

# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

**Dublin City**

**Planning Register Reference Number: 2798/16**

An Bord Pleanála Reference Number: PL 29N.246962

**APPEAL** by Aidan Kerins of 32 All Hallow's Square, Beresford, Griffith Avenue, Dublin against the decision made on the 27<sup>th</sup> day of June, 2016 by Dublin City Council to grant subject to conditions a permission to the Department of Education and Skills care of Jason Redmond and Associates of 31 Jessop Street, Portlaoise, County Laois in accordance with plans and particulars lodged with the said Council.

**PROPOSED DEVELOPMENT:** Provision of a proposed temporary development to consist of the provision of a standalone two classroom primary school of modular construction consisting of two number general classrooms, principal's office with associated circulation corridor, access doors, service connections and ancillary works which are within the curtilage of a protected structure at the All Hallows College, Grace Park Road, Drumcondra, Dublin for use as a primary school for a period of two years.

## **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 land use zoning objective for the area, the established land use on the associated holding, and also having regard to the temporary nature of the development proposed, 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 not adversely impact on the architectural heritage of All Hallows campus, would not be prejudicial to public health and would be acceptable in terms of traffic safety and convenience. 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, 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. This permission shall apply for a period of two years from the date of commencement of development. The primary school structure shall then be removed unless, prior to the end of the period, planning permission shall have been granted for its retention for a further period. The site shall be reinstated on removal of the primary school structure. Details relating to the removal and reinstatement shall be submitted to, and agreed in writing with, the planning authority at least one month before the date of expiry of this permission.

**Reason:** In the interests of clarity, architectural heritage protection and the proper planning and sustainable development of the area.

3. The primary school structure shall be located further west on the site so that it is located as close as possible to the service road. Prior to the commencement of development, the developer shall submit to, and agree in writing with, the planning authority an amended site layout plan at a scale of not less than 1:200 indicating compliance with this condition.

**Reason:** To minimise the potential impact on existing trees in the vicinity of the site.

4. Existing mature and semi-mature trees on and adjacent the site shall be retained where practicable to the satisfaction of the planning authority. Prior to the commencement of development, the developer shall submit to, and agree in writing with, the planning authority a report as prepared by a qualified arborist indicating proposals in relation to the trees in and adjacent the site. This report shall indicate, *inter alia*, tree protection measures for the construction period.

**Reason:** To protect the existing trees, landscape and the visual amenities of All Hallows.

5. The internal road network serving the proposed development including turning bays, junctions, parking areas, footpaths and kerbs shall comply with the detailed standards of the planning authority for such road works.

**Reason:** In the interests of amenity and of traffic and pedestrian safety.

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

**Reason:** To ensure adequate servicing of the development, and to prevent pollution.

7. The developer shall facilitate the archaeological appraisal of the site and shall provide for the preservation, recording and protection of archaeological materials or features which may exist within the site. In this regard, the developer shall:-
  - (a) notify the planning authority in writing at least four weeks prior to the commencement of any site operation (including hydrological and geotechnical investigations) relating to the proposed development, and
  - (b) employ a suitably-qualified archaeologist prior to the commencement of development. The archaeologist shall assess the site and monitor all site development works.

The assessment shall address the following issues:

- (i) the nature and location of archaeological material on the site, and
- (ii) the impact of the proposed development on such archaeological material.

A report, containing the results of the assessment, shall be submitted to the planning authority and, arising from this assessment, the developer shall agree in writing with the planning authority details regarding any further archaeological requirements (including, if necessary, archaeological excavation) prior to commencement of construction works.

In default of agreement on any of these requirements, the matter shall be referred to An Bord Pleanála for determination.

**Reason:** In order to conserve the archaeological heritage of the area and to secure the preservation (in-situ or by record) and protection of any archaeological remains that may exist within the site.

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

**Dated this            day of            2016.**