



An
Bord
Pleanála

Addendum Inspector's Report

ABP-304461-19

Development	Erection of 3 lighting poles along the eastern boundary wall and 6 lighting poles on the roof of the main school building to achieve a height from pitch level of 13m.
Location	The High School, Zion Road, Rathgar, Dublin 6
Planning Authority	Dublin City Council South
Planning Authority Reg. Ref.	2321/19
Applicant(s)	The Board of Governors
Type of Application	Permission
Planning Authority Decision	Grant
Type of Appeal	Third Party
Appellant(s)	Aine O'Loughlin Terence & Ann McCrann
Observer(s)	Rathgar Residents Association

Date of Site Inspection

16th August 2019

Inspector

Ronan O'Connor

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1.0 Introduction

1.1. The following is an Addendum Report following a Board Direction dated 27th August 2019 seeking Further Information under Section 132 of the Planning and Development Act 2000 (as amended). The Board sought Further Information in relation to (i) light impacts on adjoining gardens and (ii) impacts on ecology, including impacts on bats. Further information was received on 5th November 2019. This Addendum Report considers this Further Information, and any further submissions received in relation to same. All other information and relevant assessments are contained in the original report.

1.2. The Further Information submission comprises of the following:

- Response for Further Information Cover Letter dated 4th November 2019.
- Appropriate Assessment Screening and Ecological Assessment dated 4th November 2019 – This includes 2 no. appendices as follows:
 - Appendix 1: Lighting Impact Assessment Report – dated 4th November 2019.
 - Appendix 2: Lighting Impact Technical Report – dated 2nd October 2019.

1.3. 3 no. revised drawings have also been submitted relating to an alternative option. The alternative option includes the following amendments:

- Corner columns moved to turn lighting away from the River Dodder.
- Luminaires have been changed to a 'warmer' colour of 4000k Kelvin.
- Back Louvres are applied to each of the floodlights to the east of the pitch.
- Two additional floodlights (one on east side and one on west side).

2.0 Further Third Party Responses

2.1. None.

3.0 Assessment

3.1. Light Impacts

- 3.1.1. The applicant has submitted a Lighting Assessment Report (Appendix 1 of Appropriate Assessment Screening and Ecological Assessment) which outlines light spillage impacts on adjoining gardens. This indicates that, under the originally submitted proposals, the rear gardens of some of the adjoining houses, are subject to lighting levels of up to 15 lux, and the rear of some of the houses between 0 and 1 lux. The report indicates that within the amended proposals lux levels to the rear garden are reduced to 1 lux or less, and the light spillage to the rear of the houses is 0 lux. The applicant has also stated that the use of the floodlighting will be restricted in use between March and October.
- 3.1.2. It would appear that the proposals as originally submitted at application stage, would result in relatively adverse light impacts to the rear gardens of properties to the east. However, I am satisfied that the revised proposals, which incorporate *inter alia* the back louvres to the floodlights to the east of the pitch, will result in minimal impacts on the rear gardens of the residential properties to the east.

3.2. Impact on Fauna

- 3.2.1. An Appropriate Assessment Screening and Ecological Assessment has been submitted, which includes a bat survey. Bat activity was noted on the site – Two Common pipistrelle were observed. No potential roosts were identified in the proposed areas of works. The report concludes that the current proposal would result in a maximum level of 1 lux seen at the bank of the River Dodder, which would not significantly impact on the local bat population and the bats using the River Dodder. The alternative option submitted, with restricted operation times, would result in less light spill.
- 3.2.2. I have had regard to the contents of the Ecological Assessment and I generally concur with the conclusions of same. Specifically in relation to bats, the revised proposals will result in reduced light spill to the area to the wooded area north of the site, which is the most likely area where bats would roost and forage. The proposals

to restrict the use of the lights to the months of low to no bat activity (i.e. from 1st October to March 31st) will also reduce any impacts on bats.

3.3. Appropriate Assessment Screening

- 3.4. The applicant has submitted an Appropriate Assessment Screening report and this does not identify any significant effects on any Nature 2000 sites, having regard to the relevant Conservation Objectives.
- 3.5. I do not consider the amendments proposed under this current proposal will result in any additional impacts on any Nature 2000 sites, having regard to the relevant Conservation Objectives.
- 3.6. Therefore, having regard to the nature and scale of the proposed development, the nature of the receiving environment, and the proximity to the nearest European Sites and the lack of an apparent pathway to same, it is reasonable to conclude on the basis of the information available on the file, which I consider adequate in order to issue a screening determination, that the development, individually or in combination with other plans or projects would not be likely to have a significant effect on the above listed European sites, or any other European site, in view of the sites' Conservation Objectives, and a Stage 2 Appropriate Assessment (and submission of a NIS) is not therefore required.

4.0 Recommendation

- 4.1. Grant Permission.

5.0 Reasons and Considerations

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 received by An Bord Pleanála on the 5th Day of November, 2019, 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 Floodlights shall not be in use between 1st April and 30th September each year. Between 1st October and 31st March the floodlights shall not be in use between the hours of 2100hrs and 1000hrs Monday to Friday and 1900hrs and 1000hrs Saturday and Sunday.

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

3. Site development and building works shall be carried only out between 08.00 to 19.00 hours Mondays to Fridays inclusive, between 08.00 to 14.00 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 amenities of property in the vicinity.

Rónán O'Connor
Planning Inspector

03rd January 2020