



Planning and Development Acts 2000 to 2021

Planning Authority: Kildare County Council

Planning Register Reference Number: 20/1359

Appeal by Michael and Mary Conlon of Avalon, Morristown Road, Newbridge, County Kildare against the decision made on the 9th day of August, 2021 by Kildare County Council to grant subject to conditions a permission to the Board of Management of Saint Patrick's National School care of McLoughlin Architecture of Unit 4B, Elm House, Millennium Park, Naas, County Kildare in accordance with plans and particulars lodged with the said Council:

Proposed Development: Construction of a permanent single storey extension incorporating one number SEN classroom with sanitary facilities, two number SET rooms, library/resource room, and boiler room (floor area of proposed permanent extension equals 204 square metres) to the front/side of existing single storey school building (floor area of existing school building equals 1,370 square metres), minor internal alterations, realignment of part of existing front boundary wall, provision of an additional nine number car parking spaces, secure external soft play area, and for the following temporary accommodation for use during the construction phase of the above proposed permanent accommodation – one number mainstream classroom, two number SET rooms, and sanitary facilities (floor area of proposed

temporary accommodation equals 125 square metres), together with all associated site works at Saint Patrick's National School, Morrinstown, Newbridge, County Kildare.

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 zoning objective for the area ('Objective E – Education and Community') as set out in the Newbridge Local Area Plan 2013-2019 (as extended), the nature, scale and design of the proposed development, and the pattern of development in the surrounding vicinity, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the visual or residential amenities of the area or of property in the vicinity, 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 submitted on 13th day of July 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 temporary prefabricated classroom accommodation proposed to be provided during the construction phase of the project shall be decommissioned and removed from the site within six months of the first occupation of the new classroom accommodation, unless its retention is permitted by a separate grant of permission.

Reason: In the interests of clarity and the protection of residential and visual amenity.

3. Prior to commencement of development, a final design of the road enhancement works as indicated in the Preliminary Design documentation, (as received by the planning authority on the 13th day of July, 2021), shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

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

4. A Road Safety Audit (Stages 1 and 2) shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development, in order to demonstrate that appropriate consideration has been giving to all relevant aspects of the development in accordance with the Design Manual for Urban Roads and Streets (DMURS).

The measures recommended by the audit shall be undertaken, unless the planning authority approves any departure in writing. A detailed drawing(s) showing all accepted proposals and a feedback report shall also be submitted.

Reason: In the interests of public safety and residential 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 all intended construction practice for the development, including measures for protection of existing development and boundary walls, construction traffic routing and management, construction parking, materials storage, site compound, 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 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.

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

7. Lighting shall be directed away from adjacent housing and gardens, and directed and cowled as necessary such as to reduce, as far as possible, the light scatter over any adjacent houses and gardens, and designed so as not to cause excessive glare.

Reason: In the interests of amenity and public safety.

8. Water supply and drainage arrangements for the site, including the disposal of surface and soiled water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.

9. The developer shall enter into water supply and wastewater connection agreements with Irish Water, prior to commencement of development.

Reason: In the interest of public health.

10. (a) An accurate tree survey of the site which shall be carried out by an arborist or landscape architect shall be submitted to the planning authority prior to commencement of development. The survey shall show the location of each tree on the site, together with the species, height, girth, crown spread and condition of each tree, distinguishing between those which it is proposed to be felled and those which it is proposed to be retained.

- (b) Measures for the protection of those trees which it is proposed to be retained shall be submitted to, and agreed in writing with, the planning authority before any trees are felled.

Reason: To facilitate the identification and subsequent protection of trees to be retained on the site, in the interest of visual amenity.

11. Details of the proposed arrangements for all hard and soft landscaping and boundary treatments shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The planting shall be carried out in accordance with the agreed scheme and shall be completed within the first planting season following the substantial completion of external construction works. 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 amenities.

12. Site development and building works shall be carried out only between the hours of 0800 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.

13. 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.



Dave Walsh

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

Dated this 21st day of February 2022.