

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2016

Offaly County

Planning Register Reference Number: 16/152

An Bord Pleanála Reference Number: PL 19.247680

APPEAL by Fiona Hall of 12 The Sycamores, Saint Mary's Road, Edenderry, County Offaly against the decision made on the 8th day of November, 2016 by Offaly County Council to grant subject to conditions a permission to Board of Management of Saint Mary's Primary School care of Kenny Lyons and Associates Architects of Block 6, Central Business Park, Clonminch, Tullamore, County Offaly in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: Retention of existing two number temporary prefabricated classrooms (previously granted under planning register reference number PL 01/243) and permission for change of use of these rooms from primary school classrooms to preschool classrooms. The development is within the curtilage of a protected structure (17-40 Saint Mary's Convent National School). All at Saint Mary's Primary School, Saint Mary's Road, Edenderry, County Offaly.

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 Offaly County Development Plan 2014-2020 and the Edenderry Local Area Plan 2011-2017 and to the established educational use of the site and the scale and temporary nature of the proposed development, it is considered that, subject to compliance with the conditions set out below, the development proposed for retention and the proposed development would not seriously injure the amenities of the area or the character of the protected structure, Saint Mary's Convent National School and would be acceptable in terms of traffic safety and convenience. The development proposed for retention and 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, completed and retained in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars submitted on the 18th day of October, 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, completed and retained in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. This permission shall apply for a period of five years from the date of this order. The structure and related ancillary structures shall then be removed unless, prior to the end of the period, planning permission shall have been granted for their retention for a further period.

Reason: To enable the impact of the development to be re-assessed having regard to the conditions then pertaining.

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

Reason: In the interest public health.

4. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid within two months of the date of this order or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme 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 to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

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

Dated this day of 2017.