



An
Bord
Pleanála

Inspector's Report ABP310323-21

Development	The erection of floodlighting to existing Astro-turf pitches, running track and walkway.
Location	Tarmon National School, Ballinphuill Td. and Termon Beg Td. Castlerea.
Planning Authority	Roscommon County Council.
Planning Authority Reg. Ref.	21131.
Applicants	Board of Management Tarmon School.
Type of Application	Permission.
Planning Authority Decision	Grant.
Type of Appeal	Third Party -v- Grant.
Appellant	John Larkin.
Observers	(i) Kieran Cummins, (ii) Georgia MacMillan, Dark Sky Roscommon.
Date of Site Inspection	15 th November 2021
Inspector	Paul Caprani.

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1.0 Introduction

ABP310323-21 relates to a third party appeal against the decision of Roscommon County Council to issue notification to grant planning permission for the erection of floodlights to an existing Astro-turf pitch in order to illuminate the existing running track, walkway and car parking at Tarmon National School outside the town of Castlerea in County Roscommon. It is argued that the Planning Authority in assessing the application did not follow correct procedures in relation to appropriate assessment and ecological impact assessment. It is also stated that the proposed development will change the facility from being community/education focused to commercially focused.

2.0 Site Location and Description

- 2.1. Tarmon National School is located approximately 3½ kilometres east of the town of Castlerea in West Roscommon. It is located on a local road which runs westwards from the R377 Regional Route and links up with the R361 near the northern environs of Castlerea. The school is located on the northern side of the local road and comprises of a complex of single storey buildings fronting onto the roadway. Lands to the immediate west of the site accommodate a parking area and set down area adjacent to the school. Lands further west and to the rear accommodate two football pitches. The larger football pitch to the rear accommodates a running track and to the immediate east of this larger pitch to the rear of the school there is a smaller Astro-turf pitch surrounded by fencing. The Astro pitch is 48 metres in length and 30 metres in height. There is a private single storey dwelling to the immediate south-east of the school. This is the closest dwellinghouse to the school. A series of farm buildings and outbuildings are located further east along the local access road in proximity with the junction of the R377. The nearest dwellinghouses to the west of the school are located on the southern side of the road approximately 180 metres away. There are no residential dwellings contiguous to the pitches to the immediate west and to the rear of the school building.

3.0 Proposed Development

- 3.1. Planning permission is sought for the erection of floodlights around the existing Astro-turf pitch. Permission is also sought to provide lighting to illuminate the existing running track, walkway and car park around the larger football pitch to the rear of the school. A total of four lighting columns comprising of galvanised steel each accommodating two mounted lights are proposed around the Astro-turf pitch. A total of 10 smaller 6 metre high lighting columns are proposed to illuminate the running track, five 6 metre high light columns are also proposed to illuminate the football pitch to the immediate west of the car park and two lighting columns are proposed to provide lighting along the western boundary of the car parking area. In total therefore it is proposed to provide four floodlighting stands of 10 metres in height specifically to serve the Astro pitch (each fitted with two lights) and the provision of 17 standard height light stands to serve the existing car park, walkway and running track.

4.0 Planning Authority's Decision

4.1. Decision

- 4.1.1. Roscommon County Council issued notification to grant planning permission subject to five conditions. Condition No. 3 requires the hours of operation of the floodlighting and lighting columns shall be between 9 a.m. to 10 p.m. only with the exception of the two light stands serving the car park which shall operate by automated daylight sensor as indicated in the submitted documents.

4.2. Documentation Submitted with the Planning Application

- 4.2.1. A covering letter submitted with the application indicates that during the current Covid pandemic there has been a sharp upsurge in people getting involved in outdoor activities and the proposal would provide for this expanded use primarily in Winter. The facility will also provide training space for athletes from the local wider community. The facility provides the only purpose built synthetic / tartan running track in County Roscommon. It is stated that the horizontal luminants will not impinge upon closest neighbouring properties to the west and east. It is stated that the light units serving the Astro pitch shall operate on an on-off switch system. The two

streetlights serving the car park will work on an automated daylight sensor. The remaining 15 lights serving the walkway and running track will work on an automated sensor with a manual override to control times of usage.

- 4.2.2. An outdoor lighting report was also submitted with the application calculating the horizontal illuminance associated with the walking track and running track.

4.3. Planning Authority's Assessment

- 4.3.1. A report from the Environment Section states that should planning permission be granted for the proposed development a number of conditions should apply.
- 4.3.2. The planner's report sets out details of the site location and description and details of the planning history relating to the site. Most of the applications referred to relate to alterations and extensions to the existing classrooms and other school facilities. It is noted that the file was referred to both the Environment Department and the Area Engineer of Roscommon County Council for comment and no objection in principle was raised by either department.
- 4.3.3. The planner's report notes the limited nature and scale of the proposed development and the absence of any connectivity to sensitive locations. On this basis it is not considered that there would be any significant effects on the environment arising from the proposed development. It is also considered that a screening determination in relation to appropriate assessment is not required. The planner's report considers the principle of the development to be acceptable. It notes that the nearest private dwellings are located to the west of the subject site c.70 metres from the proposed walking track and car parking. The nearest dwellinghouse to the Astro pitch lighting is in excess of 50 metres away. As a result it is considered that the impact on residential amenity is acceptable. It is also considered that the effect on road traffic users would be minimal. On the basis of the above it is recommended that planning permission be granted for the proposed development.

5.0 Planning History

- 5.1. No planning history files are attached.

- 5.2. Details in relation to the planning history relating to the school site are set out in Section 2 of the planners report. All the applications in question relate to extensions and alterations to the existing school.
- 5.3. Under Reg. Ref. 15/402 planning permission was granted for the alterations to the existing school together with the provision of additional car parking, hard and soft play areas, sensory garden and an Astro-turf pitch.
- 5.4. Details of all the planning applications referred to in the planner's report are contained in two separate pouches to the appeal file.
- 5.5. The grounds of appeal also make reference to ABP 306701. Under this application and appeal permission was sought and grant by the Board to retain and complete alterations and extensions to school, including access levels and layout, and construct a single-storey rear classroom extension.

6.0 Planning Policy Provision

- 6.1. The site is governed by the policies and provisions contained in the Roscommon County Development Plan 2014 – 2020¹ Section 8.6 of the development plan contains statements in respect of sports recreation and open space. It states that sports and recreational facilities, as well as open space are important resources that must be protected in order to meet the needs of current users and future generations. One of the main functions of the Plan is to protect existing facilities and open space. Policy 8.30 seeks to ensure the provision of necessary sports and recreational facilities as well as open space particularly for young people, older adults and those who are disadvantaged or marginalised by zoning suitably located lands and ensuring that adequate development levies are raised and used to provide the required facilities.
- 6.2. Policy 8.34 seeks to discourage development which would result in the loss of public or private playing fields, pitches, parks, children's play space, recreational facilities, amenity open space or lands zoned for recreation and open space purposes.

¹ The current Draft Plan for the period 2021 – 2027 has not yet been adopted.

6.3. Policy 8.35 seeks to support the provision of facilities for young people and teenagers in the county including sports and recreational facilities, youth clubs and supervised places.

7.0 Grounds of Appeal

7.1. The decision of Roscommon County Council to issue notification to grant planning permission was the subject of a third party appeal on behalf of John Larkin of Ardass House, Castlerea. The appeal was lodged by David Mooney Town Planning Consultant. The grounds of appeal are outlined below.

- It is argued that the Planning Authority has not followed the correct procedure in relation to appropriate assessment screening of Natura 2000 sites within a 15 kilometre radius of the proposed development. A separate report in this regard is attached from Niamh Ní Bhroin. It contends that the planner has not considered that where floodlight is concerned there is a connection between the subject site and the nearby Natura 2000 SPA site at Ballanagare Bog SAC and SPA. It is noted that the planner has not sought expert advice with regard to the proposed development on Natura 2000 sites and the impact on the ecology that these sites support. It is stated that the planner's report did not undertake a screening for appropriate assessment in its adjudication of the application.
- It is also noted that a survey commissioned by the appellant has identified the presence of bat species on their property and the proposed development on a variety of species in and around the area. Furthermore, there has been no assessment of the cumulative impact arising from the proposed development on migratory birds and winter birds. It is important that birds flying between habitats in adverse weather conditions are not distracted by bright lights. Illuminating the existing dark sky could have a significant impact on the receiving environment and on this basis an ecological impact assessment should have been required.
- Details of the bat and bird survey associated with Ardass House is also submitted.

- Also submitted is a separate lighting impact assessment prepared by Redmond Analytical Management Services. It concludes that there is insufficient information provided in the planning application in relation to lighting details.
- The grounds of appeal also argue that the Planning Authority did not have regard to Policy Objective 67 of the Castlerea LAP with regard to the impact of flood lighting and public lighting in open spaces in order to minimise light intrusion in areas of habitat value. It is suggested that insufficient information has been provided to ensure that the proposed development minimises impacts on floodlighting on the surrounding habitat.
- It is argued that the design specification and plans for the proposed lighting installation are substandard and inadequate to allow the Planning Authority to make a decision on the planning application to ensure that minimal impact on the surrounding dark sky environment.
- It is argued that the addition of a substantial floodlighting installation scheme constitutes change of use of the facility from community/education to commercial use and as such the school cannot avail of the exempted development status afforded to the existing school sports field at the National School.
- It is argued that the Planning Authority have not adequately assessed the potential negative impact of the proposed development on the residential amenity of surrounding dwellings. It is considered that the proposed development will cause a significant negative impact on this rural area and the impact should not solely be determined purely on the basis of separation distance between the houses and the floodlights in question.
- It is noted that a previous application on site granted by An Bord Pleanála under 306701-20 stipulated that a boundary treatment and landscaping scheme be submitted within two months of the decision. It appears that this document has not yet been submitted.
- It is also argued that there is inadequate boundary treatment and screening included as part of the proposed development. The applicant requests the installation of appropriate boundary treatment and landscaping to facilitate the

community and educational use. This would be fully in accordance with Policy 5.45 of the County Development Plan. It notes that the appellant's farm property adjoins the playing pitches of the school.

- Due to the presence of bats identified in the Bird and Bat Survey, the appellants have been informed by the NPWS that a derogation licence should have been applied for. This is not evident in the planning application documents.
- Finally, it is stated that the original planning application was invalid as the site notice was not erected on the date stated on the notice. The site notice submitted stated that it was erected on the 10th March, 2021. Whereas the original planning application states that it was erected on the 26th February, 2021. It was suggested that the site notice was obscured or erected late in order to prevent the appellant from making a submission and subsequently making an appeal. While the appellant cannot prove this, he wishes it stated for the record.

8.0 Appeal Responses

8.1. A submission was received on behalf of the Board of Management of Tarmon National School by Collins Boyd Engineers and Architects.

- In relation to appropriate assessment considerations, it is stated that the development is small in scale and that there is little light spill over from the pitch installation. When considered in conjunction with the streetlights associated with Castlerea Town which operates continuously the impact is considered to be miniscule and on this basis the decision of the Planning Authority is considered reasonable. Notwithstanding this a separate Stage 1 AA Report was submitted with the response. It concludes that a Stage 2 Appropriate Assessment is not required as significant effects upon all designated sites identified within a 15 kilometre radius can be ruled out.
- It is stated that the site is located a significant distance from the town of Castlerea and is outside the development envelope of the Castlerea LAP. As

such, it is argued that reference to Policy Objective 67 in the LAP is not relevant.

- Also attached is an Outdoor Lighting Report by Electric Skyline which addresses the issues raised in respect of light spill etc. in the appeal. The applicants are very conscious of the economic cost as well as the environmental costs in providing lighting. It is very much the intention that the lighting will only be used when necessary. The applicant fully intends to minimise the use of lighting. Lighting will be designed to minimise light overspill and glare and operating hours will be strictly adhered to. Locally the proposal has been met with much support.
- The planning application does not in any way propose a change of use. The proposal will remain primarily a facility for the school. It will have a dual role as a community facility available after hours just like the building itself is used for community uses. The use of the school outside teaching hours is a sustainable form of development and is encouraged on a national level.
- The applicant has submitted to Roscommon Co Council details of landscape boundary treatment in October 2020 and is awaiting a response from the Council. All matters around boundary treatments are not relevant to this particular application. However, the applicant is anxious that an agreement with the Council will be made with regard to the provision of boundary treatment.
- The running track has not been designed nor is it suitable for hosting competitions. It is principally used for leisure use and not for competitive events. Increased traffic levels associated with the development will be relatively small and parking is more than adequate to cater for non-peak users.
- The report of bat activity in the area is inconclusive as to whether or not bats actually roost in the vicinity. Light generation will occur for the most part during winter months when bats habitually hibernate. If a derogation licence is required the applicants will of course comply with their responsibilities.
- The applicant has followed the prescribed procedures in relation to public consultation and this has de facto been accepted by the Council.

- The topography of the area means that the site will not be visible from the Rathcroghan Archaeological Complex and will not have a significant visual impact on this cluster of monuments.
- In conclusion therefore the Board are requested to permit the application and support this local community initiative.

8.2. Further Submission on behalf of the Appellant

- It is again reiterated that the Planning Authority have not sought sufficient detailed information on issues in relation to lighting design or appropriate assessment to make an informed assessment and decision on the planning application. It is argued that the screening for appropriate assessment has not demonstrated that the proposed development will not result in a significant impact on nearby Natura 2000 sites.
- The AA report submitted to An Bord Pleanála by the applicant is incomplete and does not adequately demonstrate that there will be no impact proximate to Natura 2000 sites caused by the development.
- With regard to LA Policy 67 it is acknowledged that the subject site is located outside the LAP designation. However, the same consideration should be given to this policy as the site is located in an intrinsically dark rural area of high habitat value with no existing lighting.
- With regard to the intensity of use, it is requested that if An Bord Pleanála is minded to grant planning permission, that they attach a planning condition restricting the nature and intensity of use of the facility in a manner that would prohibit the commercial use of the facility.
- It is respectfully submitted that local support for the proposed lighting development cannot be determined as community engagement relating to the proposed development did not take place. The lands which accommodate the running and walking track were not donated to the school but were purchased by the school in 2016.
- The appellant has made enquires and Roscommon County Council have indicated that the landscape and boundary treatment plan has not been

submitted. It is reiterated that robust boundary treatment is required to protect the appellant's farmland contiguous to the pitches.

- An Bord Pleanála if minded to grant planning permission, it should attach a condition restricting the nature of the use of the school to training only and not for competitions or events. Concerns are expressed that the proposal will give rise to an adverse traffic impact which would adversely affect the appellant's residential amenity.
- Contrary to what is stated in the applicant's response to the grounds of appeal, it is argued that a bat roost has been recorded in the farm building situated 100 metres from the site. This demonstrates conclusively that bats are present in the vicinity of the development site. All bat species are protected under the Wildlife Act.
- It is stated that the proposed site is elevated with little screening and a more detailed assessment of the potential visual impact on the surrounding landscape that has heretofore been carried out is required.

9.0 Observations

9.1. Observation from Kieran Cummins

- This observation expresses concerns in relation to the erection of lighting around the country. It is stated that modern lighting is proving to be far more intrusive than previous forms of lighting. Much wildlife particularly bats thrive in the absence of artificial lighting. Artificial lighting can confuse wildlife and insects. Artificial light can also affect trees that are sensitive to daylight.
- It is also stated that bright lights also obscure views of the night sky and stars.
- Concerns are again expressed that the proposed development could impact on the Ballanagare SPA which has as a qualifying interest the Greenland White Fronted Goose. It is noted that the planner has not sought additional information in respect of light emissions into the dark sky.
- It is also submitted that the Planning Authority has not followed the correct procedure in relation to assessing the potential impact of the proposed

development on nocturnal species and this should be the subject of an ecological impact assessment.

- References are made to the same issues raised in the grounds of appeal in respect of Policy Objective 67. The potential visual impact from the Tulsk/Rathcroghan plateau and the lack of detail regarding the site plans. Concerns are expressed that the use of any of these facilities after 6 p.m. results in a use that is commercial in nature and therefore a material change of use has occurred.

9.2. **Observation from Dark Sky Roscommon**

- It is submitted that given the rural surrounds the Planning Authority has not adequately assessed the potential negative impact of the proposed development on residential amenity of surrounding dwellings or of the area's nocturnal species via an ecological impact assessment.
- It is argued that artificial light at night is a driver of biodiversity decline. In this regard it is argued that the proposed development is contrary to the Biodiversity Action Plan.
- It is argued that the Planning Authority has not followed the correct procedure in relation to appropriate assessment screening for Natura 2000 sites within a 15 kilometre radius. Again, reference is made to the potential impact of the proposed development on the Greenland White Fronted Goose.
- It is argued that the lighting design submitted is substandard and inadequate. This is based on the report submitted with the original grounds of appeal by Redmond Analytical.
- Dark Sky Roscommon request that the social, economic and environmental value of the Dark Sky environment of the locality surrounding the proposed development is considered in the assessment of this development.

10.0 **Planning Assessment**

10.1. I have read the entire contents of the file, visited the subject site and its surroundings and have had particular regard to the issues raised in the third party appeal and the

observations submitted objecting to the proposal. I consider the critical issues in determining the current application and appeal are as follows:

- Preliminary Matters/Procedural Issues
- Principle of Development
- Development Plan Policy
- Impact on Ecology
- Material Change of Use
- Impact on Residential Amenity
- Traffic Issues
- Impact on Rathcroghan Plateau
- Boundary Treatment Issues

10.2. Preliminary Matters/Procedural Issues

10.2.1. The final issue raised in the grounds of appeal suggests that the planning application is invalid as the site notice was not erected on the date stated in the notice. The appellant goes on to state in the grounds of appeal that they cannot prove this fact but wish to state it for the record. As no supportive evidence has been provided in respect of this assertion and the fact that Roscommon County Council both validated and determined the application before it, I can only conclude in the absence of formal evidence that the applicant in this instance followed all appropriate procedures in respect of public notices as required as set out in Articles 18 and 19 of the Planning and Development Regulations 2001 (as amended). It is also suggested that the site notice was deliberately obscured or erected late in order to prevent the appellant from making a submission on the application and subsequently making an appeal. The Board will note that the appellant in this instance successfully submitted an observation to the Planning Authority in respect of the proposed development and has obviously submitted an appeal to the Board in respect of the Planning Authority's decision. I do not consider third rights have in any way been compromised in this regard.

10.2.2.

10.3. Principle of Development

- 10.3.1. A critical issue which the grounds of appeal and the observations submitted have in my opinion overlooked is the benefits which the proposed development would bring to the local community in terms of active recreational activity. It has been apparent throughout the Covid pandemic that local rural communities are more actively engaging in outdoor recreational pursuits including walking, running and general sporting activity. It has been emphasised that the protection and promotion of mental health is critically important during this pandemic period. There is also a general consensus that healthy recreational activity is an important tool in protecting and promoting mental health. Many rural communities have come together particularly in the winter months to promote walking and running in the evening time in designated lit up areas in the countryside. From a health and safety perspective it is much more desirable that designated illuminated areas serving wider rural communities are preferable than people having to walk/exercise on rural roads in the countryside that are unlit and generally inappropriate for such activity.
- 10.3.2. While many concerns are expressed in both the observations and the grounds of appeal submitted that the proposed development could be harmful to wildlife and biodiversity in the area, there is absolutely no acknowledgement of the positive mental and physical health attributes for the local community that would be derived from the provision of an outdoor sports and recreational facility which could be used by the local population particularly in the winter months. It is imperative in my opinion that the Board balance any concerns in respect of appropriate assessment or ecology with the positive health benefits which could be derived for the local human population from providing such a facility.

10.4. Development Plan Policy

- 10.4.1. While the grounds of appeal argue that the proposed development is contrary to Policy 67 of the Castlerea Local Area Plan which seeks to promote development for recreational and educational purposes where it would not conflict with the preservation and protection of designated sites, the Board will be aware that the subject site is not located within the confines of the Castlerea Local Area Plan. Furthermore, it is clear that the proposed development complies with many of the policies in respect of sports, recreation and open space set out in the County

Development Plan which is applicable to the subject site and its surroundings. In particular the proposal fully accords with Policy 8.3 which seeks to ensure the provision of necessary sports and recreational facilities as well as open space particularly for young people, older adults and those who are disadvantaged and marginalised and Policy 8.3.1 which seeks to ensure that sports and recreational infrastructure including public open space is provided as an integral part of new development in line with the needs of development. Policy 8.3.3 seeks to provide for sports and recreational needs of the County by upgrading and maintaining existing facilities and providing new facilities at appropriate locations as needed. All these facilities should be designed with flexibility in mind so that they are multi-functional and ensure a maximum usability by a variety of groups and members of local communities. It is respectfully suggested that the proposal fully comply with these wider strategic objectives set out in the County Development Plan.

10.5. Impact on Ecology

- 10.5.1. The grounds of appeal suggest that the Planning Authority in assessing the planning application has not followed proper procedures in relation to assessing the impact of the proposed development on surrounding ecology particularly in relation to bats and birds. On foot of this concern the applicant in his response to the grounds of appeal has submitted an appropriate assessment screening report. It is important to note that the application does not lie within or adjacent to any area which has been designated for nature conservation purposes. The dominant habitats within the site include buildings, artificial surfaces and improved amenity grasslands associated with playing fields. While there are some hedgerows remaining along the perimeter of the site, the overall biodiversity value of the site and its surroundings is determined to be low. There are no surface water features within or adjacent to the application site. The proposal will not result in any fragmentation of the habitats surrounding the site. The artificial lighting columns will not be used for bat resting or breeding places. Under the Irish Wildlife Acts a derogation licence is necessary when a proposal seeks to remove a building or tree which may host bat resting or breeding habitats. The current application before the Board does not involve the removal of any structures which would necessitate a derogation licence. Furthermore, the artificial lighting will be confined essentially to the autumnal and winter months when bats go into hibernation and therefore will not be active in the

area. With regard to impact on other species it should be emphasised that there are no watercourses in the immediate vicinity whereby riparian species or aquatic species could be adversely impacted from the artificial lighting. In addition, the lighting in question as per the planning permission would cease use after 10 p.m. and therefore would not affect the habitats of nocturnal species throughout the night. It should be emphasised that any illumination of the pitches and walkways in question would occur throughout the night but would only occur during designated times prior to 10 p.m. It is my view therefore that any potential impact on biodiversity and ecology would be minimal and have been completely over-inflated in the appeal and observations submitted and must be again balanced against the physical and mental health benefits for the local human population as a result of providing such a facility.

10.5.2. Based on the above therefore I am satisfied that the proposed development will not have a significant or material impact on either the ecology or biodiversity of the area.

10.6. **Material Change of Use**

10.6.1. I do not consider that the proposed development would have a material impact on the use of the sports and recreational facilities. The Board will be aware that the sports pitches and running track exist on the subject site. While the proposed artificial lighting seeks to extend the hours of operation of these facilities particularly during the winter months, this would not in itself result in a material change of use of the facility. While it could be argued that the proposed development will result in an intensification of the use, any intensification of use is being adjudicated upon the Board's deliberation of the current application before it. The proposal will remain a community facility. As far as I am aware, spectators facilitated or charge admission to watch sporting activities. On this basis it cannot be reasonably argued that the addition of floodlighting will result in a change of use from recreational to commercial.

10.6.2. For reasons outlined previously in my assessment, I consider the principle of development and the extension of the recreational use would provide an important social and community based recreational activity which is acceptable in principle. The application before the Board seeks to extend the hours of operation of existing facilities. Such an intensification of use in terms of its impact on residential amenity

and ecology etc. is the subject of evaluation and assessment in this report and I consider such an intensification to be acceptable.

10.7. Impact on Residential Amenity

- 10.7.1. Concern is expressed that the proposed development will have an unacceptable impact on surrounding residential amenity primarily through light pollution and light glare. The appellant argues that insufficient detail has been provided in respect of the lamp standards to be erected and whether or not these lamp standards will give rise to significant light spill and light pollution. At its closest point the appellant's private dwelling is located just over 70 metres from the nearest lamp standard. It should be noted that this lamp standard which is proposed to illuminate the football pitch to the immediate west of the school comprises of a normal 6 metre high structure. It is clear from the horizontal illuminance model attached to the appellant's response to the grounds of appeal, that the 6 metre high lamp standard provides a very targeted area in terms of illumination. The horizontal illuminance indicates that lux values beyond the boundary of the site will be very low. While the appellant in this instance will be aware of the artificial lighting, I don't consider that it will result in such significant levels of light spillage that it will illuminate to any material extent the lands surrounding the appellant's house.
- 10.7.2. Stronger artificial lighting serving the Astro pitch will be erected on higher 10 metre high columns. The higher columns enable the lighting to be more focussed and targeted on the pitch area. The higher mounting of the lights will ensure more downward directional illuminance and therefore reduce the level of light spill. The closest lamp standard associated with the Astro pitch is located in excess of 170 metres from the appellant's dwelling.
- 10.7.3. In conclusion therefore I am satisfied that while the artificial lighting will be readily apparent from the appellant's dwelling it will not have a significant or material impact on the appellant's amenity in terms of light spill or glare on lands immediately surrounding the appellant's private dwelling or rooms within the private dwelling. The Board if minded to grant planning permission can ensure that appropriate conditions are attached to ensure that the lights in question are properly cowed.

10.8. Traffic Issues

10.8.1. It is not considered that the proposed development will give rise to significant levels of traffic which will materially affect the amenity of residents in the vicinity. There will be no doubt that additional traffic will be generated by the use of the Astro pitch and the recreational facilities particularly in the evening time. However, the Board will note from the photographs attached and from the site layout drawings that there is ample car parking to facilitate any traffic generated by the proposed development. A total of 35 spaces are provided within the confines of the school and this is more than adequate to cater for patrons using the facilities outside school hours.

10.9. Impact on Rathcroghan Plateau

10.9.1. It is acknowledged that this is a designated area of exceptional value in the Roscommon County Development Plan. However, the Board should note that the Rathcroghan Visitor Centre and the archaeological features in the vicinity of the centre are located over 10 kilometres from the subject site. Furthermore, the artificial lighting will only be used during periods of darkness. It cannot be reasonably argued in my opinion that during such periods the proposed development would have any adverse impact on the setting Tusk/Rathcroghan Plateau.

10.10. Boundary Treatment Issues

10.10.1. Concerns are expressed that the applicant has not fully complied with requirements associated with an extant permission under the Board's grant of planning permission Reg. Ref. 306701. The applicant indicates that compliance drawings in respect of boundary treatment have been submitted to the Planning Authority in accordance with the conditions set out under Reg. Ref. R306701 where the appellant disputes this contention. Matters in relation to compliance with conditions are a matter for Roscommon County Council and not An Bord Pleanála. Any non-compliance with conditions shall be the subject of enforcement proceedings by the local Planning Authority should this instance arise.

11.0 Appropriate Assessment

11.1. A significant issue raised in the grounds of appeal argues that the proposed artificial lighting could have adverse impacts on migratory bird routes associated with the Ballanagare Bog SPA. The Ballanagare Bog SPA has one species of conservation interest namely the Greenland White Fronted Goose. The site synopsis notes that at the time of the site's designation the area was known to be utilised by part of an internationally important Greenland White Fronted Goose population. However, these geese appear to have since abandoned the peatland sites in favour of grassland sites elsewhere. Nevertheless, the Greenland White Fronted Goose is regarded as a special conservation interest for this SPA. It is noted that the geese in question now feed mainly on intensively managed grassland and have not been recorded at the site in recent years. It appears therefore that the only species for which the Ballanagare SPA has been designated no longer use or frequent the bog in question. It is difficult to ascertain therefore how the proposed species of conservation interest will in anyway be affected by the proposed development.

11.2. With regard to the Ballanagare Bog SAC (Site Code: 000592) the qualifying interests associated with this Natura 2000 site include:

- *Active raised bogs.*
- *Degraded raised bogs still capable of natural regeneration.*
- *Depressions on peat substrates of the rhynchosporion.*

11.2.1. The Ballanagare Bog SAC as in the case of the SPA is located in excess of 3 kilometres away. There is no hydrological connectivity between the subject site and the bog in question.

11.3. On the basis of the above it is reasonable in my opinion to conclude that the proposed development will not adversely impact on the qualifying interests associated with the nearest SAC or SPA (namely the Ballanagare Bog SAC or SPA) or any other Natura 2000 sites in the vicinity. The small size and scale of the development together with the separation distances between the subject site and the Natura 2000 sites together with the lack of hydrological connection between the subject site and the Natura 2000 sites in question, that the proposed development will not in any way adversely impact on the qualifying interests associated with these

Natura 2000 sites. Furthermore, with regard to migratory paths of the White Fronted Goose, it is clear from the site synopsis form prepared by the NPWS that the Greenland White Fronted Goose have abandoned the site in question in favour of grassland sites elsewhere. Having regard to the fact that the qualifying interest no longer uses the Natura 2000 site in question it is self-evident and unquestionable that the proposed development will in no way affect migratory patterns associated with the bird. Furthermore, as the screening for appropriate assessment submitted with the applicants' response to the grounds of appeal indicates that migratory birds will simply avoid areas of artificial illumination. Having regard to the size and scale of the subject site and the amount of illumination proposed it would be reasonable to conclude that even where bird migratory patterns could potentially be affected (for example if the species in question recolonise the SPA), the site and scale of the development would not be such that it would significantly affect migratory patterns associated with the birds in question.

- 11.4. Finally in relation to appropriate assessment issues no in combination effects have been identified which could adversely affect the integrity of SACs in the vicinity.
- 11.5. Therefore, in conclusion I consider that the proposed development has been considered in light of the requirements of Section 177U of the Planning and Development Act 2000 (as amended). Having carried screening for appropriate assessment, it has been concluded that the proposed development in combination with other plans and projects would not be likely to have a significant effect on European Site (004105) or any other European Site, in view of the site's conservation objectives, and an appropriate assessment and the submission of an NIS is therefore not required. This determination is based on the fact that the qualifying interests associated with the SPA in question no longer uses the site as a habitat. Furthermore, having regard to the relative minor nature of the proposed development, the distance between the proposed development and the European site in question and the lack of any meaningful ecological connections between the subject site and the SPA in question it is reasonable to conclude that the proposed development will not impact on any Natura 2000 sites in the vicinity. In making this screening determination no account has been taken of any measures intended to avoid or reduce potentially harmful effects of the project on a European site.

12.0 Conclusions and Recommendation

Arising from my assessment above I consider that the decision of Roscommon County Council to grant planning permission for the proposed development based on the reasons and considerations set out below.

13.0 Reasons and Considerations

It is considered that the proposed erection of floodlighting to serve the existing recreational facilities at Tarmon National School, subject to conditions set out below, would not seriously or adversely impact on the residential amenities of the area, or the ecology within or surrounding the subject site and would not be prejudicial to public health and would generally 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.

14.0 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. The proposed floodlighting and lighting columns shall be designed and orientated and where necessary incorporating appropriate cowling to minimise glare and light pollution beyond the site boundaries in accordance with current best practice. The lighting shall be designed and implemented by a lighting expert and details of the proposed lighting shall be agreed in

writing with the planning authority prior to the commencement of development.

Reason: To protect residential amenity.

2. The hours of operation of the floodlighting shall extend to 10 p.m. only and shall under no circumstance operate beyond this time. The two lighting stands serving the car parking area to the immediate west of the school building shall operate by automated daylight sensor. Details of the proposed automated sensors shall be agreed in writing with the planning authority prior to the commencement of development.

Reason: In the interests of residential amenity.

3. All construction and demolition waste generated during the erection of the floodlighting shall be recovered or disposed of in an authorised waste facility in accordance with the provisions of the Waste Management Act 1996, as amended.

Reason: In the interest of public health.

4. Notwithstanding the provisions of the Planning and Development Regulations 2001, as amended, the proposed lighting poles shall not be used for the erection or placing thereon of any structures other than the luminaries proposed.

Reason: In order to allow the planning authority to assess the implications of the visual amenity of any further structures through the statutory planning processes.

5. Site development works shall be carried out between the hours of 0700 to 1800 hours Monday to Friday inclusive, between the hours of 0800 and 1400 hours on Saturdays and not at all on Sundays or public holidays. Deviations 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.

6. During the construction and demolition phases, the proposed development shall comply with British Standard 5228 “Code of Practice for Noise and Vibration Control on Construction of Open Sites – Part 1: Noise”.

Reason: To ensure a satisfactory standard of development and in the interests of residential amenity.

7. The developer shall give the planning authority two weeks notice in writing of intention to commence development on the site.

Reason: In the interests of orderly development.

Paul Caprani,
Senior Planning Inspector.

17th November, 2021.