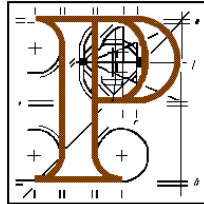


An Bord Pleanála



Inspector's Report

Development: 50m x 32m playing area with perimeter fencing, ball netting and 4No. 8metres high light columns with 4No. Floodlights per columns along with associated site works at Sacred Heart National School, Srulleen, Clondalkin, Dublin 22.

Planning Application

Planning Authority: South Dublin County Council
Planning Authority Reg. SD16A/0094
Applicant: Board of Management of Sacred Heart National School
Type of Application: Permission
Planning Authority Decision: Grant Permission with Conditions

Planning Appeal

Appellant(s): Graham Murphy, Seamus O'Cleirgh & Others
Type of Appeal: Third Parties Vs Decision
Observers: None

Date of Site Inspection: 11th of August 2016

1.0 SITE LOCATION AND DESCRIPTION

- 1.1 The subject site is located with the grounds of Sacred Heart National School (Srúleen) at the end of a cul de sac St. John's drive. The national school grounds is located within a large suburban residential hinterland. There are houses, St John's Gate contiguous to the eastern site boundary. There are houses along the southern site boundary, Willow Drive. St. John's Drive forms the northern site boundary and provides the main vehicular access to the site. There is a shopping precinct and carparking to the immediate west of the site.
- 1.2 Within the site there is a school building positioned centrally on the site, another building and playground to the east. The subject site is a grassed border to the west.

2.0 PROPOSED DEVELOPMENT

- 2.1 The proposed development consists of :

A 50metre x 32metre playing area with perimeter fencing and ball netting, and 4No. 8 metre light columns with 3No. floodlights per column along with associated site works.

3.0 SUBMISSIONS RECEIVED

A number of objections were received and a signed petition. The concerns expressed included:

- Contravenes zoning and development plan objectives
- Flood lighting at night
- Unsociable hours
- Increased traffic
- Nuisance
- Litter antisocial behaviour
- Residential amenity

4.0 TECHNICAL REPORTS

- 4.1 Environmental Services, Irish water, Roads section had no objections to the proposal.
- 4.2 The Planning report states the proposed pitch is considered to be an ancillary use of the school. The most significant impact will be created by

the 8metres flooding lighting poles. The surrounding dwellings are located a satisfactory separation distance from the proposed development. The proposal represents a significant improvement in facilities at the school. The potential light spillage onto adjoining residential properties is 1 lux which is less than street lighting. Sharing of such facilities with other groups within the community is encouraged in the development plan. The school has 31 parking spaces within the curtilage and this is sufficient for after school hours. No development contribution applicable. Permission is recommended.

5.0 PLANNING AUTHORITY'S DECISION

South Dublin Co. Co. granted the proposed development subject to 8 No. standard conditions.

6.0 APPEAL GROUNDS

6.1 The third party appellants include:

- Graham Murphy
- Seamus O'Cleirigh
- Laura Hickey and David McHugh
- St John's Park Estate Residents

6.2 Hours of Use/ Noise/ Traffic/ Impact on Residential Amenity

Permission has been granted for an all-weather pitch with flood lights to operate Monday –Sunday 9am -9pm. The main concern is the use of the pitch outside of school hours. The hours of use are excessive and will generate higher than normal levels of noise. The school is located within a quiet area, where there is very little traffic outside of school hours. The entrance is less than 20metres from nearest dwelling.

The pitch is not a full size but this has no bearing on its impact or the number of people that will use it at any given time. The use of the pitch outside of school hours is aimed at teams and community groups, and the same number of people will use regardless of size.

The development plan states under it's noise policy, that unwanted noise will be minimised. The plan also aims to protect quiet areas in existing residential areas. The period between April-September when flood lighting is less required should have been a consideration in the assessment of the case. This can be considered when prescribing hours of use.

The residents have the parking and traffic during school hours, and this causes brief congestion. However there is concern over congestion outside of school hours.

The proposed use 12hours per day, 7 days a week would greatly impact on people's quality of life. People have an entitlement to a certain level of quiet time, and granting permission for the development impacts on their amenities.

6.3 **Close proximity to Sporting Facilities**

The following are relevant policies:

- 1.3.36.ii Policy SCR50: Recreation
- 1.3.36.iii Policy SCR51: Recreation facilities
- 1.3.35.iv Policy SCR52: Sporting Facilities
- 1.3.36.v Policy SCR53: Facilities for Children and Teenagers

The general area is well served and supported by sporting and creational facilities. Just over 1 Km from the school is Clondalkin Leisure Centre which includes a swimming pool, gym, soccer pitches, 2 full sized GAA pitches, a skate park and 4 all-weather flood lit pitches.

Corkage Park is 800metres from the school and contains 7 full sized soccer pitches with toilets and showers and changing facilities, 2 GAA pitches, rugby pitch, 2 baseball pitches, 2 cricket pitches, a fishing lake and cycle track. Directly adjacent to the school is a large green area which is used by junior football teams for training and matches.

6.4 **Sanitation Facilities**

The main school building will be closed outside of school hours, with no provision for toilets in the planning application, and no access to the main school building without raising serious health and safety concerns. There are a number of similar developments refused on the basis of no sanitation facilities, in Navan Meath Co. Co. refused one and Offaly Co. Co. refused a development at Treascon, Co. Offaly because of no changing facilities and toilets the development was considered to be substandard.

6.5 **Lighting/ Visual Impact**

There are no trees to the east of the development, and there is clear unobstructed views of the pitch. The light will overspill into the surrounding areas.

6.6 **Antisocial behaviour / Litter**

There will be increased antisocial behaviour if the facility is allowed to be opened until 9pm, 7 days a week. At present the school is located up and there is no access to the rear of St. John's Gate estate. The issue of litter is also a grave concern.

6.7 **Environmental Impact**

The floodlights will have a negative impact on the area, as there are large hedgerows in close proximity to the pitch. The lights will affect nesting birds and bats in the area.

6.8 **Objections**

There were 4No. objections lodged with the council against the pitch being used outside of school hours.

7.0 **RESPONSES**

7.1 **Planning Authority's Response**

The planning authority's considerations were outlined in the planning report. There is nothing further to add to the report.

7.2 **Applicant's Response**

The following is a summary of the applicant's rebuttal of the claims made on appeal by the third parties:

- The proposed pitch is modest in scale. It is a badly needed resource for the school. The school has attached a petition from local residents demonstrating the demand for an all-weather pitch at the school. The school has the support from a list of community groups including the Garda, local clubs and doctors and a petition from 219 residents
- For outside of school hours activities, the pitch is small and only suitable for five a side soccer. This modest usage and size will not lead to general disturbance in the area. The planning authority has imposed a condition restricting the use of the pitch to 9pm which the school is happy to accept.
- There are 31No. spaces within the school grounds and parking adjacent to the pitch, and having regard to the urban location, the traffic the development will generate outside of school hours will be minimal. There is ample parking within the school grounds to cater for the proposal.

- All of the third party appellants reside in St. John's Gate. There is no direct road link to St. John's Gate to the school. The objections made by the residents in this regard are spurious. The proposed pitch is 20% the size of a full soccer pitch and 13% the size of a GAA pitch, it will be too small to cater for most relevant after school activities.
- The proposal is an extension of the school facilities and its use by other community groups is encouraged in the current development plan.
- The sanitary facilities of the school will be available to out of hours use. Reference to refusals in remote rural areas is not relevant to the current appeal.
- The lighting report was prepared by Tamlite. The average design level proposed for the pitch is 200lux. All the houses in St. John's woods are screened from the proposed pitch by the school building. The light spill onto adjoining properties will be less than street lighting.
- The school will manage and monitor the after hours use of the pitch. There will be no anti-social behaviour.

8.0 PLANNING HISTORY

8.1 No relevant planning history.

9.0 DEVELOPMENT PLAN

South Dublin County Development Plan

The lands are included in the A zoning objective – *To protect and or improve residential amenities.*

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 Having visited the site, examined the proposed developed and considered the content of the grounds of the third party appeal I wish to examine the proposed development under number of headings:

- **Development Plan**
- **Impact of the development**
- **Traffic**
- **Other Matters**

12.2 Development Plan

The subject site is an established national school within a large residential hinterland. There is a small shopping neighbourhood centre on the adjoining site to the west. The proposed development involves a modest scale all weather pitch for the school. The pitch area is 50m x 32m, which is 20% the size of a soccer pitch and 13% of a GGA pitch.

The primary use of the pitch is associated with the school. Although there are a number of third party appellants opposing the proposed development, there is massive support from the local community to the proposed development as indicated from the response to the appeal. Having regard to the zoning objective and the established institutional use on the site and the separation distance of the proposed development from adjoining residential properties, it is considered the proposed development is acceptable in principle as it a small scale proposal.

The proposed development complies with the following recreational policies in the development plan:

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.

The applicant has submitted the support from a large variety of local community groups including the Garda Siochana in support of the proposed development.

12.3 Impact of the Proposal

The third party appellants have expressed concern over the after school use of the all-weather pitch. The planning conditions attached to the permission limit the use of the pitch to 9pm Monday-Sunday inclusive. The appellants consider this to be excessive. The third party appellants are concerned there will be noise and nuisance associated with the pitch in the evening times, and also anti-social behaviour along with litter, and light pollution and an impact on the bats and birdlife in the area.

In my opinion, the appellants have not substantiated their claims with any technical data or facts. The appellants reside within St. John's Gate which is separated from the proposed pitch by the school building. It is located to the east of the school and it short terrace of dwellings consisting of semi-detached and terraced dwellings. There is no vehicular access from St. John's Gate onto St. John's Drive or the school, as the road is blocked by bollards.

In my opinion, the appellant's concerns regarding the impact of the proposed development are unwarranted. The development is small scale. The out of hours use of the pitch will be small scale. The lighting report presented with the planning application illustrates the level of light leakage. Basically the greatest impact by the 8metre lighting columns will be to the east and west of the pitch which includes the shopping mall and the school. Willow Drive to the south and St. John's Park West will only receive light spillage less than a street light.

The use of the facility up to 9pm is modest, as the majority of all-weather pitches are used by clubs and community groups up until 10pm. However I would reinforce this time and the usage of the pitch after school hours to 25hours per week. In reality the use of the pitch after school will be from September- April, during the short days and poor weather.

In terms of noise, the general area is an urban area, located within Clondalkin. The ambient noise levels are high in the general area. Alongside the subject site is a small shopping centre with a number of units and a large carparking area. There is unlikely to be a material increase in noise levels associated with the proposed development.

In terms of the alleged anti-social behaviour, the premises is an existing national school serving the wider community. It is not in the interests of the Board of Management to support or encourage anti-social behaviour on its property. The fact that there will be an active recreation facility available to the wider community within walking distance of houses will ensure a reduction in anti-social activities.

There are no evidence of a bat community within close proximity to the subject site, therefore it is unlikely the proposal will impact on nesting birds or bats within the locality. This is not a parkland setting or adjoining a parkland setting, the school is located within a large suburban area.

12.4 Traffic

There is approximately 32No. carparking spaces available within the school grounds available to users of the pitch outside of school hours. This is adequate to cater for such a small pitch. The scale of matches that could be played on the subject pitch would be five aside soccer, which will not generate huge volumes of parking or traffic.

There is no vehicular access from St. John's Drive to the school. Overspill parking onto the surrounding residential streets as a result of the proposed development, is highly unlikely.

13.0 RECOMMENDATION

I recommend the planning authority's decision to grant permission be upheld for the proposed development. Given the small scale of the development located within an existing national school grounds and its relationship to the pattern of residential developments in the area, I consider the concerns expressed by the third party appellants to be unfounded and unsubstantiated.

REASONS AND CONSIDERATIONS

Having regard to the established use of the site for institutional use and the layout of residential development in the adjoining areas, the availability of on-site parking to the front of the school and the position, footprint and orientation of the proposed pitch and the design of the floodlighting system in particular, it is considered that, subject to compliance with the conditions set out below, the proposed development would not be seriously injurious to the residential amenities of property in the vicinity or the visual and natural amenities of the area, 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.

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 and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. Operation of the floodlighting shall cease not later than 2100 hours Monday to Friday and 2100 hours on Saturdays and Sundays.

Reason: In the interest of residential amenity.

3. The proposed sports facilities shall be used for purposes incidental to the use of the school. Any letting to outside users shall be limited to a maximum of 25 hours per week.

Reason: In the interest of residential amenity and clarity.

4. Access for parties leasing the proposed facilities shall be confined to the existing to the east side of the school buildings along St. John's Drive.

Reason: In the interest of residential amenity and clarity.

5. 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.

Caryn Coogan

Planning Inspector

16/05/2016