



An
Bord
Pleanála

Inspector's Report PL09.246921.

Development

The construction of a single-storey stand-alone annex to the existing school buildings. The proposed extension shall be approximately 550sq.m and be located to the North-East of the existing school main accommodation. The proposed works shall comprise of two no primary classrooms with ancillary w.c facilities and one no general purpose hall for PE and assembly purposes. The new extension will accommodate existing staff and pupil numbers currently using the school facilities.

Planning Authority

Kildare County Council

Planning Authority Reg. Ref.

15/967.

Applicant(s)

Board of Management, Rathcoffey National School.

Type of Application

Permission.

Planning Authority Decision

Grant Permission subject to conditions.

Appellants	Adrian and Imelda Morgan.
Observer	None
Date of Site Inspection	13 th September 2016.
Inspector	Bríd Maxwell.

1.0 Site Location and Description

- 1.1. The appeal site which has a stated area of 1.32 hectares comprises the established St Mochua's National School site located within the southern part of the rural village of Rathcoffey, Co Kildare. Rathcoffey lies on the R408 approximately 4km to the north of Clane and 7km southeast of Maynooth. The appeal site takes its access off a local road to the south of the Regional Road. A laneway runs along the northern site boundary. There is a dwelling, Rathcoffey Lodge (home of the appellants) adjoining the appeal site to the northwest corner. Agricultural lands bound to the south and southeast.
- 1.2. The overall site is occupied by a number of structures including school buildings, sheds, yard area playing pitches. The main school building is located on the north-western part of the site and has been extended over time. There are also temporary prefabricated structures located along the southwestern boundary. Parking facilities are provided adjacent to the north western boundary. Site boundaries to the north and south are generally comprised of mature trees and bushes. The boundary to the east and southeast is defined by post and wire fence. A wall with access gates forms the western boundary to school road. The site rises generally to the east.
- 1.3. There are a number of recorded archaeological monuments to the east of the site including KD010-019 Castle Gatehouse, Designated Landscape, Fortified House, House. The closest is Habitation Site (KD010-041) is situated circa 200m east of the site. Two protected structures Rathcoffey Catholic Church B10-09 NIAH 11901002 and Rathcoffey Castle B10-09. Rathcoffey Castle are to the north and east of the site.

2.0 Proposed Development

- 2.1. The application as set out seeks permission for the construction of a single-storey stand-alone annex to the existing school buildings. The proposed extension shall be approximately 550sq.m and be located to the north-east of the existing school main accommodation. The proposed building shall comprise of two no primary classrooms with ancillary w.c facilities and one no general purpose hall for PE and assembly

purposes. Application details indicate that the new extension will accommodate existing staff and pupil numbers currently using the school facilities.

- 2.2. The height of the proposed building is circa 6.92 metres. External finish includes proprietary external render comprising coloured panels. Roof is proposed of slate grey membranes and windows will be dark grey. It is proposed to upgrade the existing on site proprietary wastewater treatment plant to cater for increased loading.
- 2.3. Revisions to the proposal during the course of the application to the council resulted in a relocation of the building to the circa 6m east and 1m south. Landscaping is proposed adjacent to the boundary with the adjacent dwelling.

3.0 Planning Authority Decision

3.1. Decision

By order dated 24th June 2016 Kildare County Council decided to grant permission subject to 9 conditions including:

- Condition 4 required that the use of the extension shall be for education related uses only.

3.2. Planning Authority Reports

- Area Engineer, Environmental Health Officer, Heritage Officer's Water Services Section and Transportation Department indicated no objection subject to conditions
- Conservation Officer indicates no objection subject to ensuring that existing screening at minimum winter cover results in no impact on Rathcoffey Castle.
- Environment Section report seeks detailed design proposals for increase in polishing filter to accommodate the additional hydraulic load.
- Fire Officer's report sought clarification regarding fire service access.
- Planner's initial report notes third party concerns and recommends request for additional information to enable assessment of potential impact on adjacent dwelling.

- A request for additional information issued seeking details of proposed wastewater treatments system in accordance with EPA guideline standards clarification of proposed access route for fire service and further details to address potential impact on adjacent dwelling to the northwest.
- Final report recommends permission subject to conditions.

3.3. Other Technical Reports

- Irish Water no objection.

3.4. Third Party Observations

- Submission of third party appellant to the local authority objects to the development on grounds of siting, visual impact and impact on residential amenity arising from noise and general disturbance. Submission questions the accuracy of public notices, and expresses concerns regarding lack of consultation. Potential negative impact on ecology in particular bat species, traffic congestion and over capacity of school are raised. It is asserted that there are more suitable alternative locations for the proposed structure on the site.

4.0 Planning History

15/360 Permission granted in August 2015 for 1 no temporary prefab classroom on the hardstanding area adjacent to the existing prefab structure. Condition 2 required that the pre-fabricated unit to the east of the site be removed within 2 months of the date of final grant.

12/569 Permission granted for annex and covered walkway to the rear of the existing school replacing existing prefabricated structures. The development comprises 4 no student classrooms and integrated toilets and a universal access WC to accommodate the existing pupil teacher compliment currently provided for in temporary accommodation. On completion of development all existing rental

prefabricated structures will be removed. Condition 3 required that all existing prefabricated units be removed off site within one month of occupation of the annex.

11/71 Permission granted for retention of 5 no single storey temporary school accommodation units comprising 1 resource room 23.5sq, m, 3 no classrooms 67.5 sq. and one classroom of 43 sq.m. Condition 2 restricted the permission to a period of 5 years.

05/2924 Permission granted for free standing 23.5m2 single storey resource room to the side of the existing school building with all associated site works.

03/835 Permission granted 6/6/2003 to the Board of Management for 2 single storey temporary prefabricated classroom units along with associated site works. Condition 2 restricted the permission to a period of 5 years.

5.0 Policy Context

Development Plan

The Kildare County Development Plan 2011-2017 refers.

6.0 Natural Heritage Designations

Ballynafagh Bog SAC is located circa 7km to the southwest.

Ballnhafagh Lake SAC is 7km to the southwest.

Hodgestoen Bog NHA is 8km to the southwest.

7.0 Grounds of Appeal

The appeal is submitted by Adrian and Imelda Morgan, Rathcoffey Lodge. Grounds of appeal are summarised as follows:

- The height, scale and mass of building on elevated ground will result in a visually obtrusive development with significant negative impact on established residential amenity.
- Appellant's dwellinghouse was not considered in visual impact assessment.
- Alternative locations available on the site which would be more appropriate.
- Disturbance to pipistrelle bats located on site.
- Photographs demonstrate appellant's view to the school site.
- Appellant's ornamental garden terraced on three levels its amenity and the value of the property will be significantly diminished by the development.
- Letter from Charters Estate Agents accompanying the appeal asserts that proposed school could detrimentally affect the saleability of Rathcoffey Lodge.

7.1. Planning Authority Response

- The Planning Authority did not comment on the appeal.

7.2. First Party Response

The response on behalf of the first party is submitted by Quinn Barnwall Buggy, Architecture Conservation Planning Consultancy and is summarised as follows:

- Justification for selection of the location for the proposed extension is set out in detail in further information response. Five alternative locations were examined and proposed location was selected as the optimal location.
- Proposed location benefits from dense screening and mature woodland and as part of the development it is proposed to plant additional trees and shrubs.
- In spring summer and autumn there would be no line of sight between the proposed development and the neighbouring house. May be visible in winter however not significant.
- There is a distance of 85m between the buildings.

- Shadow study demonstrates that the new building will have no material impact on daylight or sunlight to the neighbouring property.
- School extension is designed so that spaces with lower ceiling heights are located on the western side of the building. These spaces have high level windows with obscured glazing. Classrooms and GP hall are wrapped around the higher space to reduce visual impact.
- Area of proposed extensions currently used as playing fields. No impact on existing levels of noise emanating from the school.
- If any impact the proposal will increase saleability of the appellant's property.
- Proposal is intended to provide an adequate modern standard of GP Hall for a local primary school. No intensification of use of the site and no increase in traffic volumes.
- School has endeavoured to mitigate concerns of the adjoining owners.

7.3. Appellant's response to first party response to appeal.

- Site was chosen and plans developed without due consideration for the four alternative locations for the development.
- Maintain objection on grounds of height and scale, overlooking, noise pollution and impact on amenity and privacy.
- Sparse hedge and deciduous trees will result in clear visibility. Proposed planting will have little effect due to chosen species.
- Estate agent confirms a negative impact on saleability and value.
- Access road to school is confined. Lack of parking and drop off areas.
- Alternative facilities are available at Rathcoffey GAA hall

8.0 Assessment

8.1. I consider that the issues in this appeal can be dealt with under the following broad headings:

- Siting, Design and Impact on Residential and other amenities of the area.
- Appropriate Assessment

8.2 Siting Design and Impact on Residential and other Amenities of the area.

8.2.1 Having regard to the established use of the site for educational purposes the principle of development which seeks to upgrade facilities and amenities available to the existing Rathcoffey school population is appropriate and in accordance with proper planning and sustainable development. As regards the detailed siting and design of the proposed structure I would tend to concur with the first party that the proposed location is optimal in terms of linkage to the existing school building and on the basis of the established landscaping and screening to site boundaries.

8.2.2 On this issue of potential for impact on the established residential amenity of the appellant's dwelling, I consider that on the basis of the distance between the two structures (approximately 84m) and having regard to the established screening, which is to be supplemented by additional planting, there will be no significant additional impact on residential amenity. Overlooking and overshadowing will not occur. I consider that a line of sight between the established dwelling and the proposed school building is not a valid reason for refusal. I further consider that the potential for noise and other disturbance arising from the proposed building is not significant. I find no basis for the assertion that the proposed development will result in a devaluation of the appellant's property. I consider that the proposed building is of a suitable design and its visual impact is appropriately mitigated by siting, design and landscaping.

8.2.3 As regards archaeological impact the application is accompanied by an archaeological impact assessment by Byrne Mullins and Associates Archaeological

and Historical Heritage Consultants dated October 2015. The report sets out in some detail the historical background to the site and vicinity. The assessment notes that the proposed development area was subjected to extensive ground disturbance works assorted with the construction of the new school buildings in 2014 when it served as construction access compound and storage area. On this basis it is considered not likely that any subsurface archaeological features or material might exist within the proposed development area and therefore it is not envisaged that any direct impacts with regard to archaeology will occur. Given the distance to established monuments and intervening hill and landscape screening visual impact is not predicted. Consequently, it is not considered likely that the development will cause any impact to the settings of or view from any archaeological monuments.

8.2.4 As regards issues raised in regard to traffic management I consider that traffic generated by the proposed building would not have a significant impact on the network and traffic arising can be managed within the current regime. As regards site servicing technical reports on file have raised no specific issues. On the issue of ecology any negative impact can be appropriately mitigated by way of good site construction practice and management.

8.3 Appropriate Assessment

8.3.1 As regards the issue of appropriate assessment having regard to the nature and scale of the proposed development and the receiving environment and the distance to Natura 2000 sites no appropriate assessment issues arise and it is not considered that the proposed development would be likely to have significant effect individually or in combination with other plans or projects on a European Site. It is reasonable to conclude that on the basis of the information on the file, which I consider adequate in order to issue a screening determination, that the proposed development, individually or in combination with other plans or projects would not be likely to have a significant effect on any European Site, in view of the sites conservation objectives and a stage 2 Appropriate Assessment is not therefore required.

9.0 Recommendation

9.1. Having considered the contents of the application, the decision of the planning authority, the provisions of the Kildare County Development Plan 2011-2017, the grounds of the appeal and the responses thereto, my site inspection and my assessment of the planning issues, I recommend that permission be granted for the reasons and considerations, and subject to the conditions, set out hereunder:

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 the 27th April 2016 except as may otherwise be required in order to comply with the following conditions.

Reason: In the interest of clarity.

2. Details of the materials, colours and textures of all the external finishes of 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.

3. Water supply and drainage arrangements, including the disposal of surface water shall comply with the requirements of the planning authority for such works and services. Details shall be agreed in writing with the planning authority prior to commencement of development.

Reason: In the interest of public health.

4. The landscaping scheme shown on drawing no 01 Masterplan, Landscape Design Services, as submitted to the planning authority on 27th day of April 2016 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 5 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 interests of residential and visual amenity.

5. A plan containing details for the management of waste and recyclable materials within the development, including the provision of facilities for the storage, separation and collection of the waste and 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 recyclable materials, in the interest of protecting the environment.

6. All service cables associated with the proposed development (such as electrical, television, telephone and public lighting cables) shall be run underground within the site.

Reason: In the interest of the visual amenities of the area.

7. (a) The treatment plant and polishing filter shall be located, constructed and maintained in accordance with the details submitted to the planning authority on the 27th day of April, 2016, and in accordance with the requirements of the document "Wastewater Treatment Manual: Treatment Systems for Small Communities Business Leisure Centres and Hotels" Environmental Protection Agency 1999. No system other than the type proposed in the submissions shall be installed unless agreed in writing with the planning authority.
(b) Certification by the system manufacturer that the system has been properly installed shall be submitted to the planning authority within four weeks of the installation of the system.

(c) A maintenance contract for the treatment system shall be entered into and paid in advance for a minimum period of five years and shall be kept in place at all times. Signed and dated copies of the contract shall be submitted to, and agreed in writing with, the planning authority within four weeks of the installation/

(d) Surface water soakways shall be located such that the drainage from the dwelling and paved areas of the site shall be diverted away from the location of the polishing filter.

€ Within three months of the first occupation of the building the developer shall submit a report from a suitably qualified person with professional indemnity insurance certifying that the proprietary effluent treatment system has been installed and commissioned in accordance with the approved details and is working in a satisfactory manner and that the polishing filter is constructed in accordance with the standards set out in the EPA document.

Reason: In the interest of public health.

8. 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:

(a) Location of the site and materials compound(s) including area identified for the storage of construction refuse;

(b) Location of areas for construction site offices and staff facilities;

(c) Details of site security fencing and hoardings;

(d) Details of on-site car parking facilities for site workers during the course of construction;

(e) Details of the timing and routing of construction traffic to and from the construction site and associated directional signage, to include proposals to facilitate the delivery of abnormal loads to the site;

(f) Measures to obviate queuing of construction traffic on the adjoining road network;

- (g) Measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network;
- (h) Alternative arrangements to be put in place for pedestrians and vehicles in the case of the closure of any public road or footpath during the course of site development works;
- (i) Provision of parking during the construction period;
- (j) Details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels;
- (k) Containment of all construction-related fuel and oil within specially constructed bunds to ensure that fuel spillages are fully contained. Such bunds shall be roofed to exclude rainwater;
- (l) Off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil;
- (m) Means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains.

A record of daily checks that the works are being undertaken in accordance with the Construction Management Plan shall be kept for inspection by the planning authority.

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

Bríd Maxwell
Planning Inspector
17th October 2016