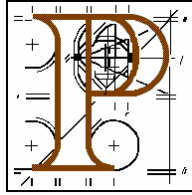


An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2010

Dun Laoghaire-Rathdown County

Planning Register Reference Number: D10A/0234

An Bord Pleanála Reference Number: PL 06D.238095

APPEAL by Linda Russell of 121 Rowanbyrn, Blackrock, County Dublin against the decision made on the 9th day of November, 2010 by Dun Laoghaire-Rathdown County Council to grant subject to conditions a permission to the Department of Education and Science care of Smith and Kennedy Architects of 9 Clarinda Park North, Dun Laoghaire, County Dublin in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: A development consisting of the following: (1) Demolition of existing 1970's single storey school building (3,400 square metres) and ancillary extensions to Belfort House (2,255 square metres), (2) a new, part single storey, part three-storey school building (6,580 square metres), (3) the refurbishment and a new three-storey extension (100 square metres) to the west side of Belfort House (total 733 square metres), (4) construction of a temporary, single storey prefabricated school building (2,140 square metres) to the east boundary, for the duration of the construction works of the new school, (5) new 21 square metres substation located in the north-east corner, (6) the refurbishment of the two gate lodges at the entrance and exit gates onto Newtownpark Avenue, (7) an increase in the number of car parking spaces from 196 to 226 spaces, (8) reconfiguration of traffic access and exit, (9) modifications to the existing boundary walls and ancillary site works including new landscaping and playground areas, all at Newpark School, Newtownpark Avenue, Blackrock, County Dublin, part of which is a protected structure (curtilage yet to be established), as amended by the following public notice received by the planning authority on the 14th day of October, 2010: (1) Temporary screening to boundary with Rowanbyrn, (2) overflow car park revisions to reflect permission, planning register reference number D08A/0604, (3) justification for car parking numbers, (4) clarification of proposed new entrance off Newtownpark Avenue, (5) revised pedestrian/cycle access off Newtownpark Avenue and routes within the site, (6) additional pedestrian/cycle access points off the Monkstown Ring Road and Rockville Park, (7) justification of cycle facilities, (8) conservation clarification of treatment to Melfield House, (9) conservation clarification of

treatment to gate lodges, (10) tree survey in line with the Council's Park Department request, (11) landscape design in line with the Council's Park Department request, (12) additional drainage information in line with the requirements of the Council's Drainage Department, (13) relocation of the substation and (14) revised treatment to the south elevation to provide fire escape gantries at first and second floors.

DECISION

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

MATTERS CONSIDERED

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

REASONS AND CONSIDERATIONS

Having regard to the established use of the site as a school, to the design and scale of the proposed structures, the temporary nature of the prefabricated school and the mitigation measures proposed, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential amenities of properties in the vicinity nor adversely affect the setting of the protected structures. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

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 14th day of October, 2010, 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. Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health and to ensure a proper standard of development.

3. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including hours of working, noise management measures and off-site disposal of construction and demolition waste.

Reason: In the interests of public safety and residential amenity.

4. Prior to commencement of development, the developer shall make a record of the existing protected structures (gate lodges). This record shall include :
 - (a) a full set of survey drawings to a scale of not less than 1:50 to include elevations, plans and sections of the structure, and
 - (b) a detailed, labelled photographic survey of all internal rooms including all fixtures and fittings), the exterior and the curtilage of the building.

This record shall be submitted to the planning authority prior to commencement of development and one copy of this record and a full set of drawings of the proposed works to the protected structure shall be submitted to the Irish Architectural Archive.

Reason: In order to establish a record of this protected structure.

5. The developer shall employ an archaeologist to carry out monitoring of any sub-surface works carried out within the proposed development site, such as associated service trenches and reduction in ground levels. Should archaeological material be found during the course of archaeological monitoring, the developer shall facilitate the archaeologist in halting ground works fully recording the material. The developer shall advise The Heritage and Planning Division of the Department of the Environment, Heritage and Local Government with regard to the appropriate course of action, should archaeological material be discovered. The archaeologist shall prepare and submit a report describing the results of archaeological monitoring to the planning authority and to The Heritage and Planning Division within six weeks of the completion of any archaeological monitoring.

Reason: In order to preserve the archaeological heritage of the area.

6. All service cables associated with the proposed development (such as electrical, communal television, telephone and public lighting cables) shall be run underground within the site.

Reason: In the interest of orderly development and the visual amenities of the area.

7. Prior to commencement of development, details of the materials, colours and textures of all the external finishes to the proposed development shall be submitted to the planning authority for agreement.

Reason: In the interest of orderly development and the visual amenities of the area.

8. The site shall be landscaped in accordance with the details received by the planning authority on the 14th day of October, 2010.

Reason: In the interest of visual amenity.

9. All trees, shrubs and groups of trees specified for retention shall be enclosed within stout fencing, details of which shall be agreed with the planning authority. The fencing shall enclose at least the area covered by the spread of the branches, shall be erected before any site works begin and shall be maintained during the construction period. No development works shall be carried out within the area enclosed by the protective fencing. In particular, there shall be no parking of vehicles, placing of site huts, storage compounds or topsoil heaps, storage of oil or chemicals, or lighting of fires over the root spread of trees specified for retention on the site.

Reason: To protect trees proposed for retention, in the interest of visual amenity.

10. The timber screen, indicated along the eastern boundary with Rowanbyrn residential area, shall be extended for the full length of the eastern site boundary to include screening measures to the rear of numbers 113 and 114 Rowanbyrn.

Reason: In the interest of residential amenity.

11. The timber screen indicated along the eastern site boundary with Rowanbyrn shall be removed on completion and occupation of the new school building, unless otherwise agreed in writing with the planning authority.

Reason: In the interest of visual amenity.

12. Upon completion and occupation of the new school building, the temporary classroom structures, located adjacent to the eastern site boundary shall be removed and the amenity/sports area, including basketball courts, shall be fully reinstated as the primary use at this location. This area shall only be operated as an overflow car park, strictly in accordance with the requirements of planning register reference number D08A/0604, which stipulates that the overflow car park is for use outside of school hours and mainly for sports occasions, which can generate excessive traffic. The drop bollards, as indicated on the access route to the overflow car park, shall be used to prevent usage on a daily basis.

Reason: In the interest of orderly development and traffic safety.

13. The temporary classroom accommodation, located adjacent to the eastern site boundary shall not be used later than 2200 hours on any evening.

Reason: In the interest of residential amenity.

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**

Dated this day of 2011.