



An
Bord
Pleanála

Inspector's Report ABP-305096-19

Development

The provision on site of temporary prefabricated accommodation consisting of 2 No. approx. 58sqm stand-alone single-storey mainstream classrooms to the southeast side of the existing school building, all with a total floor area of approx. 126sqm, and associated site works.

Location

St. Patrick's Girls National School, Hollypark, Foxrock Avenue, Foxrock, Dublin 18.

Planning Authority

Dún Laoghaire Rathdown County Council

Planning Authority Reg. Ref.

D19A/0340

Applicant(s)

The Board of Management of St. Patrick's Girls National School

Type of Application

Permission

Planning Authority Decision

Grant subject to conditions

Type of Appeal

Third Party v. Decision

Appellant(s)	Hollypark and Foxrock Avenue Residents Association
Observer(s)	Christopher Martin
Date of Site Inspection	10 th October, 2019
Inspector	Robert Speer

1.0 Site Location and Description

1.1. The proposed development site is located at Hollypark, Foxrock, Dublin 18, and consists of a shared school complex of c. 3.01 hectares that comprises St. Patrick's Girls National School, St. Patrick's Boys National School, and Lycee Francais d'Irlande (a French school). The boys' school occupies the northern / north-eastern extent of the site with frontage and access onto New Grange Road whilst the girls' school is positioned to the southwest of same towards the rear of Park Avenue with access obtained from Foxrock Avenue via an entrance shared with the adjacent French school further southwest. The existing girls' school is a two-storey, flat-roofed structure and the proposed temporary classroom accommodation will be sited within a playground area between the main school building and the rear of adjacent housing within Park Avenue. The wider school complex is bounded by residential development on all sides with conventional two-storey, detached and semi-detached housing along New Grange Road and Park Avenue.

2.0 Proposed Development

2.1. The proposed development consists of the erection of temporary prefabricated accommodation comprising 2 No. stand-alone, single-storey, mainstream classrooms with a combined floor area of c. 126m² to the southeast of the existing school building and all associated site works.

3.0 Planning Authority Decision

3.1. Decision

3.1.1. On 15th July, 2019 the Planning Authority issued a notification of a decision to grant permission for the proposed development subject to 7 No. conditions which can be summarised as follows:

Condition No. 1 – Refers to the submitted plans and particulars.

Condition No. 2 - Limits the duration of the grant of permission to 5 No. years.

- Condition No. 3 – Requires the submission of a Mobility Management Plan for the written agreement of the Planning Authority prior to the commencement of development.
- Condition No. 4 – Prohibits any construction-related deliveries during student arrival and departure times.
- Condition No. 5 – Refers to the maintenance and repair of the public road as a result of site construction works.
- Condition No. 6 – Refers to the provision of adequate on-site car parking facilities for site workers during construction of the proposed development.
- Condition No. 7 – Refers to surface water drainage.

3.2. Planning Authority Reports

3.2.1. Planning Reports:

Details the site context, planning history, and the applicable policy considerations before analysing the proposal and concluding that it would not seriously injure or detract from the character of the school or the residential amenity of surrounding properties. It subsequently recommends a grant of permission, subject to conditions.

3.2.2. Other Technical Reports:

Drainage Planning, Municipal Services Dept.: Recommends that the applicant be required by way of a request for further information to submit proposals for the on-site infiltration of surface water runoff from the proposed development.

Transportation Planning: Recommends that the applicant be required by way of a request for further information to submit a detailed site layout plan (accompanied by supporting photographs) showing the location, quantity and type of bicycle parking provision within the school grounds. In addition, annual reports for the five-year period from 2014 to 2018 should be provided pursuant to the requirements of Condition No. 6 of PA Ref. No. D13A/0219 (as regards those measures put in place to promote the increased use of sustainable travel modes). A series of conditions are subsequently recommended in the event of a grant of permission, including a

requirement that an updated / revised Mobility Management Plan be submitted for the written agreement of the Planning Authority prior to the commencement of works.

3.3. **Prescribed Bodies**

None.

3.4. **Third Party Observations**

3.4.1. A total of 13 No. submissions were received from interested third parties and the principle grounds of objection / areas of concern raised therein can be summarised as follows:

- The continued incremental expansion of the school complex with an associated increase in pupil numbers.
- The exacerbation of traffic congestion in the surrounding residential area.
- The obstruction of local residents and emergency services by the haphazard parking practices of school visitors / attendees.
- The inadequacy of the car parking and servicing arrangements for the school campus.
- Overdevelopment of a restricted site.
- Detrimental impact on residential amenity due to increased traffic, noise and the proximity of neighbouring housing.

4.0 **Planning History**

4.1. *On Site:*

PA Ref. No. D09A/0846. Was granted on 27th January, 2010 permitting St. Patrick's Girls NS permission for the retention for a period of five years of 2 no. single-storey classrooms.

PA Ref. No. D11A/0077. Was granted on 12th April, 2011 permitting St. Patrick's Girls NS permission for an infill 2 storey extension to the southern elevation containing additional special needs resource rooms, sanitary facilities for the disabled, extended existing classrooms, and all associated site and landscaping works.

PA Ref. No. D13A/0219. Was granted on 27th June, 2013 permitting BOM St. Patrick's Girls NS Hollypark permission for: construction of a two-storey standalone extension building to the rear of the existing school, to provide 2 no. replacement classrooms, 2 no. resource rooms and sanitary facilities and all associated site works required to facilitate the development, including hard and soft landscaping.

PA Ref. No. D13A/0249 / ABP Ref. No. PL06D.242306. Was granted on appeal on 8th November, 2013 permitting the Board of Management, St. Patrick's Boys NS permission for the construction of two single storey extensions providing two classrooms and a resource room and all associated works.

PA Ref. No. 16A/1095 / ABP Ref. No. PL06D.248072. Was granted on appeal on 3rd March, 2017 permitting the Board of Management, St. Patrick's Boys NS permission for the construction of a single storey extension to the front providing one classroom and two SET (resource) rooms and all associated works.

PA Ref. No. D18A/1095. Was granted on 17th April, 2019 permitting St. Patrick's Boys NS permission for the construction of a new synthetic all-weather pitch, associated fencing, ball-stop nets, goal posts, gates and hard standings, the relocation of 14 no. car parking spaces with a new tarmac access, and a perimeter footpath around the proposed pitch.

5.0 Policy and Context

5.1. Development Plan

5.1.1. ***Dún Laoghaire Rathdown County Development Plan, 2016-2022:***

Land Use Zoning:

The proposed development site is located in an area zoned as 'A' with the stated land use zoning objective '*To protect and / or improve residential amenity*'.

Other Relevant Sections / Policies:

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.

Chapter 8: Principles of Development:

Section 8.2.12.4: School Development

5.2. Natural Heritage Designations

5.2.1. The following Natura 2000 sites are located in the general vicinity of the proposed development site:

- The South Dublin Bay Special Area of Conservation (Site Code: 000210), approximately 2.3km northeast of the site.
- The South Dublin Bay and River Tolka Estuary Special Protection Area (Site Code: 004024), approximately 2.3km northeast of the site.

5.3. EIA Screening

5.3.1. Having regard to the temporary nature and minor scale of the development proposed, the site location outside of any protected site and the nature of the receiving environment, the limited ecological value of the lands in question, the availability of public services, and the separation distance from the nearest 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

- There has been a significant increase in pupil numbers on the existing school campus which has placed a considerable strain on the surrounding road network thereby giving rise to a multi-faceted hazard. Service vehicles, such as fire tenders, ambulances and visiting doctors etc., are at risk of being impeded, particularly when taken in combination with the traffic volumes

associated with visitors to the area, pupils being dropped-off / collected from the schools, deliveries to local shops, and refuse collection etc.

- There has been no traffic management plan implemented.
- There is a need to ensure adequate policing of car parking on verges and the obstruction of entrances.
- Consideration should be given to the implementation of a one-way traffic management system which may serve to ameliorate the on-going traffic problems (please refer to the accompanying sketch design).

6.2. Applicant Response

- It is not envisaged that the proposed development will result in an increase in the number of pupils attending the school as its purpose is to provide for appropriate facilities for the existing school population.
- The overall useable space within the school footprint severely limits its capacity to accommodate any significant increase in overall pupil numbers. In this respect, a review of the school roll illustrates that between the commencement of the school year 2014/2015 and the current year there has been a relatively small increase in pupil numbers of only 3%.
- At present, 68% of school pupils are in class sizes in excess of the recommendations of the Department of Education and Skills. By way of a temporary measure to address the space constraints, the school library is being used as a small classroom, although this is neither desirable nor sustainable. The addition of the 2 No. temporary classrooms will have the effect of reducing to 52% the number of pupils in excessive class sizes as well as restoring the library to use by pupils.
- Concerns with regard to traffic are misplaced given that the proposed development will not increase the school population i.e. there will be no increased traffic impact on the surrounding road network. Furthermore, a refusal of permission will not in any way alleviate current peak traffic levels.
- Contrary to the grounds of appeal, a Traffic Management Plan to facilitate the management and arrival of parents and pupils to / from the school was

submitted to, and accepted by, the Planning Authority on 8th August, 2013 pursuant to conditions imposed under PA Ref. No. D13A/0219 (please refer to Appendix 'D').

- The notification of the decision to grant permission issued by the Planning Authority requires the submission of an updated Mobility Management Plan which adequately addresses the appellant's concerns. The relevant condition also requires the Traffic Management Plan to take account of previous school developments and thus provides a mechanism for the detailed review of school traffic.
- In July, 2018, a formal request was made on behalf of the school to meet with the traffic department of the Local Authority in order to discuss how the situation might be improved.
- The school is committed to actively promoting sustainable travel and has adopted various initiatives to reduce reliance on the private car for trips to and from the school e.g. the 'Golden Boot' initiative and pupil attendance at Cycle Competency Programmes.
- Whilst a certain degree of car-based transport is inevitable, the school has introduced a 'Park and Ride' initiative whereby parents can drop off their children at Foxrock Church car park.
- Consideration is presently being given to the removal of the drop-off zone situated within the school yard and its relocation to a specific monitored 'Drop Zone' such as Granada & the Foxrock Church car park. Safe parking permits for use in the church car park could also be issued to parents.
- Policy SIC8 of the Development Plan supports the provision of school facilities and the development / redevelopment of existing schools. The Plan further states that '*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 applicant's commitment to maximise the use of bicycles and to promote walking and other active ways to get to school has been clearly demonstrated.

6.3. Planning Authority Response

- States that the grounds of appeal do not raise any new matter which, in the opinion of the Planning Authority, would justify a change of attitude to the proposed development.

6.4. Observations

6.4.1. Christopher Martin:

- The requirement for the submission of a Mobility Management Plan does not appear to take into account the need to consider the total number of pupils etc. accessing the wider site which includes three schools (i.e. St. Patrick's Girls National School, St. Patrick's Boys National School & Lycée Francais d'Irlande). Best practice would be to prepare a single MMP for the entire campus with 'Mobility Management Coordinators' for each of the 3 No. schools.
- The density of development / school sizes and overall pupil numbers on site are already excessive, with particular reference to class sizes.
- No provision has been made for additional off-street staff car parking as required by the guidance issued by the Department of Education and Skills (TGD-025).
- Consideration should be given to the suitability of the school location in light of external noise sources, with specific reference its siting relative to flight paths from Dublin Airport.
- The overall traffic impact of the school can only be assessed when cognisance is taken of the wider road network given the relevance of school-related car parking.
- The increased traffic volumes consequent on the proposed development will exacerbate the level of traffic congestion and haphazard parking practices etc. in the area to the detriment of the residential amenity of surrounding properties.

6.5. Further Responses

None.

7.0 Assessment

7.1. From my reading of the file, inspection of the site and assessment of the relevant local, regional and national policies, I conclude that the key issues raised in the grounds of appeal are:

- The principle of the proposed development
- Traffic implications
- Appropriate assessment

These are assessed as follows:

7.2. The Principle of the Proposed Development:

7.2.1. Having regard to the planning history and established use of the site for educational purposes (i.e. St. Patrick's Girls National School, St. Patrick's Boys National School, and Lycee Francais d'Irlande), the site location on lands zoned as 'A' in the Dún Laoghaire Rathdown County Development Plan, 2016-2022 with the stated land use zoning objective '*To protect and / or improve residential amenity*' where educational uses are 'open for consideration', and the inclusion of Policy SIC8: '*Schools*' in the Development Plan which seeks to support the provision of school facilities and the development / redevelopment of existing schools, I am satisfied that the overall principle of the proposed development is acceptable, subject to the consideration of all other relevant planning issues, including the impact, if any, of the proposal on traffic safety.

7.3. Traffic Implications:

7.3.1. The principal concerns raised in the grounds of appeal (and the submission of a third-party observer) relate to what is considered to amount to the gradual incremental expansion of the wider school complex and the associated increase in pupil numbers with the potential to exacerbate the already problematic levels of traffic congestion experienced within neighbouring residential streets, particularly at peak times (i.e. school pick-ups and drop-offs). Further reference has been made to

the difficulties of local residents in entering / exiting their properties as a result of the haphazard parking practices of visitors to the school and the obstruction of other road users, including emergency service vehicles.

- 7.3.2. In response to the foregoing, the applicant has asserted that concerns with regard to the traffic impact of the proposed development are misplaced given that the new temporary classroom accommodation is not intended to facilitate an increase in the number of pupils or staff attending the school but rather is required to provide for appropriate facilities for the existing school population. In this regard, it has been submitted that 68% of the school's pupils are presently in class sizes in excess of the recommendations of the Department of Education and Skills whilst the school library is being used as a small classroom on a temporary basis to address the space constraints. Accordingly, the case has been put forward that the addition of the 2 No. temporary classrooms will have the effect of reducing to 52% the number of pupils in excessive class sizes and will also allow the school library to be returned to its normal use.
- 7.3.3. From a review of the available information, including the planning history of the application site, it is apparent that the traffic impact of the wider school campus, including the potential for individual development proposals to exacerbate the existing levels of traffic congestion experienced in the immediate vicinity of the site during the morning and afternoon peak traffic periods when pupils are being dropped off and collected from the schools, has previously been considered at length by both the Planning Authority and the Board on appeal. For example, in its determination of PA Ref. No. D13A/0219, the Planning Authority sought the submission of a Mobility Management Plan as a condition of that grant of permission and it would appear that said condition has been complied with (by reference to the report of the Transportation Planning Section prepared in respect of the subject application). Similarly, the Board imposed a condition requiring the submission of a 'Traffic Control and Management Plan' with regard to ABP Ref. No. PL06D.242306 (an extension of the boys' national school) and it is my understanding that such a plan was submitted to the Planning Authority and is presently being implemented.
- 7.3.4. In assessing the subject proposal, whilst I am cognisant of the concerns of local residents as regards the levels of traffic congestion in the area attributable to the operation of the existing schools, there must also be an acknowledgment that

schools are generally considered to be appropriate uses in residential areas as they form part of the social and community fabric of a neighbourhood. Moreover, the resolution of any on-going traffic issues arising from the functioning of the existing schools is beyond the remit of this appeal and is a matter more appropriately addressed by those authorities with responsibility for such issues, including the Boards of Management of the schools, the Local Authority, An Garda Síochána, and any residents' associations. In this respect, I would emphasise that it is the responsibility of the Planning Authority to ensure compliance with the terms and conditions of any grant of planning permission on site, including adherence to the 'Mobility Management Plan' and the 'Traffic Control and Management Plan' previously mentioned.

- 7.3.5. Therefore, given that the subject proposal will not result in any additional pupil numbers attending the school and is instead intended to address already excessive class sizes whilst allowing a library area to be returned to use, it is reasonable to determine that the development in question will not exacerbate existing traffic difficulties in the surrounding area and will not adversely impact on traffic safety considerations.

7.4. **Appropriate Assessment:**

- 7.4.1. Having regard to the temporary nature and minor scale of the development under consideration, the site location within an existing built-up area outside of any protected site, the nature of the receiving environment, the availability of public services, and the proximity of the lands in question to the nearest European site, it is my opinion that no appropriate assessment issues arise and that the development would not be likely to have a significant effect, either individually or in combination with other plans or projects, on any Natura 2000 site.

8.0 **Recommendation**

- 8.1. Having regard to the foregoing, I recommend that the decision of the Planning Authority be upheld in this instance and that permission be granted for the proposed development for the reasons and considerations and subject to the conditions set out below.

9.0 Reasons and Considerations

9.1. Having regard to the limited nature and extent of the proposed development, to the pattern of development in the area and the siting of the proposed development within an established school complex, it is considered that, subject to compliance with the conditions set out below, the proposed development would not adversely impact on the visual or residential amenities of the area, would not endanger public safety by reason of traffic hazard and would be in accordance with the provisions of the current Dún Laoghaire-Rathdown County Development Plan. The proposed development 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. This permission shall apply for a period of five years from the date of this order. The structure and related ancillary structures shall then be removed, and the lands reinstated, unless, prior to the end of the period, planning permission shall have been granted for their retention for a further period.

Reason: To enable the impact of the development to be re-assessed having regard to the conditions then pertaining.

3. 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.

Reason: In the interest of public health.

4. 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 interests of public safety and residential amenity.

Robert Speer
Planning Inspector

22nd October, 2019