



An
Bord
Pleanála

Board Direction
BD-010267-22
ABP-310176-21

The submissions on this file and the Inspector's report were considered at a Board meeting held on 15th day of March 2022.

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 nature and scale of the proposed development, which is located within an existing sports facility and which is associated with this sports facility use, it is considered the proposed development is consistent with policies of the Donegal County Development Plan 2018-2024 and, subject to compliance with conditions below, the proposed development would represent an appropriate form of development, which would not seriously injure the visual amenities of the area or the amenities of property in the vicinity. The proposed development would therefore be in accordance with the proper planning and sustainable development of the area.

Conditions

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| 1. | The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, 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 |
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	<p>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.</p> <p>Reason: In the interest of clarity.</p>
2.	<p>Prior to the commencement of development, the applicant shall submit for the agreement of the planning authority details regarding proposed floodlighting, which shall be hooded and aligned so as to prevent direct spillage of light onto the public road and adjoining third party property.</p> <p>Reason: In the interest of road safety and to ensure the protection of residential amenities</p>
3.	<p>Proposed floodlighting shall not operate on the site between the hours of 22.00 and 08.00.</p> <p>Reason: In the interest of residential amenity.</p>
4.	<p>Site access and car parking arrangements shall comply with the Planning Authority's requirements, details of which shall be agreed prior to the commencement of development.</p> <p>Reason: In the interest of road safety</p>
5.	<p>Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works.</p> <p>Reason: To ensure adequate servicing of the development, and to prevent pollution.</p>
6.	<p>Prior to the commencement of the development,</p> <p>A) The existing roadside hedgerow shall be retained, save where removal is necessary to achieve visibility splays and sightlines in accordance with previously approved permission (Planning Ref: 20/50416 refers). Where the roadside hedgerow is removed in order to achieve the required visibility splays, a new hedgerow of species native to the area shall be planted within the first planting season behind the clear line of visibility for a vehicle existing onto the public road.</p>

	<p>B) A buffer in the form of mature trees shall be planted along the northern site boundary extending along the entire length of the proposed ball stop netting.</p> <p>Reason: In the interest of visual amenity and to ensure the protection of residential amenities</p>
7.	<p>Site development and building works shall be carried out only between the hours of 0800 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.</p> <p>Reason: In order to safeguard the residential amenities of property in the vicinity.</p>
8.	<p>The developer shall facilitate the archaeological appraisal of the site and shall provide for the preservation, recording and protection of archaeological materials or features which may exist within the site. In this regard, the developer shall:</p> <p>(a) notify the planning authority in writing at least four weeks prior to the commencement of any site operation (including hydrological and geotechnical investigations) relating to the proposed development, and</p> <p>(b) employ a suitably-qualified archaeologist prior to the commencement of development. The archaeologist shall assess the site and monitor all site development works.</p> <p>The assessment shall address the following issues:</p> <p>(i) the nature and location of archaeological material on the site, and</p> <p>(ii) the impact of the proposed development on such archaeological material.</p> <p>A report, containing the results of the assessment, shall be submitted to the planning authority and, arising from this assessment, the developer shall agree in writing with the planning authority details regarding any further</p>

archaeological requirements (including, if necessary, archaeological excavation) prior to commencement of construction works.

In default of agreement on any of these requirements, the matter shall be referred to An Bord Pleanála for determination.

Reason: In order to conserve the archaeological heritage of the area and to secure the preservation (in-situ or by record) and protection of any archaeological remains that may exist within the site.

Board Member Maria FitzGerald Date:

Maria FitzGerald