



An
Bord
Pleanála

Inspector's Report ABP- 301919-18

Development	Erect a 2-storey primary school.
Location	Coast Road, Laytown, Co. Meath.
Planning Authority	Meath County Council
Planning Authority Reg. Ref.	LB170518
Applicant(s)	BoM of Scoil an Spioraid Naoimh
Type of Application	Appeal
Planning Authority Decision	Grant permission
Type of Appeal	Third Party x 2
Appellant(s)	Teresa Stack Liz & Roger Pickett
Observer(s)	One – Meath Environment Pillar
Date of Site Inspection	2 nd January 2019
Inspector	Karla Mc Bride

1.0 Site Location and Description

- 1.1. The appeal site occupies a coastal location to the N of Laytown and S of Bettystown in County Meath and it is located in-between the Coast Road (R150) and Laytown Strand. The surrounding area is predominantly residential in character with some institutional uses. The site is bound to the E by the linear grounds of a 2-storey convent building which run parallel to the coast, to the S by the grounds of the Sacred Heart Church which is a Protected Structure, and to the N by holiday cottages, all of which have direct access to the public road and the seashore.
- 1.2. The site is occupied by two existing single storey buildings. The original small detached school building, which is a Protected Structure and no longer in use occupies the NE section of the site, whilst the larger existing school building occupies the central and S sections of the site. The NE section of the site comprises a section of the convent lands which are characterised by trees and scrubland.
- 1.3. The site boundaries are defined by a mix of low and high walls along with trees and hedges, there are several trees located within the N and NE sections of the site and there are 3 coastal European sites located to the N and S of the site.
- 1.4. Photographs and maps in Appendix 1 describe the site and surroundings in detail.

2.0 Proposed Development

Permission is being sought to demolish the existing single storey school building and erect a new 2-storey school building on c.1.01ha site.

- Retain the original c.138sq.m school building (Protected Structure).
- New c. 4,100sq.m building would contain 24 classrooms.
- Vehicular access arrangements off Coast Road to comprise:
 - New vehicular entrance to the N and separate exit to the S.
 - Realignment of existing entrance to adjoining convent gateway.
 - Closure of existing vehicular access.
 - Relocation of existing pedestrian entrance.
 - Car parking spaces and coach set down areas.

- Provide 2 x new hard play courts (reduced to 1 by FI)
- Provide play spaces and site landscaping.
- All site works, boundary treatment, lighting & connection to existing services.

Accompanying documents:

- Architects report
- Traffic Impact Assessment
- Mobility Management Framework Plan
- Water supply & drainage report
- Conservation report
- AA screening report
- Archaeological Impact Assessment
- Tree Survey (FI submission)

3.0 Planning Authority Decision

3.1. Further Information

The PA requested and received further information in relation to the following:

1. Details in relation to vehicle parking, entrance & exit arrangements and pedestrian safety, note that funding has yet to be secured for the delivery of the spine road and parking provision - *details submitted.*
2. Details in relation to the integration of the proposed agreed vehicular & pedestrian entrances with existing roadside kerbs, bus set down areas, footpaths & public lighting and sightlines - *details submitted.*
3. Submit a completed Road Safety Audit - *no details submitted.*
4. Details to allow for the assessment of the impact of the works on the character of the protected structures - *details submitted.*
5. Revised sections to include the proposed development and the properties to the N of the site - *details submitted & layout amended*

6. Details of existing and proposed levels of the ball courts access road - *details submitted & layout amended.*
7. Details of any trees to be removed - *Tree Survey submitted & layout amended.*
8. Clarify lighting details for the site - *details submitted.*
9. Address contents of third party submission - *details submitted.*

3.2. Decision

Following the receipt of FI planning permission was granted subject to 16 Conditions.

- Condition no. 2 set out the transportation requirements in relation to: - a Road Safety Audit; design of the access points & interface with the new spine road; details of boundary treatment along the public road & relocation of the pedestrian crossing; details of parent parking facilities & drop off area; and the play court should be available for parent parking.
- Condition no. 4 required the submission of a landscape plan which should include details of trees for retention & removal and boundary treatment details, the protection of mature trees & groups of trees is paramount.

3.3. Planning Authority Reports

3.3.1. Planning Reports

The report of the planning officer recommended a grant of planning permission.

3.3.2. Other Technical Reports

Transportation: FI requested in relation to: - access, parking & pedestrian safety; integration with existing kerbs, footpaths, bus set down area & public lighting; Road Safety Audit & adequate sightlines.
Recommend permission be refused following receipt of FI but suggested conditions in event of a grant of permission.

Water Services: No objection subject to compliance with conditions.

Conservation Officer: No objection subject to compliance with conditions

3.4. Prescribed Bodies

Irish Water: No objection subject to compliance with conditions

3.5. Third Party Observations

One submission received from the owners of the holiday cottages to the N of the site which raised concerns in relation to the adequacy of the information submitted, change in levels between the two sites, loss of woodland along N site boundary, no FFL for the courts, absence of drainage details, proximity to site boundary, impact on Protected Structure, impact on residential amenity (noise/overlooking/light pollution), inadequate vehicular access arrangements (dangerous/unworkable/impractical).

These concerns were sustained following receipt of FI in relation to: - the site access arrangements (no regard to previous agreement with the Roads Dept.); selective & misleading sections; no details of existing & proposed levels of the Ball Courts & Access Road; Tree Survey does not identify trees to be removed; and inadequate response to boundary treatment, woodland protection, drainage & lighting concerns.

A second submission was received from Teresa Stack following the receipt of FI which raised concerns in relation to:- traffic safety, inadequate vehicular access, drop off and bus set down arrangements; traffic generation & congestion at peak times; inadequate Draft Traffic Management plan which will lead to chaos; loss of the woodland & coastal shelter belt; lack of consideration of other options; footpath & underground light cabling will damage tree roots; LAP specifies that the trees are to be protected; impact of coastal winds on remaining trees after felling; and loss of biodiversity with adverse impacts on pygmy shrew & bats.

A third submission was received from Cllr. Tom Kelly following the receipt of FI which raised concerns in relation to: - the registration status of the school; no works to commence until the new Spine Road is in place; a traffic management plan is required; tree felling should not be permitted unless 2 x semi-mature trees replace each felled tree; stream along N site boundary should be protected from construction run-off; Dept. of Education have sufficient land off the Spine Road to accommodate a new school; provide an underpass under the Spine Road to connect the two school sites; and pedestrian & child safety is a major consideration.

4.0 Planning History

SA/60277: Permission granted for 2 temporary prefab classrooms.

SA/50473: Permission granted for 1 temporary prefab (2 classrooms).

SA/30265: Permission granted 1 temporary prefab (2 classrooms).

P8/15/003: Part 8 proposal for the new Bettystown to Laytown Spine Road (R150) to include 2 x footpath & cycle tracks, proposed car park at the S end of the scheme, bus parking/layby facilities, school & site access points and associated works. MCC agreed the Part 8 on 12/05/2016.

ABP-301474-18: Current application for the CPO of lands for the R150 Spine Road.

5.0 Policy Context

5.1. Meath County Development Plan 2013 to 2019

Heritage:

Landscape Character Type: Coastal Plains

Landscape Sensitivity: High

Protected sites: Laytown Dunnes/Nanny Estuary pNHA to SE

Protected Views & Prospects: No.65 Laytown Strand – Distinctive view N-wards along strand from Laytown

Protected Structures: Laytown National School building within site
Laytown Church to immediate S

Policies and objectives:

SOC POLs 16 to 19: seek to facilitate the provision of educational facilities.

SOC OBJ 02: seeks to facilitate the Department of Education & Skills, Meath VEC, and other agencies in the necessary provision of primary, post primary and third level educational facilities by reserving lands for such uses in the respective LAPS.

Development standards:

Car parking: Table 11.9 requires 3 spaces per classroom for schools

Bicycle parking: Secure cycle parking facilities & bicycle racks required within 50m for long term parking (schools) & one third of the number of car spaces required.

5.2. East Meath Local Area Plan, 2014-2020

Zoning:

The site is located within an area covered by the “G1” Community Infrastructure zoning objective which seeks “To provide for necessary community, social and educational facilities” and primary schools are permitted, and the adjoining lands to the N, S and W are zoned “A1” for existing residential use.

Education policies:

CI POL 14: seeks to ensure that adequate land & services are reserved to cater for the establishment, improvement or expansion (where possible) of school facilities.

CI POL 15: seeks to ensure that high standards of design and layout are achieved.

CI POL 16: seeks to encourage the development of sustainable means of transport for school going children, to include walking, cycling, bus and car-pooling.

CI POL 17: seeks to continue to work closely with the Department of Education & Skills to identify existing and future educational requirements, identify and reserve suitable sites for educational purposes, if required....

Transportation objectives:

TM OBJ 1: seeks to facilitate the provision of a N-S spine road connecting the R150 at Scoil an Spioraid Naoimh primary school to the Eastham road roundabout. This road will include quality footpaths & cycleways. The link road will proceed in conjunction with the development of adjoining lands and be provided by the relevant developer. The Council may assist with the delivery of all or part of this road by using its CPO powers to acquire lands in certain circumstances e.g. in the instance where the Department of Education and Skills or another agency sought to improve access arrangements to the schools by way of the provision of all or part of this road, subject to necessary funding being made available.

Trees Policies and objectives:

HER POL 3: seeks to protect and minimise the impact of new development on habitats of biodiversity value ... including tree lines & groups of trees.

HER POL 11: seeks to preserve and enhance the general level of tree cover in urban areas & to ensure that proposals do not compromise important trees.

Site specific objective:

HER OBJ 9: seeks to protect mature trees/groups of mature trees that are not formally subject to TPOs where practicable including trees in & near the grounds of Laytown Church (T1) and along Laytown Road (T2).

Flood Risk Assessment:

The site not located within a flood risk zone although it is located close to one along a short section of strand to the rear of the convent building and church.

5.3. Natural Heritage

- River Nanny Estuary & Shore SPA to SE
- Boyne Coast & Estuary SAC to N
- Boyne Estuary SPA to N

5.4. Screening for Environmental Impact Assessment

Having regard to the nature and scale of the proposed development, it's located within a serviced urban site, and the separation distance to any sensitive location, there is no real likelihood of significant effects on the environment arising from the development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

6.0 The Appeal**6.1. First Third Party appeal**

Liz and Roger Pickett are the owners of the neighbouring holiday cottages to the N of the site. They consider that the applicant's response to the FI request and the conditions attached by the planning authority are inadequate to allow for a thorough assessment of the proposal. They raised the following outstanding concerns.

Context:

- Site occupies a scenic coastal location between 2 x European sites.
- Long established & award-winning holiday cottage enclave provides high quality 5 Star tourist accommodation with 7 x thatched cottages.

Insufficient information:

- FI response did not directly address concerns raised in relation to:
 - Site access arrangements & no regard to previous agreement with PA.
 - Selective & misleading sections.
 - No details of existing & proposed levels at Ball Courts & Access Road.
 - Tree Survey does not identify trees to be removed.
 - Inadequate response to boundary treatment, woodland protection, drainage & lighting concerns.
- The PA conditions mainly reflect the concerns raised by the Appellant.
- These conditions could alter the final development & the neighbouring lands.
- Conditions no.2 & 4 deal with the applicant's failure to address the FI request.
- Condition no.2 (Road Safety Audit) could result in significant changes to the internal road layout, access points, boundary treatment & parking layout, and Roads Dept. considered absence of a Road Safety Audit to be unacceptable.
- Condition no. 4 (Landscaping Plan) requires details of trees for removal & retention and this information should have been provided as FI.
- Condition no. 3 (Alteration/relocation of S section) may lead to future changes in the scheme which should be the subject of a separate planning application.
- PO's report incorrectly refers to a tree protection proposal, underestimates the value of the coastal woodland and concludes that proposal will not give rise to a traffic hazard despite Roads Dept. concerns in relation to traffic safety.

Coastal landscape impact:

- Large number of trees will be removed to provide a large gap in the woodland.
- Inadequate landscaping & tree removal details for the NE corner of the site.
- Tree Survey did not respond to the terms of the FI request, and a Visual Impact Assessment & tree protection measures should have been provided.

- Specialist Arboriculture Review concludes that works in the N & NE sections could cause a significant negative impact on the integrity of the tree group & render the retained trees more vulnerable to exposure to wind damage; works have the potential to impact on the root spread of a significant number of additional trees around the site; several of the trees to be removed are Category B which should place a constraint on development and be retained.
- Condition no.4 (Landscaping & tree protection) is positive in intent but compliance process excludes the Appellant and the resultant impact on the coastal landscape and holiday cottages has not been assessed.
- No regard to HER OBJ 3 & 9 and HER POL 11 in relation to tree protection; HER POL 5 & 9 and HER POL 10 in relation to the coastline; NH POL 15 in relation to the protection of natural heritage; Protected View No. 65 N along the Strand & LC OBJ 35 in relation to the protection of views; and the “High” Landscape Character rating.
- Ecological Impact Assessment and Bat Survey required, potential loss of protected species including 8 x species of bat recorded within 10km of site.

Amenity:

- Significant intensification of existing the school & attendance levels on a relatively small site along with site alterations will adversely affect the amenities of the area and the neighbouring holiday cottages (setting, noise, light spillage & visual amenity).
- Unclear why the school has not been accommodated on the new educational campus adjacent the proposed school site which has fewer constraints.
- A hard court, parking & play area are proposed to the immediate S of the cottages which will result in the removal of the existing long-established buffer woodland along the N site boundary with no replacement planting proposed.
- Excess lighting along the N site boundary (height & number), no details provided as per the FI requested and the impact has not been assessed.

Safety & traffic:

- Proposed Spine Road at the R150 will lead to fundamental changes in access arrangements to the cottages and school site.
- Appellant has had several meetings with the Roads Dept. and a new access arrangement to the cottages has been agreed (correspondence attached).
- The application makes no reference to the new agreed access off the R150 which could be compromised by the new school entrance.
- Roads Report states that the proposed Spine Road will be subject to detailed design thus leaving the Appellant with uncertain future access arrangements.
- The site access arrangements and internal road layout have been revised to avoid congestion & conflict, including sightlines & parking arrangements.
- Road Safety Audit not provided (FI request) & now required by condition No.2.
- Roads Dept. has concerns about vehicular encroachment into pedestrian areas and footpaths which could result in collisions & a traffic hazard, and that this may require significant changes to the road & junction layout, including the possible relocation of the school building to facilitate safe access.
- Roads Dept. recommended the refusal of permission and suggested a number of conditions which will result in substantial changes to the scheme with a corresponding impact on the surrounding area & neighbouring cottage.

Lack of construction management plan:

- None provided and required by way of Condition.
- Details of how the school will be decanted during construction, duration of works, traffic management, and measures to control noise, dust & waste removal & to protect neighbouring amenities should be agreed with Appellant.
- Change in levels between the sites could give rise to contaminated run-off.

6.2. Second Third Party appeal

Teresa Stack raised the following concerns in relation to the revised plans that were submitted in response to the FI request.

Traffic hazard & safety:

- No consideration of alternatives in the interest of traffic safety and amenity.
- The existing senior school building could remain for 5th & 6th class and 3rd & 4th class could be adequately accommodated in a new purpose-built building adjacent to the Junior Primary school on an education campus.
- Dangerously high levels of traffic would be reduced as 5th & 6th class pupils are well able to walk to school from a drop off point via the existing crossing.
- Parents cars from the N would enter & exit the N section of the site as they come of the new Spine Road roundabout & parent's cars from the S will cross the road or use the roundabout, and buses will exit from the S section.
- Large part of site will be a drop off zone for parent's cars (which could take up to 1 hour), with a corresponding impact on the local road network, and conflict with staff cars, buses, pedestrians & cyclists within the school grounds.
- Several very dangerous traffic hazards for pupils to negotiate including the two access points, the congested school yard, the relocated pedestrian crossing and the busy exit off the Spine Road roundabout to the R150.
- Inadequate play space for projected school numbers on a small site located along a busy road with high traffic volumes & close to a roundabout.
- Draft Traffic Management Plan does not make sense and will lead to additional chaos & a dangerous environment for the students of the 3 schools.

Footpaths & lighting:

- Footpath & lighting along the N site boundary will damage tree roots & footpath location is dangerous for reasons outline above.
- Failure to consider other more environmentally friendly lighting options.
- Excessive pole height & light spillage into surrounding houses & habitats.

Trees, woodland & biodiversity:

- Non-compliance with HER OBJ 9 (tree protection T1 & T2)
- Damage to last remaining shelter belt & woodland along the Meath coastline.
- Loss of trees and location of the hard court will destroy the woodland which will have an adverse impact on the school yard & it should be relocated.

- Adverse impact on school yard from loss of shelter belt.
- Loss of biodiversity and wildlife (Pygmy shrew, bats & ferns), and ecological educational opportunities.
- The Protected Structure could be de-designated, demolished and preserved by record to create more play space.

6.3. First Party response to Third Party appeals

Roger & Liz Pickett

Insufficient information: CMP will address site relationship with the cottages; submitted sections are adequate; further tree survey provided which identifies trees to be removed/retained & sets out tree protection measures; further details in relation to boundary treatment, drainage & lighting submitted & the trees are not a woodland.

Removal of trees: tree protection measures provided & previously submitted reports are adequate; method statement submitted; details of trees to be removed/retained provided; locational details for protective fencing provided; root zones will not be impacted; potential for Wind Throw assessed, trees in the NE section will be retained and the hard court will be slightly relocated to ensure further protection.

Coastal landscape impact: design amended to retain or replace most trees with new nature reserve in NE corner; Tree Protection Strategy & Replacement Tree Strategy submitted; school BoM will liaise with appellant in relation to landscaping.

Loss of amenity: no significant change to existing noise levels anticipated; lighting will not exceed 10 lux & hard court will not be used at night; further enhancements along N site boundary & no habitable rooms overlook the proposal; less tree felling & no loss of visual amenity.

Safety & traffic concerns: Road Safety Audit undertaken for the FI revisions; access proposals have coordinated with the future loop road scheme as per draft drawings for the PA which may be subject to change; design intended to be compatible with future works as per the PA conditions in relation to the school access; issues identified in the RSA have been addressed & the issue of encroachment has been resolved.

Lack of Construction Management Plan: can be covered by a planning condition.

Ecological impact: no evidence of bat activity on site; there are low opportunities for roosting bats however a derogation licence will be sought if detected; modest light overspill with low impact potential for bats; no evidence of other protected species.

Teresa Stack:

Traffic safety issues & management: access arrangements provide for maximum safety; safer to have drop off area within school grounds, pressure on road network will be relieved & 250m vehicle queuing capacity; separate pedestrian entrance in NW corner & ramped crossing to school & very clear separation between the pedestrian path & traffic route; design of the public road network is a matter for the PA & the scheme can be safely accommodate under the 2 future road scenarios; traffic arrangements are specific to the site; this is an existing school site in need of upgrading; will integrate with the PAs intended traffic management plans for area; footpath at the E end of the drop-off offers a safer option.

Adequacy of Draft Traffic Management Plan: scheme will integrate with PA's traffic management plans; proposals are site specific; separate pedestrian entrance in N corner of site to avoid conflict; surfaces will be clearly delineated; all crossing will be designed to appropriate standards.

Size of Proposed development: need to expand the school & the design of the play area informed by Dept. of Education & Skills Guidance; growth of traffic associated with the scheme will not be disproportionate to general road traffic growth as per TIA; adequate on and off-site parking available.

Impact on Trees: no TPOs, minimal tree removal & adequate replacement; Protected View 65 will not be significantly affected; no unacceptable Wind Throw effect; perceived impact of footpath & lighting along N boundary is without foundation; all removed trees will be replaced; length of tree belt along the coast will not be reduced; Root Protection Strategy submitted & propose a Cellweb Tree Root Protection System; an arboriculturalist has been engaged.

Lighting: duct-work under the road can be specified if required; all lighting along the site boundary will now be installed on 4m high poles to reduce light spill.

Biodiversity: no visible evidence of protected species on site; low likelihood that site is suitable for bats; significant biodiversity benefits to the amended scheme; habitats considered sub-optimal for rare or protected plant species & none recorded on site.

Proposed amendments:

Nature trail: in the NE corner in lieu of the previously proposed landscaped area.

Replacement Tree Strategy: all 17 felled trees will be replaced by a new tree.

Landscaped area: along the N site boundary along with a 1m high timber post & rail gated fence, set back 1m from the boundary which will be planted with native shrubs, and diseased or dying trees will be replaced.

Hard court: slight relocation by c.1.5 to 2m to the W to retain Tree nos. 757 & 764.

Pedestrian crossing: along the W boundary of the hard court to ensure a safe route for children dropped off on the main access road parallel to the N boundary.

Miscellaneous: changes to the kerb layout, 2 x pedestrian barriers to reduce conflict between buses & pedestrians & tactile pavement.

Accompanying documents:

- Proposed (amended) site layout
- Ecological Impact Assessment
- Photomontage Report
- Lighting Impact Assessment Report & Sight Lighting Layout drawing
- Landscape Statement
- Traffic Management Design & Safety
- Proposed Traffic Layout & Proposed Future Traffic Layout
- Road Safety Audit
- Tree Protection Strategy, Arboricultural Impact Report & Tree Survey Report
- Tree Survey & Constraints, Arboricultural Impact & Tree Protection drawings.

6.4. Third Party responses to First Party amendments

Roger & Liz Pickett

Entrance:

- Given the uncertainty regarding the Spine Road & the timing of the provision of this road, the applicant proposes 2 scenarios, neither of which takes account of the Appellant's entrance and the previously agreed layout.
- The Safety Audit is limited to the internal road & traffic arrangements and does not include an examination the future Spine Road and roundabout function which would have addressed the entrance to the cottages.
- Unclear how the new school entrance & existing entrance to cottages can be safely provided on the existing substandard road or the proposed Spine Road.
- School proposal is premature given the lack of clarity regarding the final layout & design of the new Spine Road & its capacity to safely accommodate a large roundabout & 2 x entrances on a short section of road.

Trees:

- Acknowledge details provided in relation to tree removal & protection.
- The Root Protection Areas are not shown on the tree protection drawings.
- The trees along the N site boundary from the entrance to the roundabout will be compromised & pedestrian path should be constructed with a cell web.
- Confusion over the provision of replacement trees - semi-mature required.
- No evidence to support claim that there will be no impacts on remaining trees.
- Wind pruned nature of the tree canopy indicates the effect of coastal winds.
- Effective tree protection measures are required in line with BS 5837:2012.
- Potential in vicinity of excavated court to compromise tree no. 757 & request that the maximum area of the RPA is protected by a retaining wall to the E.
- Request a condition to retain the remaining trees on the site (Tree Bond).

Arboriculture Method Statement:

- AMS required to be approved & supervised by an arborist.
- On-site works should be agreed prior to works commencing.

- Arborist should be involved in Management Plan for the Nature Reserve & construction of the cell-web type footpaths.

Trees, landscaping, amenity & ecology:

- Tree protection measures should be listed & fully implemented.
- Construction Methodology Report should deal with fencing, new trails should be placed on existing surfaces, rubble should be retained in-situ as roots are intertwined, and roots should be fully protected along the N site boundary.
- Nature trail may need to be partly constructed on a board walk.
- Landscape measure should include the protection of boundary planting to protect privacy at the cottages, and additional planting is not acceptable given the extent of overshadowing and some of the species are unsuitable.
- Introduction of additional cars to the previously quiet N section of the site will cause a disturbance and affect amenity at the cottages.
- Request a Condition to ensure that school grounds are secured out of hours.
- Nature area should be managed as an educational facility.
- No dawn-dust bat detector survey undertaken, further surveys required prior to works & derogation licences may be required.

Teresa Stack

- Pedestrian & vehicular conflicts will remain.
- Possible over-supply of school places as existing schools are under capacity.
- All school buildings on the site should be demolished to provide space for the new building & play areas, the woodland area would therefore be protected.
- Non-compliance with CDP & LAP policies & objectives (trees, landscape & protected views).
- Loss of trees, endangerment of trees which are interconnected underground (The Hidden Life of Trees by Peter Wohlleben) and loss of shelter belt.
- Cellwebs & board walks are not an acceptable way to protect tree roots.

6.5. Planning Authority Response

No new issues raised in any of the response submissions.

6.6. Observations

Meath Environmental Pillar raised the following concerns:

- Tree felling should not be carried out as they are part of the coastal ecosystem in which all the trees relate to each other.
- Deletion of a number of trees would alter important characteristics such as wind patterns for the remaining trees, moisture content and stability of the related sand dune which would result in its erosion.
- Missed opportunity to use the trees for nature and ecology education.

6.7. Prescribed Bodies

This case was circulated to the Heritage Council, Dept. Culture, Heritage and the Gaeltacht (DAU), An Chomhairle Ealaíon and Fáilte Ireland for comment and no responses were received.

7.0 Assessment

The main issues arising in this case relate to the following:

- Principle of development
- Design, layout & visual amenity
- Movement, access & traffic safety
- Natural heritage
- Residential amenity
- Overdevelopment
- Other issues

7.1. Principle of development

The proposed school would be located within an urban area covered by the Meath County Development Plan 2013 to 2019 and the site is located on the N side of Laytown which is a Level 3 Small Growth Town. The proposed school would also be located on the site of an existing school and within an area that is covered by the “G1” zoning objective in the East Meath Local Area Plan, 2014-2020. This objective seeks “To provide for necessary community, social and educational facilities” and primary schools are permitted. The adjoining lands to the N, S and W are zoned “A1” for existing residential use whilst the lands to the E comprise a sensitive coastal landscape. The proposed development is therefore acceptable in principle.

7.2. Design, layout and visual amenity

Context:

The proposed development would occupy a suburban location to the N of Laytown on the E side of the Coast Road (R150) and the surrounding area comprise a mix of single and 2-storey houses of various designs and styles. The linear site is currently occupied by 2 x single storey school buildings and a wooded area. The site is bound to the N by holiday cottages, to the S by a church and to the E by a 2-storey convent building which occupies an elevated position parallel to Laytown Strand. The

smaller of the school buildings in the NE section of the site and the church on the adjoining site to the S are Protected Structures, the wooded area in the NE section of the site contains mature trees that are protected under Specific Objective HER OBJ 9 of the East Meath LAP, and the site lies within the line of a Protected View which extends northwards along Laytown Strand.

Layout and design:

The existing school site would be extended southwards to incorporate the access road to the neighbouring convent building and a section of the wooded area to the NE. The original school building (PS) would be retained. The main single storey school building which contains 16 classrooms would be demolished and replaced with a new 2-storey structure which would contain 24 classrooms. The vehicular and pedestrian access arrangements would be altered to facilitate a throughflow arrangement for vehicles which would enter the site from the NW corner and exit it from the SW corner. The proposed 2 - storey school building (4,100sq.m) would occupy a c.1.01ha site, it would run along an N-S axis, it would be c.120m wide and between c.18m and c.33m deep, and it would have a contemporary design which is acceptable in terms of visual amenity. Although the site layout was amended by way of the Further Information and the Appeal Response submissions the dimensions of the building have not been altered, and the site layout details are summarised below.

Original layout:

The school building would be set back c.16m from the W site boundary with the R150, between c.11m and c.13m from the N site boundary with the holiday cottages, between c.8m and 30m from the E site boundary with the convent site, c.16m from the S site boundary with Laytown Church (PS) and c.5m from the original school building (PS). The N section of the site contained a vehicular entrance, access road, car parking and hard play courts; the W section contained an access road, car parking and a new centrally located pedestrian entrance off the R150; the E section contained play spaces; and the S section contained the vehicular and pedestrian exit to the R150. Outside of the site the pedestrian crossing along the R150 would be relocated and a bus set down area would run parallel to the W site boundary.

Amended layout (FI):

The site was extended to include council owned lands to the W along the R150 for the full width of the site. The building would be set back between c.23m and c.29m from the new W boundary with the R150, between c.15m and c.17m from the N site boundary with the holiday cottages, between c.3m and 28m from the E site boundary with the convent site, c.13m from the S site boundary with Laytown Church (PS) and c.3m from the original school building (PS). The N section of the site would contain a pedestrian and vehicular entrance, an access road and roundabout, hard and soft play courts; the W section would contain an access road, car parking and coach set down areas; the E section would contain smaller play spaces; and the S section would contain an amended exit to the R150. The proposed access arrangements contained 2 x options. Option 1 is based on the current alignment of the R150 at the school and Option 2 is based on a proposed future traffic layout which includes the new Spine Road and future roundabout to the NW of the site.

Amended layout (AR):

The N section would contain additional trees and shrubs and a nature walk area (in place of the play court) and the dual use of the hard court as parent parking for PM collections; and the S section would provide for revisions to the exit to the R150.

Discussion:

The design, layout, height and external appearance of the building and its position within the site (in either of the two options) would be acceptable in terms of visual amenity. The proposed development would not detract from the character or setting of the Protected Structures and it would not adversely affect the Protected View along Laytown Strand. The tree retention, protection and replacement proposals which were submitted by way of Further Information and the Appeal response submission would ensure that the proposed works would have a minimal impact on the visual amenities of the surrounding area including Laytown Strand and Laytown Road. It is noted that the trees are not covered by a TPO and that the additional measures proposed by the applicant would ensure compliance with Site specific objective HER OBJ 9 which seeks to protect more trees in and around the site.

7.3. **Movement, access and traffic safety**

The proposed development would be located on the E side of the R150 Coast Road between Laytown and Bettystown, to the immediate SE of a sharp bend in the road and there are several residential entrances along with an access road in the vicinity. The surrounding area, site layout, building dimensions, separation distances from site boundaries, vehicular and pedestrian access arrangements and the location of the parking areas are described in detail in section 7.2 above.

The East Meath LAP contains Transportation objective TM OBJ 1 which seeks to facilitate the provision of a N-S spine road connecting the R150 at Scoil an Spioraid Naoimh primary school to the Eastham road roundabout. This proposal was the subject to a Part 8 application under P8/15/003 for a new carriageway to include 2 x footpath & cycle tracks, proposed car park at the S end of the scheme, bus parking/layby facilities, school and site access points and associated works which was agreed by the Council in May 2016. There is a current CPO application before the Board under ABP-301474-18 for the proposed compulsory purchase of the lands required by the Council to facilitate the delivery of this road.

The applicant has presented two proposals for the layout of the site, car parking, traffic flow through the site and vehicular and pedestrian access arrangements under the original and amend submissions. These are based on both the current alignment of the R150 and the future alignment of the new Spine Road relative to the site entrances, including a roundabout and proposed car park to the NW of the site. The applicant amended the site layout, car parking and vehicular and pedestrian access arrangements by way of the Further Information response and the Appeal Response submission to address the concerns raised by the Council's Roads Department in relation to traffic movement, bus parking, vehicular and pedestrian access and traffic safety. The Appellants also raised general concerns in relation to traffic movement, access and safety, and more specific concerns in relation to relationship between the proposed N vehicular access and the existing entrance to the neighbouring holiday cottages relative to the new Spine Road. The proposals are summarised below.

Original proposal:

The proposed development would be located within the confines of the existing school site, the bus lay-by would remain on the R150 parallel to the W site boundary and the pedestrian crossing would be relocated to the NW. The N section of the site would contain a vehicular entrance off the R150 next to the holiday cottage entrance, and a 2-way access road (W-E) with 2 x car parking areas on either side; the W section would contain a 1-way access road (N-S) and car parking spaces to the fore of the school building and a new centrally located pedestrian entrance off the R150; and the S section would contain a vehicular and pedestrian exit to the existing 2-way convent access road (W-E) off the R150 next to the church entrance, and this entrance would be slightly realigned.

The Roads Department raised serious concerns in relation to additional traffic generation and congestion along the already busy R150 especially during school drop off and pick up times as a result of the c.50% increase in pupil numbers; inadequate car parking and the overreliance on a possible future car park to the NW of the site along the Spine Road which has not yet secured funding; the location of the bus lay-by outside of the site; and visibility at the vehicular access points. Further information was requested in relation to car parking, revised access arrangements, the relocation of all works to facilitate the development to inside the red line site boundary (including the bus set down area); the submission of a Road Safety Audit and the provision of adequate sightlines (49m from a 2.4m setback).

Amended proposal (FI):

The entire development (including the bus and car parking spaces) would be located within the confines of the school site which would be extended to include the public lands to the W along the R150 and the relocation of the new school building further E within the site. The proposed access arrangements contained 2 x options. Option 1 is based on the current alignment of the R150 at the school and Option 2 is based on a future traffic layout along the new Spine Road to the NW of the site. The scheme would continue to include an entry point to the N of the site and an exit point to the S. The N section of the site would contain a vehicular entrance, a pedestrian entrance and pathway and a 2-way access road (W-E) with an internal roundabout, the 2 x car parking areas would be omitted with parent parking provided on the remaining hard

play court to the NE; the W section would contain a 1-way access road (N-S), 2 x car parking areas and a coach set down space, and a smaller centrally located pedestrian entrance off the R150; the vehicular and pedestrian exit to the 2-way convent access road would be slightly repositioned.

The Roads Department considered that the provision of parking and a bus set down area within the school grounds was acceptable subject to the applicant demonstrating that the proposed layout is safe for all users. However, the Roads Department continued to raise concerns in relation to the future interface between the school and the proposed Spine Road (under Option 2), the significant encroachment on to the footpaths and pedestrian areas under both Options (demonstrated in the Swept Path Analysis) which could increase the risk of vehicle/pedestrian collisions and constitute to a traffic hazard. It concluded that significant changes may be required to the road and junction layout, including the possible further relocation of the school building, to facilitate safe pedestrian, cyclist and vehicular access to the school. It recommended that planning permission be refused, however it also suggested conditions (including Road Safety Audits for both Options) in the event that permission was granted.

The planning authority decided to grant permission subject to 16 conditions and Condition no. 2 set out the transportation requirements. Condition no.2 (a) required the submission of a Road Safety Audit for the two Options including the internal road layout and access to the play courts for parent parking, and it provided for an amended layout pending the results of the Audit. Condition no.2 (b) required design details for the access points including their interface with the new spine road. The remaining subsections of Condition no. 2 required the submission of details related to the boundary along the R150, the relocation of the pedestrian crossing, and parent parking arrangements on the hard court.

Amended proposal (Appeal Response):

The applicant's response submission proposes minor amendments to the FI layout summarised above including changes in the N section of the site to further delineate the vehicular and pedestrian routes through the site by the use of different surfaces, ramps and barriers. The response submission was accompanied by several roads

reports related to traffic management, design and safety, the proposed and future traffic layouts and a Road Safety Audit for the 2 x options.

The Traffic Management Design and Safety Report describes existing and future traffic flows along the R150 and within the school grounds; the current and proposed road infrastructure for pupil drop off and collection; the integration of the proposed works with future road proposals for the new Spine Road and traffic management including the movement of pedestrians, cars and buses through the site (with and without the roundabout and car park).

The Stage 1 Road Safety Audit for the proposed access off the R150 considered both options. It recommended that the drainage, landscaping, surface conditions, parking and drop off arrangements, and the relationship with neighbouring access points required further attention in order to prevent accidents. It also identified several areas of concern in relation to vehicular, pedestrian and cyclist access into and out of the site, and movement through the site, which could give rise to a traffic hazard or vehicular and pedestrian conflict. However, it concluded that none of the problems were insurmountable subject to compliance with recommended solutions.

Discussion:

The proposed development would increase the capacity of the existing school site to accommodate more pupils with a c.50% increase in enrolment predicted.

The Council's Roads Department raised serious concerns in relation to the additional traffic associated with the enlarged school, the absence of sufficient on-site car parking and the external coach set down area. The concerns related to the impact of the proposed development on the surrounding road network in terms of traffic generation, traffic congestion and traffic safety along the R150 and in the vicinity of the proposed vehicular access points. The original proposal, which sought to utilise the possible future car park to the NW of the site along the new Spine Road were rejected by the Roads Department due to funding uncertainty.

The proposed development was subsequently amended to incorporate the school building, all associated car parking, pupil drop off and collection arrangements and the coach set down area within the site boundaries. The proposed entrance in the N section of the site was designed to take account of both the current and future interfaces with the R150, pending the construction and completion of the new Spine

Road. Notwithstanding the FI amendments the Roads Department continued to have concerns in relation to the access arrangements, the relationship with the new Spine Road and the potential for pedestrian and vehicular conflict within the school site and along the surrounding road network.

The applicant's Road Safety Audit also raised safety concerns in relation to the access arrangements at the N and S junctions under both options for vehicles, pedestrians and cyclists, and within the school site. The report noted that there would be a high demand for access to the site via the N entrance which could create internal queuing and vehicles might attempt to turn left within the school grounds to avoid queues which would give rise to a traffic hazard and endanger pedestrian safety. The left turn movement by buses out of the S junction in the vicinity of the convent entrance would encroach the centre line of the R150 and the shared access arrangements with the 2-way convent access road could potentially conflict with the 1-way route through the school site which could result in collisions or unsafe reversing movements. The Road Safety Audit also identified a number of safety issues in relation to pedestrians and cyclists, including the narrow width of the internal crossing at the N access point, the confusing mix of surfaces, the lack of regard for desire lines, the absence of a safe connection between the parking areas and the school entrance, and the lack of provision for cyclists to access the school site without using the vehicular entrances or to move safely through the site.

The Road Safety Audit recommended solutions to most of the issues identified. However, I am not satisfied that all of the safety concerns can be mitigated for within the confines of the site, particularly in relation to the access and movement arrangements in the N section of the site where there is significant potential for vehicular, cyclist and pedestrian conflict.

Under the proposed layout, vehicles would access the site off the R150 via the N entrance, drive E to an internal roundabout which contains the drop off area, then W back towards the same entrance but turn S before reaching it along the internal 1-way access road (N-S) which crosses the main pedestrian entrance to the school, that is also shared by the coach set down area. The partly segregated pedestrian access in the N section of the site would be located to the N of the vehicular entrance and the path would run parallel to the N site boundary and the E-W access

road, and pedestrians would cross into the main school grounds at a point to the E of the roundabout and W of the hard play court.

I have a number of concerns about this arrangement. In order for it to function in a safe manner that does not cause an obstruction or further congestion along the R150, and in the absence of a detailed road layout for the interface of the new Spine Road with the school site, there would have to be a continuous and uninterrupted flow of traffic through the site. This is unlikely to be achieved under the proposed arrangements.

Firstly, and irrespective of signage, road markings and barriers, the pedestrian desire line would be N-S at the school entrance as opposed to the more circuitous E-W route, and vehicles entering the site would have to yield to pedestrians which could give rise to queuing along the R150. Secondly, the drop off arrangement at the turning circle would only accommodate older pupils but not the younger ones who would have to be accompanied into the school by their parent or guardian to the junior section of the school. Although it is possible that the dual use of the hard play court for parent parking could be extended to the AM drop off time, access to the court would be across the pedestrian path to the main school grounds, with associated delays, queues, congestion and safety concerns. Thirdly the vehicles travelling along the N section of the N-S access road would have to yield for pedestrians at the main pedestrian entrance to the school and again in the S section when exiting the site via the shared convent access road, which could give rise to further congestion along the R150.

The proposed car parking areas, internal road layout and coach set down area could not be safely accommodated within the site under the existing road layout for the area along the R150 in a manner that would not result in additional traffic congestion along this road close to a bend in the road which could in turn give rise to a traffic hazard. The proposed access arrangements and internal road layout would also give rise to a conflict between pedestrians, cyclists, cars and buses at the access points and within the school grounds, and particularly in the N section of the site. Having regard to the lack of clarity in relation to the future provision of a car park to the NW of the site along the new Spine Road and the relationship between the new Spine Road and the proposed entrance in the N section of the site, the proposed

development would be premature pending the final agreement of a road layout for the immediate area.

Conclusion:

Having regard to the foregoing, the proposed development (under both options) would give rise to a traffic hazard, increase the risk of collision and endanger the safety of other road users including pedestrians and cyclists, along the public road, at the site access points and within the school grounds.

7.4. Natural heritage

The proposed development would occupy a coastal location to the W of Laytown Strand and a mature sand dune system that runs parallel to the seashore over a substantial distance. The site and the surrounding area are not covered by any sensitive European site or local designations. However, sections of coast to the N and S of the site are located within the River Nanny Estuary and Shore SPA to the SE, the Boyne Coast and Estuary SAC/SPA to N and the Laytown Dunes/Nanny Estuary pNHA to the SE. The mature dune system is characterised by wooded areas in the vicinity of the site and adjoining lands, and this system functions as a woodland habitat and coastal shelter belt.

The wooded area extends into the NE section of the site which also contains several mature trees and shrubs and there is a row of mature trees located along the N site boundary with the neighbouring holiday cottages. The NE section of the proposed development which would contain the soft play/nature area and the hard ball court would be located within the wooded area. A small section of this area would be excavated to the same level as the main school site to accommodate the ball court and a pedestrian pathway would be located along the N site boundary.

The Third Parties and Observer raised concerns in relation to the impact of the works on mature trees, wooded area, shelter belt, dune stability and biodiversity.

In relation to the trees, the applicant has addressed these concerns by way of the tree retention, protection and replacement proposals which were submitted by way of the Further Information and Appeal Response submission. These measures would

ensure that the proposed works would only result in the loss of a small number of mature trees which would be replaced, whilst also protecting the retained trees from damage during the construction works. The design and construction of the pathways would also ensure minimal damage to trees during the operational phase. The proposed measures are acceptable subject to the works being carried out in accordance with best practice guidelines.

In relation to biodiversity, the applicant carried out an ecological survey of the site and surrounding area and no protected plant or animal species were detected. The wooded area was not considered appropriate for roosting bats although it is possible that some structures, including the original school building, might provide a suitable habitat. A bat survey should be undertaken before development commences and this could be addressed by a planning condition. In the event that bat species are discovered on the site, a derogation licence should be obtained from NPWS for their safe removal and relocation. The proposed works will undoubtedly cause a disturbance to wildlife during the construction phase, however it is likely that most species will gradually return to the area post construction with no long term adverse impacts on biodiversity anticipated.

In relation to the shelter belt and dune stability, a substantial section of the wooded area and dune system would be unaffected by the proposed works and there would be no break in the tree cover on the seaward side of the dune system. I am therefore satisfied that the shelter belt would continue to function as normal and that the stability of the dune system would not be compromised, having regard to its maturity and extent. However, measures should be put in during the construction of the hard ball court to ensure the continued future stability of the dune system.

Having regard to the foregoing, the proposed development would not adversely affect trees and the natural heritage of the site and surrounding area to any significant extent, and it would not reduce the shelter belt function of the wooded dune system or give rise to instability within this system, subject to compliance with best practice and the attached conditions.

7.5. Residential Amenity

The surrounding area, site layout, building dimensions and separation distances from site boundaries are described in detail in section 7.2 above.

Having regard to the prevailing character of development in the surrounding area and to the layout, design and height of the proposed building and the separation distances to neighbouring sites, the proposed school building would not have any significant adverse impacts on the residential amenities of properties in the vicinity in terms of overbearance, overshadowing, overlooking or loss of privacy, irrespective of the change in levels between the appeal site and neighbouring sites.

The concerns raised by the owners of the neighbouring holiday cottages to the N of the site have been largely addressed by the applicant in the Further Information and Appeal Response submissions. The replacement of 1 x hard ball court in the NE corner of the site with a nature area along the site boundary, the tree retention, protection and replacement proposals along the N site boundary and within the NE section of the site, and the 1m reduction in the height of the lighting poles to c.4m around the site are noted. These measures would ensure that the proposed works would have a minimal impact on the amenities of the neighbouring cottages and it is noted that the school holidays would usually coincide with peak holiday season. However, a condition should be attached to ensure that the lights along the N site boundary are switched off when the school is closed, in the interest of amenity and environmental sustainability. A further condition should be attached to require that the tree protection and replacement works, along with the footpath construction works, are undertaken in accordance with best environmental practice in order to ensure the long-term protection of amenity. Furthermore, the standard conditions in relation to construction practices, waste management and hours of operation would minimise disturbance during construction phase. The applicant should be required to submit a Construction Management Plan and Mobility Management Plan to the planning authority before development commences for its written agreement.

7.6. Overdevelopment

Under the original proposal the use of the site would have been evenly divided between the school building, the play areas, and the internal roads and car parking. Under the proposal as amended by FI, approximately 40% of the site area would be allocated to internal roads and car parking and the one remaining hard play court would be used for parent parking in the afternoons (which complies with Department of Education Guidelines). Although the inclusion of a nature reserve within the school grounds is a welcome initiative, it would result in the omission of the second hard play court. The loss of this hard play court combined with the relocation of the building further eastwards within the site would reduce the amount of available outdoor play space for the pupils, which would in turn have an adverse impact on the functionality and amenities of school complex.

Having regard to the foregoing concerns along with the concerns raised in sections 7.3 above (movement, access and traffic safety), and notwithstanding the presence of the existing school on the site, I am not satisfied that the site is of a sufficient size to safely accommodate a 24-classroom building along with play areas, car parks, internal roads and coach parking. The proposed development would therefore constitute an overdevelopment of the site.

It is noted that the applicant may not have explored other possible options such as the construction of a part 2 and part 3 -storey building on the site or the use of the adjoining convent lands as a car park with a pedestrian connection to the school grounds.

7.7. Other issues

Screening for Appropriate Assessment: The site is located close to 3 European Sites (the River Nanny Estuary & Shore SPA to SE, the Boyne Coast & Estuary SAC to N and the Boyne Estuary SPA to N). However, having regard to the scale of the proposed development which would replace an existing school building, its location within an existing serviced urban area and the absence of a direct aquatic connection between the works and the designated site, I am satisfied that Screening for Appropriate Assessment is not required.

Archaeology: There are several Recorded Monuments and sites of archaeological interest in the wider area and it is therefore possible that the site has archaeological potential and the standard archaeological conditions should be attached. The contents of the applicant's Archaeological Impact Assessment report are noted.

Built heritage: The original school building (PS) which is located in the NE section of the site would be retained and restored. This is considered acceptable, subject to compliance with Council requirements and adherence to best conservation practice. The church building on the adjoining site to the S is also a Protected Structure. However, the proposed development would not have an adverse impact on the character, setting or integrity of this structure, having regard to the 2-storey height and separation distance between the two structures. There are no other sensitive built heritage designations in immediate area.

Environmental services: Drainage & water supply arrangements are acceptable subject to compliance with requirements of Irish Water and the Council. Care should be taken to ensure that the neighbouring holiday cottage site and stream along the N site boundary are not adversely affected by the proposed works.

8.0 Recommendation

Arising from my assessment of this appeal case I recommend that planning permission should be refused for the proposed development for the reasons and considerations set down below.

9.0 Reasons and Considerations

1. Having regard to the nature and scale of the proposed development, the location of the proposed vehicular and pedestrian access points off the public road to the west, and the proposed internal road and footpath layout (under both Option no. 1 and Option no.2), the proposed development would give rise to a conflict between pedestrians, cyclists and cars at the access points and within the school grounds which would increase the risk of collision and endanger public safety, particularly in the northern section of the site. Furthermore, the proposed development would result in additional traffic generation and congestion along the existing R150 close to a sharp bend in the road (under Option no.1) which would give rise to a traffic hazard and endanger the safety of other road users including pedestrians and cyclists. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. Having regard to the lack of clarity in relation to the future provision of a car park to the NW of the site along the new Spine Road and the relationship between the new Spine Road and the proposed entrance located in the northern section of the site (under Option no.2), the proposed development would be premature pending the final agreement by the planning authority of a road layout for the immediate area. The proposed development would give rise to a traffic hazard and endanger the safety of road users, including pedestrians and cyclists. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
3. Having regard to the nature, scale and layout of the proposed development, which would comprise the school building, play areas, car parks and internal roads, relative to the area of the site, and the proportion of the site that would be allocated to the internal roads and parking areas, the proposed development would give rise to a congested scale of development which would have an adverse impact on the amenities of the future occupants of the school. The proposed development would constitute an overdevelopment of the site which would, therefore, be contrary to the proper planning and sustainable development of the area.

Karla Mc Bride

Inspectorate

22nd January 2019