



Development

The construction of a three-storey post-primary school building comprising classrooms, science laboratories, specialist teaching spaces, library, offices, PE hall, changing rooms, fitness suite, general purpose room, special education needs unit, administration rooms, stores, toilets, ancillary spaces, external store, ballcourts, bus set-down areas, surface car parking, boundary walls, fences, vehicular and pedestrian access gates, re-routing of existing overhead ESB lines underground, drainage works, landscaping, signage and all associated site works. The proposed development includes (i) the demolition of the existing part single-storey, part two-storey school building and ancillary sheds; (ii) the relocation of existing temporary prefabricated classrooms and installation of four additional temporary prefabricated classrooms and associated site works

for the duration of the construction works; (iii) the construction of the new school building and associated site works; (iv) the removal of all temporary prefabricated buildings on completion of the new school building.

Location	Scoil Mhuire Gan Smál, Shean Lower, Blarney, Co. Cork.
Planning Authority	Cork County Council
Planning Authority Reg. Ref.	16/6473
Applicant(s)	The Board of Management of Scoil Mhuire Gan Smál
Type of Application	Permission
Planning Authority Decision	Grant subject to conditions
Type of Appeal	Third Party v. Decision
Appellant(s)	Tim O'Brien Castle Close Residents Association
Observer(s)	Damien Philpott Richard Rice
Date of Site Inspection	7 th April, 2017
Inspector	Robert Speer

1.0 Site Location and Description

The proposed development site is located at Shean Lower in the town of Blarney, Co. Cork, on the edge of the built-up area of the existing settlement where it occupies a somewhat prominent position to the southwest of the junction of Local Road No. L-2794 with the R617 Regional Road. The site itself has a stated site area of 2.3 hectares, is irregularly shaped (although it generally extends along an east-west axis) and is presently occupied by an existing school building (incorporating both single and two-storey construction) with additional prefabricated accommodation located to the rear of same. The school grounds also include assorted play areas and car parking with a substantial playing field extending across the western extent of the site area. The surrounding area can be described as mixed-use with small-scale commercial / retail activities bounding the site to the immediate north whilst the lands to the south and east are characterised by conventional housing developments such as the Castle Close estate.

2.0 Proposed Development

The proposed development involves the construction of a new school complex and the subsequent demolition of an existing school building (as set out in the public notices) and includes the following key elements

- The relocation of existing temporary prefabricated classrooms and the installation of 4 No. additional temporary prefabricated classrooms and associated site works for the duration of the construction works.
- The construction of a three-storey, post-primary school building comprising classrooms, science laboratories, specialist teaching spaces, library, offices, PE hall, changing rooms, fitness suite, general purpose room, special education needs unit, administration rooms, stores, toilets, ancillary spaces, external store, ballcourts, bus set-down areas, surface car parking, boundary walls, fences, vehicular and pedestrian access gates, re-routing of existing overhead ESB lines underground, drainage works, landscaping, signage and all associated site works.

- The removal of all temporary prefabricated buildings on completion of the new school building.
- The final demolition of the existing part single-storey, part two-storey existing school building and ancillary sheds.

In response to the grounds of appeal, revised drawings have been submitted by the applicant which include for various alternations to the external finishes and elevational treatment of the school building (such as the proposed use of metal cladding at the upper levels and the omission of parapets from certain wings) in addition to the removal of part of the upper storey from the southern corner of the building closest to Castle Close Avenue in order to lower the scale of the construction at this location.

3.0 Planning Authority Decision

3.1. Decision

On 29th November, 2016 the Planning Authority issued a notification of a decision to grant permission for the proposed development subject to 25 No. conditions. These conditions are generally of a standardised format and relate to issues including landscaping, external finishes, construction management, and infrastructural services, however, the following conditions are of note:

Condition No. 16 - Requires sightlines of 70m to be provided in both directions from the school exit onto Local Road No. L-2794.

Condition No. 19 – Requires the existing cul-de-sac laneway (which forms part of the Castle Close housing estate), from which vehicular access to the new school is proposed, to be upgraded, at the applicant's expense, to a design and specification agreed with the Local Authority prior to the commencement of development.

Condition No. 20 – Requires the submission of a construction traffic management plan prior to the commencement of development. It is further stated that this plan should specifically provide for pedestrian access along the laneway during the construction works and that it should also address the deficient sightline at the junction

of the laneway with Local Road No. L-2794. In addition, the parking of any vehicles or machinery during the construction phase within the Castle Close housing estate is expressly prohibited.

Condition No. 21 – Requires the payment of a special development contribution in the amount of €40,000 towards works proposed to be carried out for the provision of a public footpath along Local Road No. L-2794.

Condition No. 22 – Requires the existing concrete bollards along the laneway to be relocated to the top of the Castle Close Avenue Estate Road during the construction phase with said bollards to be reinstated at a point immediately west of the new school entrance gates on completion of the construction works.

Condition No. 23 – Requires the provision of a total of 110 No. car parking spaces on site with a further 25 No. visitor / set-down spaces to be provided between the site and the access laneway.

Condition No. 24 – Requires the full implementation of the School Travel Plan to include the enforcement of those measures intended to prevent school traffic from parking within the residential sections of the Castle Close housing estate.

3.2. Planning Authority Reports

3.2.1. Planning Reports

In its assessment of the subject application, the Planning Authority formed the opinion that the overall design, scale and layout of the proposed development was acceptable and that it would not have an undue detrimental impact on the residential amenity of neighbouring properties. It was further held that the proposed development could be satisfactorily serviced by existing infrastructure (i.e. roads, water supply, drainage etc.), would be acceptable in terms of traffic safety and convenience, and would not impact on flood risk considerations. A grant of permission was subsequently recommended, subject to conditions.

3.2.2. Other Technical Reports

Cork National Roads Design Office: No objection.

Environment: No objection subject to conditions.

Area Engineer: Waste Water Networks North / East Region (Mr. Gavin Kelly): Recommends that further information be sought in relation to the proposals for the disposal of foul sewage from the proposed development, with specific reference to the foul water pumping station and the existing foul water sewerage infrastructure within the Castle Close housing estate.

Architect: States that the overall scale and height of the proposed school building is excessive given the size of the application site and its location within a sensitive housing precinct and raises further concerns with regard to the imposing elevational treatment and the appropriateness of siting the playground area adjacent to existing housing. The report proceeds to suggest that the parapet detail should be omitted in order to reduce the scale and severity of the elevational treatment and that the building height should be lowered to two storeys where it backs onto Castle Close Avenue whilst the entirety of the overall construction should be set back further from Castle Close Avenue. It is also suggested that the designer should investigate the possibility of swapping the proposed playing fields with the ball courts in order to reduce the potential intrusiveness of the play / sports activities whilst the external finishes of the elevational treatment should also be reviewed. The report subsequently concludes by recommending that the aforementioned items should be addressed by way of a request for further information.

Water Services Corporate Support: Confirms that Irish Water has no further observations on the subject proposal and references accompanying correspondence which states that Irish Water is satisfied with the confirmation of feasibility previously issued and that specific issues may be addressed by way of any future connection agreement where appropriate.

Area Engineer (Mr. Aidan Creagh): No objection subject to conditions.

3.3. **Prescribed Bodies**

Irish Water: No objection subject to conditions.

3.4. Third Party Observations

A total of 25 No. submissions were received from interested third parties and the principle grounds of objection contained therein can be summarised as follows:

- Devaluation of property
- Loss of residential amenity
- Increased traffic volumes / traffic safety concerns / exacerbation of traffic congestion (particularly within the Castle Close housing estate)
- Inadequacy of the foul water drainage network / infrastructure.
- Concerns with regard to the adequacy of the available water supply / pressure
- Constructional impacts
- Inadequacy of the emergency access arrangements
- Non-compliance with fire safety requirements / regulations
- Loss of recreational amenities.
- Concerns with regard to subsidence
- Surface water drainage / flood risk implications
- Overdevelopment of the application site
- Failure to establish a need for the planned expansion
- Overall scale, height and design of the development
- Lack of consultation with local residents.

4.0 Planning History

On Site:

PA Ref. No. 993724. Was granted on 18th December, 2001 permitting Scoil Mhuire Gan Smal permission for the construction of a community sports centre.

PA Ref. No. 033974. Was granted on 6th November, 2003 permitting Scoil Mhuire Gan Smal permission for the relocation of proposed entrance.

PA Ref. No. 069232. Was granted on 24th October, 2006 permitting Scoil Mhuire Gan Smal permission for the construction of a sports and community hall with ancillary car-parking and site development works.

PA Ref. No. 095767. Was granted on 17th August, 2009 permitting Scoil Mhuire Gan Smal Secondary School permission for a community & recreational centre consisting of a sports hall, gymnasium, changing rooms, store rooms, toilets, meeting room, office/reception & pre-school along with ancillary car parking.

PA Ref. No. 106113. Was granted on 18th November, 2010 permitting The Board of Management of Scoil Mhuire Gan Smal permission for the construction of a single storey staff room extension and a covered yard and associated site works within the grounds of the existing school.

PA Ref. No. 125184. Was granted on 27th August, 2012 permitting The Board of Management of Scoil Mhuire Gan Smal permission for temporary prefabricated accommodation comprising 4 No. new classrooms adjacent to the existing school.

PA Ref. No. 134864. Was granted on 1st October, 2013 permitting The Board of Management of Scoil Mhuire Gan Smal permission for temporary prefabricated accommodation comprising 4 No. new classrooms adjacent to the existing school.

PA Ref. No. 145468. Was granted on 1st October, 2014 permitting The Board of Management of Scoil Mhuire Gan Smal permission for 2 No. first floor prefabricated classrooms with external stairway access.

PA Ref. No. 155273. Was granted on 10th September, 2015 permitting The Board of Management of Scoil Mhuire Gan Smal permission for the erection of 2 No. prefabricated classrooms over previously granted prefabricated classroom.

On Adjacent Sites:

PA Ref. No. 042114. Was granted on 30th June, 2004 permitting Scoil Iosagain Board of Management permission for alterations and extension to school comprising of a classroom and principal's office at Shean Lower, Blarney, Co. Cork.

PA Ref. No. 167001. Was granted on 7th March, 2017 permitting Abbeyville Veterinary Hospital permission for the change of use of vacant retail unit formerly used as dry cleaners/laundry to use as veterinary clinic at No. 2 Ringwood House, Shean Lower, Blarney, Co. Cork.

On Sites in the Immediate Vicinity:

PA Ref. No. 066112. Was granted on 22nd December, 2006 permitting Gerry Walsh permission for the demolition of a dwelling and construction of 2 No. dwelling houses at Shean Lower, Blarney, Co. Cork.

5.0 Policy Context

5.1. National and Regional Policy

'The Provision of Schools and the Planning System – A Code of Practice for Planning Authorities' as published by the Department of Education & Science and the Department of the Environment, Heritage and Local Government in July, 2008 sets out best practice approaches that should be followed by planning authorities in ensuring that the planning system plays its full part in facilitating the timely and cost-effective roll-out of school facilities by the Department of Education and Science and in line with the principles of proper planning and sustainable development.

5.2. Local Planning Policy

Cork County Development Plan, 2014:-

Chapter 5: Social and Community

Section 5.4: Education

SC 4-1: Educational Facilities:

Facilitate the provision of educational services in the community such as schools, crèches and other educational and childcare facilities. Multiuse facilities which can accommodate both educational and childcare facilities are also encouraged.

SC 4-2: Provision of Educational Facilities in Large Residential Developments:

- a) Provide new educational facilities in accordance with the guidance set out in Guidelines on Sustainable Residential Development in Urban Areas.

- b) Recognise that new residential communities can generate demand for additional school places and that it is vital to the process of supporting sustainable communities, that the necessary increased capacity in school facilities, either in the form of new schools, or the expansion of existing schools, is provided.
- c) Work closely with the Department of Education & Skills to identify in the Local Area Plans, existing and future educational requirements, identify and reserve suitable sites for educational purposes and acquire, as appropriate and with the approval of the Department of Education & Science, sites for future school provision in order to ensure that the necessary increased capacity in school provision is provided in a timely manner and as an integral part of the development of an area.
- d) Facilitate the development of primary, post primary, third level, outreach, research, adult and further educational facilities to meet the needs of the County.
- e) Encourage, support and develop opportunities to open up new and existing educational facilities to wider community use, subject to normal proper planning and sustainable development considerations.
- f) Require that proposed new large scale residential developments, either as part of an individual development or a collective group of developments include an assessment of the demand for school places likely to be generated by the development and proposals to address any identified increase in demand which may arise.

Blarney Electoral Area Local Area Plan, 2011 (2nd Ed., 2015):-

Land Use Zoning:

The proposed development site is located in an area zoned as 'Existing Built-Up Area'.

Other Relevant Sections / Policies:

Section 2: *Local Area Strategy*

Section 3: *Settlements and Other Locations: Main Settlements and Strategic Employment Centres: Blarney*

Section 1.2.12: *Education:*

There are three primary schools serving Blarney. There is also a secondary school Scoil Mhuire Gan Smál. Additional educational facilities, including future provision for two national schools and a secondary school are included as part of the Stoneview development.

Draft Blarney Macroom Municipal Local Area Plan, 2016: -

Land Use Zoning:

The proposed development site is located in an area zoned as 'Existing Built-Up Area'.

Other Relevant Sections / Policies:

Section 2: *Local Area Plan Strategy*

Section 3: *Main Towns:*

Section 3.2: *Blarney:*

Sections 3.2.37 - 3.2.38: *Education:*

Education facilities are largely focused to the east, south and west of the town centre close to established residential areas. Given the concentration of future residential growth to the north east of the town, the provision of additional educational facilities in this area will need to be considered.

There are three primary schools serving Blarney. There is also a secondary school Scoil Mhuire Gan Smál. Additional educational facilities, including future provision for two national schools and a secondary school are included as part of the Stoneview development, see Paragraphs 3.2.68 to 3.2.100.

6.0 The Appeal

6.1. Grounds of Appeal

Tim O'Brien:

- The proposed development will result in the devaluation of the appellant's dwelling house by reason of a loss of amenity, with particular reference to the detrimental impact arising from the proximity of the proposed access arrangements to his property and the potential for uncontrolled on-street car parking.
- The proposed development will have a detrimental impact on the residential amenity of the wider area by reason of increased traffic (both vehicular and pedestrian), pollution, noise and littering.
- There are concerns with regard to the proposal to dispose of foul effluent from the proposed development into the existing sewerage system serving the adjacent housing scheme of Castle Close given the limited capacity, age and overall condition of same. Furthermore, it is considered that the loss of any remaining capacity within the aforementioned sewerage system would be to the detriment of local residents who are presently experiencing problems with subsidence and are unable to obtain flood insurance for their properties.
- The gradual increase over the years in enrolment levels at the existing school and the associated increase in traffic volumes has given rise to considerable traffic congestion in the area. Accordingly, it is submitted that the surrounding road network does not have adequate capacity to accommodate the increased traffic volumes consequent on the proposed development.
- At present, a significant proportion of school-bound traffic chooses to use Castle Close Avenue as a drop-off and collection point which has the effect of limiting access / movement within the estate for both local residents and emergency vehicles. Accordingly, in the absence of a viable traffic management system, it is submitted that the proposed expansion of the school will serve to exacerbate traffic congestion etc. within the Castle Close housing estate, particularly in light of the proposal to open a pedestrian access onto same.

- With regard to health and safety, there are concerns that inadequate provision has been made for a peripheral circulatory route around the proposed school building for the purposes of emergency access, fire-fighting and high-level response etc.
- The design of the proposed development fails to comply with the requirements of the Building Regulations (Guidance Document B) as regards fire safety in that the proximity of the construction to the site boundary precludes access to the entirety of the building perimeter by fire-fighting appliances. Furthermore, if the intention is for high-reach appliances to gain access to the school grounds through Castle Close Avenue, the applicant has failed to submit any drawings demonstrating the availability of adequate turning radii etc. within the estate to facilitate any such movements.
- The proposed development will result in the loss of recreational facilities presently enjoyed by the school, with particular reference to the grassed pitch area.
- There is a high incidence of subsidence within the Castle Close estate and there are concerns that the increased loadings on the roadway and sewerage infrastructure associated with the proposed development will increase the risk of further subsidence.
- The subject proposal involves the provision of a cramped school devoid of adequate space, playing fields, environmental stimulus, and recreational amenities suitable for such a large student body. Accordingly, the proposal is considered to represent an unacceptable overdevelopment of the site which would be more suited to a large urban centre.
- Further secondary schools are proposed at 'Stoneview' (approximately 1 mile distant from the application site) and within the Monard Strategic Development Zone.
- The Castle Close estate has been maintained through the voluntary efforts of local residents, however, the proposed development will benefit from this amenity despite not having contributed to same.

- The proposal to re-open a pedestrian access onto Castle Close Avenue will have a detrimental impact on the residential amenity of the estate by reason of increased traffic, noise, loss of tranquillity, and the potential for vandalism.
- The proposed three-storey construction of the school building will have a detrimental visual impact on the area and is out of keeping with the surrounding pattern of two-storey, low density, residential development.
- The proposal to relocate the existing bollards towards the rear of the appellant's property to the front of same in order to facilitate construction of the proposed development and then to relocate said bollards to the side of his dwelling house will negatively impact on the amenity of this residence by reason of the likelihood of youths congregating alongside same with the associated potential for increased noise, disturbance, littering, and anti-social behaviour.
- It would appear that advice received from external bodies was not given adequate consideration in the assessment of the subject application (including the Architect's Report).
- The overall scale of the proposed development is inappropriate given the size of the application site.
- It is noted that the recommended daily volume of water per student has been halved and thus it is queried whether a similar practice has been applied in respect of the water volumes available for fire-fighting purposes.

Castle Close Residents Association:

- There has been a lack of consultation between the applicant and the Castle Close Residents Association and it is considered that the applicant has shown disregard for the genuine and legitimate concerns of local residents who were informed that the Department of Education had set a development brief for the site and that the Local Authority had given its consent to the use of roadways and other infrastructural services within the Castle Close estate to facilitate the proposed development.

- The design of the proposed development has been presented as a ‘fait accompli’ despite the fact that several site layout options, which would not have impacted on the level of amenity presently enjoyed by local residents, were rejected.
- It is an objective of the Blarney Electoral Area Local Area Plan, 2011 (2nd Ed., 2015) to provide for the development of a new neighbourhood at ‘Stoneview’ and in this respect a masterplan has been prepared which includes for the provision of 2 No. national schools and a secondary school as part of that development. In addition to the foregoing, the development planned within the Monard Strategic Development Zone also includes for the provision of a secondary school. Accordingly, if either of the aforementioned developments is pursued in the coming years, it will be necessary to provide a school close to these areas of population growth and, therefore, it is queried whether the proposed expansion of Scoil Mhuire Gan Smál is justifiable, particularly as the new schools at Stoneview and Monard will serve part of the same catchment area as the existing school.
- The demographic predictions referenced by the applicant do not provide an accurate reflection of any increase in the pupil population for the school. Instead, it is submitted that a more accurate projection of future pupil numbers would be to examine the numbers of first year applications and subsequent enrolments at the existing school with any pupils from the Grenagh, Whitechurch and Donoughmore areas possibly being lost to the new developments at Monard and Stoneview.
- Inaccurate projections in future enrolment requirements will result in difficulties in retaining pupils and teachers in accordance with the pupil / teacher ratio set out in the guidance published by the Department of Education. In this respect it should also be noted that any proposal to transport pupils into Blarney from outside the catchment area would not be sustainable.
- The overall scale and bulk of the proposed development is excessive and out of character with the surrounding pattern of residential development (as supported by the report prepared by the County Architect on behalf of the

Local Authority). Furthermore, the increase in traffic consequent on the proposed development will have a further detrimental impact on the residential amenity of the occupants of nearby properties.

- It is considered that the proposed building could be repositioned on site so as to satisfy all of the parties concerned by availing of one of the other site layout options investigated by the applicant.
- The Planner's Report would appear to suggest that the Planning Authority, the applicant and the designers agreed issues relating to the scale, layout and design of the proposed development during the course of pre-planning discussions thereby leaving no room for any input by third parties or the County Architect.
- It would appear that the Architect's Department of the Local Authority was not represented at any of the pre-planning meetings held with the Planning Authority.
- The recommendations and modifications suggested in the report of the County Architect have been disregarded with all of the issues raised in same (including a reduction in the scale of the proposed construction to 2 No. storeys and the setting back of the building away from Castle Close Avenue) seemingly having been previously agreed with the applicant.
- A redesign of the proposed car parking layout within the site would preserve car parking within Castle Close Avenue and eliminate the need for an entrance to the school through that estate.
- Whilst the applicant's design team has referenced reportedly similar three-storey school developments in Ballincollig, Midleton, Carrigaline and Tullamore, it is considered that the site of each of these schools is larger than Blarney whilst their respective pupil numbers are also smaller. Furthermore, none of the aforementioned schools dispose of foul water to a 45-year old sewerage system and it is also of relevance to note that these schools utilised a tiered approach to their construction in order to take account of the proximity of nearby two-storey residential developments and thus the applicant is not comparing 'like-with-like'.

- There are concerns that the existing foul water sewerage network within the Castle Close housing estate does not have adequate capacity to accommodate the additional loadings consequent on the proposed development and that the Local Authority has not sought to investigate this matter further by way of an appropriate testing regime.
- The proposed siting of the foul waste holding tank to the rear of existing dwelling houses may give rise to a loss of residential amenity as a result of noxious smells / malodours.
- It is unclear who will take responsibility should a catastrophic event occur with regard to sewage or fire given that Irish Water has stated that the available water pressure will not be sufficient to satisfy the requirements of the Fire Authority.
- No provision has been made in the design of the foul water drainage system to accommodate the additional loadings associated with the proposed Physical Education hall with its viewing gallery, the use of the large general-purpose room for events, the inclusion of a stage area for performances, and the option for retractable seating (in addition to any use of the proposed facilities outside of school hours).
- It has not been established that there is an adequate water supply to serve the proposed development, with particular reference to the water pressure / flow rate required for fire-fighting purposes.
- Whilst the Planning Authority states that the proposed development site is not located within a floodplain having regard to the Lee CFRAM Study, it has also been acknowledged that the Preliminary Flood Risk Assessment prepared by the Office of Public Works indicates that the site is within an area at risk of flooding. In this respect the Board is advised that the River Martin flows adjacent to the western site boundary (whilst Cloghenmilcon Bog is located to the east) and that there is historical evidence that the site in question is located within a floodplain, including an instance when the River Martin bursts its banks and swept away bridges resulting in flooding of nearby housing at Shamrock Terrace on 5th December, 1948. Accordingly, in light of the two flood reports available, it is submitted that further reassurance and clarification

is required as regards the possible flooding implications of the proposed development.

- The proposed location of the new school building is less than 150m from the River Martin.
- There has been an inadequate investigation of the suitability of the proposed development site for the use of soakaways with several of the infiltration tests having been conducted within that part of the site whereupon it is proposed to construct the school building.
- It has been suggested by the applicant that the *'provision of a public footpath along the L-2794 will also mitigate the number of pedestrian movements of students through Castle Close and hence reduce the tendency to drop off there also'*, however, no explanation has been provided to support such a conclusion. Instead, it is considered that the aforementioned footpath will serve to reduce the carriageway width thereby making it more difficult for vehicles to drop off students along Local Road No. L-2794. Furthermore, when taken in conjunction with the proposed traffic turning movements into Castle Close Avenue from Local Road No. L-2794 and the likely congestion arising from the set-down arrangements proposed along this section of roadway, it is considered that there is an increased likelihood of drop-offs occurring from within the Castle Close estate.
- The accompanying report prepared by Hegsons Design Consultancy Ltd. establishes the inadequacy of the traffic impact assessment undertaken by the applicant and submits that the analysis provided is both fragmented and misleading in its conclusions.
- The increased volume of traffic consequent on the proposed development will pose a hazard to residents and pedestrians in the area.
- The proposal to have vehicular and pedestrian access points opening onto Castle Close Avenue is inappropriate given the health and safety implications associated with same.

- The inadequacy of the sightlines at the junction of Hedge Road with Castle Close Avenue renders any use of this route by construction traffic to be unsuitable and dangerous.
- The provision of an emergency fire exit / entrance onto Castle Close Avenue (which will be constantly open) will encourage students and parents to use it as another access to the school thereby increasing the number of drop-offs conducted from within the estate. A slight adjustment of car parking spaces within the school's current footprint would eliminate the need to position an entrance at this location and would facilitate an easier flow of traffic.
- The relocation of the car parking to the east of the proposed school to a position north of the new construction and the siting of the school building forward away from adjacent dwelling houses will serve to maintain the existing level of amenity enjoyed by the residents of Castle Close.
- The Planning Authority has failed to make any reference to proposals suggested by local residents, including 'Park and Stride' initiatives.
- No consideration has been given to the potential loss of parking amenities likely to be experienced by the residents of Castle Close consequent on the proposed development.
- There are serious concerns as regards any use of Castle Close as an access route for construction traffic, particularly in respect of the health and safety implications for local residents in addition to the likely levels of disturbance / loss of amenity.
- Inadequate information has been provided of the management of the construction phase of the proposed development, including the need to provide car parking facilities for construction staff, the delivery and loading arrangements for construction traffic, the location of site offices, waste management provisions, working hours, site security etc.
- The proposed development site will not be able to accommodate all of the construction activities during the course of the building works and thus there are concerns that roadways etc. within Castle Close will be used to cater for

the temporary storage / parking of construction machinery, materials, waste etc.

6.2. Applicant's Response

Response to the Third Party Appeal of Tim O'Brien:

- It is considered that the subject proposal accords with the proper planning and sustainable development of Blarney, will not give rise to a traffic hazard, will not result in the devaluation of property, and will not lead to a reduction in recreational facilities.
- Irish Water has confirmed the feasibility of the proposed service connections.
- Whilst the Planning Authority has determined that the design and layout of the proposed development is acceptable, in light of the concerns raised by third parties, the opinion of the County Architect, and the inclusion of Condition No. 2 in the notification of the decision to grant permission issued by the Planning Authority, the Board is requested to take cognisance of the accompanying revised proposals in its assessment of the subject appeal.
- The principle of the proposed development is entirely consistent with national, regional and local policy guiding the development of Blarney.
- The proposed development site has been the subject of an extensive planning history which confirms the established use of the site and the concerted efforts to provide for an increase in pupil numbers reflecting the population growth of Blarney in line with strategic policy.
- By way of precedent, and in support of the principle of a replacement school on site, the acceptability of a managed traffic solution with an increased potential for accessibility by alternative modes of transport, and the limited impacts on residential amenity as a result of a design strategy, the Board is referred to its previous determination of ABP Ref. Nos. PL29S.243030, PL04.244361, PL55.243271, PL16.243361 & PL17.246025.
- The proposed development forms part of the Department of Education and Skills' ADAPT (Accelerated Delivery of Architectural Planning & Tendering) programme which requires the selected projects to be completed and

operational by July, 2018. While the typical life cycle of a school building project is up to five years, the Department of Education is trialling the aforementioned programme in order to accelerate delivery within a shorter timeframe hence the requirement for intensive and detailed discussions with the Planning Authority at the early stages of the project. Furthermore, it should be noted that it is stated in the ADAPT programme that should a project encounter significant difficulties in progressing through the early stages, it is likely that the viability of the project will be reviewed.

- The proposed development has been designed to emphasise the school's civic status in Blarney and employs best practice in terms of sustainable design whilst its three-storey construction is considered to be elegant and urbane. The submitted proposal will provide a focus for the community and creates a simpler more compact building form that pays homage to other important buildings in the area such as Blarney Woollen Mills.
- The proposed development has been carefully located in order to maximise the separation distance from adjacent housing and to avoid blocking southerly light to the site to the north. In addition, high level windows have been provided on those gable elevations which will face towards nearby housing whilst opaque glazing is proposed for those lower level windows required for the ventilation of stairwells and corridors.
- Construction access to the site will be obtained from the existing cul-de-sac to the south during Phases 1 & 2 with the existing bollards on this road to be relocated temporarily in order to facilitate the building works. Construction access will subsequently be made available via a temporary access from Local Road No. L-2794 for Phases 3 & 4. The construction programme allows for the existing school to remain in operation whilst the new school is under development.
- The proposed development will facilitate an increase in enrolment to 1,200 No. pupils which has been derived from an examination of the number of children attending the 7 No. primary schools in the catchment area, in addition to child benefit data for the same catchment, although it is also acknowledged

that transfer numbers are likely to increase with the provision of improved facilities.

- With regard to the suggestion that the proposed development will result in the devaluation of property, it should be noted that the established use of the application site is for educational purposes with a school having occupied same since 1971.
- The proposed development is a direct response to increasing pupil numbers in Blarney and is consistent with strategic planning policy for this Metropolitan Town. Furthermore, the Draft Local Area Plan proposes to zone additional residential land at Ringfort close to the school which has the capacity to deliver 750 No. new homes.
- The existing cul-de-sac to the south of the site is already used as a set-down / pick-up point for the school and is also used to provide vehicular access to an Eircom building adjacent to the appellant's property. The proposed development introduces a managed access solution comprising a single vehicular entrance to the school at the opposite end of the cul-de-sac to the appellant's property adjacent to a pedestrian entrance and also proposes to formalise the set-down area which will be incorporated into the boundary of the school.
- The siting of the proposed vehicular access from the cul-de-sac will provide a greater reserve capacity for vehicles turning right into the site and thus serves to reduce the impact on the R617 junction. It will also allow for a more segregated layout separating pedestrians, cyclists, car parking and deliveries as much as possible.
- Following consultation with local residents, it is proposed to provide two sets of bollards along the cul-de-sac to ensure that vehicular access to and from the school is fully restricted.
- The only emergency vehicular access will be at the south-western end of the application site and this will be locked with no pedestrian or vehicular access permitted.

- The Traffic and Transport Assessment has established that there is already a staggered arrival of vehicular traffic in the mornings with a significant proportion of students being dropped off at locations beyond the immediate school area and it is expected that this trend will continue.
- Whilst traffic volumes will increase as a result of the proposed development, the Traffic and Transport Assessment has demonstrated that the three junctions examined in the vicinity of the site will continue to operate well within their practical capacities during the AM and PM peak periods.
- In terms of visibility the proposed egress route complies with the relevant standards as demonstrated in the TTA whilst the internal circulation arrangements generally accord with the applicable standards.
- The proposed development does not exceed the maximum car parking standards set out in the Development Plan.
- The increased provision of bicycle stands will assist in encouraging cycling to the school whilst it is also expected that the proposal will generate a requirement for additional bus services.
- The submitted TTA confirms that the traffic impact of the proposed development will not be significant.
- In order to mitigate the traffic impact, the subject application has been accompanied by a School Travel Plan which seeks to encourage the greater use of alternative modes of transport and the applicant is obliged to implement same pursuant to Condition No. 24 of the grant of permission.
- The proposed development will not restrict access to the appellant's property as the cul-de-sac will remain a public road which will also be upgraded for the benefit of all road users.
- With regard to the concerns that the proposed development will burden the existing sewerage network serving the adjacent housing estate, the Board is referred to the accompanying report prepared by RPS which states that the Local Authority is not aware of any issues with the foul sewer in Castle Close and that the only issue with the wastewater system in the area known to Irish

Water / Cork County Council concerns the capacity of the Gothic Bridge pumping station.

- With regard to the consideration of alternatives for the disposal of foul water from the proposed development the Board is referred to the accompanying RPS report which states the following:

'An alternative route for the wastewater from Scol Mhuire Gan Smal was never proposed by Irish Water or Cork County Council. The Pre-connection enquiry form notes that "a Draft Preliminary report completed for Blarney Tower Sewerage Scheme recommended that a new sewer should be provided in a corridor along the western boundary of the school property. This should be considered when completing the design of the proposed school extension and permanent structures / obstructions be kept clear from this area if possible to facilitate a potential future sewer and associated wayleave". This note is included to ensure that the school development allows a corridor for the potential future sewer. It is not a suggestion that the school should connect to the proposed sewer. If the sewer was available for connection, the logical choice would be to discharge the school wastewater to same. Depending on depths, it could possibly eliminate the need for a storage tank and pumping station. However, it is not available at present, and will not be available when the proposed school development is completed, so it can't be considered as an alternative at this point in time'.

- Irish Water has confirmed that the submitted proposal is acceptable and that specific issues may be dealt with through any future connection agreement, where appropriate.
- The road network in the vicinity of the proposed development has the capacity to accommodate the anticipated traffic volumes.
- Use of the existing cul-de-sac as a set-down / pick-up area will be formalised with the southern site boundary to be set back in order to accommodate same whilst Condition No. 19 of the grant of permission also requires the upgrading of the roadway to provide for a public footpath and a minimum road width of 5.5m.

- The provision of two sets of bollards along the cul-de-sac will ensure that no vehicular traffic associated with the school travels via the adjacent Castle Close estate.
- The proposed development will not impact on the existing emergency access arrangements to the adjacent housing estate.
- A viable traffic management plan, including a School Travel Plan, will be put in place to serve the proposed development.
- The Traffic and Transport Assessment has established that there will be no difficulties as regards access for emergency vehicles on site.
- In terms of the volume of water required for firefighting purposes, Section 6.1 of BS990:2015 states that a flow of 1,500l/min is considered to be adequate from a fire safety point of view. The proposed development will comply with this standard and it is understood that the Fire Authority considers this to be acceptable.
- With regard to the provision of recreational facilities, the Board is advised that the subject proposal has been designed in accordance with the requirements of the Department of Education and includes for a total of 6 No. multi-games hard-surfaced courts as well as an informal playing field. There will also be growing and sensory gardens, a dedicated play area for the Special Needs Unit, picnic benches and external seating areas. Internal facilities will include a PE hall, a large general-purpose room, and a fitness suite / gym. Accordingly, this improved level of recreational facilities is considered to be appropriate.
- The Local Authority has not referenced any concerns as regards subsidence.
- The design and orientation of the proposed development will not result in any unacceptable overlooking of properties in the vicinity.
- The subject proposal conforms to the established pattern of development and is similar to the design of other educational structures in the area.
- It is considered that the proposed development can be assimilated into the existing environment without significant or adverse visual impact.

- In an effort to address the concerns of the County Architect and third parties the Board is referred to the accompanying amended design proposals which provide for the following revisions:
 - The removal of part of the upper storey from the southern corner of the proposed development closest to Castle Close Avenue in order to lower the scale of the building to 2-storeys at this location. This will involve the removal of 29m² of floor area; the relocation of the music room to the first floor; the relocation of a classroom to the second level, and the combining of a smaller general classroom and meditation room for shared use. These changes will reduce the height of the corner of the proposed building closest to Castle Close Avenue.
 - The removal of the parapets from part of the southern wing, and from the western and north-western wings of the proposed development, and their replacement with standard eaves as recommended in the report of the County Architect.
 - A change of material at the top level from cill height upwards to a metal panel on part of the southern, western and north-western wings to replace the bulk of the proposed development closest to existing residences.
 - Changes to the cladding panel locations at the windows on the southern and western elevations to visually reduce the scale closest to existing residences.
 - A reduction in the extent of brick used in the proposed development
 - The use of a blended brick pattern with a natural finish to create a variety of calm and welcoming colours on the elevations. Brick has also been chosen as the natural material for the external face of the building.

On the basis of the foregoing, it is submitted that the overall design and visual character of the proposed development, when viewed from the south and west, will be acceptable and has sufficient regard to the scale and character of the existing area.

- The proposed development aims to improve the facilities available to existing and future students and staff. The existing school building is dated and its expansion has been facilitated to date by a succession of prefabricated units which is not sustainable.
- The application site is well located relative to the town centre and its wider catchment area thereby maximising its accessibility by sustainable modes of transport.

Response to the Third Party Appeal of Castle Close Residents Association:

- It is considered that the subject proposal accords with the proper planning and sustainable development of Blarney; that the need for the school has been demonstrated; that the scale of the proposed building is appropriate (taking into account the revised design which accompanies this response); that the proposed development is acceptable in terms of flood risk; and that the submitted proposal will not give rise to a traffic hazard.
- Irish Water has confirmed the feasibility of the proposed service connections.
- The principle of the proposed development is entirely consistent with national, regional and local policy guiding the development of Blarney.
- The proposed development site has been the subject of an extensive planning history which confirms the established use of the site and the concerted efforts to provide for an increase in pupil numbers reflecting the population growth of Blarney in line with strategic policy.
- The planning history of the site confirms the acceptability of connecting to the public foul sewer and in this regard the Board is referred to the drainage proposals previously approved under PA Ref. No. 13/4864 which provided for connection to the public mains sewer network.
- By way of precedent, and in support of the principle of a replacement school on site, the acceptability of a managed traffic solution with an increased potential for accessibility by alternative modes of transport, and the limited impacts on residential amenity as a result of a design strategy, the Board is

referred to its previous determination of ABP Ref. Nos. PL29S.243030, PL04.244361, PL55.243271, PL16.243361 & PL17.246025.

- With regard to the need for the proposed development, the Board's attention is drawn to the comprehensive Design Statement which accompanied the initial planning application.
- Whilst it is acknowledged that educational services are to be provided as part of the proposed development of significant residential districts at both Stoneview and Monard, it is considered that these schools will be required to serve the populations of their respective areas.
- Notwithstanding any future provision of school facilities as part of the Stoneview and Monard developments, there is a need in the short term to accommodate the post-primary educational needs of the existing and future populations of Blarney and the surrounding catchment area. This need is further demonstrated by the fact that the existing school has secured several grants of permission in the last five years to provide for an increase in pupil numbers.
- The existing school is at capacity and it is an objective of the Department of Education to provide for a new school with a capacity of up to 1,200 No. places in order to accommodate the 7 No. feeder schools in the catchment.
- The design and layout of the proposed development is appropriate to its context.
- The subject proposal conforms to the established pattern of development and is similar to the design of other educational structures in the area.
- It is considered that the proposed development can be assimilated into the existing environment without significant or adverse visual impact.
- In an effort to address the concerns of the County Architect and third parties the Board is referred to the accompanying amended design proposals which provide for the following revisions:
 - The removal of part of the upper storey from the southern corner of the proposed development closest to Castle Close Avenue in order to lower the scale of the building to 2-storeys at this location. This will

involve the removal of 29m² of floor area; the relocation of the music room to the first floor; the relocation of a classroom to the second level, and the combining of a smaller general classroom and meditation room for shared use. These changes will reduce the height of the corner of the proposed building closest to Castle Close Avenue.

- The removal of the parapets from part of the southern wing, and from the western and north-western wings of the proposed development, and their replacement with standard eaves as recommended in the report of the County Architect.
- A change of material at the top level from cill height upwards to a metal panel on part of the southern, western and north-western wings to replace the bulk of the proposed development closest to existing residences.
- Changes to the cladding panel locations at the windows on the southern and western elevations to visually reduce the scale closest to existing residences.
- A reduction in the extent of brick used in the proposed development
- The use of a blended brick pattern with a natural finish to create a variety of calm and welcoming colours on the elevations. Brick has also been chosen as the natural material for the external face of the building.

On the basis of the foregoing, it is submitted that the overall design and visual character of the proposed development, when viewed from the south and west, will be acceptable and has sufficient regard to the scale and character of the existing area.

- With regard to the suggestion that the proposed development will impact on residential amenity, it should be noted that the established use of the application site is for educational purposes with a school having occupied same since 1971.

- With regard to the concerns raised in relation to the propriety and location of the proposed foul water drainage system, the Board is referred to the accompanying report prepared by RPS.
- The accompanying report prepared by RPS sets out the methodology by which the rate of water usage per person per day has been determined and in this respect it should be noted that Irish Water agreed that a water usage of 20l/person/day could be used prior to the lodgement of the planning application.
- In relation to the potential for noise and odours, the RPS report states that the proposed wastewater storage tank and pumping station has been designed to minimise same. It has also been confirmed that the unit will only be used to hold and pump wastewater i.e. it will not treat or aerate any of the waste. Furthermore, the pumping station will accord with the requirements of 'Sewers for Adoption' (7th Ed.) and the Water Industry Standard whilst the pumping requirements will be minimal thereby limiting any noise emissions. In addition, it has been indicated that, if required, it would be possible to move the proposed pumping station approximately 5m further away from the southern site boundary thereby increasing the separation distance from adjacent housing.
- In response to concerns regarding the potential failure of the pumping station, the RPS report details that the unit will be fitted with 'duty' and 'standby' pumps in addition to an alarm system. In the event that both pumps were to fail, or a prolonged power failure were to occur, it is proposed to remove wastewater from the storage tank by tanker, or if deemed more suitable, a decision may be made to close the school temporarily. However, it is considered very unlikely that both pumps would fail simultaneously or that a prolonged power failure would occur frequently.
- With regard to the proposal to discharge foul water to the existing sewerage network serving the adjacent housing estate, the Board is referred to the accompanying report prepared by RPS which states that the Local Authority is not aware of any issues with the foul sewer in Castle Close and that the only

issue with the wastewater system in the area known to Irish Water / Cork County Council concerns the capacity of the Gothic Bridge pumping station.

- With regard to the consideration of alternatives for the disposal of foul water from the proposed development the Board is referred to the accompanying RPS report which states the following:

'An alternative route for the wastewater from Scol Mhuire Gan Smal was never proposed by Irish Water or Cork County Council. The Pre-connection enquiry forms notes that "a Draft Preliminary report completed for Blarney Tower Sewerage Scheme recommended that a new sewer should be provided in a corridor along the western boundary of the school property. This should be considered when completing the design of the proposed school extension and permanent structures / obstructions be kept clear from this area if possible to facilitate a potential future sewer and associated wayleave". This note is included to ensure that the school development allows a corridor for the potential future sewer. It is not a suggestion that the school should connect to the proposed sewer. If the sewer was available for connection, the logical choice would be to discharge the school wastewater to same. Depending on depths, it could possibly eliminate the need for a storage tank and pumping station. However, it is not available at present, and will not be available when the proposed school development is completed, so it can't be considered as an alternative at this point in time'.

- Irish Water has advised that the proposed development can obtain its water supply from the existing connection.
- Whilst the Irish Water Pre-Connection Enquiry Form notes that *'While flows in excess of your required demand may be achieved in the Irish Water network and could be utilised in the event of a fire, Irish Water cannot guarantee a flow rate to meet your fire flow requirement'*, this is a standard response that is inserted to cover the fact that Irish Water cannot guarantee a water supply at all times. It is not specific to the application site or the development proposed.
- Irish Water has confirmed that the submitted proposal is acceptable and that specific issues may be dealt with through any future connection agreement, where appropriate.

- By way of further clarity, it can be confirmed that all manholes were inspected and that the proposed holding tank is located as close as possible to the discharge point.
- With regard to the concerns raised in the grounds of the appeal that the proposed development site is located in a flood plain, the Board is referred to the accompanying RPS report which demonstrates that the site is not at risk of fluvial flooding from either the River Martin or the Blarney River.
- The proposed development site is located a considerable distance outside the 1:1,000 flood level and falls within Flood Zone 'C'. Accordingly, the flood risk within the application site is considered to be 'Low to Negligible' and thus the development is appropriate from a flood risk perspective.
- The report of the Area Engineer dated 28th November, 2016 states that there is no record of the site having flooded during either of the recent extreme flood events of 2009 and 2015.
- The Area Engineer is satisfied that the proposed development is not within a flood risk zone and that the proposal to infiltrate surface water to ground accords with best practice and will not increase the flood risk to any adjacent or down-gradient lands.
- The Traffic Impact Assessment has reviewed the existing road network, the existing traffic situation, anticipated traffic levels and the proposed access arrangement, and has concluded that the new system will satisfactorily operate in terms of traffic generation from the proposed development and future growth in the area.
- It is considered that the provision of 3 No. pedestrian entrances along the front of the school will offset the need for any use of the cul-de-sac by pedestrians. In addition, it should be noted that the number of pedestrian access points from the footpath along Local Road No. L-2974 will be increased by one in the proposed development.
- The Planning Authority has not raised any concerns as regards the provision of a footpath along Local Road No. L-2794 and has actually required a special development contribution towards same.

- The proposed one-way vehicular system represents an improvement over the existing arrangement with a dedicated footpath along the cul-de-sac, improved surfacing on the cul-de-sac, dedicated set-down spaces, and the location of the entrance to the school located further south of the junction with Local Road No. L-2794.
- The location of the school entrance further south will increase the distance between the cul-de-sac / Shean Lower Road junction and the junction of the R617 / Shean Lower Road. This will serve to provide greater reserve capacity for vehicles turning right into the school and also reduces the impact on the R617 junction.
- The proposed internal circulatory layout allows vehicles to enter and exit the site with minimal delay therefore providing for an attractive alternative to parking along the roadside or performing a 'u'-turn on the cul-de-sac. It should also be noted that visibility is restricted at the junction of the cul-de-sac / Shean Lower, and that the volumes of traffic travelling against on-coming vehicles would lessen the desirability of performing a 'u'-turn when compared to continuing through the school grounds.
- The provision of two sets of bollards along the cul-de-sac will ensure that vehicular access to and from the school via the cul-de-sac is fully restricted.
- Use of the proposed emergency access will be limited solely to that of emergency vehicles. Direct vehicular access from the residential element of Castle Close is not proposed.
- In order to mitigate the traffic impact, and to control the use of Castle Close as a drop-off / collection point, it is proposed to implement a School Travel Plan (which includes for monitoring, implementation and enforcement measures to prevent school traffic from parking within the Castle Close estate).
- The construction phase will be managed to occur outside of peak background traffic periods whilst arrival and departures will also be managed to ensure that they do not negatively impact on the local road network.

- Condition No. 12 of the notification of the decision to grant permission requires the submission of a construction and demolition waste management plan to the Planning Authority.
- Condition No. 20 of the notification of the decision to grant permission requires the submission of a construction traffic management plan to the Planning Authority prior to the commencement of development. This plan will specifically provide for pedestrian facilities along the access laneway during the construction works and will also address the deficient sightlines at the junction of the laneway with Local Road No. L-2794. Furthermore, the parking of vehicles within Castle Close will not be permitted.

6.3. Planning Authority's Response

- In response to concerns that the proposed development may result in the devaluation of nearby properties, the Planning Authority is of the opinion that the subject proposal will not have a detrimental impact on the residential amenity of the surrounding area given that there has been a secondary school at this location since the 1970s. Accordingly, it is considered that concerns with regard to a loss of peace and tranquillity do not involve an issue that the Planning Authority can govern given the fact that the established development has been in place for decades.
- The traffic implications of the proposed development were discussed during the course of several pre-planning meetings and the issue was also examined by the Area Engineer as part of the assessment of the planning application.
- Following an examination of the submissions received from interested third parties (including the contents of the traffic report submitted by local residents) and the Traffic and Transport Assessment supplied with the planning application, it was considered that the proposed traffic arrangements were acceptable, subject to conditions.
- The issue of drainage / sewerage was discussed during the course of several pre-planning meetings and was also examined by Irish Water during the assessment of the planning application. The submitted proposals were considered to be acceptable and the Board is further advised that Irish Water

will liaise with the applicant (as part of a Connection Agreement) prior to the commencement of any development with regard to the installation of an adequate sewerage upgrade.

- The Traffic and Transport Assessment has been evaluated and it is considered that the submitted traffic management proposals are acceptable, subject to conditions.
- The proposed development includes for a peripheral access route around the entirety of the school building for the purposes of emergency access whilst an additional emergency access gate will be located along the southern site boundary.
- Matters pertaining to fire safety and fire-fighting are subject to separate legislative provisions and are not material considerations in the assessment of a normal planning application.
- Whilst the majority of the existing playing field will be required to accommodate the construction of the new school building, the subject proposal includes for the provision of 6 No. ball courts and a separate playing pitch. Further recreational facilities which will be available to students include a new sports hall and other internal open areas. These proposals were considered to be acceptable to the Planning Authority.
- With regard to the concerns raised in the grounds of appeal in relation to subsidence and other risks, it is submitted that the proposed development will not have a negative impact on the general residential amenity of adjoining areas.
- The Department of Education and Skills identified in 2014 that the existing school was at capacity and that there was a need in the long term to provide a new school building capable of accommodating 1,200 No. pupils. This increase in student numbers is attributable to the demographic projections identified by the Department for the Blarney Area and the large catchment surrounding the school. It is anticipated that the school planning area (the Blarney primary schools and catchment primary schools that feed into the secondary school) will see a demographic increase of 650 No. pupil numbers by 2026 above the 2015 enrolment of the school which was 724 No. pupils.

The enrolment is expected to expand gradually over a five-year period. A detailed assessment concluded that it was not feasible or cost-effective to upgrade and extend the existing building on site and, therefore, a decision was taken by the Department to replace the existing building with an entirely new school construction.

- The County Architect was not involved in any pre-planning discussions in relation to the proposed development and the design, scale and layout of the proposal was advanced at these meetings. On balance, it is considered that the approach adopted at pre-application stage is acceptable from the perspective of residential amenity given all the mitigation measures to be employed (e.g. orientation, fenestration, massing, planting), notwithstanding the comments of the County Architect.

6.4. Observations

Damien Philpott:

- In light of the apparent urgency with which the subject application was determined by the Planning Authority, it would appear that inadequate consideration was given to the health and safety implications of the proposed development.
- The surrounding road network does not have adequate capacity to cater for the additional traffic volumes consequent on the proposed development.
- The existing sewerage infrastructure in the area cannot accommodate the additional loadings associated with the proposed development.
- The Planner's Report makes no reference to the adequacy of the water pressure for fire safety purposes.
- No consideration has been given to the impact of the construction works (including construction traffic) on the residential amenity of the Castle Close estate.
- There has been no proper investigation of the condition of the existing sewerage network which has already developed faults attributable to subsidence in the area.

- The rationale for the proposed development has failed to take account of the development plans / proposals for the wider area, with particular reference to the construction of two new schools at Stoneview and Monard which will be within the catchment area of the subject site.
- The proposed traffic plan is unworkable and will not be suitably implemented.
- The proposed development will have a detrimental impact on the residential amenity of the occupants of the Castle Close estate.
- The overall scale and massing etc. of the proposed construction will have a detrimental visual impact on the amenities of the area.
- The proposed development will result in the loss of 10 No. car parking spaces presently available to local residents.
- No consideration has been given to the increase in noise pollution.
- Inadequate consideration has been given to the contents of the report prepared by the County Architect.
- Concerns with regard to the potential for glare from the proposed floodlighting behind the houses in Castle Close have not been satisfactorily addressed.
- There are concerns that the positioning of the proposed foul waste tank and the associated pumping requirements will give rise to problems, including the emission of noxious odours.
- The Planner's Report has not satisfactorily addressed the potential for problems to arise as a result of Castle Close being used as a set-down area and collection point for pupils of the proposed school.
- The sewerage system serving the Castle Close estate has previously been held to be in private ownership and no consent has been provided to connect to same.
- There are anomalies in the recommendations made by Irish Water to the design team and the Local Authority.
- The reduced size of the proposed sewage holding tank will necessitate increased pumping which will impact on the amenities of local residents.

- Irish Water has previously recommended the use of an alternative route for the disposal of foul water which has not been considered in the assessment of the subject application.
- The mapping prepared as part of the Draft Preliminary Flood Risk Assessment in 2013 has previously indicated that all of Shean Lower and Castle Close is located within a floodplain.

Richard Rice:

- There are concerns as regards the manner and speed with which the subject application was determined as well as the apparent absence of any requirement for further information or the submission of revised details despite the lodgement of multiple submissions by third parties.
- In its assessment of the subject application the Planning Authority has chosen to ignore the concerns raised by the County Architect as regards the overall scale and design of the proposed development.
- Inadequate consideration has been given to those reports prepared on behalf of the local residents' association in respect of architecture, traffic and local services.
- There are concerns as regards the overall size and scale of the proposed development in addition to its proximity to nearby housing.
- The provision of ball courts with floodlighting could potentially impact on the residential amenity of adjacent dwelling houses.
- It is queried whether some of the conditions attached to the notification of the decision to grant permission issued by the Planning Authority are appropriate having regard to the concerns of third parties and if certain other conditions are actually necessary, suitable, accurate or enforceable.
- There are multiple aspects of the proposed traffic report which will be difficult to implement, with particular reference to the suggestion that school staff will be required to control / monitor traffic movements and parking etc.

- It is not accepted that the impact of construction traffic on the local road network will be less than that likely to be associated with the operational stage of the development.
- The proposal to install an emergency access onto Castle Close will result in the loss of 10 No. parking spaces used by local residents.
- The proposed development should only be accessed via the entrance arrangement onto the main roadway.
- There are concerns with regard to the adequacy of the water and wastewater infrastructure intended to serve the proposed development.
- Inadequate consideration has been given to the report prepared by the County Architect which raised concerns as regards the scale and design of the development proposed.
- The revision of the carriageway width etc. to the south of the application site would negate any requirement to provide an emergency access via Castle Close thereby preserving the residential amenity of the estate.

6.5. Further Responses

Response to Circulation of Applicant's Submission:

Response of Tim O'Brien (Third Party Appellant):

- During construction of the proposed development access along the cul-de-sac will be closed, however, it is unclear what provision will be made for current users of this route during the course of the works. This is of particular concern given that the service roadways within Castle Close already accommodate school traffic which results in traffic congestion in the estate.
- There has been inadequate recognition of the negative traffic impact of the proposed development on the residential amenity of the appellant's dwelling house and the potential devaluation of property attributable to same.
- The strictly residential use of Castle Close constitutes an 'Existing Built-Up Area' and it is considered that the proposed development (with particular reference to the traffic impact associated with same) does not support the

primary use of same and instead threatens the vitality and integrity of the *'built-up area'*.

- Consideration should be given to the proximity of the subject site to Blarney Castle.
- Notwithstanding the applicant's statement that the proposed hard surfaced playing areas will not be used after 18:00 hours and the absence of any floodlighting of same, there are concerns as regards the potential for uncontrolled access to these areas.
- It is not accepted that there has been any agreement or consultation with the local residents association as regards the placement of bollards along the cul-de-sac.
- There are continuing concerns as regards the usage of Castle Close by vehicular traffic associated with the school.
- With regard to the proposed use of Castle Close Avenue as part of a one-way system, it is suggested that inadequate consideration has been given to the needs of other road users (such as the staff of the adjacent Eircom building and pedestrians of limited mobility).
- There are concerns that Castle Close Avenue will be subsumed into the application site and will be withdrawn from public use.
- There has been inadequate consideration of the detrimental impact of the proposed development on the amenity of the wider area by reason of increased traffic, pollution, noise and littering etc.
- The suggestion that the involvement of school staff in traffic management represents a *'safe place or system of work'* is rejected and the control of traffic along the public roadway is a matter best suited to An Garda Síochána.
- There are concerns that the proposed development is extending beyond the capacity of local infrastructure and services.
- The staggering of school start times etc. could potentially ease traffic congestion levels.

- Continuing concerns arise as regards the adequacy of the emergency access arrangements on site and it is further suggested that alternative proposals could be put in place which would obviate any need for the provision of an emergency access via the Castle Close housing estate.

Response of the Castle Close Residents Association (Third Party Appellant):

- It is further emphasised that there has been a lack of consultation between the applicant and the Residents Association as regards the proposed development.
- Notwithstanding the minor design changes proposed, it is considered that the submitted proposal continues to represent an over-development of the site and that this position is supported by the comments of the Cork County Architect.
- The submission of the revised design proposals by the applicant raises the question as to why these issues were not previously addressed and whether there are other aspects of the design which would benefit from review.
- ABP Ref. No. PL029S.243030 is not considered to be comparable to the subject proposal as that application sought to serve a localised catchment area whereas the proposed development seeks to provide for children from outlying areas such as Grenagh, Whitechutch and Donoughmore.
- It is queried whether the construction of a school with such an increased capacity would necessitate a scenario whereby prospective students would have to be attracted from further afield in order to fill the new school places.
- The precedents referenced by the applicant are not considered to be comparable to the subject proposal.
- The applicant has not addressed the appellants' concerns as regards the adequacy of the existing sewerage system to accommodate the additional loadings consequent on the proposed development, the siting of the proposed sewage storage tank relative to adjacent housing, and the noise implications associated with the proposed pumping system.

- The proposed development will serve to exacerbate traffic congestion in the area, with particular reference to the Castle Close housing estate.
- The School Travel Plan cannot be implemented as school personnel will have no authority to regulate parking.
- The observers strongly object to any use of Castle Close Avenue as a set-down area or one-way traffic system.
- Contrary to the applicant's submission, the existing Eircom building is in daily use and thus there are concerns as regards the availability of access to same.
- There are concerns as regards the inclusion of a pedestrian access onto Castle Close Avenue in terms of the potential for increased traffic congestion and anti-social behaviour.
- There has been no consultation with local residents as regards the installation of bollards along the cul-de-sac.
- The provision of 110 No. car parking spaces on site would appear to be excessive.
- The observers have chosen to object to the current proposal on the basis of the increased traffic volumes, noise pollution, sewage issues, and the potential for the devaluation of their properties.
- The amended design proposals, which have accompanied the applicant's response to the grounds of appeal, in no way address the appellant's concerns.

Response of Damien Philpott (Observer):

- The applicant has not addressed the substantive issues of concern to local residents.
- Contrary to the applicant's submission it is asserted that the proposed development will have a detrimental impact on the residential amenity of neighbouring housing within Castle Close.

- The Board is referred to the grant of permission issued in respect of the Castle Close housing development on 15th May, 1970 which included a condition that the extension of Castle Close was not to be used for vehicular traffic and that bollards should be erected at both ends of same in the interests of public safety.
- The cul-de-sac / Castle Close Avenue is not a public road and is in the private ownership of the residents of Castle Close.
- The population statistics and future housing projections submitted in support of the application are considered to be questionable.
- There are new schools proposed at Stoneview and Monard which will be within the catchment area purported to be served by the subject proposal.
- Whilst the applicant has referred to Blarney as a metropolitan town which will be served by a suburban rail network it should be noted that any such infrastructure can only be constructed on Station Road in the vicinity of Stoneview / Monard whilst new housing developments can only be built to the north of the village.
- Previous developments on site comprised temporary structures whereas the subject proposal involves an entirely permanent construction. In this respect it is further submitted that there were no objections to previous proposals on site as the former principals of the school regarded the local residents as neighbours and sought to involve them in meaningful discussions about developments at the school.
- Despite the fact that 7 No. site layout options were discussed during the course of pre-planning consultations, local residents were only presented with a single proposal which is considered to impact on them the most.
- There are further proposals to develop the primary school to the west of Castle Close and thus there are concerns as regards the potential for increased traffic congestion etc.
- It is queried why the applicant does not propose to construct its own sewer line to connect to the existing mains network.

- The overall scale and visual impact of the proposed development is unacceptable.
- There is no credible traffic plan in place and school personnel cannot be expected to implement the proposed traffic control measures.

Response of Richard Rice (Observer):

- The amended design proposals do not address the concerns of local residents.
- With regard to the roadway to the south of the application site, this section of Castle Close Avenue was always intended to be a cul-de-sac (as per the original plans of the estate), with the only exception being the construction of the Telecom Exchange which necessitated some traffic to and from the building. More notably, there were previously bollards at both ends of the cul-de-sac which were never intended to be removed completely at the junction with Local Road No. L-2794, except for the middle sections of same in order to allow passage to the exchange, however, when a large duct bank was installed on the north side these bollards were removed and never replaced.
- The existing cul-de-sac cannot operate as a one-way system with access continuing through the school grounds as two-way traffic serving the existing telecom exchange must be accommodated.
- The planning precedents referenced by the applicant are either irrelevant or are not comparable to the subject proposal.
- There was no acceptance of the applicant's proposals at any of the meetings held with local residents.
- No solutions have been put forward to address the issues raised by Irish Water as regards the capacity of the Gothic Bridge pumping station.
- There are concerns that there has been no 'full inspection' of the sewerage network serving the Castle Close estate.
- In its determination of the subject application, the Planning Authority chose to ignore the concerns raised in the report of Mr. G. Kelly (Cork County Council

Waste Water Networks) as regards the water supply and sewerage infrastructure.

- There are concerns as regards the adequacy of the soil investigation tests conducted for the proposed surface water drainage system. Furthermore, the specific type of soakaway proposed would appear to be in error.
- Whilst the proposal to reposition the sewage storage tank 5m northwards is to be welcomed, it is unclear where the proposed pumping station (and any associated vent) will be located.
- The proposal to alter the design of the school by removing part of the southern wing does not result in any significant reduction in the scale of the building. The construction will continue to be three-storeys high and too close to adjacent housing (with specific reference to No. 22 Castle Close Avenue).
- The proposed removal of the parapets does not alter the actual scale of the structure and whilst the inclusion of metal panelling to the top section of the building may reduce the overall bulk of same, it will result in a more industrial appearance.
- The overall scale and design of the subject proposal represents an overdevelopment of the site.
- The proposal will detrimentally impact on the residential amenity of adjacent property by reason overshadowing, loss of light, noise, glare etc.
- Consideration should be given to alternative proposals which could include the revision of the carriageway width etc. to the south of the application site.

7.0 Assessment

From my reading of the file, inspection of the site and assessment of the relevant local, regional and national policies, I conclude that the key issues raised by the appeals are:

- The principle of the proposed development
- The need for the proposed development
- Impact on residential amenity

- Traffic implications
- Infrastructure / servicing arrangements
- Flooding implications
- Overall design & layout / visual impact
- Appropriate assessment
- Other issues

These are assessed as follows:

The Principle of the Proposed Development:

The proposed development site is located within the settlement boundary of Blarney as identified in the Blarney Electoral Area Local Area Plan, 2011 (2nd Ed., 2015) on lands zoned as *'Existing Built-Up Area'*, and, therefore, the submitted proposal would seem to accord with the relevant land use zoning provisions including Objective No. DB-02 of the Plan which states that *'It is an objective that all new development is located within the development boundary of the town established by this plan and which defines the extent to which Blarney may grow during the lifetime of the plan'*. Further credence is lent to the proposed development by reference to Objective No. ZU 3-1: *'Existing Built Up Areas'* of the Cork County Development Plan, 2014 which seeks to encourage development that supports *'the primary land use of the surrounding built-up area'* whilst any development that does not support, or threatens the vitality or integrity of, the primary use of the existing built-up areas will be resisted. In this regard whilst I note the suggestion in the grounds of appeal that the subject proposal is out of character with the surrounding pattern of development, with specific reference to the conventional suburban housing developments to the south and west of the site, in my opinion, cognisance must be taken of the wider site context, including the mixed-use development to the immediate north of the application site, the presence of the Blarney Woollen Mills to the northwest and, more notably, the established use of the site itself as a school. Accordingly, having regard to the wider pattern of land usage within this built-up area, I am satisfied that the submitted proposal accords with the applicable land use zoning objective.

In addition to the foregoing, it is of particular relevance to note the established use of the site in question for educational purposes as a post-primary school (i.e. Scoil Mhuire Gan Smál) and that the subject proposal represents a continuation of said use whilst Objective SC 4-1: *'Educational Facilities'* of the County Development Plan expressly seeks to *'Facilitate the provision of educational services in the community such as schools, crèches and other educational and childcare facilities'*.

Therefore, having considered the available information, and in light of the site context, I am satisfied that the overall principle of the proposed development is acceptable, subject to the consideration of all other relevant planning issues, including the impact, if any, of the proposal on the amenities of neighbouring properties and the overall character of the wider area.

The Need for the Proposed Development:

Concerns have been raised in the grounds of appeal as regards the rationale for the increased size and scale of the subject proposal given that other school developments are planned elsewhere within the same catchment area. In this respect it has been asserted that the Blarney Electoral Area Local Area Plan, 2011 (2nd Ed., 2015) already includes for the provision of 2 No. national schools and a secondary school as part of the planned development of the new residential neighbourhood at 'Stoneview' whilst the Monard Strategic Development Zone to the northeast also includes for the provision of a secondary school (in addition to several primary schools). In effect, it has been suggested that if either of the aforementioned areas is developed in the coming years, it will be necessary to ensure that adequate school facilities are provided close to these areas of population growth and thus it is queried whether the proposed expansion of Scoil Mhuire Gan Smál can be justified, particularly as the new schools proposed at Stoneview and Monard will serve part of the same catchment area as the existing school. In further support of the foregoing, it has been submitted that the population statistics and demographic predictions referenced by the applicant do not serve to provide an accurate base on which to base the future projection of student numbers / enrolment requirements at the proposed school given the likelihood that any pupils residing in the Grenagh, Whitechurch and Donoughmore areas could be lost to the new developments at Monard and Stoneview. It has also been suggested that any proposal to transport pupils into Blarney from outside the wider catchment area would not be sustainable.

In response to the foregoing concerns, the applicant has asserted that the need for the new school is set out in the Design Statement which accompanies the planning application and that notwithstanding any future provision of school facilities as part of the developments at Stoneview and Monard, there is a need in the short term to accommodate the post-primary educational needs of the existing and future populations of Blarney and the surrounding catchment area whilst any new schools provided as part of the aforementioned developments will be required to serve the populations of their respective areas.

At this point, I would advise the Board that the existing school is seemingly at capacity with a current enrolment of 753 No. pupils and that the proposed development is intended to facilitate an increase in enrolment levels to 1,200 No. places.

The principle case for the increased size and scale of the proposed school is set out in the Design Statement provided with the planning application which states that the need for a new school building in order to accommodate a long-term projected enrolment of 1,200 No. pupils was identified by the Department of Education & Skills in 2014 following an analysis of the available data (including information derived from the Central Statistics Office, Ordnance Survey Ireland and the Department of Social Protection) which was undertaken as part of a nationwide demographic exercise to determine where additional school accommodation would be needed at both primary and post-primary levels. It has also been submitted that Scoil Mhuire Gan Smál is the only post-primary school in Blarney and that there is a need to accommodate the 7 No. feeder schools in its catchment area which feed into same whilst it is also possible that transfer numbers to the new school could potentially increase as a result of the improved facilities to be provided on site as part of the development.

Having reviewed the available information, in my opinion, it is entirely reasonable to accept the analysis undertaken by the Department of Education & Skills (as the competent authority with specialist expertise regarding such matters) which has established that there is a need to provide for additional post-primary school places in the Blarney area as a direct response to the anticipated population growth projections. In the absence of any clear evidence to the contrary, I am not in a position to contradict the rationale adopted by the Department of Education & Skills as regards the need to provide for the future demand for post-primary education in

the area. Furthermore, I am inclined to concur with the suggestion that the proposal to zone additional lands for the purposes of residential development in the Draft Blarney Macroom Municipal Local Area Plan, 2016 will ultimately increase the demand for post-primary places within the immediate catchment area of the application site thereby supporting the case for the expansion / redevelopment of the existing school. In addition, whilst I would acknowledge that further educational facilities will be provided in tandem with the planned developments of Stoneview and Monard, the likelihood is that the 'standalone' demands for school places generated by developments of the scale proposed at those locations will necessitate additional school provision in the absence of any reliance on the subject proposal. Indeed, I would advise the Board that the Monard Strategic Development Zone is intended to provide for approximately 5,000 No. new homes and a population of c. 13,000 No. which will clearly necessitate the provision of adequate services, including school places.

Therefore, on balance, it is my opinion that the applicant has submitted sufficient information to support the need for the proposed development at the subject site.

Impact on Residential Amenity:

Concerns have been raised in the grounds of appeal that the proposed development will have a detrimental impact on the residential amenity of neighbouring properties primarily by reason of increased traffic, noise, lighting, disturbance, the potential for anti-social behaviour, and the overall appearance of the structure relative to neighbouring properties.

At this point I would advise the Board that the applicant has submitted amended proposals in response to the grounds of appeal (which have been circulated to the relevant parties for their observations) and that following a review of same it is my intention to consider these revisions in the assessment of the application.

With regard to the potential for the proposed development to result in the overlooking of adjacent residential properties thereby giving rise to an associated loss of privacy, it should be noted that the overall design and layout of the proposed construction has generally been set back from the existing dwelling houses within the Castle Close estate to the immediate south through the siting of the proposed playing field and ball courts which are intended to act as a 'buffer' between the school building

and adjacent residences. Furthermore, in those instances where the southernmost and westernmost wings of the new school building will extend towards nearby housing, the classroom windows within these gables will be located at a higher level with the remaining fenestration only serving lesser used areas such as stairwells, corridors or landings. It should also be noted that there is no potential for overlooking of residential property to the north or east of the application site.

In relation to the potential for the overshadowing of neighbouring residences, it is clear that the location of the proposed development site due north of those dwelling houses within the Castle Close estate will avoid any such impacts. Similarly, having regard to the positioning of the proposed construction relative to those properties to the west, the extent to which those properties are already overshadowed by existing boundary screening, and the overall separation distance between the new school building and the western site boundary, I am satisfied that the proposed development will not give rise to any undue overshadowing of those dwelling houses to the west of the site. It is also of relevance to note that the siting of the proposed school building will not interfere with the levels of daylighting received by the first floor apartment units within the mixed-use scheme to the north of the site.

In terms of the possible impacts on residential amenity attributable to noise, lighting and general disturbance, having regard to the established use of the site for educational purposes, the presence of the existing playing field which already accommodates outdoor play activities, the overall nature and limited hours of opening of the proposed development, the absence of any floodlighting, and the mitigation to be provided through the improvement of the perimeter site boundaries and the planting of supplementary screening / landscaping, in my opinion, the subject proposal will not give rise to any significant additional impacts.

Whilst concerns have also been raised in relation to the potential for anti-social behaviour, I am reluctant to engage in speculation as regards same and I inclined to suggest that any such issues should be referred to the relevant law enforcement agencies / authorities for resolution.

With regard to concerns pertaining to the potential for the proposed development to exacerbate the existing levels of inconvenience / nuisance arising from traffic congestion and on-street parking prevalent along roadways within the Castle Close

housing estate, the Boar is advised that issues are assessed elsewhere in this report. (Similarly, the overall design, layout and appearance of the structure relative to neighbouring properties is reviewed later in this report).

Accordingly, on the basis of the available information, I am satisfied that the proposed development will not give rise to any significant loss of amenity to surrounding properties and thus could not be reasonably construed as contributing to any devaluation of same.

Traffic Implications:

The proposed development site is presently accessed via 2 No. vehicular entry / exit points and 2 No. pedestrian-only entrances onto Shean Road Lower (Local Road No. L2794) to the immediate east whilst no direct access is currently available to the school grounds from the minor roadway / cul-de-sac (known locally as 'The Alley' / Castle Close Avenue) which bounds the site to the south. However, the subject proposal provides for the development of an entirely new access / egress arrangement for the site which will involve the provision a new vehicular entrance from 'The Alley' / Castle Close Avenue to the south in order to facilitate a one-way circulatory route through the school grounds with a single exit point onto Shean Road Lower. In this regard it is also proposed to set back the southern site boundary in order to provide for a dedicated set-down area and footpath alongside 'The Alley' / Castle Close Avenue with an additional set-down / pick-up area to be provided to the front of the new school building. It is of further relevance to note that whilst the subject proposal includes for the omission of the existing 'bus-only' set-down area alongside Shean Road Lower, this will ensure the availability of adequate sightlines from the proposed exit onto the public roadway, and that a series of 6 No. replacement bus set-down / parking bays will be provided within the school grounds alongside the internal service roadway. It is also proposed to provide an emergency vehicular access which will open directly onto the Castle Close housing estate.

Concerns have been raised in the grounds of appeal as regards the possible traffic impact of the proposed development, with particular reference to the potential for the proposal to exacerbate the existing levels of traffic congestion experienced in the immediate vicinity of the site during the morning and afternoon peak traffic periods when pupils are being dropped off and collected from the school. In support of the

foregoing, various documentation and photographic evidence has accompanied the grounds of appeal, whilst several of the third party submissions initially received by the Planning Authority also reference the problems arising from traffic congestion along Shean Road Lower, the R617 Regional Road, and within the adjacent Castle Close housing estate.

In assessing the potential traffic impact of the proposed development, in my opinion, there must be an acknowledgement at the outset that regard should be had to the receiving environment and the traffic volumes etc. presently attributable to the current operation of the existing school. In effect, I am inclined to suggest that the traffic impact of the proposed development must be considered relative to that already associated with the existing school as it would seem somewhat unreasonable to seek to disregard the current situation and to effectively assess the traffic impact of the new school from first principles. Accordingly, I would advise the Board to take cognisance of the level of traffic already arising from the existing school and to also consider the impact, if any, attributable to the increased student numbers etc. which will be accommodated within the new school development.

With regard to the Traffic and Transportation Assessment which has accompanied the planning application, this report details that baseline traffic conditions in the vicinity of the application site were established through the completion of traffic counts undertaken at key junctions in the surrounding area (identified as School Entrance Nos. 1 & 2 and the junction of R617 Regional Road / Shean Lower in Figure 5.1 of the TTA) and that a review of same has concluded that peak hour traffic volumes would seem to occur between 08:00-09:00 hours (AM) and between 15:00-16:00 & 17:00-18:00 hours (PM). The distribution of traffic arrivals / departures at the identified junctions was noted whilst a pedestrian traffic count was also undertaken during the AM peak period. Notably, a junction capacity analysis for a base year of 2016 has concluded that both the school accesses and the junction of the R617 Regional Road with Shean Lower (Local Road L-2794) are currently operating well below practical capacity with no significant queuing during the peak periods, although this would seem to conflict somewhat with the experience of local residents in the area.

Forecasting of future peak hour traffic volumes at the identified junctions in the absence of the proposed development for an opening year of 2018, in addition to

design years of 2023 & 2033, was subsequently undertaken pursuant to the provisions of the NRA's Traffic and Transport Assessment Guidelines utilising the appropriate traffic growth factors and this has concluded that in each of the aforementioned scenarios the identified junctions will continue to operate well below practical capacity with no significant queuing predicted to occur.

The TTA has subsequently extrapolated the likely future traffic impact with the proposed development in place for the design years of 2018, 2023 & 2033 with an analysis of the junction capacities at the new school entrance and exit points onto Shean Lower (Local Road L-2794) in addition to the junction of R617 Regional Road / Shean Lower. This has concluded that whilst there is a predicted increase in the Ratio of Flow to Capacity at all three of the junctions considered with the development in place, each junction will continue to operate well below practical capacity during peak hours with no significant queuing occurring.

Therefore, on the basis of the foregoing, it would appear that the submitted TTA has established that the surrounding road network has adequate capacity to accommodate the increased peak hour traffic volumes consequent on the proposed development and thus the subject proposal will not give rise to any significant adverse traffic impact.

In relation to the adequacy of the sightlines available at the proposed exit from the school grounds onto the public road I would refer the Board to Section 6.1.1 of the TTA which details that although emerging drivers will not have the required visibility splay to the north this is due to the proximity of the site exit to the junction of the R617 Regional Road with Local Road L2794. It is further stated that the Design Manual for Urban Roads and Streets provides for reduced stopping sight distance requirements in certain circumstances and thus it is suggested that the achievable sightline of 45m to the north of the site exit would be acceptable given the proximity of the R617 junction and a design speed of 50kph. Having reviewed these details, I would concur with the conclusions drawn in the TTA as regards the acceptability of the sight distance available from the proposed exit onto the public road and in this regard it is also of relevance to note that the positioning of the proposed exit broadly corresponds with that of the existing 'School Entrance 1' which is seemingly primarily used as an exit route as opposed to an entrance.

In respect of the sightlines available at the junction of 'The Alley' / Castle Close Avenue with Local Road No. L2794, whilst I would concede that the sight distance to the south on exiting this junction onto the main carriageway is clearly substandard, it should be noted that the proposed development has sought to rely on the use of 'The Alley' / Castle Close Avenue roadway for entrance purposes only and it is envisaged that traffic will follow a one-way circulatory route through the school grounds before ultimately exiting onto Local Road No. L2794 via the newly dedicated egress-only point where adequate sightlines are available. Whilst I would concede that 'The Alley' / Castle Close Avenue will nevertheless formally accommodate two-way traffic movements given the reliance on same by the nearby telecom exchange building (in addition to a further rear entrance to another property), in my opinion, the likelihood is that traffic accessing the school will opt to avail of the potentially greater flow of traffic through the school grounds arising from the inclusion of a two-lane circulatory system within same as opposed to the difficulty in performing a 180-degree turning manoeuvre at the end of the cul-de-sac which will be inhibited by the on-coming flow of school-bound traffic and the provision of concrete bollards at the end of the carriageway beyond the school entrance.

In terms of the potential for the queuing of traffic along the public roadway at peak times arising from the set-down / collection of attendees at the school, whilst I would acknowledge that this most probably occurs to some extent at present and that the nature of the proposed development, in addition to the likely driving habits of motorists, could potentially result in a continuation of this type of behaviour, I am inclined to suggest that the subject proposal has sought to address the issue by providing for dedicated set-down / pick-up areas alongside the access route via 'The Alley' / Castle Close Avenue and also to the front of the main school building with any overspill likely to be accommodated through the intermittent use of the proposed car parking / bus set-down areas. In this respect it is also of relevance to note that the omission of the existing set-down area along Local Road No. L-2794 to the front of the site may serve to discourage parents from dropping off pupils at this location. Furthermore, the inclusion of a two-lane one-way circulatory system through the school grounds would seem to be intended to increase the efficiency at which visiting traffic flows through the site thereby encouraging greater usage of same.

With regard to the submitted 'School Travel Plan', whilst I would concur with the appellants' concerns as regards the practicality and limitations of certain aspects of this document, the inclusion and implementation of its recommendations are to be welcomed and will likely serve to alleviate, in part, potential traffic difficulties at the site and within the surrounding area.

In specific reference to the current practice of school attendees being dropped off or collected from within the Castle Close housing estate, clearly this is a cause of concerns for local residents, particularly as the increase in pupil numbers to be accommodated by the proposed development could potentially escalate the problem. Whilst I would acknowledge that the proposed opening of 2 No. pedestrian access / egress points directly onto 'The Alley' / Castle Close Avenue (alongside the proposed vehicular access) could potentially serve to encourage a continuation of the current practice of dropping-off / collecting school attendees via the Castle Close estate, given the presence of a pedestrian link between this housing and the school grounds there are clear difficulties in attempting to eliminate this practice in its entirety (other than for physical closure of the pedestrian access). In this respect I am inclined to suggest that the appropriate response to the problem at the outset is to increase the 'desirability' of accessing the school grounds directly by vehicular traffic and in this regard I would refer the Board to my earlier comments in relation to the improved efficiency with which visiting traffic can move through the new school site and the inclusion of several dedicated set-down areas. Furthermore, through the implementation of the School Travel Plan the applicant has sought to take a proactive approach to the concerns of local residents both by aiming to reduce overall car usage and by requesting visitors not to access the school via Castle Close. Therefore, I am inclined to suggest that the overall design of the proposed development, as complemented by the School Travel Plan, has aimed to provide a reasonable and practical alternative to use of Castle Close by school-bound traffic with provision for on-going monitoring of the situation.

On balance, it is my opinion that given the nature and scale of the development proposed, the likelihood is that the operation of the new school will impact to some extent on traffic volumes and movements in the surrounding area at peak times, however, having reviewed the available information, and emphasising that regard should be had to the current situation on site and the receiving environment, I am

satisfied that the overall traffic impact of the proposal would not warrant a refusal of permission. Furthermore, I would accept that the overall design of the scheme, with particular reference to the provision of dedicated set-down areas within the confines of the school and the inclusion of a two-lane one-way circulatory route through the site, provides for an appropriate response to the likely increased traffic volumes in seeking to accommodate traffic on site and by improving the flow of same through the school grounds. I am further satisfied that the proposed parking arrangements accord with the applicable standards and that adequate provision has been made for the movement of larger vehicles such as buses etc. through the school grounds.

Infrastructure / Servicing Arrangements:

Foul Water Drainage:

Wastewater from the existing school is presently disposed of on site by way of a septic tank system which ultimately discharges treated effluent to ground via a percolation area, however, it is proposed to connect the new school building to the existing public mains sewerage network within the adjacent Castle Close housing estate. The proposed foul water sewerage system will drain wastewater by gravity to a foul water pumping station and an associated sewage holding tank with a storage capacity of 26m³ (which will provide for the 24-hour storage of foul waste based on water usage rates / data agreed with Irish Water) and foul water will then be pumped to connect into the mains sewerage network within the Castle Close estate.

A number of concerns have been raised as regards the foul water drainage proposals, including the implications of same for residents within adjacent housing. In the first instance it has been asserted that the foul water sewerage network within the Castle Close estate is privately owned and that the applicant has not obtained the consent of the relevant party (i.e. local residents) to connect into same. In this regard, I would advise the Board that the existing sewerage network within the Castle Close estate is recorded as having been inspected by Cork County Council and it would appear that the system in question has been taken in charge by the relevant authority. Accordingly, on the basis that the existing sewerage network is essentially a public service in the charge of the local authority, in my opinion, it is entirely appropriate for the proposed development to avail of a connection to same. Nevertheless, in the event that the sewerage network within the Castle Close estate

has not been taken in charge and remains in private ownership, I would refer the Board to Section 34(13) of the Planning and Development Act, 2000, as amended, which states that *'A person shall not be entitled solely by reason of a permission under this section to carry out any development'*.

Concerns have also been raised with regard to the adequacy of the existing sewerage network within the Castle Close estate to accommodate the additional loadings consequent on the proposed development, with specific reference being made to the capacity and physical condition of same and recorded instances of ground subsidence in the area. In this respect the appellants have also questioned the calculations employed by the applicant in determining the daily flow rates of wastewater from the proposed development and have suggested that there has been an under-estimation of same.

With regard to the criteria adopted in the design of the proposed drainage system the applicant has submitted that these have been agreed with Irish Water. In relation to the determination of the daily water usage rate per person, whilst it is acknowledged that the *'Wastewater Treatment Manual: Treatment Systems for Small Communities, Business, Leisure Centres and Hotels'* as published by the Environmental Protection Agency recommends that a minimum wastewater loading rate of 40l/person/day be applied in respect of users of non-residential schools with no canteen facilities, it has been submitted that since the publication of that document, water conservation measures and awareness have improved (with water meters having been installed at most education facilities nationwide), and that an analysis of water usage in schools generally shows that users generate a fraction of the loadings recommended by the EPA. The applicant's response to the grounds of appeal (as set out in the accompanying report prepared by RPS) further states that the Department of Education & Skills recommends the use of a flow rate of 20l/person/day pending completion of its review of water usage / generation for schools nationwide and that an analysis of meter readings obtained for the existing school on site shows a recent usage rate of between 9.9-17.4l/head/day (following the completion of water conservation works undertaken in 2012 prior to which the usage rate was higher at 27.8l/head/day) which would support the rationale for applying a figure below that recommended in the Wastewater Treatment Manual (*N.B.* Out-of-hours use of the school has been included in the student water usage rates). In this regard it has also

been submitted that the use of a figure of 20l/person/day allows for a factor of safety of almost 1.4 on the highest usage rate of 14.3l/h/d in recent years.

From a review of the available information, I am inclined to concur with the applicant that the use of a reduced water usage flow rate of 20l/person/day would seem to be supported by both the historical pattern of water usage on site and current guidance issued by the Department of Education and Skills. Accordingly, I would similarly accept the position adopted as regards same by the Local Authority and Irish Water.

In relation to those concerns as regards the capacity of the existing foul sewer network to accommodate the additional loadings consequent on the proposed development, I would advise the Board that there is correspondence appended to the Site Services Report supplied with the initial planning application from the Water Services Section of Cork County Council which states that all foul sewer lines in the vicinity of the school were inspected and that all manholes were found to be of good construction whilst the lines were flowing freely and found to be generally of a very good standard. This report proceeds to state that *'The foul sewer lines should be well capable of taking any additional loadings generated by the school'*. Therefore, given that the Local Authority has raised no concerns as regards the capacity or condition of the existing sewerage network intended to serve the proposed development and as Irish Water has similarly indicated no objection to the proposed servicing arrangements, subject to certain matters being addressed as part of a connection agreement (which would seem to address the concerns as regards to the Gothic bridge pumping station), it would appear that the existing sewerage infrastructure in the area can satisfactorily accommodate the additional loadings consequent on the proposed development.

A further concern raised in the grounds of appeal relates to the siting of the proposed foul water storage tank and the pumping station relative to nearby housing and the potential for same to have a detrimental impact on the residential amenity of adjacent properties by reason of noise (arising from the proposed pumping operations) and malodorous emissions. In response to the foregoing, the applicant has asserted that the proposed wastewater storage tank and pumping station comprise a single unit, sealed, underground, horizontal, proprietary system which is designed to minimise noise and odours to persons in the locality. More notably, it has been emphasised that the unit will only serve to hold and pump wastewater and

that it will not treat or aerate the waste. It has also been submitted that the pumping station will be designed to comply with the requirements of 'Sewers for Adoption' (7th Ed.) and the Water Industry Standard and that noise from the pumps will be minimal due to the horizontal distance of <50m and a vertical head of <5m, however, in the event that the Board deems it necessary, it would be feasible to locate the proposed pumping station approximately 5m further away from the southern site boundary in order to increase the separation distance between it and the adjacent housing within Castle Close.

Whilst I would acknowledge that the proposal to pump effluent from the proposed development to the public sewer via a rising main is not ideal and that a gravity-fed system would be preferable for a number of reasons, including the lesser maintenance requirements, cognisance must be taken of the fact that the proposal to connect the new school to the mains network is desirable from a public health perspective given the current usage of a conventional septic tank system on site, particularly given the site location in an urban context. It should also be noted that the proposed foul water storage tank and pumping station are in excess of 7m from the nearest point of the site boundary shared with adjacent housing and that there is an overall separation distance of 21m from the nearest dwelling house which could be increased to c. 26m if the pump were to be relocated as has been suggested by the applicant. On balance, whilst I would concede that the proposed use and siting of the pumping system is not ideal given the proximity of same to nearby housing, I am amenable to same in order to obviate any necessity to treat effluent on site, although I would recommend that the system be relocated as per the applicant's suggestion with the details to be agreed with the Planning Authority prior to the commencement of development. Furthermore, it should be noted that the specifics of the connection of the proposed pumping system to the public mains will be subject to agreement with Irish Water. I would also advise the Board that there are longer-term proposals contained in the Draft Preliminary Report for the Blarney Tower Sewerage Scheme to develop a new sewer in a corridor along the western boundary of the school property and thus there is the possibility that it may be feasible in the future to connect the proposed development to this planned sewer thereby obviating any need to pump effluent from the subject site.

Surface Water Drainage:

Stormwater runoff from the existing school is presently discharged to ground on site via a series of soakpits and in this regard the applicant has submitted that there have never been any issues with flooding on site. The proposed development similarly seeks to dispose of all surface water runoff within the confines of the site by way of a series of 4 No. soakaways located within the playing field to the southwest of the school building and the car parking / ball court area to the east. In this respect I would refer the Board to Section 2.3 of the Site Services Report submitted with the application which details that a series of percolation / infiltration tests were undertaken in trial pits excavated on site which in turn verified that the soil infiltration rate of the underlying gravels was suitable for soakaway design. This report subsequently sets out the methodology for the design of the proposed soakaways and states that the soakaway volumes are capable of storing stormwater runoff up to a 50-year return period and that whilst the system will back up during storms with a 100-year return period, the time to discharge to half the volume of the soakaway will be less than 24 hours (having been calculated at less than 8 hours for the worst case scenario). Accordingly, concerns have been raised in the grounds of appeal that any backing up of the surface water drainage system arising as a result of a 1 in 100 storm event could give rise to the overland flow of surface water and the consequent flooding of neighbouring properties.

In their assessment of the proposed surface water drainage arrangements, the report of the Area Engineer dated 28th November, 2016 notes that groundwater was not encountered within the soakaway design depth and that the soil infiltration / percolation rates recorded have served to establish that the site is suitable for the disposal of surface water to ground. With regard to the design capacity of the proposed system, it is noted that this will be able to fully accommodate a 30-year storm return period and that whilst a 100-year storm event will result in the surcharging of the system, the infiltration rate is such that sufficient capacity exists in the system so as to avoid flooding.

On balance, it is clear that the increase in the extent of impermeable surface area consequent on the proposed development will result in a corresponding increase in the amount of surface water runoff requiring disposal within the confines of the site and thus I would acknowledge the legitimacy of the appellants' concerns in this regard. However, it should be noted that the proposed drainage system has been

designed in accordance with the requirements of BRE Digest 365 and that it appears there is sufficient capacity to retain surface water runoff on site in the event of a 1 in 100 year storm event. Furthermore, I would suggest that any outstanding matters pertaining to the collection and disposal of surface water runoff generated on site can be satisfactorily addressed by way of an appropriate condition in the event of a grant of permission.

Water Supply:

At present, the existing school connects to the 150mm diameter public watermain located within the public road (Local Road No. L-2794) to the east of the application site and it is proposed to continue to avail of this connection in order to serve the new school. Notably, during the course of pre-planning consultations between the applicant and Irish Water (copies of which are appended to the *'Site Services Report'* that accompanied the initial planning application) it was indicated by Irish Water that a potable water connection for the proposed development was feasible in the absence of any requirement to upgrade existing infrastructure, however, it was also stated that whilst flows in excess of the applicant's demands could be achieved within the mains network and that these could be utilised in the event of a fire, Irish Water could not guarantee a flow rate which would meet any fire flow requirements. Accordingly, concerns have been raised in the grounds of appeal as regards the adequacy of the available water pressure / flow rate for fire-fighting purposes in the event of an emergency at the new school and if the additional demands placed on the existing services as a result of the proposed development would impact on the water supply / pressure within adjacent housing areas. In response to the foregoing, the applicant has indicated that water flow and pressure tests have been undertaken by the Local Authority and that Irish Water has advised that the proposed development can obtain a water supply via its current connection. It has been further submitted that the inclusion of the comment by Irish Water in its *'Pre Connection Enquiry Feedback'* form that it cannot guarantee a flow rate to meet *'fire flow requirements'* is a standard response inserted to cover the fact that Irish Water cannot guarantee a water supply at all times i.e. it is not intended to be specific to either the application site or the proposed development. The applicant has also sought to clarify that the Fire Authority has indicated that the available water flows

and pressures are sufficient to rule out any requirement for static firefighting water storage tanks and that an application for a Fire Safety Certificate has been submitted which is presently under consideration.

Having considered the available information, it would appear that Irish Water is satisfied that the existing water services infrastructure serving the application site is sufficient to accommodate the additional demands consequent on the proposed development and in this regard it should be noted that Irish Water was specifically consulted as a prescribed body during the assessment of the subject application by the Planning Authority and that it expressly indicated in correspondence dated 10th November, 2016 that it had no objection to the submitted proposal, subject to certain conditions, including a requirement for the applicant to sign a connection agreement prior to the commencement of development. In my opinion, this confirmation of the feasibility of the proposed water connection and the adequacy of the available water services is sufficient for the purposes of determining the planning application, particularly as it would be reasonable to expect that Irish Water would have clearly identified any deficiencies in the existing water services infrastructure in its submission on the subject proposal. It is also of relevance to note that the proposed development includes for the installation of a rainwater harvesting system which will provide grey water for 5 No. days use within the school thereby minimising water usage obtained from the mains connection.

With regard to the adequacy of the available flow rate for firefighting proposes, in my opinion, this is a matter to be considered by the appropriate regulatory body in the assessment of any application for a Fire Safety Certificate for the proposed development.

Flooding Implications:

From a review of the available information, and as a means of establishing whether or not the proposed development site is located in an area of flood risk, in the first instance, I would refer the Board to the National Flood Hazard Mapping available from the Office of Public Works (www.floodmaps.ie) which, although not recording any flood events or benefitting lands on site, does reference previous instances of flooding alongside the River Martin both upstream and downstream of the site. However, whilst this mapping serves as a useful tool in highlighting the potential for

flood events in a particular area, it must be conceded that it is not definitive and thus it would not be appropriate to rely on same for the purposes of site-specific flood risk assessment.

Having considered the historical '*National Flood Hazard Mapping*' available from the Office of Public Works, I would refer the Board to the '*Preliminary Flood Risk Assessment*' prepared by the OPW in 2011 as part of the National CFRAM Programme which essentially encompassed a national screening exercise to identify areas where there may be a significant risk associated with flooding. More notably, the mapping compiled as part of that exercise indicates that the westernmost extent of the application site is within the indicative extent of an extreme fluvial flood event. However, it is important to note that the PFRA is not a detailed assessment of flood risk and is rather a broad-scale assessment, based on available or readily-derivable information, to identify where there is a genuine cause for concern that may require national intervention and assessment rather than locally developed and implemented solutions.

Therefore, whilst it is perhaps of greater relevance to consider the updated mapping prepared by the Office of Public Works and published in 2016 as part of its Draft Flood Risk Management Plan for UoM 19: Lee, Cork Harbour and Youghal Bay given that this study identifies the indicative extents of 1% & 0.1% AEP fluvial flood events at several locations alongside the Blarney River, this mapping does not include any further analysis as regards flood risk at the subject site.

Accordingly, I would refer the Board instead to the Lee Catchment Flood Risk Assessment and Management Study (Lee CFRAMS) for Cork City (as published in 2010), which has utilised hydraulic modelling to produce a variety of flood maps for the wider area, including Blarney, as this study includes more comprehensive fluvial and tidal flood mapping which details the extent of flood events for various AEPs in both current and Mid-Range Future Scenarios (MRFS). In this respect I would advise the Board that following a review of this mapping it can be confirmed that the entirety of the proposed development site is located beyond the 1 in 1,000-year flood event level and thus the site in question is within '*Flood Zone C*' as defined by the '*Planning System and Flood Risk Management, Guidelines for Planning Authorities*' where there is a '*low probability of flooding*'.

Having considered the foregoing, and following a review of the available information, including the 'Site Flood Risk Assessment Report' submitted by the applicant which concluded that the subject site is located in an area of low flood risk, and the updated identification of those areas susceptible to flooding contained in the Draft Blarney Macroom Municipal Local Area Plan, 2016, it is my opinion that the submitted proposal satisfies the requirements of the '*Planning System and Flood Risk Management, Guidelines for Planning Authorities*' and is unlikely to have any adverse impact on the existing flood regime of the area.

Overall Design & Layout / Visual Impact:

With regard to the overall design, scale, height and size of the proposed development and the suggestion that the submitted proposal constitutes an overdevelopment of the application site, which has an unacceptable overbearing impact on neighbouring residences, and which is out of character with the surrounding pattern of development, having conducted a site inspection, and following a review of the amended proposals submitted in response to the grounds of appeal, it is my opinion that the subject site can satisfactorily accommodate the proposed development without undue impact on the amenity or character of the wider area. In this respect, I would concur with the applicant that the overall design of the proposal asserts its civic purpose at this prominent location and that the site context can adequately cater for the scale of development proposed without giving rise to an excessively overbearing or intrusive impact. Furthermore, I would accept that the amended proposals submitted to the Board, which include for a reduction in the height of the proposed construction relative to Castle Close and the proposed use of a palette of external finishes, further serve to reduce the overall bulk and massing of the development.

Appropriate Assessment:

From a review of the available mapping, including the data maps from the website of the National Parks and Wildlife Service, it is apparent that the proposed development site is located outside of any Natura 2000 site with the closest example of any such designation being the Cork Harbour Special Protection Area (Site Code: 04030) which is situated approximately 10km southeast of the application site. In this

respect it is of relevance to note that it is the policy of the planning authority, as set out in Objective No. HE 2-1: '*Sites Designated for Nature Conservation*' of Chapter 13 of the Cork County Development Plan, 2014, to protect all natural heritage sites, both designated or proposed for designation, in accordance with National and European legislation. In effect, it is apparent from the foregoing provisions that any development likely to have a serious adverse effect on a Natura 2000 site will not normally be permitted and that any development proposal in the vicinity of, or affecting in any way, the designated site should be accompanied by such sufficient information as to show how the proposal will impact on the designated site. Therefore, a proposed development may only be authorised after it has been established that the development will not have a negative impact on the fauna, flora or habitat being protected through an Appropriate Assessment pursuant to Article 6 of the Habitats Directive.

Having reviewed the available information, and following consideration of the 'source-pathway-receptor' model, it is my opinion that given the nature and scale of the development proposed, the site location outside of any Natura 2000 designation, the limited ecological value of the lands in question, the availability of public services, and the separation distances involved between the site and the Cork Harbour Special Protection Area, the proposal is unlikely to have any significant effect in terms of the disturbance, displacement or loss of habitats or species on the ecology of the aforementioned Natura 2000 site. Therefore, I am inclined to conclude that the proposed development would not be likely to significantly affect the integrity of the foregoing Natura 2000 site and would not undermine or conflict with the Conservation Objectives applicable to same.

Accordingly, it is reasonable to conclude, on the basis of the information available, which I consider adequate in order to issue a screening determination, that the proposed development, individually and in combination with other plans or projects, would not be likely to have a significant effect on any European site, and that a Stage 2 appropriate assessment (and the submission of a NIS) is not therefore required.

Other Issues:

Fire Safety Concerns:

Matters pertaining to compliance with the fire safety requirements of the Building Regulations are beyond the scope of this appeal and are subject to separate legislative provisions.

The Adequacy of the Proposed Recreational Facilities:

The project brief developed by the Department of Education & Skills requires the existing school to remain fully operational during the construction of the new school and in this respect the overall design, layout and phasing of the proposal provides for the phased development of the site with the construction of the new school building to be undertaken within the confines of the existing playing field in advance of any demolition of the existing school. Accordingly, concerns have been raised as regards the loss of the existing playing field consequent on the proposed development and the adequacy of those recreational facilities to be provided as part of the new school. In response, the applicant has asserted that the design of the proposed development accords with the requirements of the Department of Education & Skills and that provision has been made for a wide variety of recreational spaces / facilities, including 6 No. multi-game hard-surfaced courts, an informal playing field, growing and sensory gardens, a dedicated play area for the Special Needs Unit, picnic benches and external seating areas, a Physical Education hall with a sprung timber floor and viewing gallery, a large multi-purpose room with a stage area and retractable seating, and a fully equipped fitness suite / gym.

Whilst I would acknowledge that it would perhaps be preferable for all parties concerned if the redevelopment of the subject site did not result in the loss of the existing playing field / pitch, it is clear that the retention of same is not compatible with the proposal to build a new school on site without significant interruption to the school calendar year and, most likely, closure of the existing premises pending completion of the works. Accordingly, it is my opinion that the proposal to develop the new school within the general confines of the existing playing pitch whilst maintaining the operation of the main school building is justifiable and that the improved and additional recreational facilities which will be provided as part of the wider development proposal will serve to more than adequately compensate for the loss of most of the outdoor pitch area.

Procedural Issues:

In relation to complaints as regards the extent / adequacy of the public consultation process undertaken by the applicant prior to the lodgement of the subject application, I would suggest that such matters are beyond the remit of the Board given that they are not expressly provided for under existing legislative provisions. Instead, it must be accepted that the submission of the subject application accorded with the regulatory provisions of the Planning and Development Regulations, 2001, as amended, including those requirements pertaining to statutory public notification, and that any interested parties were entitled to lodge submissions / observations on the application within the appropriate period and subject to the payment of the prescribed fee.

With regard to the pre-planning consultations undertaken between the applicant and the Planning Authority, I would refer the Board to the provisions of Section 247 of the Planning and Development Act, 2000, as amended, which states that a person who has an interest in land and who intends to make a planning application may enter into consultations with the planning authority in order to discuss any proposed development in relation to the land and that the planning authority may give advice to that person regarding the proposed application. Moreover, it should be noted that Section 247(3) of the Act specifically states that *'The carrying out of consultations shall not prejudice the performance by a planning authority of any other of its functions under this Act, or any regulations made under this Act and cannot be relied upon in the formal planning process or in legal proceedings'*.

Constructional Impacts:

With regard to the potential impact of the construction of the proposed development on the residential amenities of surrounding property, whilst I would acknowledge that the proposed development site adjoins an established residential area and that any construction works could give rise to the disturbance / inconvenience of local residents, given that construction traffic will not be routed through the adjacent Castle Close estate and as any constructional impacts arising will be of an interim nature, I am inclined to conclude that such matters can be satisfactorily mitigated by way of condition. Furthermore, whilst specific concerns have been raised in relation to the adequacy of the sightlines at the junction of 'The Alley / Castle Close Avenue' with Local Road No. L2794 for construction traffic exiting same, I would suggest that

this matter can be addressed by way of an agreed Construction Management Plan with a suitable traffic control protocol.

8.0 Recommendation

- 8.1. Having regard to the foregoing, I recommend that the decision of the Planning Authority be upheld in this instance and that permission be granted for the proposed development for the reasons and considerations set out below:

9.0 Reasons and Considerations

Having regard to the established use of the site for educational purposes, the zoning provisions and educational policies set out in the current development plan for the area, and to the siting, nature, design and scale of the proposed school, it is considered that, subject to compliance with the conditions set out below, the proposed development would be acceptable in terms of traffic safety and convenience, would not seriously injure the amenities of the area or of property in the vicinity and would, therefore, be in accordance with the proper planning and sustainable development of the area.

10.0 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 9th day of November, 2016 and by the further plans and particulars received by An Bord Pleanála on the 25th day of January, 2017 and on the 6th day of February, 2017, 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 proposed development shall be amended as follows:

- a) The proposed foul water pumping station shall be relocated northwards by approximately 5m.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interests of residential amenity.

3. Details including samples 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 the visual amenities of the area.

4. Proposals for the upgrading of the existing roadway to the immediate south of the site from its junction with Local Road No. L-2794 (Shean Road Lower) as far as the entrance to the proposed school, in addition to the provision of a public footpath along the full extent of the eastern site boundary adjoining the public road, shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development.

Reason: In the interest of pedestrian and traffic safety.

5. A mobility management plan, supported by the School Travel Plan lodged with the application, shall be submitted for the written agreement of the planning authority before the school becomes operational and a Mobility Manager shall be appointed to oversee and co-ordinate the implementation of the plan to the satisfaction of the planning authority. The broad thrust of the plan shall be to minimise private car use and encourage alternative options such as walking, cycling or car sharing. In addition, co-ordination of opening/closing times with nearby schools shall be undertaken.

Reason: In the interest of traffic safety and to reduce the impact of the proposed development on the local road network.

6. Cycle parking to development plan standards shall be provided within the development. Cycling parking facilities shall be conveniently located, secure, easy to use, weather protected and adequately lit. Details of these facilities shall be submitted to the planning authority for written agreement prior to commencement of development.

Reason: It is the policy of the planning authority to encourage modal change from private car use towards increased use of public transport, cycling and walking.

7. The construction and specification details for all road works associated with the proposed development, including roadways, parking areas, footpaths, surfacing, markings, signage, set-down areas and access / egress points to and from the development, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of traffic safety and convenience.

8. The landscaping scheme submitted to the planning authority on the 6th day of October, 2016 shall be carried 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

9. Details of all boundary treatment and surface finishes shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity and orderly development.

10. 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.

Reason: In the interest of public health.

11. Lighting shall be provided in accordance with a scheme, which shall be designed to minimise glare and light pollution and shall include lighting of pedestrian/vehicular/cycle routes through the site and car parking areas, details of which shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development. Such lighting shall be

provided prior to the occupation of the school. There shall be no lighting outside operational hours.

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

12. All service cables associated with the proposed development (such as electrical, communal television, telephone and street lighting cables) shall be run underground within the site. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development.

Reason: In the interest of orderly development and the visual amenities of the area.

13. 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(s) 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) Details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels;
- j) 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;
- k) Off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil;
- l) 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.

14. Construction and demolition waste shall be managed in accordance with a construction waste and demolition management plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall be prepared in accordance with the “Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects”, published by the Department of the Environment, Heritage and Local Government in July 2006.

Reason: In the interest of sustainable waste management.

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

Robert Speer
Planning Inspector

28th April, 2017