

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Meath County

Planning Register Reference Number: AA/150591

An Bord Pleanála Reference Number: PL 17.246165

APPEAL by Michael Cowan of Navan Road, Kentstown, County Meath against the decision made on the 20th day of January, 2016 by Meath County Council to grant subject to conditions a permission to Kentstown Village Park Committee care of Henry J. Lyons Architects of 51-54 Pearse Street, Dublin in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: Development consisting of community sports facilities comprising a full sized grass playing pitch (un-lit) 90 metres by 144 metres, an all weather floodlit playing pitch 65 metres by 100 metres, two Tennis Courts together with associated sports fences. In addition to the pitches it is proposed to provide a new access road from the R153 (Navan Road), circulation roads and footpaths with 101 number car parking spaces and two number coach parking spaces, 36 number bicycle spaces, a children's playground and associated lighting, landscaping, boundary fences and walls, four number temporary Portakabins consisting of two number changing facilities, one number male WC block and one number female WC block and all ancillary site works at Kentstown Lands, County Meath. The 10.15 acres site is bounded by the R153 (Navan Road), Kentstown Close, Glasheen, Kentstown Parochial House and Slan Duff View.

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 zoning of the site, its central location within the village of Kentstown and the established 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 of the area or of property in the vicinity, would not give rise to a traffic or flooding hazard and would not, therefore, be contrary to 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 4th day of December, 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 Community Sports Facility shall not operate outside the period of 0600 to 2130 hours Monday to Sunday.

Reason: In the interest of residential amenity.

3. The operational hours of the floodlighting shall only operate between 0800 hours and 2100 hours Mondays-Sundays, with automatic cut-off of floodlighting at that time. Any extension to these operating hours shall be the subject of a new planning application.

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

4. Floodlights shall not be lit in such a manner so as to cause excessive glare or distraction to road users or adjoining property owners. The floodlights shall be mounted in horizontal orientation. The developer shall comply, at their own expense, with any future requirement of the Council in relation to adjusting the floodlighting, aiming or fitting appropriate additional louvres to deal with remaining glare issues that may arise for road users/residents but may only become apparent when the installation is commissioned.

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

5. Proposals for public lighting installation shall be submitted to, and agreed in writing with, the planning authority prior to commencement of the Community Sports Facility development.

Reason: In the interest of the traffic and public safety.

6. Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works.

Reason: To ensure adequate servicing of the development and to prevent pollution.

7. A comprehensive boundary treatment and landscaping scheme shall be submitted to, and agreed in writing with, the planning authority, prior to commencement of development. This scheme shall include the following:-

- (a) details of all proposed hard surface finishes, including samples of proposed paving slabs/materials for footpaths, kerbing and road surfaces within the development,
- (b) proposed locations of trees and other landscape planting in the development, including details of proposed species and settings,
- (c) details of proposed street furniture, including bollards, lighting fixtures and seating, and
- (d) details of proposed boundary treatments at the perimeter of the site, including heights, materials and finishes.

The boundary treatment and landscaping shall be carried out in accordance with the agreed scheme.

Reason: In the interest of visual amenity.

8. A solid block wall, 2.5 metres in height, suitably capped and dashed, shall be constructed along the southern boundary of the site for its full extent with Phase 1 proposed car and coach park area.

Reason: In the interest of residential amenity.

9. All footpaths shall be concrete bayed, slabbed or tiled. They shall be dished at all road junctions and at all entrances and shall be level with the carriageway at such points.

Reason: To facilitate pedestrian access.

10. All necessary measures shall be taken by the contractor to prevent the spillage or deposit of clay, rubble or other debris on adjoining roads during the course of the works.

Reason: In the interest of residential amenity.

11. Construction waste shall be managed in accordance with a construction waste management plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall be prepared in accordance with the "Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects", published by the Department of the Environment, Heritage and Local Government in July, 2006.

Reason: In the interests of sustainable waste management.

12. 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.

Reason: In order to safeguard the residential amenities of property in the vicinity.

13. The Community Sports Facility shall be used solely in connection with recreational and sports as detailed in the public notices. The site shall not be used in connection with concerts or other similar events, except with a prior grant of planning permission.

Reason: To protect residential amenity.

14. 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.

15. 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-

- (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
- (b) employ a suitably-qualified archaeologist prior to the commencement of development. The archaeologist shall assess the site and monitor all site development works.

The assessment shall address the following issues:

- (i) the nature and location of archaeological material on the site, and
- (ii) the impact of the proposed development on such archaeological material.

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 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.

16. Permission for the temporary portacabin sanitary facilities shall be valid for a period of five (5) years, only, following the date of opening of the Community Sports Facility. The structures and all hard standings shall be removed off site and the site returned to its natural state, within this time period, unless a subsequent planning application for the future retention of the sanitary facilities has been granted permission by the planning authority or An Bord Pleanála on appeal.

Reason: In the interest of the proper planning and sustainable development.

17. (a) All car parking spaces shall have a minimum dimensions of 2.5 metres by 5 metres and shall be clearly demarcated on site.
- (b) Within three months of the date of the final grant of planning permission, the developer shall submit a traffic management plan for the written agreement of the planning authority which shall include appropriate directional signage and simulated on site traffic movements.

Reason: In the interest of traffic safety.

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

Dated this day of 2016.