



An
Bord
Pleanála

Inspector's Report

ABP-314865-22

Development	Relocation of existing site entrance and access roadway, development of training pitch with lights, development of Clubhouse and ancillary facilities, revised site boundaries and associated site works and services.
Location	Keenaghan Td, Carrick on Shannon, Co. Leitrim
Planning Authority	Leitrim County Council
Planning Authority Reg. Ref.	21261
Applicant(s)	Carrick on Shannon Rugby.
Type of Application	Permission.
Planning Authority Decision	To grant.
Type of Appeal	Third Party
Appellant(s)	Joseph O'Connor & others
Observer(s)	None.
Date of Site Inspection	7 th February 2023
Inspector	Deirdre MacGabhann

Contents

1.0 Site Location and Description	4
2.0 Proposed Development	5
3.0 Planning Authority Decision	7
3.1. Decision	7
3.2. Planning Authority Reports	8
3.3. Prescribed Bodies	9
3.4. Third Party Observations	9
3.5. Planning History	10
4.0 Policy Context.....	11
4.1. Development Plan.....	11
4.2. Natural Heritage Designations	11
4.3. EIA Screening	11
5.0 The Appeal	14
5.1. Grounds of Appeal	14
5.2. Applicant Response	16
5.3. Planning Authority Response	17
5.4. Observations	18
5.5. Further Responses.....	19
6.0 Assessment.....	20
6.5. Principle/Location.....	21
6.6. Cumulative Impact Assessment.....	22
6.7. Traffic and Traffic Management	22
6.8. Impact on Privacy/Residential Amenity.....	24

6.9. Loss of Mature Trees and Hedgerow	27
6.10. Drainage and Impacts on Water Quality	28
6.11. Floodlights and Lighting	29
6.12. Archaeology	30
7.0 Appropriate Assessment.....	30
8.0 Recommendation.....	31
9.0 Reasons and Considerations.....	31
10.0 Conditions	31

1.0 Site Location and Description

- 1.1. The 2.68ha appeal site is situated c.2.5km to the north east of Carrick on Shannon town centre. It is situated to the west of a county road (L-1745) that links the Castlecara Road (L-3408, from Carrick on Shannon) with the N4 national primary route at Tully, c. 2.7km to the south east of the site. Castlecara Road (L3408) has a footpath (part cycle path) from its junction with the N4 in Carrick on Shannon to the minor county road serving the appeal site. The minor road on which the site is situated has a recently constructed footpath along its southern side to the rugby club grounds.
- 1.2. The junction of the minor road and Castlecara Road is c.170m to the north west of the existing entrance to the Rugby Club grounds. At this junction the speed limit is 50kph.
- 1.3. The existing rugby club grounds are set back from the public road behind existing dwellings and sheds. The grounds include an access to the site from the county road which leads to a hard standing area with 3 no. containers situated on it. To the south east of the access road is a playing pitch and to the west of the main pitch is a training/practice pitch. The appeal site excludes the training field and comprises:
 - A new entrance to the site from the county road to the north of the existing entrance. It is routed via agricultural land and woodland and joins the public road between two derelict structures.
 - The hardstanding area to the north of the playing pitch.
 - The main playing pitch, which has been constructed by raising the ground level to provide a flat playing surface. Advertising hoarding is in place, mounted on the timber fence surrounding the pitch. The hedgerow to the east of the pitch has recently been cleared to leave a number of hedgerow trees.
 - An agricultural field to the south of the main pitch. This field is a lower level than the main pitch and is separated from it by a hedgerow that has recently been cleared to leave some hedgerow trees. The hedgerow along the eastern boundary of the field has also been cleared. The field slopes towards

its southern boundary and a ditch/small stream runs along this boundary in a south westerly direction.

- 1.4. To the east of the site, are three residential dwellings which back onto the site and a further three on the opposite side of the county road. Rear gardens of the adjoining single storey properties slope towards the appeal site. To the south of the site, there are a number of one off houses along the county road.

2.0 Proposed Development

- 2.1. The proposed development, as modified by FI submitted on the 11th August 2022 (readvertised on the 24th August 2022), comprises:

- The relocation of the existing entrance to the site and access roadway, with the new recessed entrance and internal roadway located to the north of the existing. The internal access road includes a spur along the eastern side of the main pitch.
- The entrance to the site will include recessed metal entrance gates framed by rendered wall, pillars, pedestrian gates and fencing. Sightlines of 120m will be provided to south and 63m to north (measured 3m from road edge). The planning application states that over 110¹ car parking spaces are provided within the site boundaries and an additional 32 along the internal access road (this compares to a requirement for 80 spaces). Four bus stop places are also provided, three to the north east of the clubhouse and one to the southwest of it.
- The internal access road and car parking area will be lit by street lighting (6m in height).
- The development of a training pitch to the south east of the existing pitch. The site of the pitch will be raised to +55.533 FGL, to provide a flat playing surface from its current level of c.52.3-53.6. Approximately 11,800m³ of will be imported to the site, with the applicant to apply for Certificate of Registration. The haul route to the training pitch, for the importation of fill, will be via the new entrance and access route, south east of the proposed

¹ NB I calculate 114 car parking spaces in the area of the Club and 32 along the internal access road (146 in total).

clubhouse and along the north eastern side of the existing training pitch (see Drawing No. P04).

- The existing pitch and proposed training pitch will be lit by six no. floodlights on a 18m high structure. Floodlighting will operate no later than 10pm.
- The development of a Clubhouse to the north west of the existing pitch containing changing rooms and ancillary facilities (total floor area = 491sqm). The two storey Clubhouse includes main entrance, foyer, kitchen, office and changing facilities at ground floor and gym, lounge and offices at first floor. There is also a viewing balcony at first floor overlooking the pitches and a terraced spectator seating area underneath. Externally the Clubhouse is finished in pigmented render and corrugated metal sheeting.
- Revised site boundaries - To exclude existing site entrance and existing training pitch (to become obsolete) and include the proposed revised site entrance. It is stated in the response to FI that the site will be secured by a 1100mm stockproof fence.
- Associated site works and services.

2.2. Water supply is from an existing connection and wastewater will be disposed of into the public sewer, again via an existing connection. Surface water will be disposed of into on site stormwater soakaways via petrol interceptor (see Drainage Layout, Drawing 05). Arrangements include two 30m long trench soakaways to the east of the training pitch. The planning application includes:

- Statement for Screening for Appropriate Assessment (6th December 2021). This document concludes that there will be no potential for effects on European sites.
- Details of lighting along avenue, parking areas, main pitch and training pitch (including unsolicited FI received on the 21st December 2021).
- Assessment of light spill arising from floodlighting. Concludes that there will be no significant light spillage into adjoining properties.
- Consent from landowner to lower existing post and rail fence to provide enhanced sightlines at proposed entrance and for use of lands to the south west of the main pitch for materials haulage during construction.
- Traffic Management Plan (to ensure that no traffic is parked on the public road).

- Landscaping Plan.

3.0 Planning Authority Decision

3.1. Decision

3.1.1. On the 20th September 2022 the PA decided to grant permission for the development subject to 17 no. conditions, including the following:

- C2 – Provision of sightlines, use of new entrance for construction activity, provision of fill to require Certificate of Registration, existing entrance to be closed off.
- C3 – Restricts use of clubhouse to purposes and functions connected with the Club and precludes use for events or functions independent of the club to include events and functions for club members or their families.
- C4 – Precludes parking along the adjoining public road and requires stewards and the implementation of Traffic Management Plan during peak parking demand and/or large events.
- C5 – Requires calculations in respect of surface water management system and further SUDS measures as necessary.
- C7 – Requires implementation of landscaping scheme.
- C8 – Controls floodlighting and requires it be directed away from adjacent housing and to reduce light scatter. Any impacts on third party residential dwellings adjoining the site to be mitigated to the satisfaction of the PA.
- C9 – Restricts operational hours of floodlighting to 10.00pm or before 8.00am and where possible that all other lighting be switched off when the complex/grounds are not in use.
- C11 – Requires a Construction Management Plan.
- C14 – Restricts noise to specific limits (LA_{eqT} , 55dB(A) 8am to 10pm, Monday to Saturday, where $T = 1hr$ and 45db(A) at all other times, where $T=15$ minutes).
- C16 – Requires bunding of over ground tanks containing liquid.

3.2. Planning Authority Reports

3.2.1. Planning Reports

- 15th February 2022 – Refers to the site, its location and proximity to recorded monument (LE031-011) with the site falling within the exclusion zone around the monument. It states that the plans for the development do not reflect the pitches/structures/hardcore on site and that the existing access is associated with lands for proposed 4 no. dwellings under PA ref. 21/259. The report screens the development for EIA and AA. It considers that there is insufficient information in terms of the volume of material to be imported to conclude in respect of EIA. AA is not required on the basis of the nature of the application, distance from European sites and no obvious hydrological link. The report assesses the merits of the development under a number of headings and considers that the principle of the development has already been accepted at the site, Mobility Management Plan under C7 of previous permission remains applicable, parking provision is acceptable (refers to 151 spaces), overlooking residential development will not arise (distance and screening) . The report recommends a condition in respect of archaeological monitoring and further information in respect of the issues raised in the report and in observations.
- 20th September 2022 – Confirms that applicant will be required to complete Certificate Registration for the import of fill (c.11,800m³ = c.17,700 tonnes, based on 1 cubic metre equating to 1.5 tonnes). The report considers that the matters raised have been adequately addressed and recommends granting permission subject to conditions.

3.2.2. Other Technical Reports

- Enforcement (Access Officer) (11th January 2022) – No objections subject to it satisfying standard planning assessment criteria.
- Area Engineer (12th January 2022) – No objections subject to conditions. Subsequent report (5th September 2022) no objections subject to conditions.

- HSE (11th January 2022) – Requires a pest management plan and waste management plan. Subsequent report (1st September 2022), no further comments.
- National Road Design Office (26th January 2022) – Development located within the constraints study for the N4 Carrick on Shannon to Dromod Project, but outside proposed option corridors. Project therefore unlikely to impact on development. Sightlines shown incorrectly on plans (to opposite edge of road).
- Assistant Chief Fire Officer (8th February 2022) – No objections.

3.3. Prescribed Bodies

- None.

3.4. Third Party Observations

3.4.1. There are three third party observations on file. They raise the following concerns:

- Lack of compliance with conditions under PL12.244577. Lack of confidence that conditions of any new permission will be complied with.
- Inappropriate location. Outside town boundary. Alternative available at Shannonside Recreational Campus. Backland development.
- No need for development (existing training pitch at site).
- Not in keeping with development in the area.
- Loss of privacy, impact on residential amenity and property values arising from overlooking, inadequate separation, loss of hedgerows, changes to levels and proximity. Sections misleading.
- Traffic hazard/traffic issues – Inadequate local road to serve the development (L-7415), likely significant increase in traffic with development. Inadequate traffic management plan/implementation of plan.
- Nuisance from noise and lighting (Saturday and Sunday mornings). Elevation and loss of hedgerows amplifies. Greater proximity of training pitch to houses. Height of floodlights on raised ground will intensify effects. Impact of floodlighting on bats.

- Increase in anti-social behaviour in the area with rugby club built.
 - Construction impacts on residents (noise, dust and pollution, traffic safety issues). Lack of clarity re haul route within the site for fill.
 - Inadequate details on how sightlines will be achieved.
 - Impact on biodiversity with loss of mature vegetation. Proposed landscaping insufficient to compensate for losses. Incorrect address on landscaping proposal and application should be invalidated. Plan includes non-natives species.
 - Fencing not shown in drawings.
 - No details on hours of operation.
 - No details of source of fill material. Potential for effects on local environment (watercourse along southern boundary of proposed training pitch).
 - Inadequate arrangements for discharge of surface water from the site. Likely to result in flooding of the rear gardens of properties adjacent to it.
- Compliance with provision of petrol interceptor.

3.5. Planning History

3.5.1. The following planning applications have been made in respect of the Rugby Club grounds:

- PA ref. PL12.244577 (PA ref. 14/23) – Permission granted by the Board for retention of newly constructed playing surface and three existing temporary structures including waste holding tank. Retention of existing lighting and erection of additional training lights. Permission was subject to 21 conditions.
- PA ref. 16/154 – Permission granted for erection of temporary toilet and shower block to the north west of the main pitch.

3.5.2. In addition, under PA ref. 21/259 an application has been submitted for four dwellings on land to the east of the appeal site. The application site includes part of the existing access route. Outline permission has been granted by the PA and is the subject of a current appeal (ABP-312979).

4.0 Policy Context

4.1. Development Plan

- 4.1.1. The appeal site lies within the administrative area of the Leitrim County Development Plan 2015 to 2021 (as varied) which was extended to 31st March 2023 by Leitrim County Council on the 4th July 2022. The site lies to the north east of, and outside, land zoned in the Carrick on Shannon Local Area Plan (see attachments). Section 5.1.2 the CDP, Development Management Standards, Location of New Development, encourages new development to locate in existing towns and villages where services can be economically provided and the social and urban structure can be consolidated, in accordance with the principles of sustainable development. Policies in respect of Sport and Recreation support sporting facilities throughout the county, in both urban and rural areas (section 4.10.5, policy 111 and objective 103). Policy objectives 76 and 78 (section 4.8.3.10 Trees, Woodlands & Hedgerows) discourage the felling of healthy mature trees and the preservation of existing hedgerows. Policy objective 79 requires payment of a bond in all relevant permissions relating to the retention, relocation or reestablishment of hedgerows in decisions on development. Policies in respect of residential development consider areas adjoining towns and villages that are under pressure from residential development to be considered 'low capacity areas'. The subject site, north east of Carrick on Shannon, falls within such an area (see attachments). However, the policy is not relevant to non-residential development.

4.2. Natural Heritage Designations

- 4.2.1. The appeal site is removed from sites of natural heritage interest (see attachments). The nearest national site is c.2km to the north west and comprises Lough Drumharlow proposed Natural Heritage Area (pNHA). Nearest European sites lie >10km.

4.3. EIA Screening

- 4.3.1. Schedule 5 of the P&D Regulations, 2001 (as amended) sets out classes of development which require EIA. The proposed development does not fall directly

within any of the classes listed. However, Class 11(b) of Part 2 refers to installations for the disposal of waste with an annual intake greater than 25,000 tonnes. The term 'waste' is defined in the EU Waste Framework Directive as 'any substance or object which the holder discards or intends or is required to discard'. The proposed development is not an installation for the disposal of waste, but effectively imports waste for fill and is therefore a mechanism for disposal. Adopting a precautionary approach, I consider it appropriate therefore to have regard to this threshold when considering the matter of EIA.

- 4.3.2. In order to facilitate the training pitch it includes the importation of c.11,800 cubic metres of imported fill. There is no indication of the type of fill likely to be imported to the site. It is stated in the Planning Report that this equates to c.17,700 tonnes. For comparative purposes 11,800 cubic metres of top soil equates to c. 18,730 tonnes². In contrast, 11,800 cubic metres of mixed construction and demolition waste would weigh c.9,800 tonnes³. It is unlikely that top soil would be used for the entire fill operation and therefore the PAs estimate of likely weight of imported fill is not unreasonable. It is likely, therefore that the importation of fill is likely to be substantially below the threshold for EIA. Further, the development involves a one off importation of soils, further reducing the likelihood of significant effects (i.e. for recurring impacts).

Characteristics of the Proposed Development

The proposed development is relatively modest in size, land take and use of natural resources. Construction works will give rise to short term effects by way of noise, dust and increase in traffic. Potential effects on water quality may arise from the importation of soil to create the training pitch and the discharge of surface water once operational (from the car park). On completion the facility may attract a greater number of users to the site, with increased traffic, noise and artificial lighting arising on the site. Cumulative effects may also arise if the development is progressed in tandem with the proposed housing development to the east of the site. Cumulative

² Conversion factor tonnes to cubic metre of 0.63. <https://www.alsoils.co.uk/how-much-is-a-tonne-of-topsoil#:~:text=Generally%20speaking%2C%201%20tonne%20of,tonne%20of%20soil%20per%20bag!>

³ Conversion factor tonnes to cubic metres of 1.2

https://www.sustainabilityexchange.ac.uk/conversion_factors_for_calculation_of_weight_to_vo

effects also arise with the additional raising of land (proposed training pitch together with existing main pitch).

Location of Development

- 4.3.3. The appeal site is situated in a rural area that is largely removed from designated sites of nature conservation interest of other sites of significant environmental sensitivity.
- 4.3.4. Part of the proposed car park lies partially within a zone of archaeological potential surrounding a scheduled National Monument (a circular platform with fosse). The site has been the subject of archaeological appraisal and no remains were found on the site. Any significant impact on archaeology is therefore unlikely (see further comments below under Planning Assessment).
- 4.3.5. The practice pitch lies immediately north of a stream which flows in a southerly direction with likely discharge into the River Shannon downstream of Carrick on Shannon. Approximately 10km downstream of the discharge point the River Shannon empties into Lough Forbes Complex SAC. Importation of fill, without mitigation, could give rise to impacts on water quality in the stream. However, with settlement and dissipation, effects on water quality are likely to be local, with no downstream effects on national or European sites.
- 4.3.6. To the east of the site are three residential dwellings on the western side of the county road and a further three dwellings on the opposite side of the public road. There is potential for effects on these dwellings by way of noise, traffic and light arising from the development.

Types and characteristics of potential impacts

- 4.3.7. The proposed development is likely to give rise to adverse effects on the environment during construction and operation. Mitigation measures have the potential to reduce these effects, for example, by way of construction management plan to reduce the risk of water pollution and to manage noise and traffic effects. Notwithstanding this, by virtue of its modest scale and location in an area where there is little environmental sensitivity, the development is not likely to give rise to significant effects on the environment in terms of magnitude or spatial extent. Impacts are likely to be short term, local effects with the potential for localised

cumulative local effects if constructed alongside the proposed housing development. I am satisfied therefore 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.

5.0 The Appeal

5.1. Grounds of Appeal

5.1.1. The third party appeal is made by owners of adjacent properties. Grounds of appeal are:

- Past performance. Disregard the club has shown for the planning process/residents (retention permission PA ref. 14/23 and PL12.244577 and lack of compliance with conditions of the permission in respect of drainage, implementation of traffic management plan, layout out of parking area, floodlighting, lighting, noise, litter and waste management, signage/advertising and bunding of storage tanks). Little faith in future compliance/enforcement action. No application for waste permit/certificate of registration under PL12.244577. Breach of waste management legislation should be taken into account when assessing the current application.
- AA. Screening for AA should be carried out by person with appropriate expertise. No screening to amend previous permission.
- Cumulative impact assessment. Development should be considered in conjunction with previous grant of permission (PL12.244577) and landowners application for four dwellings (PA ref. 21/259) in Low Capacity area.
- Principle/location. Site is on unzoned lands, outside of a town and in a Low Capacity area. Conflict with section 4.2.2.14 of CDP, protection of Low Capacity Areas to serve residential needs of the local community. Shannonside Recreational Campus would be a better location for the development, to accommodate traffic arising and more easily served by public transport. Development contributes to urban sprawl and is not sustainable.

Sufficiency of funding to comply with any conditions of permission. Existing training pitch is at a more suitable location and could be extended.

- Traffic. Development should align with draft CDP from a land use and transport perspective, as per NRDO comments under PA ref. 21/259 (application for 4 no. houses on adjoining lands). Intensification of development will lead to reduction in carrying capacity of public road, reduce traffic safety and inhibit orderly development of town. Inadequate sightlines, less than required by CDP and given use of road as a rat run to connect to N4 at Tully. Excessive traffic travels at speed on the road, in particular with improvements (width, footpath and lighting). Lowering of speed limit would not reduce speeds.
- Drainage. Disregard for previous conditions under PL12.244577 regarding the installation of drainage on existing site. Inadequate arrangements to drain proposed 6.64 acre site. PA report refers to absence of calculations to support adequacy of drainage arrangements. Low lying/wet area. Risk of flooding of rear gardens with drainage arrangements and slope from raised pitch to rear boundary of the site and adjacent gardens.
- Loss of privacy/residential amenity. Overlooking from two storey Clubhouse given its elevation relative to properties and rear gardens. Compounded by removal of hedgerows. Loss of residential amenity with proposed 2-3m bank of fill to rear of properties. Public access and security issues with loss of hedgerows to rear of property.
- Loss of mature trees and hedgerows. Conflict with objective 76, 78 and 79 of CDP. Loss of hedgerow between existing and proposed pitch not indicated on plans. No clarity on extent of loss of mature trees to facilitate new entrance. Cumulative effect with loss of trees along public road to facilitate widening. No ecological survey. Potential for effect on bats. Species rich hedgerows warrant safeguarding. Inadequate landscaping plan, many years to establish and will not provide adequate screening. Loss of hedgerows unnecessary. No bond imposed under Objective 79.
- Water quality. No assessment of impacts on water quality with filling of area alongside southern boundary and removal of hedgerows.

- Traffic management. Lack of management of traffic during busy periods, with parking on public roads and on observer's property, with creation of dangerous situation for local residents.
- Floodlights. Lighting installed along public road to serve Club and 4 no. houses proposed under PA ref. 21/259. Do not serve existing properties adjacent to Rugby Club. Increase in intensity of lighting in area with proposed floodlighting and impacts on increased number of sensitive receptors. No studies on impacts on night sky and wildlife.
- Archaeology. Archaeological assessment required under PL12.244577 but not included as a condition of the subject permission, despite recommendation in Planning Report.
- Access to training pitch. Concerned that roadway to be built between pitches and residential dwellings will be used regularly.
- Landownership. No details requested from applicant of lease from landowner.

5.2. Applicant Response

5.2.1. The applicant makes the following response to the appeal:

- Lease has expired on existing training pitch. Club in process of purchasing lands for main pitch, proposed training pitch, Clubhouse and access.
- Club involved in development of Shannonside Recreational Campus but continues to need their own facilities.
- Previous planning conditions have been complied with (see attachments to response).
- Landscaping plan includes for the retention of existing trees where possible and the creation of a wildlife corridor using new native trees.
- Provide revised arrangements for the disposal of surface water via the provision of a soakage area/channel along the western side of the training pitch (see technical report attached to submission).

5.3. Planning Authority Response

5.3.1. The PA response (11th November 2022) makes the following additional comments on the appeal:

- Appellants live opposite existing entrance to Club and one adjoining the site.
- Rugby Club not the subject of enforcement action. Site was subject to enforcement, with case closed in 2015. Rugby Club has complied with conditions of the planning permission granted (Traffic Management Plan, Mobility Management Plan, archaeological assessment, litter plan, Construction Management Plan). Club has not proceeded with floodlighting.
- Low Capacity Area relates to individual housing proposals.
- Previous development did not require Waste Permit/Certificate of Registration.
- Development of Shannonside Recreational Campus on going (no acquisition of site or funding). It is for the Rugby Club to decide on their level of participation. Applicant is entitled to develop facilities on the site. Not a function of the planning system to require evidence of financial ability to complete project.
- Existing training pitch is no longer available to the Club.
- Site is outside of the Preferred Transport Solution for the N4 Carrick on Shannon to Dromod Project (see attached letter from NRDO submitted under PA ref. 21/261).
- Adequacy of sight distances has been addressed in the Planning Report, taking into account the comments of the District Engineer. District Engineer is in the process of relocating utility pole at junction of local road with Castlecara Road which impedes sightlines.
- Applicant to address issue of surface water drainage via response to the appeal. PA insufficient time to request clarification of FI re surface water drainage. Matter can be dealt with by condition.
- Proposed balcony overlooks pitches not dwellings at considerable separation distance. Loss of hedgerow and impact of overlooking of dwellings due to change in ground levels is unsubstantiated and overly dramatic.
- Widening of public road is not a matter for the appeal. Accept that 70 no. mature trees were removed.

- Removal of hedgerows and trees does not require planning permission. Understand that Club had issues with ash die back and overhanging branches. Hedgerows forming boundary between existing and proposed pitch and between pitches and 3 no. houses have been removed on site (November 2022). No condition that required their retention. No statutory basis to require removal outside of bird nesting season. Works have had a significant effect on the character of the main pitch and boundary treatment between site and adjoining property.
- Issues in respect of importation of soil are the subject of a separate consent process.
- Adherence to Traffic Management Plan discussed with Club who have committed to implementing it. No dates on photographs submitted by appellants. Do not condone behaviour by motorists, but occurs infrequently and for short periods.
- Conditions imposed deal with floodlighting and lighting.
- Application not referred to DAU as development only partially located in Zone of Notification of recorded monument. Area affected has already been subject to archaeological assessment, with no identification of any surviving archaeology.
- No issues with condition restricting access road to training pitch to be restricted to emergency vehicles and maintenance of pitch.
- Issue of lease is not considered an issue for granting of planning permission. Consent from landowner provided. Person not entitled solely by reason of permission to carry out any development.
- No impact on third parties arising from surface water drainage/hard core treatment on site.
- Installation of advertising around the perimeter of a pitch is exempted development (Class 7, Part II, Schedule II of PD Regulations 2001, as amended).

5.4. Observations

- None.

5.5. Further Responses

Appellant

5.5.1. The appellant makes the following additional comments on the submission from the PA:

- Another local residents has made submissions in respect of Rugby Club development (Appendix 6).
- Question planning history of site (need for planning permission for pitch, compliance with waste management legislation, including that under Waste Permit and EIA legislation sites cannot be split up to avoid complying with legal obligations).
- Rugby Club submitted Traffic Management Plan but did not implement it.
- Incidents of antisocial behaviour at the grounds.
- Floodlights have been installed and do not comply with PL12.244577. Floodlighting is directed towards dwellings and causes traffic hazard (glare) on L-1745. Height of floodlights and recent loss of hedgerows will exacerbate effects.
- Inadequate assessment of archaeological impacts. Site boundary for development has expanded and archaeological features in the area necessitating survey in new areas.
- Concerns re overlooking remain despite assurance that use of Clubhouse will exclude private parties.
- Installation of footpaths, street lighting, dropped kerbs and gateways along roadside lead appellant to believe that decisions were made before the receipt of a planning application for the development and for 4 no. dwellings under PA ref. 21/259 and PL12.312979).
- Trees removed by Rugby Club comprised variety of species, including Annex IV species, with no evidence of ash die back as referred to by PA. Trees were c.8-10m from pitch and unlikely to cause overhanging of pitch. The decision of the PA could have required the retention of these. Loss of trees amplifies the effects of the development on neighbouring properties.
- Hedgerow drain between housing and pitch has been filled in without consent from dwelling owners.

- No details in planning application of drain that runs along boundary of existing and proposed pitches. Surface water should be dealt with within the site. No details of how surface water runoff from 14m sloping embankment will be dealt with.
- Signage on the site is now visible from the L-1745, contrary to requirements of Class 7, Part II of Schedule II P&D Regulations. With loss of hedgerow, lack of metal signs also act as mirrors and create glare (photograph 62, Appendix 5).

Planning Authority

5.5.2. The PA make the following additional comments on the applicant's response to the appeal:

- Since Rugby Club removed hedgerows complaints have been received from residents regarding impact of floodlighting on amenity. Matter will be investigated, but hedgerow removal does not require planning permission.
- Welcome revised surface water management proposals but recommend a condition which provides for the overall change in direction of fall from that indicated in Drawing No. P05.

6.0 **Assessment**

6.1. Having examined the application details and all other documentation on file, including the submissions received in relation to the appeal, and inspected the site, I consider that the main issues in this appeal relate to:

- Principle/location.
- Appropriate Assessment (addressed in section 7.0 of the report).
- Cumulative impact assessment.
- Traffic and traffic management.
- Impact on privacy/residential amenity.
- Loss of mature trees and hedgerows.
- Drainage and impacts on water quality.

- Floodlights/lighting.
- Archaeology.

6.2. In addition, the appellant refers to the past performance of the applicant and to issues of non-compliance. This is disputed by the applicant and the planning authority. From my inspection of the site it is apparent that matters that were required by condition of the Board's previous permission under PL12.244577 have not been complied with, notably the demarcation of car parking spaces. There would also appear to be on-going issues with the management of traffic, floodlighting and more recently signage/advertising and glare. Notwithstanding this, compliance with conditions of a permission is the responsibility of the PA or for regular breaches of an authority's planning functions, through the Office of the Planning Regulator.

6.3. With regard to compliance with Waste Management Legislation for the existing main pitch, this a matter which is dealt with under another code and therefore falls outside the scope of this appeal.

6.4. I do not consider it necessary for the applicant to provide details of landownership or financing, as any permission granted does not of itself convey a right to develop land and any development, to be authorised, is required to adhere to all of the conditions of the permission.

6.5. **Principle/Location**

- 6.5.1. The appeal site is situated in a rural area, outside of the boundary of Carrick on Shannon on land which is not zoned for development. It is located in a Low Capacity Area, however, this refers to the PA's policy in respect of rural housing and is not relevant to the proposed development. Development management policies of the Leitrim CDP (section 5.1.2) encourage new development to be located in towns and villages where services can be economically provided and the social and urban structure can be consolidated in accordance with the principles of sustainable development. However, Policy 111 in respect of sport and recreation, also supports appropriate high quality recreational and amenity facilities in urban and rural areas.
- 6.5.2. In this instance, the appeal site is an established Rugby Club with a training pitch, main pitch and associated facilities. Whilst there may be advantages in terms of

public transport to a site in an urban area, it is not unreasonable for the Club to bring forward an application for the development of the Club's existing grounds in the rural area in which it is located, in particular in view of Policy 111.

- 6.5.3. Parties to the appeal also refer to the Shannonside Recreation Campus being developed in Carrick on Shannon. This project would seem to be at a developmental stage, with neither lands or funding in place. The applicant has stated that the Club is involved in the provision of this Campus but would continue to need its own grounds. This requirement is not unreasonable and I consider that the applicant is entitled to make the planning application for the proposed development within the existing policy context, and for it to be adjudicated upon on its merits.
- 6.5.4. Parties to the appeal refer to the existing training pitch on the site and the absence of need for the proposed development. In response the applicant states that the lease on the training pitch has expired and the arrangements are underway to acquire lands for the main pitch and proposed training ground. Whilst I would acknowledge the concerns raised by the appellants in respect of the additional resources required for a replacement training pitch, the applicant is entitled to bring forward the proposed development in particular as this is driven by landowner requirements.

6.6. Cumulative Impact Assessment.

- 6.6.1. The appellant argues that the proposed development should be considered in conjunction with the previous grant of permission (PL12.244577) and the application for the outline permission of four dwellings on adjoining land (ABP-312979). This report has regard to both the development context (planning history of the site) and, in principle, to the development of adjoining lands in terms of cumulative impact assessment under EIA and AA and the issues raised in the appeal.

6.7. Traffic and Traffic Management

- 6.7.1. The appeal site lies outside of the Preferred Transport Solution for the N4 Carrick on Shannon to Dromod Project. Concerns raised in respect of alignment with policies of the CDP have been addressed above.
- 6.7.2. From the information on file provided by the applicant, PA and appellant, it is evident that use of the Club grounds increases traffic on the local road, in particular when

certain events like blitzes are held. Further, it would appear that traffic arising cannot be accommodated with the subject site and leads to *ad hoc* parking on the public road at busy times. Management of parking by the Club is disputed by the appellant and evidence is presented of parking on the public road, at entrances to houses etc. However, at site inspection I noted clear signage by the Club asking patrons to park in the Club grounds.

- 6.7.3. The proposed development provides for c.146 car parking spaces with the Club grounds together with bus parking and appropriate turning areas. This is substantially in excess of CDP requirements for parking provision (15 per playing pitch; 1 per 10m² of sports club; 1 for staff = 80). The proposed development is likely, therefore, to improve the existing situation by significantly reducing or eliminate parking on the public road/outside of the site and provide additional capacity for larger events. Further, the county road (L- 1745) has been widened from its junction with the Castlecara Road to the residential dwellings to the east of the appeal site. This has increased the capacity of the local road in the location where most traffic is likely to emanate from i.e. from Carrick on Shannon via the Castlecara road rather than from Tully to the south, which is a longer route from the town and a more minor road.
- 6.7.4. Sightlines of 120m to the south and 63m to the north are proposed at the entrance to the site, from a point 3m back from the road edge and to the nearside of the public road. Table 26 of the CDP, Sightlines, requires 120m sightlines on county roads where the speed limit is 80km/hr. Where the speed limit is 60kph or less the table indicates that 70m sightlines are also acceptable on county roads.
- 6.7.5. The entrance to the appeal site lies within c.100m of the junction of the L-1745 and, contrary to the appellant's view, I consider that this does have the effect reducing traffic speeds from the designated 80kph. Further, it is evident from inspection of the site that the sightline to the north is restricted somewhat by the timber fencing that has been erected alongside the road and the alignment of the public road (however removal of trees allows some view of traffic beyond the sightline). In the course of the appeal, the applicant has provided consent from the landowner to allow the lowering existing post and rail fence to achieve the proposed sightlines and this arrangement has been accepted by the Roads Engineer. Having regard to the location of the access to the site in proximity to the 50kph speed limit zone, the light

traffic observed on the road during site inspection and likely traffic tending towards congestion in busier times (e.g. training/matches), I consider that the arrangements are acceptable.

- 6.7.6. The applicant has provided a Traffic Management Plan in response to the request for FI. Its objective is to ensure that no traffic is parked on the road adjacent to the pitch and that no bottlenecks arise as a result of an event held at the pitch. The Plan refers to the current arrangements on site (parking space for 40 cars), a shuttle bus service for parking away from the site for excess traffic and provides procedures and stewards for managing traffic on the roads in the vicinity of the site. The Plan is not unreasonable and would need to be updated in line with any permission. It is also not unreasonable that resources are allocated to traffic management in relation to the scale of traffic likely to be arriving at the facility.
- 6.7.7. In the interest of sustainable development, I would also recommend a mobility management plan that requires the club to provide for incentives to encourage the use of mini-bus transport, cycling, walking and car-pooling by users of the development (I note that an extensive footpath, part cycle path from Carrick on Shannon provides access to the site).
- 6.7.8. With respect to cumulative effects with the proposed residential development on land to the east of the site, in principle these are unlikely to add significantly to traffic movements in the area of the site or risk of traffic hazard.

6.8. Impact on Privacy/Residential Amenity.

- 6.8.1. To the east of the existing rugby club grounds and to the east of the proposed training pitch are three residential dwellings that back onto the appeal site. The rear façade of the dwellings are c.45-50m from the rugby club grounds with rear gardens sloping towards the shared boundary. Until recently, mature hedgerows along the eastern boundary of the main pitch and agricultural field to the south of the site and between the main pitch and proposed training pitch, screened the properties from the rugby club. This is evident from photographs on file (Planning Report and submissions by appellants) and from inspection of the site.
- 6.8.2. The proposed development introduces a two storey club house to the rugby grounds situated to the north west of the main pitch. The club house is >50m from the north

eastern boundary of the appeal site and >100m from the rear façade of any the three dwellings to the east of the site. At this distance, the views from the two storey structure, including external balcony, are unlikely to seriously overlook either the rear gardens of the dwellings or the residential properties. However, the Board may wish to include a condition that a screen is provided along the northern side of the balcony to direct views to the pitch and restrict views towards the properties.

- 6.8.3. The lands forming the training pitch will be raised to a ground level of 55.533 (see site sections). This will be c.2m below the level of the main pitch at c.57.52. With the proposed elevation, the training pitch has the potential to overlooking of the lower rear gardens of the two dwellings to the east of the site. This issue is significantly exacerbated by the loss of the previous mature vegetation visually separating the sites. Similarly, use of the proposed access road to the north east of the main pitch and training pitch, would bring patrons in closer proximity to rear gardens with the potential for overlooking.
- 6.8.4. Submitted with the planning application is a landscaping plan⁴. It proposes a new native hedgerow around much of the perimeter of the site and a wildlife corridor to the north east of the training pitch and sloped embankment. In principle, landscaping along the shared boundary between the rugby club and residential properties has potential in the longer term to significantly reduce overlooking from club grounds to the rear gardens. However, as presented, the landscaping plan is inadequately detailed. It does not indicate the existing trees/hedgerows within the site or the trees/hedgerows to be removed to facilitate the development or those to be retained (e.g. between the main pitch and practice pitch). Further, it does not provide sufficient detail to demonstrate that the proposed hedgerow can be accommodated with the site given the proposals for a perimeter fence, car parking and access road to north east of the training pitch.
- 6.8.5. In order to mitigate the effects of the development on the adjoining residential property, the landscaping of the site is an important aspect of the development and one which has not been adequately demonstrated. Having regard to the planning history of the site, it may be an option for the Board to refuse permission for the

⁴ The landscaping plan refers to the townland of Dromore, but otherwise clearly indicates that it relates to the subject rugby club and is not a significant matter or one to question the validation of the planning application (a matter which falls to the PA).

development on the grounds of likely consequential effect on the residential amenity of adjoining property.

- 6.8.6. Alternatively, and subject to the payment of a bond, I would recommend that permission be granted subject to condition which requires (a) a revised landscaping plan with details of all existing trees and hedgerows within the site, retention of all trees and hedgerows, except that strictly required to facilitate the development, (b) provision of a substantial landscaping belt and wildlife corridor along the north eastern boundary of the site, (c) maintenance and management of trees/hedgerows in perpetuity to maximise biodiversity, and (d) restricting the use of the access road to the training pitch to emergency vehicles and maintenance, with parking specifically excluded.
- 6.8.7. Planting of a substantial belt of hedgerow trees/trees along the north eastern boundary would also reduce unwarranted public access to these properties.
- 6.8.8. Construction and operation of the proposed development has the potential to give rise to noise (e.g. traffic, construction works, play on the pitches/crowd support). The haul route to the training pitch has been identified and is located to the south west of the existing main pitch. For other potential adverse construction effects, standard mitigation measures can be incorporated into a construction management plan to ensure that construction traffic is appropriately managed and that local roads are kept in a clean condition. For the operation of the club, the Board previously include a condition limiting operational noise to 55db(A) during the period 8am to 9pm, Monday to Saturday, and 45dB(A) outside of these hours. These noise limits are standard emission levels that protect residential amenity, for example, the EPA indicate that a noise level of 55dB(A) is equivalent to, in the daytime, a busy road 0.5km away. The proposed development relocates the training pitch to the southern side of the existing main pitch, bringing it closer to adjoining residential dwellings and the potential for cumulative effects with noise from the main pitch. However, as a training pitch a smaller number of spectators are likely to be alongside the pitch. Further, the game would naturally move both towards and away from the dwellings during the course of a match/training. I do not consider that noise will adversely affect the residential amenity of nearby properties. Further, provision of a substantial planting belt between the grounds and residential property may reduce noise that is carried.

- 6.8.9. The appellant refers to the absence of operating hours at the club. My understanding of such a club is activity at weekday evenings on and at weekends, with a seasonal approach to the game. Within this context, and subject to the applicant complying in full with all of the conditions of the permission, I do not consider that it is necessary to introduce operating hours, over and above those which restrict noise and limit use of floodlighting (see conditions).
- 6.8.10. Parties to the appeal refer to occasional anti-social behaviour taking place on the club grounds. The proposed development includes a gated entrance, fencing alongside the road and stockproof perimeter fencing and planting. All of these measures will reduce the potential for anti-social behaviour and are a reasonable physical response by the applicant to the issue. Any future residential development on adjoining lands may also reduce the potential for anti-social behaviour.

6.9. Loss of Mature Trees and Hedgerow

- 6.9.1. As stated above, the loss of trees from the subject site has increased inter-visibility between the rugby club grounds and nearby residential dwellings. I would also accept the appellant's arguments that such removal would appear to be largely unnecessary and in conflict with policies of the CDP which discourage the loss of existing hedgerows, felling of healthy mature trees and their retention with developments. I have set out above recommendations to minimise further tree loss and to mitigate effects on biodiversity.
- 6.9.2. The appellant refers to the loss of Annex IV species. These are species which are strictly protected under the Habitats Directive and include all bat species. No ecological survey was carried out in advance of the removal of hedgerows and trees on the site. However, the appellant's photographs indicate typically native trees on the site. Given the presence of similar species in the immediate area of the site, there is unlikely to have been a significant effect on mobile species (such as bats) or to have a significant effect on biodiversity. Notwithstanding the foregoing, there is no requirement to obtain planning permission to remove hedgerows or trees. Further, the loss of biodiversity can be offset by conditions of the permission, as discussed above.

6.9.3. With respect to the adjoining proposed housing development, this may add to cumulative effects of tree/hedgerow/biodiversity loss if not addressed within the application site.

6.10. **Drainage and Impacts on Water Quality**

6.10.1. Subsequent to the appeal, the applicant proposes directing surface water to the western side of the main pitch and training pitch, with discharge to ground. In response to this proposal the PA notes that the applicant has not provided calculations in respect of drainage and that the alteration to the drainage arrangements will change the direction of fall from that indicated on drawing P05 (FI response)). Condition no. 5 of the grant of permission requires prior to commencement, calculations of surface water likely to be generated to demonstrate the adequacy of the soakaways to ensure that there is no potential for surface water discharge beyond the site and implementation of further attenuation measures if rescissory.

6.10.2. In principle, directing surface water to the west of the pitches would remove the risk of off-site flooding on residential land to the north east of the pitches and is not unreasonable. However, as indicated by the PA the applicant's solution is not comprehensive and any permission would need to address the totality of surface water management on the site including the lack of calculations, clarity regarding existing drainage arrangements for the existing pitch (drainage pipes were observed out falling into the ditch between the main pitch and proposed training pitch), how proposed arrangements and directional fall will integrate with these, the rationale and consequences associated with fill of drainage ditch along the north eastern boundary and the treatment of surface water from the sloped embankment. The Board may wish to consider refusing permission for the development on this ground. However, as the applicant proposes directing surface water away from adjoining residential development and to dispose of it within the site, I consider that the issue be dealt with by condition. For the same reasons there is no potential for cumulative effects with the proposed residential development.

6.10.3. The proposed training pitch will be constructed on land immediately north of a small stream that ultimately discharges to the River Shannon. There is a risk therefore

that, without management, silt laden surface water may discharge from the site impact on downstream water quality. If the Board are minded to grant permission, I would recommend a condition requiring a Construction Environmental Management Plan to deal with all relevant aspects of construction, including methodology and the means to ensure that surface water runoff is controlled such that no silt or other pollutants enter local surface water courses. With respect to the proposed residential development, there is no potential for cumulative effects on the stream to the south of the site, as it is removed from it.

6.11. Floodlights and Lighting

- 6.11.1. At the time of site inspection, it was evident that floodlighting was in place for the hardstanding to the north of the main pitch and to light the practice pitch. Further, from the information on file it would appear that existing floodlighting is affecting property in the area of the site. These matters are ones for enforcement and lie outside the scope of this appeal, which addresses the effects of the proposed development.
- 6.11.2. For the proposed development, the applicant has submitted details of arrangements for floodlighting and lighting along the internal access road, with the technical assessment concluding that no significant light spillage will arise. The technical assessment does not demonstrate how it has arrived at its conclusions. However, it includes measures to minimise light spill (e.g. correct aiming points and beam angles, visors to prevent spill) and has been accepted by the PA. On foot of this, and evidence of successful floodlighting elsewhere, in principle I would accept that lighting and floodlighting can be controlled to illuminate pitches and the rugby club grounds, without causing inappropriate spillage on residential dwellings or the public road. If the Board decide to grant permission for the development, this could be subject to condition, with the PA will be responsible for oversight and compliance.
- 6.11.3. The applicant has not carried out an assessment of likely impact of the development on night sky or species that may be adversely affected. However, the current site is already lit and species are already affected by night time lighting and play. The proposed arrangements move the area of floodlighting further south, away from existing field boundaries but closer to others. I would be satisfied therefore that no

significant additional adverse effects on species will occur. Additional landscaping, as proposed here, will also mitigate effects.

6.12. Archaeology

- 6.12.1. To the north west of the appeal site is a National Monument, LE01775 a circular platform defined by a wet shallow fosse or ditch. The zone of influence of the project includes a small area of car park to the north west of the appeal site. Under PL12.244577 the Board required an archaeological appraisal of the site. This was carried out and it is stated in the PA response to the appeal that the appraisal did not identify any surviving archaeology. Having regard to this, I am satisfied that the subject development, beyond the affected area of the car park, is further removed from the National Monument and will not have any adverse effect on underlying archaeology.

7.0 Appropriate Assessment

- 7.1. The appeal site is substantially removed from any Natura 2000 site. Potential connectivity exists from the subject site to downstream water bodies is via the stream that runs to the south of the site. Further, potential connective exists between the adjoining proposed housing development and downstream water bodies if the site discharges into the ditch to the west of the housing site, which subsequently discharges into the stream to the south of the proposed training pitch.
- 7.2. The stream to the south of the site, discharges into the River Shannon and >10k downstream of Carrick on Shannon the river discharges into Lough Forbes Complex SAC. The proposed development, and adjoining proposed residential development, has potential to give rise to the pollution of downstream waterbodies during construction and operation for example, arising from contaminated surface water from increased sedimentation or petrochemicals. However, and in the absence of mitigation, having regard to the relatively modest scale of the development, the substantial distance between the appeal site and downstream European sites, the large body of water separating the site from a protected site and the likely effects of settlement and dilution, it is concluded that no Appropriate Assessment issues arise

as the proposed development would not be likely to have a significant effect individually or in combination with other plans or projects on a European site.

8.0 Recommendation

- 8.1. I recommend that permission for the proposed development be granted, subject to conditions.

9.0 Reasons and Considerations

Having regard to the design and layout of the development and the pattern of development in the area, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the visual amenities of the area or of the amenities of property in the vicinity and would 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.

10.0 Conditions

1.	<p>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 on the 11th day of August 2022, except as otherwise 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 the 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>The proposed rugby club shall be used for purposes and functions connected with the club only, and shall not be used, sold, let or leased for</p>

	<p>events and functions independent of the club, to include events and functions for club members or their families.</p> <p>Reason: In the interest of residential amenity.</p>
3.	<p>Prior to the commencement of development, details shall be submitted to provide a screen on the northern end of the proposed balcony at first floor of the Club house for the written agreement of the planning authority.</p> <p>Reason: In the interest of visual amenity.</p>
4.	<p>Prior to the commencement of development, details shall be submitted to provide 63m sightlines to the north of the proposed entrance to the site with appropriate lowering of roadside fencing, from a point 3.0m back from the road edge, for written agreement.</p> <p>Reason: In the interest of traffic safety.</p>
5.	<p>The proposed new entrance shall be used for all construction activity, including the importation of fill. The existing entrance shall be closed off as once the new entrance is operational and the applicant shall advise the planning authority of this. No other aspect of the development shall commence in advance of these works.</p> <p>Reason: In the interest of traffic safety.</p>
6.	<p>Prior to the commencement of development a revised Traffic Management Plan shall be submitted to the planning authority for written agreement. It shall include details of proposed measures for traffic and crowd control during matches/tournaments/events. Traffic stewards shall be employed at events to patrol the site and nearby junctions on the public road network. Prior notice of large events shall be notified to the Planning Authority at least 1 week in advance.</p> <p>Reason: In the interest of public and traffic safety.</p>
7.	<p>Prior to the commencement of development the following details shall be submitted for written agreement:</p>

	<p>i. Details of arrangements in place on site to manage surface water arising from the existing playing pitch,</p> <p>ii. Details of proposed arrangements to manage surface water on the site as a whole, including the interface between existing and proposed systems, and</p> <p>iii. Calculations prepared by a suitably qualified and experienced engineer to demonstrate the adequacy of the proposed soakaways to accommodate surface water arising from the development.</p> <p>iv. If required, further attenuation measures (sustainable urban drainage systems) to reduce the extent of water being directed to the soakaway.</p> <p>Reason: To prevent flooding on the site or on adjoining lands.</p>
8.	<p>Water supply and drainage arrangements shall comply with the requirements of the planning authority for such works and services. No surface water from the development shall discharge to the public road.</p> <p>Reason: In the interest of traffic safety.</p>
9.	<p>A mobility management strategy for the proposed development shall be implemented in full. This shall provide for incentives to encourage the use of mini-bus transport, cycling, walking and car-pooling by users of the development and to reduce and regulate the extent of traffic and parking. The mobility strategy shall be prepared and implemented by the applicant, details of which shall be submitted to, and agreed in writing with, the planning authority within three months from the date of this order.</p> <p>Reason: In the interest of sustainable transportation.</p>
10.	<p>The site shall be landscaped in accordance with a revised and comprehensive scheme of landscaping, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This scheme shall include the following:</p> <p>(a) Contoured drawings to scale of not less than 1:500 showing –</p>

	<p>(i) a survey of all existing trees and hedging plants on the site, their variety, size, age and condition, together with proposals for their conservation or removal;</p> <p>(ii) detailed arrangements for fencing around the perimeter of the site,</p> <p>(iii) detailed arrangements for perimeter hedge of indigenous species planted around the external boundary of the site;</p> <p>(iii) details of a substantial planting belt of native trees and hedgerow species along the boundary of the site between the main pitch and the training pitch and between the site and adjoining residential development, including species, variety, size, type, number and location of all trees and hedgerow planting;</p> <p>(iv) arrangements for more formal planting in the area of the clubhouse and car park;</p> <p>(c) Proposals for the protection of all existing and new planting for the duration of construction works on site, together with proposals for adequate protection of new planting from damage until established;</p> <p>(d) A timescale for implementation which shall provide for the planting of the substantial landscaping belt between the pitches and adjoining residential development to be completed in the first planting season after the commencement of development; and</p> <p>(e) Arrangements for the management of landscaping in perpetuity and to provide for biodiversity.</p> <p>Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.</p> <p>Reason: In order to screen the development and assimilate it into the surrounding rural landscape, in the interest of visual amenity.</p>
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11.	<p>Use of the internal road to the east of the main pitch shall be restricted to use for emergency vehicles and maintenance only.</p> <p>Reason: In the interest of residential amenity.</p>
12.	<p>Floodlighting shall be angled and constructed so that no light is emitted above a horizontal plane through the fitting or such that there is no adverse effect on any of the 3 no. adjoining residential dwellings, to the satisfaction of the planning authority. Positioning and design shall also ensure that no glare is caused to users of the public roads in the vicinity of the development. The operational hours of the floodlighting shall not extend beyond 2200 hours or before 0800 hours, with automatic cut-off of floodlighting outside of these times. Floodlights that are installed shall not be powered by a generator. All other lighting within the development to include street lighting to the access road and car park, shall be switched off where possible when the development is not in use.</p> <p>Reason: In the interest of traffic safety and residential amenity</p>
13.	<p>All service cables associated with the proposed development (such as electrical, communal television, telephone and public lighting cables) shall be located underground.</p> <p>Reason: In the interest of orderly development and the visual amenities of the area.</p>
14.	<p>The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including hours of working, noise management measures, methodology for importation of fill and construction of training pitch, means to manage surface water on-site during construction, means to control dust and dirt on the public road and off-site disposal of construction/demolition waste.</p> <p>Reason: In the interest of public safety, residential amenity and protection of water quality.</p>

15.	<p>A plan containing details for the management of litter and waste (and, in particular, recyclable materials) during construction and operational stages of the development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials and for the ongoing operation of these facilities shall be submitted to, and agreed in writing with, the planning authority within three months from the date of this order. Thereafter, the waste shall be managed in accordance with the agreed plan.</p> <p>Reason: In the interest of residential amenity and environmental protection.</p>
16.	<p>Site development and building works shall be carried out only between the hours of 0800 and 1900 from Mondays to Fridays inclusive, between 0830 and 1400 hours on Saturdays and not at all on Sundays, Bank or Public Holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.</p> <p>Reason: In order to safeguard the amenities of property in the vicinity.</p>
17.	<p>During the operational phase of the development, the noise level arising from the development, as measured at the nearest dwelling shall not exceed:-</p> <ul style="list-style-type: none"> (i) An LAeqT value of 55 dB(A) during the period 0800 to 2100 hours from Monday to Saturday inclusive. The T value shall be one hour. (ii) (ii) An LAeqT value of 45 dB(A) at any other time. The T value shall be 15 minutes. The noise at such time shall not contain a tonal component. <p>Procedures for the purpose of determining compliance with this limit shall be submitted to, and agreed in writing with, the planning authority within three months from the date of this order.</p> <p>Reason: To protect the residential amenities of property in the vicinity of the site.</p>

18.	<p>Details of the materials, colours and textures of all the external finishes to the proposed development shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p> <p>Reason: In the interest of visual amenity</p>
19.	<p>All over ground tanks containing liquids (other than water) shall be contained in a waterproof bunded area, which shall be of sufficient volume to hold 110 per cent of the volume of the tanks within the bund.</p> <p>Reason: In order to protect groundwater.</p>
20.	<p>No signage, advertising structures/advertisements or other projecting elements, including flagpoles shall be erected within the site unless authorised by a further grant of planning permission.</p> <p>Reason: To protect the visual amenities of the area.</p>
21.	<p>Prior to the commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion of landscaping required in connection with the development, coupled with an agreement empowering the local authority to apply such security or part thereof to the satisfactory completion of any part of the development. The form and amount of the security shall be agreed between the planning authority and the developer, or in default of the agreement, shall be referred to An Bord Pleanála for determination.</p> <p>Reason: To protect the visual amenities of the area.</p>

Deirdre MacGabhann
 Planning Inspector

3rd March 2023