



Planning and Development Acts 2000 to 2018

Planning Authority: South Dublin County Council

Planning Register Reference Number: SD18A/0204

APPEAL by Jones Investments Limited care of Tom Phillips and Associates of 80 Harcourt Street, Dublin against the decision made on the 24th day of July, 2018 by South Dublin County Council to refuse permission.

Proposed Development: A mixed use scheme on two sites. The development proposed requires the 'relocation' of the specific objective (Objective PS (Proposed Primary School) to provide a primary school set out in the South Dublin County Council Development Plan 2016-2022, as shown on Map 10) from Site A to Site B.

The proposed development on Site A, for which permission for development is sought, will consist of the construction of a residential scheme comprising 65 number residential units (8,310 square metres) comprising 51 number houses (31 number four bedroom houses, one number detached unit, two number semi-detached units, 12 number end-terrace units and 16 number mid-terrace units) and 20 number three bedroom houses (two number detached units, 16 number semi-detached units and two number mid-terrace units)) and 14 number apartments (six number single storey apartments (four number one bedroom units and two number two bedroom units) and eight number three bedroom duplex apartments).

The development of Site a will also consist of the provision of 121 number car parking spaces, bicycle parking, internal access roads, public and private open space (including areas of hard and soft landscaping), PV solar panels on roofs, waste storage facilities, Sustainable Urban Drainage Systems (SUDS), boundary treatment works, signage, lighting, one number Electricity Supply Board substation, changes in level, site services (foul and surface water drainage and water supply) and all other associated site excavation, infrastructural and site development works above and below ground.

The proposed development on Site B, for which outline permission for development is sought, will consist of the construction of an educational campus (comprising: a two-storey 16-classroom primary school (2,407 square metres), a two-storey 37-classroom post-primary school (10,095 square metres) and a playing pitch (circa 2.67 hectares).

The development of Site B will also consist of the provision of 114 number car parking spaces, 660 number bicycle parking stands, areas of hard and soft landscaping, extension of the footpath along Ballycullen Road, waste storage facilities, Sustainable Urban Drainage Systems (SUDS), boundary treatment works, lighting, changes in level, site services (foul and surface water drainage and water supply) and all other associated site excavation, infrastructural and site development works above and below ground.

All on Site A and Site B, respectively, with a combined area circa 10.14 hectares. Site A (circa 1.9 hectares) is located south of Stocking Avenue (west of Stocking Wood Copse), Ballycullen, Dublin. Site B (circa 8.24 hectares) is located east of Ballycullen Road (south of Abbot's Grove), Oldcourt, Dublin. (Two Protected Structures are located in Site B: a Stone Cross, RPS Reference: 360 and Saint Columcille's Well (Holy Well), RPS Reference: 362. For the avoidance of doubt, no works are proposed to the Protected Structures.

Decision

REFUSE permission and outline permission for the above proposed development in accordance with the reasons and considerations 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

1. The proposed housing development at Site A would materially conflict with a site-specific objective 'PS', in the current development plan for the area, to provide a 'Proposed Primary School' on the site. In particular, C9 Objective 3 seeks "To reserve sites for primary and post-primary schools provision in developing areas through approved Local Area Plans and Planning Schemes, in consultation with the Department of Education and Skills". The proposed development would conflict with this objective and would, therefore, be contrary to the proper planning and sustainable development of the area.
2. The proposed housing development at Site A would materially conflict with the zoning objective for this site, as set out in the Ballycullen – Oldcourt Local Area Plan 2014 (as amended); wherein the site is identified as a 'Designated Primary School Site'. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

3. The location of the schools' campus, on a site which is peripheral to the residential areas which it is intended to serve; located uphill of the housing which it is to serve; not connected to the public transport network in the area; and not integrated with pedestrian and cycle networks in the area; would result in unsustainable reliance on travel by car, and would discourage those who may wish to access the development on foot or by bicycle, and would result in the creation of a traffic hazard and obstruction of road users, in an area where there is only one proposed vehicular access to the site, on an unaligned section of Ballycullen Road, which is without public footpaths, public lighting and cycleways. The proposed development of Site B would be contrary to C9 Objective 6 of the current development plan for the area, which states- "To ensure schools are located so as to promote walking and cycling...". The proposed development would conflict with this objective and would, therefore, be contrary to the proper planning and sustainable development of the area.

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

Dated this day of 2019.