



An
Bord
Pleanála

Inspector's Report

ABP-318797-24

Development

Redevelopment of an existing grass club pitch to provide a synthetic all-weather pitch with associated surface water attenuation, lighting, facility fencing, netting and all associated site development works

Location

Rathmale, Mungret, Limerick, V94
ND8P

Planning Authority

Limerick City and County Council

Planning Authority Reg. Ref.

2360662

Applicant(s)

Mungret Regional Football Club

Type of Application

Permission

Planning Authority Decision

Grant Permission

Type of Appeal

Third Party

Appellant(s)

Richard Mulcahy
Michael & Greta Keehan

Observer(s)

Mungret Regional Football Club

Date of Site Inspection

27th August 2024

Inspector

Matthew McRedmond

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1.0 Site Location and Description

- 1.1. The site is located in Mungret village, approximately 5km southwest of Limerick City Centre and approximately 1.5km west of Dooradoyle. It is situated on the L-1402, known locally as Pump Road, on the western side of this road. The site forms part of a series of playing pitches with associated club house and grounds (Mungret Regional Football Club) which are sited on either side of the public road. There is a footpath along the eastern side of the carriageway with bollards outside the clubhouse and a pedestrian (zebra) crossing linking the clubhouse to the sports pitches opposite. A small housing development known as Rathmale is located to the east of the subject site.

2.0 Proposed Development

- 2.1. The proposed development consists of the redevelopment of an existing natural grass pitch to provide an all-weather pitch and associated, fencing, netting and flood lighting.

3.0 Planning Authority Decision

3.1. Decision

On the 19th December 2023, Limerick City and County Council issued a decision to grant permission subject to 9 no. conditions.

Relevant conditions of note are:

Condition 2: The use of floodlighting shall cease at 21:00 hours on any evening.

Condition 3: Floodlighting to be erected in accordance with submitted plans and certification to be submitted to the Planning Authority.

Condition 4: Noise levels arising from any generators shall not exceed background noise at noise sensitive receptors by 5dB when assessed in accordance with BS 4142:2014:+A1:2019.

Condition 6: Eastern boundary to be planted with native hedging during first planting season.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The Local Authority planning report had regard to the location of the site, planning history, national and local policy and to the referral responses and submissions made. Their assessment included the following:

- The principle of the proposal is in line with the relevant policies and objectives of the Development Plan.
- The proposal is in line with the land use zoning for the site.
- The purpose of the upgrade works to support grassroots infrastructure provision is accepted by the Planning Authority.
- Due to third party objections the applicant will be asked to consider lowering the proposed 12m floodlights at further information stage.
- The proposed drainage design is considered acceptable.
- No road safety audit required as no increase in traffic is expected as a result of the subject proposal.

Further Information Request

- The Planning Authority issued a Further Information Request (RFI) asking the applicant to consider removing the 3no. floodlights on the eastern side of the site.
- Requested the applicant to submit details for a line of native planting/hedging along the boundary with properties to the east.
- Submit a revised site layout plan showing pedestrian access.
- Clarify the intended use of the pitch, days and hours of operation for all times of the year and what time the lights will be turned off.

Further Information Response

The applicant submitted a further information response which included the following:

- Applicant submitted that removing 3no. floodlights along eastern boundary would make the project unviable as adequate lighting of pitch would not be achieved.
- Proposed lighting design is consistent with best practice and will direct light downwards rather than directly towards dwellings. Light spill to dwellings will be minimal.
- A native hedge is proposed along the eastern boundary with properties, 8, 9 and 10 Rathmale.
- Revised site layout plan submitted showing access to the pitch.
- The use of the pitch is confirmed to be for soccer matches and training, primarily the U6-U13 age group with lights on during a proposed period of 5pm-9.30pm during winter.

Planning Authority Response

The Planner's Response to the F.I. Submitted included the following:

- Details in relation to the impact of removing 3no. light poles along the boundary with properties to the east are noted. The information submitted shows a considerable reduction in light levels toward the common boundary with properties to the east and this response was considered acceptable by the Planning Authority.
- A native hedge is proposed by the applicant along the eastern boundary and is considered acceptable by the Planning Authority.
- Access arrangements are to remain as they currently exist and is considered acceptable by the Planning Authority.
- Use of the pitch is noted as mainly for underage purposes (under 6 – under 13 age groups) given the pitch dimensions (not full sized) and is limited to 10am-5pm Saturdays and Sundays and 5pm-9.30pm, Monday to Saturday evenings throughout the year. The Planning Authority considered this response to be acceptable.
- In relation to control of noise, the Planning Authority recommend a condition to restrict times of use.

3.2.2. The Planning Authority noted the Further Information Response and having reviewed the details proposed by the applicant, recommended a grant of permission subject to conditions with the main relevant conditions outlined at section 3.1.

3.2.3. Other Technical Reports

- **Roads Section report** – Recommend conditions to be attached including Cowls should be placed on the lighting to reduce overspill.
- Time restrictions should be placed on proposed use.
- Appropriate management of surface water run off to the satisfaction of the Planning Authority.
- **Environment Section Report:** Recommend conditions to be attached to any grant of permission including details of waste management collection permits and practices on site to be provided to the Planning Authority.

3.3. **Prescribed Bodies**

TII – No observations to make.

3.4. **Third Party Observations**

3.4.1. 4 no. observations were received from local residents. The main issues raised are largely covered by the third party grounds of appeal and can be summarised as follows:

- Impact of flood lights on residential amenity.
- Impact of noise from activities associated with the proposal.
- Impact of parking and traffic on locality.
- Impact of anti-social behaviour associated with the use including impacts on privacy and security.

4.0 **Planning History**

None on subject site.

Ref. 20141: Refusal of permission for the erection of a double-sided advertising sign on playing pitches to the northeast of appeal site.

5.0 Policy Context

5.1. National Planning Policy

5.1.1. **National Planning Framework** – Limerick City and Metropolitan Area is identified as being the focus for significant employment and housing growth.

5.1.2. **Regional Spatial and Economic Strategy for Southern Regional Assembly** – Mungret is identified as a zoned urban extension of Limerick City, with the Metropolitan area to be strengthened as an international location of scale.

5.2. Limerick Development Plan 2022-2028

5.2.1. The appeal site is zoned 'Open Space & Recreation', with an objective to *'protect, provide for and improve open space, active and passive recreational amenities.'* The purpose of this land use zoning is: *'To provide for active and passive recreational resources including parks, sports and leisure facilities and amenities including greenways and blueways.'*

5.2.2. The adjoining site to the east is zoned 'Existing Residential', which has an objective to *'provide for residential development, protect and improve residential amenity.'* The purpose of the existing residential land use zone is *"intended primarily for established housing areas. Existing residential amenity will be protected while allowing appropriate infill development. The quality of the zone will be enhanced with associated open space, community uses and where an acceptable standard of amenity can be maintained, a limited range of other uses that support the overall residential function of the area, such as schools, crèches, doctor's surgeries, playing fields etc."*

5.2.3. **Objective SCSi O20 – Protection of Sports Grounds/Facilities**

It is an objective of the Council to: a) Ensure that adequate playing fields for formal active recreation are provided for in new development areas. b) Protect, retain and enhance existing sports facilities and grounds.

5.2.4. **Objective SCSI 021 – Improve Open Space Provision**

It is an objective of the Council to:

a) Co-operate with sports clubs, schools, cultural groups and community organisations to provide quality sports and recreational facilities to the community. The Council encourages a multi-use and co-use of facilities of a complementary nature to support a more diverse range of sport and recreational opportunities. Proposed development shall demonstrate quality pedestrian and cyclist linkage.

b) Ensure residential development incorporates appropriate provision of quality public open space and play lots in accordance with the Development Management Standards set out in Chapter 11. Open space provision will be proportional to the number of residential units proposed, consider access to existing open space and have regard to the principles of national guidance including accessibility, personal and child safety, linkage, place-making and permeability and the hierarchy of open space.

c) Ensure that proposals for largescale development on land zoned Enterprise and Employment incorporate active and passive recreational opportunities for employees.

5.3. **Natural Heritage Designations**

- 5.3.1. The nearest designated sites are the Lower Shannon SAC (Site Code 002165) and River Shannon and River Fergus Estuaries SPA (Site Code 004077) which are located approximately 1.9km north of the subject site.

5.4. **EIA Screening**

- 5.4.1. Having regard to the nature of the proposed development comprising of replacement of an existing grass playing pitch with an artificial playing pitch in an established urban area, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

6.0 The Appeal

6.1. Grounds of Appeal

6.1.1. 2no. third party appeals against the Planning Authority decision to grant permission were submitted by neighbouring property owners. The main issues raised in the third-party appeals can be summarised as follows:

- Anti-social behaviour as a result of proposal.
- Inadequate access road leading to pitch.
- Proposal will lead to an increase in activity.
- Alternative, more appropriate sites available.
- Impact of noise and light on adjoining properties and sleeping patterns.
- No details provided on noise levels during match/training times.
- Impact of floodlights on natural habitats and species.
- Inadequate parking to serve existing needs.
- Impacts on privacy due to foliage loss in winter months.

6.2. Applicant Response

The applicant submitted a response to the third-party appeal stating the following relevant matters:

- Proposal is to cater for increased playing numbers and for wet periods where grass pitches are unplayable.
- The pitch has been used for small sided games and training for many years and it is intended to continue to do so with the subject proposal.
- No previous issues with Anti-social behaviour at this location. Gates will be locked outside of operation hours and perimeter fencing installed.
- Additional hedging proposed along boundary to enhance privacy and security.
- Access route will be developed as part of the overall project.

- The club are open to discussion with neighbours to allay any concerns.

6.3. **Planning Authority Response**

None on file.

6.4. **Observations**

None on file.

7.0 **Assessment**

7.1. Having reviewed the details and appeal documentation on the file, the submissions made, having inspected the site, and having regard to relevant local and national policy and guidance, I conclude that the main issues are the following:

- Need for the Proposed Development
- Residential Amenity
- Roads and Parking
- Impacts on Biodiversity
- Appropriate Assessment

7.2. **Need for Proposed Development**

- 7.2.1. Mungret Regional Football Club propose to replace an existing grass pitch with a synthetic, all-weather pitch to the west of other grass based playing fields and the associated club house on the east side of Pump Road. The main element of the proposal is a fully lit synthetic playing pitch with dimensions of 80m x 58m with 6no. floodlights, fencing, netting and associated works to support the use of this facility.
- 7.2.2. Mungret is included in the same settlement category as Limerick City and Suburbs (in Limerick) and Annacotty and is designated for significant growth under both the National Planning Framework (NPF) and Regional Spatial and Economic Strategy (RSES), forming part of the Limerick City Metropolitan Area. The lands are zoned for open space and recreation use and relevant objectives in relation to this use are set out in the Limerick Development Plan 2022-2028. The site includes an existing grass

pitch with other pitches and a clubhouse located to the north east. Based on the zoning of the site, the projected population growth for the area and associated rising demand for playing facilities, as well as the existing uses at this location, I am satisfied that the site is appropriate for the development proposed.

7.2.3. I note the details on the file and the identified need for the all-weather facility within the club's grounds. I consider the rationale provided to be reasonable and will significantly improve the range of sporting facilities for Mungret and the surrounding area, particularly for younger players and in the context of projected population growth in future years. This is in accordance with the Limerick Development Plan 2022-2028 which seeks to improve sporting facilities. I refer to Objective SCSI O20 – Protection of Sports Grounds/Facilities that includes the following: *'It is an objective of the Council to ... Protect, retain and enhance existing sports facilities and grounds.'* The proposed development will achieve this objective.

7.2.4. I have no objection to the development of such a facility at the existing Mungret RFC, as it strengthens the settlement, and the need has been adequately demonstrated to provide appropriate playing surfaces during winter months for an increasing number of club players.

7.3. **Residential Amenity**

7.3.1. There are two houses and associated rear garden areas within close proximity to the site and that is the properties of both the appellants. In the case of the property at No. 10 Rathmale, the existing grass pitch extends along their western boundary. It is notable that the rear private open space of No. 10, extends to the east and has a boundary with an agricultural field to the south. The proposed synthetic pitch and fencing only extends 2-3m along the boundary with this property. The main area of potential impact is along the boundary with No. 9 Rathmale, where the full rear boundary of their private amenity space is shared with the existing grass pitch where the proposal is to be located. I note several existing gaps in the boundary hedge at this interface. As confirmed by the submitted documentation and the nature of the grass based pitch layout, I consider that there would be an existing level of activity associated with current training and matches at this playing pitch. While the proximity of the proposed pitch is relatively close, this separation distance is already present with the existing pitch in operation.

- 7.3.2. The subject proposal comprises an 80m x 58m synthetic pitch, 6 flood lighting poles, a 1.2m height, mesh boundary fence around the perimeter of the playing area and enhanced boundary planting with adjoining properties to the east to mitigate visual and noise impacts from the proposal.
- 7.3.3. I do not foresee that levels of noise will be significant from a relatively modest football ground such as this as the number of spectators is likely to be minimal. As confirmed in the submitted documents, while schoolboy, youth and adult training can be accommodated on the pitch; as is currently the case with the grass pitch existing; the proposed synthetic pitch is primarily intended for underage training and matches (under 6 – under 13 age groups) given the smaller competition size of the playing area. The proposed hours of use as submitted are 10am-5pm Saturdays and Sundays, and 5pm-9.30pm, Monday to Saturday evenings throughout the year.
- 7.3.4. The boundary fencing and proposed boundary landscaping of native hedgerow will reduce the potential impacts of the proposal. A limit on the hours of operation by condition, with a cut off time of 9pm for the floodlighting would also mitigate residential amenity impacts. There is no reference to proposed generators associated with the floodlights in the submitted documentation and therefore I see no justification for a condition in relation to noise in this regard.
- 7.3.5. A significant aspect of this development is the use of floodlighting to illuminate the pitch at time of poor light/ evening. I note that LED type lighting is proposed and supporting assessments/ technical documentation have been provided. The Lighting Assessment indicates the light spill outside of the pitch area in table, graphical and iso contour format and this light spill falls very rapidly to a measurement of 1 to 36 on the boundary with No. 9 Rathmale, to 0 to 1 in the vicinity of the house; light adjacent to the source is expected to be in the range of 280 to 308s. The measurement of light spill at No. 10 Rathmale is 0 to 1 across the property. Light spill onto the appellants' lands are therefore marginal to none. This is to be expected as the function of the lights is to light the pitch in an efficient manner and significant light spill indicates a failure to properly illuminate the pitch. Proposed cowls are also indicated to focus the direction of light to the pitch. I consider this level of light spill to be acceptable.

7.3.6. Both appeals raise the potential for anti-social behaviour as a result of the proposed development. The applicant's response states there have been no reported incidents of anti-social behaviour to-date. Subject to a limit on the hours of operation, standard security practices and the erection of fencing as proposed, as well as additional screen planting to protect privacy, I do not consider that anti-social behaviour would be specifically caused by the subject proposal and do not consider that to be a reason for refusal.

7.3.7. Based on the above and subject to conditions to limit the hours when lights are switched on, I am satisfied that no significant residential amenity impacts will arise from the subject proposal.

7.4. Roads and Parking

7.4.1. The third-party appeal refers to car parking issues related to existing activities on site. I note the comments and report of Limerick City and County Council Roads Department and that there is no objection raised on traffic grounds. The existing club house associated with the existing and proposed use is located on the opposite side of the local road with parking provided. Access to the pitch is via a pedestrian crossing and a hard compacted granular pedestrian path, which I consider acceptable

7.4.2. Issues associated with existing operations, as raised by the appellant are noted. However, any issues with existing operations and compliance with previous permissions on site are a matter for the Planning Authority. Enforcement is not a matter for the Board.

7.4.3. As the proposal is for the replacement of an existing grass pitch, I am of the opinion that the subject proposal will not result in traffic above and beyond what already exists as associated with facilities and activities already in place and therefore do not consider roads, parking and traffic to be a reason for refusal.

7.5. Impact on Biodiversity

7.5.1. A third-party appeal raises concerns about potential impacts on local wildlife including bats, birds and mammals.

7.5.2. The subject proposal does not propose any removal of trees, hedgerows or habitats that would impact on bats, birds and mammals and is limited to the removal of a

grass pitch and replacement with a synthetic surface. The proposed additional native hedgerow planting will enhance local habitats for these species. I therefore do not consider that the subject proposal would have a negative impact on wildlife in the area and do not consider this to be a reason for refusal.

7.6. AA Screening

- 7.6.1. Having regard to the nature and scale of the proposed development and the location of the site and the separation distance to the nearest European site, no Appropriate Assessment issues arise, and it is not considered that the development would be likely to give rise to a significant effect individually or in combination with other plans or projects on any European site.

8.0 Recommendation

- 8.1. I recommend that permission be granted subject to the following conditions and reasons.

9.0 Reasons and Considerations

Having regard to the provisions of the Limerick Development Plan 2022 – 2028 including objective SCS1 O20 to protect and enhance existing sporting facilities, to the location of the site and to the nature, scale and layout of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential amenities of the area and would provide for additional recreational/ community based facilities for Mungret, Co. Limerick. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

10.0 Conditions

1.	The development shall be retained, 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 24 th November 2023, except as may otherwise be required in order to comply
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	<p>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.</p> <p>Reason: In the interest of clarity.</p>
2.	<p>The operational hours of the floodlighting shall not extend beyond 2100 hours (9.00pm) daily, with automatic cut-off of floodlighting at that time.</p> <p>Reason: In the interest of the residential amenities of property in the vicinity.</p>
3.	<p>The floodlights or any equivalent replacement floodlights shall consist of those as specified in the application as received on the 24th November 2023. The floodlights shall be directed onto the playing surface of the pitch and away from adjacent housing and their associated lands. The floodlights shall be directed and cowled such as to reduce, as far as possible, the light scatter over adjacent houses and their adjacent lands. Prior to the commencement of the use, a lighting design engineer shall submit certification to the Planning Authority that the cowls have been placed on the lighting.</p> <p>Reason: In the interest of residential amenity and traffic safety.</p>
4.	<p>Site development and building works shall be carried out only between the hours of 0800 to 2000 Mondays to Fridays inclusive, between 0800 to 1600 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.</p> <p>Reason: In order to safeguard the residential amenities of property in the vicinity.</p>

5.	<p>The eastern boundary of the site shall be planted with native hedging during the first planting season to the satisfaction of the Planning Authority.</p> <p>Reason: To protect the residential amenities of the area.</p>
6.	<p>Water supply and drainage arrangements, including the disposal of surface water, shall be collected and disposed of within the site as per the details received by the Planning Authority on the 8th September 2023 and to comply with the requirements of the planning authority for such works and services.</p> <p>Reason: In the interest of public health and to ensure a proper standard of development.</p>
7.	<p>All surface water run-off from the public road, which flows into the site, shall continue to be accommodated within the site unless alternative arrangements acceptable to the Planning Authority are carried out. Full details of any such alternative arrangements shall be submitted to the Planning Authority and agreed prior to the commencement of development.</p> <p>Reason: To prevent flooding on the public road in the interest of amenity and traffic safety.</p>
8.	<p>Prior to commencement of works, the developer shall submit to, and agree in writing with the planning authority, a Construction Management Plan, which shall be adhered to during construction. This plan shall provide details of intended construction practice for the development including hours of working, noise and dust management measures and off-site disposal of construction/demolition waste.</p> <p>Reason: In the interest of public safety and amenity.</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.

Matthew McRedmond
Senior Planning Inspector

12th September 2024

Appendix 1 - Form 1

EIA Pre-Screening

[EIAR not submitted]

An Bord Pleanála Case Reference	ABP-318797-24		
Proposed Development Summary	Redevelopment of an existing grass pitch to provide synthetic all weather pitch and associated facilities.		
Development Address	Rathmale, Mungret, Co. Limerick		
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (that is involving construction works, demolition, or interventions in the natural surroundings)		Yes	✓
		No	No further action required
2. Is the proposed development of a class specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) and does it equal or exceed any relevant quantity, area or limit where specified for that class?			
Yes		Class.....	EIA Mandatory EIAR required
No	✓		Proceed to Q.3
3. Is the proposed development of a class specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) but does not equal or exceed a relevant quantity, area or other limit specified [sub-threshold development]?			
		Threshold	Comment (if relevant)
No	✓	N/A	No EIAR or Preliminary Examination required
Yes		Class/Threshold.....	Proceed to Q.4

4. Has Schedule 7A information been submitted?

No		Preliminary Examination required
Yes		Screening Determination required

Inspector: _____ **Date:** _____