

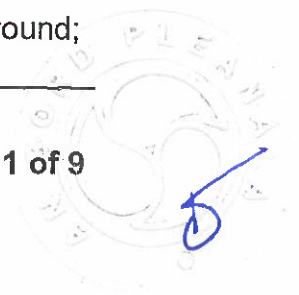
Planning and Development Acts 2000 to 2021

Planning Authority: South Dublin County Council

Planning Register Reference Number: SD21A/0137

Appeal by Ballycullen Green Residents' Association care of Hendrik W van der Kamp of 1 Woodstown Court, Knocklyon, Dublin against the decision made on the 20th day of July, 2021 by South Dublin County Council to grant subject to conditions a permission to The Minister for Education care of Tom Phillips and Associates of 80 Harcourt Street, Dublin in accordance with plans and particulars lodged with the said Council:

Proposed Development: Provision of a temporary two-storey post-primary school (Firhouse Educate Together Secondary School: Roll No. 68307J), comprising 10 classrooms and 3 specialist classrooms including all ancillary teacher and pupil facilities (2,000 square metres gross floor area approximately); provision of an internal vehicular drop-off area and internal circulation routes; 15 number surface parking spaces; bicycle parking; ball courts and play areas; access to the proposed temporary school will be from Oldcourt Road; provision of piped infrastructure and ducting; plant; pedestrian access points; ESB substation; attenuation tank; landscaping and boundary treatments; ancillary ramps and stairs; signage; changes in level and all associated site development and excavation works above and below ground;



on a 0.86 hectares site approximately, which forms part of a larger 1.77 hectares landholding earmarked to accommodate a future permanent post-primary school; temporary permission for a period of 5 years is being sought; all at Oldcourt Road/Ballycullen Green, Firhouse, 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:

- (a) the location of the site in an area for which the zoning objective, as set out in the South Dublin County Development Plan 2016-2022, is to protect and improve rural amenity and to provide for the development of agriculture and to provide for new residential communities in accordance with approved area plans wherein educational uses are permitted or open for consideration,



- (b) the provisions of the Ballycullen-Oldcourt Local Area Plan 2014 (as extended),
- (c) the location of the application site relative to housing development, and
- (d) the provisions for traffic management on Oldcourt Road, within the site and in the wider area,

it is considered that the proposed development, subject to compliance with the conditions set out below, would comply with the provisions of the Development Plan and the Local Area Plan, would be acceptable in terms of traffic safety and convenience, would not seriously injure the amenities of the area or of residential property in the vicinity 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. Prior to commencement of development, the developer shall submit to, and agree in writing with, the planning authority the following: -

- (a) details of a footpath and cycle path connection between the school entrance on Oldcourt Road and the junction of Oldcourt Road and Hunters Road, and
- (b) details of visibility splays and signage in both directions at the school entrance on Oldcourt Road, and appropriate road markings and warning signs.

Reason: In the interest of pedestrian and traffic safety.

- 3. Within six months of the commissioning and first occupation 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 and students in the development and to reduce and regulate the extent of staff parking.

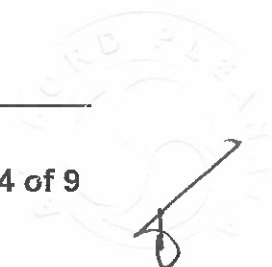
Reason: In the interest of encouraging the use of sustainable modes of transport.

- 4. Prior to commencement of development, the developer shall enter into water and/or wastewater connection agreements with Irish Water.

Reason: In the interest of public health.

- 5. Surface water 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.



6. The internal road and footpath network serving the proposed development including vehicle and cycle parking areas and footpaths, shall comply with the detailed standards of the planning authority for such road works.

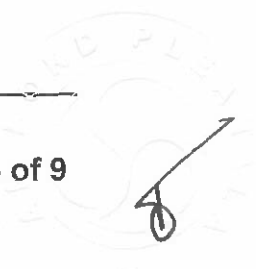
Reason: In the interest of amenity, and of traffic and pedestrian safety.

7. A comprehensive landscaping scheme shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This scheme shall include the following:-

- (a) details of all proposed hard surface finishes, including samples of proposed paving slabs/materials for footpaths, kerbing and road surfaces within the development,
- (b) proposed locations of trees and other landscape planting in the development, including details of proposed species and settings,
- (c) details of proposed street furniture, including bollards, lighting fixtures and seating,
- (d) details of proposed boundary treatments at the perimeter of the site, including heights, materials, and finishes, and
- (e) details of natural SuDS features.

The boundary treatment and landscaping shall be carried out in accordance with the agreed scheme.

Reason: In the interest of visual amenity.



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 on-site car parking facilities for site workers during the course of construction,
 - (c) 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,
 - (e) measures to obviate queuing of construction traffic on the adjoining road network,
 - (f) details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels, and
 - (g) off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil.



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A record of daily checks that the works are being undertaken in accordance with the Construction Management Plan shall be available for inspection by the planning authority.

Reason: In the interest of amenities, public health, and safety.

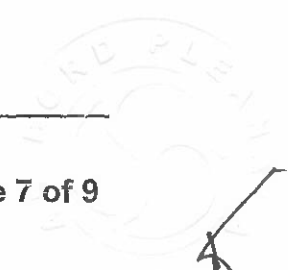
9. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays inclusive, between 0900 to 1300 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

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

10. 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.

11. Prior to commencement of development, drawings clearly demonstrating the provision of a more direct route from the pedestrian connection proposed at the north-western corner of the site to the main entrance of



the school shall be submitted to, and agreed in writing with, the planning authority. This will require the alignment of the three pitches.

Reason: To encourage walking and cycling in the interest of sustainable transportation.

12. Prior to commencement of development, details of a revised location for the ESB substation to a less prominent location shall be submitted to, and agreed in writing with, the planning authority.

Reason: In the interest of visual amenity and of the proper planning and sustainable development of the area.

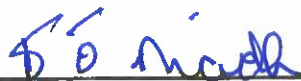
13. The applicant/developer shall employ a qualified archaeologist, licensed to carry out archaeological monitoring of all sub-surface works carried out within the proposed development site. This shall include the archaeological monitoring of the removal of topsoil, the excavation of trenches for foundations, services and access roadway associated with the development.

Reason: To facilitate the recording and protection of any items of archaeological significance that the site may possess.

14. The developer shall pay to the planning authority a financial contribution as a special contribution under section 48(2) (c) of the Planning and Development Act 2000 in respect of:
 - (a) the provision of a pedestrian crossing on Hunters Road, and
 - (b) the provision of a footpath/cycle path on that part of Oldcourt Road outside of the application site between the school entrance and the junction of Oldcourt Road and Hunters Road.

The amount of the contribution shall be agreed between the planning authority and the developer, or, in default of such agreement, the matter shall be referred to An Bord Pleanála for determination. The contribution shall be paid prior to the commencement of the development or in such phased payments as the planning authority may facilitate and shall be updated at the time of payment in accordance with changes in the Wholesale Price Index – Building and Construction (Capital Goods), published by the Central Statistics Office.

Reason: It is considered reasonable that the developer should contribute towards the specific exceptional costs which are incurred by the planning authority which are not covered in the Development Contribution Scheme and which will benefit the proposed development.



Terry Ó Niadh

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.



Dated this 14th day of February 2022.