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- (a) Planning and Development Act 2000 (as amended) & Planning and Development Regulations 2001 (as amended) (Part 8)  
(b) Local Government Act 2001 ( as amended )
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In compliance with the provisions of Section 179 of the Planning and Development Act 2000 (as amended) and Part 8 of the Planning and Development Regulations 2001 (as amended) and in compliance with the provisions of the Local Government Act 2001 and pursuant to the requirements of the above, notice is hereby given of Dublin City Council's intention to carry out the following works:

**Application No: 2391/19**

**Applicant: Dublin City Council Parks and Landscape Services**

**Location: Willie Pearse Park, Windmill Road, Crumlin, Dublin 12**

**Proposal: Pursuant to the requirements of the above, notice is hereby given of the proposed construction by Dublin City Council of a Hurling Practice Pitch and Childcare Centre Crèche extension in the above location.**

**The proposal will comprise of:**

**The demolition of the existing Dublin City Council Depot Building and yards and the construction of a new floodlit Hurling Practice Pitch, enclosed by a hurling wall, fence and ball stop netting, adjacent to the existing swimming pool and football changing rooms/boxing club.**

**The construction of a new single storey crèche adjacent to the Crumlin Childcare Centre with a fenced garden enclosure onto Willie Pearse Park, Windmill Road, Crumlin, Dublin 12.**

**The Local Authority has concluded, following preliminary examination, that there is no real likelihood of the proposed development having significant effects on the environment and therefore an EIA is not required.**

**Site Notice:**

Site notices in situ and legible on date of inspection 12<sup>th</sup> March 2019, as per submitted plans.

**Site Location:**

The site is located within the north eastern corner of the public Willie Pearse Park, to the rear of the existing Crumlin Childcare centre which fronts onto Windmill Park and located

southwest of the Crumlin Swimming Pool. Access to the site will remain from the entrance located south of the childcare centre.

The site of an old windmill, which is now a site of archaeological interest and recorded monument, is located adjacent to the site.

### **Zoning:**

Z9 – *‘to preserve, provide and improve recreational amenity, open space and green networks.’*

### **Proposed Development:**

Proposed construction by Dublin City Council of a Hurling Practice Pitch and Childcare Centre Crèche extension in the above location.

The proposal will comprise of:

- The demolition of the existing Dublin City Council Depot Building and yards and the construction of a new floodlit Hurling Practice Pitch, enclosed by a hurling wall, fence and ball stop netting, adjacent to the existing swimming pool and football changing rooms/boxing club.
- The construction of a new single storey crèche adjacent to the Crumlin Childcare Centre with a fenced garden enclosure onto Willie Pearse Park, Windmill Road, Crumlin, Dublin 12.

### **Site Planning History**

The following history files are of relevance:

- 5135/08: (LAW application) – approval granted for demolition of the former park keeper's house on site adjacent to the existing swimming pool at Pearse Memorial Park, and construction of single storey childcare centre for 70 children (450m<sup>2</sup>) on a site of 1000m<sup>2</sup>, comprising classrooms, enclosed external play spaces and ancillary offices, staff kitchen and plant areas.
- 1121/04: Permission granted to Crumlin United Football Club for provision of an all-weather football pitch, 3-metre high fence, 18-metre high flood lighting and ancillary site works at Pearse Memorial Park.
- 2613/13 (LAW) approval granted for Sports Changing Facility, Willie Pearse Park, Windmill Road, Crumlin, Dublin 12. The proposed accommodation is a single storey prefabricated modular building which abuts the existing changing pavilion and will have a selected brick finish, a selected metal pitched roof and comprise of 9 changing rooms all with independent external access, 1 boxing changing rooms accessed from the existing pavilion, 2 officials changing rooms, 2 accessible WC's, store, plant room and ESB substation. The building will be 35m long by 15.45m wide with an eaves height of 3m and ridge height of 6m. The proposed internal floor area will be 500sqm. The proposal also includes for the refurbishment of the existing Boxing Club pavilion, and surrounding landscape. Fencing is to run from the east end of the facility to the existing all-weather Soccer pitch fence to aid secure the development. Car-parking facilities will be incorporated within the swimming pool car-park off Windmill Road.

The South Central Area Committee were informed of the initiation of the Part 8 planning process for the proposed development and the recommendation of the Planning Department at its meeting's on the 17<sup>th</sup> October 2018, and on the 15<sup>th</sup> May 2019.

## **Observations**

No observations were received within the statutory time frame.

## **Interdepartmental Reports**

- **Drainage Division**

There is no objection to this development and the following recommendations have been made;

- There is no objection to this development, subject to the developer complying with the Greater Dublin Regional Code of Practice for Drainage Works Version 6.0 (available from [www.dublincity.ie](http://www.dublincity.ie) Forms and Downloads)..
- The development is to be drained on a completely separate system with surface water discharging to the public surface water system..
- The Developer's submission includes a proposal to construct a soakaway as part of this development. The design and construction of soakaways must comply with the requirements of BRE Digest 365 and CIRIA C522..
- All private drainage such as, downpipes, gullies, manholes, armstrong junctions, etc. are to be located within the final site boundary. Private drains should not pass through property they do not serve..

- **City Archaeologist:**

There is no objection to this development and the following recommendations have been made;

- If, during the course of site works and construction archaeological material is discovered, the Planning Authority should be notified immediately. Further, it is obligatory under the National Monuments Amendment Act 1994 that such is brought to the attention of the National Monuments Service, Department of Culture, Heritage and the Gaeltacht, and the National Museum of Ireland.
- In the event of an archaeological find on site, the Planning Authority (in consultation with the City Archaeologist and the National Monuments Service, Department of Culture, Heritage and the Gaeltacht) shall determine the further archaeological resolution of the site..
- If, however, no archaeological remains are encountered, then no further archaeological mitigation will be required.

## **Prescribed Bodies**

No observations from any Prescribed Bodies.

## **Policy Context**

### Dublin City Development Plan 2016-2022

Relevant policies and objectives include:

- **GI9:** To incorporate open space into the green infrastructure network for the city, providing a multi-functional role including urban drainage, flood management, biodiversity, outdoor recreation and carbon absorption.
- **GI10:** To continue to manage and protect and/ or enhance public open spaces to meet the social, recreational, conservation and ecological needs of the city and to consider the development of appropriate complementary facilities which do not detract from the amenities of spaces.
- **GI12:** To ensure equality of access for all citizens to the public parks and open spaces in Dublin City and to promote more open space with increased accessibility and passive surveillance where feasible. In this regard the 'Fields in Trust' benchmark for green/recreational space city wide shall be a policy goal and quality standards
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- **GI31:** To improve on existing sports/ recreational facilities in the city through the implementation of the Dublin City Sport and Active Recreation Strategy 2009–2016 and to ensure the availability of a range of recreational facilities to the general population of all ages and groups at locations throughout the city, including ice-skating. In areas where a deficiency exists, Dublin City Council will work with the providers of such facilities, including schools, institutions and private operators, to ensure access to the local population
- **G1 011:** To support the implementation of the Dublin City Council Parks Strategy.
- **GI 012:** To improve visitor facilities, including cafés, toilet, shower and changing-room facilities, based on the recommendations of the Parks Strategy
- **GIO31:** To encourage and facilitate the introduction of amenities in parks such as table tennis, games tables, outdoor gyms, adult exercise equipment, bowling greens, etc.
- **SN17:** To facilitate the provision in suitable locations of sustainable, fit-for-purpose childcare facilities in residential, employment, and educational settings, taking into account the existing provision of childcare facilities and emerging demographic trends in an area.
- **SN18:** To encourage and facilitate the provision of a range of community facilities in the city that caters for all.
- **SN19:** To enhance and improve the provision of playgrounds, play spaces, playing pitches and recreational spaces in residential areas and in the city centre in accordance with the City Council's standards and guidelines. SN20: To promote the development of both indoor and outdoor facilities/spaces for young people e.g. multi-use games areas (MUGAs), teenage shelters, skateboarding areas and skateboard parks, youth cafés, youth centres, and kids clubs

### **Section 10.5.8 of the Dublin City report Sport, Recreation and Play states:**

*The development of sport and recreation are important in encouraging a sense of well-being and social contact. Dublin City Council acknowledges the very important role that sporting and social clubs play in enhancing the social and recreational life of the city's communities. Facilities for both formal and informal recreation and catering for persons at all stages in their lifecycle, all abilities and diverse cultures are required. Dublin City Council will liaise with sporting organisations to ensure where possible that the City Council responds to the needs of sports clubs and communities in the provision of quality facilities. In this regard, 'Dublin City Sport and Active Recreation Strategy 2009–2016' outlines how the Council can work with interested parties to deliver high-quality and sustainable sport and active recreation services. In relation to sports and recreation facilities, the policy aims to seek appropriate levels of provision for a variety of uses for all ages.*

## **Planning Assessment**

### **Hurling Practice Pitch**

The proposing Department describes the proposed development as follows:

The hurling practice pitch is to be enclosed by a concrete wall on one side and fencing on the other 3 sides. The pitch is proposed to be all weather surfaced with an appropriate synthetic turf surface.

A 19m long high concrete hurling practice wall is proposed with 2 no. 5m high supporting concrete fins, 4.8m long by 5m high return walls; the 5m high concrete wall will have 1m high ball stop netting above to bring the overall height to 6m; 3m high weld mesh fence enclosure to 3 sides with an additional 3 m high ball stop netting above to bring the overall height to 6m; ball stop netting cover to the entire practice pitch.

Access to the pitch will be via double gates and a single gate in the weld mesh fencing along the north western boundary. The pitch will be universally accessible. The pitch will be flood lit by 2 no. 10m high flood lights along the north western boundary.

It is considered that the proposed hurling practice pitch will greatly enhance sporting facilities for the site in order to serve the wider area and in accordance with policy GI10, meet the social and recreational needs of the city. The facility will ensure equality of access to the park facilities for all citizens in accordance with policy GI12 and enhance the existing facilities at the site in accordance with policy GI31 which seeks to improve on existing sports/ recreational facilities in the city through the implementation of the Dublin City Sport and Active Recreation Strategy 2009–2016 and to ensure the availability of a range of recreational facilities to the general population of all ages and groups at locations throughout the city.

Two no.10m flood lights will be erected on the north western boundary of the site and provide illumination of the practice pitch. A report has been submitted with the application which indicates light spill arising from the flood lights and states that the lights have been sited to provide task lighting directly onto the pitch and minimise light spill on the residential properties along Windmill Road. The report highlights that lux levels achieved off the pitch diminishes rapidly as would be expected.

Overall it is not considered that there will be any adverse impacts on the residential amenities of surrounding properties as a result of the enhancement of the existing facilities. There is considered to be sufficient separation between the new hurling practice pitch and the nearest residential receptor on Windmill Road to prevent any unreasonable noise/light

pollution and the activities are similar in nature to what currently occurs on the GAA pitches to the south and north-west.

### **Crèche:**

The Proposing Department describes the provision of a childcare facility as follows:

- a. The construction of a new single storey building, 3.2m high, comprising lobby, crèche, office accessible toilet and toilets.

The crèche will be part of the Crumlin Childcare Centre and will be accessed via the Centre's existing main entrance on Windmill Road. The external works include a natural landscape garden with the existing trees retained. It will be bounded along the park by hedging and by a 2mm high weld mesh fence. A new pedestrian gate will provide access to the park.

The ancillary works will include new foul drainage connecting into the existing foul drainage system. Rainwater will run to new soak-away area within the garden

A crèche (Childcare Facility) is an 'open for consideration' use having regard to the zoning objective (Z9). Given the crèche forms an extension of an existing childcare use on the adjacent site there is no objection to the proposed crèche on the grounds of location and zoning objective. The use will enhance childcare facilities for families living in the area in accordance with policy SN17 which seeks to facilitate the provision in suitable locations of sustainable, fit-for-purpose childcare facilities.

### **Requirement for Appropriate Assessment:**

Under Article 6 (3) of the EU Habitats Directive and Regulation 30 of SI NO.94/1997 "European Communities (Natural Habitats) Regulations (1997) any plan or project which has the potential to significantly impact on the integrity of a Natura 2000 site must be subject to an Appropriate Assessment. This requirement is also detailed under Section 177 (U) of the Planning and Development Act 2000 (as amended).

The proposing Department a Pre-Part 8 stage stated that:

*'The project site does not lie within any Natura 2000 Site. The nearest Natura 2000 site is approximately 6km away. There will be no habitat loss, habitat fragmentation, or species disturbance as a result of the proposed project. The project site is 1km from the nearest watercourse, and separated by urban development. There are no hydrological links between the project and the Natura 2000 site which would likely result in an impact to the latter. There are no elements of the project, either alone or in-combination with other projects, that would likely give rise to impacts on the Natura 2000 Site. As such, there is no requirement for Stage 2 Appropriate Assessment'.*

It was therefore concluded at this stage that there is no requirement for Stage 2 Appropriate Assessment.

### **Environmental Impact Assessment:**

In terms of this report, an assessment is made regarding the requirement to submit an Environmental Impact Assessment (EIA). As set out in Schedule 5 (Development for the Purposes of Part 10) of the Planning and Development Regulations 2001 (as amended).

Section 172(1) of the Planning and Development Act 2000 (as amended) requires that an EIA must be carried out by the planning authority or the Board, as the case may be, in respect of an application for consent for:

- (a) proposed development of a class specified in Schedule 5 of the Planning and Development Regulations, 2001 which exceeds a quantity, area or other limit specified in that schedule or
- (b) proposed development of a class specified in Schedule 5 which does not exceed the specified quantity, area or limit but which the planning authority or the Board determines is likely to have significant effects on the environment.

**Note:** While a proposed development may be below the thresholds set out in the Regulations for requiring an E.I.A.R. An E.I.A.R. may still be required if the development (including demolition) is likely to have significant effects on the environment by virtue of its nature, size or location or due to cumulative effects when combined with other projects

It is considered that the proposed development would not constitute a subthreshold development for the purposes of EIAR as the proposal is unlikely to have significant effects on the environment by virtue of its nature, size or location or due to cumulative effects when combined with other projects

**Schedule 5:**

The proposed development, the provision of a hurling pitch, training wall, floodlights and a crèche, does not exceed the quantity, area or other limit specified in Schedule 5 (Development for the Purposes of Part 10) of the Planning and Development Regulations 2001 (as amended).

**Schedule 7 :**

The proposed development which does not exceed the specified quantity, area or limit set out under Schedule 5 of the Regulations, by reason of Characteristic of development, Location and Characteristic of potential impacts scale and character (Criteria for Determining whether a Development would or would not be likely to have a significant effect on the Environment) is unlikely to have significant effects on the environment as set out under Schedule 7 of the Regulations

**Conclusion- EIA:**

The proposed development is not sub-threshold with regard to the specified limits for development which require an EIA under Schedule 5. The proposed development by reason of the nature of the characteristics of the development, the location of the development and the characteristic of potential impacts, is unlikely to have significant effects on the environment, as set out under Schedule 7.

Therefore the proposed development does not require an EIA.

The following recommendations have been received from internal Departments;

- **Drainage Division**

There is no objection to this development and the following recommendations have been made;

- There is no objection to this development, subject to the developer complying with the Greater Dublin Regional Code of Practice for Drainage Works Version 6.0 (available from [www.dublincity.ie](http://www.dublincity.ie) Forms and Downloads).
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- The development is to be drained on a completely separate system with surface water discharging to the public surface water system..
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- The Developer's submission includes a proposal to construct a soakaway as part of this development. The design and construction of soakaways must comply with the requirements of BRE Digest 365 and CIRIA C522..
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- All private drainage such as, downpipes, gullies, manholes, armstrong junctions, etc. are to be located within the final site boundary. Private drains should not pass through property they do not serve.

- **City Archaeologist**

There is no objection to this development and the following recommendations have been made;

- If, during the course of site works and construction archaeological material is discovered, the Planning Authority should be notified immediately. Further, it is obligatory under the National Monuments Amendment Act 1994 that such is brought to the attention of the National Monuments Service, Department of Culture, Heritage and the Gaeltacht, and the National Museum of Ireland.
- In the event of an archaeological find on site, the Planning Authority (in consultation with the City Archaeologist and the National Monuments Service, Department of Culture, Heritage and the Gaeltacht) shall determine the further archaeological resolution of the site.
- If, however, no archaeological remains are encountered, then no further archaeological mitigation will be required.

The project is being funded from Parks Capital Programme 2018-2020.

**Accordingly, it is recommended that a decision be made by Elected Members of the Council to proceed with the proposed development.**

This report is submitted to the City Council pursuant to Section 138 of the Local Government Act, 2001 (as amended) and Section 179 of the Planning and Development Act, 2000 (as amended) subject to the provisions of Section 139 of the Local Government Act, 2001 (as amended).

**Resolution:**

"That Dublin City Council notes Report No 180/2019 and hereby approves the contents therein."

**Owen P. Keegan**  
**Chief Executive**  
**1<sup>st</sup> June 2019**