

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

South Dublin County

Planning Register Reference Number: SD15A/0226

An Bord Pleanála Reference Number: PL 06S.245985

APPEAL by Concerned Firhouse Residents care of Hendrik W van der Kamp of 1 Woodstown Court, Knocklyon, Dublin and by Yvonne and Julian Glavey of 103 Woodlawn Park Grove, Firhouse, Dublin against the decision made on the 4th day of December, 2015 by South Dublin County Council to grant subject to conditions a permission to Minister for Education and Skills care of O'Mahony Pike Architects Limited of The Chapel, Mount Saint Anne's, Milltown, Dublin in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: Development consisting of (1) the demolition of two existing temporary schools and (2) the construction of two number two storey Primary School Buildings. School 1 comprises 16 number classrooms, two-classroom Special Needs Unit, support teaching spaces and ancillary accommodation with a total floor area of 3,165 square metres. School 2 comprises 16 number classrooms, two-classroom Special Needs Unit, support teaching spaces and ancillary accommodation with a total floor area of 3,050 square metres. The site works to the school grounds will consist of two number 15 square metre external storage buildings, bin stores, playing pitch, ball courts, project gardens, cycle storage, landscaping and boundary treatment and all other associated site development works for each school. The works to the remainder of the site consist of the provision of 70 number car parking spaces, drop-off and pick-up facilities all on a site circa 1.9 hectares at Ballycullen Drive, Firhouse, Dublin.

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 nature, scale, design and location of the proposed development, to the need for the proposed schools identified by the Department of the Education and Skills, to the extent of public open space available in close proximity, and to the pattern of development in the area, it is considered that, subject to compliance with the conditions set out below, the proposed development would constitute a benefit to the local community, would not seriously injure the visual or residential amenities of the area or of property in the vicinity, would be acceptable in terms of traffic safety and convenience, and would not conflict with the provisions of the South Dublin County Council Development Plan 2010-2016 or of the Ballycullen-Oldcourt Local Area Plan 2014. 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 9th day of November, 2015, 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. The proposed development shall be amended as follows:
- (a) The vehicular entrance shall be provided from the roundabout on Ballycullen Drive, as set out on drawing number SK001 "Entrance Road Option 1", submitted to the planning authority on the 9th day of November 2015.
 - (b) The two pitches at the western end of the site shall be relocated/reoriented to accommodate the vehicular entrance.
 - (c) A new pedestrian/cycle entrance shall be provided at the eastern end of the site.
 - (d) A raised pedestrian ramp shall be provided across the internal access road linking to the new pedestrian crossing on Ballycullen Drive.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development.

Reason: In the interest of the amenities of the area.

3. A road safety audit shall be completed, and details, including mitigation measures and a schedule for implementation, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

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

4. (1) Development shall not commence until the proposed footpath/cycle link to connect the sports club to the east of this site with the pitches to the west of the site are completed to the written satisfaction of the planning authority.
- (2) The proposed schools shall not be occupied until new and upgraded paths to access the schools have been completed to the written satisfaction of the planning authority.

Reason: In the interest of public accessibility and of orderly development.

5. The road works associated with the proposed development including the setting out of the entrances, paving and surface finishes, road marking and signage shall be carried out and completed in accordance with the requirements of the planning authority.

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

6. The proposals for landscaping shall be substantially increased in accordance with a comprehensive boundary treatment and landscaping scheme, which shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development. This scheme shall provide for the following:

- (a) supervision of the construction stage and of planting/landscaping by an appropriately qualified and experienced landscape architect to the written approval of the planning authority,
- (b) details of all proposed hard surface finishes including samples of proposed paving slabs/materials for footpaths, kerbing and road surfaces within the development,
- (c) details of proposed street furniture including bollards, lighting fixtures and seating,
- (d) details of proposed boundary treatments at the perimeter of the site, including heights, materials and finishes,
- (e) proposed locations of trees and other landscape planting, including details of proposed species and settings,
- (f) provision for dense boundary planting,
- (g) details of a landscape maintenance and management plan,
- (h) planting shall comprise predominantly indigenous species, and
- (i) details of a schedule for reporting/certification to the planning authority by the landscape architect.

The boundary treatment and landscaping shall be carried out in accordance with the agreed scheme within the first planting season following substantial completion of construction. All planting shall be adequately protected from damage until established. Any plants that 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 visual amenity on an open site, having regard to the scale of the buildings, to soften the visual impact of boundary fencing, and to protect existing trees to be retained.

7. Details, including samples, of the materials, colours and textures of all the external finishes of the proposed development, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of the visual amenities of the area.

8. School opening times shall be staggered in accordance with details to be submitted to, and agreed in writing with, the planning authority prior to the first occupation of the schools.

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

9. Prior to first occupation of the schools, a detailed mobility management plan for staff and pupils, including a schedule for reporting the ongoing implementation of the plan, shall be submitted to, and agreed in writing with, the planning authority. Staff car parking is not permitted in set-down areas either internally within the school grounds or externally off Killinniny Road. The Mobility Management Plan shall be provided and implemented in accordance with the guidance issued by the National Transport Authority in the "Toolkit for School Travel", "Workplace Travel Plans – a Guide for Implementers" and "Achieving Effective Workplace Travel Plans – Guidance for Local Authorities".

Reason: In the interest of sustainable transport.

10. Prior to commencement of development, proposals for public lighting shall be submitted for the written agreement of the planning authority. This shall include details of design of individual lamp standards, and details of the intensity of lighting.

Reason: In the interest of orderly development.

11. A plan containing details for the management of waste and recyclable materials within the development, including the provision of facilities for the storage, separation and collection of the waste and recyclable materials and for the ongoing operation of these facilities shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, the waste shall be managed in accordance with the agreed plan.

Reason: To provide for the appropriate management of waste and recyclable materials, in the interest of protecting the environment.

12. Water supply and drainage arrangements, including surface water disposal, shall accord with the requirements of the planning authority for such services and works.

Reason: To ensure the proper drainage of the proposed development.

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

Reason: In the interest of the visual amenities of the area.

14. 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 compounds including areas 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 any 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) details of appropriate mitigation measures for construction noise, dust and vibration, and monitoring of such levels,
- (j) 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,
- (k) off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil,
- (l) means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains, and
- (m) hours of construction.

A record of daily checks that the works are being undertaken in accordance with the Construction Management Plan shall be kept for inspection by the planning authority.

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

15. The developer shall pay to the planning authority a financial contribution as a special contribution under section 48(2) (c) of the Planning and Development Act 2000, as amended, in respect of the following:

- (i) a signalised pedestrian crossing on Ballycullen Drive to serve the proposed schools,
- (ii) the upgrade of the existing pathways to the south/south west, to serve pedestrians and cyclists accessing the proposed schools,
- (iii) a new footpath/cycle link from the south west of the site to the school, and
- (iv) a new footpath/cycle link to be provided to the eastern end of the site.

The amount of the contribution shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála for determination. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be updated at the time of payment in accordance with changes in the Wholesale Price Index – Building and Construction (Capital Goods), published by the Central Statistics Office.

Reason: It is considered reasonable that the developer should contribute towards the specific exceptional costs which are incurred by the planning authority which are not covered in the Development Contribution Scheme and which will benefit the proposed development.

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

Dated this day of 2016.