



An
Bord
Pleanála

Inspector's Report 29N.249253

Development	New post primary school, part single storey, part two storey, part three storey. Demolish existing post primary school
Location	Pobalscoil Rosmini, Grace Park Road, Drumcondra, Dublin 9
Planning Authority	Dublin City Council
Planning Authority Reg. Ref.	2172/17
Applicant	Board of Management Pobalscoil Rosmini
Type of Application	Permission
Planning Authority Decision	Grant Permission
Type of Appeal	Third Party
Appellant	All Hallows Area Association
Date of Site Inspection	30/11/2017
Inspector	Dolores McCague

1.0 Site Location and Description

- 1.1. The site is located at Grace Park Road, Drumcondra, Dublin 9. Grace Park Road is a long road extending in a generally north south direction from Collins Ave in the north to Richmond Rd in the south over a distance of nearly 2km running parallel to Drumcondra Rd and Swords Rd. This section of Grace Park Road is characterised by institutional uses on large sites, including Childvision adjoining to the south, formerly known as St Joseph's Home for the visually impaired, and All Hallow's College located on the opposite side of Grace Park Road; closed as a college since 2016 and now part of DCU. The second level school, Pobalscoil Rosmini, which is the subject of the application, currently operates out of temporary accommodation in the All Hallow's College buildings.
- 1.2. The site is triangular in shape with the north-western side bounding Grace Park Road. The southern boundary adjoins ChildVision where there is an access road which extends from a vehicular entrance at Grace Park Road past buildings and facilities continuing east of the subject site along runs the north of a walled garden. The eastern boundary runs along a park which separates the school grounds from a residential estate to the east (Annadale).
- 1.3. The site is currently occupied by largely single storey, part two storey, buildings, comprising a second level school and extensive surface car parking and landscaped areas, particularly around the edge of the site. There is a single vehicular access to the site from Grace Park Road, north of the buildings. On the opposite side of Grace Park Road a small group of 12 semi-detached two storey dwellings with a bungalow at either end have individual vehicular accesses to the public road. The section of road fronting these houses, curves at either end and the site on which they were developed resulted from the easing of a right angled bend at this location.
- 1.4. Permission for a housing development on the opposite side of the road to the north has yet to be implemented. Housing development on part of the Childvision site to the south is currently underway.
- 1.5. The subject site is relatively flat. Towards the northern end of the site a large public surface watermain runs through the site from east to west.
- 1.6. The site is given as 14.05ha (14,050m²).

2.0 Proposed Development

2.1. The proposed development is the provision of a new post primary school, part single storey, part two storey and part three storey, of 6,786 sqm floor area comprising: general classrooms, specialised classrooms, (18 classrooms), PE hall, general purpose area, a unit for multiple disability visual impairment, ancillary teaching and staff accommodation. The development involves the demolition of the existing post primary school on the site which had to be vacated a few years ago due to water ingress. The proposed school is larger than the existing building and is intended to provide for 300 pupils, rather than 200. A new entrance will be created to Grace Park Road which, together with the existing entrance, will provide a one way in, one way out system with set down space within the site for cars and buses. There will be provision for additional car parking spaces to provide 48 spaces in total, including accessible parking; together with bicycle parking. Site landscaping and the provision of 3 new hard court playing areas is included in the application.

2.2. The application was accompanied by drawings and the following documents:

Planning Report

Letter from school principal.

Letter from the Provincial of the Rosminians (Institute of Charity) (clarifying that Pobalscoil Rosmini will continue to enjoy access to their field and the use of that field under the arrangements that presently exist).

Outline Construction & Demolition Waste Management Plan

Engineering Services Report

Flood Risk Assessment

NTA School Travel Plan

Traffic Statement

Tree Survey Report and a

Stage I - Appropriate Assessment Screening Report

3.0 Planning Authority Decision

3.1. Decision

3.2. The planning authority decided to grant permission subject to 11 conditions including:

2 The applicant shall make provision for and provide a pedestrian route along the eastern boundary of the site which will ultimately form part of a wider strategic pedestrian green network in the Grace Park Road area unless agreed by the Planning Authority. Details of the pedestrian route, including its precise location in relation to the eastern boundary of the application site, its width and extent, and its finish and treatment shall be submitted to the planning department for its written agreement prior to the school being first put into use. The pedestrian route shall be provided within two years of the school opening unless otherwise agreed by the Planning Authority.

Reason: In the interests of orderly development and to implement the 2016 – 2022 City Development Plan.

3 details of materials, colours of finishes to be agreed.

4 compliance with codes of practice.

5 hours of building demolition works.

6 noise limits during construction / demolition.

7 adjoining street to be kept clean.

8 landscaping scheme to be implemented in first planting season.

9 All trees shown to be retained on the site shall be adequately protected during the period of construction as per BS 5837, such measures to include a protection fence beyond the branch spread, with no construction work or storage carried out within the protective barrier. (The tree protection measures shall have regard to the Guidelines for Open Space Development and Taking in Charge, copies of which are available from the Parks and Landscape Services Division).

Reason: In the interests of amenity, ecology and sustainable development.

10 the development shall be revised as follows:

Prior to the commencement of development a plan (scale 1:500) shall be submitted for the written agreement of the Planning Authority showing the proposed development and tree protection proposals for the period of school construction. All details so agreed shall be carried out on site.

11 compliance with the requirements of the City Archaeologist:

The developer shall retain a suitably-qualified licensed archaeologist to advise regarding the archaeological implications of site clearance, demolition and /or construction methodology and to make appropriate recommendations for mitigation including detailed survey as necessary.

The developer shall allow for the resolution of archaeology (both on site and necessary post excavation) in the project budget and timetable.

The developer's archaeologist shall undertake licensed archaeological monitoring of all demolition and sub-surface works associated with the development including the breaking and removal of any floor slabs, levelling of ground etc.

The archaeologist shall consult with and forward their method statement in advance of commencement to the City Archaeologist.

In the event of archaeological features being located in the course of monitoring, the developer shall facilitate the archaeologist in fully recording such features, including if necessary the archaeological excavation of such features. In the event of significant archaeological features on site, the archaeologist retained by the developer shall contact the City Archaeologist. The City Archaeologist (in consultation with the National Monuments Service, Department of Arts Heritage and Gaeltacht) shall determine the further archaeological resolution of the site.

A written and digital report (on compact disc) containing the results of the monitoring, shall be forwarded on completion to the City Archaeologist and National Monuments Service, Department of Arts Heritage and Gaeltacht.

Following submission of the final report to the City Archaeologist, where archaeological material is shown to be present, the archaeological paper archive shall be compiled in accordance with the procedures detailed in the Dublin City Archaeological Archive Guidelines (2008 Dublin City Council) and lodged with the Dublin City Library and Archive, 138-44 Pearse St, Dublin 2.

12 no additional development shall take place above roof parapet level, including lift motors, air handling equipment, storage ducts, ducts or other external plant, telecommunications aerials, antennas or equipment, unless authorised by a further grant of permission.

13 construction management plan.

14 compliance with the requirements of the Roads and Traffic Planning Division:

All costs incurred by Dublin City Council, including any repairs to the public road and services necessary as a result of the development shall be at the expense of the developer. All works on the public road including road markings etc shall be agreed in writing with the Environment and Transportation Department.

b) At the vehicular access points to the development, the public footpath shall be continued at a raised level across the site entrance and exit, but shall be ramped and dropped as necessary (e.g. 32mm kerb over carriageway) to facilitate car-entry/exit. Measures shall be implemented including contrasting materials, signing, road marking, etc, to ensure that vehicles entering / leaving the development are aware that pedestrians have priority across the site entrance and that vehicles must yield right-of-way. The applicant shall be responsible for all costs associated with these works to the public footpath.

c) Footpath and kerb to be dished and new vehicular access to be provided to the requirements of the Roads Maintenance Department.

d) The developer shall be obliged to comply with the requirements set out in the Code of Practice.

Reason: To ensure an adequate standard of development.

15 noise

16 compliance with the requirements of the Drainage Division:

b) The drainage for the proposed development shall be designed and constructed on a completely separate system.

c) There is an existing public storm water sewer running through the site. A clear distance of three metres shall be maintained between sewers and all structures on site. The exact location of this pipeline must be accurately determined onsite prior to

construction work commencing. No loading shall be placed on this sewer. Any damage to it shall be rectified at the developer's expense.

d) the developer shall limit storm water discharge from site to 2 litres/second/hectare in accordance with the requirements of the Drainage Division prior to the commencement of construction.

e) A connection from this development to the existing public storm water sewer network will only be granted when the developer has obtained the written permission of the Drainage Division and fulfilled all the planning requirements including the payment of any financial levies. All expense associated with carrying out the connection work are the responsibility of the developer. Developers are not permitted to connect to the public storm water network without written permission from the Drainage Division. Any unauthorised connections shall be removed by the Drainage Division at the developer's expense. A licence will be required from the Drainage Division to allow the connection work to be carried out. Permission of the Roads Department must also be obtained for any work in the public roadway.

g) The developer shall carry out both a pre- and post- construction CCTV survey on the public sewers affected by this development, as agreed with Drainage Division. The pre-construction survey is to be submitted to the Drainage Division prior to works commencing on site. Following completion of all drainage works, the post-construction survey is to be submitted to the Drainage Division for written approval and any damage to the sewer shall be rectified at the developer's expense.

h) An appropriate petrol interceptor shall be installed on the internal drain from the car park. Please refer to section 20 of the Greater Dublin Regional Code of Practice for Drainage Works Version 6.0.

i) Dublin City Council's drainage records are indicative and must be verified on site. The developer must carry out a comprehensive site survey to establish all drainage services that may be on the site. If drainage infrastructure is found that is not on Dublin City Council's records the developer must immediately contact Dublin City Council's Drainage Division to ascertain their requirements.

J) All private drain fittings such as, downpipes, gullies, manholes, Armstrong Junctions, etc, are to be located within the final site boundary. Private drains should

not pass through property they do not serve. Private drainage must comply with Part H of the Building Regulations.

17 a) Prior to the commencement of any works, a Construction and Demolition Waste Management Plan must be furnished to and approved by Dublin City Council having regard to Circular WPR07/06 – Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects – published by the DECLG, July 2006.

b) In the event that hazardous soil, or historically deposited waste is encountered during the construction phase, the contractor must notify Dublin City Council and provide a Hazardous / Contaminated Soil Management Plan, to include estimated tonnages, description of location, any relevant mitigation, destination for disposal/treatment, in addition to information on the authorised waste collectors.

c) prior to the commencement of any storage of waste on-site, the applicant must consult with the Waste Regulation Unit of Dublin City Council.

d) Monthly reports regarding the management of the waste during works, must be forwarded electronically to the Waste Regulation Unit of Dublin City Council waste.regulation@dublincity.ie.

e) The works must comply with the following:

Waste Management Act 1996 as amended.

Dublin City Council Waste Bye-Laws 2013 (Bye-Laws for the storage, presentation and collection of Household and Commercial waste) or any revision thereof. etc

3.3. The decision was in accordance with the planning recommendation.

3.4. **Planning Authority Reports**

3.4.1. Planning Reports

a) There are two planning reports on file. The first dated 29/3/2017 refers to interdepartmental reports and to the Parks Department verbally indicating that modifications should be sought (Internal road surface definition into vehicular and pedestrian/cycle priority areas; Cycle track routes should be delineated; Protective measures for existing trees to be retained; Greening to building

facades and green roof systems where practicable; Detail of sensory garden area; Landscape plan with specification), and the report recommends a request for further information on two points. Which request issued on 31st March 2017.

3.5. Further Information Request

1a) To clarify the access arrangements and use of the fields located to the east of the application site. Will this be permanently available for the use of the school?

b) The Z15 zoning objective indicates that any development proposal on these lands should give consideration to their potential to contribute to the development of a strategic green network. In this context, the applicant is requested to clarify how they intend to comply on their own, or in partnership with, or in consultation with adjoining land owners with the prospective pedestrian routes shown on page 9 of the submitted planning report which is an extract from the draft 'Grace Park Road Area: Implementing the Development Plan' document.

2 The planning authority is seeking the following further information/modifications to the scheme. Please submit revised plans/further information as follows:

a) Internal road surface definition into vehicular and pedestrian/cycle priority areas. Cycle track routes should be delineated.

b) Protective measures for existing trees to be retained.

c) Greening to building facades and green roof systems where practicable.

d) More detail of sensory garden area.

e) A landscape plan with specification.

3.6. Further Information Response

The response received (20 July 2017) is accompanied by revised drawings and includes:

Responding to 1 a) they enclose a letter (similar to one submitted with the application) from the Provincial of the Rosminians (Institute of Charity) stating that they are reaffirming their commitment that Pobalscoil Rosmini will continue to enjoy

access to their field and the use of that field under the arrangements that presently exist.

Responding to 1 b) they state that they refer to the draft Development Framework for the Grace Park Road Area 2015. The prospective pedestrian route identified around the site has been adopted in the proposals. While the gates accessing the school site and the playing fields will provide accessibility and permeability to through the school site. A route on eastern boundary will be proposed as shown on Figures 1, 2 and 3. All existing routes to the neighbouring sites are being retained.

2a) two cycle track routes have now been proposed on the site to safely provide safe access to both the entrance and exit points with the nearest bicycle parking location.

A separate cycle gate at each gateway is proposed to service each route.

In light of the Road Department's conditions regarding raising the public path at both entrance and exit points, the proposed gate location has been further set back from the public road to allow for ramping and improved sightlines, revised drawing submitted.

2b) The main contractor will be required to provide a method statement prior to construction confirming protective measures for existing trees to be retained.

2c) Greening to building facades and green roof systems where practicable – the department has considered how these factors impact on a school environment, and has found that green roof technology creates a number of issues for rain water harvesting in schools including the contamination of the harvesting system and the requirement for additional filtering systems and maintenance which bring into question the operational and cost effectiveness of the systems, which are already marginal in terms of payback in a school environment. The staining of school walls and the difficulty of finding the source of leaks in the roof when they occur, are further issues.

The Department have requested that in the interests of teaching and learning and providing a viable rain water harvesting system in schools and not imposing unnecessary maintenance and operational costs, that all educational buildings be specifically excluded from any requirements in using green roof technology.

2d) Landscape architects appointed by the Department have addressed the overall landscape design and in particular the sensory garden and a drawing is provided.

2e) Drawings submitted in response to the request for a landscape plan with specification are referred to.

3.7. Planners Report

The second planners report dated 16/8/2017 recommends a grant of permission, which is as issued, and the report includes:

Zoning Z 15 To provide for institutional, educational, recreational, community, green infrastructure and health uses.

Reference to 'Draft Grace Park Road Area: Implementing the Development Plan', this document is an in-house study on how to implement the policies of the City Development plan in a coordinated manner focusing initially on the institutional lands on Grace Park Road and examining for example the provision of an integrated network of publicly accessible pedestrian routes and cycle paths through institutional lands.

There is currently one vehicular and pedestrian access at the northern boundary of the site onto Grace Park Road. There is also an existing pedestrian crossing and vehicular ramp on Grace Park Road adjacent to the vehicular access.

The school is to provide for 300 pupils, up from 200, and 18 classrooms. The school is substantially two storey with a three storey element located in the south eastern side. The school addresses the main road. On the ground floor there is to be a PE hall, offices and specialist teaching rooms and an MDVI unit (multiple disability visual impairment). The classrooms are to be located mostly at first floor level with other specialist teaching rooms. Classrooms also proposed on the second floor. A play area and Hard Play Courts are located along the southern boundary of the school and a MDVI garden is proposed just to the north of the Ball Courts.

The existing vehicular and pedestrian entrance is to be upgraded and a new vehicular exit is proposed further south along Grace Park Road.

Primary vehicular circulation is to the front of the school building where a drop off is proposed. There is a secondary vehicular / pedestrian circulation around the rear of the school. Existing trees and boundary treatment is to be maintained for the most part. Play areas are to be located along the southern side of the site. Existing gates to Child Vision to the south are to be maintained and a new gateway is to be formed to provide access to the playing field to the east.

The building is to have monopitch and flat roofs with standing seam composite roof panels / metal roof. Facades are to have a render finish. Windows are aluminium.

The assessment notes that houses on Grace Park Road are over 30m from the school. New houses are being built to the south of the site. The nearest will be 7m from the school boundary and 20m from the building. There will be no undue overlooking from the school first and second floors. The development will not result in overshadowing of neighbouring property.

Third parties have made a number of comments on issues of traffic and access. The Roads and Traffic Planning Division notes that it is proposed to provide a new vehicular exit to the site to provide a one way vehicle route with set down zone. An internal drop off area is proposed in front of the school entrance and the access road is proposed to operate as a one way system. This will help to avoid any queuing along Grace Park Road. The transport statement notes that a yellow box is proposed on Grace Park Road adjacent to the proposed exit. Any works on the public road including markings will have to be agreed with the ITS Section.

Drop off facilities for schools are not generally encouraged by the Roads Planning Division. However having regard to the type of school proposed which will cater for pupils with multiple disabilities and who will travel from a much larger catchment than a regular school, the Roads Planning Division considers that it is appropriate to allow for onsite drop off provision and some additional car parking. It notes that

some of the pupils will be brought to the school by bus and dropped off within the school boundary. The school travel plan notes that 6% of students with visual impairments use taxis and 10% of pupils cycle to school. Considered acceptable.

A third party has commended that there is asbestos in the school to be demolished. An inventory of hazardous wastes is to be carried out prior to demolition and if present it is to be removed by applying H&S procedures.

3.7.1. Other Technical Reports

3.7.2. Roads and Traffic Planning Division, 15/3/2017:

The subject site is located on the south side of Gracepark Road. It is an established school and is bounded to the south by St Joseph's School. There is currently one vehicular and pedestrian access at the northern boundary of the site onto Gracepark Road. There is also an existing pedestrian crossing and vehicular ramp on Grace Park Road adjacent to the vehicular access.

It is proposed to provide a new vehicular exit to the site to provide a one way vehicle route with set down zone. An internal drop off area is proposed in front of the school entrance and the access road is proposed to operate as a one way system. This will help to avoid any queuing along Grace Park Road. The transport statement notes that a yellow box is proposed on Grace Park Road adjacent to the proposed exit. Any works on the public road including markings will have to be agreed with the ITS Section.

It is proposed to provide 48 car parking spaces. There are currently 33 spaces on the site, car parking is retained to the north of the site and is also retained along the western boundary. Cycle parking for 80 bicycles is proposed. The school travel plan highlights that 10% of pupils cycle to the school; the quantum is acceptable.

The access and parking arrangements are acceptable. Pre planning discussions were held with the applicant.

Drop off facilities for schools are not generally encouraged by the Roads Planning Division. However having regard to the type of school proposed which will cater for pupils with multiple disabilities and who will travel from a much larger catchment than a regular school, the Roads Planning Division considers that it is appropriate to allow

for onsite drop off provision and some additional car parking. It is noted that some of the pupils will be brought to the school by bus and dropped off within the school boundary. The school travel plan also notes that the majority of students using vehicles to travel to the school with 6% of students with visual impairments use taxis. Proposal is considered acceptable. Recommending conditions.

3.7.3. City Archaeologist 13/3/2017:

Attached to the planning application is a cartographic study of the proposed development site dating from Rocque's 1756 map up until 2005. Given the large scale of the proposed development it is possible that previously unrecorded archaeology may be discovered during the course of sub-surface works.

Section 11.1.5.15 - CHC9 of the Development Plan is cited. Recommending conditions.

3.7.4. Engineering Department Drainage Division:

The drainage for the proposed development shall be designed and constructed on a completely separate system.

There is an existing public storm water sewer running through the site. A clear distance of three metres shall be maintained between sewers and all structures on site. The exact location of this pipeline must be accurately determined onsite prior to construction work commencing. No loading shall be placed on this sewer. Any damage to it shall be rectified at the developer's expense.

3.7.5. Environmental Health – 9/2/2017 – recommending conditions:

Times of work

Noise levels:

construction phase noise levels – shall comply with British Standard 5228 – Noise Control on Construction and open sites Part 1, Code of practice for basic information and procedures for noise control.

Noise levels from the proposed development should not be so loud, so continuous, so repeated, of such duration or pitch or occurring at such times as to give reasonable cause for annoyance to a person in any premises in the neighbourhood or to a person lawfully using any public place.

operational phase

The noise levels from the site during the operational phase, measured as) an LAeq, (5min at night, 15 min in day) when all plant is operating shall not exceed the LA90 when no plant is operating, by 5 dB(A) or more.

The development and associated site works must be in compliance with Appendix One, Schedule D – Code of Practice for noise and air pollution control.

3.8. **Third Party Observations**

3.9. Two observations on the application were submitted to the planning authority from:

All Hallows Area Association c/o Catherine Hazlett Secretary, and

Adrian Lewis Grace Park Road.

Their contents have been read and noted.

4.0 **Planning History**

3048/13 Permission granted for the construction of a single storey building, total area 563 sqm, located to the south west of the existing school building with a link to the existing school building to accommodate 2 new classrooms with safe spaces for multiple disabled students with visual impairment, associated practical activity/daily living skills space, general activity areas, multi-sensory room, para-educational room, informal teaching area, staff WC's and storage and associated site development works to include landscaping including new external play area and sensory garden.

3796/11 Permission granted for a single storey extension 215 sqm.

2950/10 Permission granted for a single storey extension 35 sqm, entrance lobby and alterations to staff area.

3597/02 Permission granted for a prefabricated extension.

Pre-planning meetings

PAC0108/16 – 4th March 2016

PAC 0518/16 – 13th Sept 2016

In vicinity

On lands associated with Childvision lands to the south -245745 PA Reg Ref 2991/15 Permission granted for 166 dwellings, crèche, plus associated outdoor play area and a public park c1.04ha including children's playground.

5.0 Policy Context

5.1. Development Plan

Zoned Z15 - To protect and provide for institutional and community uses. The planning report cites as the Z 15 zoning 'To provide for institutional, educational, recreational, community, green infrastructure and health uses', which is in the Draft Grace Park Road Area: Implementing the Development Plan'.

There is general support for the provision of schools in the plan including in chapter 12 Sustainable Communities and Neighbourhoods:

Dublin City Council will also have regard to the publication on the Provision of Schools and the Planning System, A Code of Practice for Planning Authorities, DES and DEHLG (2008).

SN10: To facilitate the provision of new schools, school extensions and third-level institutions and to have regard to the provisions of the DoEHLG and DES (2008)';

Chapter16 Development Standards:

In determining an application for a school, the following shall be considered:

Compliance with the Department of Education and Skills and the Department of Environment, Heritage, Community and Local Government's Joint Code of Practice

Compliance with current Department of Education and Skills Technical Guidance. Current details of site norms, sizes, shapes may be amended from time to time by

the Department of Education and Skills to reflect ongoing practice (see Technical Guidance document TGD-025 on the Identification and Suitability Assessment of Sites for Primary Schools – 2nd Edition, January 2012, and any successor document

Ensure that school sites are fit-for purpose in terms of their location, access to services and the provision of space for recreational and sports activities which can help to support an effective learning and development environment for children

5.2. **Natural Heritage Designations**

5.3. The South Dublin Bay and River Tolka SPA site code 004024 is the nearest Natura Sites, located in excess of 2km from the subject site.

6.0 **The Appeal**

6.1. **Grounds of Appeal**

6.2. A third party appeal has been lodged by All Hallows Area Association c/o Catherine Hazlett Secretary.

The grounds includes:

- They look forward to the opening of the new school once they are assured that the health and safety of pupils, staff and nearby residents are considered in more detail with particular reference to permissions in the vicinity, ambiguity regarding permanent access to a playing field for Pobalscoil Rosmini; and the need for an area wide School Travel Plan and a local Environmental Improvement Plan.
- Re. the ambiguity regarding permanent access to a playing field for Pobalscoil Rosmini, this does not comply with para 12.5.4 of the Development Plan. They request that it be a condition of any approval that Dublin City Council buy this field at existing use value in order to ensure that the aims of the current Development Plan for the provision of permanent and secure access

Pobalscoil Rosmini pupils to adequate space for recreational and sports activities.

- Given that their area is deficient in public open space, they consider that this playing field, under public ownership, would provide additional space in areas deficient, in accordance with policy GI11 and objective GI012.
- The documents: traffic statement (January 2017) and NTA School Travel Plan (January 2017), were both issued / authorised long after the permission for Grace Park Wood - 2/3/2016 (PL29N.245745) and Hampton – 15/8/16 (PL29N.246430). These reports make no mention of the developments in the vicinity for which full planning permission existed; and Dublin City Council Roads and Traffic Division did not refer both documents back to Planning and Property Development requesting that the applicant provide further information to take account of the two developments. The statement in the reports is deficient and lacks credibility. It states that the road has a 60kph speed limit which is untrue. It states that it is relatively straight and that adequate sightlines are achievable in both directions. It is on a straight between two bends. The bends impact the sightlines as does the junction with Grace Park Terrace to the north. No data is included to justify the statement that the access points can accommodate anticipated traffic. It does not take account of other existing entrances and further ones approved.
- They considered the Hampton entrance so dangerous that they commissioned a report from traffic consultants (for that development) and they attach a copy. They note that in 1999 the traffic on Grace Park Road was at a level which the NRA used to justify dual carriageways. Dublin City Council has been unable, over the past 15 months, to provide any traffic counts on Grace Park Road. If they cannot provide such data what is the basis for managing the road capacity.
- In 2014/15 Dublin City Council commissioned a study on an Environmental Traffic Cell for part of Drumcondra which was to have included Grace Park Road. The preferred option, now being implemented, will give rise to more traffic on Grace Park Road. The submitted traffic statement does not assess

this change. The recommendations of the study do not comply with the criteria in the Design Manual for Urban Roads.

- The NTA School Travel Plan – their research shows that there are 11 schools in the area and another 15 schools on nearby roads, many pre-school childcare facilities and several third level institutions. All Hallows which is accessed directly from Grace Park Road will be used more intensively now it is part of DCU.
- A submission to DCC re. a 30kph speed limit is attached to the grounds.
- They request a condition that prior to construction commencing Dublin City Council carry out a full study of the Drumcondra/ Fairview/ Marino districts with a view to drawing up an area wide educational travel plan by consulting fully with residents/parents/pupils on the terms of reference, ensuring that the consultants engage widely at the outset and when options have been developed, and implement the recommendations within one year of its completion.

This is necessary because:

- The objectives and targets of the school travel plan for this school have equal force for all other educational facilities in the area. Without an integrated approach the aims set out will not be met.
- There are plans for at least one other 16 classroom school in the grounds of All Hallows.
- Safe walking and cycling routes to these facilities leaves a lot to be desired:
 - Dangerous nature of the traffic light configuration at the junction of Griffith Ave, Philipsburgh Ave and Glandore Road.
 - The absence of a continuous cycle lane on Griffith Ave- the travel plan does not refer to this.
 - The absence of a cycle lane on Grace Park Road.
- Air Quality – recent government policy document on vehicle emissions as a key source of health impacts from air pollution; increasing evidence that

respiratory health in children is adversely affected by local exposures to outdoor Nitrogen Dioxide.

- They request that this wider educational facility travel plan be a condition.
- They propose that conditions 14b) and 14c) be changed to ensure that the footpath continues across entrances, this would be a very clear and unambiguous signal to car drivers to slow down and that pedestrians have priority.
- The NTA reference to bus transport is vague and ill considered. The BRT (bus rapid transit) route through Drumcondra will not have the capacity to meet the demand for public transport.
- The NTA report shows that with one exception passenger forecast exceeds capacity even with the existing bus network still in place. Referring to BRT in the context of a travel plan for any school in Drumcondra is a complete red-herring.
- Diesel powered vehicles widely used in public transport should be phased out as quickly as possible.
- Local Environmental Improvement Plan – this document only covers that part of Grace Park Road between Richmond Road and Griffith Ave. It does not cover that part of Grace Park Road between Griffith and Collins Ave. The population projected to 2016 has been exceeded before new housing development have been completed.
- They ask that it be a condition that Pobalscoil Rosmini, undertake, complete and adopt within one year a Local Environmental Improvement Plan for both Drumcondra Village and the whole area surrounding Grace Park Road from Richmond Road to Collins Ave.

Reasons:

- 16 classroom school to be provided in the grounds of All Hallows
- Greater than expected population increase
- That the increase has taken place without the housing permitted and being developed at Grace Park Wood and Hampton

- Housing development approved on the Marino Institute grounds accessing Griffith Ave
- Plans by Respond to seek planning permission for at least 100 housing units on High Park at the Collins Ave end of Grace Park Road
- Other housing developments on grounds on Swords Rd
- Dublin City Council has already studied this area: Development and Open Space Strategy Drumcondra 2003 Draft, (copy on CD supplied).
- They request a condition that a low wall topped with railings separate the school from Grace Park Road in keeping with schools on Griffith Ave. near Malahide Road and the boundary wall of Respond's property on Grace Park Road.
- Attached to the grounds are reports from Trafficwise prepared in relation to an appeal on Housing development at Hampton – PL29N.246430; various extracts in relation to traffic counts and submissions to Dublin City Council and; and a copy of 'Grace Park Road Area: Implementing the Development Plan' which is referred to elsewhere in the grounds and also in the planner's report on the application.

This latter document refers to an extension to Rosmini Community School. Sufficient Z15 zoned lands are required for education expansion on this site. Movement - orbital routes Clonliffe Road, Richmond Road and Griffith Ave and radial routes Drumcondra Road, Grace Park Road and Phillipsburg Ave. Work has commenced on Swords Road BRT. Work has not yet commenced on the Richmond Road Improvement Scheme. Existing facilities for cyclists are limited. There are opportunities for new off-road routes to be developed through the large institutional lands. In relation to movement infrastructure it states that any future planning applications must provide for publicly accessible pedestrian movement infrastructure to service additional development in the study area. These routes will integrate with the GDA Cycle Network Plan in particular Radial Route 2B. The map on page 16 shows proposed cycle network and includes a prospective pedestrian route through the subject site.

An expansion of Rosmini Community School Drumcondra is required commencing construction in 2017 (p7). It is important that where possible land located adjacent to existing schools is protected for potential future educational use to allow for an expansion of these schools, if required, subject to site suitability and agreement with the various stakeholders.

The GDA Cycle Network Plan identifies radial route 2B from Clonliffe Road through Holy Cross College over the river Tolka on a new bridge to Richmond Road and along Grace Park Road to Collins Ave and Beaumont Road with a wider feeder route from / through Beaumont Hospital. This route could link up to the Royal Canal Greenway at Jones' Rd.

Any future planning applications should take into account existing and likely future patterns of traffic and pedestrian movement and should aim to deliver pedestrian and cycle routes through each site.

A CD accompanying the grounds of appeal contains a copy of the draft 'Development and Open Space Strategy Drumcondra 2003', and a map titled 'Drumcondra Plan 2003'.

6.3. **Applicant Response**

6.4. NMA (Noonan Mulligan & Associates Architects, Project Managers, Masterplanners, Interior) has responded to the grounds of appeal on behalf of the first party. The response includes:

- The School's Design Team Consultants held pre-planning consultations with Dublin City Planning and Roads Departments. On 12th December 2016 a public information evening was organised by the school with the School's Design Team to present the current proposal.
- They note the appellant's support for the scheme in principle and, re. health and safety of pupils, staff and nearby residents, the Design Team are very aware of such as is required by the process of design. The Department of Education and Skills have appointed Health and Safety consultants 'Integrated Risk Solutions' as project Supervisor for the Design Stage.
- Re other entrances in the vicinity of the school, a Traffic and Transport Report is attached in response to issues raised.

- Re permanent access to a playing field for Pobalscoil Rosmini and that it does not comply with para 12.5.4 of the Development Plan, and the requested condition re purchase. The response states that the land is not under the influence of the Minister for Education and Skills and it is not possible to connect it to the application and a condition re purchase is outside the scope of this appeal and should be disregarded.
- Re the draft document 'Grace Park Road Area: Implementing the Development Plan', they were advised of the requirements re pedestrian routes to open spaces and were issued only with a map.
- Condition No 2 is quoted.

Having had discussions with the Department of Education and Skills they advise:

A public pedestrian route within the school boundary would potentially have a negative impact on the school's population.

The relatively high proportion of visually impaired pupils need a controlled and safe environment. The introduction of public and third parties to this environment will create a risk to pupil's health and safety.

As the site area of the school is relatively confined, the design proposal achieves a fine balance of education functional requirements. The introduction of the separated pathway cannot be accommodated on the site without negatively impacting on the operational access to the rear of the school. The alternative of a shared surface would create an unworkable health and safety risk and overlap with vehicular and pedestrian traffic. This would also present as a security risk to the school.

The land can be separately accessed north of the school site directly from Grace Park Road. There is no need to achieve access through the small and restricted school site where adequate access can be achieved independently.

A public pedestrian route within the school boundary would impede vehicular access to the school's maintenance stores and consequently negatively impact on the operation of the school.

As the playing field in question is not in the ownership, nor under the influence of the Minister for Education and Skills, it is therefore not possible to connect

this planning application to use of that land. They recommend that future consideration for entry to such a public pedestrian route be located at Grace Park Road and through the Rosminiam owned playing field. Additional sub points made in the observation are outside the scope of the planning application.

- Re the requested condition that Pobalscoil Rosmini undertake, complete and adopt within one year a Local Environmental Improvement Plan, they advise that such an onerous requirement would significantly delay the school development.
- Re environmental strategies – the school has been designed to minimise resource consumption and to provide a building energy rating of A3. Class rooms are orientated south and east to avail of passive solar gain, natural ventilation is used for all teaching spaces offices and ancillary facilities.
- Re the requested condition that a low wall and railings separate the school from Grace Park Road the existing school has a masonry boundary which it is proposed to retain.

A Traffic and Transport Report prepared by Tobin Consulting Engineers is submitted with the response to the grounds.

- Responding to the reference to the traffic statement (January 2017) and NTA School Travel Plan (January 2017), which were both issued / authorised long after the permission for Grace Park Wood - 2/3/2016 (PL29N.245745) and Hampton – 15/8/16 (PL29N.246430) and are not mentioned; both these developments' entrances are outside the scope of this planning application and are more than 45m away from the proposed exit of the school. They illustrate the distances on maps: Figs 1 & 2.
- Responding to the criticism of the traffic statement which 'does not meet its own stated aim to examine the traffic and transport implication associated with the access arrangements of the proposed development', pre-planning scoping was undertaken with the Roads Authority. Owing to the fact that the proposed development replaces an existing school, a traffic statement was requested and the need for traffic counts and detailed assessments were not envisaged. The existing site had parking space for 40 cars and 48 were proposed which

was not envisaged to impact on traffic in the area. The key outcome of the scoping exercise was to eliminate the need for parking or queuing on the public road. A map showing sightlines and stopping distances is provided, (8042-2003(B)).

- The entire planning submission shows that the development would have a positive impact on the road network by removing the need to have parked vehicles on the public road during pick up and collection times.
- They note that the area is a 50km/hr zone. The proposed exit point has been provided in accordance with the Design Manual for Urban Roads and Streets (DMURS).
- They note that the Grace Park Terrace junction is 144m from the northern access, greater than the stopping sight distance, and will not impact on the visibility design. The ramp, traffic calming measure, further reduces the speed of approaching traffic.
- Responding to the criticism of the lack of any traffic data, arising from the pre-planning scoping traffic counts and detailed assessments were not requested by Dublin City Council owing to the fact that the proposed development replaces an existing school.
- The applicant has considered the need to create a dedicated access and egress points together with an internal road network so that vehicles can be accommodated entirely within the proposed site without the need to queue or park on the public road.
- Wider issues in the Drumcondra area are beyond the scope and control of the traffic requirements of the school board and the proposed development.

6.5. Planning Authority Response

- 6.6. The planning authority have responded to the grounds of appeal stating that they have no comment to make.

6.7. Further Responses

6.8. The third parties have responded to the to the first party response to the grounds of appeal, including:

They disagree with the comment that points they raised are outside the scope of this application. Referring to other developments planned along the road they consider it reasonable to condition Dublin City Council to draw up a Strategic Development and Regeneration Area Strategy for the area in accordance with its policy.

They consider that the playing field needs to be resolved in a formal and permanent way. They cite development plan policies and objectives, refer to other schools in the area which may have limited access to outdoor space and the government policy on A Healthy Weight for Ireland, Obesity Policy and Action 2016-2025 in this regard.

The impact on traffic on Grace Park Road particularly during the morning peak cannot simply be dismissed as not material to the application. They re-iterate the need for an area wide school travel plan, prior to opening the school.

A copy of maps produced by All-Ireland Research Observatory and an extract from the Design Manual for Urban Roads and Streets are attached to the submission.

7.0 Assessment

7.1. The issues which arise in relation to this appeal are: appropriate assessment, principle of the development, road access, a Drumcondra environmental cell, area wide educational travel plan, condition no. 2 / public pedestrian access through site and pedestrian route along the eastern boundary, use and control of the adjoining park grounds, and other issues, and the following assessment is dealt with under those headings.

7.2. Appropriate Assessment

7.3. Having regard to the nature and scale of the proposed development and nature of the receiving environment no Appropriate Assessment issues arise and it is not considered that the proposed development would be likely to have a significant effect, individually or in combination with other plans or projects, on a European site.

7.4. **Principle of the Development**

7.5. Although the principle of the development has not been challenged, the third parties stating that they look forward to the opening of the new school it is worth noting that the site is zoned for the protection and provision of institutional and community uses and that the proposed development will replace a similar existing school which is not fit for purpose, and that it's removal is preferred to rehabilitation/extension. The proposed development is therefore acceptable in principle.

7.6. **Road Access**

7.7. Concerns have been raised in relation to the safety of the entrances, the sightlines available, and the speed limit applying to the public road.

7.8. The first party accepts that the speed limit is 50km/hr and not 60km/hr as stated in the application details. They clarify that the sightlines of 2.4m x 45m provided comply with the DMURS requirements for road of this speed.

7.9. They clarify that re. the third party's reference to entrances being wrongly omitted from the Traffic Statement, in relation to the developments at Grace Park Wood and Hampton, both developments' entrances are more than 45m away from the proposed exit of the school and are therefore outside the scope of this planning application. In relation to the reference to the Grace Park Terrace junction to the north, it is 144m from the northern access which is greater than the stopping sight distance and will not impact on the visibility design; and the speed ramp provides traffic calming which further reduces the speed of approaching traffic.

7.10. Concerns have been raised in relation to the capacity of the road and traffic management in the general area and that data on traffic should have been provided with the application documentation. Responding to the criticism of the lack of any traffic data, the first party states that arising from the pre-planning scoping, traffic counts and detailed assessments were not requested by Dublin City Council, owing to the fact that the proposed development replaces an existing school.

7.11. The response also points out that the proposed development by providing dedicated access and egress points and having internal roadways and set down space will ensure that vehicles can be accommodated that vehicles can be accommodated

entirely within the proposed site without the need to queue or park on the public road.

7.12. The report of the Roads and Traffic Planning Division confirms that they find the proposal acceptable.

7.13. In my opinion the proposed access/egress arrangements are satisfactory and are an improvement on the existing situation and should not be a reason to refuse permission.

7.14. Drumcondra Environmental Cell

7.15. The third parties request a condition that Pobalscoil Rosmini, undertake, complete and adopt within one year a Local Environmental Improvement Plan for both Drumcondra Village and the whole area surrounding Grace Park Road from Richmond Road to Collins Ave. The grounds also refers to the preparation by Dublin City Council (in 2014/15) of a study on an Environmental Traffic Cell for part of Drumcondra which was to have included Grace Park Road (extending to Griffith Ave). The preferred option, now being implemented, will give rise to more traffic on Grace Park Road. It states that the submitted traffic statement does not assess this change.

7.16. The first party response is that such an onerous requirement would significantly delay the school development.

7.17. Substantial portions of the documentation attached to the grounds of appeal refer to documentation prepared in relation to other development or sourced in other contexts, including a submission to have a 30kph speed limit on this road.

7.18. It appears from the grounds of appeal that the concern is that the Local Environmental Improvement Plan prepared by Dublin City Council covers only that part of Grace Park Road between Richmond Road and Griffith Ave. and does not extend to the part of Grace Park Road between Griffith and Collins Ave. The third parties submission regarding the preparation of a plan for a wider area relates to an ongoing process of engagement with the planning authority, on area wide policy matters, and that is the context in which this issue should be addressed. The adoption of such a plan, which is part of the recommended condition, would be

outside the power of the first party, since it implies adoption by the members of the Council.

- 7.19. Traffic management is an important issue and measures taken to moderate speeds or reduce flow on one route will have implications for other routes. Grace Park Road is an important route and extraneous traffic which has neither its origin or destination within the area can be drawn to use the road or be discouraged from its use by means of traffic management measures. It would not be reasonable to suggest that development along the road on zoned serviced land should be curtailed to reserve the use of the road to extraneous traffic.
- 7.20. In my opinion the re-development of the school site does not give rise to any traffic issues which are not adequately addressed in the documentation or in the conditions as drafted and roads and traffic issues should not be a reason to refuse permission or to impose further conditions.
- 7.21. The imposition of the suggested condition would be inappropriate and ultra vires.

7.22. Area Wide Educational Travel Plan

- 7.23. The third parties request a condition that prior to construction commencing Dublin City Council carry out a full study of the Drumcondra / Fairview / Marino districts with a view to drawing up an area wide educational travel plan by consulting fully with residents/parents/pupils on the terms of reference, ensuring that the consultants engage widely at the outset and when options have been developed, and implement the recommendations within one year of its completion. The third parties offer compelling reasons why such a plan should be prepared. If such a plan was required in order to assess the subject application it would indicate that the proposed development was premature pending its adoption. I do not consider that such a plan is required in order to assess this application, particularly having regard to the established educational use on this site.
- 7.24. The issue relates to an ongoing process of engagement with the planning authority on area wide policy matters and it is within that context that the issue should be addressed. I agree with the first party that it is outside the scope of this application/ appeal.

7.25. The imposition of such a condition would be inappropriate and ultra vires.

7.26. Condition no. 2 / public pedestrian access through site

7.27. In responding to the grounds of appeal the first party expresses concerns regarding the imposition of condition no. 2 which states:

2 The applicant shall make provision for and provide a pedestrian route along the eastern boundary of the site which will ultimately form part of a wider strategic pedestrian green network in the Grace Park Road area unless agreed by the Planning Authority. Details of the pedestrian route, including its precise location in relation to the eastern boundary of the application site, its width and extent, and its finish and treatment shall be submitted to the planning department for its written agreement prior to the school being first put into use. The pedestrian route shall be provided within two years of the school opening unless otherwise agreed by the Planning Authority.

Reason: In the interests of orderly development and to implement the 2016 – 2022 City Development Plan.

7.28. This matter arose during the course of the application and was raised by the planning authority in a further information request:

The Z15 zoning objective indicates that any development proposal on these lands should give consideration to their potential to contribute to the development of a strategic green network. In this context, the applicant is requested to clarify how they intend to comply on their own, or in partnership with, or in consultation with adjoining land owners with the prospective pedestrian routes shown on page 9 of the submitted planning report which is an extract from the draft 'Grace Park Road Area: Implementing the Development Plan' document.

7.29. The further information response stated:

With reference to the draft Development Framework for the Grace Park Road Area 2015. The prospective pedestrian route identified around the site has been adopted in the proposals. While the gates accessing the school site and the playing fields will provide accessibility and permeability to through the school site. A route on eastern boundary will be proposed as shown on Figures 1, 2 and 3. All existing routes to the neighbouring sites are being retained.

7.30. The response to the grounds of appeal states:

Having had discussions with the Department of Education and Skills they advise:

A public pedestrian route within the school boundary would potentially have a negative impact on the school's population.

The relatively high proportion of visually impaired pupils need a controlled and safe environment. The introduction of public and third parties to this environment will create a risk to pupil's health and safety.

As the site area of the school is relatively confined, the design proposal achieves a fine balance of education functional requirements. The introduction of the separated pathway cannot be accommodated on the site without negatively impacting on the operational access to the rear of the school. The alternative of a shared surface would create an unworkable health and safety risk and overlap with vehicular and pedestrian traffic. This would also present as a security risk to the school.

The land can be separately accessed north of the school site directly from Grace Park Road. There is no need to achieve access through the small and restricted school site where adequate access can be achieved independently.

A public pedestrian route within the school boundary would impede vehicular access to the school's maintenance stores and consequently negatively impact on the operation of the school.

As the playing field in question is not in the ownership, nor under the influence of the Minister for Education and Skills, it is therefore not possible to connect this planning application to use of that land. They recommend that future consideration for entry to such a public pedestrian route be located at Grace Park Road and through the Rosminiam owned playing field. Additional sub points made in the observation are outside the scope of the planning application.

7.31. I note that the wording of the condition is unclear but it appears that public access across the school site to the park to the east, is part of the route to be provided. Another part of the route appears to be along the eastern boundary within the park and is referred to under a separate heading below.

7.32. I accept that a public walking route through the school site would compromise the use of the grounds, in particular its use by this particular group of pupils and the proper functioning of this particular site. The use of this site as a school is well

established and the proposed development is unlike a development proposal on a green field site. The 'draft' implementation plan looks to opportunities to provide for pedestrian and cyclist movement networks when applications for development arise. Green field sites, which have not previously been developed, provide a different context to that of the subject site.

7.33. Although the response to the further information request appears to accept that access would be facilitated through the site, the response to the grounds of appeal clarifies this issue.

7.34. In my opinion, in the context of this particular school, requiring a public access through the school site would be an unreasonable imposition, and would be inappropriate for this site.

7.35. I advise the Board to omit the condition from any permission.

7.36. Use and Control of the Adjoining Park Grounds

7.37. The issue of ownership and securing public use of the adjoining park is raised by the third parties in the grounds of appeal and they request that it be a condition of any approval that Dublin City Council buy this field at existing use value in order to ensure that the aims of the current Development Plan for the provision of permanent and secure access for Pobalscoil Rosmini pupils to adequate space for recreational and sports activities. Given that their area is deficient in public open space, they consider that this playing field, under public ownership, would provide additional space in areas deficient, in accordance with policy.

7.38. The first party response is that the playing field in question is not in the ownership, nor under the influence of the Minister for Education and Skills, it is therefore not possible to connect this planning application to use of that land and that additional sub points made in the observation are outside the scope of the planning application.

7.39. Condition 2, referred to earlier also relates to the provision of a pedestrian route along the eastern boundary, which appears to be through this adjoining land.

7.40. The adjoining park grounds is not under the control of the first party and the letters submitted with the application and in response to the further information request,

which refer to consent for its use, are not contracts and do not cede control of the park to the first party.

- 7.41. A condition which would seek to direct the planning authority to acquire these lands would be ultra vires and could not be imposed.
- 7.42. A condition which would seek to provide a pedestrian route through this land would be ultra vires and could not be imposed.
- 7.43. **Other**
- 7.44. Demolition and Waste – the third parties state that the existing buildings may contain asbestos. The first party response in relation to health and safety is that the Department have appointed Health and Safety consultants ‘Integrated Risk Solutions’ as project Supervisor for the Design Stage.
- 7.45. An Outline Construction & Demolition Waste Management Plan accompanied the application, which includes reference to a demolition sequence involving preparing an inventory of hazardous waste, and removal of asbestos/hazardous material and the application of H&S procedures and the designation of a C&D Waste Manager.
- 7.46. Asbestos waste is highly regulated and no concerns regarding health and safety should arise.
- 7.47. Changing the boundary wall to a low wall and railings - the third party has requested the attachment of a condition requiring the replacement of boundary wall along Grace Park Road by a low wall and railings.
- 7.48. The first party has responded that the existing school has a masonry boundary which it is proposed to retain.
- 7.49. It is worth noting that an observation to the planning authority requested that the height of the lower section of the school boundary be increased or an evergreen hedging be provided along Grace Park Road from 66 inches to 76 inches, where the wall is adjacent to the proposed hard surface play area at the south end of the site, to enable adequate privacy between the school and the house opposite.

7.50. In my opinion the existing boundary is a suitable boundary treatment, its replacement would impose additional costs on the first party and the condition which the their parties propose is unnecessary.

8.0 Recommendation

8.1. In the light of the above assessment I recommend that planning permission be granted for the following reasons and considerations.

9.0 Reasons and Considerations

9.1. Having regard to the zoning and other objectives of the planning authority as set out in the current Development Plan which include to facilitate educational development on suitable sites and with regard to the established school on the site, it is considered that the proposed development would constitute a facility of value to the community, would not cause traffic congestion or endanger pedestrian, cyclist or traffic safety, would not injure the amenities of adjoining properties or inhibit achievement of the objectives of the Development Plan to increase pedestrian linkages and provide greenways and would, accordingly, 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 20 day of July 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. Water supply and drainage arrangements, including the disposal of surface water, shall be in accordance 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.

- 3 a) The drainage for the proposed development shall be designed and constructed on a completely separate system.

b) There is an existing public storm water sewer running through the site. A clear distance of three metres shall be maintained between sewers and all structures on site. The exact location of this pipeline must be accurately determined onsite prior to construction work commencing. No loading shall be placed on this sewer. Any damage to it shall be rectified at the developer's expense.

c) The developer shall limit storm water discharge from the site to 2 litres/second/hectare.

d) A connection from this development to the existing public storm water sewer network will only be granted when the developer has obtained the written permission of the Drainage Division and fulfilled all the planning requirements including the payment of any financial levies. All expense associated with carrying out the connection work are the responsibility of the developer. Developers are not permitted to connect to the public storm water network without written permission from the Drainage Division. Any unauthorised connections shall be removed by the Drainage Division at the developer's expense. A licence will be required from the Drainage Division to allow the connection work to be carried out. Permission of the Roads Department must also be obtained for any work in the public roadway.

e) The developer shall carry out both a pre- and post- construction CCTV survey on the public sewers affected by this development, as agreed with Drainage Division. The pre-construction survey is to be submitted to the

Drainage Division prior to works commencing on site. Following completion of all drainage works, the post- construction survey is to be submitted to the Drainage Division for written approval and any damage to the sewer shall be rectified at the developer's expense.

f) An appropriate petrol interceptor shall be installed on the internal drain from the car park. (Please refer to section 20 of the Greater Dublin Regional Code of Practice for Drainage Works Version 6.0.)

g) Dublin City Council's drainage records are indicative and must be verified on site. The developer must carry out a comprehensive site survey to establish all drainage services that may be on the site. If drainage infrastructure is found that is not on Dublin City Council's records the developer must immediately contact Dublin City Council's Drainage Division to ascertain their requirements.

Reason: In the interest of orderly development.

- 4
- a) All costs incurred by Dublin City Council, including any repairs to the public road and services necessary as a result of the development shall be at the expense of the developer. All works on the public road including road markings etc shall be agreed in writing with the Environment and Transportation Department.
 - b) At the vehicular access points to the development, the public footpath shall be continued at a raised level across the site entrance and exit, but shall be ramped and dropped as necessary (e.g. 32mm kerb over carriageway) to facilitate car-entry/exit. Measures shall be implemented including contrasting materials, signing, road marking, etc, to ensure that vehicles entering / leaving the development are aware that pedestrians have priority across the site entrance and that vehicles must yield right-of-way. The applicant shall be responsible for all costs associated with these works to the public footpath.
 - c) Footpath and kerb to be dished and new vehicular access to be provided to the requirements of the Roads Maintenance Department.

d) The developer shall be obliged to comply with the requirements set out in the Code of Practice.

Reason: To ensure an adequate standard of development.

- 5
- a) The developer shall retain a suitably-qualified licensed archaeologist to advise regarding the archaeological implications of site clearance, demolition and /or construction methodology and to make appropriate recommendations for mitigation including detailed survey as necessary.
 - b) The developer shall allow for the resolution of archaeology (both on site and necessary post excavation) in the project budget and timetable.
 - c) The developer's archaeologist shall undertake licensed archaeological monitoring of all demolition and sub-surface works associated with the development including the breaking and removal of any floor slabs, levelling of ground etc.
 - d) The archaeologist shall consult with and forward their method statement in advance of commencement to the City Archaeologist.
 - e) In the event of archaeological features being located in the course of monitoring, the developer shall facilitate the archaeologist in fully recording such features, including if necessary the archaeological excavation of such features. In the event of significant archaeological features on site, the archaeologist retained by the developer shall contact the City Archaeologist. The City Archaeologist (in consultation with the National Monuments Service, Department of Arts Heritage and Gaeltacht) shall determine the further archaeological resolution of the site.
 - f) A written and digital report (on compact disc) containing the results of the monitoring, shall be forwarded on completion to the City Archaeologist and National Monuments Service, Department of Arts Heritage and Gaeltacht.
 - g) Following submission of the final report to the City Archaeologist, where archaeological material is shown to be present, the archaeological paper archive shall be compiled in accordance with the procedures detailed in the Dublin City Archaeological Archive Guidelines (2008 Dublin City

Council) and lodged with the Dublin City Library and Archive, 138-44 Pearse St, Dublin 2.

Reason: In order to conserve the archaeological heritage of the area and to secure the preservation (in-situ or by record) and protection of any archaeological remains that may exist within the site.

- 6 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: noise management measures, number and size of vehicles accessing the site and disposal of demolition / construction waste.

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

- 7 Demolition / construction phase noise levels – shall comply with British Standard 5228 – Noise Control on Construction and open sites Part 1, Code of practice for basic information and procedures for noise control. Noise levels from the proposed development should not be so loud, so continuous, so repeated, of such duration or pitch or occurring at such times as to give reasonable cause for annoyance to a person in any premises in the neighbourhood or to a person lawfully using any public place.

Reason: In the interest of residential amenity.

- 8 The noise levels from the site during the operational phase, measured as an LAeq, (5min at night, 15 min in day) when all plant is operating shall not exceed the LA90 when no plant is operating, by 5 dB(A) or more.

Reason: In the interest of residential amenity.

- 9 a) Prior to the commencement of any works, a Construction and Demolition Waste Management Plan must be submitted to and approved by Dublin City Council having regard to Circular WPR07/06 – Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects – published by the DECLG, July 2006.
- b) In the event that hazardous soil, or historically deposited waste is encountered during the construction phase, the contractor must notify Dublin City Council and provide a Hazardous / Contaminated Soil Management Plan, to include estimated tonnages, description of location, any relevant mitigation, destination for disposal/treatment, in addition to information on the authorised waste collectors.
- c) Prior to the commencement of any storage of waste on-site, the applicant must consult with the Waste Regulation Unit of Dublin City Council.
- d) Monthly reports regarding the management of the waste during works, must be forwarded electronically to the Waste Regulation Unit of Dublin City Council waste.regulation@dublincity.ie.

Reason: In the interest of orderly development.

- 10 All trees shown to be retained on the site shall be adequately protected during the period of construction as per BS 5837, such measures to include a protection fence beyond the branch spread, with no construction work or storage carried out within the protective barrier.

Prior to the commencement of development a plan (scale 1:500) shall be submitted for the written agreement of the Planning Authority showing the proposed development and tree protection proposals for the period of school construction. All details so agreed shall be carried out on site.

Reason: In the interests of amenity, ecology and sustainable

development.

- 11 No additional development shall take place above roof parapet level, including lift motor enclosures, air handling equipment, storage tanks, ducts or other external plant, telecommunication aerials, antennas or equipment, unless authorised by a further grant of planning permission.

Reason: To protect the visual amenities of the area.

- 12 The landscaping scheme accompanying the application shall be implemented fully in the first planting season following completion of the development and any trees or shrubs 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 interests of amenity, ecology and sustainable development.

- 13 Details of the materials, colours and textures of all external finishes shall be submitted to and agreed in writing with the planning authority prior to commencement of development. A panel of the proposed finishes shall be placed on site to enable the planning authority to adjudicate on the proposals.

Reason: To protect the visual amenities of the area.

- 14 Demolition, site development and building works shall be carried out only between the hours of 07.00 to 19.00 Mondays to Fridays inclusive, between 08.00 to 14.00 on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received

from the planning authority.

Reason: In order to safeguard the amenities of property in the vicinity.

Planning Inspector

14th December 2017

Appendices

- 1 Photographs
- 2 Extracts from the Dublin City Development Plan 2016-2022