



An  
Bord  
Pleanála

## Board Order ABP-319409-24

---

**Planning and Development Acts 2000 to 2022**

**Planning Authority: Fingal County Council**

**Planning Register Reference Number: F23A/0236**

**Appeal** by Naul Community Council care of Ian Lennon of Lakesfield Lodge, Balbriggan Road, Naul, County Dublin against the decision made on the 1<sup>st</sup> day of March, 2024 by Fingal County Council to grant subject to conditions a permission to The Board of Management of Naul National School care of Keys and Monaghan Architects of Armagh Road, Monaghan in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Two-storey extension to the existing school building, comprising of a link corridor, two number ground floor Special Education Need (SEN) classrooms with ancillary accommodation, an enclosed sensory garden and three number first floor general classrooms, car park modifications and extension to provide 18 number spaces and associated site and drainage works to include provision of a wastewater treatment system, all at Naul National School, Westtown, The Naul, County 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.**

## Reasons and Considerations

Having regard to the current established use of the site as a school, 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 amenities of the area or of property in the vicinity, would be acceptable in terms of scale, traffic, pedestrian safety and convenience, 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 8<sup>th</sup> day of February, 2024, 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 existing prefabricated classroom structures on site 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 planning permission.

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

3. 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.

4. All bathroom windows shall be fitted and permanently maintained with obscure glass. The use of film shall not be permitted.

**Reason:** In the interest of amenity.

5. Surface water drainage arrangements shall comply with the requirements of the planning authority for such works and services.

**Reason:** In the interest of public health and surface water management.

6. Prior to commencement of development, the developer shall enter into a connection agreement(s) with Uisce Éireann to provide for a service connection(s) to the public water supply and/or wastewater collection network.

**Reason:** In the interest of public health and to ensure adequate water/wastewater facilities.

7. Finalised design details for access/egress and specifications of the proposed entrance and exit junctions off the R108 and the footpath along the R108 shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interest of traffic safety.

8. (a) The interim wastewater treatment system hereby permitted shall be installed in accordance with the recommendations included within the site characterisation report submitted with the application and shall be in accordance with the standards set out in the document entitled 'Waste Water Treatment Manual - Treatment Systems for Small Communities, Business, Leisure Centres and Hotels' issued by the Environmental Protection Agency in 1999.
- (b) The developer shall agree a plan for the decommissioning of the interim wastewater treatment system with Uisce Éireann and in accordance with the standards set out in the relevant Environmental Protection Agency guidance document(s).

**Reason:** In the interest of public health and to prevent water pollution.

9. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) located outside buildings or not attached to buildings 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 interest of visual amenity.

10. Site development and building works shall be carried out only between the hours of 0700 and 1900 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 amenities of properties in the vicinity.

11. Prior to commencement of development, the developer, or any agent acting on its behalf, 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 the 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 proper planning and sustainable development.

12. A detailed construction traffic management plan shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The plan shall include details of arrangements for routes for construction traffic, parking during the construction phase, the location of the compound for storage of plant and machinery and the location for storage of deliveries to the site.

**Reason:** In the interest of sustainable transport and safety.

13. Prior to commencement of any works associated with the development hereby permitted, the developer shall submit a detailed Construction Environmental Management Plan (CEMP) for the written agreement of the planning authority. The CEMP shall incorporate details for the collection and disposal of construction waste, surface water run-off from the site, on-site road construction, and environmental management measures during construction, including working hours, noise control, dust and vibration control and monitoring of such measures. A record of daily checks that the construction works are being undertaken in accordance with the CEMP shall be kept at the construction site office for inspection by the planning authority. The agreed CEMP shall be implemented in full in the carrying out of the development.

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

14. All landscaping works shall be completed within the first planting season following commencement of development, and in accordance with landscape drawing number 23FG07-DR-0100 Revision: P01 received by the planning authority on the 8<sup>th</sup> day of February, 2024. Any trees or hedging which die, are removed, or become seriously damaged or diseased, 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:** To ensure the satisfactory implementation of the requirements of landscaping/tree preservation/protection measures.

15. (a) Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or such other security as may be acceptable to the planning authority, to secure the satisfactory retention of the trees and hedgerows shown for retention as per drawing number 23FG07-DR-0100 Revision: P01, coupled with an agreement empowering the planning authority to apply such security or part thereof to the satisfactory implementation of the said landscaping measures.

(b) This security shall remain in place until the requirements of part (a) above are completed to the satisfaction of the planning authority.

**Reason:** To ensure the satisfactory implementation of the requirements of landscaping/tree preservation/protection measures.

16. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme 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 to determine the proper application of the terms of the Scheme.

**Reason:** It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

*Eamonn James Kelly*

**Eamonn James Kelly**

**Member of An Bord Pleanála**

**duly authorised to authenticate**

**the seal of the Board.**



Dated this *25<sup>th</sup>* day of *September*, 2024.