



An
Coimisiún
Pleanála

Direction
CD-020841-25
ABP-322680-25

The submissions on this file and the Inspector's report were considered at a meeting held on 01/10/2025.

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

Planning

Commissioner:

Mick Long

Date: 01/10/2025

DRAFT WORDING FOR ORDER

Reasons and Considerations

Having regard to the zoning objective "SNI" for the site as set out in the Dun Laoghaire-Rathdown County Development Plan 2022-2028, to the existing educational use on site, separation distances from local housing and to the relevant objectives set out in the Development Plan, it is considered that the proposed development, subject to compliance with the conditions set out below, would not pose a risk to traffic and pedestrian safety, would not seriously injure the residential amenities of the area and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Appropriate Assessment Screening

The Board completed an Appropriate Assessment Screening exercise in relation to the potential effects of the proposed development on European Sites, taking into account the nature, scale and location of the proposed development, the Appropriate Assessment Screening Report submitted with the application and the Inspector's report and submissions on file. In completing the screening exercise, the Board adopted the report of the Inspector and concluded that, by itself or in combination with other development in the vicinity, the proposed development would be likely to have a significant effect on the South Dublin Bay and River Tolka Estuary Special Protection Area (Site Code: 004024), North-West Irish Sea Special Protection Area (Site Code: 004236), North Bull Island Special Protection Area (Site Code: 004006), Baldoyle Bay Special Protection Area (Site Code: 004016), Ireland's Eye Special Protection Area (Site Code: 004117), Malahide Estuary Special Protection Area (Site Code: 004025) European Sites in view of the sites' conservation objectives, and that a Stage 2 Appropriate Assessment (and submission of a Natura Impact Statement) is, therefore, required.

Appropriate Assessment

Having regard to the Natura Impact Statement submitted with the application, the Inspector's report and the submissions on file, it is considered that adverse effects on site integrity of the South Dublin Bay and River Tolka Estuary Special Protection Area (Site Code: 004024), North-West Irish Sea Special Protection Area (Site Code: 004236), North Bull Island Special Protection Area (Site Code: 004006), Baldoyle Bay Special Protection Area (Site Code: 004016), Ireland's Eye Special Protection Area (Site Code: 004117), Malahide Estuary Special Protection Area (Site Code: 004025) European Sites can be excluded in view of the conservation objectives of these sites and that no reasonable scientific doubt remains as to the absence of such effects. This conclusion is based on:

- 1) detailed assessment of construction and operational impact of the proposed development,
- (b) the effectiveness of mitigation measures proposed including supervision and monitoring and integration into CEMP ensuring smooth transition of obligations to eventual contractor,
- (c) the application of planning conditions to ensure application of these measures, and
- (d) the conservation objectives for the South Dublin Bay and River Tolka Estuary Special Protection Area (Site Code: 004024), North-West Irish Sea Special Protection Area (Site Code: 004236), North Bull Island Special Protection Area (Site Code: 004006), Baldoyle Bay Special Protection Area (Site Code: 004016), Ireland's Eye Special Protection Area (Site Code: 004117), Malahide Estuary Special Protection Area (Site Code: 004025) European Sites.

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 24th day of April, 2025, 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. Details of the materials, colours and textures of all the external finishes to the proposed building shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

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

3. Prior to the commencement of development, the applicant shall submit to, and agree in writing with, the planning authority a methodology and specification for enveloping works for the stables building at the entrance to the school, at Booterstown Avenue.

Reason: In the interest of safeguarding built heritage.

4. The mitigation measures contained in the submitted Natura Impact Statement (NIS) shall be implemented.

Reason: To protect the integrity of European Sites.

5. The mitigation measures contained in the submitted Ecological Impact Assessment dated the 6th day of February 2025 shall be implemented.

Reason: To protect the integrity of European Sites.

6. (a) Prior to commencement of the proposed development, the applicant shall submit to, and agree in writing with, the planning authority revised drawings and details which demonstrate the provision of road markings and signage to cater for vehicular movements, and which indicate the following:

- (i) "One-way" at entrance from Booterstown Avenue, and

- (ii) "No Entry" at exit onto McCabe Villas;

- (b) the applicant and Travel Plan Coordinator shall implement the measures detailed in the submitted School Travel Plan by Systra, dated 9th day of December, 2024.

Reason: In the interest of traffic safety.

- 6. Site development and building works shall be carried out between the hours of 0700 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 on Saturdays and not at all on Sundays and public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written agreement has been received from the planning authority.

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

- 7. 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:

- (a) Location of the site and materials compound(s) including area(s) identified for the storage of construction refuse.
- (b) Location of areas for construction site offices and staff facilities.
- (c) Details of site security fencing and hoardings.
- (d) Details of on-site car parking facilities for site workers during the course of construction.
- (e) Details of the timing and routing of construction traffic to and from the construction site and associated directional signage, to include proposals to facilitate the delivery of abnormal loads to the site.

- (f) Measures to obviate queuing of construction traffic on the adjoining road network.
- (g) Measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network.
- (h) Alternative arrangements to be put in place for pedestrians and vehicles in the case of the closure of any public road or footpath during the course of site development works.
- (i) Provision of existing parking arrangements during the construction period.
- (j) Details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels.
- (k) Containment of all construction-related fuel and oil within specially constructed bunds to ensure that fuel spillages are fully contained. Such bunds shall be roofed to exclude rainwater.
- (l) Off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil.
- (m) Means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains.
- (n) A record of daily checks that the works are being undertaken in accordance with the Construction Management Plan shall be available for inspection by the planning authority.

Reason: In the interest of amenities, public health and safety and environmental protection.

8. 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.

9. The landscaping scheme shall be carried out within the first planting season following substantial completion of external construction works. 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 residential and visual amenity.

10. Prior to the commencement of development, the developer shall submit details for the disposal of surface water from the site for the written agreement of the planning authority.

Reason: In the interest of public health.