



An
Bord
Pleanála

Inspector's Report

ABP-310176-21

Development	Development of a training pitch and ball stopping fencing previously approved under Reg. Ref. 15/50244, additional ball-stopping fencing, floodlighting and completion of siteworks.
Location	Drumineney, Raphoe, Lifford PO, Co. Donegal.
Planning Authority	Donegal County Council
Planning Authority Reg. Ref.	2150401
Applicant(s)	Mike Kelly on behalf of Raphoe Town FC.
Type of Application	Permission.
Planning Authority Decision	Grant permission
Type of Appeal	Third Party
Appellant(s)	Ciaran Neary.
Observer(s)	None.
Date of Site Inspection	3 rd February 2022
Inspector	Barry O'Donnell.

1.0 Site Location and Description

- 1.1. The subject site has a stated area of 2.65ha and is located in the townland of Drumineney, approx 3km south of Raphoe and accessed from Carnowen Road. The site comprises the Raphoe Town FC grounds and it contains a playing pitch, clubhouse, car parking area and an undeveloped, greenfield area.
- 1.2. The site is set on ground that rises from west to east. The existing pitch and changing rooms are set away from Carnowen Road and are elevated above it. The area of the site that is the subject of this application is adjacent to the road but is elevated above it. It is below the level of the main playing pitch. The site is enclosed by intermittent hedging to the west and by a mix of hedging and trees to the north.
- 1.3. There are a number of residential properties in the immediate surrounding area, including on the opposite side of Carnowen Road and to the north.

2.0 Proposed Development

- 2.1. The proposed development entailed within the public notices comprised: -
 - Construction of training pitch previously approved under Reg. Ref. 15/50244,
 - Erection of ball-stopping fencing previously approved under Reg. Ref. 15/50244,
 - Erection of additional ball-stopping fence,
 - Erection of floodlighting,
 - Completion of site works previously approved under Reg. Ref. 15/50244.

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. The Planning Authority granted permission on 29th April 2021, subject to 6 No. planning conditions.
 - Condition No. 2 required that all floodlighting should be hooded and aligned so as to prevent direct spillage of light onto the public road and adjoining third party dwellings.

- Condition No. 4(a) required retention of the existing roadside hedgerow, unless removal is required as part of visibility splays, and also required that a new hedgerow be planted behind the clear line of visibility.
- Condition No. 4(b) required the provision of a buffer in the form of mature trees along the northern site boundary, extending along the length of the ball-stopping netting.

3.2. **Planning Authority Reports**

3.2.1. A planning report dated 21st April 2021 has been provided. The report notes previous grants of permission for the development of playing pitches and a clubhouse on the site and that the proposed development reflects a previously approved development. Proposed ball-stopping netting is stated to not give rise to visual or third-party amenity concerns. Third party concerns regarding proposed floodlighting are noted but it is stated that the provision of floodlighting is reasonable, in view of the established use of the site, and a condition could be attached to require that floodlighting should be hooded and aligned to face toward the pitch. The report also notes that the site is in close proximity to recorded monuments and recommends that a condition requiring archaeological supervision of works should be incorporated. The report recommends that permission be granted subject to 7 No. planning conditions. Recommended condition No. 5 was identified to be omitted from the Planning Authority's decision and condition Nos. 1 and 6 were identified to be amended.

3.2.2. Other Technical Reports

Emailed comments from the **Area Roads Engineer** dated 30th March 2021 have been provided, which express no objection subject to recommended conditions.

3.3. **Prescribed Bodies**

3.3.1. Documentation provided by the Planning Authority indicates that the Department of Housing, Local Government and Heritage (National Monuments Service) was consulted on the application but did not make a submission.

3.4. Third Party Observations

3.4.1. A single third-party letter of observation was received, the issues raised within which can be summarised as follows: -

- Impact of floodlighting on the observer's property.
 - Supports will be 13-15m tall.
 - Luminosity is not stated.
 - Observer's property is estimated to be 3m lower than the subject site.
 - Previous modular floodlighting on the site was dangerous.
- Ball-stopping netting.
 - Visual impact of steel supports.
 - Impact on biodiversity.
 - Retractable netting should be used.
- Devaluation of the observer's property.
- Requests that there should be a restriction on hours of play at the site.
- Floodlighting and netting were deliberately omitted from the original application and should be refused.

4.0 Planning History

2151280 - Permission granted on 29th September 2021 for erection of ball-stopping fencing in the south-east corner of the site and associated site works.

2050416 - Permission granted on 5th August 2020 for relocation of site entrance previously approved under Reg. Ref. 1550244 and associated site works.
Condition No. 2 required: -

2. (a) Permanent visibility splays of 120 metres shall be provided in each direction to the nearside road edge at a point 2.4 metres back from road edge at location of vehicular entrance hereby permitted. Visibility in the vertical plane shall be measured from a driver's eye-height of 1.05 metres and 2 metres positioned at the setback distance in the direct access to an object height of between 0.26 metres and

1.05 metres. Vision Splays to be calculated and provided as per Figure 2 of Appendix 3 (Development Guidelines and Technical Standards) of Part B of the County Donegal Development Plan 2018-2024.

(b) The existing roadside hedgerow shall be retained, save where removal is necessary to achieve 120 metre visibility splays in accordance with Condition 2(a) above. Where the roadside hedgerow is removed in order to achieve the required visibility splays, a new hedgerow of species native to the area shall be planted within the first planting season following commencement of development, behind the clear line of visibility for a vehicle exiting onto the public road.

(c) The 'existing entrance approved under Planning Ref: 15/50244', as detailed on the site layout plan submitted in support of the application, shall be permanently closed off to vehicular traffic immediately following commissioning/first use of the new entrance hereby permitted.

1550244 - Permission granted on 18th August 2015 for retention and completion of clubhouse previously approved under Reg. Ref. 12/60122, levelling and regarding of football pitch previously approved under Reg. Ref. 12/60122, construction of new training pitch and associated site works. Condition No. 3 required: -

3. (a) Prior to recommencement of works within the site, permanent visibility splays of 70 metres shall be provided in each direction at a point 2.4 metres back from road edge at location of vehicular entrance. Visibility in the vertical plane shall be measured from a driver's eye- height of 1.05 metres and 2 metres positioned at the setback distance in the direct access to an object height of between 0.26 metres and 1.05 metres. Vision Splays to be calculated and provided as per Figure 7 of Section 10.2.10 of Chapter 10 (Development and Technical Standards), County Donegal Development Plan 2012 – 2018 (as varied).

(b) The existing roadside hedgerow shall be retained, save where removal is necessary to achieve 70 metre visibility splays in accordance with Condition 3(a) above. Where the roadside hedgerow

is removed in order to achieve the required visibility splays, a new hedgerow of species native to the area shall be planted within the first planting season following recommencement of development, behind the clear line of visibility for a vehicle exiting onto the public road.

1260122 - ABP Ref. PL05.241520: Permission granted on 23rd May 2013 for construction of football pitch, clubhouse with septic tank and percolation, together with associated car parking.

0940094 - Permission refused on 5th February 2010 for construction of changing rooms, meeting room, kitchen, storage room, septic tank, percolation area and laying out of a football pitch.

5.0 Policy Context

5.1. Donegal County Development Plan 2018-2024

5.1.1. The site is in a rural, unzoned part of County Donegal.

5.1.2. According to map 7.1.1 'Scenic Amenity' the site is in an Area of High Scenic Amenity. Section 7.1.1. describes such areas thus: -

'Areas of High Scenic Amenity are landscapes of significant aesthetic, cultural, heritage and environmental quality that are unique to their locality and are a fundamental element of the landscape and identity of County Donegal. These areas have the capacity to absorb sensitively located development of scale, design and use that will enable assimilation into the receiving landscape and which does not detract from the quality of the landscape, subject to compliance with all other objectives and policies of the plan.'

5.1.3. Relevant policies include: -

NH-P-7: Within areas of 'High Scenic Amenity' (HSC) and 'Moderate Scenic Amenity' (MSC) as identified on Map 7.1.1: 'Scenic Amenity', and subject to the other objectives and policies of this Plan, it is the policy of the Council to facilitate development of a nature, location and scale that allows the development to integrate within and reflect the character and amenity designation of the landscape.

CCG-P-1: It is a policy of the Council to consider development proposals for new social and community infrastructure/service related developments (e.g. healthcare facilities, sheltered housing facilities, nursing homes, residential care homes, sports/recreational facilities, playgrounds, community resource centres, new education facilities, etc) in accordance with the following locational criteria:

(a) At locations within the defined boundaries of settlement framework/urban areas which are within safe walking distance (i.e. via an existing or proposed footpath) of local services and residential areas and which would otherwise promote social inclusion.

(b) At alternative locations within settlement framework/urban areas where it is demonstrated that there are no suitable sites available which meet the abovementioned locational criteria in point a) above.

(c) In rural locations in close proximity to existing rural infrastructure (e.g. rural schools, sports facilities, churches etc), excluding areas of Especially High Scenic Amenity, where it is demonstrated that; the development is intended to serve an exclusively rural need, the development is functionally dependent on a specific rural location, or where there are no sites available which meet the abovementioned locational criteria in points a) and b) above.

(d) At other rural locations excluding areas of Especially High Scenic Amenity where it is demonstrated that; the development is intended to serve an exclusively rural need, the development is functionally dependent on a specific rural location, or where there are no sites available to meet the abovementioned locational criteria in points (a), (b) and (c) above.

5.2. Natural Heritage Designations

5.2.1. The site is not located within or adjacent to any Natura 2000 site. The nearest European site is River Finn SAC (Site Code 002301) which is c.9km east.

5.3. EIA Screening

5.3.1. An Environmental Impact Assessment Screening report was not submitted with the application.

5.3.2. Class (10)(b) of Schedule 5 Part 2 of the Planning and Development Regulations 2001 (as amended) provides that mandatory EIA is required for the following classes of development:

- (iv) Urban development which would involve an area greater than 2 ha in the case of a business district, 10 ha in the case of other parts of a built-up area and 20 ha elsewhere.

5.3.3. The subject development is the construction of a training pitch, including associated floodlighting and ball-stopping netting and associated works, on a site with a stated area of 2.65ha. The development falls well below the threshold of 20ha.

5.3.4. Regarding sub-threshold EIA, I note that the proposed development is within a larger landholding that already contains a playing pitch and a recently constructed clubhouse. The proposed development will not have an adverse impact in environmental terms on surrounding land uses. The site is not designated for the protection of the landscape or of natural or cultural heritage and the proposed development would not give rise to significant or hazardous waste, pollution or nuisances and would not give rise to a risk of major accidents or risks to human health.

5.3.5. Having regard to: -

- The nature and scale of the proposed development, which is under the mandatory threshold in respect of Class 10 - Infrastructure Projects of the Planning and Development Regulations 2001 (as amended),
- The location of the site outside of any sensitive location specified in Article 109 of the Planning and Development Regulations 2001 (as amended),
- The location of the site within a larger landholding that already contains a playing pitch and a clubhouse,
- The guidance set out in the “Environmental Impact Assessment (EIA) Guidance for Consent Authorities regarding Sub-threshold Development”, issued by the Department of the Environment, Heritage and Local Government (2003), and
- The criteria set out in Schedule 7 of the Planning and Development Regulations 2001 (as amended),

5.3.6. I have concluded that, by reason of the nature and scale of the proposed development and the location of the subject site, the proposed development would not be likely to have significant effects on the environment and that on preliminary examination an environmental impact assessment report for the proposed development was not necessary in this case.

6.0 The Appeal

6.1. Grounds of Appeal

6.1.1. The grounds of appeal can be summarised as follows: -

- Matters raised in the appellant's submission to the Planning Authority were not adequately considered. A copy of the appellant's submission is provided.
- Proposed floodlighting
 - Vertical supports are likely to be 13-15m tall. The proposed luminosity is not stated. The height, angle and strength of lighting will result in light spill.
 - It is estimated that the appellant's property is 3m below the level of the subject site, which will increase potential light spill.
 - There should be a restriction on hours of play, as training takes place up to 10pm.
- Proposed ball-stopping netting
 - Topographical differences between the appellant's property and the subject site will heighten the perspective of the proposed netting.
 - Netting provides risks to wildlife in the area, including buzzards, badgers, hedgehogs and flying mammals such as bats.
 - Retractable netting should be used, to address the identified impacts.
- The development will give rise to devaluation of the appellant's property.
- Modular floodlights previously contained on the site made exiting the appellant's property dangerous.

- Floodlighting and netting were deliberately omitted from the original application and should be refused.
- The developer has a history of breaches of planning, in respect of the development of the site.
- The subject site is 15 feet from the appellant's property and it is not seen how light spill can be prevented, at this distance.
- An unauthorised 9-inch pipe was installed at the site previously, to drain water to the roadside stream.

6.2. Applicant Response

6.2.1. A submission was made on the applicant's behalf, by MH Associates Architects, on 4th June 2021, the contents of which can be summarised as follows: -

- The applicant is a community sporting club, run by volunteers to provide facilities for young people in the area. The facility at Drumineney has been developed with the assistance of Donegal County Council, National Lottery funding and Sports Capital Grants, as well as volunteer efforts. Necessary planning consents have been obtained since development started in 2011 and the proposed development seeks to complete previously approved works which the club was not able to carry out within the lifetime of the permission due to a lack of funding.
- Ball-stopping netting proposed is commonly used to catch stray balls and without it, there is a risk to road users and those retrieving stray balls. It is a necessary infrastructure for a football club. The type of fencing used is used at sporting facilities around the country and is as low as is feasible along the roadside. It does not present any greater risk to wildlife than fencing erected elsewhere.
- Visual effects will be mitigated by condition 4 of the Planning Authority's decision, which requires the hedgerow to be retained and mature trees to be planted.
- Potential light spill has been considered by the Planning Authority and will be mitigated by condition 2 of its decision, which requires lights to be aligned and hooded to prevent light spill onto adjoining property.

- Lights will only be operated when needed and will not be used after 10pm as no training takes place after this time.
- Concerns regarding property devaluation are based on the appellant's assessment and are not supported by facts or figures. The club has been at this location for 10 years and there is no evidence that it has adversely affected property prices.
- The Board is requested to uphold the Planning Authority's decision to grant planning permission

6.3. Planning Authority Response

6.3.1. The Planning Authority made a submission on 28th May 2021, the contents of which can be summarised as follows: -

- All issues raised within the appeal are considered in the planner's report.
- The principle of development was established at the site in 2012 (Reg. Ref. 12/60122 refers) and the proposed development relates to a previously approved development (Reg. Ref. 15/50244 refers) which included floodlighting and netting. Additional netting proposed is not considered to give rise to visual amenity concerns.
- Floodlighting was previously permitted at the site and a condition was attached to the Planning Authority's decision, requiring that lighting be hooded and aligned so as to prevent light spillage onto the public road and third-party property.
- The Planning Authority is unaware of issues regarding wildlife and ball nets in this location.
- Potential non-compliance issues are not a material planning consideration.
- The Board is requested to uphold the decision to grant permission.

6.4. Observations

6.4.1. None received.

6.5. Further Responses

6.5.1. None received.

7.0 Assessment

7.1. Having inspected the site and considered the contents of the appeal in detail, the main planning issues in the assessment of the appeal are as follows:

- Principle of development;
- Visual impact and impact on neighbouring residential properties;
- Ecology;
- Other issues; and
- Appropriate assessment.

7.2. Principle of Development

7.2.1. The site is in a rural, unzoned part of County Donegal. Policy CCG-P-1 is the controlling policy for community infrastructure, including sports facilities, and I note that the policy is supportive of such developments, in appropriate circumstances.

7.2.2. The principle of a sports facility use has been established on the site, by virtue of permission ABP Ref. PL05.241520, and I note that permission was granted under Reg. Ref. 15/50244 for additional development associated with the sports facility use, albeit this was not provided and now forms part of the current proposed development. Permission was also granted by the Planning Authority for ball-stopping fencing at the south-east corner of the site, to the rear of the clubhouse, under Reg. Ref. 2151280.

7.2.3. I am satisfied that the proposed development is consistent with the established use of the site as a sports facility and is thus acceptable, subject to consideration of other issues, as set out below.

7.3. Visual Impact and Impact on Neighbouring Residential Properties

7.3.1. The proposed training pitch is located adjacent to Carnowen Road and effectively runs parallel to it. 6m high ball-stopping fencing is proposed along both sides of pitch and it rises to 8m behind both goals. Proposed floodlights are identified along the east and

west sides of the pitch and are shown on drawing No. 4311/PL101 to measure 16m high, from ground level. They are shown to be non-hooded.

- 7.3.2. The appellant expresses concern regarding the impact of both the proposed netting and floodlighting and states that the topographical difference between the subject site and their property will magnify the impact of these elements of the development.
- 7.3.3. In their response to the appeal, the applicant states that ball-stopping netting is commonly used to catch stray balls and without it, there is a risk to road users and those retrieving stray balls. It is stated to be a necessary infrastructure for a football club and is as low as is feasible along the roadside. The applicant also states that visual effects will be mitigated by condition 4 of the Planning Authority's decision, which requires the retention of the existing hedgerow and the provision of a buffer, in the form of mature trees, along the entire length of the netting.
- 7.3.4. The roadside hedge along the Carnowen Road frontage side varied in height at the time of my inspection, rising in height toward the northern end of the site. The subject site is elevated above the road and, in view of this, the proposed netting will be a noticeable addition to the area, particularly on approach to the site from the south. I do not consider that it would have any material adverse visual impact and it will be read as part of the sports facility use ongoing on the site, as part of which the provision of this type of netting is commonplace. Moreover, in view of the north-south orientation of the proposed pitch, which could give rise to footballs being kicked onto the road, I consider the netting serves an important road safety function, protecting oncoming road users from stray balls. I consider the safety benefits of this netting outweigh any limited visual impact.
- 7.3.5. I note that condition 4(b) of the Planning Authority's decision required a buffer in the form of mature trees along the north site boundary and extending along the entire length of the netting. Whilst such planting would provide a long-term screen, the layout of the proposed training pitch and close proximity of the proposed netting to the Carnowen Road boundary may restrict the applicant's ability to provide trees along the entire length of the site. Minor revision of the layout of the pitch would be beneficial, in allowing for such planting.
- 7.3.6. Regarding impact on residential amenity, I noted on my visit to the site that the appellant's house is set well-back from Carnowen Road. The proposed netting may

be visible from the appellant's home, but I do not consider it would have any unacceptable impact on the appellant's residential amenity.

7.3.7. There is a cottage on the opposite side of Carnowen Road and a bungalow to the north of the site, both of which are in close proximity to the subject site. The proposed netting will be visible from both properties, the adjacent cottage in particular, but I do not consider the impact would be significant or unacceptable. The provision of a buffer along the length of the netting will also screen the development from both properties in the long term.

7.3.8. Floodlights are also commonplace at sporting facilities and would not, in my opinion, have any material adverse visual impact. I note as the appellant states, that the proposed luminance is unstated. Drawing No. 4311/PL101 identifies that they would be non-hooded. In view of the elevated nature of the site relative to the cottage on the opposite side of Carnowen Road and the 16m proposed floodlight height, I am concerned that non-hooded floodlights may result in lightspill nuisance for that property. I note that the Planning Authority attached condition No. 2 to its decision, which required that floodlighting should be hooded and aligned so as to prevent direct spillage of light onto the road and third-party property. Should the Board decide to grant permission, I recommend a condition be attached requiring the applicant to agree the specification, layout and alignment of the proposed floodlighting with the Planning Authority.

7.3.9. Regarding the extent of use of floodlighting, I note that the applicant states that the facility is in use until 10pm and that floodlighting would be operated up to this time, as necessary. I see no reason to object to operation of floodlighting in this manner, subject to adequate consideration being given to specification, layout and alignment, to prevent lightspill.

7.3.10. I do not consider the proposed floodlighting would have an undue or unacceptable impact on the appellant's property, in view of the level of separation from lighting that is oriented to the west. I note that the west-facing floodlights would be more than 100m from the appellant's house. The incorporation of hoods will also serve to further reduce visibility from the appellant's property.

7.4. **Ecology**

- 7.4.1. The appellant states that that the area supports significant populations of wildlife and refers to the presence of buzzards, badgers, hedgehogs and bats. Concerns are expressed that the proposed netting creates a hazard for wildlife.
- 7.4.2. No ecological assessment was submitted with the application.
- 7.4.3. I consider the site is of low ecological potential, in view of the extent of development that has taken place to date and the ongoing nature of the sports facility use, which includes ongoing maintenance of the playing pitch. Buildings on the site are unlikely to be suitable for bat roosting and there are no significant trees in the area of the proposed netting that would provide roosting potential.
- 7.4.4. Hedgerows along the north boundary and adjacent to Carnowen Road may be used by commuting bats in the area. I have no information before me to confirm whether such usage occurs and, in the circumstances, I consider it would be unjustified to refuse permission on this basis. The Board may wish to give further consideration to this issue.

7.5. Other Issues

- 7.5.1. Regarding concerns over the devaluation of property, I have assessed the merits of the proposal and do not consider the development would give rise to any unacceptable impacts on the appellant's residential amenity. I therefore see no basis for concerns regarding devaluation of property.
- 7.5.2. I note the appellant's comments regarding alleged unauthorised development at the site. The application form does not identify previous records pertaining to the site and I note that the Planning Authority's planning report on the application does not identify any enforcement records in its planning history section. Issues relating to enforcement are a matter for the Planning Authority and are not a matter for the Board to consider in its assessment of this appeal.
- 7.5.3. I note that the Planning Authority attached condition No. 6 to its decision, which requires the applicant to facilitate archaeological monitoring during construction. The Department of Housing, Local Government and Heritage (National Monuments Service) was consulted on the application but did not make a submission. Similar conditions have been attached to previous grants of permission at the site and I note

that available records¹ identify a number of recorded monuments in the surrounding area. I recommend a similar condition should be attached, should the Board grant permission.

7.6. **Appropriate Assessment**

Appropriate Assessment Screening

Compliance with Article 6(3) of the Habitats Directive

- 7.6.1. The requirements of Article 6(3) as related to screening the need for appropriate assessment of a project under part XAB, section 177U of the Planning and Development Act 2000 (as amended) are considered fully in this section.

Background on the Application

- 7.6.2. A screening report for Appropriate Assessment was not submitted with this appeal case. Therefore, this screening assessment has been carried de-novo.

Screening for Appropriate Assessment- Test of likely significant effects

- 7.6.3. The project is not directly connected with or necessary to the management of a European Site and therefore it needs to be determined if the development is likely to have significant effects on a European site(s).
- 7.6.4. The proposed development is examined in relation to any possible interaction with European sites designated Special Conservation Areas (SAC) and Special Protection Areas (SPA) to assess whether it may give rise to significant effects on any European Site.

Brief description of the development

- 7.6.5. The development is described at Section 2 of this Report. In summary, permission is sought for the construction of a training pitch, erection of ball-stopping fencing and floodlighting and associated site works. all with optional habitable attic accommodation and including associated site works. The site has a stated area of 2.65ha and it consists of an existing sports facility that contains a playing pitch, clubhouse and hard-surfaced parking area. The site is in a rural area.

Submissions and Observations

¹ <https://maps.archaeology.ie/historicenvironment/>

7.6.6. Submissions received as part of the application and appeal are summarised as Section 6 of this Report.

European Sites

7.6.7. The development site is not located in or immediately adjacent to a European site. The closest European site is River Finn SAC (Site Code 002301) which is c.9km east. A summary of the SAC is outlined below.

European Site (code)	List of Qualifying interest /Special conservation Interest	Distance from proposed development (Km)
River Finn SAC (Site Code 002301)	<ul style="list-style-type: none"> • Oligotrophic waters containing very few minerals of sandy plains, • Northern Atlantic wet heaths with Erica tetralix, • Blanket bogs • Transition mires and quaking bogs, • Salmo salar, • Lutra lutra 	9km

7.6.8. The site layout drawing identifies that there is an open drain adjacent to the west site boundary. The flow direction for this drain is unclear but I note that available EPA drainage mapping² indicates that the primary drainage channels in the area are the Swilly Burn (north of the site) and the Deelee River (south of the site) and both are shown to drain to the River Finn, which is over 12km east, following the route of both watercourses.

7.6.9. The River Finn is designated for a number of wetland habitats and Salmon and Otter are identified as qualifying interests. The subject site is remote from the SAC and there is no possibility of direct impacts arising from the development.

7.6.10. Regarding indirect impacts, during construction there is the potential that surface water discharges containing suspended solids or pollutants may enter the roadside drain and thereafter drain to either the Swilly Burn or the Deelee River. In such circumstances, it is still a considerable distance from the River Finn SAC and it is very unlikely that

² <https://gis.epa.ie/EPAMaps/>

any pollutants would be transferred to the European sites. Indeed, in the very unlikely event that a discharge from the site was transferred to the European sites, the quantity is unlikely to be of such a scale that significant effects would arise. I am therefore satisfied that there is no real likelihood of significant effects on the European site, given the separation distance between sites.

Screening Determination

7.6.11. The proposed development was considered in light of the requirements of Section 177U of the Planning and Development Act 2000 as amended. Having carried out Screening for Appropriate Assessment of the project, it has been concluded that the project individually or in combination with other plans or projects would not be likely to give rise to significant effects on European Site No. 002301, or any other European site, in view of the site's Conservation Objectives, and Appropriate Assessment (and submission of a NIS) is not therefore required.

8.0 Recommendation

8.1. I recommend that permission for the proposed development be granted, subject to conditions as set out below.

9.0 Reasons and Considerations

Having regard to the nature and scale of the proposed development, which is located within an existing sports facility and which is associated with this sports facility use, it is considered the proposed development is consistent with policies of the Donegal County Development Plan 2018-2024 and, subject to compliance with conditions below, the proposed development would represent an appropriate form of development, which would not seriously injure the visual amenities of the area or the amenities of property in the vicinity. 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
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	<p>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>Prior to the commencement of development the applicant shall submit for the agreement of the planning authority details regarding proposed floodlighting, which shall be hooded and aligned so as to prevent direct spillage of light onto the public road and adjoining third party property.</p> <p>Reason: In the interest of road safety and to ensure the protection of residential amenities</p>
3.	<p>Proposed floodlighting shall not operate on the site after 10pm nightly.</p> <p>Reason: In the interest of residential amenity.</p>
4.	<p>Site access and car parking arrangements shall comply with the Planning Authority's requirements, details of which shall be agreed prior to the commencement of development.</p> <p>Reason: In the interest of road safety</p>
5.	<p>A landscaped buffer shall be provided along the north and west site boundary, details of which shall be agreed with the planning authority prior to the commencement of development.</p> <p>Reason: In the interest of visual amenity and to ensure the protection of residential amenities</p>
6.	<p>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.</p>

	<p>Reason: In order to safeguard the residential amenities of property in the vicinity.</p>
7.	<p>The developer shall facilitate the archaeological appraisal of the site and shall provide for the preservation, recording and protection of archaeological materials or features which may exist within the site. In this regard, the developer shall:</p> <p>(a) notify the planning authority in writing at least four weeks prior to the commencement of any site operation (including hydrological and geotechnical investigations) relating to the proposed development, and</p> <p>(b) employ a suitably-qualified archaeologist prior to the commencement of development. The archaeologist shall assess the site and monitor all site development works.</p> <p>The assessment shall address the following issues:</p> <p>(i) the nature and location of archaeological material on the site, and</p> <p>(ii) the impact of the proposed development on such archaeological material.</p> <p>A report, containing the results of the assessment, shall be submitted to the planning authority and, arising from this assessment, the developer shall agree in writing with the planning authority details regarding any further archaeological requirements (including, if necessary, archaeological excavation) prior to commencement of construction works.</p> <p>In default of agreement on any of these requirements, the matter shall be referred to An Bord Pleanála for determination.</p> <p>Reason: In order to conserve the archaeological heritage of the area and to secure the preservation (in-situ or by record) and protection of any archaeological remains that may exist within the site.</p>

Barry O'Donnell
 Planning Inspector

24th February 2022.