



Planning and Development Acts 2000 to 2021

Planning Authority: Dublin City Council

Planning Register Reference Number: 2851/21

Appeal by Patrick and Kathleen MacManamon and others care of RW Nowlan and Associates of 37 Lower Baggot Street, Dublin and by Others against the decision made on the 22nd day of July, 2021 by Dublin City Council to grant subject to conditions a permission to the Department of Education care of Tom Phillips ad Associates of 80 Harcourt Street, Dublin in accordance with plans and particulars lodged with the said Council:

Proposed Development: The development will comprise a new educational campus of two number new school buildings, to be delivered on a phased basis. The demolition/removal of the existing three number storey 2,355 square metres grandstand; one number storey 617 square metres pavilion building; two number outbuildings (13 square metres and 42 square metres) and entrance gates onto Harold's Cross Road is required to facilitate the proposed development. Access to the proposed school campus will be via the existing site entrance at Harold's Cross Road and pedestrian entrance gate at Grosvenor Lane. The development will also consist of one number two-storey, 16 number classroom primary school and two number classroom Special Educational Needs Unit; a General Purpose Hall; and all ancillary teacher and

pupil facilities, with a gross floor area of 3,308 square metres. The development will also consist of the provision of one number part four number storey, 1,000 number pupil Post Primary School and four number classroom Special Educational Needs Unit, with a gross floor area of circa 11,576 square metres, including a P.E Hall and General Purpose Hall and all ancillary teacher and pupil facilities. The development will include the provision of an internal vehicular turning circle; vehicular drop off facilities; one number 39 metres pedestrian canopy structure; one number storey 88 square metres storage and bin store building; accessible vehicular spaces consistent with the access strategy approved under Dublin City Council planning register reference number 4412/17; shared vehicular/pedestrian/cycle route within the site with internal pathways; bicycle and scooter parking; hard and soft play areas; sensory garden; multipurpose outdoor seating, dining and event space; three number flagpoles; new entrance gate arrangement to Harold's Cross Road; boundary treatments; signage; PV Panels; Green Roof and SUDs; piped infrastructure and ducting; plant; external courtyards; ancillary ramps and stairs; one number attenuation tank; changes in level and all associated site development and excavation works above and below ground, all on a site of circa 2.67 hectares located at the former Harold's Cross Greyhound Stadium, Harold's Cross, 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 Z15 zoning objective for the site and policies SN10 to SN14 providing for educational facilities and schools as set out in the current Dublin City Development Plan, and to 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 and would be acceptable in terms of traffic safety and convenience. 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 particulars lodged with the application, as amended by the further plans and particulars received by An Bord Pleanála on the 14th day of September, 2021, 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 proposed improvements to the local road networks as delineated on drawing numbers 16-165-18-P1135 to 16-165-18-P1137 submitted with the application shall be carried out following consultation with the National Transport Authority and the Environment and Transportation Department of Dublin City Council prior to the first occupation of the school campus.

Reason: In the interest of traffic safety.

3. Detailed plans and specifications of the proposed improvements and upgrade of Grosvenor Lane, with particular regard to pedestrian and cyclist access, shall be submitted to and agreed in writing with the planning authority prior to commencement of development.

Reason: In the interest of traffic and pedestrian safety.

4. An annual monitoring report of the School Travel Plan and achievement of targets as set out in the plan shall be submitted to the planning authority. Should the modal split targets set out in the Plan not be achieved, alternative measures shall be set out which would address how the mobility requirements of the school are to be achieved.

Reason: In the interest of achieving sustainable travel patterns.

5. Facilities for electric bicycle parking shall be provided within the site. Details in this regard shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

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

6. The first floor window serving a stairwell in the northern elevation of the primary school building shall be fitted with obscure glazing.

Reason: In the of residential amenity.

7. No additional development shall take place above roof parapet level, including lift motor enclosures, air handling equipment, storage tanks, ducts or other external plant, telecommunication aerials, antennas or equipment, unless authorised by a further grant of planning permission.

Reason: To protect the residential amenities of property in the vicinity and the visual amenities of the area.

8. Details, including samples, 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 the visual amenities of the area.

9. Site development and building works shall be carried out only between the hours of 0700 and 1900 from Mondays to Fridays inclusive, between 0800 and 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 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.

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, 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.

12. The landscaping scheme shown on Landscape Plan drawing number 142-HCC-DD-01 Rev. C received by An Bord Pleanála on the 14th day of September 2021, shall be carried out within the first planting season following substantial completion of external construction works. All planting shall be adequately protected from damage until established. Any plants that 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.

13. Lighting shall be provided in accordance with a scheme, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Such lighting shall be provided prior to the occupation of the new school buildings.

Reason: In the interests of amenity and public safety.

14. The developer shall facilitate the preservation, recording and protection of archaeological materials or features that may exist within the site. In this regard, the developer shall –
- (a) notify the planning authority in writing at least four weeks prior to the commencement of any site operation (including hydrological and geotechnical investigations) relating to the proposed development,
 - (b) employ a suitably qualified archaeologist who shall monitor all site investigations and other excavation works, and
 - (c) provide arrangements, acceptable to the planning authority, for the recording and for the removal of any archaeological material which the authority considers appropriate to remove.

In default of agreement on any of these requirements, the matter shall be referred to An Bord Pleanála for determination.

Reason: In order to conserve the archaeological heritage of the site and to secure the preservation and protection of any remains that may exist within the site.

15. Prior to the occupation of the new school building, the developer shall submit to, and agreed in writing with, the planning authority, the details of the intended level and frequency of making available for use of the school facilities for the benefit of the wider community.

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

16. Prior to commencement of development, the developer shall enter into water and/or wastewater connection agreement(s) with Irish Water.

Reason: In the interest of public health.

17. 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.

18. 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.

19. 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 upgrade and improvements works along Grosvenor Lane to facilitate safe pedestrian and cyclist movements. 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 commencement of 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 30th day of March, 2022.

