



An
Bord
Pleanála

Inspector's Report ABP 302311-18

Development	A c.1649sq.m inflatable dome structure to be erected over courts no. 1, 2 & 3, together with all ancillary structures and service connections.
Location	County Wicklow Lawn Tennis Club, Vevay Road, Bray, Co. Wicklow.
Planning Authority	Wicklow County Council.
Planning Authority Reg. Ref.	18601.
Applicants	County Wicklow Lawn Tennis Club.
Type of Application	Permission.
Planning Authority Decision	Refuse Permission.
Type of Appeal	First Party v. Decision.
Appellants	County Wicklow Lawn Tennis Club.
Observer(s)	Anna Deveney (includes petition from 56 local residents).
Date of Site Inspection	5 th December 2018.
Inspector	Dáire McDevitt.

1.0 Site Location and Description

- 1.1.** The subject site, with a stated area of c.0.64 hectares, and is located in the grounds of County Wicklow Tennis Club on the western side of Vevay Road in Bray. The relevant area currently accommodates 3 tennis courts. The club complex has a two storey club house, 3 other main tennis courts, a junior/practice court and a tennis wall. The courts are bounded by wire mesh fencing. Courts 1, 2 & 3 are grouped together to the south of the club house. Courts 4, 5 & 6 are grouped along the southern boundary of the site. The junior/practice courts are located to the east of the club house. The Carpark occupies the northern section of the site. Flood lights are erected at courts 1 to 6 inclusive. Site boundaries consist of c. 1.6m high wall with fencing to c. 3.4m.
- 1.2.** Glendale Drive bounds the Tennis Club to the south and west. To the east is Vevay Road and a row of two storey houses. To the north the site is bounded by a lane that serves to access residential properties. To the north of the lane is a childcare facility. Vehicular access to the existing Tennis Club and subject site is via an existing access off Vevay Road.

2.0 Proposed Development

- 2.1.** The proposed development comprises the erection of an air supported (inflatable) dome (Airhall) with associated fan units, internal lighting, drainage, and electrical infrastructure.
- 2.2.** The dome has a curvilinear shape and will have a maximum height of 10.6m (when inflated) and will encompass an area of c.1,649 sq.m. A c. 2.5m high single storey structure is located on the exterior of the south east corner of the dome to accommodate fans and an emergency generator. This will be acoustically sealed to minimise noise levels.
- 2.3.** The dome consists of pre-tailored polythene membrane, anchored around the perimeter to a concrete foundation, with a network of plastic coated wire rope

covering the membrane which is also anchored to the foundation. The main skin/membrane is flame retardant PVC- coated polyester fabric (500 microns nominal thickness). Manufactured to a translucency rate of 35-40% to allow natural light to pass through allowing day-time use without the need for artificial lighting.

- 2.4. The Dome derives its structural strength, shape and rigidity from a net of 10mm zinc-coated steel cables joined by stainless steel cross clamps, and is anchored to points around the perimeter at c.3m centres to a concrete beam. The structure is inflated by dual blower units which are contained within the equipment room and connected via ducts.
- 2.5. To ensure the structure remains air locked, access is via revolving doors on the southern elevation with emergency doors (wheelchair access) located on the northern elevation adjacent to the club house. The dome will cover the three tennis courts (No. 1, 2 & 3).
- 2.6. The interior of the dome will be illuminated by 6 strips of lighting. No external lighting is proposed. It is proposed to be erected for 6 months of the year. The proposed operational hours are 07.00am to 11.00pm Monday to Saturday and 08.00am to 11.00pm on Sundays and Bank holidays.
- 2.7. It is stated in the application that it is envisaged that the facility would be in use for 6 months of the year (October to March). No additional courts are proposed as part of this application.
- 2.8. The development will be served by the existing car parking spaces in the club grounds.

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1 To **Refuse** Permission for the following reason:

Having regard to its scale and proximity to residential properties, it is considered that the proposed development, would be an obtrusive and overbearing feature and could give rise to nuisance from noise and light

pollution. The proposed development would therefore seriously injure the amenities of the area and, would be contrary to the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. Planning Report (11th July 2018))

- It is considered that the dome would be alien in form, scale and materials, would be visually incongruous and overbearing and would seriously harm the visual amenity of the locality.
- No photomontages/Visual Impact Assessment was submitted.
- Potential noise nuisance due to the proximity of the structure from adjoining residential properties from 1) wind noise and 2) noise from the fans/blowers used to inflate the dome.
- Potential light Pollution. Notwithstanding that the tennis courts are currently lit by floodlight, the proposal would appear like a large 'light bulb', particularly from the adjoining residential properties.
- The dome would extend to within c.1.5m of the rear gardens of houses in Glendale Drive and c.18m from the front gardens of houses along Vevay Road. Resulting in a visually obtrusive and oppressive structure.
- Overshadowing of properties in Glendale Drive a concern. No shadow diagrams submitted.

3.2.2. Other Technical Reports

None on file.

3.3. Prescribed Bodies

None on file.

3.4. Third Party Observations

- 3.4.1 Numerous third party observations were submitted to the Planning Authority. Issues raised can be summarised as follows:

- The development does not comply with the land use zoning objective.
- Previous applications refused on site.
- The height, scale and nature of the development is out of character with the area.
- The proposal would have an overbearing impact on adjoining properties.
- Noise and light pollution/nuisance will detract from the amenities of adjoining residential properties.
- Negative visual impact on the area.
- Insufficient parking and traffic hazard due to increased traffic.
- Lack of information submitted with the application.
- Concerns relating to water disposal.
- Concerns relating to times of usage.
- No engagement with the local community prior to lodging the application.
- Would result in antisocial behaviour.
- Health and safety concerns.

4.0 Planning History

4.1 There are no previous applications for a dome structure on the site. There are historical files associated with the Tennis Club:

Planning Authority Reference 98/630111 refers to the grant of permission for a two storey pavilion comprising lounge, function room and changing facilities to replace an existing pavilion

Planning Authority Reference 97/630074 /An Bord Pleanala Reference PL.39.103320. The Board refused permission in 1998 for a new pavilion building to replace an existing one for two reasons relating to 1) the location, height and scale would be out of character with the area and 2) inadequate provision of off street parking and traffic safety

Recent Relevant Decisions by An Bord Pleanála for Inflatable sports domes:

Planning Authority Reference SD17A/0259 /An Bord Pleanála Reference PL.06S.249406 - Our Lady's School, Templeogue Road, Terenure.

Permission was **granted** by the Board in May 2018 for a development a dome with a curvilinear shape and will have a maximum height of 14m and will encompass an area of 4,422 sq.m. A 4.6m high structure is located to the south west of the dome to accommodate fans and an emergency generator. This will be acoustically sealed to minimise noise levels.

Planning Authority Reference SD16A/0373/An Bord Pleanála Reference PL06S.248184 - Templeogue Tennis Club, Templeogue Road.

Permission **granted** by the Board in November 2017 for a development comprising a demountable airhall with a height of 10m and an area of 1,620 sq.m, single storey structure for fans and emergency generator and a single storey shed for storage of airhall when not in use at Templeogue Tennis Club, Templeogue Road, Templeogue Village, Dublin.

5.0 Policy Context

5.1. Bray Municipal District Local Area Plan 2018

The site is zoned AOS Active Open Space *'To protect and enhance existing and provide for new active open space'*.

To facilitate the further development and improvement of existing active open spaces, formal exercise areas, sports grounds, playing pitches, courts and other games areas and to facilitate opportunities for the development of new high quality active recreational areas.

5.2 Wicklow County Development Plan 2016-2022

Relevant policies and objectives are set out in **Chapter 8 Community Development** and **Appendix 1 Development and Design Standards**

CD34 Through the Local Plan and Action Area Plan process to identify the need and designate suitable active open space for the provision and expansion

of sport and recreation opportunities, commensurate with the needs and existing facilities in accordance with the provision of the Wicklow County Council Play, Sport & Recreation and Active Open Space policies.

The site is designated an 'Active Open Space' ie space provided for uses such as sports grounds, playing fields, hard surfaced courts, parks, walkways, playgrounds etc.

CD46 All open spaces shall be provided with environmentally friendly lighting in order to ensure their safe usage after day light hours

5.3 Natural Heritage Designations

There are no sites of relevance in the immediate vicinity.

6.0 The Appeal

6.1. Grounds of Appeal

The first party appeal seeks to address the Planning Authority's reason for refusal and can be summarised as follows:

- The design of the structure is functional. It will not overlook, overshadow, overbear any residential properties in the vicinity of the Tennis Club.
- Given the seasonal nature of the development, the loss of residential amenity, imposition on privacy is misplaced, in that the use of the Airhall will be in the winter months when use of the private open space is at a minimum. During spring/summer the Airhall will be removed and any purported disamenity created will be removed.
- The location of the air hall was selected on the basis that it is in the centre of the club's grounds, and the most distant one from surrounding residential properties, and that any visual impact would be mitigated by the proposed location and the setback from adjoining residences. The site for the Airhall is the only site available due to the size of the club grounds and the staggered design of the other 3 courts on the site.

- The proposal is for a temporary inflatable air supported dome that would cover three courts (No. 1, 2 & 3). To be erected in October and taken down in March. This is on order to enable junior coaching to continue on a regular basis throughout the autumn/winter months.
- The existing court surfaces are to be retained.
- The apex of the dome (airhall) will normally be c. 10m, in inclement weather this would harden and increase to c. 10.6m.
- The structure will be lit internally with no spillage. The existing flood lights would only be used in the spring/summer months when the dome is not erected. Therefore, there would be a significant reduction in light spillage onto adjoining property when the Airhall is in situ.
- The dome consists of pre-tailored polythene membrane, anchored around the perimeter to a concrete foundation, with a network of plastic coated wire rope covering the membrane which is also anchored to the foundation. The main skin/membrane is flame retardant PVC- coated polyester fabric (500 microns nominal thickness). Manufactured to a translucency rate of 35-40% to allow natural light to pass through allowing day-time use without the need for artificial lighting.
- The dome derives its structural strength, shape and rigidity from a net of 10mm zinc-coated steel cables joined by stainless steel cross clamps, and is anchored to points around the perimeter at c. 3m centres to a concrete beam. The structure is inflated by dual blower units which are contained within the equipment room and connected via ducts. It has one main entrance door (turntable door), with separate disable access door, which doubles as an emergency door.
- At present the courts are bounded by 3m high chain link fence. The boundaries of the tennis club consists mainly of c. 1.6m high wall with fencing to 3.4m. Additional planting is proposed along the western boundary.

- The dome would be sited due north and east of most of the adjoining residential properties (shadow diagrams submitted with the appeal).

Noise:

- The fan and generator would be located in a single storey structure on the western elevation, c.40m from the nearest dwelling.
- This structure is designed to have a night time noise c. 50DbA above the ambient noise level at the nearest sensitive location.
- No objection to the Board attaching a standard condition relating to noise and Airhalls.

Light:

- The use of the Airhall will result in a significant reduction in lighting levels in the surrounding area as it removed the need to use the flood lights when the Airhall/Dome is erected.
- The enclosed courts within the Airhall will rely on natural light during daylight hours and thereafter on internal artificial lights.
- No light spillage unto adjoining properties.
- No indirect glare as could be experienced from external lighting poles.
- Dome will be internally lit.

Visual Impact:

- The dome, due to its height will be visible, but its curved shape is gentle.
- Images of domes and example of structures have been submitted to show the relationship between large structures and adjoining properties.
- The development will have no detrimental impact on public amenity in the general area.
- It will have no negative impact on the residential amenities of adjoining properties.

Conditions:

In the event the Board grants permission, the following is requested:

- No temporary condition be attached, this would render the development unviable.

- Wording similar to that used for Sutton LTC be used for the Airhall. To be erected between the 10th September and the 20th April.
- Hours of operation to be 07:00 to 23:00.
- The applicants are a voluntary organisation, therefore should be exempt from fees and the payment of development contributions.
- Specifics relating to noise and light could be addressed by condition.

The appeal includes two engineering reports relating to PA. Ref. No. SD15A/0102 (ABP Ref. No. PL.06S.245794) for Elm Park Tennis Club, relating to Noise and Light Impacts

6.2. Planning Authority Response

None.

6.3. Observations

6.3.1 One observation was received from Anna Deveney, 27 Glendale Drive, Bray, Co. Wicklow. The documentation included a petition of support signed by 56 local residents. The issues can be summarised as follows:

- The proposal would seriously injure the character of Vevay Road.
- It would seriously injure the residential amenities of houses at Putland Villas and Glendale Drive and the character of the area.
- Endanger public safety by reason of a traffic hazard.

6.3.1.1 Zoning & long term intentions:

- Part of the site (including courts is zoned residential land use and the other part is active open space). Concerns are highlighted regarding the potential development of courts 4, 5 & 6 as they are zoned residential.

6.3.1.2 Design and Visual Impact:

- Consider the scale and size of the structure to be obtrusive and that it will have a significant adverse visual impact and negative impact on the

residential amenities of adjacent properties. No attempt has been made to submit contextual images.

- This scale of development and this location so close to Vevay Road has previously been refused permission by An Bord Pleanála, because of the likely change in character of the area due to its proximity to the public road and because of the creation of a traffic hazard and congestion.
- The existing clubhouse is set back c.22m from the road, the proposed dome which is higher than the clubhouse would be set back c.5m from the edge of the road and c.0.3m from the boundary with Glendale Drive. The 10.5m height is excessive given the proximity to the boundaries.
- It is considered that the proposed structure would be visually incongruous and overbearing and would seriously harm the visual amenity of the locality. This is because of its design, its location close to the public footpath and public road and because of its internal illumination and transparency. This is further exacerbated because of its location close to residential properties, which would impact very significantly on the residential character and amenities of the area.
- The limited set back from the boundaries results in a visually incongruous structure that is unrelated to the existing streetscape.
- The proposed dome will lead to an abrupt visual transition in scale on the boundary of the two land uses, Active Open Space and Residential, contrary to the provisions of the Bray Municipal District Local Area Plan.

6.3.1.3 Noise:

- Concerns that the proposed development will generate significant noise intrusion when operational. A Noise report produced for Tempelogue Tennis Club is attached to the appeal, the relevance of this document is questioned as they relate to two different scenarios.
- There are several potential causes of noise nuisance because of the proximity to residential dwellings. These comprise wind noise because the dome which would be a barrier to existing wind patterns, noise emanating from the fans/blower used to keep the dome inflated and noise associated

with air escaping from the dome structure. The applicant has failed to provide any information as part of the application as to the potential noise implications of the development.

- The generator/blower plant unit is located close to the south-eastern side and not the western side as stated in the first party appeal.
- The overnight noise levels in this residential area is low as the only noise source is traffic, which is very light in the area between the hours of 10pm and 7am. The overnight noise from the fan/blower which keeps the dome inflated represents a significant source of continuous noise nuisance and materially changes the residential character of the area.

6.3.1.4 Light:

- An internal and external lighting report for Tempelogue Tennis Club is attached to the appeal. The relevance of this report again is questioned as it does not relate to this site.
- The site is adjacent to residential properties and a busy Regional Road. The tennis courts are currently lit by floodlights which are turned off when not in use. These floodlights are directed away from the adjacent gardens. The current proposal would appear like a large light bulb. The dome would have between 35-40% translucency which will allow light to escape out of the dome as opposed to spotlighting. There is also potential for daylight and sunlight reflection off the dome structure, impacting on adjacent properties.
- The light emanating from the dome will defuse in all directions and therefore significantly change the residential character of the area.
- Consider mitigation measures proposed by the applicant to be unrealistic.

6.3.1.5 Traffic and Parking

- Previous refusal of permission in 1998 for a two storey pavilion on site on inadequate carparking.

- Consider that the development will exacerbate congestion on the existing access road and may impede emergency vehicle access to Glenside drive due to adhoc parking along footpaths.
- It is incorrect to state that the proposal does not result in an intensification of use. The fact that the dome would facilitate a long season would in itself constitute an intensification of use.
- The development would result in an increase of traffic movements into and out of the site. Due to inadequate car parking availability, this will cause a traffic hazard and lead to traffic congestion in the area.
- No Traffic Impact Assessment or analysis has been carried out.
- Photographs included showing cars parking along footpaths in the area as the carpark is too small to accommodate traffic associated with events and tournaments

6.3.1.6 Issues:

- No public consultation with local residents.
- Potential antisocial behaviour.
- Devaluation of houses.

7.0 Assessment

7.1.1 The main issues in this appeal are those raised in the grounds of appeal which seeks to overcome the Planning Authority's reason for refusal and those raised in the observation. Appropriate Assessment and Environmental Impact Assessment screening also needs to be addressed. I am satisfied that no other substantive issues arise. The issues can be dealt with under the following headings:

- Visual Impact.
- Impact on adjoining properties.
- Other Issues.
- Appropriate Assessment.

- Environmental Impact Assessment.

7.1 Visual Impact

- 7.1.1. The Planning Authority refused permission for the inflatable dome (Airhall) on the premise that having regard to its scale and proximity to residential properties, it was considered that it would be obtrusive and overbearing feature which would seriously injure the amenities of the area.
- 7.1.2 The existing club house on site is a two storey structure that is clearly visible from the adjoining area. The proposed inflatable dome would be sited directly to the south of the club house. It extends to an area of over c.1649 sq. m, has a maximum height of 10.6m (when inflated) and is c. 36.4m in width (north to south) along the rear of No. 29 & 30 Glenside Drive, and c. 48.9m in length from east to west. The dome will be highly visible particularly from the existing houses to the west (Glenside Drive) and housing along Vevay Road to the east.
- 7.1.3 The site itself is set back a considerable distance from adjoining residential development. From the rear elevations of Glenside Drive (No. 29 & 30 in particular) to the west the setback varies from c. 27.5m to c.30.6m. The Observers House, No. 27 Glenside Drive is sited at an angle to and does not bound the application site.
- 7.1.4 While I acknowledge that the proposed dome will have a visual impact, particularly when viewed from the rear gardens of No. 29 and 30 Glenside Drive to the west, given the depth of rear gardens and the dates when the structure would be erected, I do not consider that the scale of the structure would have an overbearing impact or have a detrimental impact on the residential amenities of these properties.
- 7.1.5 In this instance the significance of the visual impact must be considered in the context of the sites location, within an established Tennis Club, and zoning. As detailed above, the site accommodates at existing tennis club, the courts are existing and at present are illuminated by flood lights. The section of the site where the inflatable dome is proposed is zoned Active Open Space with the southern section zoned Residential. In this regard, I am of the view that whilst the development will have a high visual impact from the perspective of the adjacent residential receptors, it will be temporary in nature. Furthermore, I

acknowledge that the club has limited space in which to expand or develop its facilities and amenities. The inflatable dome (Airhall) in my view will enhance the existing facilities operating from the site. The separation distances to adjacent houses and landscape proposals will help reduce the visual impact of the development. Furthermore, the design of the dome due its form and lack of fenestration has less impacts on residential amenities than if the site were to be developed for a permanent pavilion. I am satisfied that in this context, the development will not materially affect the visual amenities of the area.

7.2 Impact on adjoining properties.

- 7.2.1 The Planning Authority reason for refusal also stated that the proposed development would give rise to nuisance from noise and light pollution. These were also raised by the observer.
- 7.2.2 It is stated by the observers that the proposed development will have a negative impact due to potential noise intrusion due to the plant required to operate the dome and noise emanating from wind.
- 7.2.3 The applicants included with the grounds of appeal, two engineering reports relating to PA Ref. No. SD15A/0102 (ABP Ref. No. PL.06S.245794) for Elm Park Tennis Club relating to Noise and Light Impacts. These do not relate to the development that forms the basis of the appeal that is currently before the Bord.
- 7.2.4 It is noted that the site currently accommodates three tennis courts, no additional courts are proposed under the current application. I concur with the case set out by the applicants that the dome, due to its form and its polythene membrane construction, is likely to internalise much of the noise activities associated with the courts for six months of the year. It is also noted that access to the dome is via revolving doors (southern elevation) in order to keep the structure sealed and that this will further minimise potential for noise impacts.
- 7.2.5 In terms of plant, this will be located in a separate acoustically screened enclosure located to the southeast of the dome setback from the nearest residential dwellings. The applicants have stated that the noise generated from the fan and generator will be designed to have a night-time noise of 50 dBA

above the ambient noise of the nearest sensitive location. I am satisfied that a condition can be imposed to ensure that appropriate noise limits are not breached.

7.2.6 In terms of noise generated by people coming and going to the facility. The applicants have set out that the courts would not be used after 11pm at night. I consider that 10pm would be a more reasonable time for such activities to run without adversely affecting the amenities of adjacent dwellings. Given that the facility accommodates a maximum of 3 courts that can be used concurrently, I am satisfied that the dome will not attract significant volumes of people.

7.2.7 The Issue of light pollution from the dome was raised by both observers and the Planning Authority, with the Planning Officer noting that it would appear as a large 'light bulb', particularly from the adjoining houses. The membrane of the dome is manufactured to a translucency rate of 35-40% to allow natural light to pass through allowing daytime use without the need for artificial lighting. The enclosed dome will be illuminated (at night) internally by 6 strips of light. No light spillage onto adjoining properties is envisaged. Furthermore the existing floodlights would not be used when the dome is inflated, therefore reducing the existing light pollution that adjoining properties experience.

7.2.8 I am satisfied that the proposed dome will not give rise to significant level of light pollution. The proposed mitigation measures, design and materials will ensure that the light emissions from the proposed development would be minimal and would not give rise to any material negative impacts to the amenities of adjacent residents.

7.3 Other Issues

7.3.1 Traffic

7.3.1.1. Concerns have also been raised by the observer that the proposed development will exacerbate existing congestion along Vevay Road and adjoining residential streets as there is insufficient car parking to serve the development which will result in overflow onto neighbouring roads.

7.3.1.2 I note that no additional tennis courts are proposed as part of the application and no intensification of use is proposed on site. I consider that proposed development is unlikely to exacerbate this situation. The existing facility

accommodates six courts and even if all are occupied simultaneously, current proposal, to provide a cover for three existing courts, is unlikely to generate additional traffic volumes from that currently experienced. I am satisfied that that having regard to the nature of the proposed development that it will not give rise to significant traffic movements so as to generate a traffic hazard.

7.3.2 Planning Conditions

7.3.2.1 The applicants have requested in the grounds of appeal that, if permission is granted that the operational hours be conditions to be 07.00am to 11.00pm Monday to Saturday and 08.00am to 11.00pm on Sundays and Bank holidays. I note that the Board has attached operating hours of 08:00 to 22:00 for inflatable domes ancillary to Tennis Clubs. Having regard to the location of the development adjoining a residential area, I consider these hours more appropriate and the relevant condition should be attached if the Board consider granting permission as set out in section 7.2.6 above.

7.3.2.2 The appeal is accompanied by a commercial fee. The grounds of appeal submit that they should not be subject to this appeal fee as they are a voluntary organisation. Part 12 of Article 157 of the Planning and Development Regulations 2001-2007 allows for an exemption of a planning application fee where the Planning Authority considers the proposed development is carried out by a voluntary organisation and is not to be used mainly for profit or gain. The applicants paid a fee for the planning application under Class 13. The terms of Article 157 of the Regulations are specific to exemptions of a planning application and refers to the discretion of the Planning Authority. I note reference to the Board, with regard to the application of fees, in other sections of Part 12 of the Regulations and would therefore consider the intention for exempted fee only relates to the submission of an application to a Planning Authority. In addition, I note the inclusion of a club house on the site and the requirement for annual membership fees for the club. Therefore, I consider the appeal fee and the application of a development

7.3.3. Other

7.3.3.1 Issues raised by the observer relate to concerns regarding potential antisocial behaviour, health and safety and impact on property values

7.3.3.2 No evidence has been submitted to suggest that the proposed development will have an adverse impact on property values. I do not consider anti-social behaviour likely considering the end users of the proposed facility. Issues relating to Health and Safety are addressed by the relevant regulations and legislation.

7.4 Appropriate Assessment

7.4.1 Having regard to the nature of the proposed development and the location of the site in a fully serviced built up suburban area, no appropriate assessment issues arise and it is not considered that the proposed development would be likely to have a significant effect individually or in combination with other plans or projects on a European site.

7.5 Environmental Impact Assessment

7.5.1 Having regard to the nature and scale the development which consists of a temporary inflatable dome in a built up suburban location, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

8.0 Recommendation

It is recommended that permission be granted subject to conditions for the reasons and considerations set out below.

9.0 Reasons and Considerations

Having regard to the established sporting use of the site, to the active open space zoning objective pertaining to the site, to the policies and objectives of the Bray Municipal District Local Area Plan 2018 and the Wicklow County Development Plan 2016-2022 to provide for the improvement and enhancement of active open spaces in the County and to the mitigation

measures proposed in terms of landscaping and lighting of the dome structure, it is considered that, subject to the conditions set out below that the proposed inflatable dome would not seriously injure the visual and residential amenities of the area, would not have a negative noise, light or visual impact on the adjoining residential properties 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.

10.0 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 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.
 - a) The Inflatable dome (Airhall) shall be erected between the 1st day of October and the 30th day of April of the following year. Outside of these dates the Inflatable Dome (Airhall) shall be deflated and removed from the courts.
 - b) Details of storage of the deflated dome (Airhall) shall be agreed in writing with the Planning Authority prior to the commencement of development.
 - c) The proposed hours of operation of the inflatable dome (Airhall) shall be between 0800 hours and 2200 hours Monday to Friday and 0900 hours to 2200 hours at the weekend and public holidays.
 - d) The external flood lights serving courts no. 1, 2 & 3 shall not be used when the dome is erected.

Reason: In the interest of residential amenity.

3. The noise level shall not exceed 55 dB(A) rated sound level (that is, corrected sound level for a tonal or impulsive component) at any point along the boundary of the site between 0800 and 2200 hours, Monday to Friday inclusive and between 0900 hours to 2200 hours at the weekend and public holidays, 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.

4. Water supply and 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.

5. The site and building works required to implement the development shall be carried out only between the hours of 0800 to 1800 Monday to Fridays, between 0800 to 1400 hours 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 adjoining property in the vicinity.

6. 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 intended construction practice for the development, including hours of working, noise management measures and off-site disposal of construction/demolition waste.

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

7. A detailed landscaping scheme with particular reference to site boundaries shall be submitted to and agreed in writing with the Planning Authority prior to the commencement of development. The landscaping scheme shall be carried out within the first planting season following substantial completion of external construction works. All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In the interest of visual amenity.

Dáire McDevitt
Planning Inspector

10th December 2018