

## **MEETING OF DÚN LAOGHAIRE-RATHDOWN COUNTY COUNCIL**

**11<sup>th</sup> November 2024**

### **Item No. 9**

**Report submitted in accordance with Part XI, Section 179(3) of the Planning and Development Acts, 2000 (as amended), Part 8 of the Planning and Development Regulations, 2001 (as amended), and Section 138 of the Local Government Act 2001 (as amended).**

### **Proposed Development – Floodlighting of the Running Track & Soccer Pitch at Kilbogget Park**

#### **1. PC/PKS/03/24**

In accordance with Part 8, Article 81 of the Planning and Development Regulations, 2001, as amended (PDR)), Dún Laoghaire-Rathdown County Council (the Council) gave notice of the proposed development, in the Irish Times on the 30<sup>th</sup> of August 2024. Plans and particulars of the proposed development were made available for inspection from the 30<sup>th</sup> of August 2024 to the 27<sup>th</sup> September 2024 at the Planning Department, County Hall, Marine Road, Dún Laoghaire, and the Council Offices, Dundrum and on the DLR Consultation Hub, on the Council's website <https://www.dlrcoco.ie/>.

Submissions and observations with regards to the proposed development could be made up to and including the 11<sup>th</sup> of October 2024.

<https://dlrcoco.citizenspace.com/parks/proposed-development-at-kilbogget-park/>

#### **2. SITE LOCATION AND DESCRIPTION:**

The following report is a summary of the primary features of the proposed development, comprising the installation of floodlighting at the athletics track and grass soccer pitch in Kilbogget Park, Dun Laoghaire, Co. Dublin. This report summarises the information given in the associated drawings and any ancillary reports

The site – the subject of this Part 8 - is located in Kilbogget Park close to the entrance at the N11, Cabinteely, Dublin 18. The proposed works comprise the installation of floodlighting columns, including foundations and ducting, at the athletic track and soccer pitch, for Club and community usage. The site, as outlined on the Site Location Plan, is approximately 0.45 Hectares.

#### **3. ZONING AND OBJECTIVES IN THE COUNTY DEVELOPMENT PLAN 2022-2028**

##### **3.1 Context:**

The site is in Kilbogget Park which is a District Park in Dún Laoghaire Rathdown. It is approximately 41.5 hectares in size and comprises a playground, 12 playing pitches (GAA,

Soccer and Rugby), all weather facilities, an eight lane World Athletics standard running track, boules area, walking and cycling trails, river and wetland, and sports buildings.

### 3.2 Zoning:

The site is zoned Objective F – to preserve and provide for open space with ancillary active recreational amenities. Under this zoning, a sports facility is permitted in principle. The proposed works are entirely consistent with zoning objective F.

### 3.3 Policy:

The development will tie in with the relevant national and regional policy, as well as the following specific policies, as outlined in the County Development Plan 2022-2028:

#### Policy Objective OSR3: Future Improvements

It is a Policy Objective to continue to improve, plant and develop more intensive recreational and leisure facilities within parks and public open spaces insofar, as resources will permit, while ensuring that the development of appropriate complementary facilities does not detract from the overall amenity of the spaces.

#### Policy Objective OSR5: Public Health, Open Space and Healthy Placemaking

It is a Policy Objective to support the objectives of public health policy including Healthy Ireland and the National Physical Activity Plan (NPAP) 2016, to increase physical activity levels across the whole population thus creating a society, which facilitates people whether at home, at work or at play to lead a more active way of life (consistent with RPO 9.16).

#### Policy Objective OSR9 – Sports and Recreational Facilities

It is a Policy Objective to promote the provision, and management of high-quality sporting, and recreational infrastructure throughout the County, in accordance with the National Sports Policy 2018-2027, and dlr Space to Play: a new approach to Sports Facilities Strategy', 2017-2022, to ensure that the needs of different groups are incorporated into the planning and design of new facilities.

#### Policy Objective OSR10: Protection of Sports Grounds/Facilities:

It is a Policy Objective:

- I. To ensure that adequate playing fields for formal active recreation are provided for in new development areas.
- II. That existing sports facilities and grounds within the established urban area are protected, retained, and enhanced.
- III. To increase the number of playing pitches in the County.
- IV. To maximise the use of playing pitches in the County and for playing pitches to be utilised seven days a week, subject to protecting adjoining residential amenity.

#### Policy Objective PHP13: Equality, Social Inclusion and Participation

It is a Policy Objective to promote equality and progressively reduce all forms of social exclusion that can be experienced because of gender, gender identity, marital status, family status, age, race, religion, disability, sexual orientation, nationality, homelessness, and membership of the Traveller Community and promote active participation consistent with RPO 9.1 and RPO 9.2 of the RSES.

#### Policy Objective EI15: Light Pollution

It is a Policy Objective to ensure that the design of external lighting schemes minimise the incidence of light spillage or pollution in the immediate surrounding environment and has due regard to the residential amenity of surrounding areas.

Policy Objective GIB19: Habitats Directive

It is a Policy Objective to ensure the protection of natural heritage and biodiversity, including European Sites that form part of the Natura 2000 network, in accordance with relevant EU Environmental Directives and applicable National Legislation, Policies, Plans and Guidelines.

3.4 Strategy:

Dún Laoghaire Rathdown County Council has adopted the following additional strategies that are pertinent to the proposed development:

Space to Play – Dún Laoghaire Rathdown County Council Sports Facilities Strategy 2017-2022:

The strategy sets out a logical, deliverable pathway for the optimum use of existing, and the development of new public sporting and physical activity facilities within the County.

**4. NATURE AND EXTENT OF PROPOSED DEVELOPMENT:**

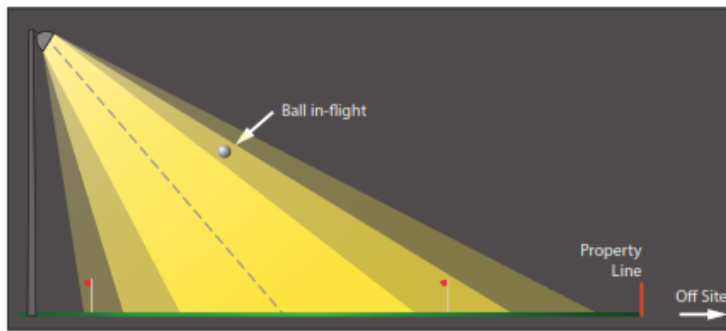
The nature and extent of the proposed development is outlined below. This description of the proposed works should be read in conjunction with the supporting drawings and reports. The proposed development will provide community facilities for local clubs and groups and ensure a long-term and sustainable use for the Athletics running track and soccer pitch.

4.1 Floodlighting:

The floodlight design uses the latest floodlighting design technology, to reduce the impact of light spill on adjoining lands, trees, and hedgerows. The floodlighting for the pitch requires 250 lux level average, and the floodlighting for the athletics track has been designed to achieve an average light level of 200 lux, in accordance with World Athletics Standards. The lighting design uses 2no. (P1-P2) 18.29m and 4no.(T1-T4) 21.34m high galvanised steel columns, similar to those used in the all-weather pitches throughout the County.

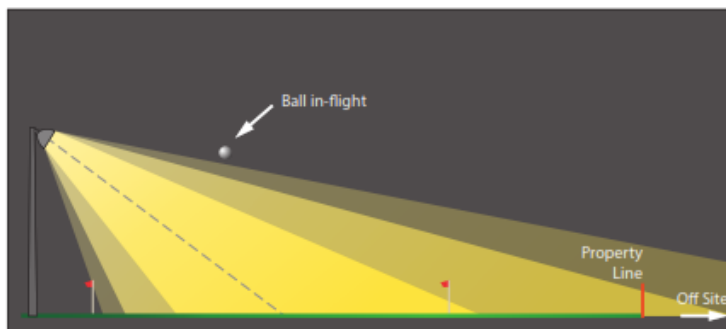
Choosing appropriate number of columns and column heights is key to the overall quality of the lighting design. Based on the size of the pitch, the athletics track and the sports being played, the competition level, and the application of the floodlighting system (televised or non-televised); column numbers and height requirements must be accurately assessed to ensure the aiming angle of the floodlight onto the pitch is at an appropriate degree to maintain good playability, control glare, and reduce spill light on adjoining properties and roadway.

See the diagram below:



#### **Higher Mounting Height**

- Optimal control
- Limited spill
- Optimal quality of play



#### **Lower Mounting Height**

- Some control
- More spill
- Poor quality of play
- Player safety issue

In accordance with GN01/21 – ILP The Reduction of Obtrusive Light lighting the system proposed is designed 'so that the front glazing is kept at or near horizontal; parallel to the surface to be lit or ground'. In accordance with (ILP) GN 08/18 – Bats and Artificial Lighting in the UK 'only luminaires with upward light ratio of 0% and good optical control' and 'luminaires will always be mounted on the horizontal, i.e., no upward tilt.

The luminaires will be LED which are much more energy efficient than the metal halide alternative. Associated civil works (ducting, foundations for columns, installation of mini pillars etc) will be undertaken whilst all electrical controls and switches will be brought to an area adjacent to the track.

A three-phase power connection and associated ESB substation will be required, and this will be located in close proximity to the track access gate. The lighting design has been prepared in compliance with the Chartered Institute of Building Services Engineers Lighting Guide 4: Sports Lighting (CIBSE LG4) & the Institute of Lighting Professionals (ILP), Guidance Note for the Reduction of Obtrusive Light & GN01:2021 and Guidance Note for Bats and Artificial Lighting in the UK GN08:2018. All lighting has been designed to be bat sensitive. The lights will provide only the amount of light necessary for the task in hand, and shield the light given out to avoid creating glare or omitting light above the horizontal plane. The lighting design has been undertaken by MUSCO Lighting and is included in the Part 8 drawings.

The floodlighting will be operational from 06:00-08:00 and 17:00 until 22:00, Monday to Sunday. In addition, significant seasonal restrictions will be deployed as outlined in the Ecological Impact Assessment (EclA) and AA Screening report to minimize any impacts on bats including no floodlighting allowed in April, May, August and September.

A light test will be undertaken post construction, and a bat specialist will provide a report to confirm compliance. There will be on-going monitoring of any impacts on bats and other species and lighting times may change as required.

#### 4.2 Climate Considerations:

The climate related impacts of these facilities have been strongly assessed throughout the design process against the National Policy on Climate Action and more specifically, the dlr Climate Change Action Plan 2024-2029. The details of climate action are outlined below.

##### a. Community Engagement:

The facilities are being developed for the local community and it is hoped that these facilities will empower these communities further to take climate action.

### **5. ENVIRONMENTAL IMPACT ASSESSMENT:**

The Council carried out a preliminary examination of the proposal in accordance with Article 120(1)(a) of the Planning and Development Regulations 2001 (as amended). Based on the nature, size and location of the development, the Council considered on the basis that there was significant and realistic doubt regarding the likelihood of significant effects on the environment. Consequently, and in accordance with Article 120(1)(b)(ii) of the Regulations (as amended), the Council caused an EIA screening report to be prepared (by MacCabe Durney Barnes) based on the information that is specified in Schedule 7A of the Planning and Development Regulations 2001 as amended for the purposes of a screening determination.

Taking account of the findings of the EIA Screening Report, the Council has determined that there is no real likelihood of significant effects on the environment arising from the proposed development for the reasons set out in the EIA Determination. As a result, the proposal does not need to be subject to Environmental Impact Assessment, and no Environmental Impact Assessment Report needs to be prepared for it.

### **6. APPROPRIATE ASSESSMENT:**

In accordance with Article 6(3) of the EU Habitats Directive (Directive 92/43/EEC) and Regulation 42(1) of the European Communities (Birds and Natural Habitats) Regulations 2011 as amended the Council caused JBA Consulting to undertake Appropriate Assessment screening to assess, in view of best scientific knowledge and the conservation objectives of the European Sites, if the proposed development, individually or in combination with other plans or projects is likely to have a significant effect on a European Site(s). As required under Regulation 42(7) of the European Communities (Birds and Natural Habitats) Regulations 2011 as amended, the County Council has made a determination following screening that an Appropriate Assessment is not required. The proposed development is not directly, connected with or necessary to the management of sites as European sites and it can be concluded, on the basis, of objective information, that the proposed development individually or in combination with other plans or projects is not likely to have a significant effect on the European sites identified and listed in the AA Screening Report prepared by JBA Consulting. This determination is based on information supplied by JBA Consulting detailed in the Report. From this AA screening exercise, it has been determined that no significant likely effects may arise on any European sites as a result of the proposed development in combination with other plans and projects, through surface water, land and air, and groundwater pathways. This assessment was undertaken in the absence of mitigation measures. The project screened out for Appropriate Assessment based on the location of the works, the nature and the scale of the works.

## **7. IMPLICATIONS OF THE PROPOSED DEVELOPMENT FOR THE PROPER PLANNING AND SUSTAINABLE DEVELOPMENT OF THE AREA**

It is considered that the proposed development will provide much improved facilities for the community and clubs with a wide range of benefits. It will improve quality of life and encourage an active lifestyle while being age friendly and inclusive.

The site zoning is Objective F – to preserve and provide for open space with ancillary active recreational amenities. The proposed works are consistent with zoning objective F. This project is supported by several policies within the County Development Plan 2022-2028.

An EIA screening has been carried out and it has been determined that an EIAR is not required, as there is no real likelihood of significant environmental effects.

AA screening has been carried out and the Council has concluded that an AA is not required as the proposed development will not have a significant effect on any European site, individually or in combination with other plans or projects.

In conclusion, the proposed development is acceptable in principle and accords with the provisions of the Dún Laoghaire-Rathdown County Development Plan 2022 – 2028, and the proper planning and sustainable development of the area.

## **8. INTERNAL REPORTS**

### **Architects Department**

No comment received.

### **Community and Cultural Development**

Confirmed no objection to the proposed development, in correspondence dated 18 of August 2024.

### **Forward Planning Infrastructure**

No comment received.

### **Infrastructure and Climate Change – Capital Projects & Transportation Planning**

No comment received.

### **Infrastructure and Climate Change – Environment Enforcement**

Confirmed no objection to the proposed development, in correspondence dated 8<sup>th</sup> of August 2024.

### **Infrastructure and Climate Change – Estates Officer**

No comment received.

### **Infrastructure and Climate Change – Transportation Planning**

No comments received.

### **Infrastructure and Climate Change – Climate Action Officer**

No comments received.

### **Housing Department**

No comments received.

### **Community & Cultural Development – Biodiversity Officer**

No comments received.

### **Finance – Drainage Planning**

Confirmed Drainage Planning has no objection to the proposed scheme, in correspondence dated 8<sup>th</sup> of August 2024.

### **Infrastructure and Climate Change – Road Maintenance**

Confirmed no comments from a Road Maintenance perspective, in correspondence dated 18<sup>th</sup> of July 2024.

### **Infrastructure and Climate Change – Traffic and Road Safety**

Confirmed no objection to the proposed development in correspondence dated 14<sup>th</sup> of June 2024.

### **Planning Department**

Confirmed no objections, subject to the fact that there would be no significant glare or light pollution into the adjoining residential properties, in correspondence dated 24<sup>th</sup> of July 2024.

### **Infrastructure and Climate Change – Active Travel**

Confirmed no objection to the proposed development in correspondence dated 18<sup>th</sup> of July 2024.

## **9. STATUTORY BODIES/ORGANISATIONS**

The proposed development was notified to relevant prescribed statutory bodies in accordance with the Planning and Development Regulations 2001 as amended (PDR). No submissions were received.

## **10. SUBMISSIONS/OBSERVATIONS**

In accordance with Part 8, Article 81 of the PDR the Council gave notice of the proposed development in the Irish Times newspaper, on the 30<sup>th</sup> of August 2024, indicating that submissions and observations would be accepted up to and including the 11<sup>th</sup> of October 2024. Site Notices, in the prescribed format, was also erected on the site and maintained in place for the prescribed period.

A total of **307 submissions** were received during the stipulated time period. A total of 302 submissions were analysed from the online survey, 4 were analysed from email, and 1 was analysed from a postal submission.

Of the 307 responses received, 3 were related to a separate floodlighting upgrade project, in the location of the GAA pitch, also in Kilbogget Park, which is not relevant to this proposed development. Of the **304 valid submissions**, **303 support** the proposed development (99.7%) and **1 was neutral or undecided** (0.3%).

The submissions (and the detail pertinent to the respective submissions) are duly noted and have been assessed. A summary of the issues raised by members of the public with the responses of the Chief Executive thereto are set out below: -

Observations/Comments/Issues	Chief Executive's Response
<b>Support the Proposed Development:</b>	
<ul style="list-style-type: none"> <li>• The majority of submissions note that the addition of lighting is very positive, maximising facility usage for the community, local schools, and clubs, to use the soccer pitch and athletics track all year round.</li> <li>• Many submissions note the importance that the addition of lighting will have on the facilities in enhancing performance, retention of members, increasing numbers taking part in sport, and increasing the physical and mental wellbeing of all using the facility. Many submissions welcome it as a great addition to Kilbogget Park.</li> <li>• Some submissions from parents and females highlighted the positive addition of the lighting, which will allow them to train in a safer environment throughout the year.</li> <li>• Some submissions have concerns on parking and safety around illegal parking at peak training hours.</li> <li>• Some submissions include concerns of Anti-social behaviour due to lack of patrol and lighting throughout the park and welcomed the installation of the lighting at the athletics track.</li> </ul>	<p>The Chief Executive notes and welcomes the depth and breadth of observations and comments on the proposed development and acknowledges the high level of engagement and feedback from the community.</p>
<b>Suggestions:</b>	
<ul style="list-style-type: none"> <li>• If possible, a canopy or shelter installed for members families or spectators for viewing during training sessions.</li> <li>• Canopy for bike storage and personal belongings while training.</li> <li>• Smart benches with charging points for phones and ebikes.</li> <li>• More lighting from the car park to track/soccer pitch.</li> </ul>	<p>These suggestions will be considered as future upgrades to Kilbogget Park but are outside of the scope of the proposed development.</p>



Observations/Comments/Issues	Chief Executive's Response
<ul style="list-style-type: none"><li>• More alternative sport facilities available in the park such as gymnastics.</li><li>• Resurface of small astroturf pitch at Kilbogget Park</li></ul>	

## **11. RECOMMENDATION:**

The proposed development is considered to be in accordance with the provisions of the 2022 - 2028 Dún Laoghaire-Rathdown County Development Plan and with the proper planning and sustainable development of the area. In accordance with section 179(4)(b) of the Planning and Development Act 2000 as amended, the proposed development may be carried out as recommended in the Chief Executive's Report, unless the Elected Members, by resolution, decides to vary or modify the development otherwise than as recommended, or decides not to proceed with the development.

Subject to the above, Members are hereby notified in accordance with Section 138 of the Local Government Act 2001, as amended, of the intention to proceed with the proposed development subject to the following conditions and variations:

1. that all relevant mitigation measures outlined in the Ecological Impact Assessment are to be implemented

and to any such minor alterations to the plans and particulars of the development.

**Therese Langan, Director of Community & Cultural Development Department**

**Appendix A – List of Persons Who Put in Submissions/Observations**

**Appendix B – Site Location Map & General Arrangement Drawing**