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**Planning and Development Acts 2000 to 2017**

**Planning Authority: Galway County Council**

**Planning Register Reference Number: 17/1038**

**Appeal** by Claregalway Community Development Association care of Claregalway Community Centre, Lakeview, Claregalway, County Galway and by others against the decision made on the 31<sup>st</sup> day of October, 2017 by Galway County Council to grant subject to conditions a permission to the Minister for Education and Skills care of Smith and Kennedy of 9 Clarinda Park North, Dún Laoghaire, County Dublin in accordance with plans and particulars lodged with the said Council:

**Proposed Development:** The development will consist of (A) a new two-storey 3,889 square metres extension to the existing post-primary school, Coláiste Bhaile Chláir (RN76233C), including a two classroom special needs unit and sports hall with all ancillary pupil and staff facilities, (B) a new Claregalway Educate Together National School (RN20211B) consisting of a new two-storey, 16 classroom 3,064 square metres primary school with a two classroom special needs unit including all ancillary pupil and staff facilities: GP hall, and (C) all associated site works with 57 number additional car parking spaces (32 new spaces for primary and 24 additional spaces for post-primary) including all landscaping, ball courts and hard and soft play areas at Coláiste Bhaile Chláir, Baile Chláir, Contae na Gaillimhe.

## **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 location of the site, to the established educational use on the site, and to the character and pattern of development in the vicinity, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the visual or residential amenities of the area, would not give rise to flood risk and would be acceptable in terms of pedestrian and traffic safety. Furthermore, it is considered that the proposed development would conform with the provisions of the Galway County Development Plan 2015 – 2021 (including Variation 2 (b)), and with the provisions of the “Guidelines for the Provision of Schools and the Planning System – A Code of Practice for Planning Authorities”, issued by the Department of Education and Science and the Department of the Environment, Heritage and Local Government in July 2008. 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 lodged with the application, as amended by the further plans and submitted on the 18<sup>th</sup> day of October 2017, 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 provisions of the Road Safety Audit and School Travel Plan, as set out in the submitted documentation, shall be carried out in accordance with the detailed requirements of the planning authority, including provision for ongoing monitoring and reporting of progress.

**Reason:** In the interest of pedestrian and traffic safety and in order to help to achieve a modal shift towards increased use of sustainable travel modes, in the interest of sustainable transport.

3. The road works associated with the proposed development, including the setting out of the entrance, 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 pedestrian and traffic safety.

4. School opening times, as between the proposed primary school and the extended post-primary school, shall be staggered by a minimum of 25 minutes. Details in this regard 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 orderly development.

5. (a) Details of the materials, colours and textures of all the external finishes of the proposed buildings shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.
- (b) The proposed mesh fence shall be coated or finished in a dark green colour throughout.

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

6. The site shall be landscaped in accordance with a revised scheme of landscaping, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.  
This scheme shall include the following:

- (a) A plan to scale of not less than 1:500 showing –
  - (i) The species, variety, number, size and locations of all proposed trees and shrubs, which shall comprise predominantly native species such as mountain ash, birch, willow, sycamore, pine, oak, hawthorn, holly, hazel, beech or alder, including additional trees inside the site boundary along the Lydacan Road at five metre centres (not 10 metre centres as proposed in submitted documents);

- (ii) Details of roadside/street planting along both sides of the internal road, except at vehicular entrances and parking bays (which shall not include *prunus* species);
  - (iii) Hard landscaping works, specifying surfacing materials, and finished levels.
- (b) Specifications for mounding, levelling, cultivation and other operations associated with plant and grass establishment.
- (c) A timescale for implementation (including details of phasing, if any)

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 interest of residential and visual amenity.

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

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

8. 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 car parking facilities for site workers during the course of construction (which shall be entirely within the site, and not on adjoining public roads);
  - (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 for parking of plant or other construction vehicles during the construction period (which shall be entirely within the site, and not on adjoining public roads);

- (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 exclude rainwater;
- (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 interest of amenities, public health and safety.

9. 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 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.

10. 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 provision of the Waste Management Plan for the Region in which the site is situated.

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

11. No advertisement or advertisement structure (other than those shown on the drawings submitted with the application) shall be erected or displayed on the building (or within the curtilage of the site) in such a manner as to be visible from outside the building, unless authorised by a further grant of planning permission.

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

12. Prior to commencement of development, proposals for the location and form of all external lighting shall be submitted to, and agreed in writing with, the planning authority. This shall include details of design of individual lamp standards, details of the likely intensity of lighting, and methods to ensure no spill-over of light beyond the site boundaries.

**Reason:** In the interest of orderly development, pedestrian and traffic safety and the protection of the residential amenities of nearby dwellings.



13. 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.

14. 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.

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**Philip Jones**

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

**Dated this            day of            2018.**