



---

**Planning and Development Acts 2000 to 2019**

**Planning Authority: Kildare County Council**

**Planning Register Reference Number: 18/1250**

**Appeal** by Joseph and Rose Warren of The Nook, Hillside, Kilcullen, County Kildare and by others against the decision made on the 21<sup>st</sup> day of June, 2019 by Kildare County Council to grant subject to conditions a permission to Saint Bridget's Lawn Tennis Club (Kilcullen Tennis Club) care of Fitzgibbon McGinley Architects Limited of First Floor, Unit W1G, Ladytown Business Park, Naas, County Kildare in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Refurbishment of two number existing tennis courts, installation of two number new tennis courts and all associated site works, construction of a new wall for tennis practice, provision of new flood lighting to all four tennis courts, new fencing to the site boundaries and within the site, new accessible entrance and associated works at the existing Clubhouse building entrance, new single storey canopy to the rear and side of the existing Clubhouse, demolition of the existing site entrance and construction of a new recessed entrance in its place on the public road, all associated site works, boundary treatments and landscaping works. All at Saint Bridget's Lawn Tennis Club (Kilcullen Tennis Club), Logstown, Kilcullen, County Kildare.

## **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 following:

- the location of the site within the town, and in a predominantly residential area,
- the zoning of the site and the provisions of the Kilcullen Local Area Plan 2014-2020
- the character of the area,
- the nature, extent and design of the proposed development,
- submissions and observations received, and
- the report of the Inspector,

the Board considered that, subject to compliance with the conditions set out below, the proposed development would provide an accessible town centre amenity, would improve an existing sports amenity within the town, would not seriously injure the residential amenities of the area, and would be acceptable in terms of traffic and pedestrian safety and convenience. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to refuse permission, the Board considered that the impact of the proposed floodlighting while in use would not result in an unacceptable impact on residential amenity, by reason of its directional only design and height, which would result in focused lighting with less overspill.

## **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 27<sup>th</sup> day of May, 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. The overall site, including the clubhouse, shall be used for community/sports use only as a Tennis Club.

**Reason:** In the interest of orderly development and to regulate the use of the development.

3. (a) The floodlighting shall not operate after 2200 hours Monday to Sunday without the prior written agreement of the planning authority.
- (b) The developer shall comply with any future requirements of the planning authority in relation to adjusting the floodlight aiming or fitting appropriate additional louvers, to deal with remaining glare issues that may arise for road users/residents and may only become apparent when the installation is commissioned.

**Reason:** To protect the amenities of the area.

4. The developer shall provide a new recessed entrance in accordance with drawing number PLN.102 Revision B, submitted to the planning authority on the 27<sup>th</sup> day of May, 2019. The developer shall ensure that the sight boundaries are sufficiently set back and maintained to ensure that lines of sight are provided strictly in accordance with the requirements of the Design Manual for Urban Roads and Streets.

**Reason:** In the interest of traffic safety.

5. Water supply and 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 interest of public health.

6. 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.

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 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.

---

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

**Dated this            day of            2020.**