



An  
Bord  
Pleanála

## Inspector's Report ABP-306280-19

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Development	Replace 2 no. existing tennis courts with 2 no. 5-a-side all weather pitches, with a ball wall on the north west edge and fencing around the other three edges, external lighting.
Location	Silloge, Monasterboice, Co. Louth
Planning Authority	Louth County Council
Planning Authority Reg. Ref.	19599
Applicant(s)	Naomh Martin GAA Club.
Type of Application	Permission
Planning Authority Decision	Grant
Type of Appeal	Third Party
Appellant(s)	Peter & Maura Crilly
Observer(s)	None
Date of Site Inspection	13 <sup>th</sup> of March 2020
Inspector	Karen Hamilton

## 1.0 Site Location and Description

1.1. The site contains a GAA pitch, club room and tennis courts and is located along a local road (L-6302-0), Monasterboice, Co. Louth. The entire site is currently substantially set back from the adjoining local road and in addition to an entrance into the site, to a car park, there are a number of car parking spaces along the front of the site. The existing tennis courts adjoins the club room, to the east, and area surrounded by high fencings.

## 2.0 Proposed Development

The proposed development would comprise of the following:

- Replacement of 2 no. tennis courts with 2 no. 5 aside all-weather pitches;
- Construction of a ball wall along the north west boundary and fencing along all other 3 edges;
- Lighting to be provided for the 2 no. pitches to a LUX level of 201 and 0.6 uniformity, mounted on 6 no. 12m poles.

## 3.0 Planning Authority Decision

### 3.1. Decision

Decision to grant permission subject to 4 no. conditions summarised below:

C1 - Compliance with plans and particulars.

C2 - Treatment of surface water, road drainage, construction traffic, public utility and road opening licence.

C3 - Covered Skip and treatment of waste.

C4 - All proposed lighting shall be cowled, constructed and maintained to prevent light spill onto adjacent properties so as not to cause excessive glare or nuisance.

### 3.2. Planning Authority Reports

#### 3.2.1. Planning Reports

The report of the area planner reflects the decision to grant permission following the submission of significant further information on the following:

- Relocation of the ball wall from the north west to the western boundary of the site,
- Fencing around the vicinity of pitches,
- Details confirming the LED lighting proposed on the lighting columns and submission of an independent lighting analysis.

#### 3.2.2. Other Technical Reports

None received.

#### 3.3. **Prescribed Bodies**

Irish Water- No objection

#### 3.4. Third Party Observations

One third party submission was received from the appellant and the issues raised are addressed in the grounds of appeal.

### 4.0 **Planning History**

There is a large number of permissions dated back to 1971 relating to the pitch facility, those of relevance are listed below.

#### **Reg Ref 01/705**

Permission granted for floodlighting on the existing football pitches.

#### **Reg Ref 01/1478**

Permission granted for an extension of a dressing room to facilitate a training gym.

#### **Reg Ref 05/1690**

Permission for the extension of pavilion, provision of car park, raising boundary wall and extension to same.

## 5.0 Policy and Context

### 5.1. National Guidance

- Architectural Heritage Protection Guidelines for Planning Authorities (DAHG, 2011)

### 5.2. Louth County Council Development Plan 2015-2021

The site is located in Development Control Zone 6 where it is an objective “*To preserve and protect the heritage and cultural landscape of the UNESCO World Heritage Site of Bru na Boinne, the UNESCO (Tentative) World Heritage Site of Monasterboice and the Site of the Battle of the Boyne*”.

Section 5.9.7 Development Management Criteria for proposals in Zone 6

- Development should not adversely affect the amenity, views and landscape setting of the national monuments ;
- Development would not give rise to ribbon development;
- The appropriate services and infrastructure are capable of being provided without compromising the quality of the landscape,
- The cumulative impact of the development will be considered in the context of existing and permitted developments.

#### Monasterboice WHO

Policy RD 41- “*To permit only limited development appropriate to these heritage and cultural landscapes including only essential resource and infrastructure based developments and developments necessary to sustain the existing local rural community. Such development would include limited one-off housing\*, agricultural developments, extensions to existing authorised uses and farms, appropriate farm diversification projects, tourism related projects (excluding holiday homes), active recreational amenities such as pedestrian and cycle paths, equestrian trails, ecological corridors, small scale ancillary recreational facilities, and renewable energy schemes*”

## Community Buildings and Sports Facilities

**RES 48** – Provision and support for community buildings, sports and recreational facilities

**RES 49**- Resist the loss of community facilities

### 5.3. **Natural Heritage Designations**

The site is located 4.2km to the north of the River Boyne and River Blackwater SAC (002299) and 5.3km to north of the River Boyne and River Blackwater SPA (004232).

### 5.4. **EIA Screening**

Having regard to the nature and scale of the proposed development 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.

## 6.0 **The Appeal**

### 6.1. **Grounds of Appeal**

The grounds of appeal are submitted from residents of a property in the vicinity of the subject site and the issues raised are summarised below:

#### Location

- The proposed ball wall is situated to the south east of the development at the bottom of the driveway.
- The distance from the edge of the site and property is 55m.
- The sunroom has been omitted from the drawing number 0103 revision POL1.

#### Residential Amenity

- The proposal will have a negative amenity due to the visual impact and the noise from the ball wall.

- The ball net would be unsightly from the surrounding area.
- The diversion of the ESB pole and transformer will be closer to the adjoining residential dwelling.

#### Lighting

- The proposed height of the lighting columns at 12m are too high.
- The angle of the lighting should be orientated so as not to cause any glare on the existing property.

#### Visual

- The industrialised fencing will detract from the character of the surrounding area.
- There should be no disturbance to the line of conifer trees/ hedge along the roadside.

#### 6.2. Observations

None received.

#### 6.3. **Planning Authority Response**

A response from the Planning Authority noted no further comment and referenced the planning report on the file.

### 7.0 **Assessment**

7.1. I consider that the main issues in this case are as follows:

- Principle of Development
- Impact on Residential Amenity
- Appropriate Assessment

#### **Principle of Development**

7.2. The proposed development includes the change of 2 no. existing tennis courts to 2 no. 5 aside all-weather pitches adjoining an existing GAA grounds. The site is located in Zone 6 of the development plan which requires the sympathetic

development having regard to any impacts on the cultural landscape associated with the UNESCO World Heritage Site of Bru na Boinne and the UNESCO (tentative) World Heritage Site of Monasterboice (early medieval monastic site).

- 7.3. The GAA pitch has been operational at this location since the 1970's with permissions for extensions and upgrades including extension of the club house and floodlighting on the main football pitches. Flood lighting has been previously permitted, and currently in-situ, around the main pitches which I do not consider has a significant negative impact on any of those sites of cultural heritage listed above. The proposed development relates to the change of use of 2 no. tennis courts to 2 no. 5 a-side all weather pitches. The recreational use of the site will be retained and therefore in compliance with policies of the development relating to sports facilities (RES 48-49).
- 7.4. Therefore, subject to complying with other planning requirements as addressed in the following sections, the principle of the proposal is acceptable.

#### **Impact on Residential Amenity**

- 7.5. The proposed development relates to the construction of a 5 m high precast ball wall (hurling) along the edge of the 5 a side pitch. The location of the ball wall was moved from the north/ North West of the site to the west following a further information request. In addition to concerns raised on the impact from the ball wall, the grounds of appeal have concerns over the columns and lighting and the related impacts on their residential amenity, which I have further discussed below.

#### Lighting

- 7.6. 8 no. lighting columns are proposed around the 2 no. tennis courts, 4 at the corners of each court. A lighting assessment was submitted to the PA as part of significant further information which illustrates the location and direction of illumination from the lights. The "Filled Iso Contour" Map illustrates dissipation of surface illumination as the distance from the lighting columns increases. The strength from the light reduced by almost 50% after 17m. The grounds of appeal note a 55m distance from the subject site to the edge of their dwelling. Having regard to the information contained in the lighting assessment and the distance from the appellants dwelling I do not consider the proposed lighting would have a significant negative impact on their residential amenity.

## Noise

- 7.7. As stated above, the ball wall (hurling) will be located along the west of the site, directly opposite the club room. The PA reason for requesting the change of location and the further information request, related to the impact on residential amenity of those living in the site. I note the distance of the site c.55m from the appellants dwelling and the location of the ball wall and I consider any noise disturbance would be mitigated by the distance. In any event, I consider the operation including the use of the floodlights should be restricted to 22.00 and could be reasonably included as a condition on any grant of permission.

## Visual

- 7.8. The ball wall is located along to west of the site, adjoining the side of the existing club house. Having regard to this positioning adjoining the building the ball wall will not be particularly visible from the approach, along the adjoining road. With regard the appellants dwelling, I noted the difference in height and the expanse of mature trees and hedging along both the local road, between the appellants dwelling and also within the appellant's site, and I do not consider the wall will be sufficiently visible so as to have a significant negative visual impact.
- 7.9. Therefore, having regard to the distance of the site from the appellants dwelling, the location of the ball wall and direction of illumination from the floodlights and the amount of existing screening around the site, I do not consider the proposed development would have a significant negative impact on the residential amenity of the occupants of the dwellings in the vicinity of the site.

## **Appropriate Assessment.**

- 7.10. Having regard to the location, scale and nature of the proposed development it is considered that no appropriate assessment issues arise. The proposed development would not be likely to have a significant effect individually or in combination with other plans or projects on a European site.

## **8.0 Recommendation**

- 8.1. I recommend that planning permission should be granted for the reasons and considerations as set out below.



## 9.0 Reasons and Considerations

Having regard to the scale and nature of the existing development on the site and use for recreation and to the scale, nature and limited extent of recreational expansion; zoning Zone 6 in the Louth County Development Plan 2015-2021, and the distance of the subject site from any adjoining dwelling in the vicinity it is considered that the proposed development would not seriously injure the residential or visual amenities of the area. 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 out in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2. 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 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 property in the vicinity.

3. The floodlights or any equivalent replacement floodlights shall consist of LED lighting as specified in the application. The floodlights shall be directed onto the playing surface of the pitch and away from adjacent housing and road.

The floodlights shall be directed and cowled such as to reduce, as far as possible, the light scatter over adjacent houses gardens and roads.

**Reason:** In the interest of residential amenity and traffic safety.

4. The operational hours of the floodlighting and ball wall shall not extend beyond 2200 hours with automatic cut-off of floodlighting at that time.

**Reason:** To protect the residential amenity of properties in the vicinity.

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Karen Hamilton

Senior Planning Inspector

16<sup>th</sup> of March 2020