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**Planning and Development Acts 2000 to 2019**

**Planning Authority: Laois County Council**

**Planning Register Reference Number: 18/460**

**Appeal** by Mary O'Rourke and others of Stillbrook, Mountrath, County Laois against the decision made on the 16<sup>th</sup> day of April, 2019 by Laois County Council to grant subject to conditions a permission to Mountrath Gaelic Athletic Association Club care of Billy Kirwan Engineering Limited of Ringstown, Mountrath, County Laois in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** (a) Astroturf area, associated lighting and fencing, (b) lighting for main pitch, four number lighting on both sides, the removal of the portacabin, construction of a small shed and all associated site works at Russ Avenue, Mountrath County Laois. Further public notices were received by the planning authority on the 22<sup>nd</sup> day of January, 2019 and on the 31<sup>st</sup> day of January, 2019. A Natura impact statement has been submitted with this application.

## **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 for Community, Educational and Institutional use in the Laois County Development Plan 2017 – 2023, to the established and existing use of the site as a Gaelic Athletic Association club, and to the nature and scale of the proposed development, it is considered that, subject to compliance with the conditions as set out below, the proposed development would not seriously injure the amenities of residential or other property in the vicinity of the site, would be acceptable in terms of traffic safety and convenience of other road users, and would 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 5<sup>th</sup> day of December, 2018, the 17<sup>th</sup> day of December, 2018, the 31<sup>st</sup> day of January, 2019 and the 22<sup>nd</sup> day of March, 2019, 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. 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.

3.
  - (a) The floodlights shall be directed onto the playing surface of the pitches 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 and gardens. The two floodlights serving the proposed astroturf pitch shall be fitted to ensure that light levels from these floodlights do not exceed a maximum of 3 lux.
  - (b) Details of a scheme for the monitoring of lighting levels from all of the proposed floodlights shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development. The developer shall arrange for the modification of lighting levels and beam direction in accordance with any requirement of the planning authority.
  - (c) The colour of the floodlighting poles shall be agreed in writing with the planning authority prior to the commencement of development.

**Reason:** In the interest of residential amenity and to avoid disturbance to bats and bat habitats.

4. Details of a scheme of supplementary landscaping and boundary planting for the site shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development. Any plants which die, are removed or become seriously damaged or diseased, within a period of 12 months from the date of completion of the proposed 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 order to screen the development in the interest of visual amenity.

5. Details of an acceptable location for the provision of bicycle parking within the site in accordance with site development standards as set out in the Laois County Development Plan 2017-2023 together with a timeframe for the provision of such facility shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development.

**Reason:** In order to provide for a satisfactory standard of development and in the interest of traffic safety.

6. The operation of the floodlighting shall be restricted to within the hours of 0900 and 2200 hours daily. The operational hours of the astroturf pitch shall be confined to within the hours of 0900 and 2200 hours only daily.

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

7. Construction and demolition waste shall be managed in accordance with a construction waste and demolition 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. The plan shall include details of waste to be generated during site clearance and construction phases, and details of the methods and locations to be employed for the prevention, minimisation, recovery and disposal of this material in accordance with the provision of the Waste Management Plan for the Region in which the site is situated.

**Reason:** In the interest of sustainable waste management.

8. Details of measures (to include the growing of a suitable climber or other vegetation or the provision of netting, if necessary) to prevent the use of the ball wall from the north, together with a timeframe for the implementation of agreed measures, shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development.

**Reason:** In the interests of residential and visual amenity.

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**John Connolly**

**Member of An Bord Pleanála**

**duly authorised to authenticate**

**the seal of the Board.**

**Dated this            day of            2019.**