



An
Bord
Pleanála

Inspector's Report ABP-319831-24

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| Development | Construct a new grass playing pitch with associated facilities (including lighting), temporary construction access, car parking/ lighting upgrade to existing grass pitch and all associated site works. |
| Location | Eadestown GAA, Eadestown, Naas, Co. Kildare |
| Planning Authority | Kildare County Council |
| Planning Authority Reg. Ref. | 231027 |
| Applicant(s) | Eadestown GAA |
| Type of Application | Permission |
| Planning Authority Decision | Grant with Conditions |
| Type of Appeal | Third Parties |
| Appellant(s) | <ol style="list-style-type: none">1. David Rowan2. Lesley Jenkins Blairsdale3. Gary Rowan & Patrick J. Rowan |

Observer(s)

None

Date of Site Inspection

19/10/2024

Inspector

Paula Hanlon

1.0 Site Location and Description

- 1.1. The site (4.135ha), subject to this appeal (hereafter referred to as 'the site') encompasses the established grounds of Eadestown GAA and adjoining field to the south both of which front onto the western side of a local road (L-2022) in a predominantly rural area, approximately 400m southwest of Eadestown and approximately 3.8km southeast of Naas, Co. Kildare. There are 3(no) detached houses sited on the opposite side of the adjoining local road (east of the subject site) which face towards the subject site. An established linear pattern of residential development lies approximately 200m south of the site.
- 1.2. The northern extent of the site is fully developed and includes a full size GAA pitch, flood lighting, clubhouse, playground, walking track and on-site surfaced car park. The undeveloped (southern) area of the site lies undeveloped and in grassland however it currently contains 2(no) goalposts, and 4(no) diesel powered portable lights, all of which are temporary in form and demountable. An internal (east-west) lateral boundary of native planting incorporating an internal field access gate currently bisects the adjoining GAA grounds and the undeveloped (southern) area of the site.
- 1.3. The site is bound by native hedging and trees along its eastern (roadside) boundary and similar along its western and northern boundaries. The established roadside boundary alongside the established pitch is maintained, providing visibility into the subject lands, whilst the boundary further along the roadside which adjoins the proposed new pitch provides substantial screening and is not maintained to the level of boundary treatment adjoining the existing pitch. The site's southern boundary which comprises a wire fence is openly visible to adjacent lands to the south which are also laid in grass and separate the site from established residential plots located approximately 95m (at the closest point) to the south of the delineated site.
- 1.4. The overall site's topography falls in an easterly direction. Ground levels along the southwestern extent of the site however are significantly higher than the eastern (roadside) end with an approximate 4.8 metre fall in site levels within this undeveloped

area of the site. There is an approximate 1.4m fall in existing levels within the northern (already developed) area of the site.

- 1.5 At the time of site inspection, the site was dry and neither site features nor vegetation suggested any drainage issues. The subject lands lie within an 80kph speed limit zone.

2.0 Proposed Development

- 2.1. The proposed development comprises the following:

- Proposed New Pitch & Ancillary Facilities:

Permission is sought to develop an existing field as a grass playing pitch (80m x 130m) and ancillary facilities, adjoining the southern boundary of the established grounds of Eadestown GAA. The proposed new pitch is laid out on a north-south axis and runs adjacent to the adjoining local road. A 1.2m high railing and 2m compact walking track is sought along the entire perimeter of the pitch. 6(no) 18m high lighting columns [3(no) along the western side & 3(no) along eastern side of pitch] are sought, along with ball stop netting (45m wide x 15m height) behind the 2(no) goalposts. A digital scoreboard (2.3m wide x 3m height) is proposed within the SE corner of the site and ball wall (20m wide x 5m height) is sought at the SW end of the site.

Access into the proposed new pitch is via the established vehicular access serving the GAA grounds. 14(no) additional car parking spaces are proposed to the SW of the existing car park within the site.

- Existing Pitch (lighting)

Permission is also sought to upgrade the existing lighting system on the existing grass pitch, to include 6 (no) 18m high lighting units [3(no) along the western side & 3(no) along eastern side of pitch] and all associated site works.

- Boundary Treatment & Landscaping

An internal lateral boundary comprised of 6(no) ash trees and hedging located along the southern boundary of the existing car park within the central area of site is proposed to be removed and replaced with supplementary mixed specimen tree

planting. Separately, a 1.2m indigenous hedge is proposed along the site's outer southern boundary which currently comprises of a wire fence, with existing native planting along the remainder of the site's perimeter to be retained with the exception of the removal of 12m of planting to accommodate a proposed temporary construction access. The applicant also proposes to address existing site levels along the western side of the proposed new pitch with an approximate 4.8 metre fall in site levels in an easterly direction between the site's western boundary and the pitch, by way of incorporating a tiered embankment as a landscape feature to adjoin the new pitch.

- Temporary Construction Access

A 12m wide splayed temporary access is proposed at the southeastern corner of the site, which requires the removal of existing roadside planting. It is stated that the access will be replaced with hawthorne hedging on the completion of construction works.

2.2. The application was accompanied by the following documentation of note –

- Lighting Report
- Topographical Survey
- Construction & Environmental Management Plan (Received at further information stage)
- Landscape Masterplan (Received at further information stage).

3.0 Planning Authority Decision

3.1. Decision

By Order dated 3 May 2024, Kildare County Council issued a Notification of decision to grant planning permission subject to 13(no) conditions. The conditions were mainly standard, and the following are of note:

- Development to be carried out in accordance with plans and particulars submitted on 12/12/2023 and 08/04/2024 & temporary construction access is permitted only for construction phase [Condition 1]
- Implementation of Landscape Masterplan & submission of a Tree/Hedgerow Protection Plan [Condition 3]
- Lighting Requirements [Condition 4].

3.2. Planning Authority Reports

3.2.1. Planning Reports

2(no) Planning Reports are attached to this case.

The First Planning Report (dated 02 February 2024) outlines that the principle of the proposed development is acceptable. It sought further information on a number of matters including details on recontouring of hill (adjacent to proposed new pitch – western side), hedgerow retention, justify temporary access, floodlighting (existing pitch), bicycle parking & EV charging points, preliminary Construction Management Plan and a Landscaping Plan.

The Second Planning Report (dated 01 May 2024) refers to reports received by internal sections within the Council and raises no outstanding matters in regard to the further information response received. It recommends that permission be granted subject to conditions. These reports form the basis for the PA's decision to grant permission.

3.2.2. Other Technical Reports

- Municipal District Engineer (01/05/24): No Objection, following receipt of further information
- Environment (25/01/2024) No Objection - Conditions Recommended
- Roads, Transportation & Public Safety (25/04/24): No Objection, following receipt of further information
- Water Services (24/01/24): Conditions Recommended
- Fire Service (29/01/24): No Objection

- EHO (16/01/2024): No Objection - Conditions Recommended.

3.2.3. Conditions

In recommending that permission be granted, the PA attached a specific condition as part of Condition 1 of its decision in regard to the temporary construction access, which is permitted only for the construction phase. Specific conditions in relation to requirements in the implementation of submitted Landscape Masterplan and the requirement for a Tree/Hedgerow Protection Plan (Condition 3) and lighting requirements (Condition 4) were also attached. Consideration will be given to the attachment of these conditions within my assessment below [Refer Section 7].

3.3. Prescribed Bodies

None received.

3.4. Third Party Observations

The Planning Authority (PA) received 3(no) third-party submissions during the course of their determination, each of which were made by adjoining residents in the immediate area. The matters raised were predominantly based on intensification of use, traffic safety & road capacity, privacy of adjoining residences, impacts on biodiversity, visual amenities & the environment/climate, light spillage concerns and the unnecessary need for a temporary entrance.

A written representation made by an elected member of Dáil Éireann in support of the application is also attached to the file.

4.0 Planning History

PI. Ref. 18/74: Permission was granted for a clubhouse extension, floodlighting to main pitch and wastewater facilities.

PI. Ref. 001242: Permission was granted for a clubhouse extension and ancillary works.

5.0 Policy Context

5.1. Kildare County Development Plan 2023-2029

- 5.1.1. The Kildare County Development Plan 2023-2029 (CDP) which came into effect 28 January 2023 is the operative Development Plan for the county.
- 5.1.2. Rathmore/Eadestown is designated as a (rural) node within Chapter 2 - Core Strategy & Settlement Strategy of the plan. There is no boundary delineation (or land use zoning map) for designated nodes within the plan.
- 5.1.3. The site is within the Eastern Transition Landscape Character Area, with a Class 2 Medium Sensitivity landscape sensitivity rating as per Map Ref: V1-13.1.
- 5.1.4. Relevant policies, objectives, standards and sections within the CDP are set out under Sustainable Mobility & Transport (Chapter 5), Infrastructure & Environmental Services (Chapter 6), Landscape, Recreation & Amenity (Chapter 13) and Development Management Standards (Chapter 15).

Social & Community

Objective SC O19: Support, facilitate and acquire, where possible, playing facilities for sporting organisations across the county including the County Kildare Ladies GAA and Camogie Association for their continued development.

Objective SCO9: Ensure that all communities are supported by a range of sporting facilities that are fit for purpose, accessible and adaptable and that recreational and sports amenity space is provided that supports the work of Kildare Sports Partnership in promoting participation in sports and physical activity for all.

Section 15.5 - Social and Community Developments

This Section states that any application for community facilities, including sports grounds and playing pitches, shall have regard to the following:

- Overall need in terms of necessity, deficiency, and opportunity to enhance or develop local or county facilities.
- Practicalities of sites in terms of site location relative to uses, impact on local amenities, desirability, and accessibility.
- Conformity with the requirements of appropriate legislative guidelines.
- The potential multifunctional use of community facilities, including daytime and night-time usage.

Car Parking

Section 15.7.8 sets out that a maximum of 15 car parking spaces to be provided per playing pitch (Table 15.8) and that the Council has the right to alter this requirement having regard to the circumstances of each particular development on a case-by-case basis.

Hedgerow

Objective TM O102: Minimise the extent of hedgerow removal in order to achieve adequate sightlines. However, where it has been satisfactorily demonstrated that there is no other suitable development site (for planning reasons) any removed hedgerow shall be replaced with native hedgerow species. Opportunities should be sought to translocate existing species rich hedgerows, where possible, and subject to proper biosecurity protocols.

Objective LR O4: Ensure that local landscape features, including historic features and buildings, hedgerows, shelter belts and stone walls, are retained, protected and enhanced where appropriate, so as to preserve the local landscape and character of an area.

Lighting

Objective IN O68: Require the design of external lighting schemes to minimise the incidence of light spillage or pollution into the surrounding environment having regard to the residential amenity of surrounding areas and the need to mitigate adverse impacts on sensitive fauna and protected species.

5.2. Natural Heritage Designations

The site is not located within any European Site or Natural Heritage Area. The Red Bog, Kildare SAC (Site Code 000397) [also pNHA] is the nearest European site located approximately 3km east of the subject site, and The Poulaphouca Reservoir SPA (Site Code 004063) [also pNHA] is the next nearest European Site located approximately 4.8km SE of the site.

5.3. EIA Screening

Having regard to the nature and type of development proposed, it is not considered that the proposal falls within the classes listed in Part 1 or Part 2 of Schedule 5 of the Planning and Development Regulations 2001 (as amended), and as such preliminary examination or an environmental impact assessment is not required.

6.0 The Appeal [3(no) Third Parties]

There are three appeal submissions made against the decision of Kildare County Council to grant permission for the proposed development. Each of the appellants reside in the immediate area of the site. Many of the concerns and issues raised by the respective appellants are similar and therefore for the purposes of clarity, the grounds of each appeal are collectively outlined below (Section 6.1).

6.1 Grounds of Appeal

- Intensification of use is not justified.
- Alternative lands were not considered.
- Temporary construction access is not required.
- Road capacity and other traffic safety concerns.
- Additional car parking is not justified.
- Concerns on overlooking of adjoining residences.

- Concerns on lighting spillage in terms of biodiversity, landscape, residential amenity and road safety.
- Visual impact to the local landscape and character of the area.
- Removal of hedgerow/trees.
- Devaluation of adjoining property.
- Impacts on ecology.
- A detailed Environmental Report is required.
- Procedural Issues.

6.2 **Applicant Response**

The applicant's response to the grounds of appeal contains a cover letter with responses to matters raised within the appeal submissions and accompanying Lighting Application Specialist (LIAS) design notes and luminaire schedule with revisions proposed to the lighting scheme which was approved by the PA. The applicant's response is summarised as follows:

- The proposed development is required to accommodate fit-for-purpose facilities for existing members across all juvenile and adult codes.
- The applicant is not in ownership of any other lands outside of the redline boundary.
- A temporary construction entrance is required on health & safety grounds and planting will be reinstated following completion of construction works.
- The Council raised no issue on traffic safety or on proposed second entrance.
- There will be no traffic increase as the proposal is to accommodate the existing playing population.
- The tiered embankment is a landscape feature required to address site levels and will not result in overlooking
- A detailed landscaping masterplan is included.

- A revised lighting installation proposal is submitted.
- Any hedgerow removal will be supplemented by significant reinstatement proposals.
- There is no evidence given in regard to devaluing of property, as contended by appellants.
- There is no evidence given on the nature and extent of any bird or animal species on this site and the matter was not raised by the PA.

6.3 Planning Authority Response

A response has been received from the PA dated 05/06/2024 which confirms its decision to grant permission. It refers the Board to the PA's planning reports and other reports received in its assessment of the application.

7.0 Assessment

Having examined the application details and all other documentation on file, including the third-party appeal submissions, the reports of the local authority, having inspected the site, and having regard to the relevant policy, objectives and guidance, I consider that the substantive issues in this appeal case to be considered are as follows:

- Principle of Development
- Traffic Safety and Car Parking
- Ecological Impacts
- Visual Impact(s)
- Residential Amenities (Overlooking)
- Light Spillage
- Other Matters

7.1. Principle of Development

7.1.1 Extension of Facilities

The Core Strategy and Settlement strategy of the Kildare CDP designate Rathmore/Eadestown as a (rural) node, however I wish to highlight that there is no defined settlement boundary or land use plan provided for the associated lands within the designated (rural) node. In this context, I note that the site's planning history indicates that Eadestown GAA club has been established at the subject location for a number of decades. Whilst the matter of the location of the existing GAA club and associated facilities is not refuted by any parties, the matter of intensification of use at this rural location is of primary concern to each of the appellants in this case. It is referenced by appellant that the intensification of use of the established sporting facility is not justified given the townland's population. In this regard, whilst clarity on membership numbers attached to the GAA club in this case is not provided within the application, I am of the view that the enhancement of facilities to its membership from juvenile to adult level serving a predominantly rural hinterland, including the development of a second grass pitch on lands immediately adjacent to the established grounds of Eadestown GAA and which are within the applicant's ownership is not unreasonable.

The matter of consideration of alternative lands in accommodating the proposed development is beyond the scope of this application. In this context, whilst reference is made to a third pitch on lands which adjoins the western side of the existing pitch (Pitch 1), I note that the associated lands are outside of the applicant's ownership and are not referenced within the drawings submitted in this application. I submit that any works or activity which lies outside of the redline boundary falls outside of the Board's remit in deciding on this application.

Overall, I am satisfied that the proposal is supported by adopted objectives within the plan, notably Objective SCO9 in ensuring that the community is supported by sporting facilities that are fit for purpose and which allow for the promotion of participation in sports & physical activity for all, and Objective SCO19 in supporting and facilitating playing facilities for the continued development of established facilities. I do not concur

with a third party that the proposal conveys an urban feel to a rural area and I recognise and acknowledge the contribution of sporting facilities to communities, including those located in a rural context. In this regard, I am satisfied that the principle of the development proposed which will positively contribute to the enhancement of existing facilities within the site and also, positively contribute to the health and well-being of its users is acceptable, subject to its compliance with normal planning considerations.

7.1.2 Temporary Construction Access

The delineated site which includes GAA facilities, and a community playground is currently served by an established stone faced splayed vehicular access onto the adjoining local road. An internal access between the established on-site car park and the undeveloped area within the southern area of the site accommodates existing access needs within this site, without necessitating the need for a second entrance off the adjoining local road.

Whilst the applicant considers that a separate construction access is required on the grounds of health and safety, given the proximity of the access to the public playground and juvenile sports activities, the appellants are opposed to its inclusion principally on the grounds of traffic safety (absence of sightlines), damage to uninterrupted hedgerow and that it would give rise to additional light spillage.

Whilst it could be argued that the established vehicular access could accommodate construction traffic arising from the development proposed given its width (approx. 6.8m), that secure fencing surrounds the community playground area, that proposed hours of construction are generally outside of the normal hours associated with GAA sports activities and that a construction traffic plan could be sought by way of the attachment of a condition seeking an updated Construction Environmental Management Plan, I am of the view that the principle of a proposed separate construction access is justified in this case. In my opinion, a separate construction access would assist in ensuring that any potential conflict arising between construction traffic and other traffic movements associated with the accessing of existing community facilities within this site could be avoided and thereby reduce risk to public

safety. I propose to consider the raised matters on road safety, light spillage and biodiversity associated with the proposed construction access separately in this report.

7.2. Traffic Safety and Car Parking

7.2.1 Roads & Traffic

Section 15.7.5 of the CDP refers that sightline requirements are determined by the Council on a case-by-case basis with factors including the type, speed limit and condition of the road taken into consideration. The drawings submitted do not denote the extent of achievable sightlines from the proposed temporary construction access and I note that no issue was raised by the PA as informed by both the Roads, Transportation and Public Safety Department and the Municipal District Engineer on the matter of achievable sightlines. Following a site inspection, I am satisfied that given the comparatively lightly trafficked nature of the serving local road and the likelihood of reduced traffic speeds due to its overall condition, width and alignment that adequate sightlines are available from the 12 metre splayed access proposed and therefore, the proposed construction access to be utilised solely on a temporary basis for construction traffic only will not endanger public safety by reason of traffic hazard. In the event that the Board is minded to grant permission, I suggest that a condition similar to that of the PA be attached which confirms that the temporary construction access permitted shall cease on completion of construction works and that supplementary planting be undertaken within the first planting season following the completion of works.

In regard to road capacity, I am satisfied that the serving local road predominantly serves low levels of locally generated traffic arising from low density, single houses and agriculture in the area. I further note that the proposed development is sought to accommodate the existing needs of Eadestown GAA's playing population, and on this basis, I am of the view that there will be no increase in traffic levels over and above that which currently exists. Accordingly, and in noting that no issue was raised by the PA in regard to road capacity and that it is clearly outlined within the submitted application that permanent access to the proposed development will be obtained via

the established splayed entrance onto the adjoining local road (L-2022), I am of the view that the issue of road capacity does not warrant a refusal on its own in this case.

7.2.2 Car Parking

Whilst third party concerns outline that additional car parking provision is not justified, the proposed 14(no) additional car parking spaces in my opinion constitute a logical extension along the southwestern extent of the established car park within the site. The proposal in this case which is associated with a proposed playing pitch is consistent with Section 15.7.8 of the CDP which sets out that a maximum of 15 car parking spaces to be provided per playing pitch. I wish to further note that whilst the submitted site layout map shows significant levels of on-site parking along the inner face of the northern and eastern sides of the established pitch to the north of this site, I noted on my inspection of this site that the associated ground is currently surfaced but is not demarcated for parking. Section 15.7.8 of the plan affords flexibility to the stated maximum standard and sets out that the Council has the right to alter the requirement on car parking having regard to the circumstances of each particular development on a case-by-case basis. Given this and to the extent of car parking proposed as part of this application, I am satisfied that the proposed development of 14(no) additional car parking spaces is consistent with the Council's adopted standard on car parking and is therefore acceptable.

7.3. Ecological Impacts

In this outset, I wish to highlight that there is no statutory requirement requiring the undertaking of an EcIA or an EIA in the case of the proposed development. I have considered the appellants concerns with regard to the loss of hedgerow and tree removal, however I am of the view that there will be no significant loss of local biodiversity or ecological devaluation in this case. The site is not located within a designated European Site or Natural Heritage Area and does not incorporate a townland boundary. The extent of loss of trees and hedgerow to accommodate the proposed development includes 12 metres of roadside boundary sought to be removed to accommodate a temporary access and the removal of existing ash trees within an existing (east-west) internal boundary. I submit that a partial gap in foliage

currently exists within the proposed location of the temporary construction access, as evidenced on site inspection, and replacement hawthorne hedgerow planting is proposed to be undertaken upon the completion of construction works. The Landscape Masterplan submitted and other accompanying documentation outline that all planting proposed to be removed will be replaced, including the replacement of existing ash trees within the existing (east-west) internal boundary, adjacent to the established car parking area with mixed specimen tree planting (beech, common alder, downy birch, mountain ash, common line). Furthermore, I note that the full extent of the site's existing roadside planting (in excess of 300m approx.), with the exception of the 12 metres (temporary access), and the site's entire western (rear) boundary would be retained. Supplementary planting in the form of a green buffer zone along the site's southern boundary (trees and hedging) would also be provided as part of the overall proposed development works.

There is no evidence to support the case that the proposal would negatively impact on the barn owl, other nesting birds (including the Red Kite-Annex 1) or amphibians or that the proposed development will negatively impact on bat species. I note that there is a separate process which the applicant is required to undertake with the NPWS which requires that a derogation license be issued, should any change in circumstance arise in relation to bat roosting on this site, or where any works undertaken would capture or kill, or disturb bats at important parts of their life cycle. Given the nature and scale of the development proposed which would enhance already established facilities (including existing floodlighting), the extent of hedgerow and trees to be retained and supplemented, I am of the view that the proposed development would not significantly impact on bat species, barn owl, other nesting birds or amphibians and there is no likelihood of significant effects on the environment. In light of the above, I am satisfied that the proposal will mitigate against any loss of local biodiversity and ecological devaluation which may arise and will positively contribute to the efficacy of the wider ecological network at this location. For clarity purposes, I suggest that a condition be attached, similar to that of the Planning Authority with a requirement that measures for the protection of those trees and planting which are required to be retained shall be submitted for the agreement of the Planning Authority prior to the commencement of any development.

7.4. Visual Impact

It is a stated aim set out within the CDP to provide for the protection, management, and enhancement of the County's landscape to ensure that development does not have a disproportionate impact on unique landscape character areas, whilst supporting the provision of high quality and accessible recreational facilities and amenities for residents and visitors, in recognition of the contribution of all forms of recreation to quality of life, personal health and wellbeing. I note that an appeal submission incorrectly refers to a previously adopted Development Plan (2017-2023) in regard to landscape character area and scenic routes. The proposed development is located within the Eastern Transition Landscape Character Area, with a designated medium landscape sensitivity and there are no scenic routes or protected views attached to these lands (Refer Map V1 - 13.3). Whilst the site encompasses a sloping topography, I am satisfied that the proposed development would not have a disproportionate impact on the local landscape given the nature and extent of the proposed works and that all facilities including the new pitch, lighting columns and ball wall will be located within the low-lying (eastern) area of the site, adjacent to the roadside. The ball wall will not have a visual impact, given its design and siting, being 4.5m above road level and setback within the site, a distance in excess of 95m from the adjoining local road. Whilst the proposed lighting columns will be visible from the adjoining road and would constitute a new impact in the surrounding local landscape, I do not consider that this impact is to such an extent that it would significantly or adversely affect the visual amenities of the area. The extent of hedgerow and trees to be retained and further supplemented along the site's roadside frontage will provide further screening of the proposed development.

7.5. Overlooking

The appellants concerns raised in regard to residential amenities are primarily based on the tiered embankment within the site which is perceived would give rise to overlooking on adjoining residences. The proposed development does not breach any statutory guidelines or standards within the CDP on overlooking. The linear pattern and orientation of existing houses which adjoin the eastern side of the adjoining road

is such that they face west, towards the proposed development. I concur with the applicant that the tiered embankment adjoining the western side of the proposed new pitch is a landscape feature which is required to address site levels. In the event that it was to be utilised by visitors to these grounds/playing pitches, it would still not result in overlooking and I note in particular the substantial separation distance, in excess of 120m from adjoining dwellings. Similarly, the use of the proposed new pitch would not in itself give rise to overlooking as contended by the appellants. The nearest dwelling is sited approximately 26m east of the subject site's boundary and an established public road bisects the site from these residences. The existing hedgerow which is proposed to be retained along the site's eastern boundary will provide further screening between the subject development and adjoining residences with further screening also provided by way of established mature boundaries along each of the 3(no) residences to the east of the site.

7.6. Light Spillage

The proposed development seeks to replace the existing 6(no) vertical lighting columns serving the existing pitch (pitch 1) with 6(no) 18m high vertical lighting columns with 4(no) floodlights on each. Similarly, 6(no) similar lighting columns and floodlights are proposed to serve the new pitch [3(no) along the eastern side and 3(no) along the western side]. Whilst the proposed lighting columns are significant in scale, compounded by the site's rural context, I note that the principle of flood lighting is established on this site, with floodlighting extending to a height of 20m permitted to existing pitch under planning reference 18/74. The PA raised no objection to the lighting scheme sought, however the appellants raise a number of concerns on light spillage in regard to residential amenity, biodiversity, landscape, and road safety.

The applicant in response to the appellants submissions has provided a revised proposal prepared by Signify for the Board's consideration which provides that the zero horizontal Lux position associated with the proposed new pitch is further from adjoining dwellings. There is a separation distance of at least 40m between the proposed lighting columns and adjoining dwellings. The submitted lighting survey evaluates lux levels across the 2 pitches which are the subject of this application and

their immediate surroundings. The potential for light spill outside of the focused (pitch) areas is shown within Section 3.9 – Spill Light Graphical Table, Section 3.10 Spill Light – Iso Contour and Section 3.11 Spill Light Filled Iso Contour of the Lighting Survey which accompanies the applicant's appeal response.

Whilst the survey and graphics contained within the survey do not explicitly reference the actual location of adjoining residences, I am satisfied that the details provided are robust in allowing a thorough assessment on light spillage. The Lighting Report details the aiming positions, angles, and alignments of all lighting fixtures. Calculations on lux levels are also provided in terms of distance and based on the luminaires employed. The grid calculations set out within Sections 3.12 – 3.14 of the report details that Lux levels are substantially below the 10 lux threshold indicated in the relevant guidance documents, notably CIBSE guidelines for the reduction of obtrusive light. In my view, subject to a condition that existing roadside planting be retained, existing trees and hedgerow will further attenuate any potential impacts associated with light spill. I wish to also note that the inclusion of the proposed temporary construction access, sited to the southwest of the site and offset from adjacent residential houses to the northeast would not give rise to detrimental impacts on residential amenities such that it would warrant a refusal on its own.

In regard to impacts on biodiversity, it is recognised that poorly designed floodlighting can negatively affect migrating birds and affect the normal behaviour of bats. I acknowledge that the use of floodlighting to the site's existing pitch is already in existence. The proposed inclusion of LED lighting and light shield will ensure that the lighting emitted in this case will be directed to the playing pitches and thereby, would minimise the spill of light into the local environment. Similarly, I am satisfied that the positioning of proposed lighting columns and the aiming positions, angles, and alignments of all lighting fixtures as shown within the Lighting Report submitted in response to the appeals received satisfactorily demonstrates that the proposed lighting would not give rise to significant light overspill on adjoining road such that it would give rise to significant glare and pose a risk to road safety. For the purposes of clarity, should the Board be minded to grant permission, I suggest that a condition be attached which requires that floodlighting be angled and constructed so that no light

is emitted above a horizontal plane through the fitting and that its positioning & design shall also ensure that no glare is caused to users of the adjoining public road.

Therefore, given the above, subject to clarification on time periods for the operation use of the proposed lighting, it is my opinion that the lighting design proposed is acceptable as it minimises the incidence of light spillage into the surrounding environment and is within acceptable parameters and is therefore in accordance with Objective IN O68 of the CDP.

7.7. Other Matters

7.7.1 Devalue Property

I note the concern raised in an observation received in respect of the devaluation of neighbouring property. Given the nature and scale of the development and separation distances to adjoining residential properties, I am satisfied that the proposed development would not seriously injure the amenities of the area to such an extent that would adversely affect the value of property in the vicinity.

7.7.2 Procedural Matters

In regard to requirements on the notification of the planning decision and the making of a submission/representation by an elected member, I note that such matters fall outside of the Board's remit in deciding this application. I am satisfied that the matters raised did not prevent concerned parties from making representations and that sufficient details have been provided to fully assess the planning merits of this appeal. This assessment represents my de novo consideration of all planning issues material to the proposed development.

8.0 **Appropriate Assessment Screening Determination**

(Stage 1, Article 6(3) of Habitats Directive)

I have considered the proposed development in light of the requirements of S177U the Planning and Development Act 2000 as amended.

The subject site is not located within or adjacent to any European Site. The closest European Site, part of the Natura 2000 Network, is The Red Bog, Kildare SAC (Site Code 000397) [also pNHA] located approximately 3km east of the site, and The Poulaphouca Reservoir SPA (Site Code 004063) [also pNHA], being the next nearest European Site located approximately 4.8km SE of the site.

The proposed development is located in a rural area and comprises the development of new grass playing pitch with associated facilities (including lighting), temporary construction access, car parking/ lighting upgrade to existing grass pitch and all associated site works.

Having considered the nature, scale and location of the proposed development I am satisfied that it can be eliminated from further assessment because it could not have any appreciable effect on a European Site.

The reason for this conclusion is as follows:

- The scale and nature of the development
- The location of the development in a rural area, distance from European Sites and urban nature of intervening habitats to Poulaphouca Reservoir SPA
- Absence of ecological pathways to any European Site.

I consider that the proposed development would not be likely to have a significant effect individually, or in-combination with other plans and projects, on a European Site and appropriate assessment is therefore not required.

9.0 Recommendation

It is recommended that permission be granted for the following reasons and considerations.

10.0 Reasons and Considerations

Having regard to the planning history of the site and its established use for sport and recreational purposes and given the nature, extent and design of the development

proposed, it is considered that subject to compliance with the conditions set out below, that the proposed development would provide valuable sports facilities for the community, would not seriously injure the residential or visual amenities of the area or have a detrimental impact on biodiversity, it would be acceptable in terms of road and traffic safety and would be in keeping with the established character of the area. 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 8th day of April 2024 and as amended by further plans and particulars received by An Bord Pleanála on the 24th day of June 2024, 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. (a) The temporary construction access shall remain in-situ as required during the construction stage of the permitted development only. Thereafter, its use as an access point shall entirely cease and planting undertaken in accordance with the details submitted on the Landscape Masterplan which was received by the Planning Authority on the 8th day of April 2024.

(b) Under no circumstances shall the temporary construction access be utilised on a permanent basis or for any purpose other than that stated within the application submitted.

Reason: In the interest of clarity and the proper planning and development of the area.

3. (a) The lighting fixtures shall be designed, orientated, maintained and of a lighting level such that light spillage outside the site's boundary shall not exceed a maximum of 10 Lux, as measured at the boundaries of the nearest dwelling houses to the immediate east of the subject site, in accordance with the lighting report, submitted to the planning authority on the 11th day of December 2023 and as amended by lighting report submitted to An Bord Pleanála on the 24th day of June 2024.

(b) The existing lighting columns serving the existing playing pitch shall be removed in their entirety prior to the erection of the proposed 6(no) replacement lighting columns hereby permitted.

Reason: In the interest of protecting the residential amenities of the area, biodiversity and the proper planning and development of the area.

4. The operational hours of floodlighting on this site shall not extend beyond 2200 hours with automatic cut-off of floodlighting at this time.

Reason: To protect the residential amenity of properties in the vicinity.

5. The floodlights shall be directed onto the playing surface of the pitches and away from the adjacent housing, gardens and road. The floodlights shall be directed and cowled such as to reduce, as far as possible, the light scatter over adjacent houses, gardens and roads.

Reason: In the interest of residential amenity and traffic safety.

6. Floodlighting shall be angled and constructed so that no light is emitted above a horizontal plane through the fitting. Positioning and design shall also ensure that no glare is caused to users of the adjoining public road.

Reason: In the interest of traffic safety.

7. (a) The Landscape Masterplan, as received by the Planning Authority on the 8th day of April 2024 shall be implemented in full no later than the first planting season following the substantial completion of development works.

(b) All existing trees and hedgerow along the site's eastern (roadside) boundary shall be retained and maintained as shown on the Landscape Masterplan with the exception of 12m planting required for the inclusion of a temporary construction access.

(c) Measures for the protection of those trees and planting which are required to be retained shall be submitted to, and agreed in writing with, the Planning Authority prior to the commencement of development.

(d) Any planting which dies, is removed or becomes seriously damaged or diseased, within a period of five years from the completion of the development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In the interest of residential and visual amenity, biodiversity and the proper planning and development of the area.

8. Advertising structures/ devices erected within the site shall not be visible when viewed from outside the curtilage of the site.

Reason: In the interest of visual amenity and the protection of residential amenities of properties in the vicinity.

9. The disposal of surface water shall comply with the requirements of the Planning Authority for such works and services. Prior to the commencement of development, the developer shall submit details for the disposal of surface water from the site for the written agreement of the Planning Authority.

Reason: To prevent flooding and in the interests of sustainable drainage.

10. Prior to commencement of works, the developer shall submit to, and agree in writing with the planning authority, an updated Construction and Environmental Management Plan, which shall be adhered to during the construction stage. 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 waste.

Reason: In the interest of public safety and the protection of amenities.

11. Site development and building works shall be carried out only between the hours of 0700 to 1800 Mondays to Fridays inclusive, between 0800 to 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 residential amenities of property in the vicinity.

12. The demolition and construction works shall be carried out in such a manner as to ensure that the adjoining road is kept clear of debris, soil and other material and if the need arises for cleaning works to be carried out on the adjoining public roads, the said cleaning works shall be carried out at the developer's expense.

Reason: To ensure that the adjoining roadways are kept in a clean and safe condition during construction works, in the interest of orderly development.

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.

Paula Hanlon
Planning
Inspector

31 October 2024

Appendix 1 - Form 1

EIA Pre-Screening

[EIAR not submitted]

| | | | |
|---|---|------------------|---|
| An Bord Pleanála Case Reference | 319831-24 | | |
| Proposed Development Summary | Develop a grass playing pitch on existing agricultural lands which adjoin the established grounds of Eadestown GAA, along with additional car parking, floodlighting (incl. upgrading of existing lighting to Main Pitch), temporary construction access and other ancillary works. | | |
| Development Address | Eadestown GAA, Eadestown, Naas, Co. Kildare | | |
| 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 | X |
| | | No | |
| 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 | | | |
| No | X | | |
| 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 | X | | No EIAR or Preliminary Examination required |

| | | | | |
|-----|--|--|--|--|
| Yes | | | | |
|-----|--|--|--|--|

| | | |
|---|-----|--|
| 4. Has Schedule 7A information been submitted? | | |
| No | N/A | |
| Yes | | |

Inspector: _____ Date: _____

Template 1: Screening the need for Appropriate Assessment

I have considered the proposed development of a new grass playing pitch with associated facilities (including lighting) and upgrading of existing lighting on the existing grass pitch and associated site works in light of the requirements S177U of the Planning and Development Act 2000 as amended.

The subject site is located in a rural area and is not within any European Site. The Red Bog, Kildare SAC (Site Code 000397) is the nearest European site located approximately 3km east of the site, and The Poulaphouca Reservoir SPA (Site Code 004063) being the next nearest European Site located approximately 4.8km SE of the site.

The proposed development comprises the development of a new grass playing pitch with associated facilities (including lighting), temporary construction access, additional car parking, upgrading of existing lighting on the existing grass pitch and associated site works

Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because it could not have any appreciable effect on a European Site. The reason for this conclusion is as follows:

- Nature of works (with no on-site wastewater treatment/disposal sought under this application)
- The Location and separation distance of the site from the nearest European sites which is in excess of 3km and lack of connections]
- Taking into account the screening determination by Kildare County Council

I consider that the proposed development would not be likely to have a significant effect individually, or in-combination with other plans and projects, on a European Site and appropriate assessment is therefore not required.