



An
Bord
Pleanála

Inspector's Report ABP-317243-23

Development	Construction of a two storey clubhouse and three outdoor pitches.
Location	Carrickafodan, Carndonagh, Co Donegal.
Planning Authority	Donegal County Council
Planning Authority Reg. Ref.	2252098
Applicant(s)	Jim Coyle.
Type of Application	Permission.
Planning Authority Decision	Grant Permission
Type of Appeal	Third Party
Appellant(s)	Kathleen and Robert Moore, Carolyn McKinley.
Observer(s)	N/A.
Date of Site Inspection	25 th of July 2023.
Inspector	Stephanie Farrington

1.0 Site Location and Description

- 1.1. The appeal site is located on the edge of Carndonagh, Co. Donegal. The site, which has a stated area of 4.2 ha, comprises a low-lying agricultural field. The site is adjoined by open agricultural fields to the south and east. To the north the site is adjoined by a residential dwelling. The L-5691-1 forms the western boundary of the site, and a gated access is provided to the southwest. A drainage ditch is located along the western site boundary.
- 1.2. Carndonagh GAA Club which includes playing pitches, large clubhouse and indoor training facility is located to the south west of the site at the opposite side of the L-5691-1 road.

2.0 Proposed Development

- 2.1. The proposed development comprises the following:
 - Construction of a 2-storey clubhouse and sports hall, with changing room/showering facilities, function room, indoor training pitch and associated accommodation
 - 3 no. outdoor football pitches, walking track
 - Wastewater Treatment Plant with percolation area
 - Siteworks and associated connection to services

3.0 Planning Authority Decision

3.1. Decision

Donegal County Council issued a notification of decision to grant permission for the development subject to 15 no. conditions.

The following conditions are of note:

12. (a) (i) The pitches shall only be used between the hours of 0900 to 2100 Monday to Friday and between the hours of 0900 to 2000 Saturday and Sunday.

- (ii) The playing pitches shall be for the exclusive use of Carndonagh Football Club only. It shall not be used as a multiple user commercial facility and shall not be rented out to other clubs or individuals.
- (b) (i) The persons responsible for the management of the development hereby permitted shall ensure that users of, and visitors to, the facility alike conduct themselves in a manner that is conducive to prevention of undue noise pollution in both terms of sound levels and types of sounds to include refrain from undue shouting.
- (ii) Details of a Facility User Management Plan to include a Code of Conduct and proposed signage shall be submitted to, and agreed in writing with, the planning authority prior to first use of development.
- (iii) Where noise levels to adjoining properties exceed those that could be considered reasonable or acceptable the developer shall submit detailed proposals for ameliorating excessive noise levels (to include detailed proposals for the erection of acoustic fencing at a distance of 1 metre from the portion of the northeastern site side boundary from the public road as far as the clubhouse). Such proposals submitted to, and agreed in writing with the planning authority, shall be implemented in full by the Developer and at the Developer's expense.
- (iv) The Planning Authority shall be empowered to enforce against the registered owner of the application site that the portion of the site within 2 metres of the northeastern boundary **be used** for the implementation of details agreed under Part (iii) of this condition above by that registered owner and at that registered owner's expense and the maintenance of structures and other devices that have been constructed and/or implemented and/or installed in accordance with said agreed details.
- (c) The persons responsible for the management of the development hereby permitted shall ensure that waste and litter arising from and within the application site shall be managed appropriately and that the facility shall be kept tidy at all times.

- (d) The person or body taking benefit of the planning permission shall submit detailed proposals for the erection of ball stop netting broadly in line with Drawing No.3002 rev A (and associated photographic insets) received by the Planning Authority as further information on the 25th of April 2023. Final details of the ball stop netting around the Main Grass Pitch shall be agreed in writing with the Planning Authority and thereafter said netting shall be erected prior to first use of said Main Grass Pitch.
- (e) The person or body taking benefit of the planning permission shall submit detailed proposals for the erection of LED lighting in line with Drawing No.3002 rev A received by the Planning Authority as further information on the 25th of April 2023. Final details of the LED lighting around the 3G Pitch shall be agreed in writing with the Planning Authority and thereafter only shall said lighting be erected in accordance with the agreed details.

Reason: In the interests of clarity, to control the volume of traffic and noise generated, in the interest of traffic safety and residential amenity.

13. (a) All external lights shall be hooded and aligned so as to prevent direct spillage of light onto public road and the adjoining residence to the north of the application site.

Reason: To cater for orderly and sustainable development and in the interests of public safety.

3.2. Planning Authority Reports

3.2.1. Planning Reports

Initial Planner's Report (21/02/2023)

The report recommends a request for further information. The following provides a summary of the key points raised:

- The report refers to the requirements of Policy CCG-P-1 of the Donegal County Development Plan, including the provision of community infrastructure within existing settlement boundaries. The report outlines that the applicant shall demonstrate that there are no alternative sites within Carndonagh.

- The report refers to the requirements of Policy CCG-P-4 of the Development Plan and outlines that the applicant should demonstrate compliance with the requirements of same. Particular concern is raised in relation to impact on residential amenity.
- Access and car parking provision is deemed to be acceptable.
- In terms of Appropriate Assessment, the report outlines that the site is located c. 1.7km south/southeast of the North Inishowen Coast SAC and the Trawbrega SPA. The Planning Authority has screened the proposed development for the need for AA and has determined that it can be excluded beyond reasonable scientific doubt that the proposed development would have a significant effect on any Natura 2000 site.
- The report refers to the presence of areas prone to flooding to the west of the site. The report outlines that the installation of surface water attenuation would address any concerns about the aggravation of flooding downstream.
- The report recommends a request for further information.

Planner's Report (04/05/2023)

The report recommends a grant of permission subject to conditions. The following provides a summary of the key points raised:

- The report includes a summary and assessment of the applicants FI response. The Planning Authority considers that the applicant's assessment on alternative sites within Carndonagh is fair and reasonable.
- The revised layout addresses the concerns raised in relation to impact on residential amenity. Conditions in relation to hours of operation, noise and lighting would further ensure the protection of the amenity of the property to the north.

3.2.2. Other Technical Reports

Appropriate Assessment Screening (21/02/23)

The Planning Authority has determined that an appropriate assessment of the proposed development is not required as it can be excluded on the basis of objective scientific information that the proposed development, when considered individually

and in combination with other plans/projects will have a significant effect on the following European Sites – North Inishowen Coast Special Area of Conservation (site code 002012) and Trawbreaga Bay Special Protection Area (site code 004034).

Building Control (20/01/2023)

No objection subject to condition.

3.3. **Prescribed Bodies**

None.

3.4. **Third Party Observations**

2 no. observations were submitted during the public consultation period. The observations raise concern in relation to boundary treatment, noise, light spillage, visual impact, traffic congestion, water pollution, impact on Natura 2000 sites and impact on adjoining properties. The submissions also question the siting of the development outside Carndonagh town centre.

4.0 **Planning History**

None on site.

5.0 **Policy Context**

5.1. **Development Plan**

Donegal County Development Plan 2018-2024 (as varied)

Settlement Strategy

- 5.1.1. Table 2A.3 of the Development Plan sets out the Settlement Structure for the County. Carndonagh is designated as a Layer 2A Strategic Town. It is one of eight Layer 2A towns, which are identified due to their existing population base, their infrastructural capacity to accommodate reasonable levels of new housing and their role as key service centres at the sub county level.

Chapter 6 – Housing

- 5.1.2. Section 6.3 of the Plan relates to Rural Housing. The site is located within a Stronger Rural Area designated area within Map 6.2.1 of the DCDP. The Plan outlines that in general, within areas defined as Stronger Rural Areas one-off rural generated housing will be facilitated subject to compliance with all relevant policies and provisions of the County Development Plan. Within Structurally Weak Rural Areas the policies of the Plan will, in general, facilitate both urban and rural generated rural housing need.

Chapter 7: The Natural and Built Heritage

- 5.1.3. The appeal site is located within an area designated as being of Moderate Scenic Amenity within the Map 7.1.1 of the Development Plan. Areas of Moderate Scenic Amenity are described within the Plan as being primarily located outside Local Area Plan Boundaries and Settlement framework boundaries, that have a unique, rural and generally agricultural quality. The Plan outlines that these areas have the capacity to absorb additional development that is suitably located, sited and designed subject to compliance with all other objectives and policies of the Plan.

- 5.1.4. Policy NH-P-6 of the Plan is of relevance as follows:

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

Chapter 11: Community Culture and The Gaeltacht

- 5.1.5. Chapter 11 of the DCDP relates to Community Culture and the Gaeltacht. The Plan outlines that the provision of high quality social and community infrastructure and services such as sports and recreation facilities, walking and cycling routes, parks, public spaces, playgrounds, community resource centres, schools, childcare services and healthcare facilities is crucial to the creation of sustainable communities and in turn a high quality of life. The Plan outlines that the policies in Chapter 11 are designed to:

- Ensure that new social and community infrastructure and services are located where they can best serve, and be sustained by, centres of residential population and also benefit from synergies with existing services.
- Facilitate social and community infrastructure and services which specifically serve rural communities;
- Provide for high quality development in terms of the siting and design of social and community infrastructure.

5.1.6. The following policies are of relevance.

Policy CCG-P-1

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

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

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

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

(d) At other rural locations excluding areas of Especially High Scenic Amenity where it is demonstrated that; the development is intended to serve an exclusively rural need, the development is functionally dependent on a specific rural location, or

where there are no sites available to meet the abovementioned locational criteria in points (a), (b) and (c) above.

Policy CCG-P-4

CCG-P-4: It is a policy of the Council that any development proposal for social, community or cultural use (e.g. healthcare facilities sheltered housing facilities, nursing homes, residential care homes, sports/recreational facilities, playgrounds, community resource centres, education facilities, libraries, museums, galleries etc.), in addition to other policy provisions of this Plan, shall be required to meet the following criteria;

- (a) It is compatible with surrounding land uses existing or approved
- (b) It will not have a significant impact on adjacent residential amenities.
- (c) There is existing or imminent programmed capacity in the public water waste infrastructure for developments within urban areas or suitable on-site effluent treatment facilities to EPA standards can be provided in rural areas.
- (d) It does not cause a traffic hazard and the existing road network can safely handle any extra vehicular traffic generated by the proposed development.
- (e) Adequate parking provision, access arrangements, maneuvering and servicing areas are provided in line with technical standards and policies of this Plan.
- (f) The layout of the development provides for a high level of, and prioritises, pedestrian permeability and access.
- (g) It does not create a noise nuisance and will not cause any significant environmental emissions.
- (h) The location, siting, and design of the development including associated infrastructure and landscaping arrangements is of a high quality and does not have an adverse impact on the host landscape, rural character, or visual amenities of the area (for developments in rural areas), does not have an adverse impact on/successfully integrates with the streetscape, vernacular character or built environment of the area (for developments in urban areas).
- (i) Appropriate boundary treatment and means of enclosure are provided and any areas of outside storage proposed are adequately screened from public view;

(j) It does not have an adverse impact on the built, scenic, or natural heritage of the area including structures on the RPS/NIAH and Natura 2000 sites;

(k) It is not located in an area at flood risk and/or will not cause or exacerbate flooding; (l) It does not compromise the water quality of water bodies with River Basin Districts designed under the Water Framework Directive or hinder the programme of measures contained within any associated River Basin Management Plan.

Policy CCG-P-13:

It is policy of the Council to:

- Conserve lands zoned Amenity/Green space/Open Space in settlement frameworks/urban areas for exclusively public amenity/recreational use.....

Part B – Appendix 3 – Development Guidelines and Technical Standards

- Table 6 Appendix 3 – Car Parking Standards- Sports Club/Playing Pitch – 30 per Sports Club/Playing Pitch. Applications for larger sports clubs and sports grounds with dedicated spectator facilities shall be assessed on their own merits.
- Cycle Parking – Minimum of 5 spaces

Seven Strategic Towns Local Area Plan 2018-2024

- 5.1.7. The appeal site is located outside the settlement boundary of Carndonagh as identified in Map 5- Carndonagh of the LAP.

Project Ireland 2040 - National Planning Framework

- 5.1.8. The following Objectives are cited with the grounds of appeal:
- NPO 14 - Protect and promote the sense of place and culture and the quality, character and distinctiveness of the Irish rural landscape that make Ireland's rural areas authentic and attractive as places to live, work and visit. The Action Plan for Rural Development will support this objective up to 2020; thereafter a review of the Action Plan will be undertaken to ensure continued alignment and consistency with the National Policy Objectives of this Framework.

- NPO 15- Support the sustainable development of rural areas by encouraging growth and arresting decline in areas that have experienced low population growth or decline in recent decades and by managing the growth of areas that are under strong urban influence to avoid over-development, while sustaining vibrant rural communities.
- NPO 18a - To support the proportionate growth of and appropriately designed development in rural towns that will contribute to their regeneration and renewal, including interventions in the public realm, the provision of amenities, the acquisition of sites and the provision of services.
- NPO 52- The planning system will be responsive to our national environmental challenges and ensure that development occurs within environmental limits, having regard to the requirements of all relevant environmental legislation and the sustainable management of our natural capital.
- NPO 53- Support the circular and bio economy including in particular through greater efficiency in land management, greater use of renewable resources and by reducing the rate of land use change from urban sprawl and new development.

5.2. Natural Heritage Designations

The nearest designated European sites to the appeal site, including SAC's and Special Protection Areas (SPA's) include the following:

- North Inishowen Coast SAC (IE 0002012)- 1.3km
- North Inishowen Coast pNHA – 1.3km
- Carndonagh Wood p NHA – 2.7km
- Magheradrumman Bog SAC (IE 000168) – 4.4km
- Magheradrumman Bog p NHA (IE 000168) – 4.4km
- Lough Fad West p NHA- 8.7km
- Slieve Snaght Bogs NHA- 5.4km
- Trawbreaga Bay SPA (IE 004034)- 1.8km
- Malin Head SPA (IE 004146) – 11.6km

- Lough Foyle SPA (IE004087) – 14.4km

5.3. EIA Screening

The proposed development is not a class listed within Part 1 or Part 2 of Schedule 5 of the Planning and Development Regulations and therefore no EIA Screening is required.

6.0 The Appeal

6.1. Grounds of Appeal

A third-party appeal was submitted in respect of Donegal County Council's notification of decision to grant permission for the development. The appeal was submitted by Katleen and Robert Moore and Carolyn McKinley, the residents of the dwelling to the north of the appeal site. The following provides a summary of the grounds of appeal:

- Lack of consultation.
- The appellants wish to maintain their site boundary which includes mature trees.
- The appeal raises concerns in relation to the siting of an intensively used sports facility within the vicinity of their property. The appeal raises concerns in relation to noise pollution from the training pitches, light overspill from floodlights, footballs entering their property and the visual impact of netting if provided.
- The appeal raises concern in relation to the cumulative traffic impact associated with the development and the existing GAA pitch in the vicinity of the site.
- The appeal questions the need for the development.
- The appeal raises concern in relation to the devaluation of their property. A letter from an estate agent is attached to the appeal.

- The appeal refers to the potential relocation of the Inishowen Agricultural Society to the field opposite the site.
- The development is leapfrogging outside the zoned development lands of Carndonagh.
- It is stated that the development is of standard industrial design which is more associated with an industrial estate rather than a landscape with “Moderate Scenic Amenity” designation within the County Development Plan. The appeal outlines that the design lacks individual design with little integration into the rural landscape.
- The appeal outlines that the development would create a traffic hazard on a narrow road network which does not have a footpath or public street lighting. It is stated that the road is of inadequate width to accommodate the likely traffic associated with the proposed sport facilities.
- The appeal refers to the requirement for a bat survey.
- The appeal outlines that the proposal would result in increased noise from matches and training and increased light from floodlighting.
- The appeal raises concern in relation to the design of the proposed clubhouse stating that it is industrial and shed light.
- The appeal raises concern in relation to the provision of a bar within the clubhouse. It is stated that the proximity, scale and size of the bulky clubhouse will result in loss of privacy of their property and will be visually overbearing (at 7.5m high, 67 m long and c.29m wide).
- The appeal outlines that pitch users will require access to their property to retrieve balls etc.
- The appeal outlines that factors such as density, height, massing, traffic generation, public health, design criteria visual amenity, noise impact, odour and pollution are significant and relevant to the proper planning and sustainable development of the area.
- The appeal raises procedural concerns in relation to the assessment of the application. In this regard the appeal outlines that the planning authority’s

decision was submitted 11 no. days after submission of the FI response. It is stated that the FI response was significant and should have been readvertised.

- The appeal raises concern in relation to the scale of the development and outlines that no space has been provided for spectator areas, dugouts and circulation access for maintenance etc.
- The appeal outlines that the development will result in the loss of agricultural land.
- The appeal outlines that the development is contrary to National Policy and the provisions of the Donegal County Development Plan and Carndonagh Settlement Plan. The appeal outlines that the development would be contrary to the following policies of the National Planning Framework: NPF Policy Objective 14, NPF Policy Objective 15, NPF Policy Objective 18a, NPF Policy Objective 52 & 53.
- The appeal refers to the location of the development on unzoned lands outside of the settlement boundary of Carndonagh. It is stated that the development would materially contravene the Donegal County Development Plan and set an undesirable precedent. The appeal refers to the presence of undeveloped zoned land within Carndonagh and outlines that a thorough independent review of existing undeveloped land should be undertaken.
- The appeal outlines that the development is contrary to Policies CCG-P-1 and CCG-P-4, CCG-P-13 of the Donegal County Development Plan.
- The appeal refers to the conditions attached to DCC's permission, many of which are formulated to address the appellants concerns. It is stated that the conditions exclude their direct consultation and many of the conditions are unenforceable without a legal agreement and management strategy.
- The appeal requests ABP to reconsider the proposal to ensure the protection and preservation of residential amenities and the local environment.
- The following documentation is submitted in support of the appeal:
 - Appendix 1 – Comments on Development Plan provisions.

- Appendix 2 – Comments on Planning Conditions.
- Certification of Evaluation
- Photomontages
- Aerial Photography of Carndonagh illustrating undeveloped land parcels.

6.2. Applicant Response

A response to the third-party appeal was submitted on behalf of the applicant. The following provides a summary of the key points raised:

Principle of Development/Compliance with Development Plan Policy:

- The applicant carried out an assessment of alternative zoned sites to accommodate the development in response to DCC's request for further information. It is stated that the appeal site is the only amenity site within easy walking/cycling proximity of the town centre that is available for the development and is suitable for the needs of the football club.
- The appeal response refers to extracts from the planner's report which informs the decision of DCC to grant permission for the development. This outlines that the assessment of alternative sites has been fair and reasonable.
- The appeal response outlines that the appellants suggestion that the development should be accommodated on residentially zoned and serviced land would be contrary to the NPF and Housing for All.
- The appeal response outlines that the development would be fully in accordance with Policies CCG-P-1 and CCG-P-4 of the CDP and would:
 - Be readily compatible with surrounding uses;
 - Not have a significant impact on adjacent residential amenities;
 - Would not cause a traffic hazard;
 - Provide adequate parking and access;

Impact on Residential Amenity:

- The appeal response refers to the amendments made to the layout of the proposal i.e. relocating of training pitches from the northern site boundary in

response to DCC's request for further information. The northern boundary now includes a percolation area and planted buffer.

- The northwestern corner of the site is proposed as a quiet green space without any football activity. The clubhouse is located over 60m from the appellant's dwelling and there would be minimal noise and disturbance associated with this building.
- The amendments to the layout proposed in response to DCC's request for further information would ensure the protection of residential amenities of the neighbouring property thereby limiting any potential depreciation in property values.

Design:

- The appeal response outlines that the clubhouse has been designed to echo agricultural type shed buildings in the wider surrounding area and to reflect the similar sized and scaled GAA clubhouse facilities across the road. The development is appropriate in the immediate context.
- The appeal response outlines that permission is not sought for a bar in the clubhouse. This was indicated in error on the submitted plans.

Loss of Land:

- The appeal response outlines that the loss of agricultural land at this location would be insignificant in terms of the overall quantum of agricultural land within the area.

Traffic Safety:

- The appeal response outlines that the local roads (L-12611 and L-5691-1) which lead from the main R244 to the GAA club house are of sufficient width and carrying capacity to accommodate the proposed development.
- The proposal includes sufficient parking to ensure no overspill onto the adjoining local road.
- The site is also accessible from the town centre via walking/cycling with a footpath/cyclepath provided along the vast majority of the route from the town centre.

Alternative Design Layout:

- The appeal response outlines that it is considered that the revised proposals submitted in response to DCC's request for further information address all design concerns.
- The appeal response includes a revised design layout for the consideration of the Board.
- The revised layout reduces the size of the proposed clubhouse by omitting the indoor training hall facility. The appeal response refers to the important winter training facilities provided by the training hall but outlines that this can be omitted in the instance that the Board considers it a more suitable option.

Conclusion:

- The design and layout of the proposal has been carefully considered to negate against impact on the adjacent residential dwelling.
- The appeal response requests ABP to uphold the decision of Donegal County Council and grant permission for the development.

Enclosures:

The following enclosures are attached:

- Letter from applicant setting out the rationale for the facility
- Report on assessment of alternative sites
- Alternative Proposal
- Letter of support from Mr. Wilson (neighbour)

6.3. Planning Authority Response

Donegal County Council (28/06/2023) – Response to 3rd party appeal

- All matters raised within the appeal were considered within the Executive Planner's Reports dated 21/02/2012 & 04/05/2023 except the enforceability of conditions.
- Condition 12 (b) (iv) seeks to avail of the provision of Section 157 (4) (b) of the Planning and Development Act (as varied). The objective in drafting this

condition was to negate the need for erection of acoustic fencing where it may not be necessary but also to seek the implementation of such fencing if deemed necessary.

- Otherwise, the PA is satisfied to rely on the Executive Planner's reports. An Bord Pleanála is requested to uphold the decision of the planning authority.

Donegal County Council (01/09/2023)

- The correspondence refers to the applicant's response to the third-party appeal and revised options submitted. DCC considers that the revised options are acceptable in the instance that ABP considers them appropriate to render the development acceptable.
- DCC requests that ABP upholds the decision to grant permission for the development.

6.4. Further Responses

Third Party Response (26/07/2023)

- The correspondence outlines that the grounds of objection still stands.
- Concerns are raised in relation to noise, lighting, traffic, compliance and the general impact on the area that this will have on Robert and Kathleen Moore who live beside the facility.

7.0 Assessment

7.1. Having examined the application details and all other documentation on file, including all of the submissions received in relation to the appeal, and inspected the site, and having regard to relevant local/regional/national policies and guidance, I consider that the main issues in this appeal are as follows:

- Principle of Development / Compliance with Policy
- Impact on Residential Amenity
- Layout, Design and Impact on Visual Amenity
- Access and Traffic Impact

- Other Issues

7.2. Principle of Development / Compliance with Policy

- 7.2.1. The third-party appeal raises concern in relation to the siting of the proposal outside of the settlement boundary of Carndonagh and outlines that the development would materially contravene the provisions of the Donegal County Development Plan (including CCG-P-1, CCG-P-4 and CCG-P-13) and the policies of the National Planning Framework (NPO 14,15,18a,52 &53). The appeal outlines that the principle of the development is not acceptable.
- 7.2.2. Policy CCG-P-1 of the Development Plan relates to the siting of community facilities within the County and outlines that these should be located in accordance with a number of criteria including the following:
- a) At locations within the defined boundaries of settlement framework/urban areas which are within safe walking distance (i.e. via an existing or proposed footpath) of local services and residential areas and which would otherwise promote social inclusion.
 - b) At alternative locations within settlement framework/urban areas where it is demonstrated that there are no suitable sites available which meet the abovementioned locational criteria in point a) above.
 - c) In rural locations in close proximity to existing rural infrastructure (e.g. rural schools, sports facilities, churches etc), excluding areas of Especially High Scenic Amenity, where it is demonstrated that; the development is intended to serve an exclusively rural need, the development is functionally dependent on a specific rural location, or where there are no sites available which meet the abovementioned locational criteria in points a) and b) above.
 - d) At other rural locations excluding areas of Especially High Scenic Amenity where it is demonstrated that; the development is intended to serve an exclusively rural need, the development is functionally dependent on a specific rural location, or where there are no sites available to meet the abovementioned locational criteria in points (a), (b) and (c) above.
- 7.2.3. The siting of the development and compliance with CCG-P-1 was raised within Donegal County Council's request for further information. Item 1 of the FI request

outlined that the applicant shall demonstrate that there are no alternative sites available within the general Carndonagh area which meet the locational criteria stated within Policy CCG-P-1.

7.2.4. The applicant submitted an assessment of existing undeveloped land zoned for “Amenity Areas” within the settlement boundary of Carndonagh in response to Item 1 of DCC’s request for further information. 5 no. alternative “amenity area” zoned sites were identified within the settlement boundary of Carndonagh including the following:

- Site A – Playing pitch and running park to the rear of Carndonagh Community School – dismissed on grounds of being in private ownership and limited size.
- Site B – Lands at Barrack Hill Carndonagh – dismissed on grounds of steep topography and limited size.
- Site C - Lands Bordering Glentogher River – dismissed on grounds of linear nature and restricted size. The lands are also identified for a river walkway.
- Site D – Lands near Barrack Hill off Ballyloskey Road – too small and linear in nature.
- Site E- St. Patrick’s Playing Fields, Malin Road – currently Carndonagh FC’s grounds – size restrictions, limited playing pitches and parking areas. The club struggles to meet its potential on the basis of the existing size restrictions.

7.2.5. The applicant’s FI response furthermore outlines that Carndonagh FC approached a number of agricultural landowners within the town boundary with a view to obtaining land to facilitate the development and such sites were deemed either unavailable or unsuitable. The applicant’s FI response and appeal response sets out a rationale for the development. The applicant refers to the restrictions of the existing FC site at Malin Road (Site E) and outlines that the project seeks to increase the availability of access to Carndonagh FC to deliver quality sport and physical activities for the population of the town.

7.2.6. The applicant’s response to the grounds of appeal outlines that the appeal site is the only amenity site within easy walking/cycling proximity of the town centre that is available for the development and is suitable for the needs of the football club. The appeal asserts that the proposal is contrary to Policy CCG-P-13 of the DCDP which

seeks to conserve lands zoned for amenity use for public amenity/recreational use. However, I do not consider that the proposal would preclude the development of amenity zoned lands within Carndonagh for amenity/recreational purposes.

- 7.2.7. The applicant's FI response was deemed acceptable to Donegal County Council. The planner's report which informs the decision of the PA to grant permission for the development furthermore outlines the advantages of siting a football club within a rural area in terms of mitigating against impact on residential amenity.
- 7.2.8. The appeal outlines that an independent review of undeveloped land within Carndonagh should be undertaken to inform the development. An aerial photograph of Carndonagh is submitted in support of the appeal, with undeveloped landholdings identified within the settlement boundary of the town. A total of 8 areas are identified and these include lands zoned for Local Environment, Recreation and Amenity, Residential and Strategic Residential Reserve purposes and designated Opportunity Sites. The applicant's appeal response outlines that residentially zoned land within Carndonagh is not suitable or available to accommodate the development proposed. I consider that the applicant has made a sufficient case for the siting of the sports facility.
- 7.2.9. The appeal furthermore outlines that the development would result in the loss of agricultural land within Carndonagh. In this regard, I do not consider that the development will result in a significant loss of agricultural land within Carndonagh town and environs.
- 7.2.10. I note the requirements of Policy CCG-P-1 of the Donegal County Development Plan and the location of the site outside of the development boundary of Carndonagh. I am satisfied that the applicant has demonstrated that alternative sites within the development boundary of the town are either unavailable or unsuitable to accommodate the nature of development proposal. The applicant has submitted a detailed rationale for the development which seeks to provide an improved sports facility to serve Carndonagh.
- 7.2.11. I note the proximity of the existing GAA club and facilitates to the appeal site and consider that the development would be in accordance with criteria (c) of Policy CCG-P-1 of DCDP in this regard. On the basis of the information set out within the application and appeal I consider that the siting of the proposal is acceptable and do

not consider that the development would materially contravene Policies CCG-P-1 or CCG-P-13 of the Donegal County Development Plan or the Objectives of the National Planning Framework which support compact growth.

7.3. Impact on Residential Amenity

- 7.3.1. The appeal outlines that the development will result in a severe impact on the residential amenities of their property located to the north of the appeal site. Concerns are raised in noise impact, loss of privacy, traffic impact and light spillage from the proposed permanent lighting and floodlighting. The appeal refers to the provisions of Policy CCG-P-4 of the Donegal County Development Plan and outlines that the proposal is contrary to the requirements set out therein.
- 7.3.2. Policy CCG-P-4, as cited by the appellant, relates to the criteria for consideration for sports/recreational and other facilities including the following: a) It is compatible with surrounding land uses existing or approved (b) It will not have a significant impact on adjacent residential amenities (g) It does not create a noise nuisance and will not cause any significant environmental emissions.
- 7.3.3. Item 2 of DCC's request for further information specifically requested the applicant to address the impact of the proposal on the residential amenity of the adjoining dwelling to the north of the site. A revised site layout was submitted in response to the FI request (Drawing no. 3002) which relocated the proposed playing pitches from the northern site boundary and the provision of an undeveloped open space area in the vicinity of the adjoining residential dwelling. The applicant's FI response outlines that the relocation of the playing pitches will addresses the concerns raised in relation to light overspill, footballs straying onto the grounds of the adjoining dwelling and noise concerns in relation to car park activities.
- 7.3.4. The applicant's FI response outlines that the floodlighting will only be provided within the training pitch. This pitch is located over 100m from the appellants dwelling and do not consider that overspill of lighting will occur on this basis. I also consider that instances of footballs straying onto the appellants property would be limited given the distance of the proposed pitches from dwelling. On an overall basis, I am satisfied that the revised layout addresses the concerns raised in relation to the impact on the appellants property. Given the siting of the proposed playing pitches and clubhouse

from the appellants dwelling and the existing and proposed boundary treatment, I do not consider that the proposal will result in a loss of privacy.

- 7.3.5. I note the concerns raised within the appeal in relation to the provision of a bar within the clubhouse. The applicant's appeal response confirms that this was an error on the application drawings. I am satisfied that this can be addressed by means of condition.
- 7.3.6. I furthermore note the conditions attached to DCC's notification of decision to grant permission for the development which seek to negate against impact on the residential amenity of the appellants dwelling including noise impact. Condition no. 12 relates to hours of operation for use of the facility and submission of a Management Plan for the facility to negate against undue noise.
- 7.3.7. The appeal outlines that conditions are attached to Donegal County Council's decision which seek to address concerns relating to the impact of the development on the residential amenity of their dwelling. The appeal raises concern in relation to the lack of consultation on the conditions and questions the enforceability of the conditions. Appendix 2 of the appeal includes the appellants comments on conditions. Notwithstanding the case made by the applicant, I am satisfied that potential negative impacts can be addressed by means of adherence to a management plan for the facility. This can be addressed by means of condition in the instance that the Board is minded to grant permission for the development.
- 7.3.8. On the basis of the information submitted in support of the application and appeal response, I am satisfied that the proposed development will not impact on the residential amenity of existing properties in the vicinity of the development. I do not consider that the proposal is contrary to Policy CCG-P-4 of the Donegal County Development Plan on this basis.

7.4. Layout, Design and Impact on Visual Amenity

- 7.4.1. The appeal raises concern in relation to the layout and design of the development. It is stated that the layout is cramped on site with lack of onlooking areas and dug outs and circulation areas. In design terms it is stated that the clubhouse house is industrial in character and does not integrate with the rural location and landscape designation of the site. The appeal furthermore outlines that the height, scale,

massing and bulk of the clubhouse detracts from the visual and residential amenities of the area.

- 7.4.2. The appeal site is located within a rural area outside of the settlement boundary of Carndonagh. The area is designated as being of Moderate Scenic Amenity within the landscape character assessment of the DCDP (Map 7.1.1.). The existing character of development within the area comprises a mix of residential, agricultural and community uses.
- 7.4.3. Policy NH-P-6 of the Development Plan outlines that “within areas of 'High Scenic Amenity' (HSC) and 'Moderate Scenic Amenity' (MSC) as identified on Map 7.1.1: 'Scenic Amenity', and subject to the other objectives and policies of this Plan, it is the policy of the Council to facilitate development of a nature, location and scale that allows the development to integrate within and reflect the character and amenity designation of the landscape”. Policy CCG-P-4 furthermore outlines that criteria for consideration for sports/recreational and other facilities including the following (g) The location, siting, and design of the development including associated infrastructure and landscaping arrangements is of a high quality and does not have an adverse impact on the host landscape, rural character, or visual amenities of the area (for developments in rural areas), does not have an adverse impact on/successfully integrates with the streetscape, vernacular character or built environment of the area (for developments in urban areas).
- 7.4.4. The proposed development seeks the construction of a club house with a maximum height of 7.4m. The building has gross floor area of 2,264 sq.m. and is finished in a render with metal cladding roof. I consider that the structure is functional in nature and reflective of the existing GAA clubhouse to the southwest of the site. I do not consider that the proposed building represents a scale or format of development which would be incongruous with or detract from the visual amenities of the area. The proposed structure is located over 59m from the appellants dwelling and I am satisfied that no undue visual impact arises.
- 7.4.5. I note the revised proposals submitted by the applicant for a reduced scale clubhouse for consideration of the Board in the instance that the scale of the development is deemed excessive (as illustrated within Drawings nos. 3004 and 3005). The revised drawings omit the proposed indoor training hall resulting in a

reduced floor area of 738 sq.m. for the clubhouse. The appeal sets out a rationale for the requirement for indoor training facilities but outlines that the hall could be omitted in the instance that the Board has concerns in relation to the overall scale of the building. As earlier detailed, I do not consider the scale of the proposed building to be excessive. I do not consider that revisions to the scale of the clubhouse as illustrated on Drawings no. 3004 and 3005 is necessary.

- 7.4.6. In conclusion, I consider that the scale and design of the proposed clubhouse and playing pitches is acceptable and do not consider that the development would have a negative impact on the visual amenities of the area.

7.5. Access and Traffic Impact

- 7.5.1. The appeal raises concern in relation to the siting of the development within a rural area, the narrow nature of the existing road network in the vicinity of the site and the lack of footpaths and public lighting. The appeal raises concern in relation to traffic impact and cumulative traffic impact associated with the development, existing GAA sports facility and future development of the agricultural co-operative lands in the vicinity of the site.
- 7.5.2. Access to the site is proposed via the L-5691-1 which forms the western boundary of the site. The L 5691-1 runs in a straight alignment in the vicinity of the site. I am satisfied that sufficient sightlines can be achieved at the proposed site entrance as illustrated on drawing no. 3002 "Proposed Site Layout. The development includes provision of 95 no. spaces, 6 disabled parking bays and 4 coach parking bays. The parking provision on site is well in excess of development plan standards. Internally sufficient road widths of 6m are provided between parking aisles. 10 no. cycle parking spaces are proposed. I consider that sufficient parking is provided on site to negate against overspill onto the adjoining road network.
- 7.5.3. I note the concerns raised within the appeal in relation to the narrow width of the L 5691-1 in the vicinity of the site. The applicant's FI response outlines that the majority of existing local road network in the vicinity of the site is adequate to accommodate 2 passing vehicles. This was evident on my site visit. The L-5691-1 narrows slightly along the site boundary. The applicant outlines that it is proposed to widen this section of the road to allow passing vehicles. I consider that the details of such

widening can be subject to agreement with the planning authority. I note that Donegal County Council raised no objection to the proposed access and parking arrangements. On an overall basis I consider that the proposed access and parking arrangements are acceptable.

- 7.5.4. I note the concerns raised within the appeal in relation to traffic impact and cumulative traffic impact associated with the development and the existing GAA training facilities within the area. The applicant's appeal response outlines that it is unlikely that the proposed FC and GAA club would have events commencing or finishing at the same time. The applicant furthermore outlines that they will liaise with the GAA club with a view to avoiding timetable clashes with for events such as training. The applicant's FI response furthermore refers to the proximity of the site to Carndonagh town centre which would encourage pedestrian access. On the basis of the information submitted in support of the application and appeal I am satisfied that the development will not result in significant traffic impact on the local road network.

7.6. Other Issues

Procedural Matters

- 7.6.1. The first party appeal raises a number of procedural matters on the planning authority's assessment of the application. These matters are not a matter for the Board to adjudicate upon.

Bat Survey

- 7.6.2. The appeal refers to the requirement for a bat survey to inform the application. I refer to the agricultural use of the site and the lack of any buildings. I also note the proposal to maintain existing site boundaries. I therefore do not consider that there is a requirement for a bat survey.

8.0 AA Screening

- 8.1. Having regard to the nature and scale of the development proposed and to the nature of the receiving environment and separation distance from the nearest designated site, no appropriate assessment issues arise, and it is considered that the proposed development would be unlikely to have a significant effect individually or in combination with other plans or projects on any European sites.

9.0 Recommendation

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

10.0 Reasons and Considerations

Having regard to the nature, scale and layout of the proposed sports facility and its location relative to Carndonagh town centre, it is considered that the proposed development, subject to compliance with the conditions set out below, would be in accordance with the provision of the Donegal County Development Plan 2018-2024, would not injure the visual or residential amenities of the area, would not be prejudicial to public health, would be acceptable in terms of the safety and convenience of pedestrians and road users and would not constitute a traffic hazard. The proposed development would therefore be in accordance with the proper planning and sustainable development of the area.

11.0 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 on the 25th of April 2023, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. Details (including samples) 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.

Reason: In the interests of visual amenity.

3. Prior to the commencement of development, the developer shall forward detailed proposals for improvement/widening works to the site frontage and the L5691-1 for the written agreement of the planning authority.

Reason: In the interests of pedestrian and traffic safety.

4. No additional development shall take place above roof parapet level, including lift motor enclosures, air handling equipment, storage tanks, ducts or other external plant, telecommunication aerials, antennas or equipment, unless agreed in writing with the planning authority.

Reason: To protect the residential amenities of property in the vicinity and the visual amenities of the area.

5. Water supply and drainage arrangements, including the disposal of surface water from the site, shall be in accordance with the detailed requirements of the planning authority.

Reason: In the interests of public health.

6. The applicant shall enter into water connection agreements with Uisce Éireann, prior to commencement of development.

Reason: In the interest of public health.

7. The site shall be landscaped (and earthworks carried out) in accordance with the detailed comprehensive scheme of landscaping, which accompanied the application submitted, unless otherwise agreed in writing with, the planning authority prior to commencement of development.

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

8. Prior to the operation of the development, the developer shall submit a Management Plan for the facility, for written agreement of the planning authority. The Management Plan shall address the following:

- a) The sports facility shall only be used between the hours of 0900 to 2100 Monday to Friday and between the hours of 0900 to 2000 Saturday and Sunday and public holidays.
- b) The playing pitches shall be for the exclusive use of Carndonagh Football Club only. It shall not be used as a multiple user commercial facility and shall not be rented out to other clubs or individuals.
- c) A Facility User Management Plan to include a Code of Conduct for use of the facility to mitigate against undue noise pollution.
- d) No bar facilities shall be provided within the club house.
- e) Details of the external public address system.

Reason: In the interest of clarity and to protect residential amenity.

9. A plan containing details for the management of waste (and, in particular, recyclable materials) within the development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, the waste shall be managed in accordance with the agreed plan.
Reason: To provide for the appropriate management of waste and, in particular recyclable materials, in the interest of protecting the environment

10. Prior to the commencement of development, proposals for lighting shall be submitted for written agreement of the planning authority prior to the commencement of development. Lighting proposals for the site shall be provided in accordance with the following:
 - (a) All external lights shall be hooded and aligned so as to prevent direct spillage of light onto public road and the adjoining residence to the north of the application site.
 - (b) No neon lights or digital displays or similar illuminated streaming media shall be erected or displayed on the subject premises, structure or site.
 - (c) Public lighting other than those around the 3G Pitch shall consist of low energy LED lights. Luminaries shall comply with I.S. EN 60598-2-3. Details of same shall be agreed in writing with the Planning Authority

prior to the erection of any such lighting and thereafter the agreed lighting shall be installed in strict conformity with the agreed details.

11. Prior to the operation of development details of netting for the proposed facility shall be submitted for written agreement of the planning authority.

Reason: In the interests of residential and visual amenity.

12. Prior to the commencement of development details of directional signage associated with the proposed development shall be submitted for written agreement of the planning authority. No additional signage, advertising structures/advertisements, security shutters, or other projecting elements, including flagpoles, shall be erected within the site unless authorised by a further grant of planning permission.

Reason: In order to protect the visual amenities of the area.

13. (a) The proposed effluent treatment and disposal system shall be located, constructed and maintained in accordance with the details submitted to the planning authority, and in accordance with the requirements of Environmental Protection Agency Code of Practice 2021 and the EPA Wastewater Treatment Manual; Treatment Systems for Small Communities, Business Leisure Centres and Hotels (1999). Arrangements in relation to the ongoing maintenance of the system shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

(b) Within three months of the operation of the development, the developer shall submit a report from a suitably qualified person with professional indemnity insurance certifying that the proprietary effluent treatment system has been installed and commissioned in accordance with the approved details and is working in a satisfactory manner in accordance with the standards set out in the EPA document.

Reason: In the interest of orderly development and public health.

14. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development.

Reason: In the interests of visual amenity.

15. Site development and building works shall be carried out only between the hours of 0700 and 1900 from Mondays to Fridays inclusive, between 0800 and 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the amenities of property in the vicinity.

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.

Stephanie Farrington
Senior Planning Inspector

8th of April 2024