



An
Bord
Pleanála

Inspector's Report

ABP-317235-23

Development	Retention for club dressing rooms/changing facility and all associated site development works.
Location	Scoil Eoin Baiste Park, Bellewsbridge Road, Castletown, Dundalk, Co. Louth
Planning Authority	Louth County Council
Planning Authority Reg. Ref.	23157
Applicant	Shamrocks Football Club
Type of Application	Retention
Planning Authority Decision	Grant
Type of Appeal	Third Party
Appellant	Pat Grimes
Observer(s)	None
Date of Site Inspection	02 September 2023
Inspector	Rachel Gleave O'Connor

1.0 Site Location and Description

- 1.1. The subject site is situated to the south west of Bellewsbridge Road, opposite the junction for Fatima Park and Fatima Drive, within Páirc Eoin Baiste and adjacent to Scoil Eoin Baiste School.

2.0 Proposed Development

- 2.1. The appeal relates to retention permission, for 3 no. corrugated metal containers which house the club dressing rooms / changing facilities along with toilet for use of members and visiting teams. The containers are situated next to each other along the south eastern boundary of the site and close to Bellewsbridge Road and the school.
- 2.2. Container no.1 houses changing rooms 1 and 2 and a toilet. It is 2.573m high by 3.048m deep and 12.192m in length.
- 2.3. Container no.2 houses changing room 3 / store. It is 2.591m high by 2.438m deep and 12.330m in length.
- 2.4. Container no.3 houses two toilets and is 2.753m high by 1.219m deep and 2.438m in length.

3.0 Planning Authority Decision

3.1. Decision

- 3.2. The planning authority decided to GRANT permission.

3.3. Planning Authority Reports

3.3.1. Planning Reports

The following comments are included in the planner's report:

- Amenity Open Space / recreational facilities are generally permitted uses under the zoning for the site (A1 Existing Residential). *[Inspector note: the site is actually zoned G1 Community Facilities under the Development Plan 2021-2027 and not A1 as stipulated in the Planner Report.]*

- Recreational facilities have been in existence at this location for a number of years and a recreational facility has been located here at this location.
- These are established recreational grounds, the inspection report on 18/U215 outlines that field has been in use for at least 11 years dated 3rd December 2018.
- The Planning Authority is aware that there were previous structures on this site which were also used as changing facilities from prior to 2002. These were considered to be statute barred from planning enforcement in 22U107. It appears that these were removed from the site and replaced with the current two no. container structures in 2022.
- A recreational/sports facility is indicated on the generally permitted use list. The principle of the proposal to provide changing facilities for Shamrocks Football club and its acceptability within this recreational/open space location is acceptable subject to full assessment.
- Given the temporary design and unknown needs of the football club with facilities appearing temporary, in the event permission is granted, a temporary period should be considered.
- The site has limited screening from outside the subject site and would benefit from landscaping. In the event of a grant of permission this could be conditioned.
- The structures are located in a corner of the field and visible from a number of houses in the vicinity. Landscaping would mitigate visual impacts and improve amenity.
- Traffic and adhoc parking associated with the use of the playing fields are concerns raised by a local resident. This is a matter for the Guards should there be any illegal parking in the vicinity and within the remit of the land owner and Club to manage so as not to cause obstruction or annoyance to residential properties.
- The provision of changing and WC facilities do not in themselves present any traffic considerations.

- It would appear that the applicant has connected to existing public water mains and waste infrastructure. This is a matter for Uisce Éireann.
- The applicant has not specified how surface water will be disposed off. Recommend a condition to ensure water egress does not impact public road or adjoining property.
- Considered that development contributions would not be applicable in this case.
- Recommend a temporary permission subject to conditions.
- 4 no. conditions detailed. Conditions of note: condition no.2 limits permission of a period of 3 years for the date of consent; and condition no.3 requires details of a scheme of landscaping.

3.3.2. Other Technical Reports

- Infrastructure: comments on transport and water included in summary of planners report above.

3.4. Prescribed Bodies

- Uisce Éireann: No response received.

3.5. Third Party Observations

- There was one observation on the application raising concerns related to access to the sit, which leads to congestion at times whenever there is a match or training. Concern is also raised with respect to the impact upon amenity of the area arising from the metal containers, which are connected to local services even though no planning permission has been obtained.

4.0 Planning History

4.1. No relevant planning application history for the subject site itself.

4.2. Unauthorised Development (UD) files:

- 4.3. Ref.18/U215 – alleged unauthorised use of field as a football club with containers used as changing facilities – closed.
- 4.4. Ref. 22/U107 – alleged unauthorised use of field as a football club with containers used as changing facilities – closed.
- 4.5. Ref. 22/U197 – alleged unauthorised use of field as a football club with replacement changing facilities and toilets provided in containers.

5.0 Policy Context

5.1. Local Planning Policy is set out in the Louth County Development Plan 2021-2027. A summary of the key policy considerations are set out below:

- The site is zoned G1 Community Facilities, Recreational/sports facility is a permitted use.
- Chapter 8, Policy/Objective, NGB 8 concerns Appropriate Assessment.
- Chapter 4, Policy/Objective, SC 20 concerns Sports Facilities, to support provision, improvement and expansion of sports and recreation.
- Chapter 11, Policies/Objectives IU 19, IU 20 and IU 21 concerning Surface Water.
- Chapter 13 describes Development Management Guidelines, and sections of note include 13.14.4 Residential Amenity, as well as section 13.20 concerning Water Services.

5.2. Natural Heritage Designations

5.3. The subject site is located 920m (approx.) away from Dundalk Bay SPA. There is no connection to any European (Natura 2000) sites and no pathways.

6.0 The Appeal

6.1. Grounds of Appeal

The main points of the grounds of appeal are as follows:

- Connection to main sewer without permission.
- No prior consultation with residents.
- Structure is less than 100 yards and directly in view from the appellants front door. Recommend that the old church ground would be suitable for the structure which is located 500 yards from the field and would give access to the church car park.
- The building has different facilities not previously on the site.
- Only the beginning of the club plans for the site i.e. dressing rooms, club room, stand, floodlights and walls as discussed in club meeting. This is a residential area not capable for the expansion envisaged.
- Facilities increase the suitability for hosting extra games which links to parking.
- Enclosures: maps, photos, documents relating to the planning application and consent from Louth County Council, website extracts from Bray People relating to the refusal by ABP of portacabins for use by Bray Wanderers, website extract from Department of Transport concerning increased penalties for motorists who park illegally, copy of correspondence with Archdiocese of Armagh, copy of correspondence with Louth County Council concerning traffic issues, copy of correspondence with Louth County Council concerning unauthorised development, copy of correspondence and documents relating to the lease of the lands to Shamrock FC, copy of medical correspondence relating to the appellants health, copy of correspondence from Cúchulainn Community Group requesting the cabin be situated at the old church ground, copy of correspondence with Scoil Eoin Baiste, copy of correspondence to Cllr's concerning the unauthorised development.

6.2. Planning Authority Response

The Planning Authority provided a response to the appeal dated June 2023 which is summarised below:

- No further comment to make.

6.3. **Observations**

6.4. None received.

7.0 **Assessment**

7.1. I note that the grounds of appeal raise concern regarding the unauthorised nature of the development, the unauthorised connection to water/wastewater services and the future plans of the football club for the site. This assessment relates to applicable planning policy as set out in the Louth County Development Plan 2021-2027. The unauthorised nature of the development is acknowledged in this application requesting retention and does not influence the assessment. The connection to water and wastewater services is a matter for Uisce Éireann. The football club's future plans for the site are not of relevance to the assessment.

7.2. I propose to assess the appeal under the following headings:

- Impact upon adjacent occupiers amenity and visual impact; and
- Traffic considerations.

7.3. Impact upon adjacent occupiers amenity including

7.4. The zoning of the site permits recreational / sports facilities. Policy Objective SC 20 states that the provision, improvement and expansion of sports and recreational facilities should be supported and facilitated. However, this should be considered alongside general design and amenity considerations as set out in the Development Plan, including Chapter 13 and the Development Management Guidelines, specifically section 13.14.4 which states that as part of the design and layout of any development, consideration should be given to impact upon surrounding properties and residents.

7.5. The appeal concerns the retention of metal storage container type structures used in conjunction with the recreational functions on the site. The appellant raises amenity concerns regarding the visual appearance of the structures. The containers have a standard appearance, ubiquitous with facilities of this kind, and not of a scale of size that would appear incongruous in the streetscape. The clustering and siting of the structures close to the road and the school is appropriate and sensitive to the open

character of the remainder of the site. I agree with the Planning Authority that landscaping would further reduce visual impact, and that given the temporary character of the structures a temporary permission is appropriate. In the event that the Board agrees, conditions are recommended regarding the same.

7.6. Traffic considerations

7.7. The appellant raises concerns regarding congestion and parking relating to the football club use of the site and asserts that the structures for retention under this appeal would exacerbate these matters by attracting additional use of the site. I concur with the Planning Authority that the structures in and of themselves, are not a generator of traffic movements, which are associated with overall recreational use of the land. In my opinion, there is nothing inherent in the structures themselves that would significantly alter the way the site is currently used, or significantly increase the number of people attracted to the site, to such an extent that it would alter current traffic impact associated with the use. Illegal parking is a matter for An Garda Síochána.

7.8. In conclusion, I am satisfied that the structures support the recreational functions of the site and are therefore supported under Policy Objective SC20 of the Development Plan. In relation to amenity considerations under the Development Plan, the visual impact is not so significant or harmful that it would warrant refusal of planning permission, and I am satisfied that the use of the structures will not significantly alter existing traffic conditions in the area.

8.0 **Recommendation**

8.1. Having regard to the above, I recommend that retention permission be GRANTED for the development, subject to conditions, for the reasons and considerations set out below.

9.0 **Reasons and Considerations**

Having regard to:

(1) the location of the development within a zoned 'G1' site, wherein recreational/sports facilities are permitted in principle,

(2) planning policies and objectives under the Louth County Development Plan 2021-2027,

(3) the nature, scale and design of the development,

(4) the existing pattern of development in the vicinity, and

(5) the planning history of the site,

it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously, or disproportionately, injure the amenities of the area or of property in the vicinity, would be acceptable in terms of traffic safety and convenience, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

10.0 Conditions

1.	<p>The development shall be retained 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 and complete in accordance with the agreed particulars.</p> <p>Reason: In the interest of clarity.</p>
2.	<p>(a) This permission shall apply for a period of three years from the date of this Order. The structures (comprising changing facilities/store/wc) shall then be removed unless, prior to the end of the period, planning permission shall have been granted for their retention for a further period.</p> <p>(b) The site shall be reinstated on removal of the structures. Details relating to the removal and reinstatement shall be submitted to, and agreed in writing with, the planning authority at least one month before the date of expiry of this permission.</p> <p>Reason: In the interest of clarity having regard to the temporary consent.</p>
3.	<p>Within 3 months of the date of this Order, a scheme of landscaping to be submitted for written agreement with the Planning Authority, with the</p>

	<p>intention of screening views of the approved structures from adjoining residential streets. The landscaping as agreed with the Planning Authority shall be provided in the next planting season and any plant that fails within the first 3 years shall be replaced.</p> <p>Reason: In the interest of orderly development and amenities in the area.</p>
4.	<p>Drainage arrangements including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.</p> <p>Reason: In the interest of public health and surface water management</p>
5.	<p>The developer shall enter into water and/or waste water connection agreement(s) with Irish Water.</p> <p>Reason: In the interest of public health.</p>

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

.Rachel Gleave O'Connor
Senior Planning Inspector

04 September 2023