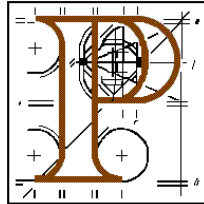


## An Bord Pleanála



### Inspector's Report

**Development:** 2No. New All Weather pitches, Flood Lighting, Fencing, carparking, New Access Road, Drainage and All Associated Works Adjacent to Delaford Park, Knocklyon Road, Dublin 16.

#### Planning Application

Planning Authority: South Dublin County Council  
Planning Authority Reg. SD15A/0064  
Applicant: Knocklyon United Football Club  
Type of Application: Permission  
Planning Authority Decision: Grant Permission with Conditions

#### Planning Appeal

Appellant(s): (1) Delaford Drive Residents in Support of Save Delaford Park,  
(2) Delaford Avenue/ Lawn Residents Committee,  
(3) Residents of Delaford Grove  
Type of Appeal: Third Parties Vs Decision  
Observers: Knocklyon Community Council

**Date of Site Inspection: 03/05/2016**

## **1.0 SITE LOCATION AND DESCRIPTION**

- 1.1 The site, (1.456Ha) is located alongside the M50 to the east, along the Knocklyon Road, between junctions 11 and 12, and just south of Firhouse Road. Delaford Park is open parkland with vehicular access along the northern site boundary from a parking area associated with a public house, and pedestrian access located midway along the eastern site boundary. It has a regular configuration bounded on two sides by two significant roads. To the south is the local Gaelscoil and a church.
- 1.2 To the east is a large residential development, Delaford and the Knocklyon estates. The site has boundary treatment along the M50 side and a small club house facility, other than that, the site is currently an open parkland with no goal posts and very faint pitch markings.

## **2.0 PROPOSED DEVELOPMENT**

- 2.1 The proposed development consists of :
- Two All Weather pitches approximately 100metres x 61metres and 50metres x 30metres
  - Floodlighting, fencing and carparking
  - Construction of new access road
  - Drainage and all associated works
- 2.2 During the course of the planning application the proposal was amended. Drawing 15/019/11A illustrates the larger pitch was reduced from 61.2metres to 60.2metre with the smaller pitch been removed altogether, and the carparking area which includes 32No. spaces has been relocated in front of the changing room building.

## **3.0 SUBMISSIONS RECIEVED**

There was a high volume of local opposition to the proposed development 83No. objections were received, citing the following concerns:

- The footprint of the proposed development is too large in relation to the overall area of public open space that forms Delaford Park
- The proposal conflicts with the public open space zoning objective
- There has been no evidences of a needs assessment
- The proposal will result in the fragmentation of the park into small pockets
- The posts and fencing will conflict with the visual amenities of the area
- It will seriously injure the residential amenities of the area and contribute to increased flooding.

- Traffic and parking problems
- Floodlighting
- Removal of trees
- Contravenes zoning and development plan objectives

#### 4.0 TECHNICAL REPORTS

**Environmental Services:** - Additional information regarding surface water drainage

**Parks Department:** Additional information required. Following the submission of the additional information, the following was recommended:

- The proposed carpark should be relocated alongside the M50 and the clubhouse. This will imply a reduction in the number of carparking spaces, in order to protect a lime tree.
- The access road width should be reduced to 5metres
- A circulation path 3metres in width should be provided to allow for family usage
- Fencing and a landscape plan.

**Roads:** With the overall proposal reduced in the further information submission, there would appear to be adequate parking for training, however the parking provisions may not be adequate for matches. There is no coach parking proposed. There are conditions recommended that the revised access should accommodate two way traffic, the relocation of services should be clearly labelled, location of entrance walls and piers, a separate pedestrian access. There should be a mobility management and traffic management plan

**Planning Report:** The proposal utilises the entire open space are of Delaford Park. The existing grassed pitches would be replaced by enclosed pitches which would cut off general public use of the area. In terms of policy SCR49, the proposal would result in very little usable open space, the planning authority requested the smaller training pitch to be omitted. The larger pitch remained due to FIFA recommended pitch sizes. The planning authority recommended the pitch be reduced in width to enable a 20m parkland corridor between the pitch and the M50. The proposed lighting should be conditioned in line with Philips Professional lighting Solutions recommendations.

#### 5.0 FURTHER INFORMATION

- 5.1 On the 14<sup>th</sup> of May 2015 the planning authority issued a request for additional information regarding 9No. items:

- The proposal is not in accordance with policy SCR 49 Retention of Open space. The proposal should be amended to enable access to the adjacent school to the north and a circulatory pedestrian route.
- Impact of the proposed floodlighting on existing residents and the M50, including provision of caw lighting to avoid spillage
- Elevation details
- Sections illustrating finished ground levels
- Hours of operation
- Arboricultural Report
- Landscape Plan
- Specification details of the all-weather pitches
- Letter of consent of South Dublin Co. Co.

A response was received at the planning authority on 13<sup>th</sup> of November 2015. The club stated the smaller pitch is a warm up area, and it is needed when consecutive fixtures are running at the facility. The requirement to reduce the facility of 25% would make the project unfeasible. According to a submission from the FAI the club has 700+ players and it rents winter facilities costing €53,000/ year. The further information response also included letters of support for the project from other clubs and schools in the area.

## **6.0 PLANNING AUTHORITY'S DECISION**

South County Dublin Co. Co. granted the proposed development subject to 10No. conditions including the proposed development be in accordance with the further information date stamped 13<sup>th</sup> of November 2015.

Condition No. 2 requires the omission of pitch No. 2 and a reduction in the other larger pitch to include a minimum of 20metres wide parkland in a corridor along the eastern site boundary. There shall be a pedestrian access between the pitch and the school to the south. The access road shall be reduced to 5metres in width, and a reduced carparking area to the north of the clubhouse.

Condition No. 3 requires revised plans incorporating relocation of pathways, written confirmation from the Public realm Department of revised plans

Condition No. 4 relates to floodlighting

Condition no. 5 specifies the height of the fencing to a maximum of 13metres and lighting poles to a maximum height of 15metres.

## **7.0 APPEAL GROUNDS**

There are a number of third party appeals to the proposed development. Rather than summarise each appeal which raises broadly similar issues, I will outline the appellants and summarise their concerns under headings. This will avoid unnecessary repetition.

- 7.1 (a) Dr. Diarmuid O Grada has taken this appeal on behalf of a listed number of concerned residents and the Delaford Avenue/ Lawn Residents Committee.
- (b) Hendrik van der Kamp has taken an appeal on behalf of the Delaford Drive Residents in Support of Save Delaford Park.
- (c) The third appeal is from the residents of Delaford Grove.

## **7.2 Context**

Delaford Park lies immediately south of Firhouse Road it is accessed from Delaford Avenue and bordered to the west of the M50. The lands are open parkland. There were 83No. submissions at planning applicant stage from concerned residents at the loss of amenity from fragmentation, degradation and privatization. There is concern over the loss of a magnificent oak tree. The objections cited at the planning application stage are listed.

## **7.3 Property Title**

The Council consented to planning application, however certain maps showed different site boundaries. Also a letter from the council dated 02/02/2016 states an appropriate agreement has to be reached in respect of the lands. It suggests that the application is incomplete.

## **7.4 Planning Authority's Decision**

The decision to grant includes a condition to omit one of the intended pitches together with a reduction in the second larger pitch. These changes are significant and material to that applied for, and the changes should be set aside and refused. In addition there are 9No. items to be agreed in private between the applicant and the council with no third party input. This is a defective decision.

## **7.5 Additional Information**

There were items missing from the further information request such as perimeter circulation way, and the council described it as a tunnel and yielded to the developer.

## **7.6 Planning Considerations**

(a) The drawing No. 15/019/011 shows the two football pitches extending over the full width of the property. That intended layout would have serious implications for the use of the entire open space. There would be physical impairment to the entire park area for buggys etc.

(b) The achievement of parks been used for sports facilities can be carried out without significant loss of park/ public facilities to private clubs. The soccer pitches are completely disproportionate to the park area. The proposed fencing is far too intrusive.

(c) How is the transfer of passive open space to active open space going to occur within South Dublin Co. Co. It is the intention of the Council ( Policies SCR50, SCR51, SCR52 and SCR58) to actively support active and passive recreational facilities. However these policies require ample forethought, and in this instance the council's decision is arbitrary, unreasonable and premature.

(d) The further information provide a 20metre strip as a circulation walkway and it is an oppressive corridor.

(e) Delaford Park is modest, and it has limited capacity for recreational use. The proposal represents a disproportionate occupational of the park by one sectoral interest. In addition, the demand for the pitches is beyond the community catchment and local area. The resource should be maintained for local users, and this would reduce the need for extensive carparking. It would also avoid the need for high barrier fencing

(f) There have been episodes of flooding in and around Delaford Park. There is a hallow adjacent to the traffic lights. A change I the parks permeability and adding to surface water run off would exacerbate the risk of flooding.

## 7.7 Material Change of Use

The area available for use as open space will be undefined left over space which is fragmented. Playing pitches should be on the edge of parks rather than consuming most of its area, and the proposal will result in the park losing its clear function, shape and character. Delaford Park is not a large amenity area. It is currently used by KUFC to facilitate 2 x 7 a side pitches as well as been used by other groups. A full sized all weather pitch is an inappropriate development for this location.

The proposal is a change of use from 'open space' to 'recreational facility/ sports club. These two are separate use classes as listed in the in the land use zoning matrix of the development plan. The change of use affects the entire area of the site which is 1.5hecatres. In additional to the material change of use, part of the site is to be used as a carpark which is another separate use. There are works proposed including floodlighting, fencing, new access road. There is 80metres left to the south which is apparently to be given to the Gaelscoil on the adjoining site to the south.

## 7.8 Zoning Objective

The site is zoned **F – to preserve and provide for open space and recreational amenities**. This zoning objective includes sporting facilities, these should be compatible with other uses in the area. The park has been used by Knocklyon FC for many years but also for the children of the local population. Unfortunately the local children will now be deprived, and it will be only for members of Knocklyon FC.

In granting the permission South Dublin Co. Co. has effectively determined the park is the domain of Knocklyon United FC. It will not provide passive recreational activities for all age groups and abilities in the neighbourhood.

## **7.9 Needs Assessment**

There has been no needs assessment carried out as part of the proposal. The applicants currently provide playing pitches at a number of locations:

- Ballycullen Pitches (11aside pitch) St. Colmcille's Way
- Delaford Park Pitches (small sided pitched)
- Kennedy Park Pitch (11 aside pitch) N81 Tallaght Bypass
- Tymon park Pitch 6 (11 aside Pitch) off Limekiln Road
- St. Colmcilles Community Scholl (small sided pitch) Scholarstown Road

When the M50 was designed and constructed there were pitched set-aside. These were along St. Colmcilles Way which is a green route (R133). Delaford Park was bisected by the motorway and the current area of open space is much smaller, and a further reduction will occur when 20% of the area is assigned to the Gaelscoil. The applicants should provide all weather facilities at St. Colmcille's way.

## **7.10 Fragmentation of Open Space**

Condition No. 2 sets out a number of design changes which are aimed to reduce the loss of public open space. In particular the omission of the smaller training pitch to the north, and the provision of a 20metres strip along the eastern boundary. These changes will result in a fragmented park facility into small pockets. In addition from the further information response the circulatory route cannot be achieved in order to comply with Fifa requirements.

## **7.11 Injury to Visual Amenity**

The high level lamp posts and fencing will conflict with the visual amenities of the area. There flood lighting consists of 6No. 15metres poles within 20metres of housing to the east, and the 6metres poles for the netting.

## **7.12 Injury to residential Amenity**

Planning permission was granted in 2002 for a dressing room and not a clubhouse. The locality is a mature residential area and the development is unlikely to serve children in the locality.

Carparking will result in significant nuisance. Matches and training will result in parking into adjoining residential areas.

There will be light pollution onto neighbouring houses from the floodlighting and the raised ground level. Floodlighting until 10pm is against the amenity of the existing dwellings.

#### **7.13 Flooding**

Flooding has occurred in the area with flood waters reaching houses to the east. An increase in the ground level will result in greater surface water run off.

#### **7.14 Alienation of Local Community**

The local infrastructure is been diminished by granting permission for the proposed development which is not in accordance with the social inclusion objectives of the regional Planning guidelines for the greater Dublin Area. The loss of lands to the M50 years ago, means these pockets of green spaces are highly valued by the community, and now most of the park will be lost to a football club if the appeal is successful.

#### **7.15 Traffic Carparking**

The provision of 32No. carparking spaces will place greater pressure on the locality to accommodate visiting traffic and coaches. There will be congestion and a greater risk of accidents. The Knocklyon Inn already causes congestion

#### **7.16 Other Matters**

There is concern over the loss of trees from the site.

The proposed development is for predominantly males and the female population will loose and amenity currently available to them.

### **8.0 OBSERVATIONS**

An observation has been submitted from the Knocklyon Community Council. There were no new issues raised in the submission.

#### **8.1 Traffic**

There is totally inadequate parking for during games

No facilities for coach parking

Distraction for passing traffic

Access for emergency services will be greatly curtailed.

#### **8.2 Other matters**

- The development will exclude the community from the open space area except members of the club



- The proposed fencing will be a visual intrusion
- The lighting will encroach onto the adjoin housing
- The increased height of the proposal will result in flooding
- Construction traffic will cause safety issues in the area.
- The noise generated by the development will have a negative effect on the residents.

## **9.0 RESPONSES**

### **9.1 *Diarmuid O'Grada on behalf of local residents***

There were no new issues raised in the submission. The submission supports the content of the two other third party appeals.

### **9.2 *Henk van der Kamp on behalf of local residents***

There were no new issues raised in the submission. The submission supports the content of the two other third party appeals.

### **9.3 *Applicants Response to the Third Party Appeals***

Vincent JP Farry has made a detailed submission on behalf of Knocklyon United Football Club regarding the three third party appeals received. A lot of the information in the submission forms part of this report. I do not intend summarising the entire substance of the submission, just the relevant points made, new issues and the rebuttal arguments.

### **9.4 *Introduction***

The proposal will primarily serve the local school children of Knocklyon which accords with the planning report stating, a balance needs to be struck between the public use of the park and the provisions of recreational amenities. The proposal merely involves replacing one form of community development with another public amenity. If all weather pitches and outdoor sporting facilities are deemed to be inappropriate on parklands it raises the question where such facilities should be properly located within built up areas. The cost of acquiring privately held land for such low value activities would be unduly prohibitive.

- 9.4 The football club currently use the site, and it is a suitable use, therefore it is strongly refuted that the entirety of the park would be lost to other members of the community. The site will remain in the ownership of the Council, and it will not be removed from public ownership.

## 9.5 Preliminary Considerations

- Knocklyon Football Club has 38No. schoolboy teams and 2No. senior sides, as well as a nursery for 5 and 6 years olds. The focus of the club has always been the provision of football for the local children in the community.
- The proposed development and the club will not be run as a business.
- The Council's handling of the legal interest in the site and the local authority's letter of ownership consent is standard procedure and there is no error in the handling of the case by the council.
- The further information was fully addressed. The applicant merely refused to amend the entire proposal as requested by the planning authority in the letter of further information.
- The planning authority is legally entitled to impose conditions that require agreements between the applicant and the planning authority as proven under *Boland V An Bord Pleanala*. The decision of the planning authority is not defective in that regard.
- The Board must have regard to the needs of Knocklyon United Football Club to provide improved services for school children drawn primarily from the local area.

## 9.6 Zoning Objective

The parties agree the site is governed by the F zoning objective and activities which may be lawfully permitted include recreational facilities, sports clubs and carparks. The appellants suggest the use is incompatible with the zoning objective, based on the fact the fencing is far too intrusive and forbidding. The fencing is a reasonable expectation to prevent accidental damage and within the F zoning objective. The access issue does not relate to the zoning objective.

## 9.7 The Requirement of the Facility

The need to improve facilities and services to club members is on a club-by-club basis, depending on the demand within each organisation, and the availability of funding. It is unreasonable to expect a co-ordinated approach of an open space framework policy from within voluntary groups who are competing for resources as well as playing pitches.

There are a number of Council policies for sports facilities of this nature set out in the County Development Plan, Development Plan in South Dublin County and the Strategic Plan for South Dublin County Sports Partnership. It is counterproductive of the appellant to suggest a needs assessment should be prepared as part of the proposal.

## 9.8 Adequacy of the Remaining Area

The appeal site covers an area of 1.456Ha, the enclosed portion of 0.68Ha and the remainder 0.77ha is public open space. It is refuted the proposal involves the entire park area.

The third party appellants do not indicate what current activities in the park will be restricted or prevented by the proposal, apart from walking in the park which can continue if the proposal is developed.

## 9.9 Alternative Open Space Opportunities

There are many tracts of open space in the locality which the third parties do not refer to, all of which are within a short walking distance of the population catchment.

Critically is the Dodder Valley Linear Park, 100ha + which extends a distance of 6km, and this is adjacent to the Delaford estate and can meet the recreational needs of the residents. It appears the pivotal issue is whether the perceived rights of the residents have been offended by the proposal or rather whether and adequate area of local amenity space should remain to facilitate residents wanting outdoor activities.

Having regard to the pockets of public open space and the Dodder valley park it is considered there will be sufficient open space to cater for the local residents following the completion of the proposal.

## 9.10 Social Inclusion

The appeal site serves a broad cross-section of the local population. The issue stated that the development will not benefit women is due to female preferences.

## 9.11 Visual and Residential Amenity

The tree cover on the site is confined to the outer sections. There was detailed report by an Arboriculturalist as part of the planning application. The width of the access road is been reduced to protect the trees, and Conditions No. 2 and 3 of the permission protect the trees.

Condition No. 4 of the permission relates to the lighting and there is a 10.00pm time limit on same. In addition in terms of visual amenity the existing dwellings address the subject site obliquely as opposed to directly, therefore the light poles will not be unduly dominant when viewed from the houses.

The residents have suggested the fence be omitted due to its scale. Given the longstanding use of the site for sports, and the need to prevent accidents on the perimeter, it is considered the fencing would not impact on the amenity of the area. The location of the site between a motorway and a main suburban road is a factor and it is not positioned amidst housing.

9.12 The aspect of the existing park would not change significantly due to the all-weather pitch.

### 9.13 **Traffic Issues**

The proposal involves off street carparking which does not exist at present. The provision of an all –weather pitch would not result in changed traffic characteristics to warrant a refusal of permission. In truth many school boys walk to the facility or are driven in small groups. The use of a different surface will not result in additional congestion.

### 9.14 **Flooding**

The site has been used by the club for decades and it has not flooded. The site would not have been chosen if it was liable to flooding. A collector drain system will be used an attenuated using a waving stormcell system.

### 9.15 ***Planning Authority's Response to the third Party Appeals***

It is acknowledged the Roads Department issues were not addressed in the assessment of the Planning Application and this was an oversight. However condition No. 2 deals with issues relating to the location and width of the access road. The Roads report did believe there would be insufficient carparking provision for matches, and coach parking and adequate running area needs to be addressed, along with mobility management plan and traffic management proposals.

The board is requested to support the planning authority's decision to grant and to include the recommendations of the roads department except for the requirement to have a two way access road as the planning authority wishes to maintain the 5metres access road.

### 9.16 ***Residents of Delaford Grove c/o Paul McGee***

The third party appellants strongly concur with the two other third party appeals. There were no new issues raised.

### 9.17 ***Appellants Response to Planning Authority's Response***

The planning authority has acknowledged its oversight in including the roads department recommendations and now request the Board to attached two additional conditions. The fact that coach parking and a turning area is now required confirms the proposal will serve as a regional facility. Coach parking will result in the loss of more open space.

The planning authority wanted to grant planning permission for the development regardless of the content of the roads report, its was a 'fait accompli'. The assessment of the case is littered with incompetence and lack of transparency.

## 9.18 ***Applicant's Response to the Planning Authority's Submission***

- Permission is not been sought for a proposal that will increase the playing capacity of the site at a particular time, thereby resulting in changed traffic patterns, but rather the installation of a different surface which would allow sporting activities take place on the site on a year round basis. The laying of a new pitch will not result in different traffic and parking patterns, and even if this were the case the provision of parking on the site will counterbalance such fears. The fixtures and timetables are set out by the Dublin District Schoolboy League which usually coincides with the academic year September-May. The all-weather pitch would have the benefit of playing a match that would be deemed unplayable due to weather, it would not increase the number of matches it would facilitate re-arranged matches. The site is to be occupied exclusively by the club. There are 15No. children per match , and some cycle or walk to the pitch, and others are car pooled. There are very few cars associated with 30no. children per match or training.
- Knocklyon United FC neither owns nor has rented a coach and is unaware of any other schoolchildren's club which uses coaches. The capacity of 55No. persons greatly exceeds the requirement.
- The precise configuration of the access is not an issue the appeal should turn, and a pedestrian access can be provided by way of condition.
- The Roads department did not oppose the development, and the errors in the assessment of the planning application can be dealt with by way of condition.

## 10.0 **PLANNING HISTORY**

- 10.1 There is no relevant planning history apart from a dressing rooms granted planning permission to the applicant on the subject site in 2002.

## 11.0 **DEVELOPMENT PLAN**

### **South Dublin County Development Plan**

The lands are included in the F zone where the stated objective of the Council is *to preserve and provide for open space and recreational amenity.*

#### 1.3.32 POLICY

#### **Policy SCR 39: Open Space Provision**

It is the policy of the Council that good quality open space, preferably as part of a larger linked network, should be available for all age groups and accessible to everyone, at a convenient distance from their homes and places of work.

**1.3.32.ii Policy SCR 40: Accessibility to Parks and Open Spaces**

It is the policy of the Council that all parks and open spaces be accessible to everyone, including to people with mobility impairments.

**1.3.36.i Policy SCR49: Retention of Open Space**

It is the policy of the Council to retain in open space use, lands with established recreational uses where practicable.

**1.3.36.ii Policy SCR50: Recreation**

It is the policy of the Council to cater for all age groups and abilities in the population of the County through the facilitation of both active and passive recreational activities.

**1.3.36.iv Policy SCR52: Sporting Facilities**

It is the policy of the Council to provide the required sporting and recreational facilities, including pitches, for clubs in this County that are endeavouring to provide sporting opportunities.

**1.3.36.x Policy SCR58: Additional Capacity in Playing Pitches**

It is the policy of the Council to provide additional capacity in playing pitches for field sports in the County, including pitches and facilities for minority sports including cricket and baseball.

**1.3.36.ix Policy SCR57: Need/Demand for Sports and Community Facilities**

It is the policy of the Council to investigate the need and demand for the provision of sports/community facilities in the County.

**1.3.36.x Policy SCR58: Additional Capacity in Playing Pitches**

It is the policy of the Council to provide additional capacity in playing pitches for field sports in the County, including pitches and facilities for minority sports including cricket and baseball.

## **12.0 ASSESSMENT**

- 12.1 Delaford Park, is a small park less than 2Ha located alongside the M50 motorway just off Knocklyon Road and south of the busy Firhouse Road. Currently Delaford Park is an open park area with planting along the Knocklyon site boundary which is the eastern site boundary, and fencing along the western M50 boundary. It is a regular rectangle configuration with the north end hosting a public house overlooking the park, and to the south is the local Gaelscoil. There is a large suburban estate to the east of the park. Within the park area there is small single storey structure which is the dressing rooms associated with Knocklyon United Football Club. I noted at the vehicular entrance to the park along the northern site boundary, there are two plaques on the entrance piers stating Delaford Park. I could see faint pitch markings on the grounds of the park,

however there were no goal posts or netting associated with the existing use of a large portion of the park, which is football playing fields.

- 12.2 According to the appeal file, Knocklyon United FC has 38No. school boy teams and 3 Leinster Senior League teams. There is a nursery of younger children on an astro pitch at St. Colmcilles Community School. The Delaford Park pitch is used for small sided games only, the Club has pitches at Ballycullen, Elkwood and Kennedy Field. Delaford Park is owned by South Dublin County Council and it has granted consent to the applicants to provide an all-weather pitch within the park, letter dates 2<sup>nd</sup> of February 2015.
- 12.3 When the initial application was received with the planning authority there was very limited information supplied with the submission documents outlining the need for the facility and the modus operandi associated with the club. The original submission included two pitches one large and one small pitch and a significant surface carpark to the north area of the park accommodating 47No. carparking spaces. Also included with the proposal were 15metre light poles, and 13metres netting poles, with the proposed pitch area embracing the western site boundary alongside the M50.
- 12.4 It is not surprising given the lack of information on the planning file and the extent of the proposal, that there was strenuous local objection to the planning application. The local community objected to the development on the same basis as the issues highlighted under this third party appeals against the planning authority's decision to grant permission for the proposal. There were a total of 83No. objections received and a multitude of petitions at the planning application stage.
- 12.5 The Parks and Landscape Service within the local authority stated on its report of the 1<sup>st</sup> of May 2015 that the pre-planning discussions involved one all-weather pitch only. The proposed carparking had not been discussed at any pre-planning meeting. However the Council was positively disposed towards an all-weather pitch within the park area. There was a lot of detail required by the Roads Department in terms of traffic generation and parking, however these issues were not raised during the course of the assessment. This is discussed in greater detail later in the report.
- 12.6 Following receipt of the additional information on the 13<sup>th</sup> of November 2015, the second smaller pitch was omitted from the proposal, the larger pitch was marginally reduced in size due to Fifa restrictions, and the carparking area was reduced in scale to accommodate 37No. carparking spaces. A small residual area to the north of the proposed development was retained as public open space.
- 12.7 The planning authority's decision to grant planning permission reduced the scale of the proposal even further. Condition No. 2 specified a 20metres corridor shall remain as parkland along the eastern boundary of the site, there was a pedestrian access to be provided between the school to the south and the park, and reduction in the number of carparking spaces.

- 12.8 I have read the entire file and summarised the salient points arising from the appeal submissions and visited the site. I note the content of the development plan and other relevant publications. From the outset I can empathise with the concerns of the third party appellants. The information provided with the planning application was scant, the planning authority's assessment of the case have due regard to the Road's Department report and it would appear to me to be biased towards the applicant due to pre-planning discussions between the parties, where a favourable outcome was provided and the lands are owned by the planning authority. I believe the third parties raised some very important points in their objections to the application that should have been given a more in depth consideration at planning application stage.
- 12.9 There appears to be no assessment in the Parks Section or the planning report of the appropriateness of transferring passive open space to active open space given the restrictive nature of the site and the large population catchment of the area of the park. There was not an adequate needs assessment carried out examining alternative locations and the necessity for the club to locate the all-weather pitches at Delaford Park. The appeal refers to the applicants other pitches within the general locality, yet it does not clarify why Delaford Park was chosen as the location for the all-weather pitches. The appeal does not detail the extent of the pitches associated within the club and their other facilities. There were no alternative sites considered given the extent of local opposition to the proposal, but more importantly to the limited nature and configuration of the parkland area. It is clear that even the revised proposals will consume the bulk of the parkland area, which is currently operates a dual purpose passive and active open space area. The net result of the proposal will be a small dysfunctional passive open space area. I do not consider the 20metre corridor as prescribed by condition No. 2 be a reasonable compromise between the applicant and the community. In addition, I am surprised the applicant did not object to this requirement on appeal, as it had stated the larger pitch area cannot be reduced in size any further due to Fifa specifications at the further information stage. I conclude having walked around the local area and the park, and considered the relationship of Delaford Park to the local residential area, and the context of the more vast Dodder Valley Park to the north on the opposite side of Firehouse Road, I believe the scale of the proposed development is inappropriate for Delaford Park. I have no issue with the principle of all-weather pitches within parkland areas provided the park is an adequate size to cater for the pitch, associated parking and site development works without compromising the general use of the Park.

#### 12.10 *Development Plan*

The current development plan for the area is South Dublin County Development Plan 2010-2016, and the new Draft County Development Plan is at an advanced stage and close to adoption. The site is zoned **F – to preserve and provide open for open space and recreational amenities**. The proposed development of all-weather pitches is consistent with this zoning objective.



- 12.11 Public Open Space Area are based on a hierarchy of space under Section 1.3.31 of the development plan. This allows for the function of open space to be clear and a variety of public open spaces available to serve a variety of recreational needs. Delaford Park is a **Local/Neighbourhood Park** and serves homes within a 400metres radius of the park. There is a large Regional Park within walking distance of Delaford Park, Dodder, Valley, to the north. However it is physically detached from the residential area by major road infrastructure. There is a direct physical link to Delaford Park and the adjoining residential estates to the east, in the form of traffic signals along Knocklyon Road at the junction of the Delaford housing estate to the east, and a pedestrian access to the park at this point.
- 12.12 Delaford Park is easily accessible to a large population catchment and a broad spectrum of the local community. According to development policy **SCR 39 : Open Space Provision** *It is the policy of the council that good quality open space, preferably part of a larger linked network, should be available for all age groups and accessible to everyone, at a convenient distance from their homes and places of work.* It is my opinion, the proposed development represents a disproportionate area of the Park, and engulfs nearly the entire width of the park area at the southern end. The proposed development will radically alter the openness and appearance of the existing park, and with the all-weather pitch, floodlighting, netting and carparking area along with the existing changing rooms facility, Delaford Park will no longer resemble a park, but will resemble a sports facility. In addition, the policy states the open space areas should be available to all age groups and accessible to everyone. Following completion of the propose development, the bulk of Delaford Park will only be accessible to and cater for the young boys within the wider community. This is totally unacceptable given the small scale of the park and its current relationship with the local community. The applicant has stated on appeal the proposal serves a broad cross section of the community, and that the gender imbalance is due to female preferences in sport. I do not agree with this rebuttal, school girl football is a very popular sport. In addition, the proposed excludes other sections of the community, and the proposal will not serve a broad spectrum of the community. **Policy SCR50: Recreation** states *It is the policy of the Council to cater for all age groups and abilities in the population of the County through the facilitation of both active and passive recreational activities.* The proposal does not comply with this policy statement.
- 12.13 The planning conditions prescribe a 20metres corridor between the proposed pitch and Knocklyon Road, to enable accessibility for the general public wishing to use the residual park area. The applicant maintains the existing use of the park will be maintained through this measure, and it is strongly refuted the entirety of the park will be lost for the local community. I consider the footprint, configuration and general appearance of the park will be radically altered by the proposed development, and the bulk of the park will be for active open space only as opposed to the current balanced combination of passive and active open space. The disproportionate use of the park area for enclosed active open space will undermine future use of the park for passive open

space users. I do not consider the 20metre corridor along the eastern site boundary, and small open space pocket to the north east, to represent an acceptable alternative to the existing open plan and shared surface arrangement within the park. The entire visual aspect of the existing park will be materially altered by the proposed development, and I do not accept the applicant's case presented on appeal that the aspect of the existing park will not change significantly due to the provision of an all-weather pitch and parking within the park. One only has to view Delaford Park from the north at Knocklyon Inn, and the south adjacent to the Gaelscoil and from the adjoining residential area to the east, as illustrate from my site photographs appended to this report, to understand and not to under estimate the valuable visual contribution this small park within the neighbourhood setting. It acts as a green lung between the M50 motorway and the large suburban area to the east.

12.14 Knocklyon United FC has occupied the site for decades, the existing use of the park for football is acceptable and the planning authority granted planning permission for the existing changing rooms within the park in 2002. The club have raised a considerable level of funding for the proposal, and has the support of certain groups and clubs within the wider community. There is no doubt it is an invaluable and extremely popular club supporting a massive number of schoolboys with 38No. schoolboy teams. According to the appeal file the proposed all-weather pitch facility is to cater for inclement weather conditions, and that matches will not need to be rescheduled due weather conditions. The club are currently renting an all-weather facility at a different location for an onerous price, and they have an all-weather nursery facility for 5-7 years olds at St. Colmciles. Therefore the proposal does comply with **Policy SCR52: Sporting Facilities** *It is the policy of the Council to provide the required sporting and recreational facilities, including pitches, for clubs in this County that are endeavouring to provide sporting opportunities.*

#### 12.15 **Traffic/ Parking**

When the planning application was originally received, there was a large carparking area proposed to the north of two all-weather pitches spanning nearly the entire width of Delaford Park. The Roads Department had a number of outstanding issues regarding the proposed development which were not addressed during the assessment of the case due to an oversight. The planning authority has asked the Board on appeal to uphold its decision to grant permission for the proposed development and to include the recommendations of the Roads Department in its decision, except the requirement to a two lane access and driveway. The Roads department considered the information submitted with the planning application was insufficient in terms of number of a cars visiting the pitches on non-match days, number of cars visiting the pitches on match days, numbers of matches per year, traffic management, coach parking, a mobility plan, and a revised site layout to include a two-way traffic entrance, separate pedestrian entrance, labelled services and entrance piers and walls.

- 12.16 The omission of these details was through no fault of the applicant. However on appeal, the applicant has responded to the report. It is submitted most of the outstanding Roads Department issues were in fact addressed in the further information revisions by a reduction in the scale of the development and the carparking spaces. The appeal submission states *permission is not being sought for a proposal which would increase the playing capacity of the site at a particular time, thereby resulting in changed traffic patterns, but rather for the installation of a different surface which would simply allow sporting activities to take place on the subject site on a year round basis.* In my opinion, the Board would be naïve to consider there will be no change to existing traffic patterns as a result of the proposed development. The all- weather facility will alter the entire dynamic at Delaford Park. The investment in the all-weather pitch, fencing and floodlighting is significant for the club, and to justify this investment, the dynamic of the pitch at Delaford Park. The flood lighting will enable training and matches to be played in the evening time from September to April, up until 10.00pm, whereas this rarely occurs at the existing site as there is no flood lighting. The pitches are currently used for small 7 a side soccer matches/ training. An all-weather facility will greatly intensify the use of the subject site and the associated traffic. The applicant's argument that laying a new pitch will not result in different traffic and parking patterns is unsubstantiated. Scheduled matches which cannot be played on the club's other pitches due to inclement weather can be relocated to this all-weather facility. I accept the applicant's claims there will not be extra matches within the different Leagues as a result of the proposal, but that does not mean the matches scheduled for the club will not be relocated to the proposed all-weather facility during bad weather conditions. The applicant also states that children travelling to the pitch use several alternative modes of transport apart from cars such as walking, cycling, public transport, and carpooling occurs for matches and training between parents. I do not accept this argument either without substantial proof, the majority of school children who train mid-week will have school, homework and during poor weather with gear bags, they will not travel to the park by foot, bicycle or public transport. The reality is the vast majority of school children within suburban areas are brought to all sport facilities and matches by car. The proposed development will result in a significant change to the level of traffic generated in the area per week from September – April, and a traffic management plan should have been prepared to examine this. To claim there will be no change from the existing traffic patterns associated with the existing grassed pitch, is unacceptable.
- 12.17 The issue regarding the coach parking, the applicant maintains coaches are not used by the club or visiting clubs. As I stated above, most of the children will be brought by car to the venue. The Roads Department also listed a number of requirements to be included in a revised site layout, such as a double vehicular entrance, location of piers, a pedestrian access and services to be labelled. The applicant stated on appeal that these stipulations can be dealt with by condition and is not an issue the entire appeal should turn. Whilst, I agree these are not issues the decision to grant may not be overturned on, they are important details and I believe the applicant should have addressed them on appeal after the

planning authority had acknowledged the oversight in not requesting these items as part of the further information. Given that third parties are extremely concerned about the loss of accessibility and use of Delaford Park, I believe the location of the pedestrian access to be a significant issue and would have a bearing on the overall functionality of the park. However, if the Board are favourably disposed to uphold the planning authority's decision, these items will have to be agreed between the planning authority and the applicant.

#### **12.18 Flooding**

The appellants claim the proposal will lead to flooding in the general area because the ground level of the pitches will be raised, and there has been occurrence of flooding in the area previously. I would advise the Board to dismiss this issue as it has been unsubstantiated by the appellants. The Water Services department of the planning authority had no objection with the proposal and did not refer to flooding in the area. Following the further information request, the applicant revised the surface water disposal to a collector drain system which is to be attenuated.

#### **12.19 Residential Amenity**

There are a number of dwellings located within 20metres of the proposed floodlighting which are positioned on 15metres poles. There are 6No. poles with floodlighting. There is a significant level of existing illumination in the immediate vicinity due to the M50 and the Knocklyon Road. The report prepared as part of the further information submission focuses on the illumination of the pitch and fails to adequately address potential spillage into residential areas or glare from the adjoining road network. The applicants were satisfied the floodlighting would not cause a nuisance into surrounding areas due to the time limit at 10pm and the orientation of the adjoining dwellings face obliquely as opposed to directly towards the site. I note Condition No. 4 of the permission requires a redesign of the proposed lighting to be submitted. I consider this to be a very important stipulation as not only could glare and light spillage impact on the adjoining residential amenities, but could potentially impact on the safety along the M50. I believe greater consideration should have been given to this item by the planning authority prior to granting the proposal having regard to the sensitivity of the site location.

12.20 Again the traffic associated with the proposed development could potentially impact on the adjoining residents, however without complete details on the anticipated traffic levels, this issue cannot be assessed. The landscaping proposals and retention of trees are acceptable.

### **13.0 RECOMMENDATION**

I recommend the planning authority's decision to grant planning permission for the proposed development be overturned by the Board.

## REASONS AND CONSIDERATIONS

Having regard to

- (i) the limited capacity of Delaford Park to accommodate the proposed development,
- (ii) the existing dual purpose of the park to serve as both an active and passive recreational facility,
- (iii) the existing open plan accessibility of the park to all sections of the community,
- (iv) the nature and extent of the proposed enclosed development and associated carparking and floodlighting,

it is considered the proposed development represents a disproportionate area of the park by one sectoral interest which compromises accessibility and potential use of the residual area of the park as passive open space for the wider community therefore, it is considered to be contrary to policy SCR 39 and Policy SCR 50 of South Dublin County Development Plan 2010-2016 where it is the policy of the planning authority to ensure good quality open space should be available for all age groups and accessible to everyone at a convenient distance from their homes and places of work.

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**Caryn Coogan**

**Planning Inspector**

**12/05/2016**