



An
Bord
Pleanála

Board Order ABP-321159-24

Planning and Development Acts 2000 to 2022

Planning Authority: Kildare County Council

Planning Register Reference Number: 23/60321

Appeal by Keith McGannon of 14 St. Barbara's Park, Kildare Town, County Kildare and by others against the decision made on the 9th day of October, 2024 by Kildare County Council to grant subject to conditions a permission to The Minister for Education care of HRA Planning of 3 Hartstonge Street, Limerick in accordance with plans and particulars lodged with the said Council.

Proposed Development: Phased construction of a new two-storey, 37-classroom post-primary school (Curragh Community College) with a total floor area of circa 10,883.8 square metres along with ancillary accommodation, including an external bin store, electricity substation, external caretaker's office, storage shed, heat pump enclosure, car parking, drop off, bicycle parking, grass playing pitch (to be shared with adjoining Kildare Town Educate Together and Gaelscoil Mhic Aodha), external ballcourts, including adjusted/additional ballcourts in the grounds of Kildare Town Educate Together and Gaelscoil Mhic Aodha, photovoltaic panels on roof, circa 135 metres length of access road from Melitta Road, a service road connection off the existing access road to the south-east of the site and all ancillary site development works. Phase 1 will include the construction of circa 4,982 square metres of (two-storey) school accommodation incorporating photovoltaic panels on roof, 16 classrooms, specialist classrooms, sports changing rooms, fitness suite, temporary staffroom and GP hall/dining space (to be converted to specialist classrooms in

phase 2), along with ancillary accommodation, including an external bin store, electricity substation, external caretaker office, storage shed, bicycle parking and two number ballcourts and heat pumps. Phase 1 also includes a temporary permission for an interim school entrance on the south façade, temporary drop off and car parking area, a temporary school vehicular and pedestrian access off the existing access road to the south-east and all associated site development works. Phase 2 will include the completion of circa 5,901.8 square metres of (two-storey) school accommodation incorporating 21 classrooms, specialist classrooms, a general-purpose hall, a PE hall, a special needs unit, library, staff room and all ancillary accommodation. Phase 2 also includes 92 number car parking spaces, additional bicycle parking, an SEN garden, a drop off, a grass pitch area, three additional ballcourts plus hard and soft landscaping to replace the temporary (Phase 1) drop off and car parking to the south, adjustment of existing ballcourts and two additional ballcourts for Kildare Town Educate Together, adjustment to existing car parking and one additional ballcourt for Gaelscoil Mhic Aodha, a service access off the existing access road to the south-east along with circa 135 metres length of access road from Melitta Road and all ancillary site development works, all at Former Magee Barracks, Kildare Town, County Kildare, as revised by the further public notices received by the planning authority on the 13th day of September, 2024 which consisted of alteration of the red-line boundary to include additional proposed civil works and proposed alterations to the delivery phasing.

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 provisions of the Kildare County Development Plan 2023-2029, the zoning of the site and the specific objective for the former Magee Barracks under the Kildare Town Local Area Plan 2023-2029, Objective HCO 3.4 of the local area plan, which seeks the delivery of a new post-primary school on the former Magee Barracks site, and the location of the site adjacent to two number schools and residential development, it is considered that, subject to compliance with the conditions set out below, the proposed development would constitute a facility of value to the community, would not seriously injure the residential amenities of properties in the vicinity of the site, would support the delivery of permeability to adjacent residential developments, would result in acceptable levels of traffic flows and would not endanger pedestrian, cyclist or traffic safety. The proposed development 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 13th day of September, 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. (a) Prior to the occupancy of Phase 1 of the proposed development, the developer shall construct the new signalised junction with the Melitta Road at the northern corner of the site, the 135-metre section of the access road from Melitta Road, the new car park, and shall upgrade the existing signalised junction between Melitta Road (R413) and Station Road (R415). The junction and road works shall be constructed and completed in accordance with the specifications of the planning authority.
- (b) The Developer shall submit for the written agreement of the planning authority a phasing plan outlining the delivery of the above works as part of Phase 1.

Reason: In the interest of road safety and traffic movement.

3. Prior to the occupancy of Phase 1, the developer shall construct the two number shared cycling and pedestrian access routes along the southern boundary of the site. The most southern cycling and pedestrian access point leading to the existing roundabout at Gaelscoil Mhic Aodha shall not be gated.

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

4. The attenuation and disposal of surface water shall comply with the requirements of the planning authority for such works and services. Prior to commencement of development, the developer shall submit details for the attenuation and disposal of surface water from the site for the written agreement of the planning authority.

Reason: To prevent flooding and in the interest of sustainable drainage.

5. The developer shall enter into a connection agreement with Uisce Éireann to provide for a service connection to the public water supply and to the wastewater collection network and shall adhere to the standards and conditions set out in that agreement.

Reason: To provide adequate water and wastewater facilities.

6. Public lighting shall be provided in accordance with a scheme which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of amenity and public safety.

7. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) 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.

8. The proposed external finishes of the school shall be as per indicated on the details received by the planning authority on the 13th day of September, 2024, unless otherwise agreed in writing with the planning authority.

Reason: In the interest of visual amenity and to ensure an appropriate high standard of development.

9. (a) The landscaping scheme, as submitted with plans received by the planning authority on the 13th day of September, 2024, shall be carried out no later than the first planting season after the first occupation of each phase of the development on site.
- (b) The scheme shall include the following, unless otherwise agreed with the planning authority:
- (i) All trees and plant species shall be native species and no invasive species shall be permitted.
 - (ii) All railings and gates shall be powder coated black in colour.
 - (iii) All boundary walls that address the public road shall be finished in natural quarried limestone. No reconstituted stone shall be used.
- (c) 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 biodiversity and residential and visual amenity.

10. Prior to commencement of development, the developer shall submit details for the written approval of the planning authority of the proposed construction and pavement materials to be used for pedestrian/cycle facilities, roads and junction upgrading works, in curtilage parking spaces with permeable paving and on road parking spaces to include a bituminous paved finish or similar approved by the planning authority.

Reason: In the interest of proper planning and sustainable development and to ensure proper facilities for all road users and robust and durable construction materials.

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 a 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. Prior to commencement of development, the developer shall submit to, and agree in writing with the planning authority, a Construction Management Plan, which shall be adhered to during construction. This plan shall provide details of intended construction practice for the proposed development, including traffic management, noise and dust management measures and off-site disposal of construction/demolition waste.

Reason: In the interest of public safety and amenity.

13. Site development works shall be confined to the hours of 0700 to 1900 Mondays to Fridays, inclusive, and between 0800 to 1400 hours on Saturdays. No site development works shall take place outside of these hours or on Sundays or public holidays. Any alterations to these times shall be subject to the prior written consent of the planning authority.

Reason: To safeguard the amenity of property in the vicinity.

14. Prior to the occupancy of Phase 1, the Developer shall conduct a Stage 3 Road Safety Assessment (RSA) on the junction improvement works and access route improvements. The RSA Stage 3 shall be conducted by an independently approved and certified auditor. The recommendations of the RSA shall be incorporated into the remedial works.

Reason: In the interest of road safety.

15. The proposed development shall be carried out and operated in accordance with the provisions of the Mobility Management Plan (MMP) submitted with the planning application. The specific measures detailed in the MMP to achieve the objectives and modal split targets for the proposed development shall be implemented in full upon first occupation of Phase 1 of the proposed development.

Reason: To achieve a reasonable modal split in transport and travel patterns in the interest of sustainable development.

Mary Gurrle

Mary Gurrle

Member of An Bord Pleanála

duly authorised to authenticate
the seal of the Board.

Dated this *31* day of *January* 2025.