



Planning and Development Acts 2000 to 2018

Planning Authority: Wicklow County Council

Planning Register Reference Number: 17/706

Appeal by Luigi Canteleghe of Ballyfree West, Glenealy, County Wicklow against the decision made on the 19th day of December, 2017 by Wicklow County Council to grant subject to conditions a permission to Glenealy Hurling Club care of Sutton Design Studio of Unit T2 The Enterprise Centre, Wicklow in accordance with plans and particulars lodged with the said Council.

Proposed Development: A ten year permission consisting of improvement of an existing exit/entrance onto the R752, a new uncontrolled pedestrian crossing, two number Gaelic Athletic Association pitches 145 by 90 metres, two number juvenile pitches, a Gaelic handball alley, a running track 300 lineal metres and outdoor adult gym, an all-weather training pitch 65 x 45 metres, with rebound fencing, a reinforced concrete hurling wall 40 lineal meters, a clubhouse/dressing rooms 820 square metres, a proprietary treatment plant followed by sand filter tertiary treatment and soil polishing filter, associated car parking, pitch lighting, goal netting and all associated site works at Ballyfree West, Glenealy, Co. Wicklow.

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 proposed development, its location close to the village of Glenealy, and the details submitted for a wastewater treatment system and site drainage, 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.

Appropriate Assessment

The Board agreed with the screening assessment and conclusion carried out in the Inspector's report that The Murrrough Wetlands Special Area of Conservation (Site Code: 002249) and The Murrrough Special Protection Area (Site Code: 004186) are the European Sites for which there is a likelihood of significant effects. The Board considered the Natura impact statement and all other relevant submissions and carried out an Appropriate Assessment of the implications of the proposed development on nearby European Sites in view of the sites' conservation objectives. The Board considered that the information before it was adequate to allow the carrying out of an Appropriate Assessment.

In completing the assessment, the Board considered, in particular, the:

- (i) likely direct and indirect impacts arising from the proposed development both individually or in combination with other plans or projects,
- (ii) mitigation measures which are included as part of the current proposal, and
- (iii) the conservation objectives for these European Sites.

In completing the Appropriate Assessment, the Board accepted and adopted the Appropriate Assessment carried out in the Inspector's report in respect of the potential effects of the proposed development on the aforementioned European Sites, having regard to the sites' conservation objectives.

In the overall conclusion, the Board was satisfied that the proposed development would not adversely affect the integrity of European Sites in view of the sites' conservation objectives.

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 December, 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. Prior to commencement of development, the developer shall submit to, and agree in writing with, the planning authority details of a scheme of drainage based on Sustainable Urban Drainage Systems (SUDS) system. The drainage system shall be designed such that run-off from the site in volume terms shall not exceed that of a grassed agricultural field.

Reason: In the interest of environmental protection.

3. The facility shall be used solely in connection with events associated with the club and shall not be used for commercial activities. The site shall not be used in connection with concerts or other similar events, without a prior grant of planning permission.

Reason: To protect residential amenity.

4. The clubhouse shall be used between 0800 hours and 2200 hours on Mondays to Saturdays inclusive (excluding public holidays), and between 0900 hours and 2100 hours on Sundays and public holidays.

Reason: In the interest of residential amenity.

5. Details of traffic calming measures shall be submitted to and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of pedestrian and traffic safety.

6. Water supply and drainage arrangements for the site, including the disposal of surface and soiled water, shall comply with the requirements of the planning authority for such works and services. In this regard-
 - (a) uncontaminated surface water run-off shall be disposed of directly in a sealed system, and
 - (b) all soiled waters shall be directed to a storage tank. Drainage details shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interests of environmental protection and public health.

7. The floodlights or any equivalent replacement floodlights shall be as specified in the application. The floodlights shall be directed onto the playing surface of the pitch and away from adjacent housing and roads. The floodlights shall be directed and cowled such as to reduce, as far as possible, the light scatter over adjacent houses and roads.

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

8. The operational hours of the floodlighting shall be between 0800 hours and 2200 hours on Mondays to Saturdays inclusive (excluding public holidays), and between 0900 hours and 2100 hours on Sundays and public holidays with automatic cut-off of floodlighting at that time.

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

9. 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.

10. The site shall be landscaped in accordance with a comprehensive scheme of landscaping, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This scheme shall include the following:
- (a) A plan to scale of not less than 1:500 showing -
 - (i) Existing trees and hedgerows, specifying which are proposed for retention as features of the site landscaping.
 - (ii) The measures to be put in place for the protection of these landscape features during the construction period.
 - (iii) The species, variety, number, size and locations of all proposed trees and shrubs, which shall comprise predominantly native species such as mountain ash, birch, willow, sycamore, pine, oak, hawthorn, holly, hazel, beech or alder.
 - (iv) Details of screen and roadside/street planting, which shall not include cupressus x leylandii or prunus species.
 - (v) Hard landscaping works, specifying surfacing materials, furniture and finished levels.

- (b) Specifications for mounding, levelling, cultivation and other operations associated with plant and grass establishment.
- (c) A timescale for implementation.

All planting shall be adequately protected from damage until established.

Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In the interests of residential and visual amenity.

11. A flow meter shall be installed prior to the sand polishing filter becoming operational and daily flow volumes of effluent discharge shall be recorded over a representative period. A proposed period shall be submitted to, and agreed in writing with, the planning authority and records shall be maintained for inspection on request by the planning authority.

Reason: In the interest of public health and in determining whether daily discharge levels are within the limits required for licensing.

12. (a) A proprietary effluent treatment and disposal system shall be provided. This shall be designed, constructed and maintained in accordance with the requirements of the planning authority. Details of the system to be used, and arrangements in relation to the ongoing maintenance of the system, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.
- (b) Within three months of the first occupation of the facility, 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.

Reason: In the interest of public health.

13. 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.

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

Dated this day of 2018.