

An
Bord
Pleanála

Board Order

ABP-318443-23

Planning and Development Acts 2000 to 2022

Planning Authority: Wicklow County Council

Planning Register Reference Number: 23/60032

Appeal by Christopher and Shelley Cooke of Robin Hill, Coolgreaney Road, Arklow, County Wicklow against the decision made on the 16th day of October, 2023 by Wicklow County Council to grant subject to conditions a permission to Arklow CBS Board of Management care of RPS Consulting Engineers Limited of Lyrr 2, IDA Business and Technology Park, Mervue, Galway in accordance with plans and particulars lodged with the said Council.

Proposed Development: Demolition of the existing two-storey school building and single-storey extensions (circa 2,570 square metres) and removal of temporary classrooms on site (circa 120 square metres). Construction of a three-storey school building (circa 7,535 square metres), including general and specialist classrooms, a special education needs (SEN) unit, offices, general purpose hall, PE hall, fitness suite, staff room, library, social spaces, sanitary facilities and ancillary spaces with solar photovoltaic panels at roof level. Upgrading of the existing vehicular entrance to the sports pitch and the creation of a new vehicular entrance on Coolgreaney Road to provide dedicated vehicular entrance and exit points as part of a new one-way traffic system through the site. Removal of the existing main vehicular entrance and provision of a new pedestrian/cyclist entrance on Coolgreaney Road. Provision of a car set-down area within the school grounds and construction of a 56-metre bus set-down area along Coolgreaney Road. Provision of a new pedestrian/cyclist

access from John Paul Avenue. Removal of 32 number existing car parking spaces and provision of 70 number car parking spaces, including one number electric vehicle parking space and four number accessible parking spaces. Provision of 100 number sheltered bicycle parking spaces. Provision of external play and amenity areas, including a SEN play area and three number multi-use game area. Provision of landscaping, boundary treatment, site lighting, provision of a covered work area, bin stores and storage shelters. Provision of associated drainage, attenuation and other site services, including an ESB substation and switch room (circa 25 square metres) and all related site development works, all at Arklow CBS, Coolgreaney Road, Arklow, County Wicklow.

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.

Reasons and Considerations

Having regard to the 'CE – Community and Education' land use zoning which applies to the site under the provisions of the Arklow and Environs Local Area Plan 2018-2024, the existing educational development on the site, the site size and its location within an urban area, it is considered that, subject to compliance with the conditions set out below, the proposed development would facilitate an appropriate redevelopment and expansion of the existing school facilities, would not have an undue negative impact on any adjoining property or the amenities of the area, and would, therefore, be in accordance with the proper planning and sustainable development of the area.



Conditions

1. The proposed 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 the planning authority on the 26th day of September 2023, 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 proposed development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. 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 operations (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 planning 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.

3. The construction of the proposed development shall be managed in accordance with a Construction and Environmental Management Plan (CEMP), 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 proposed development, including noise and dust management measures, traffic management measures, construction lighting and off-site disposal of construction/demolition waste.

Reason: In the interest of public safety and residential amenity.

4. Prior to commencement of development, the developer shall prepare a Resource Waste Management Plan (RWMP) as set out in the EPA's Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021), including demonstration of proposals to adhere to best practice and protocols. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness; these details shall be placed on file and retained as part of the public record. The RWMP shall be submitted to the planning authority for written agreement prior to commencement of development. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times.

Reason: In the interest of sustainable waste management.



5. (a) The final details of the one-way traffic system, including details of how this system will operate and be managed to ensure school grounds/parking areas are accessed by staff only and not permitted for student set down, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.
- (b) Prior to the occupation of the development, a Stage 3 Road Safety Audit, including a Final Audit Report, shall be submitted to, and agreed in writing with, the planning authority. Where the audit identifies the need for design changes, revised design details shall be submitted to, and agreed in writing with, the planning authority and the developer shall carry out all works in accordance with the revised design details.

Reason: In the interest of traffic safety.

6. The landscaping scheme shown on drawing number 1000 (General Arrangement Plan) 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 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.

7. 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.

8. Prior to commencement of development, the developer shall enter into water and wastewater connection agreements with Uisce Éireann.

Reason: In the interest of public health.

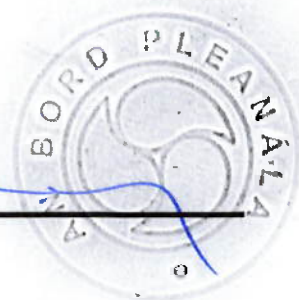
9. Site development and building works shall be carried out only between the hours of 0800 to 1800 Mondays to Fridays, inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays or public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

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



Martina Hennessy

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



Dated this 25th day of July 2024