



Planning and Development Acts 2000 to 2019

Planning Authority: Fingal County Council

Planning Register Reference Number: F19A/0131

Appeal by Joseph Troy of 22 Chapel Crescent, Balbriggan, County Dublin against the decision made on the 20th day of May, 2019 by Fingal County Council to grant subject to conditions a permission to Dublin and Dun Laoghaire Education and Training Board care of HMD Architects Limited of Studio 4, Building 80/81, Ebrington Square, Derry, Northern Ireland in accordance with plans and particulars lodged with the said Council.

Proposed Development: (a) Demolition of existing school and removal/relocation of temporary buildings, (b) construction of new three storey post primary school and single storey special education needs unit, (c) provision of on site car parking and access road, (d) provision of hard play courts/overspill car parking, (e) all other associated works including planting, erection of fence and alterations to site entrance, (f) connection to existing foul and storm drainage system and (g) installation of photovoltaic panels to roof, all at Balbriggan Community College, Pine Ridge, Chapel Street, Balbriggan, Co. Dublin.

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 Fingal County Development Plan 2017-2023 and the established educational use on this centrally located site, 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 or of property in the vicinity, would be acceptable in terms of traffic safety and convenience and 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 particulars lodged with the application, 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. Final details 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.

Reason: In the interest of visual amenity.

3. 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.

4. The landscaping scheme shown on the Landscape Plan drawing number 01C, as submitted to the planning authority on the 27th day of March, 2019 shall be carried out within the first planting season following substantial completion of external construction works.

In addition to the proposals in the submitted scheme, the following shall be carried out:

- (i) The existing boundary wall between the site and properties in the Chapel Street Crescent shall be retained.
- (ii) The proposed wall along the boundary between the site and Oakleigh shall be constructed in such a manner as to avoid interference with or damage to existing trees and hedgerow along this boundary. Any necessary revisions to the design and layout of the wall in this regard shall be submitted to, and agreed in writing with, the planning authority prior to commencement of 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 interest of residential and 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. Site development and building works shall be carried out only between the hours of 0800 to 1800 Mondays to Fridays inclusive, between 0800 to 1300 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 and prior notice provided to surrounding residents and businesses in a manner to be agreed with the planning authority.

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

7. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development.

Reason: In the interests of visual and residential amenity.

8. Lighting for the car park and internal roads shall be directed onto the road surface and away from adjacent properties. The lights shall be directed and cowled in order to obviate light spill, as far as possible, over adjacent dwellings and gardens.

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

9. A minimum of 100 number bicycle parking spaces shall be provided within the site. The layout and demarcation of these spaces shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. A significant proportion of such parking shall be provided to the front/south-eastern side of the proposed school buildings.

Reason: To ensure that adequate bicycle parking provision is available to serve the proposed development, in the interest of sustainable transportation.

10. The requirements of the Mobility Management Plan shall be implemented in full. In this regard, prior to the commencement of development a revised site layout shall be submitted for the written agreement of the planning authority in which two of the bicycle stands are relocated to the front of the new school. An updated Mobility Management Plan shall be submitted for the written agreement of the planning authority one year after the opening of the new school to include a student travel survey and assessment of the adequacy of the quantity of bicycle parking provided.

Reason: To promote sustainable modes of transport.

11. 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 including excavated soils and hazardous materials, 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 interest of sustainable waste management.

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

Dated this day of 2019.