



An
Bord
Pleanála

Inspector's Report ABP-310127-21

Development

Permission for the development of:

- a) New entrance and access road to the R772 (former N11).
- b) Alterations to site layout to include two full sized pitches, floodlighting, spectator stand, extended car park and all associated works.

Location

Coolbaun, Ferns, Co. Wexford.

Planning Authority

Wexford County Council

Planning Authority Reg. Ref.

20201130

Applicant(s)

Derek Kent (Chairman) Wexford GAA
County Board

Type of Application

Permission

Planning Authority Decision

Grant Permission

Type of Appeal

Third Party

Appellants

Darren Murphy & Bert Denby

Date of Site Inspection

15th September 2021

Inspector

Paul O'Brien

1.0 Site Location and Description

- 1.1. The subject site comprises of an irregular shaped area of land located to the north west of the R772 – former N11 road, to the south west of Ferns, Co. Wexford. The site has a stated area of 7.152 hectares. The subject lands are/ most recently were in agricultural use and adjoin lands which form the Wexford GAA Centre of Excellence. The site slopes upwards from the south east/ adjoining the public road on a south east to north west axis, but then falls to the to the north west, north east and to the west. An existing agricultural entrance is located adjacent to the public road.
- 1.2. The GAA centre of excellence is access from a local road to the west and which connects to the R772. The existing facility is located to the north and north east of he subject site and consists of four pitches, two to the east and two to the west of the changing room/ training building and car parking area. A long internal roadway from the local road provides access to the car parking, training building and the pitches. The pitches to the west of the building are provided with flood lighting. The boundaries with adjacent lands consist of a mix of hedgerows and timber and wire fencing.
- 1.3. Adjoining lands are in agricultural use. Some housing and commercial businesses are located to the western side of the local road upon which the access gate is located.

2.0 Proposed Development

- 2.1. The development consists of the following:
 - The provision of a new recessed, gated and wall entrance onto the R772, in the vicinity of an existing agricultural entrance. An access road/ footpath to the GAA Centre of Excellence will be provided from this access. Revisions to the R772 include the provision of a dedicated right turn lane to access the site when arriving from Ferns, heading in a south west direction.
 - Alterations to the approved layout (PA Ref. 20091727) to include two new full-sized pitches, floodlighting to one pitch, a covered spectator stand, one floodlit natural turf training area and standard ball stop netting to pitches.

- Extended car parking area and all associated site works.

3.0 Planning Authority Decision

3.1. Decision

The Planning Authority decided to grant permission subject to conditions following the receipt of further information. Conditions are generally standard; the following are noted. Condition no. 4 requires that lighting shall be designed to not give rise to glare or dazzle on adjacent roads/ lands, Conditions no. 6 - 9 requires that the road revisions, linings and works be undertaken according to specific standards/ to the Local Authority requirements.

3.2. Planning Authority Reports

3.2.1. Planning Report

The Planning report reflects the decision to grant permission for the development as described in the public notices. Further information was sought in relation to the provision of revised plans indicating that sightlines of 220 m can be achieved in both directions along the R772 and other revisions made to the layout here. Details were also requested as to how glare and or dazzle on adjoining roads/ lands can be controlled. Secondly the applicant was requested to provide full details of surface water/ drainage/ management. All surface water to be disposed off in accordance with the SUDs manual. The applicant response in full and adequately to each of these items and a grant of permission was recommended.

3.2.2. Other Technical Reports

A/Chief Fire Officer: No objection subject to recommended condition.

Roads Department: Further information requested in relation to sightlines, suitable turning lane, provision of cycle track/ pedestrian details, provision of a 2 m grass verge reservation for future use as a footpath, details of surface water drainage to serve the site, public lighting details, full details on the proposed floodlighting, ensure that it does not impact on adjoining roads/ sites, and to commission a Stage 1 and Stage 2 Road Safety Audit on the right turning lane. On receipt of the further information response, a grant of permission subject to conditions was recommended.

Enniscorthy Municipal District – Roads Report: Agree with the report and recommendation of the Roads Department.

3.2.3. **Prescribed Bodies**

None.

3.2.4. **Objections/ Observations**

Two letters of objection were received, from adjoining landowners, and the following points were made, in summary:

- Support the development of the facility and are supporters of the GAA.
- Concern about the provision of a suitable boundary between the objectors' lands and the GAA lands. A stock proof fence was provided, but this has fallen into disrepair.
- This fence does not prevent unauthorised access to the lands which are used to grow crops, and which regularly suffer from damage due to the unauthorised access.
- Suggest that a palisade type fence with a height of 2 m to 2.4 m be provided here.
- Request that the proposed entrance be relocated as an existing agricultural entrance is opposite this and the movement of agricultural vehicles may become more difficult. A revised location to the north or south of the proposed location would suffice.

Photographs have been provided in support of the objections.

4.0 **Planning History**

P.A. Ref. 20120628 refers to a May 2013 decision to grant permission for the construction of a new entrance and access road to Wexford GAA centre of excellence and alterations to site layout (including revised route for pumping of foul sewage to public sewer in ferns) and site boundaries from plans as approved under P.A. Ref. 20091727. The development to comprise of three (3 no.) full sized natural turf pitches (2 no. floodlit) a floodlit natural turf training area, the original clubhouse/ machinery shed/ parking areas and other ancillary site works.

P.A. Ref. 20091727 refers to an April 2010 decision to grant permission for the development of a coaching and training centre of excellence to include three full sized, flood lit pitches, dressing room/ gym/ toilets etc, machinery store and all associated drainage and site works.

5.0 Policy and Context

5.1. Development Plan

5.1.1. The following Sections of the Wexford County Development Plan 2013 – 2019 are relevant to this proposal:

The site is located on unzoned lands but within an area partly defined as a 'Stronger Rural Area' and partly as a 'Structurally Weak Area'.

5.1.2. Chapter 8 Transportation

The following are relevant:

- 8.6 Roads

5.1.3. Chapter 18 Development Management Standards

- 18.9 Community Facilities and specifically
 - 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 fully-shielded 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
- 18.29 Transport and specifically
 - 18.29.2 - Siting and Design of Access/Egress Points
 - 18.29.3 – Sightlines

5.2. Natural Heritage Designations

None.

6.0 The Appeal

6.1. Grounds of Appeal

A single appeal has been submitted by D. Murphy and B. Denby with raised issues similar to those in the letters of objection. The following points are made:

- Both support the GAA and welcome the upgrading of this facility.
- Concerned that the site notices were not legible and were confusing to read. The notices do not comply with the requirements of the Planning and Development Regulations.
- Both men are concerned that the site is not adequately fenced and that unauthorised access to their lands may result in damage to their crops, which has occurred in the past.
- Request that an improved form of fencing be provided, preferably palisade type fencing.
- Agree with the Planning Authority that it is up to the landowners to provide the fencing but are disappointed that the Planning Authority did not specify a need for/ type of, fencing to be provided.
- Mr Denby has a specific concern about the location of the new entrance, and which may impact on the use of his entrance immediately opposite the subject site. Requests that the proposed entrance be moved either to the north or south of the proposed location.

Photographs have been submitted in support of the appeal.

6.2. Applicant's Response

The applicant has engaged the services of Ian Doyle, Planning Consultant, to respond to the issues raised in the appeal. The following points are made:

- The site notice was erected in accordance with the requirements of the Planning and Development Regulations 2001 as amended. The gate was closed for the entire time that the site notice was in place.
- Legal details have been provided that indicate that a stock-proof fence was acceptable to delineate the boundary between the applicant and appellants lands. Mr Denby leases the lands adjacent to the subject site and the landowners of these lands have not objected to the proposed development.
- The applicants have offered to pay half the costs associated with the maintenance of the boundary, even though there is no obligation for them to do so. The issue of trespass is a matter for the landowner.
- The cost of palisade fencing would be at least €100,000 and it is assumed that it is expected that the applicant pays for this.
- The area requested to be fenced extends outside of the red line/ application boundary and therefore cannot be considered in this application/ appeal.
- Suitable road safety audits have been prepared and demonstrate that the proposed entrance is safe and is located in an appropriate location.

Request that permission for the development be upheld.

6.3. Planning Authority Response

The Planning Authority have reported the following:

- The site notice was legible on the day of the site visit. This gate is not in use and the site notice complies with the requirements of Part 4, Chapter 1, Article 19(1) of the Planning and Development Regulations 2001 as amended. Photographs have been provided to demonstrate this.
- The climbing of the fence/ accessing lands is not an issue for the planning process to consider.
- The existing fencing is considered to be acceptable. The provision of circa 2 m to 2.4 m high palisade fencing would not be appropriate in this rural location.
- The provision of such a boundary fence would require a fresh planning application to be made.

- The proposed location and layout of the new entrance is considered to be acceptable. Full regard was had to existing traffic movements in the area. Any change in the layout/ location will require a new planning application to be made.

It is requested that An Bord Pleanála uphold the decision of the Planning Authority to grant permission for the proposed development.

7.0 Assessment

7.1. The main issues that arise for assessment in relation to this appeal can be addressed under the following headings:

- Nature of the Development
- Impact on Adjoining Property and on the Character of the Area
- Traffic Safety
- Other Matters
- Appropriate Assessment Screening

7.2. Nature of the Development

7.2.1. The subject site is located in a rural part of County Wexford and as such the subject lands are not zoned. The GAA Centre of Excellence is established through the existing pitches (four), changing rooms/ gym etc. and car parking area. Access is from a local road to the west of the site.

7.2.2. The proposed development would provide for:

- Two full sized pitches (90 x 145 m) to the north west of the R772/ south of the existing main pitches.
- One training/ warm up area pitch (80 x 155 m) to the east of the new pitches.
- New access road from the car parking/ Centre of Excellence building to the R772, with new entrance onto the public road. The entrance will be gated and includes signage – 6 m long by 1.5 m in height. This advertises/ provides direction to the Centre of Excellence.
- All associated site works and necessary alterations.

7.3. Impact on Adjoining Property and on the Character of the Area

- 7.3.1. The appeal focuses on two main issues, lack of fencing to prevent unauthorised access to adjoining lands and secondly a concern regarding the location of the proposed access which is directly opposite an existing agricultural access.
- 7.3.2. The issues raised in relation to unauthorised access to lands, appears to be an existing problem and is not directly related to this proposed development. Issues of unauthorised access etc. are not matters that the appeal/ planning process can consider. I note the response to the appeal submitted on behalf of the applicant. The agreed fencing has been provided between the subject site and the adjoining lands. The development is for works which are mostly located within the established site. There appears to be an attempt to get additional fencing provided by way of appealing the decision of Wexford County Council.
- 7.3.3. The existing development on site does not negatively impact on the rural character of the area. Boundaries in the area consist of hedgerows and timber post fencing. The provision of palisade fencing with a height of 2.4 m would not be in keeping with the established character of the area. Such fencing would not be acceptable, and the existing form of fencing is considered to be more appropriate in this rural location.

7.4. Traffic Safety

- 7.4.1. The second main issue raised in the appeal refers to the proposed entrance onto the R772. The location of the proposed access has been considered in depth in the further information response to Wexford County Council and which includes a Stage 1 Road Safety Audit. The Roads Department consider the proposed junction to be acceptable subject to compliance with DN-GEO-03060 'Geometric Design of Junctions' (Transport Infrastructure Ireland, 2017) and as per the safety audit recommendations.
- 7.4.2. I do not foresee that the new road layout serving the new access will negatively impact on the ability of the appellant to use their existing entrance on the south eastern side of the road. The revisions to the road layout should make it easier for agricultural vehicles to enter/ exit this site. The public road has been reclassified as a regional road as a result of the opening of the M11 motorway. Traffic volumes would be significantly less than before the motorway opened.

- 7.4.3. The proposed entrance incorporates a separate entrance for pedestrians/ cyclists and this is appropriate. A 2 m grass verge is indicated along the roadside edge, which may allow for a footpath in the future. As the Wexford County Centre of Excellence, it can be assumed that most visitors to the site would come by car or coach and not primarily from Ferns itself.
- 7.4.4. Having regard to the reports of Wexford County Council and the information submitted with the application/ further information response, I am satisfied that the proposed entrance and associated road revisions are acceptable.

7.5. Other Matters

- 7.5.1. I note the comments in the appeal regarding the acceptability of the public notices in terms of complying with the requirements of the Planning and Development Regulations 2001 as amended. The Planning Authority have commented in their appeal response that the public notices were acceptable and in accordance with the requirement of the Planning and Development Regulations. I accept this response and it is not a function of the Board to determine whether an application is valid or otherwise. I do note that no comment was made on the validity of the public notices when the original objections were submitted and the fact that two submissions were received demonstrates that the public notices have achieved their purpose.
- 7.5.2. As part of the further information response, full details in relation to surface water drainage were provided. This includes suitable soakpits and gullies along the roadside edge. The submitted information is acceptable.
- 7.5.3. Also, as part of the further information response, full details in relation to the proposed floodlighting was provided. It is evident from the submitted lux plans that light spill falls rapidly to zero outside of the area of the relevant playing pitches. This demonstrates that light pollution will not be an issue of concern and that road users will not suffer from glare or dazzle from the proposed floodlighting.

7.6. Appropriate Assessment Screening

- 7.6.1. Having regard to the nature and scale of the proposed development and the separation distance to the nearest European site, no Appropriate Assessment issues arise, and it is not considered that the development would be likely to give rise to a

significant effect individually or in combination with other plans or projects on an European site.

8.0 Recommendation

- 8.1. Having regard to the provisions of the Wexford County Development Plan 2013 – 2019, as extended, it is considered that, subject to compliance with the conditions set out below, the proposed development which includes new pitches, training area, spectator stand, flood lighting, associated works, and a new entrance onto the R772, would not seriously injure the amenities of the area or adjoining property. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

9.0 Conditions

1.	<p>The development shall be carried out and completed in accordance with the plans and particulars lodged with the application on the 2nd of October 2020, and as amended by the further plans and particulars submitted on the 15th of March 2021, 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.</p> <p>Reason: In the interest of clarity.</p>
2.	<p>Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the Planning Authority for such works and services.</p> <p>Reason: In the interest of public health.</p>
3.	<p>a) The internal road network serving the proposed development including junctions, parking areas, footpaths and kerbs shall comply with the detailed standards of the Planning Authority for such road works.</p>

	<p>b) The right hand turning lane shall be constructed as per DN-GEO-03060 'Geometric Design of Junctions (Transport Infrastructure Ireland, 2017) and in accordance with the submitted safety audit recommendations.</p> <p>Reason: In the interest of amenity and of traffic and pedestrian safety.</p>
4.	<p>Details of road signage, warning the public of the entrance and of proposals for traffic management at the site entrance, shall be submitted to and agreed in writing with the Planning Authority prior to commencement of development.</p> <p>Reason: In the interest of traffic safety.</p>
5.	<p>All public service cables for the development, including electrical and telecommunications cables, shall be located underground throughout the site.</p> <p>Reason: In the interest of visual amenity.</p>
6.	<p>The signage at the proposed entrance onto the R772 shall be so lit as not to cause glare to users of the public road or adjacent residential properties. The signage shall be lit by static external illumination only.</p> <p>Reason: In the interest of traffic safety and residential amenity.</p>
7.	<p>Advertising structures/ devices erected within the site shall not be visible when viewed from outside the curtilage of the site.</p> <p>Reason: In the interest of visual amenity.</p>
8.	<p>Notwithstanding the provisions of the Planning and Development Regulations 2001, or any statutory provision amending or replacing them, no additional signage shall be displayed or erected within the curtilage of the site, unless authorised by a further grant of planning permission.</p> <p>Reason: To protect the visual amenities of the area.</p>
9.	<p>Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between the hours of</p>

	<p>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.</p> <p>Reason: In order to safeguard the amenities of property in the vicinity.</p>
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Paul O'Brien
Planning Inspector

30th September 2021