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**Planning and Development Acts 2000 to 2017**

**Planning Authority: Waterford City and County Council**

**Planning Register Reference Number: 17/101**

**Appeal** by William and Janet Wright of Gracedieu Lodge, Gracedieu, Waterford against the decision made on the 26<sup>th</sup> day of October, 2017 by Waterford City and County Council to grant subject to conditions a permission to Liam Flynn on behalf of De La Salle Hurling and Football Club care of C.J. Falconer and Associates of Saint Patrick's House, Newtown, Waterford in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** A grass flood lighted training area with six number lighting columns, 15 metres high along with ball stop netting, six metres high. Complete with all associated ancillary works and associated site works at De La Salle Hurling and Football Clubhouse Lands, Gracedieu East, Waterford, as amended by the revised newspaper notice received by the planning authority on the 10th day of October, 2017.

## **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 of the development, the existing use on the site and the planning history of the site, 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. 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 2<sup>nd</sup> and 10<sup>th</sup> days of October 2017, 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 ball catch netting system shall be amended as follows;
  - (a) The netting at the northern end shall be relocated northwards to a position approximately 10 metres from the public road and shall be a minimum of six metres in height. The netting shall form part of and be integrated into an overall landscaping scheme for the site.
  - (b) The netting on the western boundary shall be relocated to a position approximately five metres from the common boundary with the residential property and shall be a minimum of six metres in height. The netting shall extend northwards to meet and join the netting to the north of the training pitch. The netting shall form part of and be integrated into an overall landscaping scheme for the site.

Details in this regard shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interest of residential amenity and to safeguard road users.

- 3 The site shall be landscaped in accordance with a landscaping scheme which shall address the entire site but in particular shall address the sections of the boundary adjoining the ball catch netting system. The landscaped scheme shall include details regarding the species to be planted together with a timescale of implementation and shall be submitted to, and agreed in writing with, the planning authority within three months of the date of this order.

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

- 4 The proposed floodlighting shall only be used between the 15<sup>th</sup> day of September and the 1<sup>st</sup> day of April in any year. Within this period, the operational hours of the floodlighting shall not extend beyond 2200 hours Monday to Friday and 1900 hours on Saturday and Sunday.

**Reason:** To protect the residential amenities of property in the vicinity.

- 5 The lighting scheme shall be amended to ensure that the maximum luminance or brightness of the floodlights at the boundary with the adjoining residential property to the west shall not exceed 5 Lux. Details showing compliance with the above limit requirements and for the ongoing maintenance of this limit shall be submitted to and agreed in writing, with the planning authority prior to commencement of development.

**Reason:** To protect the residential amenities of property in the vicinity of the site and in the interest of orderly development.

6. Surface water drainage arrangements, including the attenuation and

disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

**Reason:** In the interests of public health and orderly development.

7. 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 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.

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**Michelle Fagan**

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

**Dated this            day of            2018.**