



An
Bord
Pleanála

Inspector's Report

ABP-304092-19

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| Development | PROTECTED STRUCTURE: Permission for a period of 3 years for primary school. Demolition of the existing 4 storey UCD Muckross Halls Building. |
| Location | Muckross Park, Donnybrook, Dublin 4 |
| Planning Authority | Dublin City Council South |
| Planning Authority Reg. Ref. | 3302/18 |
| Applicant(s) | Minister for Education and Skills. |
| Type of Application | Permission. |
| Planning Authority Decision | Grant Permission subject to conditions |
| Type of Appeal | Third Party v Permission |
| Appellant(s) | Residents of Mount Eden Road John & Margaret Graby |
| Observer(s) | None. |
| Date of Site Inspection | 23 rd June 2019 |
| Inspector | Bríd Maxwell |

1.0 Site Location and Description

- 1.1. The site forms part of a long established educational / convent campus located within Muckross Park in Donnybrook, Dublin 4. The site has a stated area of 0.52 hectares and includes a hostel accommodation block formerly used by UCD as student accommodation. The site located to the east of the existing Muckross Park House, a protected Structure (RPS Ref 4967) (Original Muckross Park house, including modern chapel perimeter walls, gates and railings and surviving opart of walled garden) and north of the Muckross Park College Complex.
- 1.2. Access to the appeal site is from Mount Eden Road while the main entrance to the wider campus is from Marlborough Road with an in out entrance serving Muckross Park College Post Primary School and a gateway entrance to the convent grounds.
- 1.3. The existing hostel building on the site is a four storey, flat roofed structure with a linear plan form and a cranked eastern end. The building is a concrete framed modern movement building, built c 1963, architect unknown. At ground floor it includes restaurant / dining facility area, kitchen and other ancillary rooms and some recreation rooms. Second and third floors comprise individual student rooms.
- 1.4. The site is bounded to the east and north by Mount Eden Road and private dwellings. To the south is Muckross Park College. To the west is the Dominican Convent and chapel building. The site's roadside frontage to Mount Eden Road is bounded by a low brick and stone heritage wall topped by an iron railing with a wrought iron gated entrance to the grounds. Tarmac pathways lead east-west and north south from the iron gated entrance to the grounds from Mount Eden Road.

2.0 Proposed Development

- 2.1. The proposal as set out in public notices involves permission for a temporary, two storey primary school (c 1,459 sq.m gross floor area), comprising of 112 no classrooms and ancillary teacher and pupil facilities.
- 2.2. The proposed development will also consist of the demolition of the existing 4 no storey UCD Muckross Halls building (1748 sq.m); the provision of new temporary vehicular and pedestrian access and egress arrangements to the proposed temporary school via Mount Eden Road; internal circulation and drop off arrangements serving the site; surface car parking; a shared vehicular/pedestrian/cycle route within the site; internal pathways; bicycle and

scooter parking; bin storage; landscaping and hard and soft play areas. The development will include minor revisions to the existing site boundary to Mount Eden Road to facilitate the new entrance and exit arrangements and a new 1.8m boundary wall between the proposed temporary school and the existing convent. The development will also include piped infrastructure and ducting; plant; site landscaping; signage; changes in level and all associated site development and excavation works.

2.3. Temporary permission for a period of 3 years is being sought. The proposed temporary school comprises 12 no classrooms with ancillary accommodation with a gross floor area of 1,459 sq.m. The school will have a capacity to accommodate 312 pupils. The proposed school will be prefabricated off site. A play area is proposed to the north of the building with associated hard and soft landscaping. Car and cycle parking are proposed to the north of the school adjacent to the access point from Mount Eden Road. The proposed development is intended to meet the school accommodation requirements for St Mary's NS, pending the completion of the compliance process and subsequent construction of the permitted permanent primary school (as granted under DCC Reg Ref 2484/15 PL29S 247228). The existing St Mary's NS currently operates on two sites in Belmont Avenue and Miltown Park however from September 2019 the later site will no longer be available. Total Construction Period is estimated at approximately 6 months.

2.4. The proposal is set out in its detail in documentation submitted with the application which included a suite of reports as follows:

- Cultural Heritage Assessment Report – Judith Carrol and Company, Archaeological Consultants.
- Engineering Assessment Report – Waterman Moylan Consulting Engineers
- Flood Risk Assessment Report - Waterman Moylan Consulting Engineers
- School Travel Plan - Waterman Moylan Consulting Engineers
- Construction and waste management plan – Waterman Moylan Consulting Engineers
- Arboricultural Assessment CMK Horticulture and Arboriculture
- Arboricultural Impact Report - CMK Horticulture and Arboriculture

- Tree Protection Strategy - CMK Horticulture and Arboriculture
- Invasive Species Survey – Mary Tubridy and Associates
- Appropriate Assessment Screening Report – Moore Group Environmental Services.

2.5 Following the City Council’s request for additional information further documentation submitted outlined the proposal and assessed alternative. Additional reports included

- Architects report Conroy Crowe Kelly Architects
- Response to further information request report KSNPM
- Preliminary Report Structural – Waterman Moylan Consulting Engineers
- Mechanical & Electrical Report - Waterman Moylan Consulting Engineers
- Architectural Inventory - Consarc Conservation Architects
- Further Information Request Response Consarc Conservation
- Asbestos Survey Report – Phoenix Environmental Safety Ltd.

2.6 Revisions were made to the proposal in terms of entrance arrangements. The proposal to provide a temporary third entrance was excluded on the basis that construction traffic could be managed within the entrance arrangement permitted under the previous permission. In terms of the long-term use of the site it is asserted that once the permanent school site is built and occupied the site on which the temporary accommodation rests may be either used for school play space in the short term or for additional school accommodation in the longer term. Proposed internal boundary treatment was amended to reduce visual intrusion having regard to the open character of the site.

3.0 **Planning Authority Decision**

3.1. **Decision**

By order dated 8th March 2019 Dublin City Council issued notification of its decision to grant permission and 17 conditions were attached which included the following of note:

Condition 2. Restricts the permission to a period of three years from the date of permission.

Condition 3. Fence type C shall be removed when permission has ceased unless a further permission has been granted before the expiry date.

Condition 4. Only two entrances are permitted on the Mount Eden Road frontage in accordance with permission PL29S247288 (2484/16)

Condition 7. Lighting scheme designed to minimise glare and light pollution shall include lighting of pedestrian vehicular / cycle routes through the site and car parking areas to be submitted.

Condition 11. Archaeological monitoring.

Condition 12. Works in accordance with Best Conservation Practice.

Condition 13. Landscaping plan to be submitted.

3.2. Planning Authority Reports

3.2.1. Planning Reports

3.2.1.1 Initial concerns regarding justification for demolition of the existing building apparently in good condition for a temporary prefabricated building and concerns with regard to the loss of part of the historic wall to provide for a temporary entrance.

3.2.1.2 Following receipt of additional information the planner's report accepts that demolition has been justified. Use the entrances permitted under ref 2484/16 PL29S247288 is appropriate. Boundary treatment appropriate. Permission was recommended subject to conditions.

3.2.2. Other Technical Reports

3.2.2.1 Engineering Department Drainage Division. – No objection subject to compliance with Greater Dublin Regional Code of Practice for Drainage Works.

3.2.2.2 Archaeological Report notes location immediately to the east of the zone of archaeological constraint for recorded monument DU018-061 (dwelling site possible) DU018-090 (settlement and DU022-082 Settlement. It is recommended that archaeological monitoring of all ground works be carried out.

3.2.2.3 Conservation Officer's Report. A detailed justification required for two new openings in boundary wall to Mount Eden Road and precise details of proposed entrance gates, railings, signage, access control and lighting. Full survey including photographic record of existing boundary walls and detailed schedules of any repair and reinstatement works. It is recommended that a design revision be adopted to include refurbishment and adaptive re-use of UCD Hostel building to accommodate the new temporary school. The existing building is of architectural merit executed in a 20th Century classical style. Its demolition represents a departure from conservation planning policy.

3.2.2.4 Roads Streets and Traffic Department Road Planning Division. Concern is expressed regarding number of proposed entrances onto Mount Eden Road. Applicant should be requested to explore the potential to access the school via existing entrance onto Mount Eden Road.

3.3. **Prescribed Bodies**

No submissions.

3.4. **Third Party Observations**

3.4.1 Submissions from a number of local residents raise common concerns which I have summarised as follows.

- Permeability traffic management and mobility.
- Congestion and hazard.
- Construction impacts.
- Significant negative impact on established residential amenity.
- Negative impact on architectural conservation area.
- Intrusive damage to the heritage wall and negative impact on protected structures on Mount Eden Road.
- Visually intrusive and dominant form of development.
- No indication of future plans following 3-year period.
- Question why existing hostel could not be used for three-year period.

- Proximity to 11 Mount Eden Road. Negative impact on established residential amenity. Lighting Noise
- Future intentions for the entire site unclear.
- Entrances Impact on parking for residents on Mount Eden Road.
- Flooding.
- Continual use of temporary classrooms.

4.0 Planning History

PL29S247228 2484/16 Following Third party appeal An Bord Pleanála confirmed decision to grant permission for primary school to be accessed from Mount Eden Road within the Grounds of Muckcross Park. This permission as subject to 17 conditions. I note that condition 2 restricted the number of entrances to be provided from Mount Eden Road from three to two.

I noted on the date of site visit that works are underway on site in terms of implementation of this permission.

5.0 Policy Context

5.1 Design Manual for Urban Roads and Streets 2013

5.2 Architectural Heritage Protection Guidelines for Planning Authorities - DoEHLG 2011.

5.3 Development Plan

The site is zoned Z15 Institutional and Community under the Dublin City Development Plan 2016-2022 with the objective “to protect and provide for institutional and community uses”

The lands to the east of the site are designated Architectural Conservation Area (Belmond Avenue / Mount Eden Road and Environs ACA). Mount Eden Road zoned Z2 “*To protect and /or improve the amenities of residential conservation areas.*”

5.4 Natural Heritage Designations

The site is not within a designated area. The closest European sites are those allocated in the coastal areas of Dublin including the South Dublin Bay SCA (Site Code 000210) and South Dublin Bay and River Tolka Estuary SPA (Site Code 004024) approximately 5 km to the east.

5.5 EIA Screening

5.5.1 Having regard to the nature and scale of the proposed development, and to the nature of the receiving environment, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

6 The Appeal

6.1 Grounds of Appeal

6.1.1 There are two third party appeals. The appeal submitted by Diarmuid Ó Gráda Planning Consultant on behalf of the following residents of Mount Eden Road including: Ms Patricia McKenna, 11 Mount Eden Road, Ms Maura Finn 13, Mount Eden Road, MR Paul Creedon, 20 Mount Eden Road. Ms Mary Creedon, 20 Mount Eden Road and supported by Mr John Graby, 10 Mount Eden Road, Ms Nicole McKenna 11 Mount Eden Road, Ms Maureen de Gardelle 17 Mount Eden Road.

The appeal includes a request for an oral hearing.

The second third party appeal is submitted by John & Margaret Graby 10 Mount Eden Road. The two appeals raise common issues which I have summarised as follows:

- Primary concern relates to loss of residential amenity. Excessive overshadowing and loss of daylight. Loss of privacy to rear gardens.
- New entrances forced into heritage wall at odds with Z2 zone. Aesthetic contribution of wall derived from its ornate design, robust construction and unbroken length.

- Proposal will sweep away many of the trees that give Muckcross Park its leafy atmosphere.
- Significance of the streetscape in the context of its Victorian / Edwardian features.
- Retention of the primary campus access at Marlborough Road is necessary to maintain the architectural heritage as defined in the ACA.
- Site inappropriate. Abrupt transition in scale between zonings.
- Requirement for masterplan or the campus to provide clarity regarding overall site permeability, traffic circulation and the extent of campus to be served by access from Mount Eden road. Proposal is premature in the absence of a masterplan to guide and coordinate phased development of the lands.
- Burden of traffic is at odds with Z2 zoning and ACA.
- Proximity to No 11 and overlooking gardens 13 15 and 17. Unreasonable loss of residential amenity. Noise and other disturbance.
- Shadow study fails to show conditions at midday.
- Two lower floors of the existing hostel could accommodate the proposed school. In the event of demolition temporary school should be constructed on the site made vacant.
- Condition 14 allows construction from 7AM. No construction should take place before 8am.
- Concerns that permission could be extended.
- Congested scheme places an excessive burden on neighbours.
- Planning Notice. Reference to “minor revisions to existing site boundary to Mount Eden Road” misleading in context of ACA.

6.2 Oral Hearing Request.

6.2.1 I note that the appeal by Residents of Mount Eden Road included a request for an oral hearing of the case. Following deliberation on this matter, the Board decided by direction dated 31st May 2019 not to hold an oral hearing on the case as it was

considered that there was sufficient written evidence on file to enable a full assessment of issues raised.

6.3 Applicant Response

6.3.1 The response by Tom Phillips and Associates on behalf of the first party.

- Institutional use of the site for education purposes is well established at this location. Proposed use is fully in accordance with the zoning objective and development standards in the Dublin City Development Plan 2016-2022.
- Entrances onto Mount Eden Road previously assessed and permitted under DCC Reg Ref 2484/16 ABPPL29S247288.
- Campus is not a public amenity and not public parkland.
- Proposed demolition of the 3-storey building and its replacement with a two-storey flat roofed temporary structure significantly reduces the visual impact.
- Overlooking is addressed by design.
- Department of Education do not own entirety of Muckross Park Campus. The potential long-term use of the site in Department Ownership is provided in report by KSBN Project Management submitted at further information stage.
- Design and layout mitigates impact on residential amenity. Both the sides and rear of proposed temporary school are not for use by pupils save for emergency evacuation. Play area associated with the building is deliberately located in the north west of the site which is set back considerably from both No 11 Mount Eden Road and the boundary with Mount Eden Road More generally. Classrooms and entrance located away from residential properties to limit potential noise issues.
- Shadow assessment is adequate. Midday shadow cast at the equinox suggested by the appellant would produce a reduction in impact than morning and evening times already submitted.
- Arboricultural assessment outlines trees to be removed and retained based on condition and impact.

- Traffic impact arising from the proposed temporary 12 classroom school will be considerably less than that of the previously permitted 16 no classroom permanent school granted permission by An Bord Pleanála.

6.4 Planning Authority Response

6.4.1 The Planning Authority did not respond to the appeals.

6.5 Further Responses

6.5.1 Further to cross circulation of appeal responses further submission of Diarmuid O Gráda on behalf of the residents if Mount Eden road supports appeal of John Graby.

6.5.2 Further submission in response to first party appeal response notes that concern remains about incremental reduction of parklands. Insufficient consideration paid to conservation area status and unique streetscape. Multiple ownership of campus is largely irrelevant to planning assessment. Congested scheme places undue burden on neighbours.

7 Assessment

7.1 The Board's consideration of the appeals can in my view be deliberated under the following broad headings.

- Principle of Development - Use and demolition
- Layout and Design impact on residential amenity and architectural heritage
- Traffic, Flooding and Other Matters
- Appropriate Assessment

7.2 Principle of Development

7.2.1 On the matter of the principle of development I note that the proposed use is acceptable in terms of the zoning objectives pertaining to the site Z15 "to protect and

provide for institutional and community uses.” Furthermore, having regard to the established use of the overall site and to the planning history on the lands including recent permission PL29S247228 the principle of use of these lands for educational purposes is well established.

7.2.2 As regards the principle of proposed demolition of the existing hostel building I note that it is not a protected structure. I note that the report of the City Council’s Conservation Officer deems the building to be of architectural merit noting its execution in c20th classical style. The Conservation Officer expresses opposition to proposed demolition which is considered to be contrary to best conservation practice as established by international charters, statutory guidelines and legislation which focuses on re-use and intervention without the removal of historic character of significance. Examples are cited where the historic core buildings have evolved with the change of use in their respective sites including the SDZ Grangegorman, Warrenmount Convent, Marino Educational Institute.

7.2.3 I note the Cultural Heritage Assessment Report by Judith Carroll and Company submitted with the application concludes that the hostel on the site is not of any particular cultural or heritage interest. It is asserted that it is an imposing modern building out of place with the 19th /early 20th century site. The Architects report prepared by Conroy Crowe Kelly Architects asserts that the building execution is quite crude and lacking architectural refinement. It is asserted that elevation articulation is quite heavy and basic and the building form is overbearing and out of character with the red brick Victorian suburb, presenting a heavy and intrusive presence to the Mount Eden Road area. On this basis it is asserted that the building is of limited architectural merit and would not represent a significant loss if demolished.

7.2.5 The architectural merit of the building was explored further in response to the further information request. I note the report of Consarc Conservation which acknowledges that the building was well executed for its time, built over 55 years ago and is typical of a 20th century modernist style building from that period. The use of pilotis to define the entrance and to articulate the public areas on the south elevation takes its reference from the modern movement and in particular Le Corbusier. The interior of the building was well laid out for its function as a residential block. Glazing to the ground floor is one of the key elements of the modernist style of the building,

providing large areas of glass and diminishing the boundary between the interior and exterior while setting the building within the landscape. The toilet block is expressed externally, which is very much in the modernist philosophy of 'form follows function'. This along with concrete brick infill panels lends an institutional appearance to the building. Further single storey additions to the south east and south west were added without regard for the original building and detract from the overall aesthetic of the building. Elements of architectural interest within the building include the staircase and the original fenestration. The staircase is an in situ concrete staircase with steel balustrade and timber handrail and timber trimmings and designed in the modernist idiom. Windows are an early example of anodised aluminium set within a timber frame. Bedroom windows have been replaced with uPVC double glazed casement windows with opening side lights. I refer the Board to the Architectural Inventory provided by Consarc Conservation Architects, submitted in response to request for additional information 13/2/19 which provides useful photographic record of some of the most notable features of the building.

7.2.6 The report notes that the building was not designed by a renowned architect and is not an exemplar of the modernist style. The building was competently designed and well executed for the period. It is also well maintained over the years and was fit for purpose as student's halls of residence until recent years. However, it is asserted that the building is not of sufficient architectural interest to merit inclusion on the record of protected structures.

7.2.7 In terms of its impact on the protected structure and its setting it is noted that the halls building is a standalone structure located behind the main convent building. The area was not part of the original demesne of Muckross Park House. It was designed without reference to the historic structures. It is asserted that its demolition will have little or no impact on the setting of the protected structure.

7.2.8 As regards potential for refurbishment and reuse of the existing building it is asserted that the extent of intervention required will completely negate any intrinsic merit that the building has. Works both internally and externally will have a negative impact on the architectural integrity of the building.

7.2.9 Preliminary structural Report by Waterman Moylan, Engineering Consultants notes the building consists reinforced in situ concrete structure with possible blockwork of

precast infill panels. The concrete structural frame is exposed in the elevations and there are signs of dampness, water ingress and stain to the various facades. It is concluded that although the existing structure does not appear to be in poor condition and should it be retained to provide the function for which it was designed it would function perfectly well. However, it appears that the building does not have residual capacity to support the required loading imposed by the change of usage to classrooms. Significant strengthening and intervention works would be required to enable the number of walls to be removed safely. It is also likely that foundations would need to be strengthened due to increased load. Due to the lack of structural load capacity level for required structural interventions to convert the building to a teaching facility it is likely that the entire internal structure would need to be removed while the facades are retained in place of a new structural steel frame inserted into the building envelope. The cost and programme required to complete these works is not efficient and cost prohibitive. It is therefore asserted that the level and depth of refurbishment works required to bring the building up to usable and safe standards for use as a national school, the associated costs and considering it is a temporary use, its relative lack of architectural merit demolition and replacement with a temporary structure is more advantageous than refurbishing the existing building.

7.2.10As regards the replacement of the demolished structure with a temporary building of lesser architectural merit, it is intended as a temporary measure to meet the short-term education needs of the existing school. Whilst clearly such stopgap measures and solutions are questionable on sustainability and resource utilisation grounds and also in terms of architectural heritage, I consider that in the context of the clear need for accommodation and in light of the degree of certainty with regard to the delivery of the long term solution in terms of the construction of permanent school in accordance with permission PL29S247288, I consider that the demolition and temporary replacement can be justified in the current case. In light of the sensitivities of the site I would be strongly of the view that strict adherence to a three-year timeframe would be adopted and the retention of the temporary structure beyond that period should be strongly resisted.

7.3 Layout and Design – Impact on residential amenity and Architectural Heritage.

7.3.1 As regards the siting and layout of the proposal I consider that the setback to the rear of the existing hostel building is appropriate in terms of reducing visual impact

from the Mount Eden Road ACA setting and also in the context of the impact on the protected structure. I note that the layout in terms of floor plan provides for building entrance to the western end of the building away from established dwellings on Mount Eden Road. Circulation stairwells are provided at the eastern end of the building also to minimise potential for noise disturbance.

7.3.2 As regards overlooking, I note the design mitigation. Two windows at first floor level on elevation C fronting onto the eastern boundary are to be fitted with opaque glass to reduce overlooking concerns. On the issue of overshadowing I note the assessment By Conroy Crowe Kelly architects which assesses the impact on rear gardens of nos 11 and 13 Mount Eden Road and provides a comparative assessment with the current situation pertaining in the context of the existing four storey Muckross Halls hostel building. The assessment demonstrates that the proposed temporary school will not give rise to any significant overshadowing.

7.3.3 I note the issues raised by the third-party appellants with regard to the entrance and access arrangements in the context of the impact on boundary wall to Mount Eden Road and impact on the Architectural Conservation Area. The integrity of the site as a demesne and the significance of the heritage wall along Mount Eden Road is acknowledged by all parties. As the proposal now adopts the access arrangements permitted under PL29S247288 it is not appropriate to revisit this issue. As regards impact on architectural conservation area and contention that the proposal represents a material contravention of the Z2 zoning I consider that this is not the case.

7.3.4 On the issues raised with regard to the public notices and reference to “minor revisions” to existing boundary to Mount Eden Road, I note the question of characterisation of revisions as ‘minor’. In my view the reference sufficiently notifies relevant parties of the intention to alter the boundary and as is the norm interested parties would have informed themselves of the intended revisions by reference to the detailed proposals. On this basis I consider that third party rights were not prejudiced by the wording.

7.3.5 As regards construction impacts and hours of construction I acknowledge the potential for disturbance in terms of noise and other disamenity and disturbance, however given the short-term duration of construction I consider that these impacts

can be appropriately mitigated. Construction hours line with those stated in PL29S247288 are reasonable.

7.4 Traffic Flooding and Other Matters

7.4.1 On the issue of traffic and travel I note concerns raised by the third-party appellants with regard to the level of congestion and the perceived burden of increased traffic on the local area and particularly on the residents . I note that the Engineering Assessment report of Waterman Moylan consultants notes that the proposed 12 no classroom temporary school represents a c25% reduction in capacity and traffic generation in comparison to the permitted 16 no classroom school. I note that the previous appeal PL29S247288 was subject to a detailed traffic and transport assessment (TTA) and the impact of the proposed development on the transportation infrastructure in the vicinity was explored using PICADY analysis. The TTA concluded that the ratio to flow capacity of junctions in the vicinity in the future year 2032 are within capacity with small queue formation.

7.4.2 I note that school travel plan submitted with the application. The assessment of modal split for the temporary school is Bus 5% Car 20% Walking 37% and Cycling/Scooter 37%. The modal split was adopted from the modal split for previous permission PL29S247288. School travel plan outlines measures and initiatives to encourage and facilitate sustainable travel. In light of the measures as outlined it is considered that the proposal is acceptable from a traffic and transport perspective.

7.4.3 As regards flooding, the flood risk assessment report by Waterman Moylan Engineering Consultants notes the location within Flood Zone C. The site was analysed for risk from flooding from tidal flooding, fluvial flooding, pluvial flooding ground water and failures of mechanical system. Residual Risk is deemed to be negligible to low.

7.4.4 As regards archaeological impact no archaeological sites are identified on the grounds however the area is considered of archaeological potential and archaeological monitoring is recommended.

7.4.5 As regards landscape impacts I note that as outlined in arboricultural assessment four trees are proposed for removal. I consider the landscaping scheme can

appropriately mitigate loss of existing trees and aid integration of the proposal into the landscape and setting. On the question of perceived loss of existing open leafy character this is without basis given that the proposal involves the removal of the Muckross Halls Building and the proposed new structure is of a temporary nature. On the question of lack of a masterplan for the overall site, given the temporary nature of the proposal and its connection to permission PL29S247288 I consider that is appropriate to assess the proposal on its merit.

7.5 Appropriate Assessment

7.5.1 Appropriate assessment screening report by Moore Group Environmental Services notes that there is no relevant connectivity with any Natura 2000 sites. Given the scale of the proposed works no significant emissions are predicted from construction or operational phases. It is considered that there will be no potential for significant effects on any of the European sites considered and these can be excluded at pre-screening stage. Combination effects can be ruled out.

7.5.2 Having regard to the nature and scale of the development proposed and to the nature of the receiving environment, namely a suburban fully serviced location, no significant effects or appropriate assessment issues arise. 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, that the proposed development individually or in combination with other plans or projects would not be likely to have a significant effect on any European site in view of the site's conservation objectives, and a stage two appropriate assessment is not therefore required.

8.0 Recommendation

8.1 Having regard to the planning history of the site, the nature and design and layout of the proposed development, it is considered that the principle of development of a primary school on the site is acceptable and in accordance with the Z15 land use zoning within the Dublin City Development Plan 2016-2022. Subject to the conditions set out below, it is considered that the proposed development would not unduly affect the setting of the protected structure or adjacent architectural conservation area, would be acceptable in terms of traffic safety and convenience would not affect

the residential amenity of surrounding areas and would therefore be in accordance with the proper planning and sustainable development of the area.

Reasons and Considerations

Having regard to the planning history of the site, the nature and the design and layout of the proposed development and to the character and pattern of development in the vicinity, it is considered that the principle of development of a primary school is acceptable on this site which allows educational land uses within the Z15 land use zoning, of the Dublin City Development Plan 2016-2022. If carried out in accordance with the conditions set out below, the proposal would not unduly affect the setting of the Protected Structure or the adjacent Architectural Conservation Area, would be acceptable in terms of traffic safety and convenience, would not affect the residential amenity of surrounding areas and would be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be carried out and completed in accordance with the plans and lodged with the application as amended by the further plans and submitted the 13th day of February 2019, 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. This permission shall apply for a period of three years from the date of this order. The structure temporary school building and related ancillary structures including boundary fencing shall then be removed.

Reason: To clarify the temporary nature of the permission. In the interest of the visual and other amenities of the area.

3. Only two entrances from Mount Eden Road frontage are permitted in accordance with planning permission PI29S.247288 (2484/16)

Reason: In the interest of visual and residential amenity.

4. The provisions of the Road Safety Audit and School Travel Plan, as set out in the submitted documentation, shall be carried out in accordance with the detailed requirements of the planning authority, including provision for ongoing monitoring and reporting of progress.

Reason: In the interest of traffic safety and in order to help to achieve a modal shift towards increased use of sustainable travel modes, in the interests of sustainable transport.

5. Details of the materials, colours and textures of all the external finishes of 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. Vehicular entrances, parking and bus set down area, circulation system, associated signage, footpaths and kerbs shall be in accordance with the detailed requirements of the planning authority for such works.

Reason: In the interest of amenities and public safety.

7. Covered and secure bicycle and scooter parking spaces shall be provided within the site. Prior to commencement of development, the layout and demarcation of these spaces shall be submitted to, and agreed in writing with, the planning authority.

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

8. Lighting shall be provided in accordance with a scheme, which shall be designed to minimise glare and light pollution and shall include lighting of pedestrian / vehicular/cycle routes through the site and car parking areas, details of which

shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development. Such lighting shall be provided prior to the occupation of the school. There shall be no lighting outside operational hours.

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

9. All service cables associated with the proposed development (such as electrical, television, telephone and public lighting cables) shall be run underground within the site.

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

10. Water supply and drainage arrangements (including surface water disposal) shall accord with the requirements of the planning authority for such services and works.

Reason: To ensure the proper drainage of the proposed development.

11. The landscaping scheme shown on drawing no 1855PLN 104 as submitted to the Planning Authority on 05 April 2019 shall be carried out within 3 months of the date of commencement of development.

All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of [5] years from the completion of the development shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In the interests of residential and visual amenity.

12. The developer shall facilitate the preservation, recording and protection of archaeological materials or features that 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,
- (b) employ a suitably-qualified archaeologist who shall monitor all site investigations and other excavation works, and
- (c) provide arrangements, acceptable to the planning authority, for the recording and for the removal of any archaeological material which the authority considers appropriate to remove.

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 site and to secure the preservation and protection of any remains that may exist within the site.

13. 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 hours of working, noise management measures and off-site disposal of construction / demolition waste.

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

14. 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. The plan shall include details of waste to be generated during site clearance and construction phases, and details of the methods and locations to be employed for the prevention, minimisation, recovery and disposal of this material in accordance with the provision of the Waste Management Plan for the Region in which the site is situated.

Reason: In the interests of sustainable waste management.

15. Site development and building works shall be carried out only between the hours of 0700 to 1800 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

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

Bríd Maxwell

Planning Inspector

09th July 2019