



Planning and Development Acts 2000 to 2018

Planning Authority: Dublin City Council

Planning Register Reference Number: 4023/17

Appeal by Mike and Sharon Glennon care of Sheridan Woods of 14 Baggot Street Lower, Dublin and by Karen Ryan Fitzpatrick and others care of 30 Seafort Avenue, Sandymount, Dublin against the decision made on the 25th day of January, 2018 by Dublin City Council to grant subject to conditions a permission to the Minister for Education and Skills care of Tom Phillips and Associates of 80 Harcourt Street, Dublin in accordance with plans and particulars lodged with the said Council:

Proposed Development: The development will consist of the provision of a temporary one and two storey primary school (Shellybanks Educate Together National School: Roll No. 20441S), arranged in two separate blocks, comprising 12 number classrooms in total, including all ancillary teacher and pupil facilities, located on the north-western part of the site (1,450 square metres gross floor area approximately). The development will also include the provision of an internal vehicular drop-off area and revised internal circulation routes; 9 number staff surface parking spaces; bicycle and scooter parking; hard and soft play areas; the widening of the existing vehicular access from Newgrove Avenue and the provision of a new pedestrian access also from Newgrove Avenue; the widening of the existing vehicular access from

Beach Road and the provision of a pedestrian only access from Seafort Avenue. Access to the proposed temporary school will be from Newgrove Avenue and Seafort Avenue only. The development will also include piped infrastructure and ducting; plant; landscaping and boundary treatments, including the provision of an internal 1.4 metres timber fence, on a temporary basis, running north-west to south-east between the proposed school site and the adjoining Roslyn Park College site; ancillary ramps and stairs; signage; changes in level and all associated site development and excavation works above and below ground. No works are proposed to the Protected Structure as part of this application. Temporary permission for a period of 5 years is being sought, all on a 0.28 hectares site at Roslyn Park, Beach Road, Sandymount, Dublin. (Roslyn Park House is a Protected Structure - see RPS Ref. No. 496).

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 Z15 zoning objective and the existing institutional/training use of the site, the policies and objectives of the Dublin City Development Plan 2016-2022, in particular Section 16.6, provision of schools and the scale and pattern of development in the area, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential or visual amenities of the area, would be acceptable in terms of traffic safety and convenience and would not seriously injure the character and setting of a Protected Structure. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Appropriate Assessment Screening

Having regard to the information on file and to the Inspector's assessment which is noted, 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 submission of a Natura impact statement) is not, therefore, required. In this regard, the Board concurred with and adopted the Planning Inspector's conclusions in respect of Appropriate Assessment Screening.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application as amended by further plans and particulars submitted to the planning authority on the 21st day of December, 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 out in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. This planning permission is for a limited period of 5 years from the date of this order at which date the permission shall cease and the structures shall be removed and the land returned to its former state unless further permission has been granted before the expiry date of this permission.

Reason: Having regard to the temporary nature of the development.

3. Prior to the commencement of development, the following be submitted to, and agreed in writing with, the planning authority:-
 - (a) detailed drawing, including elevations and sections showing the proposed new section of wall along Newgrove Avenue shall. This shall match the finish of the existing wall in respect of materials, colours and textures, and

- (b) plan showing an appropriate planting scheme where existing trees and planting is removed during works on the wall.

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

- 4. All trees within and on the boundaries of the site shall be retained and maintained, with the exception of the following:
 - (a) specific trees, the removal of which is authorised in writing by the planning authority to facilitate the development,
 - (b) trees which are agreed in writing by the planning authority to be dead, dying or dangerous through disease or storm damage, following submission of a qualified tree surgeon's report, and which shall be replaced with agreed specimens.

Retained trees and hedgerows shall be protected from damage during construction works. Within a period of six months following the substantial completion of the proposed development, any planting which is damaged or dies shall be replaced with others of similar size and species, together with replacement planting required under paragraph (b) of this condition.

Reason: In the interest of visual amenity

- 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 noise management measures and off-site disposal of construction/demolition waste.

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

6. Prior to the making available for occupation of the school, the upgrade of the road network and supporting transport infrastructure shall be constructed to the satisfaction of the planning authority and written confirmation in this regard shall be supplied by the planning authority.

Reason: To ensure timely and satisfactory provision of such site development works.

7. (1) The internal road network serving the proposed development and the upgrades to the surrounding road network, including turning bays, junctions, parking areas, footpaths and kerbs, shall comply with the detailed standards of the planning authority for such road works.
- (2) The proposed cycle and scooter spaces shall be at the locations illustrated on drawing number PA (L) 03 Landscape Plan and shall include not less than 100 spaces.

Reason: In the interest of amenity and of traffic and pedestrian safety.

8. Prior to the opening of the development, a Mobility Management Strategy shall be submitted to, and agreed in writing with, the planning authority. This shall provide for incentives to encourage the use of public transport, cycling, walking and car pooling by staff employed in the development and to reduce and regulate the extent of staff parking. The measures included in the School Travel Plan shall be implemented by the school and travel plan co-coordinator who shall be appointed to oversee these measures and report to the City Council.

Reason: In the interest of encouraging the use of sustainable modes of transport.

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. The sound levels of any loudspeakers, music or other material projected in or from the school shall be controlled so as to ensure the sound is not audible in the adjoining premises.

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

11. 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

Eugene Nixon

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**

Dated this day of 2018.