

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Limerick City and County

Planning Register Reference Number: 14/1196

An Bord Pleanála Reference Number: PL 91.245719

APPEAL by Robert Benson of 21 The Glen, Ballyneety, County Limerick against the decision made on the 27th day of October, 2015 by Limerick City and County Council to grant subject to conditions a permission to Ballyneety Golf Club care of David H. Leahy of 1 Riverpoint, Lower Mallow Street, Limerick in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: (A) Five aside soccer all-weather multipurpose pitch, including lighting standards. (B) Handball alley by two as well as general lighting requirements. (C) Expansion of existing car parking facilities. (D) Children's playground. (E) Community crèche and all ancillary services. (F) Crazy golf course. (G) Archery range including backstop shield/netting as required. (H) Pop-up children's campsite and picnic area. (I) Provision of a new walking/jogging trail and ancillary services including a covered section of a screened walkway between two fairways, as well as another protective vertical screen on a different part of the course to protect users, this proposed walkway will have low level lighting. Demolition, if necessary, of an existing monopitch shed as well as a smaller shed in order to facilitate the creation of the proposed playground in the same relevant location. Demolition of an existing monopitch shed and boiler house at the rear of an existing bungalow in order to facilitate the new community crèche facility, all at Ballyneety Golf Club, Ballyneety, County Limerick.

DECISION

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

MATTERS CONSIDERED

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

REASONS AND CONSIDERATIONS

Having regard to the nature and scale of the proposed development, to the planning history of the site and to the existing established use of the site as a sports/recreation facility, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity, would not be prejudicial to public health and would be acceptable in terms of traffic safety and convenience. 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 1st day of October, 2015, 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. The proposed development shall be amended as follows:

A 1.8 metre wide pedestrian footpath shall be provided along the southern side of the access road within the grounds of the golf club.

Revised drawings showing compliance with this requirement shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interests of traffic and pedestrian safety.

3. Water supply and 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 and to ensure a proper standard of development.

4. (a) The treatment plant and polishing filter shall be located, constructed and maintained in accordance with the details submitted to the planning authority on the 1st day of October, 2015, and in accordance with the requirements of the document entitled "Code of Practice - Wastewater Treatment and Disposal Systems Serving Single Houses (p.e. \leq 10)" – Environmental Protection Agency, 2009. No system other than the type proposed in the submissions shall be installed unless agreed in writing with the planning authority.
- (b) Certification by the system manufacturer that the system has been properly installed shall be submitted to the planning authority within four weeks of the installation of the system.
- (c) A maintenance contract for the treatment system shall be entered into and paid in advance for a minimum period of five years from the first operation of the community crèche and thereafter shall be kept in place at all times. Signed and dated copies of the contract shall be submitted to, and agreed in writing with, the planning authority within four weeks of the installation.

- (d) Surface water soakways shall be located such that the drainage from the community crèche and paved areas of the site shall be diverted away from the location of the polishing filter.
- (e) Within three months of the first operation of the community crèche, the developer shall submit a report from a suitably qualified person with professional indemnity insurance certifying that the proprietary effluent treatment system has been installed and commissioned in accordance with the approved details and is working in a satisfactory manner and that the polishing filter is constructed in accordance with the standards set out in the Environmental Protection Agency document.

Reason: In the interest of public health.

5. Parking for the development shall be provided in accordance with a detailed parking layout which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The layout shall provide for:-

- (a) Three number parking spaces which shall be reserved for persons with physical disabilities, which shall be not less than the dimensions set out in the document "Building for Everyone" (National Disability Authority),
- (b) three number parking bays for motorcycles,
- (c) circulation aisles with a minimum width of 6.1 metres (unless otherwise agreed in writing with the planning authority),
- (d) kerbing planters, and landscaping within the boundary of the parking area, and
- (e) lining or other method of demarcation of the individual spaces.

Reason: To ensure a satisfactory parking layout in the interests of pedestrian and traffic safety and of visual amenity.

6. 20 number bicycle parking spaces shall be provided within the site. Details of the layout and marking demarcation of these spaces shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: To ensure that adequate bicycle parking provision is available to serve the proposed development, in the interest of sustainable transportation.

7. The hours of operation of the floodlights shall be confined to between 0900 hours and 2200 hours, Monday to Saturday inclusive and to between 0900 hours and 2100 hours on Sundays and public holidays.

Reason: In the interest of the amenities of adjoining residential properties.

8. The floodlights or any equivalent replacement floodlights shall consist of four number 10 metres high, three-lamp, corner floodlights as specified in the application. The floodlights shall be directed onto the playing surface of the pitch and away from adjacent housing. The floodlights shall be directed and cowled such as to reduce, as far as possible, the light scatter over adjacent houses.

Reason: In the interest of residential amenity and traffic safety.

9. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including hours of working, noise management measures and off-site disposal of construction/demolition waste.

Reason: In the interests of public safety and residential amenity.

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**

Dated this day of 2016.