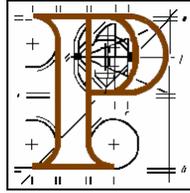


An Bord Pleanála



Inspector's Report

Appeal Ref. No:	PL13.238974
Proposed Development:	Change of use of storage area to school assembly hall
Location:	Monnleen Road, Castletroy, Co Limerick.
Applicants:	Gaelscoil Chaladh an Treoigh
Planning Authority Reg. Ref:	11/18
Planning Authority:	Limerick County Council
P.A. Decision:	Refuse Permission
Appeal Type:	Applicant vs Refusal
Appellants:	Gaelscoil Chaladh an Treoigh
Observers:	None
Date of Site Inspection:	12th July 2011
Inspector:	Hugh Mannion

1. SITE AND SURROUNDINGS

The site (stated area 0.202ha) of the proposed development is located on the eastern side of the Monaleen Road about 5kms east of Limerick City Centre in the administrative area of Limerick County Council. Monaleen Road runs generally southeast from the former N7 Limerick/Dublin Road and crosses the new M7 via a bridge about 180m to the south east of the site. The area is residential in character comprising two storey houses with front and rear gardens. Three residential plots to the north west also fronting Monaleen Road is Monaleen National School. There is a pedestrian crossing in front of that school. Between the road frontage and the Gaelscoil buildings are two further buildidngs in use as a Montessori/crèche and between these and the road is a tarmacked parking area.

There are footpaths and public lighting on both sides of Monaleen Road. Opposite the Gaelscoil entrance and making a T junction with Monaleen Road is Monaleen Park - another residential road. There is a vehicular entrance to a staff parking area on the south-eastern end of the site and a pedestrian/public access over the tarmacked area in front of the Montessori/crèche along the northern site boundary. There are seven temporary buildings/class rooms within the existing school yard while the building proposed for conversion to an assembly hall is accessed separately along the south-eastern boundary over the same access which provides access to the staff car parking area.

2. PROPOSED DEVELOPMENT

The proposed development comprises the change of use of an existing storage shed to use as a school assembly hall. The shed is 5.99m high at roof apex and comprises corrugated roof with rendered lock walls. The proposal will connect to public water and sewerage.

3. HISTORY

08/819 – a temporary classroom

05/2818 – 6 temporary class rooms.

05/1256 - temporary double class room removal of shed and ancillary works.

04/3481 - retention permission granted for temporary classroom.

04/2089 - permission for a temporary class room.

01/1910 – permission for temporary classrooms for 18 primary school children.

4. PLANNING AUTHORITY DECISION

The planning authority decided to refuse permission because the sightlines at the entrance to the school are inadequate and the additional traffic movements would endanger public safety by reason of traffic hazard.

The Roads Department reported that visibility splays are severely restricted, that there is severely deficient set-down and parking facilities on the Monaleen Road at this point and that traffic patterns in the area are dangerous.

Initially the planning authority sought further information in relation to, inter alia, set down within the site.

5. APPLICANT'S APPEAL

The grounds of appeal may be summarised as follows;

- The school was founded in 2001 and has 225 pupils and 10 staff. There is off-street parking for staff only. There is no assembly hall to serve the school's needs.
- There is a long history of planning applications on site.
- A permanent Gaelscoil building is a minimum of 2 ½ years away.
- There is an urgent need for the assembly rooms and they will be temporary.
- The sightlines available at the school entrance have not changed since previous permissions were granted.
- The safe stopping distance within a 50kms zone is 70m and this is achieved from the south west. The sightlines to the northwest are interrupted only during peak drop off/pick up periods when designated parking areas are in use. In the 10 year lifetime of the school there have been no reported accidents.
- Drop-off facilities are not implementable by the school as it does not control the road frontage.
- The County Development Plan and the Castletroy LAP support the provision of educational facilities.

6. PLANNING AUTHORITY RESPONSE

The planning authority responded to the appeal that the issue of traffic safety was raised by way of further information request but no satisfactory reply was received. The Roads Section was unhappy with the vision splays at the site entrance.

7. OBSERVATIONS

There were no observations made to the Board in connection with this appeal.

8. FURTHER SUBMISSIONS

There are no further submissions.

9. PLANNING POLICY FRAMEWORK

The proposed development is located in an area zoned 'existing residential' (given as 'established residential' in the written statement) in the Castletroy Local Area Plan 2009-2015. In relation to such areas the LAP states that "The purpose of this zoning is to ensure that new development is compatible with adjoining uses and to protect the amenity of existing development areas" and it is the policy of the Council to:

- Promote development that supports the predominant land use in the surrounding area;
- Accommodate a range of other uses that support the overall residential function of the area where an acceptable standard of amenity can be maintained and where the amenities of existing residents/occupiers are protected;
- Encourage a high standard of residential design in new residential developments and to improve permeability and accessibility;
- Discourage the expansion or intensification of existing uses that are incompatible with residential amenity; and
- Have regard to the Urban Development Framework outlined in Section 6 in proposed new developments and appropriate densities as set out in the DEHLG document 'Sustainable Residential Development in Urban Areas, Guidelines for Planning Authorities' (December 2008).

In relation to the provision of educational services the LAP states that Castletroy has three Primary Schools. Milford National School on the northern side of the District has 489 pupils. Monaleen National School on the southern side of the District has 567 pupils. Gaelscoil Chaladh an Treoigh on the Monaleen Road was established in 2001 and has 166. It is proposed to relocate the Gaelscoil to a site on the Dublin road and consultation with the Department of Education and Science has indicated that one additional primary school is required to accommodate growth in the area.

10. ASSESSMENT

10.01 The principal matters to be considered in this case are development plan zoning policy, impact on the amenity of adjoining uses and traffic safety.

10.02 Development Plan Zoning Policy

10.03 The site is zoned for the protection of existing/established residential development in the current Castletroy LAP. Along with residential uses the LAP envisages the provision of a range of other uses that would support the overall residential function of areas so zoned. It would be reasonable to include educational facilities of the scale of national schools/gealscoileanna in this range of support uses and I consider, therefore, that the proposed development does not materially contravene the LAP zoning objective.

10.04 Impacts on Adjoining uses.

10.05 The nearest residential use is a dormer house between the Gaelscoil and Monaleen Road. The building proposed for change of use to a school assembly hall is separated from this house by its own rear garden, a pedestrian access to the Gaelscoil and to some extent the service yard/parking area to the rear of the adjoining Montessori/crèche.

10.06 Having regard to the separation distance, the orientation of the building to the south east of the residential use and the nature of the proposed development limited to a change of use I conclude that the proposed development would not seriously injure the amenity of that house. The adjoining site to the south is in agricultural use and separated by a 2m high fence and will not be negatively impacted upon by the proposed development.

10.07 Traffic safety

10.08 The collection of buildings within the immediate area is critical to an assessment of traffic safety.

10.09 The Gaelscoil itself is set back off Monaleen Road and comprises seven individual temporary buildings. In addition to these buildings there are three further buildings of note;

- Two which front onto the public road (Monaleen Road) – there is a single storey domestic scale two bay building with a central door, stone fronted with a tiled roof and to its right a more commercial looking building with rendered block wall surmounted by corrugated upper walls roof. The smaller/domestic scale building is in use as a Montessori/crèche and possibly the commercial looking building is also part of the Montessori/crèche.
- Behind these and separated from them by a gravelled parking/service yard is the proposed assembly hall.

10.10 There is a tarmacked parking/circulation area in front of the Montessori/crèche buildings. The pupil/pedestrian access to the Gaelscoil is over this tarmacked area to a gate between the crèche and the boundary wall of the adjoining house. This tarmacked area is separated by traffic cones and tape from the Gaelscoil teachers' car park entrance. The Gaelscoil teachers' car parking is in the eastern corner of the site behind both the commercial looking building and the building proposed as an assembly hall.

10.11 The speed limit in the area is 50kms. The public road rises in both directions away from the site entrance: to the northwest there is a pedestrian crossing to facilitate movements in/out of Monaleen national school and to the south east the road rises via a bridge over the recently completed M7.

10.12 Visibility from the entrance northwest is extremely limited until a car has entered the carriageway and even then sightline is blocked by the parking along the linear off-street parking on the eastern side of Monaleen Road northwest of the school. Conversely viewed from a point in the carriageway on the brow of the hill northwest of the Gaelscoil entrance that entrance is extremely difficult to see.

10.13 Visibility from the entrance to the south east is again extremely restricted until a car has entered the carriageway and then extends to the brow of the Monaleen Road /M7 bridge. Approaching from the southeast and taking as the vantage point the carriageway on the brow of the Monaleen Road/M7 bridge again the site entrance is difficult to see.

10.14 The planner's report on file quotes from a Roads Department Report (not submitted to the Board) that the roads department are not in favour of this development, that there is severely restricted set down space/parking facilities at this point on Monaleen Road and that vision splays are severely restricted and the report recommended refusal. In this context it may be noted that the sight distances in both directions on drawing number 11/527/02 submitted with the application are measured from the edge of the footpath not set back as is normal when approximating the view from a vehicle before it enters the carriageway. The planning authority raised a number of pedestrian/traffic safety issues with the applicant by way of a request for further information. *Inter alia*, these referred to the provision of an internal drop off facility within the school grounds. By way of a response the applicant stated that provision of an on-site drop off facility was not possible.

10.15 The grounds of appeal make a number of points; the circumstances in relation to public safety have not changed since the original grant of a temporary permission for the school, the proposal will not lead to an intensification of the overall school use, the application is for a temporary facility, the staff are aware of the traffic patterns in the area and there have been no accidents in 10 years.

10.16 I consider that the provision of educational facilities is an entirely laudable aim, that their location within a relatively densely populated residential area is appropriate and the provisions of the LAP generally support such provision. However the present site is unsuited for the provision of a school – a point recognised in the LAP which has identified a more suitable site for a Gaelscoil on the Dublin Road and confirmed by the grounds of appeal which states that on-site pupil drop-off facilities

cannot be provided because the Gaelscoil Board of Management do not control the road frontage. There is bound to be conflict between the access/drop off needs of Montessori pupils & teachers and Gaelscoil pupils & teachers on stretch of road where sightlines are restricted. The additional space proposed as an assembly hall in planning terms represents an intensification of the Gaelscoil use on an essentially unsuitable site.

11. RECOMMENDATION

Having considered the contents of the application, the decision of the planning authority, the provisions of the Development Plan, the grounds of appeal and the responses thereto, my site inspection and my assessment of the planning issues, I recommend that permission be refused for the reasons and considerations set out hereunder:

Reasons and Considerations

The proposed development would facilitate a temporary Gaelscoil use which generates pupil set/down and pick up related vehicular movements, staff motorcar movements and attendant pedestrian and bicycle traffic. The site is deficient in off-street set down/pick up space and sightlines at the pedestrian and vehicular entrances onto Monaleen Road are restricted. The proposed development would lead to an intensification of educational use of the site and would therefore endanger public safety by reason of traffic hazard.

Hugh Mannion
Planning Inspector
20th July 2011