

An  
Bord  
Pleanála

Board Order  
ABP-310209-21

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**Planning and Development Acts 2000 to 2020**

**Planning Authority: Westmeath County Council**

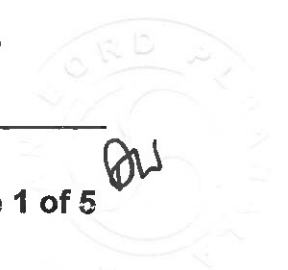
**Planning Register Reference Number: 21/94**

**Appeal** by Brian and Ann Gillen and others of Cullionbeg, Mullingar, County Westmeath and by Patrick and Mary Gaffney of Cullionbeg, Mullingar, County Westmeath against the decision made on the 21<sup>st</sup> day of April, 2021 by Westmeath County Council to grant subject to conditions a permission to Mullingar Rugby Football Club care of Gordon Mitchell Consulting Engineers of Greatdown, The Downs, Mullingar, County Westmeath in accordance with plans and particulars lodged with the said Council:

**Proposed Development:** (1) Construction of a new 60 metres long covered spectator stand to existing synthetic pitch, (2) construction of a new 4.8 metres high by 20 metres long rugby ball wall, (3) extension of existing walking track and all ancillary site services, all at Cullion, Mullingar, County Westmeath.

## **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 provisions of the Westmeath County Development Plan 2021-2027, and the "Sporting Recreational" land use zoning objective for the site which is to "provide for, protect and improve the provision, attractiveness, accessibility and amenity value of sporting and recreational facilities", it is considered that, subject to compliance with the conditions set out below, the proposed development would be in accordance with local planning policy, would not seriously injure the residential amenities of the area, would be acceptable in terms of traffic safety and convenience and would be acceptable in terms of visual and biodiversity impacts. 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, 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, revised plans and particulars showing compliance with the following shall be submitted to, and agreed in writing with, the planning authority for:
  - (a) all design measures proposed to attenuate noise for the spectator stand, including its side elevations,
  - (b) all external materials, finishes and colours for the spectator stand,
  - (c) all lighting proposed for the spectator stand,
  - (d) waste management for the spectator stand, and
  - (e) access to the rear of the spectator stand shall be restricted to maintenance purposes only.

**Reason:** In order to protect residential amenity and to ensure the effective assimilation of this development into its surroundings.

3. (a) All uncontaminated surface water, including roof water, shall be separately collected, and discharged to drain or to on-site soakaway, and shall not in any circumstances be allowed to discharge to the septic tank or proprietary foul sewage treatment system.

- (b) Where the development land is higher than the public road, a linear drainage channel or gully shall be placed at the entrance to the development, connected back to an additional dedicated soakaway.
- (c) No construction shall take place over the existing drainage pipe which traverses the site. A ten-metre way leave shall be left around this existing pipe.

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

- 4. Prior to commencement of development, a landscaping and boundary scheme shall be submitted to, and agreed in writing with, the planning authority. This scheme shall include details of all screen planting, including trees and hedgerows to be retained and proposed for the southern and south western boundaries of the site adjacent to the artificial pitches, together with measures for their protection during the period in which the development is carried out.

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

- 5. Any further external signage proposed shall be the subject of a separate planning application.

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

- 6. All public service cables associated with the proposed development, including electrical and telecommunications cables, shall be located underground.

**Reason:** In the interest of orderly development and the visual amenities of the area.

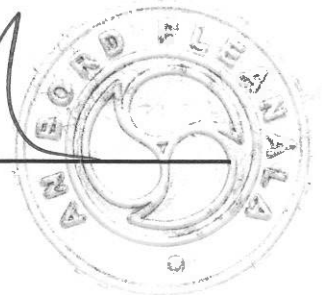
7. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including hours of working, noise management measures and off-site disposal of construction/demolition waste.

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



**Dave Walsh**

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



Dated this 13<sup>th</sup> day of September 2021.