

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Wicklow County

Planning Register Reference Number: 15/1102

An Bord Pleanála Reference Number: PL 27.246334

APPEAL by Tomás Ó Maonaile of 10 Baile Mhic an Ghaill Mór, Cill Mhantáin, Contae Chill Mhantáin against the decision made on the 25th day of February, 2016 by Wicklow County Council to grant subject to conditions a permission to The Minister for Education and Skills care of Oppermann Associates of Unit D1, The Steelworks, Foley Street, Dublin in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: Construction of new two-storey/three-storey sixteen classroom Primary School, associated ancillary accommodation, ball courts, landscaping and associated site works. Access and car parking is as per approved planning register reference number 13/8552, at Gaelscoil Chill Mhantain, Merrymeeting, Rathnew, County Wicklow (site area 0.489 hectares).

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 provisions of the Wicklow County Development Plan 2010-2016, the Wicklow Town-Rathnew Development Plan 2013-2019, the need for educational facilities in an area and the planning history of the site including the permitted development under planning register reference number 13/8552, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity, would be acceptable in terms of traffic safety and convenience and 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 February 2016, 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. Notwithstanding the exempted development provisions of the Planning and Development Regulations, 2001, as amended, and any statutory provision replacing or amending them, no development falling within Class 57, Part 1 of Schedule 2 of those Regulations shall take place within the curtilage of the school without a prior grant of planning permission.

Reason: In the interests of the amenities of the area and to permit the planning authority to assess any such development through the statutory planning system.

3. Details including samples of the materials, colours and textures of all the external finishes to 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.

4. 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.

5. 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 material 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 parking for existing properties 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 include rainwater;
- (l) off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil, and
- (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.

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 amenities, public health and safety.

- 6. (a) Prior to the occupation of the school, a School Travel Plan (Mobility Management Plan) shall be submitted to the planning authority for written agreement. Details to be agreed with the planning authority shall include proposals to ensure the operation and free flow of the internal access road and junction serving the two separate school sites, the prevention of parking in the existing roadside bus set down area, the free flow of traffic on Broomhill Road and incentives to encourage the use of cycling and walking by staff and also students of the facility. The plan shall be implemented within three months of the opening of the school and continued and updated annually during the operation of the school.
- (b) Staggered opening and closing times shall be operated and maintained by the proposed school in conjunction with the existing adjoining school (planning register reference number 13/8552) so that drop off and collection times for the two schools do not coincide. A minimum stagger of 30 minutes shall be employed, unless otherwise agreed in writing with the planning authority.

Reason: In the interests of public safety, traffic safety and of encouraging the use of sustainable modes of transport.

7. Covered and secure bicycle parking spaces shall be provided within the site. Details in this regard shall be submitted to the planning authority for written agreement prior to commencement of development.

Reason: To ensure an adequate bicycle parking provision is available to serve the development.

8. (a) The site shall be landscaped in accordance with a comprehensive scheme of landscaping, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.
- (b) The developer shall retain the services of a suitably qualified Landscape Architect (or suitably qualified Landscape Designer) throughout the life of the site development works. A Practical Completion Certificate is to be signed off by the Landscape Architect when all landscape works are completed to the satisfaction of the planning authority in consultation with the Parks and Landscape Services Department and in accordance with the permitted landscape proposals.

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

9. Details of the proposed site boundary treatment shall submitted to, and agree in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual and residential amenity.

10. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground.

Reason: In the interest of visual and residential amenity.

11. Site development and building works shall be carried out only between the hours of 08.00 to 19.00 Mondays to Fridays inclusive, between 08.00 to 14.00 on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the residential amenities of property in the vicinity.

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

Dated this day of 2016.