



An
Bord
Pleanála

Inspector's Report ABP-300289-17.

Development	A grass floodlighted and training area with 6 no lighting columns 15 metres in height, high ball stopping netting 6 metres in height and ancillary works.
Location	Gracedieu East, Waterford.
Planning Authority	Waterford City and County Council.
Planning Authority Reg. Ref.	17/101.
Applicant	De La Salle Hurling and Football Club.
Type of Application	Retention and Permission.
Planning Authority Decision	Grant of permission with conditions.
Type of Appeal	Third Party
Appellant	William and Janet Wright.
Observer(s)	None.
Date of Site Inspection	27 th March 2018.
Inspector	Derek Daly.

1.0 Site Location and Description

- 1.1. The appeal site is located in the townland of Gracedieu East in a semi-rural area 2 kilometres to the west of Waterford City. The site has road frontage onto a narrow local road running westwards from the built up area of the city and which defines the site's northern boundary. The site, which is the subject of the appeal, forms part of a larger site which are in use as the sportsgrounds of De La Salle Hurling and Football Club and there are playing pitches and a clubhouse on the overall property and the main facilities as outlined above are located away from the road frontage in the southern area of the club's sports grounds.
- 1.2. The appeal site has road frontage and the access to the club is located at the eastern section of the site frontage and which does not form part of the current appeal site. There is a dwelling and associated site to the west of the appeal site and an equestrian facility to the west of the dwelling also with frontage onto the local road. The western boundary is defined by a berm. The site itself is an open area which is grassed.
- 1.3. The site is in an area, which in the immediate context is predominantly rural and outside of the Waterford built up area. There are a number of residential sites along the local road network and there is a housing development to the south of the club lands which is accessed from another local road. The site is relatively elevated in the context of the local area and the playing pitches are visible from approaches to the site from the city.
- 1.4. The site, which is rectangular in configuration, has a stated area of 0.84 hectares and forms part of a larger landownership of the De La Salle club encompassing playing pitches, hurling walls and a clubhouse.

2.0 Proposed Development

- 2.1. The development as received by the planning authority on the 15th of February 2017 was for:
 - A grass flood lighted and training area 90 metres by 60 metres with 6 no lighting columns 300 lux which are 15 metres in height and located to the west and east of the proposed training pitch,

- A high ball stopping netting 6 metres in height located along the northern and western boundary of the training pitch reinforced with 6 metre posts 10 metres apart and,
- Ancillary works which includes a 2-metre-wide berm along the western boundary.

Other details submitted includes a cover letter outlining the need for the facilities proposed and also details relating to a lighting study relating to illuminance arising from the proposed flood lighting.

Further details were submitted by the applicant in a response to a request of additional information on the 2nd of October 2017 comprising:

- A revised layout showing a separation distance of 10 metres to the western boundary and this is achieved by the reduction of the width of the playing area to 80 metres by 55 metres.
- A reduction of the ball stop netting from 6 metres in height to 3 metres in height.
- A revised flood lighting study reflecting the amendments outlined.

3.0 Planning Authority Decision

3.1. Decision

The planning authority decision was to grant permission subject to 5 conditions. Relevant conditions include

- Condition no. 2 relates to the hours of operation of the flood lighting and also the period of the year when flood lighting is permitted and also conditions maximum luminance.
- Condition no. 3 relates to landscaping.
- Condition no. 5 relates to surface water.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The planning report dated the 5th of April 2017 refers to

- The planning history.
- The zoning of the site.
- Concern is raised in relation to the proximity of the development to the dwelling to the east and that the proposal requires modification to increase the distance of the proposed development from the dwelling. This modification it was indicated may involve relocation of the current entrance which is outside of the area of the application and it is indicated that this entrance currently has the benefit of a temporary planning permission (PA Ref PD16/446).
- Further information was recommended in relation to the provision of a revised layout with a minimum of 10 metres separation to the western boundary or a reduction in the width of playing area.

A further planning report dated the 26th of October 2017 considers the response acceptable and recommended planning permission but that conditions be included in relation maximum light spill and hours of use.

3.3. Third Party Observations

Submissions were received from local residents outlining issues in relation to the issue of noise and impact on residential amenities. The issue of light spillage onto their property is also referred to.

4.0 Planning History

The site has been the subject of a number of planning application and permissions for facilities at the sportsgrounds including a clubhouse, handball alley and hurling wall alleys.

PA Ref PD16/446. Temporary permission for the vehicular entrance to the sportsgrounds for a period of five years. This entrance is to the east of the current appeal site and adjoins the eastern boundary of the appeal site.

5.0 Policy Context

5.1. Development Plan

The relevant plan is the Waterford City Development Plan 2013-2019.

The site is zoned Open Space and the lands to the east of the appeal site are zoned community facilities in map A of the plan.

5.2. Natural Heritage Designations

The nearest Natura site is approximately 750 metres to the north the Lower River Suir SAC.

6.0 The Appeal

6.1. Grounds of Appeal

The appellant in a submission dated the 17th of November 2017 refers to,

- The appellants consider that their concerns in relation to the invasive nature of the development relating to noise, stray light, inadequate net height and drainage were not taken into consideration.
- Issues are raised in relation to surface water runoff and flooding of their land.
- Issues remain in relation to noise and the absence of proposals to abate this.
- There needs to be a landscaping proposal.
- A netting of at least 8 metres should be provided.

6.2. Applicant Response

The applicant in a response dated the 19th of December 2017 refers to;

- As part of the original permission for the development of the sportsgrounds a 3-metre-high berm was formed around the boundary of the site with planting. Further action is required by condition no. 3 of the decision to grant planning permission.

- In relation to noise the Gracedieu area is the next area to be developed and the De La Salle grounds will be a green barrier in the area.
- Reference is made to the riding school to the west of the applicants dwelling and it is not accepted that a GAA match is more obtrusive than the activities of the riding school and in addition there is noise from farm machinery and livestock.
- The grant of permission limits the use and hours of using the lights.
- Light obtrusion is addressed under condition no. 2.
- The further information also addressed issues by shortening the pitch.
- Drainage was not mentioned in the original objection but drainage is addressed in condition no. 5. The club has invested heavily in addressing surface water drainage.
- The club is not a developer and work within the club is voluntary.

6.3. Planning Authority Response

No response received.

7.0 Assessment

- 7.1. The development as applied for is for a grass floodlighted and training area with 6 no lighting columns 15 metres in height, high ball stopping netting 6 metres in height and ancillary works.
- 7.2. Principle of the development.
- 7.2.1. The proposal is for additional facilities on part of lands in the ownership of a sports club which currently has an established use and a number of facilities which include playing pitches, a clubhouse and a hurling wall. The site is located on lands which are zoned open space. The principle of the development is reasonable in the context of the zoning and current use. Many sports clubs increasingly provide for flood lighting in particular to facilitate training in the winter period and also dedicated training areas aside from the actual playing pitches and the proposal to provide such a facility is, I consider, reasonable.

- 7.3. Impact on adjoin properties and impact on residential amenities.
- 7.3.1. The issues which arise in this appeal relate to the impact of the development in particular on the amenities of the adjoining residential property to the west.
- 7.3.2. In the grounds of appeal, the appellants refer to the invasive nature of the development relating to noise; stray light and spillage of light onto their property; inadequate net height; surface water drainage and that their concerns in relation to these matters were not taken into consideration. Reference is made to an absence of abatement measures to address these concerns and the need for landscaping. It is also indicated that netting of at least 8 metres in height should be provided.
- 7.3.3. I would note that the planning authority did raise concern is raised in relation to the proximity of the development to the dwelling to the east and that the proposal requires modification to increase the distance of the proposed development from the dwelling. Further information was therefore recommended in relation to the provision of a revised layout with a minimum of 10 metres separation to the western boundary or a reduction in the width of playing area.
- 7.3.4. The applicant in the response to the request of further information submitted on the 2nd of October 2017 provided for a revised layout showing a separation distance of 10 metres to the western boundary and this is achieved by the reduction of the width of the playing area to 80 metres by 55 metres. The further information also provided for a reduction of the ball stop netting from 6 metres in height to 3 metres in height and a revised flood lighting study reflecting the amendments outlined.
- 7.4. For the purpose of this assessment I shall consider the revised layout submitted on the 2nd of October 2017. This proposal in relation to impact on the adjoining property provides for a minimum separation from the common boundary of 10 metres and a reduction in the dimensions of the training pitch to accommodate this. The requirement of the planning authority of this minimum level of separation is I consider reasonable in the context of the nature of the proposed development and its relative proximity to an adjoining residential property.
- 7.5. In relation to the **floodlighting**, the development is for 6 no. floodlighting columns located around the proposed training pitch/area. There are 3 lighting columns on the eastern and western sides of the demarcated training pitch, which has goal posts at

either end. The columns 15 metres in height will have two luminaires focussing light on the pitch.

- 7.5.1. The target lighting/illuminance for the training area is 300 Lux and the calculation of proposed illuminance based on submitted information is between 217 and 444 Lux.
- 7.5.2. The primary issue however is not solely the level of luminance on the training area itself but the areas immediately outside of this zone. In relation to lighting therefore there are two zones to consider firstly the illuminated zone for the purpose intended which is an outdoor training area and secondly the areas adjoining the illuminated zone, the overspill area.
- 7.5.3. In relation to the illuminated zone there are varying levels of illumination desired depending on whether it is a training area or an area used for a competitive game with higher lux levels required for the latter. It is presumed that the other main pitches would be used for competitive games as the training area does not meet the required minimum standard for a GAA pitch. The level of luminance proposed is high but would be of a standard to meet training in a safe manner as levels of in excess of 200 Lux are desirable.
- 7.5.4. The main issue related to the level of light diffusing and overspilling from the main light zone. In relation to this matter I would refer to the Institution of Lighting Engineers *Guidance on reduction of Obtrusive Light* 2005 which identifies environmental zones for exterior lighting control and standards in relation to lighting of areas generally.
- 7.5.5. In relation to current levels of light outside of the training area no details were submitted. Applying the guidance document the appeal site area would equate to between category E2 low district brightness areas, rural, small village, or relatively dark urban locations, where average Lux of 5 is indicated and category E3 a medium district brightness area, small town centres or urban locations where average Lux of 10 is indicated. Therefore, applying this guidance a standard of a maximum of between 5 and 10 Lux is desirable. I note that in condition no 2 the planning authority in condition 2(b) refer to a maximum luminance of 15 Lux at the boundary with the neighbouring property. The level is in the context of the area too high and should be a maximum of 10 Lux and preferably given the rural location 5 Lux.

- 7.5.6. Given that floodlights can be cowed and angled to direct light and also to shield light, luminaries can be positioned and designed to minimise light spill on the adjacent property. The provision of the 10 metre buffer as proposed in the revised layout will I consider facilitate a reduction of potential light spill. A condition requiring the submission of a lighting proposal should address this matter
- 7.5.7. I also consider that the period and times of the operation of floodlighting should be controlled and I note the planning authority have addressed this matter in the decision to grant planning permission.
- 7.5.8. In ABP Ref 247683 Dungarvan RFC, the Board by way of condition specified in an appeal relating to floodlighting specified that *“the proposed floodlighting shall only be used between the 15th day of September and 1st day of April in any year. Within this period, the proposed floodlights shall not be operated or in use between the hours of 22.00 and 09.00 hours, Monday to Friday and between the hours of 19.00 to 09.00 hours on Saturday and Sunday”* and condition 2 (a) of the decision to grant mirrors this condition. A similar condition should apply in a grant of planning permission.
- 7.6. In relation to the issue of **netting** I note that the original proposal was for 6 metres in height reduced to 3 metres in the submission of further information. There is no indication as to why the reduction of height was introduced. The appellant refers to a height of 8 metres as appropriate based on a similar provision of such a height in the Poleberry area of Waterford city. I note that the height of the netting in ABP Ref 247683 (Dungarvan RFC) was 12 metres but the netting was much closer to the boundary of the property and the goal area adjoined the residential property.
- 7.6.1. There is no clear guidance in relation to this matter as each site has its own distinctive circumstances urban/rural; orientation of the playing field and the nature of the individual sport.
- 7.6.2. The site is relatively elevated so from a visual perspective a lower height is preferable as are issues of safety in relation to wind exposure. The main axis of the training area is north to south. At the northern end there is a local road but the training area is between approximately 18 and 30 metres from the road and there is approximately an additional 6 metres to the end line of the pitch. The primary concern is a ball/sliothar passing over the road side boundary onto the local road. I cannot see how a 3-metre-high netting 6 metres from the goal line serves any

purpose in stopping sliothars in particular. I would accept there is a reasonable separation distance from the road to prevent sliothars going onto the road but the higher the height of the netting the lesser the risk of a ball/sliothar striking a vehicle on the public road. It is not inconceivable that an adult player could drive a sliothar a considerable distance at a height of in excess of 3 metres. The way to address this is either netting of a minimum of 8 metres in close proximity to the training pitch or a netting of 6 metres in height closer to the road. I would recommend that latter.

- 7.6.3. In relation to the western boundary notwithstanding the increased separation to the boundary with the residential property and notwithstanding the general axis of predominant play on the training pitch, I equally cannot see how a 3-metre-high netting 10 metres from the common boundary serves any purpose in stopping sliothars in particular. The retention of a 6-metre-high netting as originally proposed should therefore be retained.
- 7.6.4. Higher netting would be more visually prominent but the provision of a landscaping scheme integrated with the netting would reduce the visual impact. It would also serve to address concerns in relation to impact on residential amenity.
- 7.7. Reference is made to noise and the absence of abatement measures by the third party appellants. I would accept that the introduction of a training pitch will increase the level of noise and general activity but the site is part of an established sports facility. I also consider that the increased separation coupled with landscaping would reduce the impact.
- 7.8. Reference is made to surface water and potential flooding arising from the development. The site is a rough grassed area. It is proposed to develop a grassed pitch which will have increased depth of soil which will facilitate absorption of water and there is a proposed soak pit proposed to the north of the playing area. A condition requiring the submission of a plan to address surface water flow with provision for attenuation would I consider address issues relating to surface water.

8.0 **Recommendation**

- 8.1. **It is recommended that permission for the development be granted for the following reasons and considerations.**

9.0 Reasons and Considerations

Having regard to the nature of the development, the existing use on the site and the planning history of the site it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

10.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars submitted the 15th of February, 2017 and as amended on the 2nd of October 2017, 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 interests of clarity.

- 2 The ball catch netting system shall be amended as follows;
 - (a) The netting at the northern end shall be relocated northwards to a position approximately 10 from the public road and shall be a minimum of 6 metres in height. The netting shall form part of and be integrated into an overall landscaping scheme for the site.
 - (b) The netting on the western boundary shall be relocated to a position approximately 5 metres from the common boundary with the residential property and shall be a minimum of 6 metres in height. The netting shall extend northwards to meet and join the netting to the north of the training pitch. The netting shall form part of and be

integrated into an overall landscaping scheme for the site.

- (c) Details to comply with this condition shall be submitted to and agreed with the planning authority prior to commencement of any development works on the site.

Reason: In the interests of the protection of existing residential amenities and to safeguard road users.

- 3 The site shall be landscaped in accordance with a landscaping scheme which shall address the entire site but in particular shall address the sections of the boundary adjoining the ball catch netting system. The landscaped scheme shall include details regarding the species to be planted together with a timescale of implementation and shall be submitted to and agreed with the planning authority within three months of the date of this order.

Reason: In the interests of visual amenity

- 4 The proposed floodlighting shall only be used between the 15th September and 1st April in any year. Within this period, the proposed floodlights shall not be operated or in use between 2200 and 0900 hours, Monday to Friday and 1900 to 0900 hours on Saturday and Sunday.

Reason: To protect the residential amenities of property in the vicinity of the site

- 5 The lighting scheme shall be amended to ensure that the maximum luminance or brightness of the floodlights at the boundary with the adjoining residential property to the west shall not exceed 5 Lux. Prior to the commencement of any development works on the site the applicant shall submit to and agree with the planning authority details to show compliance with the above limit requirements and for the ongoing maintenance of this limit.

Reason: To protect the residential amenities of property in the vicinity of the site and in the interest of orderly development.

6. Surface water drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health and orderly development

- 7 Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the residential amenities of property in the vicinity.

Derek Daly
Planning Inspector

10th April 2018