



An
Bord
Pleanála

Inspector's Report

ABP-311317-21

Development	Perimeter lighting and associated site works.
Location	Kilrush/Askamore GAA Club, Borris, Kilrush, Bunclody, Co. Wexford.
Planning Authority	Wexford County Council
Planning Authority Reg. Ref.	20210757
Applicant(s)	Frank Doyle
Type of Application	Permission
Planning Authority Decision	Grant permission
Type of Appeal	Third Party
Appellant(s)	Luke Robson
Observer(s)	None
Date of Site Inspection	16 th December 2021
Inspector	Emer Doyle

1.0 Site Location and Description

- 1.1. The subject site has an area of c. 8.26 hectares and is located in a rural area c. 6km to the east of Bunclody, Co. Wexford. The rural settlement of Ballyroebeck is located 0.5km to the south of the site.
- 1.2. The site has been recently developed as GAA grounds for Kilrush and Askamore and a walking track c. 1.6km in length is located around the perimeter of the site. County roads bound the site to the north and east. There are two No. dwelling houses adjoining the site to the south and a further dwelling is located on the opposite side of the road to the east.
- 1.3. The main use of the land in the area is agricultural with sporadic one off rural dwellings. The landscape in the area is designated as 'Uplands' in the Landscape Character Assessment of the Development Plan.

2.0 Proposed Development

- 2.1. Permission is sought to erect lighting around the perimeter of an existing GAA walking track. The development consists of 47 No. 5 meter high poles with a tilted head.
- 2.2. Further information was submitted to the Planning Authority dated the 16th day of July 2021 which included a report from a lighting design specialist together with revised proposals. It was stated that the lighting will not be in use after 10pm.

3.0 Planning Authority Decision

3.1. Decision

Permission granted subject to 2 No. conditions. Condition No. 2 required that the lighting of the site shall be restricted between the hours of 7.00 and 22.00 and shall not be used outside of these hours.

3.2. Planning Authority Reports

3.2.1. Planning Reports

- The first planning report recommended refusal on the grounds of excessive levels of illumination and visual impact.
- A supplementary note from the Senior Planner attached to the first planning report noted the recommendation to refuse from the roads technician and the objection from the adjoining occupier. It considered that the development of such walking tracks around GAA pitches and their lighting was a common feature in rural areas. The maximisation of the use of sports facilities was welcomed by the County Council and lighting was a means of ensuring that the facility can be used all year round and provide protection for the users of the facility. A Further Information request was issued by the Planning Authority.
- The second planning report considered that the principle of providing lighting to an existing walkway around a large sporting facility is positive, subject to the proposed lighting being appropriate and not having undue visual impacts. It was considered that with the amendments proposed to the revised scheme in the Further Information Response was satisfactory and very limited light spillage is expected from the site.

3.2.2. Other Technical Reports

Roads Technician: Considered that the height of 5m column is inappropriate for the lighting of a walking track and that the site was open and exposed and close to a busy rural junction.

Environment Section: No further comment.

3.3. Prescribed Bodies

3.3.1. No reports.

3.4. **Third Party Observations**

- 3.4.1. One third party observation was submitted to the Planning Authority. The issues raised in this submission are similar to those raised within the grounds of appeal.

4.0 **Planning History**

PA 20200707

Permission granted for 3 No. playing pitches, entrance, driveway and parking area to Kilrush/ Askamore GAA Club.

PA EXD00797

Wexford County Council issued a declaration of exempted development for the development of a walking track for recreational purposes for Kilrush/ Askamore GAA Club.

5.0 **Policy Context**

5.1. **Development Plan**

5.1.1. **Wexford County Council Development Plan 2013-2019**

Chapter 15 Recreation, Sport and Public Rights of Way

Relevant Objectives include the following:

Objective RS06: To promote and encourage a vibrant and active sports sector, with increased participation levels, good quality sustainable facilities and opportunities for people to play an active role in sport.

Objective RS07: To develop sport, recreation and amenity facilities consistent with proper planning and sustainable development in appropriate locations in the county, in partnership with local community and sports groups and/or private parties, subject

to normal planning and environmental criteria and the development management standards contained in Chapter 18.

Chapter 18: Development Management Standards

Section 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 the residential amenity, nature, and traffic safety. Floodlights shall have fully shielded light fixtures with cowl accessories to ensure that light levels are low. Planning applications shall include:

- Details of horizontal and vertical luminance levels (lux levels) of the lights.
- Proposed hours of use.

Landscape Character Assessment – land is designated as ‘Uplands’ on Map 13 of Plan. Section 14.4.3 sets out a number of development management objectives in these locations.

5.2. Natural Heritage Designations

5.2.1. The following Natura 2000 sites are located in the vicinity of the proposed development site:

- The Slaney River Valley SAC (Site Code: 000781), approximately 4.3km west of the site.
- The Slaney River Valley pNHA (Site Code: 000781), approximately 4.3km west of the site.

5.3. EIA Screening

5.3.1. Having regard to the nature and scale of the proposed development, comprising of lighting around an existing walking track, it is considered that there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

6.0 The Appeal

6.1. Grounds of Appeal

The grounds of appeal can be summarised as follows:

- The main concern raised relates to light pollution and the impacts of same on amenity, ecology, and traffic safety.
- Lighting the walkway could be achieved more efficiently and effectively using lower poles or lights at ground level and this would significantly reduce the negative impacts.
- Evergreen screens could also prevent light spillage from the proposed 5m poles.

6.2. Applicant Response

The response can be summarised as follows:

- A report from a lighting specialist forms the response. The report is similar to the report submitted to the Planning Authority at Further Information Stage in terms of the design of the proposed lighting.
- A total of 10 No. mitigation measures are included in the design to mitigate against obtrusive light and to minimise the impact on flora and fauna. These mitigation measures are outlined in the response and included in the assessment set out below.

6.3. Planning Authority Response

- None.

6.4. Observations

- None.

7.0 **Assessment**

7.1. The main issues in this appeal are those raised in the grounds of appeal. Appropriate Assessment also needs to be addressed. I am satisfied that no other substantive issues arise. The issues can be dealt with under the following headings:

- Principle of Development
- Impact of Lighting
- Appropriate Assessment

7.2. **Principle of Development**

7.2.1. Having regard to the planning history and established use of the site as GAA grounds, I consider that the principle of development is acceptable at this location. I note the supplementary report of the Senior Planner dated the 1st of July 2021, which states that the development of walking tracks around GAA pitches is a common feature in rural areas and lighting of the paths is seen as a means of ensuring that the facility can be used all year round. I generally concur with this view subject to ensuring the protection of the amenities of the area.

7.3. **Impact of Lighting**

- 7.3.1. The main area of concern raised relates to the impact of lighting on the amenities of the area. I note that the site is located in a rural area which is designated as 'Uplands' in the Landscape Character Assessment of the Wexford County Council Development Plan.
- 7.3.2. The site is located at the junction of two rural roads and is somewhat exposed. There are three no. residences in the immediate vicinity of the site including a dwelling opposite the site which is set back considerably from the road.
- 7.3.3. I note that revised lighting details were submitted to the Planning Authority dated the 16th of July 2021 which include a Lighting Design Report and Specifications for the walking track lighting. A further report was submitted in response to the appeal which

outlines the proposals and the mitigation measures in more detail. The updated analysis and design provide for a number of measures to provide adequate lighting to allow the safe use of the track at night-time and to have minimal impact on the environment. The measures as outlined by the lighting report and appeal response include the following:

- Designing the lighting level to minimum level with high uniformity to allow for safe use, reduce light scatter, reflection, and refraction.
- Designing the lighting with a 3,000 Kelvin light source. 3,000 Kelvin has half the light emitted in the blue spectrum over a more usual 4,000 Kelvin source. Light in the blue spectrum has a shorter wavelength and reducing blue light also reduces scatter, reflection, and refraction.
- Designing the lighting so that the luminaire is inclined at zero degrees. This reduces the light spill beyond the target area.
- Designing the lighting with low intensity luminaires.
- Designing the lighting using specialist narrow distribution for footpaths, which reduces spill.
- Designing the lighting to have low threshold increment, less than 15 which is the recommended maximum for sensitive areas.
- Use of a 5m column, which provides a sensitive lighting result, reduces intensity under the light source, and minimises the visual impact.
- Use of a luminaire with constant lumen output, which means the scheme is not over illuminated at the start to compensate for lumen depreciation over time.
- Use of high quality ENEC Plus registered luminaires.
- Proposal to turn off luminaries at 22.00 each night.

The lighting assessment indicates that whilst there will be some limited light directly behind the luminaires, they are of such low output that they will not produce any glare issues for local road users. The design provides for full cut off luminaires to ensure that there is no direct upward light. The existing walkway is surfaced with loose gravel which will reduce reflection and a very low lumen output luminaire is proposed

with a distribution optimised for narrow walkways. This means that very little light is directed outside of the footpath area.

- 7.3.4. Having regard to the above, I am satisfied that the lighting design has been carefully considered to minimise light spillage and to minimise the impact on adjacent residences. Whilst the site is located on lands designated as 'Uplands' in the Development Plan, I do not consider the site to be particularly sensitive from a visual perspective and is typical of surrounding landscape in the area on the outskirts of the surrounding towns and villages. I consider that the existing use of the lands as GAA grounds have been established and on the day of inspection there were several people using the walking track. I am of the view that the restriction of the hours of operation of the floodlights is essential to protect the residential amenities of adjacent properties. Accordingly, on balance, I am inclined to suggest that having regard to the site context, the planning gain to the rural community, the established use of the site, the separation distances to nearby properties, and the mitigation measures and restriction of hours of operation, the proposed floodlighting would not have an undue detrimental impact on amenities in the vicinity of the site.

7.4. Appropriate Assessment

- 7.4.1. Having regard to the minor nature of the proposed development, the nature of the receiving environment, 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 have a significant effect individually or in combination with other plans or projects on a European site.

8.0 Recommendation

- 8.1. I recommend that planning permission for the proposed development should be granted, subject to conditions, for the reasons and considerations set out below.

9.0 Reasons and Considerations

Having regard to the nature and scale of the proposed development and the existing established use of the site as a sports/recreation facility, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity, would be acceptable in terms of traffic and convenience and would 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, as amended by the further plans and particulars submitted to the planning authority on the 2nd day of July, 2021, and by further plans and particulars received An Bord Pleanála on the 30th day of September, 2021, except as may 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 interests of clarity.

2. The floodlights shall not be in operation between the hours of 2200 and 1000 Monday to Sunday.

Reason: To protect the residential amenities of adjoining properties.

3. Drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.

4. The development hereby approved shall adhere to the specifications and limitations for the type of floodlights and the operation of the floodlights set out within the report 'Lighting Design Report and Specifications for Walking Track' received by the planning authority on the 16th day of July 2021. The lamps to be used shall be maintained in good order to ensure compliance with the required Lux levels and to ensure the correct light angles are maintained on the walking track and do not increase increased light spill to nearby properties.

Reason: To protect the amenities of the area.

5. Site development and building works shall be carried out between the hours of 0800 to 1800 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays or public holidays. Deviation from

these times shall 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.

Emer Doyle
Planning Inspector

7th January 2022