

An  
Bord  
Pleanála

**Board Direction**  
**BD-018733-25**  
**ABP-321159-24**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 23/01/2025.

The Board decided to grant permission generally in accordance with the Inspector's recommendation, for the following reasons and considerations, and subject to the following conditions.

#### **Reasons and Considerations**

Having regard to the provisions of the Kildare County Development Plan 2023-2029, the zoning of the site and specific objective for the former Magee Barracks under the Kildare Town Local Area Plan 2023-2029, Objective HCO 3.4 of the local area plan which seeks the delivery of a new post-primary school on the former Magee Barracks site, and the location of the site adjacent to two no. schools and residential development, it is considered that, subject to compliance with the conditions set out below, the proposed development would constitute a facility of value to the community, would not seriously injure the residential amenities of properties in the vicinity of the site, would support the delivery of permeability to adjacent residential developments, would result in acceptable levels of traffic flows and would not endanger pedestrian, cyclist or traffic safety. 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 received by the planning authority on the 13<sup>th</sup> day of September 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) Prior to the occupancy of Phase 1 of the development, the Developer shall construct the new signalised junction with the Melitta Road at the northern corner of the site, the 135m section of the access road from Melitta Road, the new car park, and shall upgrade the existing signalised junction between the Melitta Road (R413) and Station Road (R415). The junction and road works shall be constructed and completed in accordance with the Planning Authority's specifications.

(b) the Developer shall submit for the written agreement of the Planning Authority a phasing plan outlining the delivery of the above works as part of phase 1.

**Reason:** In the interests of road safety and traffic movement.

3. Prior to the occupancy of phase 1, the Developer shall construct the 2 no. shared cycling and pedestrian access routes along the southern boundary of the site. The most southern cycling and pedestrian access point leading to the existing roundabout at Gaelscoil Mhic Aodha shall not be gated.

**Reason:** In the interest of permeability and proper planning and sustainable development.

4. The attenuation and 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 attenuation and 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.

5. The developer shall enter into a Connection Agreement with Uisce Éireann to provide for a service connection to the public water supply and to the wastewater collection network and shall adhere to the standards and conditions set out in that agreement.

**Reason:** To provide adequate water and wastewater facilities.

6. Public lighting shall be provided in accordance with a scheme which shall be submitted to and agreed in writing with the Planning Authority prior to the commencement of development.

**Reason:** In the interest of amenity and public safety.

7. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development.

**Reason:** In the interests of visual amenity.

8. The proposed external finishes of the school shall be as per indicated on the details received by the Planning Authority on the 13/09/2024, unless otherwise agreed in writing with the Planning Authority.

**Reason:** In the interest of visual amenity and to ensure an appropriate high standard of development.

9. a) The landscaping scheme, as submitted with plans received by the Planning Authority on the 13/09/2024, shall be carried out no later than the first planting season after the first occupation of each phase of the development on site.

(b) The scheme shall include the following, unless otherwise agreed with the planning authority:

- i) All trees and plant species shall be native species and no invasive species are permitted.
- ii) All railings and gates shall be powder coated black in colour.
- iii) All boundary walls that address the public road shall be finished in natural quarried limestone. No reconstituted stone shall be used.



- (c) All planting shall be adequately protected from damage until established. Any plants which die, are removed or become 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 biodiversity and residential and visual amenity.

10. Prior to the commencement of development, the developer shall submit details for the written approval of the Planning Authority of the proposed construction and pavement materials to be used for pedestrian/ cycle facilities, roads and junction upgrading works, in curtilage parking spaces with permeable paving and on road parking spaces to include a bituminous paved finish or similar approved by the Planning Authority.

**Reason:** In the interests of proper planning and sustainable development and to ensure proper facilities for all road users and robust and durable construction materials.

11. Prior to the commencement of development, the developer or any agent acting on its behalf, shall prepare a Resource Waste Management Plan (RWMP) as set out in the EPA's Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021) including demonstration of proposals to adhere to best practice and protocols. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness; these details shall be placed on the file and retained as part of the public record. The RWMP must be submitted to the planning authority for written agreement prior to the commencement of development. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times.

**Reason:** In the interest of proper planning and sustainable development.

12. Prior to commencement of works, the developer shall submit to, and agree in writing with the planning authority, a Construction Management Plan, which shall be adhered to during construction. This plan shall provide details of intended

construction practice for the development, including traffic management, noise and dust management measures and off-site disposal of construction/demolition waste.

**Reason:** In the interest of public safety and amenity.

13. Site development works shall be confined to the hours of 07:00 to 19:00 Monday to Friday and 08:00 to 14:00 on Saturdays. No site development works shall take place outside of these hours, or on Sundays or Public Holidays. Any alterations to these times shall be subject to the prior written consent of the Planning Authority.

**Reason:** To safeguard the amenity of property in the vicinity.

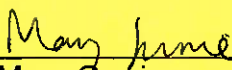
14. Prior to the occupancy of Phase 1 the Developer shall conduct a Stage 3 Road Safety Assessment (RSA) on the junction improvement works and access route improvements. The RSA Stage 3 shall be conducted by an independent approved and certified auditor. The recommendations of the RSA should be incorporated into the remedial works.

**Reason:** In the interest of road safety.

15. The development shall be carried out and operated in accordance with the provisions of the Mobility Management Plan (MMP) submitted with the application. The specific measures detailed in the MMP to achieve the objectives and modal split targets for the development shall be implemented in full upon first occupation of Phase 1 of the development.

**Reason:** To achieve a reasonable modal split in transport and travel patterns in the interest of sustainable development.

**Board Member**

  
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Mary Gurrie

**Date:** 31/01/2025