The floodlights shall be directed onto the playing surface of the tennis courts and hurling wall and away from adjacent housing and gardens. The floodlights shall be directed and cowled such as to reduce, as far as possible, the light scatter over adjacent houses and gardens.

Reason: In the interest of residential amenity.

5. Prior to commencement of development on site, the applicant shall submit for the written approval of the Planning Authority, accurately scaled elevation drawings of the proposed floodlighting poles and luminaires, including a layout drawing to show locations.

Reason: In the interest of clarity.

6. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

Board Member

Date:

Eugene Nixon