



An
Bord
Pleanála

Inspector's Report ABP 301347-18

Development	New Primary school building with 34 no. car parking spaces, new entrance/exit and demolition of existing primary school building.
Location	Newtownmountkennedy Senior Primary School, Newtownmountkennedy, Co. Wicklow.
Planning Authority	Wicklow Co. Council
Planning Authority Reg. Ref.	18/13
Applicant	Newtownmountkennedy Primary School Board of Management
Type of Application	Permission
Planning Authority Decision	Grant
Type of Appeal	Third Party v. decision
Appellant	Newtown Juniors F.C.
Observers	None
Date of Site Inspection	4/7/18

Inspector

Siobhan Carroll

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1.0 Site Location and Description

- 1.1. The site is located at Newtownmountkennedy, Co. Wicklow. It is situated to the western side of the town and circa 200m from the Main Street.
- 1.2. Newtownmountkennedy Community Centre adjoins the site to the east and there are two soccer pitches to the north of the school. The Glenbrook residential scheme comprising a mix of houses and apartment is located to the north-east. It adjoins the Newtownmountkennedy town centre which includes the Dunnes Stores supermarket. Season Park housing estate is situated circa 200m to the north of the site. The Monalin and Barelyfield housing estates are located to the south. Lands to the west of the site are under construction including a distributor road to serve the residentially zoned lands.
- 1.3. The site has a stated area of 1.895 hectares. It is elevated with views east towards the coast. The site is occupied by Newtownmountkennedy Senior National School. The school building is single storey and comprises three sections. It is served by a grassed area to the east of the building and a playing field to the rear. There is a hard-surfaced yard area adjoining the school to the south.
- 1.4. The Junior National School is located on the opposite side of the road and circa 100m to the east.

2.0 Proposed Development

- 2.1. Permission is sought for the construction of a one/two storey and fourteen classroom Primary School and all associated works. Features of the scheme include;
 - Site area of 1.895 hectares,
 - Floor area of school - 2,463m²,
 - 34 no. car parking spaces,
 - 20 no. bicycle spaces
 - New vehicular entrance
 - New play areas
 - Landscaping

- Demolition of existing school buildings – 1,152.2m²,

3.0 Planning Authority Decision

3.1. Decision

Permission was granted subject to 8 no. conditions.

3.2. Planning Authority Reports

3.2.1. Planning Reports

- It was concluded that while the proposed development would contravene the zoning objective of the Newtownmountkennedy Local Area Plan 2008-2018 that the proposal would not represent a material contravention of the Plan. It was considered that the proposed development would not impact upon the delivery of adequate active open space lands within the town to meet the required needs.

3.2.2. Other Technical Reports

Municipal District Engineer (Wicklow) – The availability of the required sightlines for the proposed external pedestrian crossing is queried. The Road Audit does not take into account the pedestrian traffic from the older housing estates in the town.

Municipal District Engineer (Wicklow) – Report dated 14/2/18 – consider seeking a contribution or funds towards providing a pedestrian crossing and 20m of footpath.

Roads Dept. – Report dated 12/2/18 – (1) level crossing to be provided across the entrance (2) Set down signage required (3) Details of public lighting required to be submitted for approval.

3.3. Prescribed Bodies

Irish Water – No objections

3.4. **Third Party Observations**

- 3.4.1. The Planning Authority received one submission in relation to the application. The issues raised are similar to those set out in the appeal.

4.0 **Planning History**

PA Reg. Ref. 04/874 – Permission was granted for two classrooms and two resource rooms within a single storey extension to the school.

PA Reg. Ref. 03/9201 – Permission was granted for two classrooms within a prefabricated extension to the school.

Adjacent Lands

PA Reg. Ref. 09/1359 – Permission was granted for minor revisions to previously granted Planning Reg Ref 06/6101 to include provision of a new access road to serve adjoining residentially zoned lands. New road to be accessed via C-G previously granted permission under Planning Reg 06/6101. (2) Minor revisions to previously granted road C-G to include relocation of bus stop and pedestrian crossing. Located on lands to the west of the appeal site.

PA Reg. Ref. 14/1329 & ABP Ref. PL27.243561– Permission was granted for 19 townhouses, open space and site works within a residential/ commercial development re Reg Ref 04/1538. Located on lands to the east of the appeal site.

PA Reg. Ref. 06/6101 & ABP Ref. PL27.227704 – Permission was granted for 861 no. residential units, provision of 4 no. creches, construction of roads and associated site works on lands to the north and west at Season Park and Monalin.

5.0 **Policy Context**

5.1. **Development Plan**

- 5.1.1. The operative development plan is the Wicklow County Development Plan 2016-2022.
- 5.1.2. Chapter 8 – refers to Community Development
- 5.1.3. Education and Development Objectives

5.1.4. CD6 –To facilitate the provision of schools by zoning suitable lands in local plans capable of meeting the demands of the projected populations. Prior to the identification of lands for primary and secondary school provision the Planning Authority shall consult with the Forward Planning and Site Acquisition and Management sections of the Department of Education.

CD7 – Where lands are zoned for educational use, to facilitate the development of facilities that provide for linkages between schools types. For example, particular encouragement will be given to primary and secondary school campuses, the linking of pre-school services with primary schools and the linking of secondary schools with vocational training facilities.

5.2. Newtownmountkennedy Local Area Plan 2008-2018

5.2.1. The site is subject to two zoning objectives; CE: Community & Education and AOS: Active Open Space

5.2.2. Section 7 - refers to Community infrastructure

Primary Education

5.2.3. As of September 2007 there is one primary school in Newtownmountkennedy. The 2016 town population of 6,000 will generate a demand for 680 places (28 classrooms) while the wider catchment of 8,000 will generate a demand for 38 classrooms. Therefore, there is a need to ensure that primary school provision can be expanded to 40 classrooms.

5.2.4. Policies / objectives

- A minimum of 4ha shall be reserved in the AA1 action area for the future expansion of Newtownmountkennedy national school and associated facilities (32 classrooms)
- A site of c. 4.7ha shall be provided in Moneycarroll for the purpose of providing a primary (up to 16 classrooms) and secondary school campus

5.3. National Policy

The Provision of Schools & the Planning System – A code of Practice for Planning Authorities, the Department of Education & Science and the Department of the Environment, Heritage and Local Government, July 2008.

The Code of Practice sets out best practice approaches that should be followed by planning authorities in ensuring that the planning system plays its full part in facilitating the timely and cost-effective roll-out of school facilities by the Department of Education and Science and in line with the principles of proper planning and sustainable development.

Technical Guidance Document TGD-025, Identification and Suitability Assessment for Sites for Primary Schools, Department of Education and Skills, January 2012.

The Guidance note was prepared to assist the identification and assessment for suitability of new sites for Primary Schools.

5.4. Natural Heritage Designations

5.4.1. The nearest Natura 2000 sites are;

- Carriggower Bog SAC c.3km to the north-west
- Glen of the Downs SAC c.4km to the north
- The Murrough Wetlands SAC c.5km to the east
- The Murrough SPA c.4.5km to the east
- Wicklow Mountains SAC c.9km to the west
- Wicklow Mountains SPA c.9km to the west

6.0 The Appeal

6.1. Grounds of Appeal

A third party appeal was submitted by Newtown Juniors F.C. The main issues raised concern the following;

- The proposed school would be located on lands which are zone Active Open Space (AOP). The area is the only AOS zoned lands in the centre of the town.
- There are other lands zoned for Community and Education (CE) in the area and also within Action Area 1 (AA1). Therefore, adequate land is available without building on the AOS zoned lands.
- The area of the land to the south and east of the site is zoned CE. It is noted that those lands are less elevated than the subject site and are served by the existing road and services.
- The proposed height of the building at 11.14m is considered excessive having regard to the elevated nature of the site. The building would dominate the skyline particularly when viewed from the south and east.
- The proposed finished floor level of the school is 10m higher than that of the Community Centre. The roof height is circa 13m higher than the apex of the roof of the Community Centre.
- The building design is considered inappropriate for the site context. It is described as having a monolithic design which is bulky and lacking aesthetic value.
- The proposed development would have a significant impact upon the future delivery of 'AOS' zoned lands within Newtownmountkennedy. The site has been used for sport for the past 50 years. No suitable alternative 'AOS' zoned area has been provided to replace the site.
- Newtown Juniors F.C. has solely maintained the site to a very high standard. The football pitch is used for training and matches seven days of the week. The football club would lose a very important amenity should the development

proceed. The club was not consulted at any stage in relation to the proposed development.

- Coaches from Newtown Junior's F.C. provide between 4-5 hours of voluntary coaching per week to Newtownmountkennedy Senior National School. The site is used for coaching which benefits the school so the loss of the pitch would be detrimental.
- It is requested that permission is refused for the reasons set out in the appeal.

6.2. Applicant Response

A response to the third party appeal was submitted by Cunnane Stratton Reynolds on behalf of the applicants Newtownmountkennedy Primary School Board of Management. The main issues raised are as follows;

- In response to the appellants statement that there are no other AOS zoned lands in the area. It is noted that there is an area of AOS zoned land between the appeal site and the town centre zoned lands. The area contains two soccer pitches. The pitches are owned by Newtown Juniors F.C.
- The applicants proposed an area for active sports as part of the scheme if funding is available.
- There are a further two soccer pitches in the process of being prepared for use and two pitches to the rear of the school and the Community Centre which provides for indoor training.
- The report of the Wicklow Co. Council Planning Officer considered that the loss of 'AOS' zoned lands. The report states *"while the proposed school is to be located on lands zoned for active open space it is considered that the quantum of Active Open Space that is lost will be negated to a large extent by the allocation of the site of the existing school for use as active open space."* The report further states that *"it is noted that there is a large quantum of land zoned within Newtownmountkennedy for open space both (passive and active)..it should be noted that lands located to the immediate north of the application site are currently set out for use as active open space and are to*

be dedicated as part of the grant of permission ABP Ref: PL27.227704 which is currently under construction.”

- Therefore, the Council concluded that the potential provision of an active games area within the scheme would compensate for the loss of zoned ‘AOS’ lands to accommodate the school.
- The proposed development would not result in a material contravention of the Development Plan.
- The site straddles two zonings, Community and Education (CE) and Active Open Space (AOS).
- The scheme has been designed to facilitate future access to active sport or recreational uses from the car park at the Community Centre.
- The proposed school has been designed to accommodate future expansion. An extension of the existing school was not considered appropriate as it would not meet the Department of Education and Skills brief objectives.
- The report of Gilroy McMahon sets out that the location of the school was dictated by the DES – Technical Design Guidance recommends that in order to avoid the need for temporary school accommodation the construction of a new school building with the subsequent demolition of the existing school building is preferable. The footprint of the existing school would return to a grassed area for sporting use if funding is secured.
- The applicants intend to seek a rezoning of the portion of the appeal site currently zoned as ‘AOS’ to ‘CE’ in the new Newtownmountkenedy Local Area Plan.
- The appeal site is not a backland site as stated in the appeal. It has frontage onto the existing main road. The proposed school is part single storey and part two storey and is not considered an excessive height for a school.
- The Board should note that the topography of the area is such that the area rises from the town centre towards the appeal site. The lands to the west are also at a higher level and will be developed with two-storey housing. It is considered that the proposed school building would be nestled within a vista of two-storey housing.

- The view from the east would be dominated by the proposed school building, while the view from the south would include the existing two-storey housing at Season Park. When viewed from the north the school would appear nestled into the existing developed lands.
- The proposed finished floor levels of the building have been determined due to the existing height difference between the appeal site the existing school and the Community Centre. The floor level of the Community Centre is 94.56, the existing school has a floor level of 98.37. The site has a steep change of level to the west of circa 3m. The finished floor level of the proposed school building is 104.20 and 104.65.
- The extension of the existing school building cannot meet the current design requirements of the Department of Education and Skills. The siting and design of the school maximises the scope for future expansion. The proposed open space area on the footprint of the existing school would be suitable for seven a side football or similar sided games. The Community Centre should be able to accommodate the Clubs needs.
- The issue of an alternative site for the school was raised in the appeal. It was suggested that the school could be built on the opposite side of the road from the appeal site on CE zoned lands.
- The suggested site has an area of 2.3 hectares which includes the existing Junior National School. The lands are requirement to accommodate a small neighbourhood centre with retail service units. Therefore, that site is limited. It would be more appropriate to have the school located on the same side of the road as the Community Centre.
- The applicant does not agree with the appellants that the loss of the area used by the club would have any impact on the future delivery of AOS lands. The loss of AOS lands and future delivery of AOS lands are considered unrelated.
- The projected population of 8,000 of the town requires 19.2 hectares as per the LAP. There are 4 no. AOS zoned areas across the town with a total of 23.2 hectares. 6.4 hectares are located within AA1 where the appeal site is

situated. A loss of 0.6ha would reduce the total available area to 22.56ha. This is still in excess of the 19.2 ha threshold as set out in the LAP.

- As detailed in the LAP there is 2.5ha of existing soccer pitches surrounding the Community Centre. In addition, a soccer pitch is to be provided to the west of the existing soccer pitches.
- Within AA1 there is 6.4ha of AOS zoned lands. The outdoor sports areas within the town are all located within AA1 aside from the GAA pitches. Therefore, AA1 is not deficient in AOS land or playing pitches as set out in the appeal.
- Newtown Juniors F.C. has existing access to both soccer pitches to the rear of the existing Senior National School and also indoor training facilities within the Community Centre. Furthermore, the club may have access to two pitches on the AOS zoned lands to the west of the site.
- An area capable of providing a seven a side pitch is proposed under the scheme and this area can be delivered subject to funding. The area of AOS zoned lands which would be lost is only of a size suitable to accommodate mini soccer for under 10's or for smaller sized teams.
- There is no material contravention of the LAP or any of its open space, AOS or outdoor sports areas objectives and policies.
- It is requested that the Board grant permission for the proposed development.

6.3. Planning Authority Response

- None received

6.4. Further Responses

A further submission was received from Newtown Juniors F.C. The main issues raised are as follows;

- The site is located within Action Area 1 and the proposed development is on land which is zoned Active Open Space (AOS).

- The AA1 lands are currently under development by Kineada Ltd. By agreement reached with Wicklow Co. Council on the 2nd of July 2006. As part of the agreement a minimum of 4.2 hectares was reserved in AA1 for the future expansion of the school. These lands are zoned CE in the Newtownmountkenedy Local Area Plan 2008-2018.
- The proposed development on AOS zoned lands represents a material contravention of the LAP.
- The CE zoned lands within AA1 are substantially larger than the appeal site. It is considered that the applicants should have been advised at pre-planning stage that the CE zoned lands were more appropriate for the proposal.
- The appellants cite Technical Guidance Documents issued by the Planning and Building Unit in Department of Education and Skills TGD-025 and TGD-027. Section 2.2 refers to Site zoning and states *“ensure that lands are zoned appropriately for educational purposes, community facilities or a compatible land use in the County Development Plan or Local Area Plan. If the lands are not currently zoned there is a need to ensure that the lands will be given the appropriate zoning to allow development to commence. (this is normally done through a material contravention)”*
- Section 3.1 of the Guidance documents requires that sites should have good useable access and road frontage. It is stated that no part of the proposed school has frontage to the road and that the proposed access is located on a severe bend in the road.
- It is stated that the site requires extensive excavation which is contrary to the technical guidance documents.
- The guidance documents require that the location and orientation of a school building can benefit from solar heating and optimum day lighting. It is considered that with the surrounding development including four storey apartments the school would be overlooked and visually dominated.
- The report of the Wicklow Area Engineer stated that the provision of adequate sightlines at the proposed vehicle entrance was an issue.

- The appellants state that the vehicular access arrangements should provide for buses and coaches, delivery vehicles and emergency vehicles.
- The appellants are of the opinion that the proposed design does not provide for future expansion. Therefore, the proposal does not represent the best option for the location the new Senior National School.
- The proposal is based on the existing school site of 0.892ha. The AOS zoned lands would be changed to CE use. The AOS lands have an area of 0.946ha. The proposed area of the new school campus is approximately 1.838ha. It is proposed that approximately 0.37ha of land would revert from CE to AOS. The new school would be on a reduced site of 1.406ha.
- The appellants consider there is no potential gain of AOS land as part of the proposed development. The proposed school should be built on the CE zoned lands within the LAP.
- The applicant has not taken into consideration the planned development of estate no. 6 within AA1. The site levels rise 14m from east to west this is contrary to technical guidance documents of the Department of Education and Skills.
- The proposal cannot meet the policies and objectives of the LAP which requires a primary school which can be expanded to 40 no. classrooms.
- There are no policies or objectives to build a small neighbourhood centre including local retail and community centre on the CE zoned lands within AA1. The new school can be developed on the significantly larger CE zoned lands.
- The loss of AOS zoned lands would have a significant negative impact on the sporting clubs in the town. The playing field is vital to the community. Newtown Juniors F.C. currently have the use of two full sized pitches at the Community Centre. There are two pitches under development by Kineade Ltd. They are separated by a steep embankment. The plot sizes do not allow for safety run-off. The existing full-sized pitches are often waterlogged during the winter and this causes fixtures to be called off.
- The proposal does not meet the needs of the community. The proposal requires to be resized, reshaped and relocated on CE zoned lands.

7.0 Assessment

The main issues in this appeal are those raised in the grounds of appeal. I am satisfied that no other substantive issues arise. The issues can be dealt with under the following headings:

- Principle of Development and suitability of site
- Design and visual impact
- Access
- Appropriate Assessment

7.1. Principle of Development and suitability of the site

- 7.1.1. The site with an area of 1.895 hectares contains the original school building with 8 no. classrooms. The eastern section of the site where the existing school is located is zoned Community & Education (CE). The western section of the site is located on lands zoned Active Open Space (AOS). As set out in the Land Use Matrix of the LAP, the proposed educational use on the CE zoned lands is permitted in principle. The proposed educational use on the AOS zoned lands is indicated as prohibited. It is advised in the LAP that uses which are not indicated as 'Permitted in Principle' or 'Not Normally Permitted' are material contraventions of the plan.
- 7.1.2. The site is also located within Action Area 1 within the Newtownmountkennedy Local Area Plan 2008-2018. In relation to Action Area 1, it is set out in the LAP that it refers to circa 58 hectares to the western side of the town. The division of land use zonings within AA1 provides for approximately 41 hectares of residential, 4 hectares of Community and Education for schools and circa 13 hectares of public open space and circa 1.5 hectares of Active Open Space.
- 7.1.3. As set out in the Local Area Plan in relation to educational requirements it is an objective that a minimum of 4ha shall be reserved in the AA1 action area for the future expansion of Newtownmountkennedy national school and associated facilities (32 classrooms).

- 7.1.4. The third party have made the appeal on the basis that the proposed development would materially contravene the Local Area Plan, that it would result in the loss of AOS zoned lands and that other suitably zoned CE lands are available within AA1 to accommodate the proposed Senior National School.
- 7.1.5. The Planning Authority in their assessment of the proposed scheme determined that the proposal would not represent a material contravention of the Newtownmountkennedy Local Area Plan 2008-2018 on the basis that the lands adjoining the appeal site to the north are being set out for use as Active Open Space as playing pitches. This AOS lands is provided as part of the planning permission granted to Kineada Ltd under ABP Ref. PL27.227704 and P.A. Reg. Ref. 06/6101. The Planning Authority were also cognisant that the proposed scheme would involve the demolition of the existing school building and the allocation of the site of the existing school for use as active open space.
- 7.1.6. In respect of this I note that area zoned AOS which forms part of the site has an area of circa 0.72 hectares. The proposed school building would not occupy the entire AOS zoned area. A grassed and area of existing mature planting of circa 3,600sq m (0.36 hectares) is proposed to the western side of the building. The remaining area of circa 0.36 hectares of AOS zoned lands would be occupied by the proposed new school and it associated hard surfaced play areas.
- 7.1.7. The CE zoned area which forms part of the site has an area of circa 1.175 hectares. As indicated on the proposed layout plan Drawing no: (PP)003 a grassed area of circa 3,060sq m (0.306 hectares) is proposed to the eastern section of the site. The proposed reallocation of the 0.306 hectares from CE use to AOS would effectively replace the area of AOS lands which would be lost with the proposed development of the new school.
- 7.1.8. While the western area of the site is zoned AOS, it is clear that there is an established use of the lands by the school for physical educational uses. I also note that the appellants Newtown Juniors F.C. use the playing pitch on the AOS lands on the site. The existing pitch is not a full size soccer pitch and is only suitable to accommodate mini soccer for under 10's or for soccer teams with a smaller number of players than eleven per team.

- 7.1.9. In response to the issue of the loss of the soccer pitch the applicants have confirmed that the proposed new AOS area would be used for active games and that it would compensate for the loss of zoned 'AOS' lands to accommodate the school. They suggest that the area could be used for seven a side football or similar sided games.
- 7.1.10. The applicant stated in their response that they intend to seek a rezoning of the portion of the appeal site currently zoned as 'AOS' to 'CE' in the new Newtownmountkennedy Local Area Plan.
- 7.1.11. The appellants raised the possibility of using an alternative site for the proposed school. They suggested that the school could be built on the opposite side of the road from the appeal site on CE zoned lands. In response the applicants stated that the CE zoned lands to the south have an area of circa 2.3 hectares which includes the existing Junior National School and that there are requirements to provide a neighbourhood centre on the lands. In relation to AA1 as set out in Newtownmountkennedy Local Area Plan there is a requirement that a small neighbourhood centre, including a community space of not less than 400sqm and not more than 500sqm of retail / local service units be provided. The area of CE zoned lands within AA1 and available to provide this is site to the south adjacent to the existing Junior National School. Therefore, I would agree with the point made by the applicant that those land may not be entirely suitable for the proposed development.
- 7.1.12. Regarding the availability of alternative AOS zoned lands to serve the requirements of Newtown Juniors F.C. as detailed in the report of the Planning Authority there are two existing soccer pitches on the adjoining AOS zoned lands to the north. Furthermore, there is AOS zoned lands directly to the north of the site and within AA1 are being developed to accommodate playing pitches as part of the permission granted to Kineade Ltd. under PA Reg. Ref. 06/6101 & ABP Ref. PL27.227704.
- 7.1.13. Having regard to the fact that there would be a trade-off between the loss of AOS zoned lands on the western section of the site and the provision of active open space on the footprint of the existing school building (CE) zoned lands and taking into account the proximity of the existing two soccer pitches to the north with the current development of additional pitches on the adjoining AOS zoned lands, I therefore consider that the proposal is acceptable in principle and that it would not

represent a material contravention of the Newtownmountkennedy Local Area Plan 2008-2018.

7.2. Design and visual impact

- 7.2.1. Issues relating the suitability of the siting and design of the proposed school have been raised in the appeal. Specific reference is made to various technical guidance documents prepared by the Department of Education and Skills.
- 7.2.2. The Technical Guidance Document TGD- 025 refers to 'Identification and Suitability Assessment of Sites for Primary Schools', it gives advice on the size of site required to provide for the various elements including the school building, which a school site is required to accommodate. Table 1 of the document (see Appendix 4) gives guidance on space requirements based on the number of classrooms. For a school with 8 to 16 classrooms which is also a two-storey building, the recommended site size is 1.04ha. For a school with 8 to 16 classrooms which is also a single storey building, the recommended site size is 1.14ha. The subject site with an area of 1.895 hectares exceeds those requirements.
- 7.2.3. As set out in TGD- 025 an area for ballcourts, green space and a junior play area of 400sq m are required to serve new primary schools. The proposed scheme includes two hard surface play areas along with two areas of teaching garden and the large grassed area to the east of the school is proposed for the junior play area. The recreational areas provided within the scheme do cover the diverse requirements.
- 7.2.4. The appellants raised the suitability of the site in relation to the existing ground levels. While, I note that the site rises towards the west this has been taken in consideration within the proposed design. As indicated on the proposed building sections [Drawing No: (PP)009] the proposed development would involve some construction into the site at the western and northern sides of the building. The proposed finished floor level at ground floor level within the buildings varies marginally at 104.2 and 104.6 between the eastern and western sections of the building. The works necessary to provide these ground floor levels would require some alteration in the topography of the site with some regrading with a gradual sloping of lands to the west of the building. However, I do not consider the nature or extent of works would be excessive as suggested in the appeal.

- 7.2.5. Regarding the proposed design of the school it is part single storey and part two-storey and of a contemporary design. I would not agree with the opinion expressed in the appeal that the building would appear monolithic. I would note that it is of a design comparable to the many new schools recently built. As detailed above the school will be somewhat built into the site and given that it is part single storey and part two-storey I am satisfied that it can be assimilated in the site and that it would not appear unduly visually obtrusive.
- 7.2.6. In relation to the potential to extend the school, I am satisfied that there is sufficient scope within the site area to provide additional accommodation if required.
- 7.2.7. The appellants suggest in the appeal that the school would be overlooked by future residential development. The lands to the south of the site are zoned residential and currently under construction. Development of a distributor road to serve the AA1 lands is currently taking place on lands to the south and west of the school site between the residential development and the subject site. The lands adjoining the site to the north are AOS zoned lands. Having regard to the separation distance between the site and closest residential lands, I am satisfied that the school will not be overlooked from residential development.

7.3. **Access**

- 7.3.1. The appellant has raised concerns in relation to the proposed vehicular entrance and the lack of road frontage. As set out in Department of Education and Skills - Technical Guidance Document TGD-025 which refers to Identification and Suitability Assessment of Sites for Primary Schools requires that sites should have good useable road access and road frontage to allow efficient use of the site. The Guidance Document requires safe access to the site and circulation to public roads. In relation to the matter of road frontage, I note that the appeal site directly adjoins the public road for 150m.
- 7.3.2. It is proposed to retain the existing vehicular entrance to the school and use it for maintenance purposes. A new vehicular entrance is proposed circa 45m to the west of the existing entrance. It is located onto a bend in the road and adjoining the entrance to an existing private lane. Sightlines in excess of 90m are available in both directions at the proposed entrance. As indicated on the submitted layout plans the junction of the proposed access and the road will include stop signage and

markings. The proposed vehicular gates of the school are set back 14m from the junction are indicated as inward opening. I consider the proposed vehicular access arrangements are acceptable.

- 7.3.3. A total of 34 no. car parking spaces are proposed to serve the school. These spaces are proposed to the east and south of building. As set out in Table 1 of the Department of Education and Skills - Technical Guidance Document 2 no. car parking spaces are required per class. A total of 14 no. classrooms are proposed therefore a minimum of 28 no. car parking spaces would be required. I consider the vehicular parking provision is acceptable.
- 7.3.4. A bicycle rack is indicated on the Site Plan to the front of the building which will facilitate cycling by staff and pupils. This is sufficient space available around the perimeter of building to locate additional bicycle racks if required in the future
- 7.3.5. The existing school is served by 6 no. set down parking spaces along the southern side of the public road. A further 6 no. set down parking spaces are proposed along the northern side of the road. Furthermore, I note the proximity of the existing car park at the Community Centre which adjoins the site to the east. The existing and proposed location of set down parking, proposed on site car parking, bicycle parking and existing proximate parking at the Community Centre will ensure appropriate areas are available for school buses, bicycle access, staff and visitor parking, car set down and pick up provision.
- 7.3.6. The application is accompanied by a Road Safety Audit prepared by ORS Consultants. The matter of pedestrian access is raised in the audit. Specifically, reference is made to the lack of design detail in relation to the pedestrian linkage between the site entrances and the existing footpaths. Should the Board decide to grant permission, I would recommend that a condition be attached to ensure a safe means of pedestrian access is provided between the site and the existing footpath network.
- 7.3.7. Having regard to the details submitted including the Road Safety Audit, I consider that the proposed development is acceptable from an access, traffic and transport perspective.

7.4. **Appropriate Assessment**

- 7.4.1. Having regard to the nature and scale of the proposed development and/or the nature of the receiving environment and/or proximity to the nearest European site, 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.

8.0 Recommendation

- 8.1. I recommend that permission is granted subject to conditions.

9.0 Reasons and Considerations

- 9.1. Having regard to the provisions of the Wicklow County Development Plan 2010-2016, the Newtownmountkennedy Local Area Plan 2008-2018, the need for educational facilities in an area, it is considered that, subject to compliance with the 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.

10.0 Conditions

1. The development shall be carried out and completed 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 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. Prior to commencement of development, the developer shall agree in writing with the planning authority arrangements for the proposed vehicular entrances and pedestrian access including the provision of linkages between the entrances and the existing footpath network.

Reason: In the interest of visual amenity and of traffic and pedestrian safety.

3. Details including samples of the materials, colours and textures of all the external finishes to the proposed development shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

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

4. Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services. Details of the surface water drainage system in compliance with Sustainable Urban Drainage measures (SUDS) shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of public health 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 commencement of development. This plan shall provide details of intended construction practice for the development, including:-

- (a) location of the site and material compound(s) including area(s) identified for the storage of construction refuse;
- (b) location of areas for construction site offices and staff facilities;
- (c) details of site security fencing and hoardings;
- (d) details of on-site car parking facilities for site workers during the course of construction;
- (e) details of the timing and routing of construction traffic to and from the construction site and associated directional signage, to include proposals to facilitate the delivery of abnormal loads to the site;
- (f) measures to obviate queuing of construction traffic on the adjoining road network;
- (g) measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network;
- (h) alternative arrangements to be put in place for pedestrians and vehicles in the case of the closure of any public road or footpath during the course of site development works;
- (i) provision of parking for existing properties during the construction period,
- (j) details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels;
- (k) containment of all construction-related fuel and oil within specially constructed bunds to ensure that fuel spillages are fully contained. Such bunds shall be roofed to include rainwater;
- (l) off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil, and
- (m) means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains.

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

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

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

Reason: In the interest of sustainable waste management.

7. Details of the proposed site boundary treatment shall be submitted to, and agree in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual and residential amenity.

8. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground.

Reason: In the interest of visual and residential amenity.

Siobhan Carroll
Planning Inspector

15th August 2018