



An
Bord
Pleanála

Inspector's Report ABP-300780-18

Development	Erection of floodlighting to existing adult playing pitch and associated works.
Location	Carrigmannon, Glynn, Co. Wexford.
Planning Authority	Wexford County Council
Planning Authority Reg. Ref.	20170954
Applicant(s)	Glynn Barntown GAA Club (c/o Danny O'Brien, Secretary)
Type of Application	Permission
Planning Authority Decision	Grant subject to conditions
Type of Appeal	Third Party v. Decision
Appellant(s)	Kenny and Sinead Doyle & Others
Observer(s)	None.
Date of Site Inspection	23 rd April, 2018
Inspector	Robert Speer

1.0 Site Location and Description

1.1. The proposed development site is located in the rural townland of Carrigmannon, Co. Wexford, approximately 500m east of the village of Glynn and c. 7km northwest of Wexford town, where it occupies a roadside position alongside the R730 Regional Road. The site itself has a stated site area of c. 6.88 hectares, is irregularly shaped, and presently comprises a GAA sports ground which provides for a number of playing fields and associated / ancillary facilities including a clubhouse, tennis courts and an all-weather pitch. Whilst the immediate site surrounds are generally rural in character, there is a small cul-de-sac of 3 No. dwelling houses located to the immediate north of the application site with the intervening boundary defined by a mature tree line and an established hedgerow.

2.0 Proposed Development

- 2.1. The proposed development involves the erection of 6 No. floodlighting columns around the perimeter of an existing playing pitch in addition to the construction of a single storey generator house (floor area: 15.12m²) to the immediate northwest of the pitch area. Notably, the documentation submitted with the initial planning application refers to 2 No. floodlighting options with differing pole (mounting) heights of 18m ('Philips Lighting') and 21.3m ('Musco Lighting') and luminaire configurations / specifications. The proposed floodlighting is to be switched off no later than 22:00 hours.
- 2.2. In response to a request for further information, amended proposals were received by the Planning Authority on 6th December, 2017 which detailed that it was proposed to utilise a 'Philips Lighting' scheme comprising 6 No. 18m high columns with a total of 56 No. luminaires. In addition, it was proposed to replace the generator house with a free-standing all-in-one outside generator fitted with a muffler and enclosed in all-weather sound-reducing casing.

3.0 Planning Authority Decision

3.1. Decision

Following the receipt of a response to a request for further information, on 2nd January, 2018 the Planning Authority issued a notification of a decision to grant permission for the proposed development subject to 3 No. conditions which can be summarised as follows:

Condition No. 1 – Refers to the submitted plans and particulars.

Condition No. 2 - Requires all floodlighting and other external illumination to be shielded and deflected so as to avoid any glare or confusion of road users.

Condition No. 3 – Requires all the floodlighting to be switched off no later than 22:00 hours each night.

3.2. Planning Authority Reports

3.2.1. Planning Reports:

An initial report set out the site context and the applicable planning history before commenting that the overall principle of the proposed development was acceptable. The report also responded to concerns raised by third parties whilst the assessment states that the proposed floodlighting will not result in any significant additional visual impact on adjacent properties and that the use of floodlighting up until 22:00 hours is typical for playing pitches. The report subsequently recommended that further information be sought with regard to the detailing of the proposed lighting scheme as regards possible light spillage / glare, the potential for noise emissions from the proposed generator room, and the positioning of properties adjacent to the application site.

Following the receipt of a response to a request for further information, a final report was prepared which noted the details of the lighting scheme, the proposal to utilise an 'all-in-one' generator fitted with mufflers and enclosed in sound-reducing casing, and the intention to switch off the lighting and generator by 22:00 hours at the latest. This report concluded by recommending a grant of permission, subject to conditions.

3.2.2. Other Technical Reports:

District Engineer: States that the applicant should be required to clarify which of the 2 No. lighting proposals it is intended to implement. It was also recommended that additional information should be provided to demonstrate that the proposed lighting columns (such as by way of their orientation) will not give rise to any undesirable effects on road users along the public road.

Technician (Borough District Wexford): Recommends that further information be sought with regard to the type of lighting proposed and that the applicant be required to demonstrate that the proposed lighting design will be adequate and will not interfere with road users such as by way of glare etc.

3.3. **Prescribed Bodies**

None.

3.4. **Third Party Observations**

A total of 2 No. submissions were received from interested third parties and the principle grounds of objection contained therein can be summarised as follows:

- Potential detrimental impact on the residential amenity of neighbouring properties by reason of light spillage / pollution.
- Inadequate information has been submitted to permit an 'appropriate assessment'.
- The dwelling houses to the north of the site are not shown on the layout plan.
- The proposed generator could potentially give rise to unacceptable noise emissions.
- Detrimental visual impact of the proposed lighting columns.
- Concerns with regard to the potential noise impact arising from the extended use of the playing pitch attributable to the proposed development.
- Previous instances of non-cooperation as regards noise pollution arising from late-night activities on site.

- Inadequate details have been provided of the type / nature of the proposed lighting columns.
- The ownership of the application site.

4.0 Planning History

4.1. On Site:

PA Ref. No. 20004090 / ABP Ref. No. PL26.123815. Was granted on 27th September, 2001 permitting Glynn Barntown GAA Club permission for the erection of a clubhouse, including dressing rooms, gymnasium, office toilets, stores etc., club bar and function room, meeting rooms, also erection of new entrance, driveway and parking areas, floodlit tennis courts, hurling wall and floodlit all-weather arena, installation of sewage treatment plant and all other ancillary works (*N.B.* A third party appeal against this decision to grant permission was subsequently withdrawn).

PA Ref. No. 20011202. Was granted on 8th June, 2001 permitting Glynn Barntown GAA Club permission for the erection of a new entrance and extension to parking area, erection of a floodlit hurling wall and all weather pitch and ancillary works.

5.0 Policy Context

5.1. Development Plan

Wexford County Development Plan, 2013-2019:

Chapter 15: Recreation, Sport and Public Rights of Way:

Section 15.2: *Recreation*

Section 15.3: *Sport:*

Objective RS06: To promote and encourage a vibrant and active sports sector, with increased participation levels, good quality sustainable facilities and opportunities for people to play an active role in sport.

Objective RS07: To develop sport, recreation and amenity facilities consistent with proper planning and sustainable development in

appropriate locations in the county, in partnership with local community and sports groups and/or private parties, subject to normal planning and environmental criteria and the development management standards contained in Chapter 18.

Chapter 18: Development Management Standards:

Section 18.9.7: Floodlighting of Sporting and Recreational Facilities:

The provision of external floodlighting will be carefully considered by the Council in order to protect residential amenity, nature and traffic safety. Floodlights shall have fullyshielded light fixtures with cowl accessories to ensure that upward light levels are low. Planning applications shall include:

- Details of horizontal and vertical luminance levels (lux levels) of the lights.
- Proposed hours of use.

5.2. **Natural Heritage Designations**

The following Natura 2000 sites are located in the vicinity of the proposed development site:

- The Slaney River Valley Special Area of Conservation (Site Code: 000781), approximately 550m east of the site.
- The Wexford Harbour and Slobs Special Protection Area (Site Code: 004076), approximately 550m east of the site.

6.0 **The Appeal**

6.1. **Grounds of Appeal**

- The plans and particulars submitted with the initial planning application failed to identify the location of those dwelling houses alongside the northern boundary of the subject site and it was only in response to a request for further information that amended drawings detailing same were provided. Furthermore, no measurements of the separation distance between the

adjacent dwellings and the proposed lighting columns have been included on the site layout plan.

- The cross-sectional drawing submitted in response to the request for further information is entirely inaccurate and presents the proposal in a far more favourable light than the actual situation on site. No distances are shown between the proposed lighting column, the site boundary or the adjacent dwelling, whilst it is also unclear as to which dwelling house has been represented on the drawing. Moreover, the separation distances shown on the sectional drawing have been grossly exaggerated given that the lighting assessment details a distance of 29m between the closest lighting column and the corner of the nearest dwelling house whereas the same distance on the cross-sectional drawing would appear to have been exaggerated by a further 7-10m. In addition, the height of the dwelling has not been detailed and thus the sectional drawing does not provide for an accurate representation of its relationship with the proposed lighting column.
- There are discrepancies and inconsistencies in the submitted information and, therefore, it is difficult to accept that the details provided form the basis for an accurate assessment of the proposed development.
- The applicant's assessment of the potential for light pollution / spillage to impact on adjacent properties is substandard and flawed. The slightest variation in the inputs to the assessment will have significant consequences on the residential amenity of the neighbouring properties. Accordingly, in light of the acknowledged tolerances within the lighting assessment, in addition to the discrepancies as regards the location of the proposed lighting columns relative to adjacent housing, it is submitted that the information provided is unacceptably imprecise.
- The commentary / reference to floodlighting etc. used at the Laois GAA Centre of Excellence (as set out in an engineer's report which accompanied the response to the request for further information) is non-factual and is based on opinion. No comparative data has been offered whilst the siting of the aforementioned Laois GAA grounds within an urban area would suggest that any comparison with the subject site would be inappropriate.

- The tree line along the site boundary consists of deciduous specimens which will provide no cover during the winter months when the floodlighting is in use. In any event, given the height of the proposed floodlighting relative to the existing trees and the separation distance from same, the trees in question will offer no cover from potential light spillage.
- The reference to *'little or no light'* is neither quantitative, qualitative nor comparative and does not constitute an adequate assessment.
- There are particular concerns with regard to the potential impact of light spillage on a bedroom window within the dwelling house of Mr. & Mrs. Fortune which is positioned opposite a proposed lighting column.
- The details of the proposed lighting columns submitted in response to the request for further information are inadequate.
- The existing use of the site has previously given rise to multiple complaints as regards noise pollution, with particular reference to the use of the clubhouse facility for late-night functions / parties etc., and despite these consistent grievances, the Planning Authority has failed to attach any enforceable conditions with regard to noise levels in any grant of permission on site. Therefore, in the event of a grant of permission, the Board is requested to impose a suitable condition whereby all noise emissions emanating from the application site will be confined to within acceptable limits given the rural nature of the surrounding area.
- The use of the existing playing pitch for training / match purposes (and the noise / disturbance associated with same) is presently limited to daylight hours, however, the subject proposal (as has been granted permission by the Planning Authority) could give rise to the uninterrupted and continued use of the playing field all-year round up until 22:00 hours at night. Accordingly, there are concerns that this extended use of the playing pitch and grounds will have a detrimental impact on the amenity of neighbouring housing.
- In the event of a grant of permission, the Board is requested to limit the use of the floodlighting to a specific number of training sessions and match fixtures in order to offer the appellants the uninterrupted enjoyment of their properties from time to time.

- The subject application does not provide for a suitable assessment of the noise levels emanating from the proposed generator.
- The sound level of 67.2dB(A) at a distance of 7m from the proposed generator as referenced in the noise assessment does not ensure that noise will not occur at a distance of 130m away. Furthermore, a sound level of 67dB(A) is particularly high considering that a figure of 48-55dB(A) is applied in respect of bars, nightclubs and other general business.
- A noise assessment should have been carried out to establish the noise levels expected to be experienced at identified noise sensitive receptors.
- The proposed lighting columns will have an unacceptable visual impact on the neighbouring dwelling houses to the north of the site and will be overtly prominent when viewed from these properties.
- In light of previous / on-going difficulties between the applicant and neighbouring property owners, there are concerns as regards the potential for noise pollution and any intensification of use on site attributable to the proposed development. Therefore, a condition should be attached to any grant of permission in order to define the necessary operational parameters i.e. opening hours, frequency of use, noise and light pollution.
- Insufficient information has been submitted to permit an informed assessment of the potential impact of the intensification of use arising from the proposed development on traffic safety and the capacity of the surrounding road network.
- No proper assessment has been carried out to establish if the proposed development will cause glare for road users thereby giving rise to a traffic hazard.
- There are a number of unauthorised developments on site, including netting and lighting in addition to alterations made to the gym building.
- There are a number of playing fields within the overall complex and, therefore, it would be more appropriate to erect floodlighting around a playing pitch located within the centre of the facility thereby reducing the potential for any impact on surrounding properties.

- The existing development on site already has a detrimental impact on the amenity of a neighbouring property owner and his concerns with regard to lighting, drainage, the position of an access roadway, and car parking etc. have not been addressed to date.

6.2. Applicant's Response

- The applicant's headquarters have been at Carrigmannon, Glynn, since 1976 and the club's lands subsequently expanded to cover a total of 17 No. acres. In this respect it is submitted that when the club first settled at this location there were no dwelling houses adjoining the site and, therefore, it is suggested that anyone purchasing or building a dwelling house adjacent to the grounds would have been aware of the traffic entering / exiting the site and that the club's activities would include teams training and playing matches etc.
- In order to accommodate the club's adult team panels, it is necessary to provide for training sessions at night-time, particularly during the spring, autumn and winter seasons, and in this respect the lack of floodlighting puts the applicant at a disadvantage when compared to other clubs.
- The installation of the proposed floodlighting will have very little impact, if any, on the appellants' properties. The submitted light spillage predictions and associated details confirm that no light will shine directly onto any of the adjoining properties whilst any reflected or glow light will be minimal.
- It should be noted that when the floodlighting is proposed to be in use, the likelihood is that people will be in their houses with the lights on and the curtains drawn.
- The proposed floodlighting will be turned off no later than 22:00 hours.
- For the majority of the time, the proposed development will not give rise to any additional traffic as the club's teams have to train (when they are involved in the championship) with or without lights. Whilst there may be the occasional challenge game, these would only involve c. 20 No. players from each club and 6 No. mentors.

- The proposed generator will be located 130m from the nearest dwelling and will have its own sound-reducing casing.
- The noise level from the proposed generator will 67.2dB(A) at a distance of 7m and whilst the supplier has not provided a figure for a distance of 130m, given the presence of a very mature hedgerow, it is considered that the noise levels at nearby housing will be insignificant.
- In relation to the appellants' concerns as regards other matters, including previous noise complaints, the issues raised did not involve any contravention of the terms and conditions of any grant of planning permission nor has the club received any notification from any authority.
- The erection of the proposed floodlights will be beneficial to the club and will also have a very positive impact on the health and well-being of its players.

6.3. **Planning Authority Response**

None.

6.4. **Observations**

None.

6.5. **Further Responses**

None.

7.0 **Assessment**

From my reading of the file, inspection of the site and assessment of the relevant local, regional and national policies, I conclude that the key issues raised by the appeal are:

- The principle of the proposed development
- Impact on residential amenity
- Appropriate assessment

- Other issues

These are assessed as follows:

7.1. **The Principle of the Proposed Development:**

- 7.1.1. Having regard to the planning history and the established use of the subject site as a sports / recreation facility, in my opinion, the proposed development represents a complementary extension of said use which would contribute to its continuing development and would be of beneficial value to the wider community. Therefore, I am satisfied that in this instance the proposed development is acceptable in principle.

7.2. **Impact on Residential Amenity:**

- 7.2.1. Concerns have been raised in the grounds of appeal that the proposed development will have a detrimental impact on the residential amenity of the neighbouring dwelling houses to the immediate north / northeast by reason of light overspill emanating from the proposed floodlighting in addition to the noise levels / emissions attributable to the operation of the proposed generator. In addition, it has been suggested that the increased usage of the existing playing pitch arising from the proposed floodlighting will give rise to such an intensification of use on site as to further detract from the residential amenity / enjoyment of adjacent dwelling houses due to the likelihood of increased traffic volumes, noise and general disturbance.
- 7.2.2. With regard to the potential for light spillage / overspill, whilst the subject application was initially accompanied by 2 No. floodlighting options with differing pole (mounting) heights (i.e. 18m & 21.3m) and luminaire configurations, it has since been clarified by way of a request for further information that the proposed development will provide for the erection of 6 No. 18m high floodlighting columns with a total of 56 No. luminaires (reduced from 60 No. luminaires). This amended proposal is supported by an updated analysis of the projected light spill calculations and in this regard it has been submitted that there will be little, if any, light spillage towards the nearest dwelling house. Furthermore, the applicant has sought to emphasise that the light spillage predictions take no account of the potential screening offered by the existing tree line and mature hedging along the intervening northern site boundary.

- 7.2.3. Having reviewed the available information, including the amended site layout plan submitted in response to the request for further information which details the location of the proposed floodlights relative to the existing housing to the north / northeast of the site, whilst I would acknowledge the appellants' concerns with regard to the potential loss of residential amenity attributable to light overspill from the proposed floodlighting, it should be noted that there is a separation distance in excess of c. 25m between the proposed floodlighting columns and the nearest dwelling house whilst the lighting itself will be cowled and orientated to face away from neighbouring residences. It is also of relevance to note that the light spillage predictions have not taken any cognisance of the potential screening effect offered by the existing tree line and mature hedging alongside the northern site boundary and the supplementing of same by the intervening planting within the respective garden areas of the individual dwelling houses. Furthermore, it is notable that the existing gym building on site will also serve to provide some degree of screening to those residences located further northeast.
- 7.2.4. Accordingly, on balance, I am inclined to suggest that given the site context and its relationship with neighbouring properties, the overall design and layout of the proposed floodlighting arrangements, the separation distances involved, the potential screening offered by existing intervening vegetation / planting, and the further mitigation of any residual impacts through the restriction of the hours of operation, the proposed floodlighting will not have an undue detrimental impact on the residential amenity of neighbouring dwelling houses.
- 7.2.5. In relation to the potential impact on amenity arising from the noise levels attributable to the operation of the proposed generator (as amended in response to the request for further information whereby the generator house originally proposed has been substituted within a free-standing 'all-in-one' outside generator fitted with a muffler and enclosed in all-weather sound-reducing casing), whilst the proposal has not been accompanied by any detailed analysis of the noise levels likely to be experienced at nearby noise sensitive receptors, having reviewed the manufacturers' specifications, a crude calculation of the sound pressure level (based on outdoor noise propagation of the sound power level from a point source at 110% loading with hemispherical radiation) likely to be experienced at the nearest dwelling house would be 46.5dB(A) (although I do not propose to rely on same as part of this assessment).

In my opinion, given the separation distances involved, and the noise reduction technology to be employed as an integral part of the design of the proposed generator (i.e. the inclusion of a muffler and sound-reducing encasing), I would suggest that the noise levels emanating from this element of the proposed development can be satisfactorily addressed by way of condition.

- 7.2.6. In respect of the possibility that the proposed floodlighting will give rise to such an increase in the usage of the existing playing pitch as to have a detrimental impact on the residential amenity of neighbouring housing, having regard to the site context, the established use of the existing sportsgrounds, and to the siting of the playing pitch in question, I am unconvinced that any further usage of the facilities on site consequent on the provision of floodlighting (the use of which will be restricted) would be of such significance as to warrant a refusal of permission.

7.3. **Appropriate Assessment:**

- 7.3.1. Having regard to the nature and scale of the proposed development, the nature of the receiving environment, and the proximity of the lands in question to the nearest European site, it is my opinion that no appropriate assessment issues arise and that the proposed development would not be likely to have a significant effect, either individually or in combination with other plans or projects, on any Natura 2000 site.

7.4. **Other Issues:**

7.4.1. **Procedural Issues:**

Having reviewed the plans and particulars provided with the planning application, including those details submitted in response to the request for further information, I am satisfied that there is sufficient information on file (as supplemented by a site inspection) to permit a balanced and reasoned assessment of the implications of the proposed development both for adjoining properties and the proper planning and sustainable development of the area which in turn supports the decision of the Planning Authority to grant permission.

7.4.2. **Alleged Unauthorised Development / Potential Future Non-Compliance:**

In relation to the appellants' allegations as regards instances of unauthorised development on site, it should be noted that the Board has no function in respect of issues pertaining to enforcement and that the pursuit of such matters is generally the

responsibility of the Planning Authority. Furthermore, whilst I would acknowledge the concerns raised in the grounds of appeal as regards the possibility of non-compliance with the terms and conditions of any grant of permission issued in respect of the subject proposal, in my opinion, it would be inappropriate for the Board to speculate on such matters and I would reiterate that any future breaches of conditions or instances of unauthorised development should be referred to the Planning Authority.

7.4.3. The Existing Use of the Sportsgrounds:

In relation to the concerns expressed in the grounds of appeal as regards the on-going use of the sportsgrounds and the impact of same on the residential amenity of nearby properties, with particular reference to noise complaints arising from the use of the clubhouse facility for late-night functions / parties etc., in my opinion, such matters are beyond the remit of this appeal and any issues of non-compliance or complaint should instead be referred to the Local Authority or the relevant regulatory authority for investigation and subsequent action.

8.0 Recommendation

- 8.1. Having regard to the foregoing, I recommend that the decision of the Planning Authority be upheld in this instance and that permission be granted for the proposed development for the reasons and considerations and subject to the conditions set out below.

9.0 Reasons and Considerations

Having regard to the nature and scale of the proposed development and the existing established use of the site as a sports/recreation facility, 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, would be acceptable in terms of traffic safety and convenience and would 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 on the 6th December, 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 interest of clarity.

2. The hours of operation of the floodlights shall be confined to between 0900 hours and 2200 hours, Monday to Saturday inclusive and to between 0900 hours and 2100 hours on Sundays and public holidays.

Reason: In the interest of the amenities of adjoining residential properties.

3. The floodlighting shall be designed, orientated and operated to ensure that the beams are directed to shine on the ground plane only and to ensure minimum light spillage onto neighbouring properties.

Reason: To protect the amenity of adjoining property.

4. During the operational phase of the proposed development, the noise level arising from the generator, as measured at the nearest dwelling, shall not exceed 55 dB(A) rated sound level (that is, corrected sound level for a tonal or impulsive component) between 0900 and 2200 hours, Monday to Friday inclusive, and shall not exceed 45 dB(A) at any other time. Procedures for the purpose of determining compliance with this limit shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

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

Robert Speer
Planning Inspector

30th April, 2018