



An
Bord
Pleanála

Inspector's Report ABP 303041-18.

Development	Two-storey primary school
Location	St. Tiernan's Community School, Parkvale, Balally, Dublin 16.
Planning Authority	Dún Laoghaire-Rathdown Co. Council
Planning Authority Reg. Ref.	D18A/0865
Applicant	The Minister for Education and Skills
Type of Application	Permission
Planning Authority Decision	Refuse permission
Type of Appeal	First and Third Party
Appellants	(1) The Minister for Education and Skills (2) Dudley Colley on behalf of Ballinteer Educate Together Parent Teacher Association
Observers	(1) Dun Emer Residents Association

- (2) Wyckham Place Management Ltd
& Dundrum Point
- (3) Robert Daughton
- (4) Parkvale & Ballyolaf Residents
Association
- (5) Ardglas Residents Association
- (6) Thomas & Yvonne Sheerin
- (7) Kevin Deane
- (8) Timothy Murphy & Patrick Keys
- (9) James Leonard
- (10) Tristan Dunne

Date of Site Inspection

7th & 9th of February 2019

Inspector

Siobhan Carroll

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1.0 Site Location and Description

- 1.1. The appeal site is located in Balally in south Co. Dublin. It lies circa 320m to the south of Dundrum town centre and 1.2km north-east of Ballinteer. Balally Luas Station is situated circa 320m to the north.
- 1.2. The site with a stated area of 5.65 hectares comprises the grounds of St. Tiernan's Community School. St. Tiernan's secondary school is accommodated within a part single storey and part two-storey building. School facilities including basketball courts/hockey pitch, athletics area and two playing fields which extend west to the site boundary along Wyckham Way. Car parking for staff and visitors is provided to the east of the school building and adjacent to the eastern site boundary.
- 1.3. St. Tiernan's secondary school is accessed off Sandyford Road (R117) and through the Parkvale housing estate. The junction of Parkvale and Sandyford Road is located 350m to the east of the site. Parkvale and Ballyolaf Manor contain 65 no. houses. The junction design provides a right turning lane from Sandyford Road into Parkvale. There is a yellow box on the northbound side of Sandyford Road at the junction with Parkvale.
- 1.4. The eastern boundary of the site adjoins two properties no's 24 and 28 Parkvale and also the rear of properties in Dun Emer Drive. The boundary is defined by wall and is planted with trees and hedging. The southern boundary adjoins lands to the rear of Gort Mhuire. Gort Mhuire is a large period property which is a protected structure. It contains a nursing home and centre which is run by the Carmelite Order. A section of the western boundary of the site is formed by the 4m high walls of the walled garden within the grounds of Gort Mhuire. There is a roofed pedestrian way which links the grounds of St. Tiernan's Community School and Wyckham Avenue. It runs for 75m along the western side of the walled garden and it is bounded to the west by housing for the travelling community on Wyckham Avenue.
- 1.5. Wyckham Avenue is accessed off a roundabout on Wyckham Way to the west. Wyckham Avenue serves the Wyckham Place and Wyckham Point apartment schemes along with three detached houses and the Gort Mhuire complex.
- 1.6. The western site boundary adjoins Wyckham Place and the site has circa 50m of frontage onto Wyckham Way. This section of boundary is defined by a stone wall

with railing. Wyckham Way is a dual carriageway with total width of approximately 13m. There is a footpath and a cycle track along both sides. There are bus lane road markings on the inner lanes in both directions but the bus lanes are not in operation.

- 1.7. The River Slang forms the northern boundary of the site. There is a ramped pedestrian access to the River Slang Greenway from Wyckham Way immediately to the west of the site. There is a bridge over the Slang River and Greenway that carries the roadway, cycleway and footpaths. There is pedestrian access to the north-eastern corner of the site from the school grounds to the River Slang Greenway. This provides pedestrian access to Ardglas Housing Estate.
- 1.8. Ballawley Park is situated to the 90m to the south of the site and is accessed from Parkvale Housing Estate.
- 1.9. Public transport provision in the area includes the no. 14 bus route which operates from Dundrum Luas Station to Beaumont. The route has stops on Ballinteer Road and Wyckham Way. The no. 44 bus route operates between DCU and Enniskerry it has stops on Sandyford Road. No. 44b operates between Dundrum Luas Station and Glencullen and also stops on Sandyford Road. Bus route no. 175 operates between City West and UCD and has stops on Wyckham Way and Sandyford Road.

2.0 Proposed Development

- 2.1. Permission is sought for development on a site of c.5.65 ha. The development will consist of a two-storey primary school building (Ballinteer Educate Together National School - Roll No. 20400E) with a gross floor area of c.3.219m² comprising 16 no. classrooms and ancillary teacher and pupil facilities, located to the north-west of the existing community school building on this site.
- 2.2. The development will include 2 no ball courts; 93 no. bicycle parking spaces; 32 no. car parking spaces, including 2 no. universal access spaces; drop-off zones; a green roof; signage; internal pedestrian/vehicular routes; internal pathways; and hard and soft play areas.
- 2.3. The development also includes a two-storey sports facility (c.1.207 m²) located to the south-east of the existing community school, adjacent to the southern site boundary.

- 2.4. The development will also include new/revised internal pedestrian and vehicular routes and car parking on the site, including the relocation of 12 no. existing car parking spaces and the provision of 16 no. additional car parking spaces to serve the existing community school and proposed sports facility; 2 no. new pedestrian entrances at the northern site boundary onto the adjoining Slang River Greenway; and, a new temporary vehicular entrance onto Wyckham Way at the north-western site boundary, which will facilitate one-way left turning exist movements from the site only. A new pedestrian entrance is also proposed at the north-western site boundary onto Wyckham Way.
- 2.5. No changes are proposed to the existing vehicular entrance at the south-eastern site boundary via Parkvale.
- 2.6. The development will also include piped infrastructure and ducting; plant; 2 no. attenuation tanks; signage; changes in level; site landscaping; boundary treatments; and, all associated site development and excavation works above and below ground.

3.0 Planning Authority Decision

3.1. Decision

Permission was refused for two reasons;

1. The proposed exit-only link onto Wyckham Way, a heavily trafficked distributor road, would endanger public safety by reason of traffic hazard or obstruction of road users. The proposed development would, therefore, be contrary to the proper planning and development of the area.
2. The proposal to utilize the existing access to St. Tiernan's, through Parkvale, to serve an additional 16 classroom school is not acceptable on the grounds of impact on residential amenity of the existing Parkvale residents. The proposed development would be seriously injurious to the residential amenity of Parkvale and would, therefore, be contrary to the proper planning and sustainable development of the area.

Note: The Planning Authority is more than willing to engage with the Department of Education to progress a solution to the access issue. Any future application should also address the drainage and parks issues.

3.2. Planning Authority Reports

3.2.1. Planning Reports

- The Planning Officer concluded that the principle of an additional school would be welcomed on the site subject to matters concerning archaeology, surface water drainage and trees being addressed. It was also considered that the siting and design of the school would be acceptable. In relation to proposed vehicular access arrangements it was considered that the proposed exit only link onto Wyckham Way a heavily trafficked distributor road would endanger public safety be reason of traffic hazard. It was considered that the additional traffic movements on to Parkvale would seriously injure the residential amenity of the area. Permission was refused on that basis.

3.2.2. Other Technical Reports

Drainage Planning – Further Information required in relation to surface water drainage. The applicant was required to address the following;

- Provide a green design for the sports centre
- Submit site investigation results to indicate the suitability of the soil to infiltrate water and ensure the tanks are appropriately sized for the site specific conditions.
- Provide a catchment map to identify the area of the site positively drained by the proposed drainage network and revise the Q bar calculations as required.
- Provide consistent details of the size of the attenuation tanks proposed.
- Provide a tabulated breakdown of the volume of surface water storage provided for treatment, interception and attenuation storage for the entire site to demonstrate compliance with GDSDS requirements.
- Provide proposed permeable paving in accordance with Section 8.2.4.9 of the Development Plan.

Transportation Planning Section – Refusal of permission recommended for two reasons;

1. The proposed Exit-only link onto Wyckham Way is undesirable and would endanger public safety by reason of traffic hazard and obstruction of road users.
2. The proposal to utilise the existing access to St. Tiernan's to serve an additional school is not acceptable on the grounds of impact on residential amenity to the existing Parkvale residents.

Conservation Officer – No objection subject to the attachment of a condition requiring that a specialist consultant be engaged to monitor the walled garden during the course of construction to ensure that the structural stability is not compromised.

3.3. **Prescribed Bodies**

- 3.3.1. **Irish Water** – The applicant states in the Engineering Assessment report that a diversion of the watermain passing through the site is required. The applicant is requested to identify clearly on drawings the proposed diversion. If a diversion is proposed the applicant will be required to enter into a Diversion Agreement.
- 3.3.2. **Department of Culture Heritage & Gaeltacht** – Further Information was sought in relation to the submission of Archaeological Impact Assessment to assess the potential impact of any on archaeological remains in the area. It was also recommended that should permission be granted that a condition be attached requiring any removal of vegetation, including trees and shrubs from the development site will only be carried out in the months from September to February inclusive i.e. outside the main bird nesting season.
- 3.3.3. **An Taisce** – Require that a condition be attached to a grant of permission to ensure the protection of the walled garden during construction.

3.4. **Third Party Observations**

- 3.4.1. The Planning Authority received 311 no. observations/submissions in relation to the application. The main issues raised are similar to those detailed in the observations on the appeals.

4.0 Planning History

PA Reg. Ref. D18A/0979 – Current application for permission for for an all-weather playing facility (c.94m x c.55m), located to the north of the existing community school complex on the site. The development will also include the provision of perimeter railing and fencing to the pitch, dugouts, ball stop netting, internal footpaths, surface water drainage provision, boundary treatments, changes in level and all associated site development and excavation works above and below ground. Access to the site will be via the existing arrangements serving the school.

PA Reg. Ref. D14A/0836 & PL06D.244602 – Permission was granted for retention of an extension to the access road, new drop-off area and 3 car parking spaces.

PA Reg. Ref. D13A/0670 & PL06D.243128 – Outline permission was refused for the development of (a) a new two-storey primary school consisting of 16 classrooms with new access road off Wyckham Way, set down areas, ball courts, hard play areas and site boundary treatments and (b) a new sports hall including ancillary accommodation on-site car parking.

PA Reg. Ref. D12A/0488 & PL06D. 241729 – Outline permission was sought for (a) new two-storey primary school consisting of 16 classrooms, new access road off Wyckham Way, set down areas, ball courts, hard play areas and site boundary treatments and (b) new sports hall including ancillary accommodation on-site car parking. The application was withdrawn.

PA Reg. Ref. D11A/0517 – Permission was granted for the erection of a school sign on the frontage to Wyckham Bypass, together with associated site works.

PL06D.RL.3073 – The Board decided on 13th June 2013 that the change of use from a secondary school to a primary and secondary school is not development at St. Tiernan's Community School.

Adjacent Lands

PA Reg. Ref. D15A/0772 & PL06D.246252 – Permission was refused for a Residential development to include 108 apartments and refurbishment of existing walled complex (Protected Structure) to provide 6 duplex units and associated site development works at Gort Mhuire to the west of the site.

5.0 Policy Context

5.1. Dún Laoghaire-Rathdown County Development Plan 2016-2022

Zoning

The site is zoned 'A' with the objective to protect and/or improve residential amenity. Under this zoning objective educational use is open for consideration.

Policy SIC8: Schools - It is Council policy to ensure the reservation of primary and post-primary school sites in accordance with the requirements of the relevant education authorities and to support the provision of school facilities and the development / redevelopment of existing schools throughout the County.

A 'Code of Practice on the Provision of Schools and the Planning System', prepared jointly by the DoEHLG and the Department of Education and Science in 2008, provides guidelines for the forecasting of future planning for schools nationally. The Code of Practice is built around three core objectives:

- School provision should be an integral part of the evolution of compact sustainable urban developments where the opportunities to walk or cycle to school are maximised.
- The provision of new schools should be driven and emerge from an integrated approach between the planning functions of the Planning Authority and the Department of Education and Skills.
- Planning Authorities will co-operate and coordinate with the Department of Educational and Skills in ensuring the timely delivery of schools

Section 8.2.12.4 – School Development

The Planning Authority will consider school developments having regard to specific requirements of the Department of Education and Skills and guidance set out within 'The Provision of Schools and the Planning System, A Code of Practice for Planning Authorities, the Department of Education and Science, and the Department of the Environment, Heritage and Local Government, 2008'.

In general, new Schools shall be developed in areas where new/additional schools are required as identified by the DES and/or within existing school/education sites.

In assessing individual planning applications for new schools and/or redevelopment/extensions of existing schools, the Planning Authority will have regard to the following:

- Overall need in terms of necessity, deficiency, and opportunity to enhance or develop schools.
- Site location, proximity of school to catchment area, size of site relative to outdoor space requirements and the future needs of the school (i.e. sufficient space provided for future expansion).
- Traffic and transport impact on the surrounding road network.
- Good, safe accessible pedestrian and cyclist routes to and from the school from nearby residential and commercial areas.
- Adequate cycle facilities in accordance with the requirements in the Council Cycle Policy Guidelines and Standards.
- Safe access and adequate car parking layout to facilitate drop off/pick up.
- Adequate signage, lighting and boundary treatments.
- Impact on local amenities and out of school hours uses/dual functioning of school facilities.
- Conformity with the requirements of appropriate legislative guidelines.
- Conformity with land use zoning objectives.

- In all cases, a School Travel Plan shall be submitted with an application for any school development, requirements of which should be ascertained at pre-planning stage.

Section 8.2.4.3 – Travel Plans

A Travel Plan (formerly Mobility Management Plan) is an effective instrument used utilising the provision of sustainable travel infrastructure within a development. Travel Plans are applicable to housing developments, workplaces, colleges, schools and hospitals as Travel Plan initiatives relate not only to residents but also to staff, students or visitors. Travel Plan measures could include proposals to encourage cycling and walking, cycle parking facilities, car sharing, car pooling, dedicated priority car parking for car-sharers, flexible working hours, off-peak shift working, e-working from home, free/subsidised bicycles and public transport promotions.

Preparation of a Travel Plan should be considered at the earliest possible stage of the planning process (preplanning) with the Travel Plan demonstrating that it is an integral part of the development. A condition will be attached to ensure the Travel Plan features as a central component of the planning permission granted. However, a condition which requires a post decision submission of a Travel Plan will only be used in exceptional circumstances.

Table 8.2.4: Non Residential Land Use – Maximum Car Parking Standards

Primary and Post-Primary Schools – In General - 2 spaces per classroom and in Designated areas along public transportation corridors - 2 spaces per classroom

Protected Structures

RPS No: 1446 – Gort Mhuire Lodge Ballinteer Road, Ballinteer, Dublin 16. Gate Lodge (Note: Gate Lodge also a Protected Structure).

RPS No: 1453 – Gort Mhuire Centre Ballinteer Road, Ballinteer, Dublin 16. Water Gardens, Garden Walls and Farm Building Complex, House, Ornamental Ironwork, Conservatory and Water Tower 1453.

5.2. National Policy

5.2.1. **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.

5.2.2. **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.

5.3. Natural Heritage Designations

5.3.1. The nearest Natura 2000 sites are;

- The South Dublin Bay Special Area of Conservation (Site Code: 000210) is circa 4.2km to the north-east of the appeal site.
- South Dublin Bay and River Tolka Estuary Special Protection Area (Site Code: 004024), approximately is 4.2km to the north-east of the appeal site.
- Rockabill to Dalkey Island Special Area of Conservation (Site Code: 003000), is circa 9.9km to the east of the appeal site.
- Dalkey Island Special Protection Area (Site Code: 004172) is circa 9.6km to the east of the appeal site.
- Wicklow Mountains Special Area of Conservation (Site Code: 002122) is 6km south of the site.
- Wicklow Mountains Special Protection Area (Site Code: 004040) is 6.2km to south of the site.

5.4. Environmental Impact Assessment (EIA)

- The proposed development does not fall within a class of development set out in Part 1 or Part 2 of Schedule 5 of the Planning and Development Regulations and therefore is not subject to EIA requirements.

6.0 The Appeal

6.1. Grounds of Appeal

(1) First Party Appeal – The Minister for Education and Skills

- The first party appeal provides a background to the current situation in relation to Ballinteer Educate Together National School (BETNS). The school has a current enrolment of 270 no. pupils and the school is currently located on the Notre Dame Campus at Churchtown Road Upper. This is a temporary location and is not available as a long-term solution. It was necessary to move to this location from the previous temporary location at St. Tiernan's Community School.
- The process of identifying and acquiring a suitable site for BETNS was commenced by the Department of Education and Skills in 2011.
- Following the site selection at St. Tiernan's Community School consultations have taken place since 2012 between the Department and Dun Laoghaire Rathdown Co. Council to identify how an additional vehicular access can be facilitated.
- Consultations have taken place with adjoining land owners to the south Marlet Property Group and the Carmelite Religious Order. The consultation included the preparation of a detailed road design by the applicant's architects.

However, these consultations were ultimately unsuccessful due to the varying expectations of the landowners.

- Given that vehicular access to the site through third party lands is not available and outside the control of the Department a number of alternative vehicular access options were proposed under previous applications including Reg. Ref. D12A/0488 and Reg. Ref. D13A/0670. Under those applications outline permission was refused for the primary school on the basis that the proposed vehicular access from Wyckham Way was a traffic hazard.
- Following the two refusals of outline permission the applicant entered into pre-planning consultations with the Council to further investigate vehicular and pedestrian access options for the school site. A route Selection Study was prepared by Jason Redmond & Associates Consulting Engineers.
- Each route was assessed against a defined set of criteria. Vehicular access via Wesley Heights and the grounds of Gort Mhuire was identified as the preferred route option.
- The Planning Authority disagreed with the preferred route option identified in the study and they suggested option no. 7 with pedestrian, cyclist and vehicular access via Gort Mhuire.
- Under the current application the proposed access is via the existing entrance from Parkvale. A new temporary left turning exit only access onto Wyckham Way is proposed at the north-western boundary. These proposed vehicular access arrangements were discussed in pre-planning meetings with Council staff from the Planning and Transportation Planning Departments.

- The Transportation Planning Department requested that further design details be provided in relation to the left turn exit onto Wyckham Way.
- The applicant received an email response from the Transportation Planning Department on the 18th of September 2018 while the application was lodged and under consideration. The email sent by Ms. Claire Casey, Senior Executive Engineer in the Transportation Planning Department states “*an interim proposal of a temporary exit only for the proposed primary school onto Wyckham Way is not acceptable. It is not acceptable for traffic safety reasons, creation of traffic hazards, obstruction of existing and future traffic flow on Wyckham Way including pedestrians and cyclists. The proposed design would not be self-regulating and would require ongoing Council resources for traffic control and enforcement on Wyckham Way*”.
- The email further advises that the proposed pedestrian links including from Ard Glas estate are welcomed and should be available for use by both schools. In relation to the proposed vehicular arrangements it is advised in the email that based on the quality of sustainable modes in the area (Greenways, off-road cycle tracks, bus and Luas) it may be possible to manage and mitigate impact of two schools using Parkvale as a vehicular access.
- The email further stated that in the absence of any deliverable/implementable alternatives the interim option from a transportation perspective may be considered in principle providing the proposed Site Plan indicated link to Wyckham Way is omitted.
- It is noted that the advice contained in the email were not reflected in the decision to refuse permission.

- It is submitted to the Board that the applicant has made every effort to address the previous refusals of planning permission.
- Notwithstanding the safety concerns it is stated in the Planning Officer's report that *"the principle for an additional school is very much welcomed on the site and it will provide a required additional facility on an underutilised site."*
- It is submitted to the Board that the proposed development represents a strategic opportunity to consolidate educational uses on this suitably zoned and highly accessible site.
- The proposed development also includes a new two-storey sports facility for the benefit of the existing community school.
- A number of items of further information were requested by the internal Departments of the Council. The Municipal Services Department requested information in relation to green roofs, surface water storage and run-off assessments. These issues have been addressed in the submission from Waterman Moylan Consulting Engineers.
- Irish Water sought further information in relation to a proposed on-site watermain diversion. No diversion of the on-site watermain is proposed.
- The Department of Culture, Heritage and the Gaeltacht requested an Archaeological Impact Assessment be undertaken. Moore Archaeological & Environmental Services Ltd. note the Departments identification of a large circular feature of circa 30m diameter close to the north-eastern corner of the neighbouring walled garden of Gort Mhuire House. Accordingly, it is proposed that an assessment will be prepared and that an application for an archaeological licence will be sought. Where archaeological materials or

features are shown to be present their preservation in situ/preservation by record or monitoring may be required.

- As noted from the Planning Officer's report verbal discussions were held with the Parks Department. The Parks Department raised concerns that the applicant should ensure the retention of a much larger quantity of category 'B' trees on site. Also the Parks Department considered that it was difficult to discern the precise impact of the proposed development on trees.
- CMK Hort+Arb Ltd. confirm that the impact on trees is clearly outlined in the Arboricultural Impact Assessment Report. Also, in response to the concerns raised by the Parks Department some additional compensatory tree planting is proposed to the southern site boundary.
- The Planning Officer's report noted the concurrent application for an all-weather playing facility on site (Reg. Ref.D18A/0979) and stated that part of the proposed playing pitch covers a section of the proposed footpath link to the greenway. As indicated on Drawing No. PLN.100 Rev C (Proposed Site Layout Plan) the proposed pedestrian link and perimeter path around the proposed all-weather playing facility merge in the relevant location.
- In conclusion, it is submitted to the Board that the applicant has endeavoured to address the concerns of the Planning Authority in relation to the proposed vehicular exit onto Wyckham Way to facilitate the proposed development.
- The technical information provided by Waterman Moylan Consulting Engineers demonstrates that the proposed primary school can be accommodated by the existing road network via Parkvale.

(2) Third Party Appeal – Dudley Colley on behalf of Ballinteer Educate Together Parent Teacher Association

- The third party appellants state that there is a critical need for this primary school and that it is of strategic importance and they therefore respectfully request that the Board expedite the decision.
- It is submitted that the decision to refuse permission is not correct in this case. The proposal can be permitted where public safety is not compromised and where the residential amenities of Parkvale are protected.
- Ballinteer Educate Together National School (BETNS) is currently in temporary accommodation for the second time since it opened in 2012. The school outgrew its temporary space in the St. Tiernan's Community School and in 2017 had to move to temporary accommodation on the Notre Dame campus at Churchtown. This is outside the catchment and it is the permanent location for Gaelscoil na Fuinseogie a primary school. This school is expanding and therefore BETNS only has a limited timeframe of one and half years at this premises before they have to leave.
- Therefore, the school does not have the benefit of time for planning permission to be refused again. Furthermore, there are no other options available.
- It is submitted that there is a long standing need for a new primary school in the area. There are no alternative sites available.
- Based on 2016 Census data the number of pre-school children in the area exceeds the number of current and planner places in primary schools in the local area.
- The area close to the school will experience demographic transition with changes in the next decade in Parkvale resulting in growing demand for the school.
- Within Dundrum and Ballinteer the pre-school population is 2,564 and the current and future primary school places is approximately 2,000. In the

absence of the proposed school there is a shortfall in primary school places in the area.

- Policy Objective 31 of the National Planning and Policy Project Ireland 2040 – National Planning Framework requires that provision of childcare facilities and new and refurbished schools on well located sites within or close to built-up areas that meet the diverse needs of the local population.
- The proposed primary school and sports hall are on a served site which is highly accessible, underutilised and appropriately zoned. It is centrally located in the catchment and will cater for the diverse needs of the diverse population in the surrounding catchment.
- The provisions of the Design Manual for Urban Streets and Roads (DMURS) have been overlooked by the Planning Authority in their assessment of the proposal.
- Parkvale is a low density residential housing estate. The estate road has a maximum width of 9.3m and a minimum width of 7.3m. These widths are significantly wider than the maximum carriageway widths which are recommended under the provision of DMURS. This requires standard carriageway width on local streets e.g. Parkvale should be 5-5.5m. Therefore, it is submitted that the existing carriageway width in Parkvale is more than sufficient to cater for the expected additional traffic.
- The appellants are aware that the carriageway of Parkvale is outside the ownership and control of the applicant, however it is within the ownership of DLRCoCo and it is within the powers of the Local Authority to redesign the roadway of Parkvale to carry out traffic management and traffic calming.
- If the carriageway were narrowed it would reduce speeds and calm vehicular traffic. The narrowing of the carriageway would free up an area for improved footpaths and the provision of cycle lanes.
- It is also within the power of the Local Authority to eliminate all day parking along Parkvale and also to introduce a 30km/h speed limit. The suggested traffic calming measures are in line with Section 8.2.1.1 of the Development Plan.

- A recent appeal case decided by the Board is cited ABP 301602 where permission was granted for a 12 no. classroom school in Harold's Cross. A condition of the permission attached by the Board required that the applicant liaise with the Planning Authority and agree works to the public road.
- It is submitted that the proposal is fully in compliance with the provisions of the Dún Laoghaire-Rathdown County Development Plan 2016-2022.
- The Travel Plan submitted with the application clearly shows that a significant proportion of the arrivals/departures from the school will be sustainable modes of transport.
- The provision of the proposed school will have knock on benefits to the wider community including that it will consolidate educational facilities and it will also provide for a more intense level of usage of the Slang River Greenway.
- It is submitted that the first refusal reason can be overcome. The proposal for an exit only access onto Wyckham Way can be omitted by condition.
- Section 7.3 of the Engineering Assessment Report under Scenario 2 finds that there will be 86 no. drop off trips generated in the AM period and 86 no. collection trips generated in the PM period. The report did not identify any traffic hazard or road capacity issues.
- The Transportation Planning Section in their report disputes those figures and they applied the findings of the existing traffic survey of BETNS and reached a figure of 183 no. drop off and 183 no. pick up trips. It is submitted that this approach is flawed because the current location of BETNS is 2.5km outside of the catchment area.
- The Planning Authority do not raise road capacity or traffic hazard in relation to the Parkvale Estate Road network. The Planning Authority also do not consider that the proposed development using Parkvale as the in/out access route would result in a traffic hazard or obstruction to road users.
- The concern of the Planning Authority as set out in the second refusal reason appears to refer to local residential amenity issues.
- The appellants submit that refusal reason no. 2 is unsubstantiated. The refusal reason does not refer to the type of impact which would seriously

injure the residential amenity of Parkvale. The nature of the impact is not elaborated upon. Therefore, it is submitted that there is no basis for the refusal reason.

- The appellants acknowledged that the proposed development will result in some additional traffic movements through Parkvale, however it is submitted that any impact will be very limited and over a short period of time.
- It is highlighted that the site is very well serviced by dedicated walking, cycling and public transport routes and 3 no. new pedestrian access routes are proposed as part of the development.
- The School Travel Plan submitted with the application sets out concrete measures which will be implemented to reduce car based travel and ensure a modal shift to sustainable forms of travel. This includes an initiative to appoint a Travel Manager.
- There are 3 no. conditions relating to sustainable travel were attached to a permission granted by the Planning Authority under Reg. Ref. D16A/0542 for a 24 no. classroom school at Stepside. The appellants suggest that it would be appropriate to attach the following suggested conditions or similarly worded conditions to the current proposal should the Board decide to grant permission for the scheme.
- The opening time of the new school shall be a minimum of 45 minutes earlier than the neighbouring St. Tiernan's.

Reason: In the interests of traffic and pedestrian safety and to protect the residential amenities of Parkvale.

- The following list of actions shall be completed prior to the occupation of the new building;
 - i. Liaise with Dun Laoghaire – Rathdown County Council Traffic Section in respect of school transportation issues,
 - ii. Dissemination of information about public transport facilities and options,
 - iii. Promote use of public transport and cycling by staff by providing 'Tax Saver' incentives,

- iv. Develop and promote initiatives to encourage carpooling for students travelling by car,
- v. Conduct walkability audits, including Park and Stride and Walking Bus
- vi. Develop Drop-off Management Plan to promote efficient use of the drop of area,
- vii. Update the school website to include links to appropriate websites for staff and parents in respect of mobility management, the school travel plan and student travel pack,
- viii. Carry out a Cycling Audit.
- ix. The Mobility Management Plan shall be reviewed and updated every four years from the date of this permission in light of prevailing circumstances. Each review and update shall be discussed and agreed with the Planning Authority prior to adoption and implementation.

Reason: In the interests of reducing car transport and the proper planning and sustainable development of the area.

- A School Action Plan shall be developed by the School Board of Management to develop the initiatives and measures included in the Travel Plan (Mobility Management Plan) received by the Planning Authority with the planning application and a copy shall be submitted to the Planning Authority for their written agreement

Reason: In the interests of reducing car transport and to protect the residential amenities of Parkvale.

- In conclusion, it is submitted that it is imperative that the Board implements Ireland's National Planning Framework and grant permission.

6.2. Planning Authority Response

A response to the first and third party appeals was submitted by the Planning Authority. The issues raised concern the following;

- The Planning Authority acknowledges the need for a primary school and sports hall in the area and that it would provide required additional education facilities on an underutilised site.
- The third party appeal from Ballinteer Educate Together Parents Teacher Association states that the first reason for refusal can be overcome. If the Board considered that the proposed development would result in a traffic hazard a condition could be attached requiring the omission of the proposed exit-only link onto Wyckham Way. This proposal would result in all traffic associated with the St. Tiernan's School Campus accessing and exiting the location from Parkvale.
- Transportation Planning remain concerned in relation to the suitability of Parkvale to provide access from Sandyford Road to both St. Tiernan's Community School and the proposed development and particularly in the absence of any traffic management measures for the Parkvale Estate residential roads.
- It is considered that the additional traffic movements on Parkvale will be seriously injurious to the residential amenity of the occupants of Parkvale.
- The first party appeal from Minister for Education and Skills states that an Archaeological Impact Assessment will be prepared for the proposed development which is a requirement from the Department of Culture, Heritage and the Gaeltacht.
- It is noted that they proposed to plant compensatory trees on the southern boundary of the site. Additional tree planting is welcomed.
- The proposal to provide a green roof of not less than 60% of the proposed sports hall roof is also welcomed.
- The Planning Authority has serious concerns in relation to the proposed entry/exit arrangement.
- The Planning Authority considers that the proposed exit only link onto Wyckham Way which is a heavily trafficked distributor road would endanger public safety by reason of traffic hazard. The additional traffic movements

onto Parkvale, which is currently creating traffic problems for residents will be seriously injurious to the residential amenity of the occupants of Parkvale.

- The Transportation Section comments on the first party appeal states that they acknowledge the difficulties the Department of Education has had in dealing with third parties on delivering vehicular access to this required primary school site. Any direct school vehicular connection with Wyckham Way remains unacceptable for public safety reasons.
- It is noted that there is a lengthy planning history on the site and that options for proposals to overcome access issues have been discussed with the Local Authority at various stages. It is considered that there is further scope to investigate all options to access the site including the use of Wyckham Way to create optimum access which would allow for the full potential of the use of the site for educational purposes to be achieved.
- The Planning Authority are willing to work with all stakeholders to achieve a suitable access arrangement for the school campus.
- It is highlighted that the proposed sports hall is acceptable and that the Planning Authority would in principle look favourable on a separate planning application for a sports hall on the site.

6.3. **Observations**

The Board received objections to the appeal from the following; (1) Dun Emer Residents Association (2) Wyckham Place Management Ltd & Dundrum Point (3) Robert Daughton (4) Parkvale & Ballyolaf Residents Association (5) Ardglas Residents Association (6) Thomas & Yvonne Sheerin (7) Kevin Deane (8) Timothy Murphy & Patrick Keys (9) James Leonard (10) Tristan Dunne. The main issues raised can be summarised as follows;

1. Dun Emer Residents Association

- Concern is expressed in relation to potential impact to neighbouring residents in Dun Emer in terms of the proposed development and potential works along the site boundaries.

2. Wyckham Place Management Ltd & Dundrum Point

- The first and third party appeals seek to overturn the decision of the Planning Authority and achieve a grant of permission. It is considered that neither party has presented any evidence or material facts that would warrant a grant of planning permission.
- The third party appeal response proposes the omission of the exit only onto Wyckham Way in order to overcome the refusal. It is not considered appropriate to address a significant traffic safety issue by attaching a condition.
- It is stated in the first party appeal that every effort was made to address the Planning Authority concerns as raised in the previous appeals. However, it is noted that no significant changes have been carried out to the routes.
- The applicant has submitted an Engineering Report which seeks to justify the utilisation of the existing Parkvale access to serve the two schools. The report states that although the future capacity of St. Tiernan's is 1000 pupils that the Department of Education and Skills has no intention of the number of pupils increasing above 400. This may be the policy of the Department at present however this could change.
- A route option study has been presented by the applicant however none of these options have been advanced.
- The observers strongly object to any route access from Wyckham Place.
- They suggest that the most suitable route is via Council owned lands and the Gort Mhuire lands and through Ballawley Park. This route would avoid Parkvale Estate while providing access to Sandyford Road.
- The observers support the decision of the Planning Authority to refuse permission.
- The Inspector in their assessment of the appeal case PL06.D243218 considered that "Intensification of the existing access through Parkvale would be unacceptable". It is submitted that the applicant has not presented any new material or evidence to warrant a change of decision.
- The previous decisions of the Board and the Planning Authority have concluded that the access routes proposed are unacceptable from a traffic

safety perspective. While the requirement for the school is genuine the proposed scheme fails to address the key concerns.

3. Robert Daughton

- The observer is a resident of Parkvale.
- The Parkvale Estate was not designed to accommodate through traffic.
- The option of a school access thorough the lands at Gort Mhuire from the south remains feasible.
- There are two other suitable unobstructed routes for a school access. One being from Sandyford Road to the east. There was a previous plan to have a relief road running from Balally to Ballinteer to reduce through traffic at Dundrum. This proposal did not proceed and a spine road was constructed between Dundrum and the Motorway via Ballinteer.
- A second available route is via the Gort Mhuire spine road. There was a previous planning permission for housing with the walled garden at Gort Mhuire however the scheme did not proceed due to the recession.
- It is considered that the construction of an access road via this route would be the most suitable option to serve the proposed school and existing Community school.
- With the provision of a new direct school access road to the south or west of the site the existing temporary entrance could be permanently closed. This would serve to improve traffic safety in Parkvale.

4. Parkvale & Ballyolaf Residents Association

- Neither the first party appeal nor the third party appeal address the issues raised by the Parkvale and Ballyolaf Residents Association in their submission made to the Planning Authority.
- The proposal fails to address the issues raised previously by the Planning Authority and the Board in relation to traffic hazard and traffic nuisance at Parkvale.
- The impact of the proposed sports hall has not been adequately addressed specifically in terms of traffic impacts.

- The traffic assessment carried out by J.B. Barry & Partners indicates that the existing access arrangements through Parkvale Estate are inadequate to support existing and proposed traffic volumes. This has not been addressed in the revised traffic impact assessment submitted by the first party.
- It is considered that the application did not include any meaningful consideration of alternative points of access to the site or alternative traffic management arrangements.
- The application does not include any detailed information from the Department of Education and Skills that a new primary school is needed in the Ballinteer area or that the school should be located on the St. Tiernan's lands.
- The application does not include any consideration of alternative sites.
- The suggested mitigation measures outlined in the third party appeal are outside the control of the applicant or are unenforceable.
- The measures outlined in the School Travel Plan cannot be relied upon to mitigate the severe traffic nuisance associated with the proposed school.
- The document entitled 'Route Selection Study for Proposed New Vehicular & Pedestrian Access to existing grounds at St. Tiernan's Community School' prepared by Jason Redmond & Associates Consulting Engineers in 2015 was submitted with the first party appeal.
- The document outlines the reason why permission was previously refused and also notes the comments of An Bord Pleanála regarding the need for a comprehensive and balanced solution to ongoing access issues to the St. Tiernan's lands. However, the document goes on to refer to the site as 'highly accessible'. The document notes the problems in Parkvale relate to the use of the estate for drop off for people accessing the nearby Luas station.
- It is noted that access through Parkvale to St. Tiernan's lands is not considered as an option in the document for preferred route selection.
- It is submitted that the application is premature until such time as the applicant's proposals for alternative access to the site can be confirmed and set out in detail.

- The application seeks a new temporary vehicular entrance onto Wyckham Way. The Traffic Impact Assessment prepared by Waterman Moylan and submitted with the first party appeal states that the proposed exit on to Wyckham Way 'will ultimately be removed once an alternative access to the site via third party lands is delivered'. It is also set out in a document including as an appendix with the TIA that a two-way access via Gort Mhuire lands via Wyckham Place and onto Wyckham Way is under consideration and that the Planning Authority considers it acceptable in principle. The cited correspondence also states that 'primary school traffic will be permitted to exit via Parkvale'.
- It is unclear how the proposed new exit onto Wyckham Way can be considered temporary if its closure relies on a new access via third party lands.
- In the absence of a proposal for the comprehensive development of the site as a whole including the proposed primary school, sports hall and playing facilities the granting of planning permission would lead to a haphazard and piecemeal form of development.
- It is submitted that the T.I.A does not assess the cumulative impact of the traffic generated by the proposal in combination with the other operations of the St. Tiernan's Campus including increased enrolment to the Community School.
- It is suggested in the revised T.I.A submitted with the first party appeal that enrolment to St. Tiernan's Community School will only increase to 400 students. The principal previously stated that the school has capacity for 1,000 pupils.
- The proposed primary school will act as a feeder to St. Tiernan's Community School and therefore it is not feasible to assume that the enrolment would remain at 400 pupils.
- The T.I.A assessment presents a best case scenario in terms of the traffic generated and where the best case modal split by private car has been assumed.

- It is submitted that the existing access arrangements are inadequate to support the existing and proposed traffic volumes.
- The Traffic and Transportation Assessment prepared by J.B. Barry & Partners found that the large majority of the traffic movements through the Parkvale Estate during term time is generated by the school.
- The T.I.A prepared by Waterman Moylan states that the proposed development would utilise the available spare capacity in the road network. It is submitted that this is an incorrect assertion.
- The combination of narrow effective road width, two tight bends and the narrow school entrance with restricted visibility means that the actual capacity of the road in Parkvale Estate are less than set out in the T.I.A.
- In relation to the capacity of the junction between Parkvale and Sandyford Road it is submitted that the considerable congestion on Sandyford Road is not taken into consideration in the revised T.I.A.
- It is submitted that the site entrance from Parkvale to St. Tiernan's Community School is not adequate to allow traffic to enter and exit the site without resulting in a traffic hazard to pedestrians and cyclists.
- The T.I.A states that the traffic survey indicates that the road network has significantly lower volumes at the proposed school drop off period when compared to peak period. It is unclear how the T.I.A could equate low traffic flows with reduced traffic volumes. In this case low flows means a congested road system.
- It is submitted that the T.I.A underestimates the traffic impact upon Parkvale.
- In conclusion, Parkvale and Ballyolaf Residents Association support the development of the primary school on the St. Tiernan's Community School lands. However, they request that the Board refuse permission until such time as a comprehensive and balanced solution to the ongoing access issues on the educational campus can be achieved.

5. Ardglas Residents Association

- The Ardglass Residents Association state that they fully support the BETNS returning to the site, however they object to the proposed plans.
- A new pedestrian entrance at the northern end of the site and adjoining Slang River Greenway is proposed, it is stated that no traffic assessment was carried out in respect of the use of Ardglass as an alternative location for drop-off and collection.
- The existing volume of traffic in the area is highlighted. The proximity of Dundrum Town Centre and Balally Luas Station generate significant traffic. The existing traffic volumes results in congestion and traffic backing up on Sandyford Road. Frequently the yellow box on Sandyford Road at the junction with Ardglass is block by vehicles. Therefore, it is submitted that any increase in traffic in the area should be avoided.
- A suitable alternative access to the school site at St. Tiernan's Community School is via the Gort Mhuire lands. A new vehicular access through the Gort Mhuire lands to Wyckham Way would avoid the generation of additional traffic movements onto Sandyford Road and through Parvale Estate. It would also better serve the catchment of the school which is Ballinteer.
- A new vehicular access across the Gort Mhuire lands would provide the best option for a safe entrance and egress to the proposed primary school and existing post primary school.

6. Thomas & Yvonne Sheerin

- The observers are residents of Parkvale. They fully support the decision of Dún Laoghaire-Rathdown Co. Council to refuse permission for the proposed primary school.
- It is considered that the proposed primary school with access from Parkvale would have a negative impact upon them and their family in terms of the additional traffic which would be generated.
- The increased traffic would have road safety implications and the noise generated by the traffic would have a detrimental impact on their family and particularly their son who is autistic.

7. Kevin Deane

- The observer is a resident of Parkvale and he objects to the vehicular access to the school through the Parkvale Estate.
- The Parkvale Estate contains 56 no. houses it is a cul-de-sac and is an unsuitable location for the entrance to two schools and a sports hall.
- Parkvale is located on the Sandyford Road. The proposed school Ballinteer Educate Together National School (BETNS) whose catchment is Ballinteer is a different catchment and location of the site.
- The entrance to St. Tiernan's Community School was temporary when the school was established almost forty years ago. The level of traffic generated by the school has increased over time. It is noted that the school generates very little pedestrian traffic in comparison to vehicular traffic.
- The proposed primary school and sport hall would generate additional traffic to Parkvale which already experiences congestion. Sandyford Road is already seriously congested and the proposed development would add to this congestion.
- The proposed entrance from Parkvale and exit onto Wyckham Way would create a rat run.
- As part of the planning permission granted to Dorville Homes for an apartment scheme at Wyckham Point an access road off Wyckham Way was conditioned. This was not carried out.
- It is submitted that any application for the proposed primary school should be refused until the issue of a permanent entrance is resolved.

8. Timothy Murphy & Patrick Keys

- The observers are residents of the Ardglass housing estate.
- Ardglass accommodates car parking generated by the surrounding uses at Dundrum Town Centre and the Luas Station at Balally. On-street paid parking was introduced a number of years ago to address the matter. The housing estate is used for worker and commuter parking and this has resulted in traffic congestion.

- It is set out that the use of Ardglass for drop-off and collection from the proposed primary school would be inappropriate having regard to the existing situation in relation to on-street car parking and the width of the roads within Ardglass.
- The observers highlighted the existing congestion and heavily traffic experienced on Sandyford Road, Wyckham way and Overend Way. The practice of using the entrance to Ardglass to make U-turns and other turning manoeuvres to advantageously navigate traffic congestion in the area is also highlighted.

9. James Leonard

- Mr. Leonard has two children who attend Ballinteer Educate Together National School (BETNS).
- He fully supports the content of the first party appeal.
- Under Reg. Ref. D13A/0670 outline permission was refused for a primary school. The vehicular entrance proposed under that scheme was a signalised left-in/left-out junction onto Wyckham Way. Under Reg. Ref. D12A/0488 permission was refused for the school with a left-in/left-out priority junction onto Wyckham Way. The applications were refused on the basis that the vehicular access onto Wyckham Way, a heavily trafficked distributor road would endanger public safety by reason of traffic hazard.
- Reg. Ref. D13A/0670 was appealed to the Board (PL06D.243128). The Board upheld the decision to refuse permission on the basis of traffic hazard. A note attached with the Board Direction advised that the Board considered that the matter of assessing alternative means of accessing these lands would benefit from a co-ordinated approach by the applicant and the planning authority not only with a view to facilitating the proposed development of a primary school and sports hall but in the interest of achieving a comprehensive and balanced solution to ongoing access issues on this educational campus.
- It is over four years since that decision of the Board. In June 2017 the Department of Education and Skills announced that the school would be

relocating to the campus at Notre Dame. The school premises is currently shared with Gaelscoil Na Fuinseoige.

- The parents were informed that the Department of Education and Skills were in active negotiations with the adjoining landowners to the southwest of the school to try and secure lands to facilitate a new road link to Wyckham Avenue and onto Wyckham Way. However, this was not achieved, and such a road link does not form part of the current application.
- The currently proposed application is materially different to the previous applications. The proposed vehicular access including a temporary exit only onto Wyckham Way differs from previous applications and the application includes a detailed Traffic and Transportation Plan and Mobility Management Plan.
- In relation to the first reason for refusal and proposed exit only link onto Wyckham Way the observer considers that it is an appropriate proposal provided additional traffic calming and/or road markings and signage is provided along the southbound carriageway.
- The first party appeal has responded in detail to the first reason for refusal. It is requested that the Board consider this proposed for exit only vehicular movements onto Wyckham Way with some additional works.
- The second refusal reason refers to the proposal to use the existing vehicular access to St. Tiernan's Community School. It is set out in the observation that there is a lack of a detailed consideration in the Planner's report and in the report of the Transportation Department as to how it was concluded that the proposal would be seriously injurious to the residents in Parkvale.
- The parents and school body of BETNS are very willing to work with Parkvale residents to minimise any traffic impact.
- The submitted Traffic Mobility Plan estimates that only 35% of overall peak hour journeys to and from the school would be made by private car.
- There are five separate means of pedestrian and cycle access to the school lands this provides a highly accessible and attractive sustainable transport

network. The proposed school is served by bus routes on Sandyford Road and Wyckham Road and by the Luas.

- The proposal to upgrade the pedestrian and cycle access from Slang Greenway is welcomed.
- It is noted that the width of public road through Parkvale at circa 7m is beyond the width currently required under the provisions of DMURS for a local street.
- The provision of traffic management measures in Parkvale including the use of double yellow lines along one side of the carriageway would significantly improve vehicular movements.
- It is suggested that the Local Authority could also look to improve the capacity of the Parkvale/Sandyford Road junction. Measures suggested including the use of double yellow lines to prohibit commuter parking in the vicinity of the junction and the use of a signalised junction.
- The observer also suggests that the Planning Authority could include a Specific Local Objective in the County Development Plan to facilitate a two-way link from BETNS grounds at St. Tiernan's to Wyckham Avenue.
- It is noted that such a road link was provided for that the planning application stage for the apartment scheme at Wyckham Place Reg. Ref. D02A/1264 and ABP Ref. PL06.203222.
- It is requested that the Board discount the second refusal reason for the reasons set out above.
- It is reiterated that a new primary school building for BETNS is much needed and that policy SCC8 of the Development Plan sets out that it is Council policy to ensure the reservation of primary and post primary school sites in accordance with requirements of the relevant educational authorities.
- The proposed development which utilises the existing and long established Parkvale entrance with a managed exit only arrangement at Wyckham Way and supported by five separate pedestrian entrances represents the optimum achievable solution.

10. Tristan Dunne

- There are alternative other access options to the site rather than via Parkvale. A potential land take to provide access through Gort Mhuire (Carmelite Order) would have a minimal impact on their landholding.
- An alternative route option would be to use the reserved road corridor in the green space to the south of Wyckham Point apartments. A road reservation was conditioned as part of the permission granted under Reg. Ref. D02A/1264.
- The route selection study assigned all the route options utilising Wyckham Place with unwarranted negative scores. The route selection via Gort mhuire represents the best opportunity to provide a high quality direct access which would represent the best option from a roads design perspective.
- It is considered that any proposals involving use of the Parkvale/Sandyford Road junction for Ballinteer Educate Together National School (BETNS) will not work based on traffic alone. It is considered that the projected traffic demand which is based on the School travel Plan submitted with the planning application is flawed and cannot be considered credible.
- It is contended that the site is not currently highly accessible through Parkvale. It is highly inaccessible for persons travelling to or from Ballinteer during peak traffic periods.
- It is questioned whether the site is located in the heart of the catchment as the catchment is described as Ballinteer and the location of the school at the site at Parkvale, Balally would not be in the heart of the area.
- It is misleading to compare the location of the proposed school to the current location at Notre Dame because the school has only been operating there for the past two years.
- The submitted school travel plan is aspirational the predictions of modal split are considered unrealistic. As the school is not within close proximity of the residential catchment it is unlikely to encourage sustainable travel.
- It is considered that the School Travel Plans estimation of the numbers of drop-off trips for the future scenarios is incorrect and the modal split is

considered unrealistic. 86 no. trips is not considered accurate in the context of the traffic counts of 2013-2015 for BETNS. BETNS generated 207 vehicles passing through Parkvale in the peak hour period of 2016.

- The school has 32. No staff and not 12 no. staff as detailed in the planning application documentation.
- The student population of the secondary school is driven by demand. The community school has a capacity of 1,000 students. The proposed primary school will act as a feeder for the post primary school.
- The traffic modelling carried out by the appellant is based on current AM peak traffic flows recorded in the Sandyford Road where there is congestion on Sandyford Road city bound direction. Therefore, it was assumed that a low flow rate indicated spare capacity.
- It is stated that Sandyford Road is typically congested from 08:00 to 08:50 Mon-Fri with a queue of traffic towards Dundrum which extends past the Parkvale junction.
- With the school opening at 08.15 it would mean that it is directly affected by the peak traffic and the traffic generated by BETNS will add to the traffic congestion.
- The main issue to consider is the junction capacity at the Sandyford Road and & Parkvale junction and the ability of Sandyford Road to receive additional traffic.
- On-street parking restricts traffic movement through Parkvale. The full 9m road width is only available at the top of the road where there are double yellow lines. There is all day commuter parking along the full length of the roadway.
- Regarding the proposed sports hall the proposed extent of its use is undefined and therefore the impact on the residents of Parkvale cannot be assessed.
- The residents of Parkvale have experienced traffic impacts from St. Tiernan's Community school for the past 38 years. The addition of the proposed BETNS would make the situation worse.

6.4. Further Responses

A further response to the first party appeal was submitted by Dudley Colley on behalf of Ballinteer Educate Together Parent Teacher Association. The issues raised are as follows;

- Ballinteer Educate Together Parent Teacher Association fully support the content of the first party appeal.
- They note the statement in the appeal that Dún Laoghaire-Rathdown Co. Council Transportation Department believe it is possible to manage and mitigate impacts of two schools using Parkvale as vehicular access having regard to the quality of sustainable modes of transport in the area.
- They note that the Council's Transportation Department also stated that they are prepared to consider the interim option of vehicular access to the school via Parkvale provided the proposed link to Wyckham Way is omitted.
- Ballinteer Educate Together Parent Teacher Association have expressed their disappointment that the views of the Council's Transportation Department were not made available to the applicant prior to the lodgement of the application or by way of further information.
- Ballinteer Educate Together Parent Teacher Association wish to make a correction to some detail provided in the third party appeal. In the appeal it is stated that the existing school on site St. Tiernan's opens 35 minutes after Ballinteer Educate Together National School. The correct opening time of St. Tiernan's is 9.00am which is 45 minutes after the opening time of Ballinteer Educate Together National School which is 8.15am.

A further response to the third party appeal was submitted by Tom Phillips & Associates on behalf of the applicant the Minister for Education and Skills. The issues raised are as follows;

- The applicant notes the suggested condition cited by the third party appellant concerning the provision of a pedestrian crossing on the adjoining public road. As set out in the report of Waterman Moylan Consulting Engineers the applicant is willing to contribute towards the implementation of a traffic

calming scheme through the Parkvale Estate if deemed necessary by the Board.

- In relation to the proposed exit only onto Wyckham Way the Board should note the following key points.
- Wyckham Way will operate as an exit only link and will supplement the access via Parkvale. It is set out that only 43 no. vehicles would use the exit in the AM period with a similar number of vehicles in the two PM pick up slots. Each drop off and pick up period would be approximately 30 minutes in duration.
- Right turning movements onto Wyckham Way will be prohibited. It is proposed to use warning signage and road markings.
- Wyckham Way exit is proposed on a temporary basis only and will be removed once an alternative access through third party lands becomes available.
- A road connection has been provided to the southern boundary of the school site to ensure that this future link through third party lands can be accommodated. Drawing No. PLN. 100 – Proposed Site Layout Plan, indicates this.
- Waterman Moylan Consulting Engineers also considered the traffic impacts which would arise should the proposed temporary exit onto Wyckham Way be omitted. The Board is referred to Section 7.3 of the Engineering Assessment Report. Two scenarios were considered (1) overall drop off trips with the exit only onto Wyckham Way. (2) Overall drop off trips with the exit only onto Wyckham Way not in place.
- The modelling carried out indicated that for both scenarios the junction operates well within capacity having regard to the traffic generated from the site.
- The second reason for refusal has been addressed in full in the first party appeal. In this regard the Board is referred to Section 3.0 of the report of Waterman Moylan Consulting Engineers. The key points are as follows;
- The proposed site is located within the heart of the residential catchment.

- The relocation of the primary school from the Notre Dame Campus to the proposed site will improve sustainable travel options. It is projected that there would be an increase in walking, cycling and scooting to school with a decrease in access by private car.
- The road network and junctions in the area surrounding the school site have sufficient available capacity to accommodate trips which would be generated by the proposed development.
- The proposed mitigation measures including (1) staggered school opening times (2) School travel plan measures including the appointment of a Mobility Manager (3) the identification of 7 no. park and stride locations and 2 no. walking bus routes.
- It is submitted having regard to the detailed measures proposed that the Planning Authority's concerns regarding impact arising to residents of Parkvale can be overcome.

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
- Transportation and Access
- Appropriate Assessment
- Other Issues

7.1. Principle of Development and suitability of site

- 7.1.1. The appeal site is zoned objective 'A' – where the objective is to 'protect and-or improve residential amenity'. Although housing is the primary use in this zone it is noted that education and sports facilities (among other uses) are open for consideration in accordance with Table 8.3.2 which refers to Zoning Objective 'A' in

the Dún Laoghaire-Rathdown County Development Plan, 2016-2022. Furthermore, the site is the campus of St. Tiernan's Community School.

- 7.1.2. In relation to the history and establishment of Ballinteer Educate Together National School (BETNS) it originated with a start-up group of parents in 2010. The group, the South Dublin Educate Together Start-Up Group, contacted the Department of Education in order to seek the establishment of an Educate Together school for their children and the children of families in the area. In March 2012, the Department of Education announced that Educate Together had been granted patronage of the new school, Ballinteer Educate Together National School. The school opened in September 2012 with the first Junior Infant class of 18 no. pupils in temporary accommodation within existing school building of St. Tiernan's Community School at Parkvale, Sandyford Road.
- 7.1.3. In September 2017, BETNS comprising 11 no. classes moved on a temporary basis to the campus of Notre Dame, on the Upper Churchtown Road. The campus of Notre Dame is the permanent home of Gaelscoil na Fuinseoige. Currently, BETNS has an enrolment of 270 no. pupils. Under this current application they are seeking to develop a permanent school building on the site at St. Tiernan's Community School.
- 7.1.4. 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 requires that Planning Authorities seek to situate new schools within the existing/proposed catchment in a manner that aids ease of access from surrounding areas and encourages sustainable mobility by walking, cycling and public transport. It is further advised in this document that the Department of Education will consider the use of multi-campus schooling arrangements in appropriate cases, e.g. 2 or 3 schools side by side; a primary and a post-primary school sharing a site; schools anchoring wider social and community facilities required in the same area.
- 7.1.5. Development Plan policy in relation to School Development is set out in Section 8.2.12.4. It is Council policy that new Schools shall be developed in areas where new/additional schools are required as identified by the DES and/or within existing school/education sites. The Department of Education and Skills began the process

of identifying and acquiring a suitable site for BETNS in 2011. The subject site at St. Tiernan's Community School, Parkvale has been chosen by the Department of Education and Skills as the most suitable site for the Ballinteer Educate Together National School (BETNS).

7.1.6. A number of the Observers to the appeals have argued that the site is not located within the heart of the catchment of Ballinteer Educate Together National School. The third party appellants submit that the proposed site is centrally located in the catchment and the proposed primary school will cater for the diverse needs of the diverse population in the surrounding catchment. The site is situated 200m to the east of Ballinteer Road is surrounding by housing areas of Ballinteer, Dundrum and Balally. Accordingly, I am satisfied that the site is located within the residential catchment of Ballinteer and will also serve other adjoining housing areas.

7.1.7. In relation to the overall site size at 5.65 hectares there is scope to accommodate a future expansion of the building if required. Furthermore, the siting of the primary school on a shared campus with St. Tiernan's Community School ensures that the proposed school can avail of the existing outdoor recreational facilities including basketball courts/hockey pitch, athletics area and playing fields.

7.1.8. Accordingly, having regard to the foregoing details, I consider that the proposed location is appropriate for the siting of the proposed primary school subject to all other relevant planning considerations being satisfactorily addressed.

7.2. Transportation and Access

7.2.1. The Planning Authority refused permission for the proposed development for two reasons, they refer to traffic safety and the potential impact of vehicular traffic which would be generated by the proposed development upon residential amenity of the existing Parkvale residents.

7.2.2. A number of the Observers to the appeals have also raised concerns in relation to potential traffic impact from the proposed development. Specific concerns are raised in relation to the additional vehicular traffic which the school would generate which would access the site via the Parkvale Housing Estate and the capacity of the junction between Sandyford Road and Parkvale.

7.2.3. The proposed layout provides for the following vehicular access arrangements. Vehicular access to BETNS is proposed from the existing vehicular entrance which

serves St. Tiernan's Community School from Parkvale Estate. The proposed vehicular arrangements include the development of a new temporary vehicular entrance onto Wyckham Way at the north-western site boundary, which will facilitate one-way left turning exist movements from the site only.

- 7.2.4. In relation to pedestrian and bicycle access 2 no. new pedestrian entrances at the northern site boundary onto the adjoining Slang River Greenway and, a new pedestrian entrance is also proposed at the north-western site boundary onto Wyckham Way.
- 7.2.5. The Planning Authority in their determination of the application concluded in relation to the proposed exit-only link onto Wyckham Way, that it is a heavily trafficked distributor road and that the proposed development would endanger public safety by reason of traffic hazard or obstruction of road users. Regarding the proposed use of the existing access to the St. Tiernan's Community School from Parkvale, the Planning Authority considered that its use to serve an additional 16 classroom school would not be acceptable on the grounds of impact on residential amenity of the existing Parkvale residents.
- 7.2.6. The first and third party appellants have sought to address these matters. The third party appellants assert that the reasons for refusal can be overcome.
- 7.2.7. It is highlighted in the first party appeal that they endeavoured to carry out consultations with the adjoining land owners to the south Marlet Property Group and the Carmelite Religious Order. The consultation process included the preparation of a detailed road design by their architects of a new vehicular access through the third party lands to the south to provide access off Wyckham Avenue. The applicant confirmed however that the consultation process was unsuccessful due to the varying expectations of the landowners. They submit to the Board that given that vehicular access to the site through third party lands is not available and therefore outside their control that the current access proposals are the only feasible option.
- 7.2.8. A number of the observations to the appeals have sought to highlight the merits of alternative vehicular access arrangements particularly the construction of a new roadway through the Gort Mhuire lands to the south. While, I would acknowledge these alternative vehicular access options to the site. I would highlight to the Board that such alternative vehicular access arrangements are not proposed under this

current application nor have they formed part of the previous planning applications for the proposed BETNS on the site.

- 7.2.9. The response from the Planning Authority on foot of the first and third party appeals restates their serious concerns in relation to the proposed entry/exit arrangements. The Planning Authority considers that the proposed exit only link onto Wyckham Way which is a heavily trafficked distributor road would endanger public safety by reason of traffic hazard. The additional traffic movements onto Parkvale, they state currently creates traffic problems for residents and will be seriously injurious to the residential amenity of the occupants of Parkvale.
- 7.2.10. Regarding the proposed new temporary vehicular entrance onto Wyckham Way. It would be located at the north-western site boundary circa 20m to the north-east, which will facilitate one-way left turning exit movements from the site only. As indicated on Drawing No: PLN.100 Proposed Site Layout Plan, a new internal roadway would serve the existing and proposed school with a one-way exit onto Wyckham Way. The new vehicular entrance is proposed onto the south-west bound carriageway of Wyckham Way. Wyckham Way is a distributor road linking Ballinteer Road and Sandyford Road and Overend Avenue. Wyckham Way is a dual carriageway it has an overall width of 13m. There is a footpath and a cycle track along both sides. There are bus lane road markings on the inner lanes in both directions but the bus lanes are not in operation. Also adjacent to the site boundary at Wyckham Way there is a ramped pedestrian access to the River Slang Greenway from Wyckham Way. The proposed new vehicular access would cross the footpath, cycleway and the ramped pedestrian access to the Greenway. As indicated on Drawing No: P160 Proposed Junction onto Wyckham Road a barrier would be erected at the exit and sightlines of 49m are indicated. Wyckham Road the R826 is a Regional Road and has a speed limit of 80km/h. As stated by the Planning Authority and the Transportation Planning Section in their report it is a heavily trafficked distributor road. Notwithstanding the proposed managed exit only arrangement at Wyckham Way, having regard to the nature of the roadway, the level of traffic on the carriageway and the speed limit, I would not consider it appropriate to permit the location of the proposed exit only vehicular access onto Wyckham Way as it would interfere with the free flow of traffic and would endanger public safety by reason of traffic hazard.

- 7.2.11. The third party appellants submit that the first refusal reason can be overcome. The proposal for an exit only access onto Wyckham Way can be omitted by condition. It is highlighted in the first party appeal that the applicant had sought pre-planning advice in relation to the proposed scheme and that they were liaising with the Transportation Planning Section of the Dun Laoghaire-Rathdown Co. Council regarding the vehicular access arrangements. The appeal refers to an email correspondence from a Senior Executive Engineer in the Transportation Planning Section which was issued to the applicant on the 18th of September 2018 while the application was lodged and under consideration. The email which is appended with the first party appeal advised that *“an interim proposal of a temporary exit only for the proposed primary school onto Wyckham Way is not acceptable. It is not acceptable for traffic safety reasons, creation of traffic hazards, obstruction of existing and future traffic flow on Wyckham Way including pedestrians and cyclists. The proposed design would not be self-regulating and would require ongoing Council resources for traffic control and enforcement on Wyckham Way”*.
- 7.2.12. In relation to the proposed vehicular access from Parkvale Estate the email advised that based on the quality of sustainable modes in the area (Greenways, off-road cycle tracks, bus and Luas) it may be possible to manage and mitigate impact of two schools using Parkvale as a vehicular access. The first party note that this advice from the Transportation Planning Section which was issued to them prior to the determining of the application was not reflected in the decision to refuse permission which was issued on the 31st of October 2018.
- 7.2.13. The vehicular access to St. Tiernan’s Community School is from Parkvale Estate. This is the proposed vehicular access to BETNS. Having regard to the Planning Authority’s recommendations, the advice from the Transportation Planning Section and my own opinion that the proposed exit onto Wyckham Way is not acceptable I consider it appropriate to examine the suitability of the existing vehicular access to accommodate the additional vehicular traffic which the proposed primary school would generate.
- 7.2.14. Accordingly, it is necessary to examine the traffic and transport impact on the surrounding road network while having regard to the pedestrian and cycle access. A School Travel Plan for the proposed scheme was prepared by Waterman Moylan Consulting Engineers in September 2018. The School Travel Plan indicates a total

of 432 no. pupils and 32 no. staff. The proximity of public transport in the area is highlighted including the location Balally Luas Station circa 480m from the site and the following bus routes no. 14, no. 44, no. 44b, no. 75 and no. 116 which serve the surrounding area including Ballinteer Road, Wyckham Way and Sandyford Road. The existing and proposed pedestrian facilities are highlighted including the two proposed pedestrian accesses from Ardglas Estate and pedestrian access onto Wyckham Way.

- 7.2.15. A travel survey was conducted by the Principal of BETNS in July 2018 regarding modal split. The results of the survey were that the modal split for private car to the Churchtown location of BETNS was 57% while the modal split for private car to the St. Tiernan's Community School site was 40%. It is submitted in the School Travel Plan that the site at St. Tiernan's is located within the heart of the catchment and therefore there would be more trips by walking, cycling and by scooter. The school proposes to target the following modal split private car 35%, walking 27%, public transport 8% and cycling 30%. In order to achieve this the school proposes special initiatives including the appointment of a Travel Manager and the provision of onsite pedestrian and cyclist facilities.
- 7.2.16. Regarding the matter of traffic generation, it is estimated that the proposed school would generate 86 AM drop-off trips. Section 7.3 of the Engineering Assessment Report prepared by Waterman Moylan Consulting Engineers examines traffic impact. Under Scenario 2 which refers to overall drop-off trips with the exit only onto Wyckham Way not in place it finds that for the junction between the Parkvale Estate and Sandyford Road that the junction would operate well within the capacity with the additional traffic generated from the site. It is stated that the junction has a maximum RFC (Ratio of Flow to Capacity) of 0.493 and a maximum queue length of 0.9 vehicles.
- 7.2.17. The first party appeal submission from Waterman Moylan Consulting Engineers in relation to modal split argues that Council were incorrect to sue the 57% car modal split as it relates to the schools existing temporary location at Churchtown where only 49% of the pupils live within 4km of the school. In relation to the suitability of the existing access via the Parkvale roadway it is set out by the Consulting Engineers that the school access is 360m from the junction with Sandyford Road and that the road width within Parkvale is 9m over circa 180m and then circa 7.3m

over the remaining 180m. These road widths are compared to the road width currently required under the provisions of DMURS which is between 5.5m and 6m. Accordingly, I would consider that the existing road width within Parkvale has capacity to accommodate the additional vehicular traffic which would be generated.

7.2.18. A Traffic count carried out in relation to the inbound and outbound trips to the school site in the AM period between 0745 and 0900 indicate 87 trips at peak hour between 0800 and 0900. In order to mitigate the potential impact of the proposed new school in conjunction with the operation of St. Tiernan's Community School it is proposed to open BETNS at 08.15 which is 45 minutes before the opening time of the Community School. In relation to the worst-case scenario it is submitted that with a 100% of the inbound and outbound trips generated by BETNS in the AM period occurring in the 30 minutes prior to opening this would generate 186 trips at peak hour. It is set out in the appeal response that would represent the worst-case scenario for vehicular drop-off to the site and in the absence of measures to reduce direct vehicular access to the site including drop off to park n' stride locations. Seven off-site car parks have been identified as park n' stride locations along with two walking bus routes. These locations and routes are indicated on Drawing No. 16-165-20 SK101 – Sustainable Travel Proposal submitted with the first party appeal. Walking Bus Route A runs from SuperValu Ballinteer to the school site and walking Bus Route B runs from Balally Shopping Centre to the school site. The proposed park n' stride locations are (1) SuperValu Ballinteer (2) Neighbourhood Centre – Ballinteer Avenue (3) Centre Ballinteer – Wyckham Way (4) DLRCC Community facility at Meadowbrook (5) Dundrum S.C. (6) Balally S.C. (7) DLRCC Public Car park at Sandyford Road. These park n' stride locations lie within circa 0.4km and 1.5km of the site and the walking bus route from SuperValue Ballinteer runs for circa 1.3km with the route from Balally SC running for circa 1.5km. These proposed initiatives to encourage sustainable modal split are essential to reducing car use on the trip to and from the school, and to reduce the impact of traffic on the community around the school.

7.2.19. Having regard to the details submitted with the application and the appeals in relation to transportation and access to the site specifically the School Travel Plan and the proposal to implement its initiatives with the appointment of a Travel Manager and proposal to encourage sustainable travel, the operation of staggered

opening and closing times and subject to the omission of the proposed left turning exit only vehicular access onto Wyckham Way, I consider that the proposed development is acceptable from a traffic and transport perspective. Accordingly, I consider that the proposed development would not cause significant road congestion and would not give rise to the creation of a traffic hazard in this location.

7.3. Appropriate Assessment

- 7.3.1. The applicant submitted a screening statement for Appropriate Assessment prepared by Moore Group Environmental Services. In considering the impact on Natura 2000 sites, I note that there are no known flora or fauna species of particular conservation value on the site. I also note that the River Slang adjoins the site to the north. The River Slang is a tributary of the River Dodder. It joins the River Dodder at Milltown.
- 7.3.2. In the case of the proposed development the relevant source-pathway-receptor links relate to generated foul and surface waters via the drainage network and the proposed construction works. It is considered that these are not likely to pose any significant impact on the existing European sites. The attenuation, treatment and disposal of foul and surface waters leaving this site would not result in any known deleterious impact on the qualifying interests of the Natura 2000 sites. The separation distances, short-term nature, and application of the construction management plan provisions should ensure there would be no likelihood of any impacts on the conservation sites. There are no known developments in the vicinity of this site that would give rise to cumulative impacts.
- 7.3.3. Overall, it is reasonable to conclude that, on the basis of the information on the file which I consider adequate in order to issue a screening determination, the proposed development, individually or in combination with other plans or projects would not be likely to have a significant effect on Dublin Bay South SAC or South Dublin Bay and River Tolka Estuary SPA. A Stage 2 Appropriate Assessment is, therefore, not required.

7.4. Other Issues

Archaeology

- 7.4.1. The report from the Department of Culture, Heritage and the Gaeltacht requested an Archaeological Impact Assessment be undertaken. Moore Archaeological &

Environmental Services Ltd. note the Departments identification of a large circular feature of circa 30m diameter close to the north-eastern corner of the neighbouring walled garden of Gort Mhuire House. Accordingly, it is proposed that an assessment will be prepared and that an application for an archaeological licence will be sought. Where archaeological materials or features are shown to be present their preservation in situ/preservation by record or monitoring may be required. Should the Board decide to grant permission, I would recommend that attachment of a condition requiring archaeological monitoring.

Surface water drainage

- 7.4.2. The Drainage Planning Section of the Council in their assessment of the proposed development required further information in relation to surface water drainage. They required that a green roof design be proposed for the sports hall, that permeable paving be provided in accordance with Section 8.2.4.9 of the Development Plan that details be provided to indicate the suitability of the soil to infiltrate water and ensure the tanks are appropriately sized for the site specific conditions. They also required that the applicants provide a catchment map to identify the area of the site positively drained by the proposed drainage network and provide a tabulated breakdown of the volume of surface water storage provided for treatment, interception and attenuation storage for the entire site in compliance with GDSDS requirements.
- 7.4.3. These matters were addressed in the first party appeal in the submission from Waterman Moylan Consulting Engineers prepared in November 2018. The submission confirms that 60% of the overall roof area on site has been designed as a green roof area. In relation to the soil type on site it is confirmed that it is Soil Type 2 based on the UK suds tool developed by HR Wallingford. In relation to attenuation storage requirements, a reduction in the site area from circa 2.8 hectares to circa 1.4 hectares would increase the storage requirements from 550m³ to 750m³. It is stated that the attenuation tank can be upsized to address this. The proposed attenuation tank with a capacity of 547m³ has been designed to cater for 720 minute 1:100 year storm with 20% allowance for climate change. An overall attenuation requirement of 564.5 m³ is estimated. It is proposed that the additional storage volume required would be provided within the surface water system and that permeable paving can be included in the design. Accordingly, I am satisfied with the drainage details

submitted, subject to them being constructed and operated in accordance with the requirements of the planning authority for such works and services.

Sports Hall

- 7.4.4. A new two-storey sports hall with a floor area of 1,207sq m and a ridge height of 9.2m is proposed to the south-east of the existing community school, adjacent to the southern site boundary. A number of the Observers to the appeals have raised concern in relation to traffic which the proposed sports hall would generate. The sports hall is proposed to serve the two schools. However, I would note that it is Council policy to encourage the shared use of school facilities for the community where it is suitable and appropriate. Section 8.2.12.4 of the County Development Plan refers to School Development and specifically. In relation to the use of school facilities including sports facilities and halls outside of school hours it is Council policy that dual function of such facilities outside school hours will be encouraged where feasible and appropriate and where it will be of a benefit to the wider community. Should the Board decide to grant permission, I would recommend that attachment of a condition requiring that the proposed sports hall be made available where feasible and appropriate and outside of school hours.

8.0 Recommendation

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

9.0 Reasons and Considerations

Having regard to the zoning and other objectives of the planning authority as set out in the Dún Laoghaire-Rathdown County Development Plan 2016-2022, which include to facilitate educational development on suitable sites, to the established school on the site and to the nature and scale of the proposed school development and the planning history it is considered that, subject to compliance with the conditions set out below, the proposed development would constitute a facility of value to the community, would not cause traffic congestion or endanger pedestrian, cyclist or traffic safety, would not seriously injure the amenities of the area or of property in the vicinity and would, therefore, be in accordance with the proper planning and sustainable development of the area.

10.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The proposed left turning exit only vehicular access onto Wyckham Way shall be omitted from the development. Revised plans indicating the omission of this proposed vehicular access shall be submitted to, and agreed in writing with the Planning Authority

Reason: In the interest of traffic safety.

3. The following requirements shall be provided for and adhered to in the development.
 - (a) The applicant shall implement the measures for achievement of the targets specified in the School Travel Plan which shall be fully implemented, monitored and reviewed under the direction of the Mobility Manager who shall be appointed by the applicant, in accordance with the requirements of the planning authority to which periodic updates on achievement of targets and provision of monitoring reports which shall be submitted in accordance with an agreed timeframe. If targets for modal split are not being achieved, alternative arrangements shall be agreed with the planning authority.
 - (b) Staggered opening and closing times shall be operated and maintained by the proposed school in conjunction with the existing adjoining school

St. Tiernan's Community School so that drop off and collection times for the two schools do not coincide. A minimum stagger of 30 minutes shall be employed, unless otherwise agreed in writing with the planning authority.

Reason: In the interest of pedestrian and vehicular safety, amenity, clarity and orderly development.

4. The use of the sports hall outside of school hours, shall be made available where feasible and appropriate and where it will be of a benefit to the wider community.

Reason: To comply with the requirements of Section 8.2.12.4 (School Development) of the County Development Plan, 2016-2022, and in the interests of the proper planning and sustainable development of the area.

5. 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.

6. All trees to be retained on site shall be enclosed by protection fencing, erected outside the branch spread prior to commencement of development and shall be maintained in place throughout the construction stage, in accordance with the standards set out in BS 5837 and the requirements of the planning authority in consultation with the Parks and Landscape Division.

Reason: In the interest of environmental and visual amenity and clarity.

7. 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.

8. The developer shall engage the services of a Conservation Architect or expert with specialised conservation expertise, in accordance with the Architectural Heritage Protection Guidelines for Planning Authorities issued by the Department of Arts, Heritage and the Gaeltacht in 2011 and in accordance with Best Conservation Practice, to monitor the walled garden during the course of construction to ensure that the structural stability is not compromised.

Reason: To ensure that the integrity of this protected structure is maintained and that all works are carried out in accordance with best conservation practice.

9. The developer shall facilitate the archaeological appraisal of the site and shall provide for the preservation, recording and protection of archaeological materials or features which may exist within the site. In this regard, the developer shall:
 - (a) notify the planning authority in writing at least four weeks prior to the commencement of any site operation (including hydrological and geotechnical investigations) relating to the proposed development, and
 - (b) employ a suitably-qualified archaeologist prior to the commencement of development. The archaeologist shall assess the site and monitor all site development works.

The assessment shall address the following issues:

- (i) the nature and location of archaeological material on the site, and

(ii) the impact of the proposed development on such archaeological material.

A report, containing the results of the assessment, shall be submitted to the planning authority and, arising from this assessment, the developer shall agree in writing with the planning authority details regarding any further archaeological requirements (including, if necessary, archaeological excavation) prior to commencement of construction works.

In default of agreement on any of these requirements, the matter shall be referred to An Bord Pleanála for determination.

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

10. 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.

11. 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.

12. All service cables associated with the proposed development shall be located underground.

Reason: In the interest of visual and residential amenity.

Siobhan Carroll
Planning Inspector

6th of March 2019