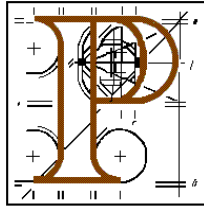


# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

## Tipperary County

**Planning Register Reference Number: 15/600756**

An Bord Pleanála Reference Number: PL 92.246586

**APPEAL** by Joseph Keane of 72 Saint Patrick's Place, Fethard, County Tipperary against the decision made on the 25<sup>th</sup> day of April, 2016 by Tipperary County Council to grant subject to conditions a permission to Fethard GAA Club care of Bryan McCarthy and Associates of 9A Durand's Court, Parnell Street, Waterford in accordance with plans and particulars lodged with the said Council.

**PROPOSED DEVELOPMENT:** Construction of a new all-weather playing pitch with surrounding fence and six number 10 metre high floodlighting poles, together with all associated site development works including drainage and pathway at Fethard GAA Park, Fethard, County Tipperary.

## 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 established sporting use of the site, to the zoning and other provisions of the Fethard Local Area Plan 2011, and to the nature and scale of the proposed development, 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 not lead to traffic or pedestrian hazard, and would not prejudice the heritage and tourism potential of the town, as set out in the Fethard Public Realm Plan 2008 and in the Fethard Historic Town Walls Conservation and Management Plan 2009. 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 30<sup>th</sup> day of March 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. The proposed development shall be amended as follows:
  - (a) The proposed pitch and associated enclosing boundary features (fences and floodlighting poles) shall be re-located and re-orientated so that the northern boundary of the proposed development is parallel to the southern boundary line of the adjoining GAA pitch, and so that it is separated from that pitch by no more than 3.8 metres.
  - (b) The proposed floodlights shall be so designed, and orientated, that no overspill of light reaches beyond the boundaries of the GAA club property, and that no light is emitted above a horizontal plane through the fitting.

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

**Reason:** In order to minimise the impact of the proposed pitch, including its boundaries, on open views of the Fethard Town Wall, and in order to limit the impact of the proposed floodlights on the surrounding environment.

3. The proposed floodlighting shall not operate after 21.00 and before 09.00, and automatic cut-off mechanisms (which shall not allow for manual over-ride) shall be provided to ensure this.

**Reason:** In the interest of protecting the residential amenities of nearby properties.

4. Details of the design and colour of perimeter fencing around the pitch shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interest of visual amenity.

5. 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.

6. The site and building works required to implement the development shall be carried out only between the hours of 0800 to 1800 Monday 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 amenities of adjoining residential occupiers.

7. 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 noise management measures and off-site disposal of construction/demolition waste.

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

8. All service cables associated with the proposed development shall be run in underground ducts, to the written satisfaction of the planning authority.

**Reason:** In the interest of visual amenity.

9. Notwithstanding the provisions of the Planning and Development Regulations 2001, or any statutory provision amending or replacing them, no advertisement signs, advertisement structures, banners, canopies, flags, or other projecting elements, shall be displayed or erected on the proposed fencing or within the curtilage of the site, unless authorised by a separate grant of planning permission.

**Reason:** To protect the visual amenities of the area, and to allow the planning authority to assess any such signage or structures through the statutory planning process.

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

**Dated this                      day of                      2016.**