



An
Bord
Pleanála

Inspector's Report PL.08.248275

Development	Removal of single storey pre-fabricated classrooms and construction of two-storey extension.
Location	Cloonalour, Tralee, Co. Kerry
Planning Authority	Kerry County Council
Planning Authority Reg. Ref.	17/7
Applicant(s)	Board of Management of Scoil Mhuire Na mBraithre
Type of Application	Permission
Planning Authority Decision	Grant
Type of Appeal	Third Party
Appellant(s)	Oakview Residents Association
Observer(s)	None
Date of Site Inspection	14 th June 2017
Inspector	Kenneth Moloney

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1.0 Site Location and Description

- 1.1. The subject site is adjoins the Listowel Road (N69) situated to the north of Tralee town centre.
- 1.2. The existing development on the appeal site includes single and two-storey school buildings including yard, prefabricated classrooms, playing pitches, car parking provision and landscaped areas.
- 1.3. There is a green space with mature trees to the front at the site adjoining Brewery Road and there is car parking along the side of the school.

2.0 Proposed Development

- 2.1. The proposed development provides for the following;
 - a. removal of 8 no. prefabricated classrooms
 - b. construction of a fenced in hardstanding play area in same area as prefabricated classrooms
 - c. Construction of a two-storey extension
 - d. Construction of a single storey extension to the existing main lobby
 - e. alterations and elevation changes to existing building
 - f. relocation of the existing bicycle stands
 - g. demolition of a bay of the existing external play shelter

3.0 Planning Authority Decision

The Planning Authority decided to **grant** planning permission for 4 no. dwellings subject to 4 conditions. The conditions are generally standard for the nature of the proposed development.

3.1. Planning Authority Reports

- 3.1.1. The main issues raised in the planner's report are as follows;

Area Planner

- The proposal is consistent with the zoning objective.
- The design and layout would integrate with the existing school building.
- The proposed development would not give rise to additional pupils attending the school.
- A condition in relation to the construction of a cycle path is not expedient for the purpose of the proposed development as such a condition cannot be applied.
- The proposed development will not prejudice the construction of a cycle path on the Brewery Road.
- The proposal will not cause any overlooking / overshadowing of adjacent residential amenities.
- There are no likely potential impacts on Natura 2000 site.

3.1.2. County Archaeologist; - No archaeological mitigation measures required.

3.1.3. Fire Authority; - No objections.

3.1.4. Capital Infrastructure Unit; - Additional information sought in relation to the provision of a cycle path.

3.1.5. Tralee Municipal District Operations; - No objections subject to conditions

3.1.6. Submission; - There is a submission from Transport Infrastructure Ireland who have no observations to make.

3.2. Third Party Observations

There is one third party submission and the issues raised have been noted and considered.

4.0 Planning History

- L.A. Ref. 07/307448 – Permission **granted** to erect a demountable structure comprising generally of 8 classrooms and an ancillary circulation and services spaces, together with ancillary site works.

5.0 Policy Context

5.1. Development Plan

The operational Development Plan is the Tralee Town Development Plan, 2009 – 2015.

The appeal site is zoned ‘Educational Community / Institutional’.

The objective of this land-use zoning is *‘to protect existing facilities and to provide for the future development of educational, community and institutional facilities’*.

6.0 The Appeal

The following is the summary of a third party appeal submitted by **Oakview Residents Association**;

- The application was not accompanied by a traffic audit or traffic impact assessment.
- It is submitted that the entire school building is moved within 11.5m of the boundary wall of the site with Brewery Road. This will compromise future plans for designated drop off and make bus parking more difficult.
- It is submitted that the overall numbers submitted by the applicants are misleading. The application does not include details of the pre-school numbers.
- Although there will be reduced pupils numbers there will not be a corresponding reduction in staff numbers.

- The overall footprint of the school will increase by 117 sq. m.
- The new facilities will make the school more attractive for additional pupils in the future.
- The special need children may require specialist transport to and from the school and no provision for safe unloading of specialist vehicles.
- It is submitted that the Local Authority have failed to take into account how the proposal will impact on footpaths due to car parking.
- The existing bus parking along footpaths has health and safety concerns.

7.0 Applicant's Response

The applicant's agent has submitted a response and this submission summaries the appeal submission, sets out the context for development and also the relevant planning policy provision. The following is the summary of a response to the appeal;

Requirement for TIA / RSA

- It is submitted that the scale of the proposed development would ensure that a TIA is not necessary. Section 2.1 of the document 'Traffic and Transport Assessment Guidelines, 2014' considers development thresholds for the completion of TIA's.
- The threshold is an increase in 5% of the traffic flow on the adjoining road where congestion exists or the locataion is sensitive. Secondly office / education / hospital developments in excess of 2,500 sq. m.
- The proposed development will not give rise to additional staff requirements. The current rate of 35 teachers and 11 special needs assistants will remain.
- The proposed development will not give rise to intensification or an increase in existing traffic levels.
- The traffic to and from the existing school will not exceed 5% of the adjoining road.

- The proposed development will result in the net reduction in the capacity of the school through the loss of 4 no. mainstream classrooms.
- There has been a falling enrolment year on year since 2009/10 and this is illustrated in an attached table.
- It is submitted that an Executive Engineer of Kildare County Council confirmed at a pre-planning meeting that a TIA or RSA was not required.
- The proposed works will lead to a minimal increase of 117 sq. metres which is far less than the threshold of 2,500 sq. m.

Improvements along Old Brewery Road

- It is submitted that the proposal will not serverly constrain any future improvements to the old Brewery Road, specifically the set down areas for cars / buses.
- The proposed school extension is located at the site's north eastern corner, adjacent to the existing staff car park.
- The line of the proposed extension is in line with the existing school building and reinforces the established building line.
- This location allows for a distance of 11.5m between the building façade and the site boundary wall. This is consistent with the existing separation distances in the area.
- The construction of a set down area was not required as there will be an overall reduction in school traffic.
- It is submitted that a set down area would be an unfair burden on the school.

Alledged Misrepresentation of Pupil Numbers

- There was no misleading in terms of school numbers.
- The pre-school referenced in the appeal submission is an independent enterprise.

- Although the pre-school operates beside the school the pre-school is independent.
- The pre-school runs two sessions during the day with 22 children in the morning and less than 10 in the afternoon.
- The opening times of the pre-school coincide with the opening times for the CBS primary school.

Restrictions in Place for Future Growth of School

- The school under the direction of the Department of Education now has two classes per year rather than three classes per year.
- Although there is an increase in building footprint the overall capacity of the school will decrease with the net reduction of 4 no. mainstream classrooms.
- The staff numbers at the school is based on a Department recommendation.
- The level of staffing at the school ensures that pupils receive a higher level of education.

Need for Specialist Transport for Pupils

- The SENU (special education needs unit) will cater for a maximum of 16 pupils.
- These pupils have been diagnosed with Emotional Behavioural Disorders (EBD) and these pupils have special educational needs based on their behaviour.
- This behaviour can disprute classrooms.
- The proposed SENU will cater specifically for pupils with behaviour disorders who can disrupt classwork and allow them move from mainstream to this special unit, depending on their particular needs.
- The aim of the unit is to achieve full integration into mainstream classes through the application of the resources that the SENU will provide.
- The pupils with EBD would not require any specialist transport.

- It is submitted that 2 no. additional disability parking spaces are being made available for parents dropping off / collecting their children if necessary.
- Due to the special needs of the pupils with EBD the school has secured access to a mini bus for children attending the SENU.
- An escort will travel with the bus for children attending the SENU.
- This bus will be able to drive on site and will not require on street set down / parking.
- This measure will reduce the number of school traffic at peak times while also promoting sustainable transport services.

Efforts by School to Alleviate Traffic Congestion

- The school has had a proactive approach to traffic management over the years.
- The school opening hours were extended from 9:00am to 8:45am in recent years to allow parents sufficient time to drop their children off in the morning. These opening times also facilitates the opening of a breakfast club.
- The Board of Management (BOM) promote more sustainable methods of travel to the school as there are currently 3 no. school buses serving the school.
- Parents are actively encouraged to walk to schools and as a green school the school regularly organise walk / cycle school days.
- It is submitted that safe cycle access is available through existing cycle lanes along Old Brewery Road.
- School newsletters are regularly circulated to parents to promote these measures. Surrounding neighbours are also informed of drop off and pickup times.
- The school is the only school in County Kerry that operates a junior school warden scheme outside the school gates. This scheme is run by students to assist parents/children crossing the road safely.

- In previous years a number of staff parked their cars on the street but following an initiative by the BOM staff parking has been fully brought on site. This measure enables free flow of traffic along the adjacent roadways.
- Along with An Taisce's green school model the school has always tried to increase the number of students walking, cycling, scooting, using park and stride, carpooling and using public transport.
- These steps include carrying out audits of students travel patterns and developing action to promote modal change.
- A recent survey of pupils concluded that 45% of students travel to school using completely sustainable methods, i.e. walking, cycling, scooting etc.
- The majority of students travelling to the school travel by using car pool, i.e. 90%.
- It is therefore unfair to state that the school has not taken responsibility in addressing any traffic / parking issues.

Relevant Precedent

- A precedent for the current proposal is appeal ref. 243399.
- The school in this case was a school in Douglas, Co. Cork.
- Section 7.3 of the Inspectors Report is relevant to this current case.
- The school effectively made efforts to address mobility management and reduce traffic generated by the school.

8.0 **Assessment**

- Principle of Development
- Traffic Impact
- Impact Residential Amenities
- Appropriate Assessment

8.1. **Principle of Development**

In accordance with the provisions of the Tralee Town Development Plan, 2009 – 2015, the appeal site is zoned 'Educational, Community / Institutional'.

The proposed development is an educational use which is consistent with the zoning objective of the appeal site. The proposed development involves the construction of a two-storey extension to the front (north) of the existing site. The overall floor area of the proposed build is 942 sq. metres. The proposal also includes the provision of a first floor link corridor that connects the proposed building to the existing building to the immediate east. In addition the proposed development includes the removal of 8 no. existing prefabricated class rooms and these classrooms proposed for demolition have an overall floor area of 825 sq. metres. Therefore the net increase in floor area is 117 sq. metres.

Overall, having regard, to the established use on the appeal site, the zoning objective of the appeal site and the overall size of the site, I would consider that the principle of the proposed development is acceptable.

8.2. **Traffic Impact**

The third party appeal submission has outlined concerns in relation to traffic generation and the impacts on the local roads and the residential amenities.

However based on the information submitted by the applicant it is contended by the applicant that the overall traffic generation from the school will be reduced. The net outcome of the proposed development is the reduction of 4 no. mainstream classrooms. The removal of 8 no. temporary classrooms with the replacement of 4 no. permanent classrooms. The applicant's response submission outlines pupil enrolments over the last ten academic years. The projected enolements for the academic year 2017/18 is 393 and in the 2012/13 academic year the enrolment was 520 pupils. This represents an overall reduction of 24% in a 5-year period. This reduction in enrolment numbers will have implications for traffic generation to and

from the school. I would acknowledge that the reduction in enrolment numbers is reflected in the net reduction of 4 no. main stream class rooms. I acknowledge that the proposal involves the provision of 2 no. Special Education Needs classrooms however these pupils will also enter the mainstream classrooms and I understand that the pupils attending Special Need Education Units will be limited and will not be additional pupils. Therefore on the basis of the above I would consider that the overall proposed development will result in a reduction in traffic generation. The proposed development will provide for 45 no. car parking spaces. In accordance with the provisions of the Tralee Town Development Plan, 2009 – 2015, the required car parking standards is 1.2 spaces per classroom. The proposed development will have a total of 22 classrooms and therefore the proposal would comply with the car parking standards. The proposed development also includes the provision for cycle parking.

In addition to traffic mitigation measures outlined above a key component by the applicant is the introduction of a sustainable Travel Plan for the School. The existing traffic management plan includes;

- opening hours extended from 9:00am to 8:45am
- the opening of a breakfast club to accommodate early drop offs
- there are currently 3 no. school buses serving the school
- parents are actively encouraged to walk to schools and as a green school initiative the school regularly organise walk / cycle school days
- there are cycle lanes along Old Brewery Road
- teachers now park their cars on within the school grounds

I would recommend to the Board, should they favour granting permission, that the applicant, as a condition, is required to submit a mobility management plan that demonstrates how traffic generation will be reduced at the school. Overall having regard to the net reduction in classrooms proposed, the declining enrolment

numbers and the mobility management plans I would consider that proposals for the proposed traffic and access arrangements are acceptable.

8.3. **Impact on Residential Amenities**

The appeal site is an established educational site and the application documentation and the response submission submit that the enrolment numbers and the projected enrolment numbers in the school are declining. The reduction in the enrolment numbers, is due to the overall changing demographics, and it is submitted that the current no. of classrooms will change from 2 no. per year to 3 no. per year over the course of a number of years.

The proposed development involves the replacement of 8 no. classrooms which are prefabricated units and the provision of 4 no. permanent classrooms and 2 no. special educational needs classrooms. The overall additional floor area is 117 sq. metres.

Overall, having regard to the scale of the proposed development I would conclude that the overall impact having regard to the net reduction in school pupils, term time, the hours of use during the school day that the proposed development would not unduly impact on established residential amenities. I would consider that the proposed classrooms given their height and separation distance from existing residential amenities would not unduly impact on established residential amenities in the area in terms of overshadowing, visual impact and overlooking.

8.4. **Appropriate Assessment**

Having regard to the nature and scale of the development proposed which is a town centre development on a fully serviced site, to the nature of the receiving environment and the likely effluents arising from the proposed development I recommend that no appropriate assessment issues arise.

9.0 Recommendation

- 9.1. I have read the submissions on the file, visited the site, had due regard to the County Development Plan, and all other matters arising. I recommend that planning permission be granted for the reasons set out below.

10.0 Reasons and Considerations

Having regard to the 'Educational Community / Institutional' zoning objective of the subject site as set out in the Tralee Town Plan, 2009 – 2015, and the established use on the site for educational purposes it is considered that, subject to compliance with conditions set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity, would be acceptable in terms of traffic safety and convenience, and would, therefore be in accordance with the proper planning and sustainable development of the area.

CONDITIONS

1. The development shall be carried out in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions. Where such conditions require points of detail to be agreed with the planning authority, these matters shall be the subject of written agreement and shall be implemented in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. Covered and secure bicycle parking spaces shall be provided within the site. Prior to the commencement of development, the layout shall be submitted to the planning authority.

Reason: To ensure an adequate bicycle parking provision is available to serve the development.

3. Prior to the commencement of development the applicant shall submit a mobility management plan / traffic plan for the agreement of the planning authority. The mobility management plan shall include a travel habit survey of staff and pupils and identify actions for the applicant, so traffic generation to and from the school can be measurably reduced. The mobility management plan shall be carried out in consultation with Kerry County Council.

Reason: In the interest of sustainable development.

4. 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 and to ensure a proper standard of development.

5. 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 the commencement of development. This plan shall provide details of intended construction practice for the development, including hours of working, noise management measures and off-site disposal of construction/demolition waste.

Reason: In the interest of amenities and public safety.

6. Lighting shall be in accordance with a scheme, which shall be designed to minimize glare and light pollution, and which shall be submitted for the written agreement of the planning authority prior to commencement of development.

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

7. Prior to the commencement of development, the developer shall submit a detailed landscaping plan prepared by a suitably qualified landscape architect for the agreement of the planning authority. Such a plan shall include proposals for the retention of trees and hedgerows on the site where appropriate and measures for their protection during the construction phase.

Reason: In the interests of visual amenity and of the amenities of adjoining residences and to ensure a proper standard of development.

8. The developer shall ensure that:

- (i) Prior to commencement of development, details of a Traffic Management Plan during the construction phase, shall be submitted to the Planning Authority for their written agreement.

Reason: In the interest of development control and traffic safety.

Kenneth Moloney
Planning Inspector

29th June 2017