



An
Bord
Pleanála

Inspector's Report ABP-304673-19

Development	Demolition of existing school and construction of new 3 storey Post Primary School & single storey Special Education Needs Unit
Location	Balbriggan Community College, Pine Ridge, Chapel St., Balbriggan, Co. Dublin.
Planning Authority	Fingal County Council
Planning Authority Reg. Ref.	F19A/0131
Applicant(s)	Dublin & Dun Laoghaire Education and Training Board
Type of Application	Permission
Planning Authority Decision	Grant permission (17 no. conditions)
Type of Appeal	Third Party
Appellant(s)	Joseph Troy
Date of Site Inspection	28/08/2019
Inspector	Conor McGrath

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1.0 Site Location and Description

- 1.1. The appeal relates to proposals to redevelop Balbriggan Community College, which is located on lands to the rear of Drogheda Street (R132) in the centre of the town. The site has a stated area of 2.69ha with frontage of approx. 53m to Drogheda Street. This part of the site is occupied by the original 1950's Technical School building and facilitates pedestrian access to the remainder of the site. The site also has frontage to the Pine Ridge access road on its southwestern side. This provides vehicular access to the site from Chapel Street (R122). Adjoining lands to the north, west and south are in residential use, with St. Peter & Paul National School to the southwest.
- 1.2. The main part of the site is occupied by single storey community school buildings, as well as a more recently constructed two-storey sports hall. There are a number of prefabricated classroom buildings on the eastern and southern sides of the site. Ground levels generally fall to the east and northeast such that an area of open space on the western boundary is elevated above the remainder of the school site. The ground floor level of adjoining residential properties to the southeast in Chapel Crescent are elevated approx. 1.5m above those of the school, while levels within Oakleigh to the north are lower than those on the appeal site.

2.0 Proposed Development

The proposed development comprises the demolition and replacement of existing single-storey school buildings with a new three-storey building. The new building will be provided as a perimeter block around a central courtyard and will integrate with the recently constructed sports hall to the west. A single-storey Special Education Needs (S.E.N.) unit, including two classrooms, is to be provided on the northeastern side of the block. Existing Technical School buildings are to be retained for adult education purposes.

The development will facilitate an increase in the student population from 500 / 600 to approx. 1,000, while staff numbers are projected to increase from 50 to 70 no. Existing playing fields on the western boundary will be partly replaced with hard sports courts. Vehicular access from Pine Ridge will be retained, with a modified site entrance and parking and associated facilities located on the southeastern

boundary. The school will remain operational during construction and a phased construction plan to facilitate this is provided as part of the application.

3.0 Planning Authority Decision

3.1. Decision

The planning authority decided to grant permission for the proposed development subject to 17 no. conditions, including the following:

2. Submission of a construction and demolition management plan, to include the management of asbestos, if present on the site.
- 8(ii) The paladin fence on the southeastern boundar(y) shall have a maximum height of 2.4m and be green in colour.
10. Operational and construction noise emission limits.
15. Construction activity time limits.
17. The requirements of the Mobility Management Plan shall be implemented. Revised cycle parking to be agreed. An Updated Mobility Management Plan shall be agreed with the planning authority one year after the opening of the school to include a student travel survey and assessment of the adequacy of bicycle parking provision.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The proposed development is acceptable in principle. Undue visual impacts are not anticipated. The building will be 37m from the adjoining dwellings to the south and undue impacts on residential amenities are not anticipated, given the height, design and site topography. Similarly, impacts on residential properties to the north and west are not anticipated having regard to separation distances. Impacts during construction should be addressed in a final Construction Management Plan. Given the minimal extent of parking over-provision, the development is considered acceptable. A revised Mobility Management Plan should be submitted one year after opening of the school to include a student travel survey and address cycle parking.

Negative impacts on Natura 2000 sites are not anticipated. The site has an area of 2.69ha and is therefore subject to screening for EIAR. There is no real likelihood of significant effects on the environment and the need for an EIA can be excluded.

Reference to hydrocarbon contamination of existing spoil heaps appears to coincide with an historic landfill to the north of the site. Neither EHO or environment section raised objections to the development,

3.2.2. Other Technical Reports

- Environment: Proposals for the disposal of construction and demolition waste to be submitted prior to commencement of development.
- Environmental Health Officer: Acceptable subject to conditions.
- Environment and Water Services (Waste Enforcement): Construction and demolition waste management plan to be submitted.
- Transportation Planning: There is a parking demand for 59 no. spaces, based on 37 general classrooms at 1.5 spaces / room and 2 spaces for 2 SEN classes. The Traffic and Transport Assessment is acceptable. The mobility plan indicates that 57% of staff travel by alternative modes and the plan is acceptable. No objection subject to conditions.
- Water Services: No objection subject to conditions.
- Conservation Officer: No objection to the proposal. The proposal should not have a significant visual impact on protected facades on Drogheda Street.

3.3. Prescribed Bodies

Irish Water: No objection subject to conditions.

3.4. Third Party Submissions

One third party submission was received on the application which generally reflects the third party appeal against the planning authority decision to grant permission.

4.0 Planning History

- PA ref. F14A/0211: Permission granted for alterations to previously permitted two-storey sports hall, along with a new ESB sub-station and switch room. This structure is complete and operational.
- PA ref. F13A/0006: Permission granted for a 4m high mesh fence along the rear boundaries of properties in Chapel Crescent. This permission was amended under PA ref. F13A/0082. The stated purpose of the fence was to act as a ball stop and protect adjoining residential amenities. The fence was not constructed.
- PA ref. 12A/0054: Permission granted for demolition of sports hall and construction of a new two-storey sports hall (1440-sq.m.) and associated works.
- PA ref. F09A/0378: Permission granted for a prefabricated office.
- PA ref. 08A/01038: Permission granted for part removal of hedge and erection of 2.4m palisade fence at the northern boundary to Oakleigh Apartments.
- PA ref. F08A/0868: Permission granted for larger prefabricated classroom structure on the site in lieu of previously approved classroom.
- PA ref. F08A/0307: Permission granted for minor demolition and extension works at the school.
- PA ref. 08A/0007: Permission granted for 5 no. prefabricated classrooms.

5.0 Policy and Context

5.1. Development Plan

Fingal County Development Plan 2017 – 2023

The appeal site is zoned “CI” Community Infrastructure: Provide for and protect civic, religious, community, education, health care and social infrastructure.

Adjoining lands to the north, south and west are zoned “RS” Residential: Provide for residential development and protect and improve residential amenity. Lands to the east, fronting Drogheda Street, are zoned as Major Town Centre.

The vision for the *C/* zone notes the importance of facilitating the development and expansion of Community and Social services. Section 3.6 notes that it is beneficial for such facilities and services to be clustered together within, or adjacent to a town, village or local centre and that schools should be located on easily accessible sites. The continued use and possible intensification of existing social infrastructure including schools is encouraged and is consistent with the consolidation strategy of the Plan. Wherever possible, any detrimental impact that schools (or school extensions) may have on the environment of the immediate surrounding areas should be minimised.

Objective PM77: Encourage the continued use and possible intensification of existing educational infrastructure where appropriate.

Objective PM83: Promote and encourage the multiple usage of school buildings so that school facilities are also available for use by the local community after school hours.

Educational Facilities: The Council will consider school developments having regard guidance set out within The Provision of Schools and the Planning System, A Code of Practice for Planning Authorities, 2008.

Section 12.8 identifies matters for consideration in any application for education facilities, including new schools and / or redevelopment of existing schools.

Objective DM113: Limit the number of car parking spaces at places of work and education so as to minimise car-borne commuting.

Objective DMS116: Require that all new schools shall have a Mobility Management Plan. Existing schools that apply for permission to accommodate expansion will also be required to provide a Mobility Management Plan.

The development plan provides for a maximum level of parking provision of 1.5 spaces per classroom, and 2 spaces per special needs classroom. Fifteen bicycle spaces are required per classroom.

5.2. 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)

Section 5, "School Development Proposals and the Development Management Process", notes that planning authorities will progress school planning applications through the development management process as efficiently as possible. With school planning issues and sites resolved within the development plan process, the planning application should represent the capping of the planning process, apart from the working out of fine detail regarding site-specific development and compliance with other standards in the development plan/local area plan.

5.3. Natural Heritage Designations

The closest sites designated for conservation purposes are:

- River Nanny Estuary and Shore SPA (004158), approx. 4.6km to the north.
- Skerries Islands SPA (004122) and NHA (001218), approx. 6.5km southeast.
- Rockabill to Dalkey Island SAC (003000), approx. 8km to the east, and
- Rockabill SPA (004014) approx. 8.5km, to the east.

5.4. EIA Screening

The appeal site comprises an area of 2.69ha. I note that Class 10(b)(iv)(Part 2) of Schedule 5 - infrastructure projects - refers to "Urban Development which would involve an area greater than 2ha in the case of a business district....". Within this class, 'Business district' means a district within a city or town in which the predominant land use is retail or commercial use. Having regard to existing use on

the site and the surrounding area, I do not consider that the subject development can be considered to fall within this class of development.

Having regard to the location of the site within the established urban area, the limited nature and scale of the proposed development and the absence of any significant environmental sensitivity in the vicinity/ the absence of any connectivity to any sensitive location, 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.

6.0 The Appeal

6.1. Grounds of Appeal

The third party, Joseph Troy, makes the following points in the appeal against the decision of the planning authority to grant permission for the proposed development:

- The proposal constitutes overdevelopment of the site and the height of the development is out of context with surrounding residential development.
- The development will result in overlooking of adjoining residential properties which will be exacerbated by the removal of existing trees and reduction in landscaped perimeter areas.
- Proposed replacement planting will not provide any screening effect.
- Roads, parking and services are moved to the perimeter of the site, adjacent to existing residential properties and away from the core of the site.
- External lighting proposals will impact on adjoining residential amenity, with disturbance arising from use of the car park out of school hours.
- Pine Ridge access road is inadequate to serve the development and does not comply with planning authority guidance for developers.
- The proposed development, combined with the adjoining national school, will give rise to traffic issues and congestion on Pine Ridge.
- There is an excessive level of private car parking, while bicycle parking is deficient. Condition no. 17 which seeks to address this is inadequate and reduces transparency of decision making.

- The southern site boundary currently comprises a 2.4m high wall. The plans indicate that this will be replaced with a 2.4m Paladin fence, which is inappropriate and does not have the agreement of affected third parties.
- Condition no. 15 does not provide for action or remedies for third party complaints regarding construction activities on the site.
- There is no plan to deal with asbestos materials on the site. Condition no. 2 is inadequate in this regard.
- Condition no. 10 sets out noise parameters which are excessive. This is a low noise area where lower limits should be applied.
- The Phase 2 construction compound which will be immediately adjacent to the appellants house with consequent impacts on residential amenity contrary to the provisions of EPA guidance document NG4.
- BS standards for noise referenced in condition no. 10 have been superceded.

6.2. Applicant Response

Dublin & Dun Laoghaire Education and Training Board make the following points in their response to the third party appeal:

- The development reflects the urban character of this town centre area.
- Overshadowing and overlooking impacts were considered at design stage.
- Proposed replacement planting will grow to 6m height and a spread of 3m which will provide screening along with lower level planting.
- Landscaping plans will enhance the amenities of the area given much of the site boundaries comprise fencing.
- A low-profile roof is proposed that will not be visible from ground level.
- The site layout is influenced by existing site entrances rather than a desire to maximise the attractiveness of the core at the expense of adjoining properties.
- Car parking is considered acceptable by the planning authority, given the town centre location of the site and low dependence of students on private car.
- 96% of students travel by foot and by bus. There will be an upgraded pedestrian entrance from Drogheda Street and the town centre and public transport facilitates are a short walk from the site.

- Bus drop-off / pick up facilities are available on Drogheda Street, with only nominal on-site provision for same.
- A revised Mobility Management Plan will be submitted one year after the opening of the school which will address the adequacy of cycle parking.
- The sports hall, in use for the past two years, was substantially publicly funded to cater for wider community use.
- No external floodlighting is proposed and the design of lamp standards will control light spill from car parking. External lighting will operate on timers.
- The application was accompanied by a Traffic Impact Assessment. There will be no significant impacts on surrounding roads or junctions.
- The construction management plan outlined a phased construction approach while interfacing with school operations and the adjoining environment.
- Sufficient survey work has been undertaken to identify asbestos risks within the site and to design appropriate mitigation measures.
- Soil surveys did not detect the presence of significant contamination on the site. A licence for removal of possible contaminated soils will be sought and appropriate design and mitigation measures will be implemented.
- The design and location of services, including surface water attenuation are adequate and distant from the site boundaries
- A final construction management plan will detail measures to address potential impacts on adjoining amenities and the removal of hazardous materials.
- Conditions are in accordance with EPA guidance document, NG4.

6.3. **Planning Authority Response**

In response to the third party appeal the planning authority note that the overall development is acceptable subject to the attached conditions. If the decision is upheld, a financial contribution in accordance with the Development Contribution Scheme should be applied.

7.0 Assessment

7.1. It is proposed to consider the appeal under the following headings:

- Land use and development principle
- Design and layout
- Impacts on residential amenity
- Construction Impacts
- Access and Traffic
- Other matters arising.

7.2. Land use and development principle

The appeal site is currently occupied by Balbriggan Community School and the proposed development comprises the expansion of this established educational use. The development accords with the land use zoning objectives for the site and the provisions of the development plan relating to educational uses. The town centre location of this site is considered to be an appropriate and desirable location for such uses and existing school facilities are in clear need of enhancement and expansion. It is considered therefore that the proposed development is acceptable in principle.

7.3. Design and Layout

7.3.1. The development comprises the removal of the existing single-storey community school and associated temporary classrooms and the construction of a new three-storey school building in lieu thereof. The completed school will be provided as a perimeter block enclosing a new courtyard area. A single-storey special needs unit will be provided at the southeastern end of the building, while the existing two-storey sports hall on the site will be retained and integrated with the western perimeter of the block.

7.3.2. As advised by the first party, the layout of development is influenced by the vehicular and pedestrian access points from Pine Ridge and Drogheda St., with parking and circulation concentrated mainly along the southeastern boundary, which reflects the existing arrangements on the site. The enhancement of the existing pedestrian access from Drogheda Street will improve connectivity with the town centre.

7.3.3. The design of the buildings generally reflects the form of school construction nationally in recent years and is considered to provide an appropriate standard of accommodation and environmental quality for students. The height of the school will increase from approx. 6.4m currently to 14.663m, however, given the backland nature of the site it is not considered that the development will give rise to negative impacts on visual amenities of the surrounding area. I note the report of the planning authority Conservation Officer in this regard. There will be some change to the context and setting of adjoining properties, however, this is effectively a town centre site and the height and form of development are not considered to be inappropriate or detrimental to the character of this area.

7.4. **Impacts on Residential Amenity**

7.4.1. While the site is located in a central position in the town, it is closely bounded by residential development to the north, west and south. These generally comprise low-density two-storey housing, with a small 2-storey apartment scheme to the north at Oakleigh. There is an existing educational use on the site and I note that the recently reconstructed sports hall is available for community uses outside school hours. While the proposed development will result in an intensification of use on the site, this use in itself should not give rise to impacts on residential amenity and is in accordance with the development plan policies and objectives for such uses.

7.4.2. The proposed school building will be located approx. 25m south of existing residential properties in Oakleigh, whose ground floor levels are lower than the proposed school building. Amenity space for these dwellings is located to the rear / north of the dwellings, with access and car parking on the southern side. Having regard to the separation distances provided and existing boundary vegetation, significant overlooking issues are not considered to arise. Shadow analysis submitted with the application indicates that there will be some early morning impacts on the Oakleigh site, however, it is not considered that significant overshadowing impacts arise.

7.4.3. The proposed three storey block is located approx. 35m north of the rear of adjoining properties in Chapel Crescent. The ground floor levels of these houses are approx. 1.5m higher than ground levels in the school. While there will be a change to the

outlook of properties backing onto the site, having regard to separation distances proposed and in conjunction with landscaping proposals, I do not consider that significant overlooking issues arise. The operational hours of the school will also reduce potential impacts in this regard.

- 7.4.4. The appellant has raised an issue with the reduction in width of the sloped landscaped strip along the southeastern site boundary and removal and replacement of existing trees therein. This strip varies in width currently from approx. 3.5m to 7m and accommodates a number of trees which provide some screening of the site from these houses, although these trees are not considered to be particularly noteworthy in themselves. The proposed landscaping scheme provides for three new Cherry trees to the rear of the appellants property within a reduced 2m wide landscaped strip, as part of further planting proposals along this boundary. Tree species proposed for this southern boundary grow to 4-6m in height, however, application correspondence is unclear as to the maturity of the trees to be provided at time of planting. In this regard, conditions should require planting to be undertaken in accordance with the Landscape Plan Dwg. No. 01C, submitted to the planning authority on 27/03/2019.
- 7.4.5. The reduction of the landscaping strip to 2m will bring parking closer to the boundary with adjoining residential properties to the south, however, this is not a significant change from the current layout of the site. Given the levels arising on the site and subject to the landscaping proposals submitted with the application, I do not consider that this aspect of the development would have undue impacts on adjoining amenities.
- 7.4.6. The plans indicate that the boundary to Chapel Crescent will comprise a 2.4m high paladin fence, however, this boundary currently comprises a rendered and capped block wall and any change to this boundary would be inappropriate. There is no justification provided for the replacement of this wall and no evidence of third-party consent in this regard has been provided. In the event of a decision to grant permission on this site, appropriate conditions should be attached requiring the retention of this boundary wall.
- 7.4.7. The majority of the site boundaries are otherwise comprised of palisade fencing and mature hedgerows. Existing fencing along the boundary with Oakleigh to the north,

is to be replaced with a 2.4m boundary wall. Works in this regard should be undertaken so as not to interfere with or damage existing mature trees and vegetation along the boundary with Oakleigh. Existing mature trees and hedgerow in the western corner of the site are to be retained.

- 7.4.8. No flood lighting of external play areas is proposed. Road and car parking lighting proposals include seven LED lamp standards along the southeastern site boundary, which is an increase on the current level of provision. The application indicates that external lighting will be controlled through the use of time switches. Having regard to the urban location of the site, and subject to the application of standard design measures to obviate light spill onto adjoining properties, significant impacts on adjoining properties are not anticipated.
- 7.4.9. Planning authority condition no. 10 refers to standards set out in the EPA Guidance Note for Noise (NG4). I note however, that this guidance document relates to impacts from licensed sites and is not issued for development of the nature proposed in this case. I would recommend that in the event of a decision to grant permission in this case, a standard noise condition should be attached.

7.5. **Construction Impacts**

- 7.5.1. The proposed phased construction approach provides for the initial construction of the northern arm of the courtyard (Block A) in Phase 1. Once complete, existing school operations will move to this new block to allow demolition of existing school buildings and construction of the remainder of new buildings (Blocks B, C and D) in Phase 2. Construction compounds are proposed in the northwestern corner of the site for phase 1 and on the southern site boundary for phase 2. Construction vehicle movements will be scheduled so as not to coincide with the school opening and closing hours.
- 7.5.2. An outline Construction Management Plan was submitted with the application and it is indicated that a final Construction Works Programme will be submitted by the appointed contractor to the planning authority for agreement prior to commencement of works on the site. This will include the appointment of a Construction Liaison Office as a point of contact for the public.

- 7.5.3. The appellant raises concerns with regard to proximity of the contractor's compound to their property during construction phase 2. I note that the existing trees and landscaped strip on the southeastern boundary will be retained on the site until completion of phase 3. Combined with the provision of an emergency vehicular access to the south of the compound, approx. 10m separation will be provided between the compound and adjoining residential properties.
- 7.5.4. This is a constrained urban site. The proposed development is not exceptional in terms of scale or design and while construction activities are likely to give rise to some external impacts, these are short-term and can be managed through implementation of a construction management plan in the normal manner. This relates particularly to matters of noise and hours of operation. Responsibility for enforcement of conditions in this regard lies with the planning authority. I do not consider that such impacts are unacceptable and or that there would be undue impacts on adjoining residential amenities.

7.6. Roads and Traffic

- 7.6.1. The appeal site is centrally located in the town with good access to public transport services. A significant proportion of the town population reside within a 1.5km radius of the site. The site is provided with vehicular access from the Pine Ridge access road to the west. This road is 6.3m wide, with footpaths on both sides, and serves 30 no. dwellings and the subject community school. The adjoining primary school is also provided with a secondary vehicular access from this road which appears to serve staff parking. There is public pay and display parking in demarked spaces along the Pine Ridge road. It is indicated that existing bus set-down facilities are available on Chapel Street and Drogheda Street and therefore that the largest vehicles that will access the site will be refuse vehicles. While there will be interaction with residential traffic at peak hours, I do not regard the design or layout of Pine Ridge as being inadequate to serve the development of the nature proposed.
- 7.6.2. The application was accompanied by a Mobility Management Plan, which reports that a staff travel survey from 2013 identified an approximately 90% reliance on private car transport. No survey of students was undertaken but estimates of modal

split are provided which suggest that 83% of students travel to school by foot and 4% by private car. This is attributed to the proximity of the school to student's homes.

- 7.6.3. The development will give rise to an additional 20 no. staff members. Based on the staff travel survey, it is estimated that this would give rise to 18 no. additional peak hour trips. The development will significantly increase the student population of the school. The Traffic Impact Assessment estimates future student trip generation based on the figure of 4% of the student population being dropped / collected by car, therefore giving rise to only 20 additional student car trips in each peak hour. I consider that this figure may underestimate the modal share of private car but may reflect how students actually access the school grounds, i.e. entering by foot following drop-off nearby. In total, the application estimates that the development will give rise to 38 no. additional trips during opening and closing times.
- 7.6.4. Traffic surveys were undertaken in April 2017 at school opening and closing times and the results were projected forward for future years. The traffic impact assessment indicates that the Pine Ridge / Chapel Road junction and the Chapel Road / Drogheda Street junction currently operate within capacity. When the proposed development is modelled, no significant impacts on junction capacity in future years are identified. I note that the traffic impact assessment does not undertake any scenario analysis, e.g. assuming a higher rate of trip by private car. Notwithstanding this, the analysis indicates that there will still be capacity at the modelled junctions in the assessed years such that the network capacity would not appear to be a constraint on development on this town centre site.
- 7.6.5. The impact assessment is based on estimates of current modal split for the school. The submitted Mobility Management Plan sets a target of reducing private car trips to 45% of modal share, however. I note that this reflects the target set out in the 2016 Transport Strategy for the Greater Dublin Area. To achieve these targets and encourage use of alternative transport modes the Mobility Management Plan identifies a range of hard and soft measures to discourage use of private car, including restricted parking provision. Having regard to the central location of the site and the availability of public transport services, and subject to implementation of a mobility management plan for the site, I consider that the development would be acceptable and would not give rise to undue impacts on the surrounding road network.

- 7.6.6. Sixty number parking spaces are proposed on the site, which accords with the requirements of the development plan, and polices to improve the modal split for journeys to work and school. Hard play courts are available to serve as over-spill parking for particular events etc. Set-down and turning facilities are provided in the southwestern corner of the site for student drop-off. At time of inspection, at commencement of the school year, I observed approx. 40 no. cars parked on the site. Having regard the central, accessible location of the site and the policies and objectives of the development plan, I regard the car parking proposals as acceptable.
- 7.6.7. I note the indicative cycle route objectives set out in the development plan for the area. The plan requires the provision of 15 no. cycle parking spaces per classroom, which would require 555 no. spaces on the site in this instance (based on 37 no. classrooms). I would regard this as an excessive level of provision, however, equating to an approximate 50% modal share for cycling which is unrealistic. I note that the NTA National Cycle Manual (2011) suggests provision at a rate of 10% of student numbers.
- 7.6.8. Condition no. 17 of the planning authority decision requires that the mobility management plan be subject to review, which should include a review of the adequacy of bicycle parking provision on the site. The development proposes the installation of 50 no. parking spaces, all located on the eastern side of the school building in areas of reduced visibility and accessibility. I concur with the planning authority that cycle parking should be provided to the front of the school but regard the overall level of provision as low, notwithstanding the requirements of condition no. 17. As a means of encouraging additional cycle trips, I consider that additional and prominent provision for cycle parking should be made on the site in line with the NTA Manual. This can be achieved by way of condition.

7.7. Other Matters Arising

- 7.7.1. Correspondence on the file refers to hydrocarbon contamination of existing spoil heaps in the northern part of the site. It is indicated that this is a legacy issue related to historic landfill activities in the area. Correspondence on the file indicates that while site investigations did not reveal any significant contamination, such materials

are to be removed as part of the development works, subject to separate licensing requirements. The planning authority raised no issues with the development in this regard.

- 7.7.2. It is also indicated that asbestos is present in existing structures on the site. It is indicated that initial surveys were undertaken which will inform the Construction Management Plan and detailed mitigation measures. I note that the handling and removal of such materials are subject to separate regulatory requirements which are enforced by the Health and Safety Authority. These requirements include notification of works and submission of a Removal Method Statement to the HSA. I otherwise consider that these matters can be adequately dealt with through the mechanism of the construction and demolition waste management plan.
- 7.7.3. I note the proposed location of a surface water attenuation tank on the southern side of the site, under the proposed car park. Having regard to separation from the southeastern boundary and the differences in ground levels, I do not consider that this will give rise to any operational impacts on adjoining residential properties.
- 7.7.4. The Fingal County Development Contribution Scheme 2016 provide an exemption from development contributions for non-fee paying schools.

8.0 Appropriate Assessment – Screening

- 8.1. There are no designated sites in the vicinity of the appeal site. The closest European sites are
- River Nanny Estuary and Shore SPA (004158), approx. 4.6km to the north.
 - Skerries Islands SPA (004122) and NHA (001218), approx. 6.5km southeast.
 - Rockabill to Dalkey Island SAC (003000), approx. 8km to the east, and
 - Rockabill SPA (004014) approx. 8.5km, to the east.
- 8.2. The appeal site is located within the built-up urban area and is closely bounded by existing established development. The site and surrounding area is fully serviced and there are no direct pathways between the appeal site and these European sites. It is reasonable to conclude on the basis of the information on the file, which I

consider adequate in order to issue a screening determination, that the proposed development, either individually or in combination with other plans or projects would not be likely to have a significant effect on European Sites no.'s 004158, 004122, 003000 or 004014, or any other European site, in view of the site's conservation objectives, and a stage 2 appropriate assessment (and submission of a NIS) is not therefore required.

9.0 Recommendation

9.1. It is recommended that permission be granted for the proposed development.

10.0 Reasons and Considerations

Having regard to the provisions of the Fingal County Development Plan 2017-2023 and the established educational use on this centrally located site, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential or visual amenities of the area or of property in the vicinity, would be acceptable in terms of traffic safety and convenience and would, therefore, be in accordance with the proper planning and sustainable development of the area.

11.0 Conditions

1.	The development shall be carried out and completed in accordance with the plans and particulars lodged with the, 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.
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2.	<p>All temporary buildings / prefabricated structures shall be removed from the site within one month of the proposed development being completed and the new school buildings commencing operations, or in accordance with a timescale to be submitted to and agreed in writing the with planning authority.</p> <p>Reason: the interests of the proper planning and sustainable development of the area.</p>
3.	<p>Final details 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.</p> <p>Reason: In the interest of visual amenity.</p>
4.	<p>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.</p> <p>Reason: In the interest of public health.</p>
5.	<p>The landscaping scheme shown on Landscape Plan drg no. 01C, as submitted to the planning authority on the 29th day of March, 2019 shall be carried within the first planting season following substantial completion of external construction works.</p> <p>In addition to the proposals in the submitted scheme, the following shall be carried out:</p> <ul style="list-style-type: none"> i. The existing boundary wall between the site and properties in Chapel Crescent shall be retained. ii. The proposed wall along the boundary between the site and Oakleigh shall be constructed in such a manner as to avoid

	<p>interference with or damage to existing trees and hedgerow along this boundary. Any necessary revisions to the design and layout of the wall in this regard shall be submitted to and agreed in writing with the planning authority prior to commencement of works.</p> <p>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 five years from the completion of the development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.</p> <p>Reason: In the interest of residential and visual amenity.</p>	
6.	<p>(a) During the operational phase of the proposed development, the noise level arising from the development, as measured at the nearest dwelling shall not exceed:-</p> <p>(i) An Leq,1h value of 55 dB(A) during the period 0800 to 2200 hours from Monday to Saturday inclusive.</p> <p>(ii) An Leq,15 min value of 45 dB(A) at any other time. The noise at such time shall not contain a tonal component.</p> <p>At no time shall the noise generated on site result in an increase in noise level of more than 10 dB(A) above background levels at the boundary of the site.</p> <p>(b) All sound measurement shall be carried out in accordance with ISO Recommendation 1996:2007: Acoustics - Description and Measurement of Environmental Noise.</p> <p>Reason: To protect the residential amenities of property in the vicinity of the site.</p>	
7.	<p>The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed</p>	

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 materials compounds including areas 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 and parking 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) Provision of parking for existing school operations during the construction period;
- i) Measures to minimise noise and vibration from construction activities in accordance with the provisions of British Standard 5228 - 1:2009 + A1:2014 –Code of Practice for Noise and Vibration Control on Construction and Open Sites Part 1: Noise (BS 5228-1)
- j) Details of appropriate mitigation measures for the control of dust emissions during construction and demolition activities, 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 exclude rainwater;
- l) Means to ensure that surface water run-off is controlled such that no silt

	<p>or other pollutants enter local surface water sewers or drains.</p> <p>m) Procedures for the recording and management of complaints from members of the public.</p> <p>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.</p> <p>Reason: In the interest of amenities, public health and safety.</p>
8.	<p>Site development and building works shall be carried out only between the hours of 0800 to 1800 Mondays to Fridays inclusive, between 0800 to 1300 hours on Saturdays and not at all on Sundays and public holidays.</p> <p>Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority and prior notice provided to surrounding residents and businesses in a manner to be agreed with the planning authority.</p> <p>Reason: In order to safeguard the residential amenities of property in the vicinity.</p>
9.	<p>All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development.</p> <p>Reason: In the interests of visual and residential amenity.</p>
10.	<p>Lighting for the car park and internal roads shall be directed onto the road surface and away from adjacent properties. The lights shall be directed and cowled in order to obviate light spill, as far as possible, over adjacent dwellings and gardens.</p> <p>Reason: In the interest of residential amenity and traffic safety.</p>

11.	<p>100 no. number bicycle parking spaces shall be provided within the site. The layout and demarcation of these spaces shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. A significant proportion of such parking shall be provided to the front / southeastern side of the proposed school buildings.</p> <p>Reason: To ensure that adequate bicycle parking provision is available to serve the proposed development, in the interest of sustainable transportation.</p>
12.	<p>The requirements of the Mobility Management Plan submitted to the planning authority on 27th March 2019, shall be implemented in full.</p> <p>Prior to the commencement of the academic year following commencement of operations within the completed school, a revised Mobility Management Strategy shall be submitted to and agreed in writing with the planning authority. This shall provide for incentives to encourage the use of public transport, cycling, walking and car pooling by staff employed in the development and to reduce and regulate the extent of staff parking.</p> <p>Reason: In the interest of encouraging the use of sustainable modes of transport.</p>
13.	<p>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.</p> <p>The plan shall include details of waste to be generated during site</p>

	<p>clearance and construction phases including excavated soils and hazardous materials, 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.</p> <p>Reason: In the interest of sustainable waste management.</p>
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Conor McGrath
Senior Planning Inspector
30/08/2019