

An Bord Pleanála



Inspector's Report

Appeal Reference No: 06D.246670

Development: Permission sought for replacement grass pitch, ball netting behind each goal, 4 No. 20m high lamps over a new training area, 6 No. floodlighting poles, re-alignment of the access roadway, and all associated site works at Kilmacud Crokes GAA Club, Glenalbyn, Stillorgan, Co. Dublin.

Planning Application

Planning Authority: Dun Laoghaire- Rathdown County Council
Planning Authority Reg. Ref.: D15A/0659
Applicant: Kilmacud Crokes GAA Club
Planning Authority Decision: Grant Permission

Planning Appeal

Appellant(s): Geraldine Tallon
Type of Appeal: Third Party
Observers: None
Date of Site Inspection: 25th August 2016

Inspector: Emer Doyle

1.0 SITE LOCATION AND DESCRIPTION

The appeal site which has a stated area of 2.54 hectares is located in Stillorgan Village, Co. Dublin. The site comprises of the existing Kilmacud Crokes GAA grounds which are bound to the north by shops in Stillorgan village, to the west by an access road and an overflow car park for Stillorgan Shopping Centre, to the south by the club house and parking and the east by a mixture of residential and commercial development.

A set of photographs of the site and its environs taken during the course of the site inspection is attached.

2.0 DEVELOPMENT PROPOSED

Permission is sought for the following:

- Replacement pitch- 140m x 85m.
- Floodlighting.
- Realignment of access roadway which will incorporate a section of the Stillorgan shopping centre overflow park, footpath and lighting, new signage, boundary treatment and ancillary works.

3.0 RELEVANT PLANNING HISTORY

D14A/0079/ PL06D.243377

Permission refused by Planning Authority and by the Board on appeal for replacement pitch, floodlighting, realignment of access roadway which will incorporate a section of the Stillorgan shopping centre overflow park, footpath and lighting, new signage, boundary treatment and ancillary works for one reason as follows:

The proposed development would principally comprise the realignment and enlargement of an existing playing pitch, and the consequent realignment of an existing access road. Having regard to the limited width of this realigned access road, and to the lack of adequate dedicated and continuous pedestrian provision proposed along this road between the public footpath on Lower Kilmacud Road and the sports facility, and having regard to the substandard

alignment of the proposed access road, with two sharp bends that would inhibit or limit inter-visibility between motor vehicles, cyclists and pedestrians, it is considered that the proposed development would endanger public safety by reason of traffic hazard as it would lead to conflicts that would endanger the safety of motorists, cyclists and pedestrians that use this route to gain access to the existing sports facilities on the site, and also of the increased traffic, cyclists and pedestrians that would be likely to be attached to the subject site as a result of the proposed playing field upgrade. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

4.0 PLANNING AUTHORITY DECISION

4.1 TECHNICAL REPORTS

Planning Report

The planner's report noted two submissions were received. It noted the differences between the current application and the previous similar application refused by the Board and the Planning Authority. It noted inaccuracies in the drawings submitted in relation to the stated scale. It considered that the previous reason for refusal had been addressed and recommended permission subject to conditions.

Parks and Landscape Section

This section required further information in relation to landscape and boundary details.

Drainage planning

No objection subject to conditions.

Transportation Section

No objection subject to conditions.

4.2 Planning Authority Decision

Dun Laoghaire Rathdown County Council issued a notification of decision to grant permission subject to 14 No. conditions.

Conditions 3 and 4 required accurately scaled drawings to be submitted prior to commencement of development.

Condition 5 required signage prohibiting the use of the south eastern wall for football and sliothar strikes.

Condition 9 required that prior to the first use of the proposed replacement pitch, the continuous footpath proposed would be available for public use.

Condition 10 required that the recommendations of the Quality Audit including the Road Safety Audit shall be complied with.

Condition 13 required that a revised boundary treatment comprising of a low random rubble wall and steel railing be erected from the south entrance marked purple as far as the boundary marked blue on Drawing No. 102 P2.

All other conditions are standard for a development of this type.

5.0 GROUNDS OF APPEAL

A third party appeal against the Council's decision was submitted by Geraldine Tallon. The grounds of appeal and main points raised in the submission can be summarised as follows:

- Concerns regarding traffic safety and reduction in car parking.
- Concerns regarding noise and light pollution.
- Concerns regarding widening of pedestrian gap and removal of chestnut tree at Allen Park Drive.
- Lack of substantial consultation between club and residents of Allen Park Drive.

6.0 RESPONSES/OBSERVATIONS TO GROUNDS OF APPEAL

6.1 Planning Authority Response

The Planning Authority response noted that the Transportation Section raised no concerns. It considered that the development proposed addresses the reason for refusal cited under PL06D.243377. Furthermore, it noted that the opening at the end of Allen Park Drive would be improved which is consistent with general planning policy to increase permeability.

6.2 First Party Response

A first party response has been submitted on behalf of the applicant which can be summarised as follows:

- There is no vehicular access proposed at Allen Park Drive and car parking is in accordance with Development Plan standards.
- The new natural grass pitch won't result in any material intensification of use.
- A new type of lamp is proposed that reduces the overspill from the proposed floodlights and the appellant's property is c. 90m from the proposed realigned pitch.
- Should the Board be minded to omit the proposed enhanced entrance at Allen Park Drive, there is no objection to same.
- The nearest residents to the club were informed in relation to the application. In addition, the details of the development were displayed in the public café operated at the clubhouse.

6.3 Observations

None.

7.0 POLICY CONTEXT

The Dun Laoghaire Rathdown Development Plan 2016 - 2022 is the operative County Development Plan for the area.

Zoning

The majority of the site is zoned as Objective F- 'To preserve and provide for open space with ancillary recreational amenities' with a

small portion of the adjoining car park zoned as Objective NC – to protect, provide for and/or improve mixed use neighbourhood centre facilities.

ASSESSMENT

Having examined the file and having visited the site I consider that the main issues in this case relate to:

1. Principle of Proposed Development
2. Traffic Safety
3. Impact on Residential Amenity
4. Other Matters

Principle of Proposed Development

The subject site is located mainly on lands which are zoned as Objective F- 'To preserve and provide for open space with ancillary recreational amenities' with a small portion of the adjoining car park zoned as 'Objective NC' – to protect, provide and/or improve mixed use neighbourhood centre facilities.

The facility is a well established recreational use at this location and the proposed development is compatible with the zoning objectives. I would consider that the principle of the proposed development is acceptable under the zoning policy subject to a consideration of its impacts on traffic safety and residential amenity. These issues are explored in the following sections of the report.

Traffic Safety

I note that the reason for refusal on the previous similar application on this site related mainly to traffic safety. A significant difference between this application and the previous application is that the GAA club have included part of the adjoining overflow car park of Stillorgan shopping centre into the site which provides for additional lands. A continuous footpath is now proposed from the Lower Kilmacud Road to serve the clubhouse.

The inspector's report in the previous application stated that 'any realignment of the access road to accommodate the new pitch

would, in the absence of a dedicated continuous footpath would, endanger the safety of motorists and pedestrians, in particular children who regularly use the GAA pitch and other recreational facilities that are accessed by this road.'

Information submitted with the application states that the proposed upgrading of the facilities will not intensify the use of the facilities. It is proposed to use natural grass rather than synthetic which is obviously less durable and will restrict the amount of use in order to keep it in good condition.

I am satisfied that the proposed footpath addresses the concerns regarding traffic safety. I note that the use is a long standing use which shall not be intensified and I consider that the safety of existing and future users of the club will be significantly improved.

Impact on Residential Amenity

The main concerns raised in the appeal in relation to the impact on residential amenities relate to the widening of an existing gap in the wall at Allen Park Drive, and the impacts of noise and light pollution.

The appeal notes that there are a number of issues in relation to the existing gap in the wall at Allen Park Drive including vandalism, car parking outside homes on match days, and the use of the gap as a meeting point for members of the club. In my view, the pedestrian access is already at this location and serves a very useful purpose in terms of permeability of the area which is surrounded by numerous residential estates in close proximity to the GAA grounds. The widening of the pedestrian access will enhance permeability and accessibility to the club, and will encourage walking and cycling to the club. I note that the applicant's response states that should the Board be minded to omit this aspect by condition, the GAA club have no objection to same. I consider that the widening of the gap will not significantly detract from the residential amenities of the area and will have positive impacts on the permeability of the area and as such, I consider that it should be retained and upgraded as proposed.

The issue raised with regard to noise relates to the removal of one large horse chestnut tree to facilitate the widening of the gap at Allen Park Drive. I am of the view that the removal of this tree will not detract from the residential amenities of the area in terms of noise impact.

Concerns are expressed in relation to flood light overspill from poles No. 1 and No. 6. It is requested that they be relocated further from the houses in Allen Park Drive in line with the report of the previous inspector on this site. I note that since the previous application was originally submitted to the Planning Authority, there have been two changes in relation to lighting. First, the LUX level has been reduced from 500 to 300 at pitch level. Secondly, the type of lighting proposed is changed to LED luminaires which result in a significantly reduced level of overspill lighting. Having regard to the changes made to the lighting and the distance of c. 90m from the appellant's dwelling, I do not consider that it is necessary to amend the location of poles No. 1 and 6. I am satisfied that the light overspill levels are within acceptable levels having regard to actual light levels and the proximity of adjoining residential development. It is also noted that light overspill was not included in the previous Board reason for refusal.

As such, I am satisfied that the proposed development will not detract from the residential amenities of the area.

Other Matters

Consultation with Adjacent Residences

The appeal expresses concern that there was no consultation with the residences of Allen Park Drive. The appeal response states that the closest neighbours were informed and that there was a public display of the proposals in the clubhouse which is used as a café via a franchise on site. I note that there were site and newspaper notices and that there is no statutory requirement for the applicant to inform neighbouring dwellings.

Inaccuracies in Drawings

The planner's report refers to inaccuracies in drawings and required the applicant to correct this in the F.I. Request. The drawings submitted in the response to the F.I. Request were still inaccurate however, these inaccuracies do not impact on my recommendation and a condition would be appropriate to require the applicant to submit properly scaled drawings.

Appropriate Assessment

Having regard to the nature and scale of the development and proximity to the nearest Natura 2000 site, I am satisfied that the proposed development either individually or in combination with

other plans and projects would not be likely to have a significant effect on any designated Natura 2000 site and should not be subject to appropriate assessment.

RECOMMENDATION

Based on the above assessment, I recommend that permission be granted for the proposed development for the reasons and considerations set out below:

REASONS AND CONSIDERATIONS

Having regard to the established recreational use of the site and to the nature and scale of the proposed development, it is considered that the proposed development, subject to compliance with the conditions set out below, would not seriously injure the residential or visual amenities of the area or of property in the vicinity, would respect the existing character 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 as amended by further plans and particulars received by the planning authority on the 12th day of April, 2016, 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 out in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. Prior to commencement of development on site, the applicant shall submit for the written approval of the Planning Authority, accurately scaled and plotted elevation drawings (Drawing 114 Rev P1) and accurately scaled drawings of the proposed floodlighting poles (Drawing 167811P5).

Reason: In the interest of clarity.

3. Signage prohibiting the use of the south eastern boundary wall for football and sliothar strikes shall be erected prior to first use of the replacement grass pitch.

Reason: In the interest of residential amenity.

4. The floodlights shall be directed to shine on the proposed pitch and training area only. The floodlighting shall not be used after 10.00pm on any night except with the express written permission of the Planning Authority.

Reason: In the interest of residential amenity.

5. Prior to first use of the proposed replacement pitch the continuous footpath, from Kilmacud Road Lower to Glenalbyrn Club House including linkage to Allen Park Drive, shall be accessible for public access use.

Reason: In the interest of pedestrian and traffic safety.

6. Prior to commencement of development on site the applicant shall submit for the written approval of the Planning Authority a revised boundary treatment from the south entrance marked purple (on drawing 102 PC submitted on 12/04/16) as far as the boundary marked blue near the ballstop netting. This shall be a low granite random rubble wall and steel railing to 2.4m high with the club sign incorporated.

Reason: In the interest of visual amenity.

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 hours of working, noise management measures and off-site disposal of construction and demolition waste.

Reason: In the interest of public safety and residential amenity.

Emer Doyle
Inspector 21st September 2016