



An  
Bord  
Pleanála

**Board Order**  
**PL 04.247742**

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## **Planning and Development Acts 2000 to 2016**

**Planning Authority: Cork County Council**

**Planning Register Reference Number: 16/06473**

**Appeal** by Tim O'Brien of 21 Castle Close Avenue, Blarney, County Cork and by Castle Close Residents Association care of Martin Lynch of 23 Castle Close Drive, Blarney, County Cork against the decision made on the 29<sup>th</sup> day of November, 2016 by Cork County Council to grant subject to conditions a permission to The Board of Management of Scoil Mhuire Gan Smál care of Kelly Barry O'Brien Whelan of 2 Empress Place, Summer Hill, Cork in accordance with plans and particulars lodged with the said Council:

**Proposed Development:** Construction of a three-storey post-primary school building comprising classrooms, science laboratories, specialist teaching spaces, library, offices, PE hall, changing rooms, fitness suite, general purpose room, special education needs unit, administration rooms, stores, toilets, ancillary spaces, external store, ballcourts, bus set-down areas, surface car parking, boundary walls, fences, vehicular and pedestrian access gates, rerouting of existing overhead Electricity Supply Board lines underground, drainage works, landscaping, signage and all associated site works. The proposed development includes (i) the demolition of the existing part single-storey, part two-storey school building and ancillary sheds, (ii) the relocation of existing temporary prefabricated classrooms and installation of four additional temporary prefabricated classrooms and associated site works for the

duration of the construction works, (iii) the construction of the new school building and associated site works and (iv) the removal of all temporary prefabricated buildings on completion of the new school building. All located at Scoil Mhuire Gan Smál, Shean Lower, Blarney, County Cork.

## **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 established use of the site for educational purposes, the zoning provisions and educational policies set out in the current development plan for the area, and to the siting, nature, design and scale of the proposed school, it is considered that, subject to compliance with the conditions set out below, the proposed development would be acceptable in terms of pedestrian and traffic safety, would not seriously injure the amenities of the area or of property in the vicinity and would, therefore, be in accordance with the proper planning and sustainable development of the area.

On the basis of the information on file and the Inspector's assessment, which is noted and adopted, the Board is satisfied that the proposed development either individually or in combination with other plans or projects, would not be likely to have a significant effect on any European Site in view of the sites' conservation objectives, and that a Stage 2 appropriate assessment (and the submission of a Natura impact statement) is not, therefore, required.

## Conditions

1. The proposed 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 9<sup>th</sup> day of November, 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. The proposed development shall be amended as follows:

The proposed foul water pumping station shall be relocated northwards by approximately five metres.

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

**Reason:** In the interest of residential amenity.

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. The brick colour shall be light grey in accordance with the details submitted with the original design iteration.

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

4. (a) Proposals for the upgrading of the existing roadway to the immediate south of the site from its junction with Local Road Number L-2794 (Shean Road Lower) as far as the entrance to the proposed school, in addition to the provision of a public footpath along the full extent of the eastern site boundary adjoining the public road, shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development.
- (b) Appropriate management measures and signage to discourage U-turns and encourage a one-way traffic flow shall be submitted to, and agreed in writing with, the planning authority within three months of the date of this order.

**Reason:** In the interests of pedestrian and traffic safety, orderly use and to discourage U-turns.

5. A mobility management plan, supported by the School Travel Plan lodged with the application, shall be submitted to, and agreed in writing with, the planning authority before the school becomes operational and a Mobility Manager shall be appointed to oversee and co-ordinate the implementation of the plan to the satisfaction of the planning authority. The broad thrust of the plan shall be to minimise private car use and encourage alternative options such as walking, cycling or car sharing. In addition, co-ordination of opening/closing times with nearby schools shall be undertaken.

**Reason:** In the interest of traffic safety and to reduce the impact of the proposed development on the local road network.

6. Cycle parking of not less than 100 spaces shall be provided within the development. Cycle parking facilities shall be conveniently located, secure, easy to use, weather protected and adequately lit. Details of these facilities shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The agreed cycle facilities shall be provided in full prior to the opening of the proposed school.

**Reason:** It is the policy of the planning authority to encourage modal change from private car use towards increased use of public transport, cycling and walking.

7. The construction and specification details for all road works associated with the proposed development, including roadways, parking areas, footpaths, surfacing, markings, signage, set-down areas and access/egress points to and from the development, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interest of traffic safety and convenience.

8. The landscaping scheme submitted to the planning authority on the 6<sup>th</sup> day of October, 2016 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 interests of residential and visual amenity.

9. Details of all boundary treatment and surface finishes shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. All fences shall be colour coated in a dark colour (including uprights).

**Reason:** In the interests of visual amenity and orderly development.

10. 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.

11. Lighting shall be provided in accordance with a scheme, which shall be designed to minimise glare and light pollution and shall include lighting of pedestrian/vehicular/cycle routes through the site and car parking areas, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Such lighting shall be provided prior to the occupation of the school. There shall be no lighting outside operational hours. No floodlighting of playing pitches or ball courts shall be provided, unless authorised by a separate grant of planning permission.

**Reason:** In the interests of residential amenity and public safety.

12. All service cables associated with the proposed development (such as electrical, communal television, telephone and street lighting cables) shall be run underground within the site. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development. All existing overhead cables crossing or bounding the site shall be undergrounded as part of the site development works.

**Reason:** In the interests of orderly development and the visual amenities of the area.

13. 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) Details of appropriate mitigation measures for 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.

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 interests of amenities, public health and safety.

14. Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays or public holidays. Deviation from these times shall 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.

15. Construction and demolition waste shall be managed in accordance with a construction waste and demolition management plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall be prepared in accordance with the “Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects”, published by the Department of the Environment, Heritage and Local Government in July, 2006. The plan shall include details of waste to be generated during site clearance and construction phases, and details of the methods and locations to be employed for the prevention, minimisation, recovery and disposal of this material in accordance with the provisions of the Waste Management Plan for the Region in which the site is situated.

**Reason:** In the interest of sustainable waste management.

16. No additional development shall take place above roof parapet level, including lift motor enclosures, air handling equipment, storage tanks, ducts or other external plant, telecommunication aerials, antennas or equipment, unless authorised by a further grant of planning permission.

**Reason:** To protect the residential amenities of property in the vicinity and the visual amenities of the area.

17. A plan containing details for the management of waste (and, in particular, recyclable materials) within the development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, 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, in particular recyclable materials, in the interest of protecting the environment.

