



An
Bord
Pleanála

Inspector's Report ABP-306053-19

Development	School
Location	Carrignavar, County Cork
Planning Authority	Cork County Council
Planning Authority Reg. Ref.	19/5685
Applicant(s)	The Board of Management of Scoil an Athar Tadhg
Type of Application	Permission
Planning Authority Decision	Grant
Type of Appeal	Third Party
Appellant(s)	Inland Fisheries Ireland
Date of Site Inspection	24 th January 2020
Inspector	Kevin Moore

1.0 Site Location and Description

1.1 Carrignavar is located approximately 8km north of Cork City and some 2km east of Whitechurch in County Cork. The existing school serving the locality, Scoil an Athar Tadgh, lies a short distance to the north of the village centre. Residential properties within the small estate of Parkview lie just beyond this. The local GAA grounds are located to the east of this estate, set back from the local road and accessed via a lane to the north of the estate. There is a large field immediately north of the lane and it is the nearest section of this field to the lane which is proposed to be used as the site for the new school. The site is relatively level, has extensive frontage onto the local road to the west and is otherwise bounded by agricultural lands.

2.0 Proposed Development

2.1 The proposed development would comprise the construction of a two-storey, 14 classroom school. The school would also provide for offices, special education tuition rooms, a library and resource rooms, general purpose and multi-purpose spaces and ancillary accommodation, a 5 classroom ASD unit with associated withdrawal rooms, central activities space and ancillary accommodation, and 104 roof-mounted photovoltaic panels. Ancillary development would include a car park for 67 car spaces, new vehicular and pedestrian entrances, a set down area for cars, a set down area for buses, a bicycle shelter, two ball courts, hard surface play spaces, an ASD soft play area, a sensory garden, a gas tank enclosure, landscaping, signage and boundary treatment, water storage and surface water provisions.

2.2 Details submitted with the application included letters of consent from the landowners permitting the making of the planning application, an Architectural Report, an Engineering Report, a Traffic and Transport Assessment, a Screening for Appropriate Assessment, an Outdoor Lighting Report, and a letter from the Board of Management.

3.0 Planning Authority Decision

3.1 Decision

On 18th November 2019, Cork County Council decided to grant permission for the proposed development subject to 27 conditions.

3.2 Planning Authority Reports

3.2.1. Planning Reports

The Planner noted the site's planning history, the policy context for the development, the reports received and the third party submission. The principle of the development, its siting and design and the impacts on residential amenity were seen to be acceptable. The concerns of the Area Engineer were repeated. A request for further information relating to the issues raised by the Area Engineer and the Public Lighting Section was recommended.

The Senior Executive Planner concurred with the recommendation of the Planner and also requested details on landscaping.

3.2.2 Other Technical Reports

The Public Lighting Section requested further information on the proposed lighting provisions.

The Water Services Section noted that the existing waste water treatment plant is overloaded. It was submitted that the proposal resulted in the transfer of an existing connection load to a new connection location. There was no objection to a grant of permission.

The Area Engineer recommended that further information be sought in relation to traffic provisions, parking, and storm water.

The Environment Section had no objection to the proposal subject to a schedule of conditions.

The Traffic and Transportation Section sought further information relating to public transport, pedestrian access, traffic surveys, mobility management, cycle provision, a

construction management plan, proposals for the existing school, bus provisions, an Autotrack swept path analysis, and a Road Safety Audit.

3.3 Prescribed Bodies

Inland Fisheries Ireland noted the public sewerage system is overloaded and recommended that planning conditions require the proposal not to be occupied until such time as the public facilities are upgraded or an alternative method of effluent disposal has been put in place.

Irish Aviation Authority stated that it had no observations to make.

Irish Water had no objection to the proposal.

3.4 Third Party Observations

A third party submission was received from G. O'Brien. Issues raised included traffic safety and impact on residential amenity.

Unsolicited further information was submitted to the planning authority from the applicant in response to the submission from G. O'Brien. Unsolicited further information was also submitted to the planning authority regarding Irish Water conditions to allow for connection to the existing waste water treatment plant which was stated to be currently overloaded.

A further information request was sought by the planning authority relating to the recommendation of the Senior Executive Planner. This did not include the issues recommended by the Traffic and Transportation Section.

A response to this request was received by the planning authority on 23rd October 2019. This included responses to issues raised by the Traffic and Transportation Section, inclusive of a revised Traffic and Transport Assessment, a revised School Travel Plan, a Road Safety Audit and a Construction Management Plan.

Following the receipt of this information, the reports to the planning authority were as follows:

The Public Lighting Section requested that a revised design be submitted.

The Area Engineer had no objection to the proposal subject to a schedule of conditions.

The Senior Executive Planner noted the further information responses. A grant of permission, subject to a schedule of conditions, was recommended.

4.0 **Planning History**

4.1 I have no record of any planning application or appeal relating to the proposed site. Reference is made in the Planner's report to an application for an agricultural entrance (P.A. Ref. 19/5826). This relates to a proposal in the same field as the proposed school but north-west of the school site.

5.0 **Policy Context**

5.1 **Cork County Development Plan 2014**

Education

Objectives include:

SC 4-1 Education Facilities

Facilitate the provision of educational services in the community such as schools, crèches and other educational and childcare facilities. Multi-use facilities which can accommodate both educational and childcare facilities are also encouraged.

5.2 **Cobh Municipal District Local Area Plan 2017**

Carrignavar is designated a 'Key Village' in the Plan. The Village Plan notes that there are capacity constraints within the existing waste water treatment plant for the village and that it needs to be upgraded. The site for the proposed development lies within the settlement boundary for the village.

5.3 **Appropriate Assessment**

The waste water treatment plant for Carrignavar is licensed for, treats and discharges to the Cloghnagashee River which in turn feeds into the Glashaboy River to the south-east of the village. The Glashaboy River feeds into Cork Harbour SPA at

Glanmire, which is some 8km to the south. The village's waste water treatment plant is seriously overloaded. While it is acknowledged that there is a circuitous pathway to the SPA, it is noted that the permitted development would result in the transfer of an existing load to the treatment plant and would not add to that load. In other words, it is proposed that the *status quo* would remain.

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 designated European Site and a Stage 2 Appropriate Assessment and submission of a NIS is not therefore required.

5.4 EIA Screening

Having regard to the nature, size and location of the proposed development, there is no real likelihood of significant effects on the environment. No EIAR is required.

6.0 The Appeal

6.1 Grounds of Appeal

The grounds of the appeal may be synthesised as follows:

- If the development proceeds in its current format it would result in an additional loading to a waste water treatment plant that is consistently failing to meet its EPA Licence requirements and it would have consequent significant negative impacts on water quality and fisheries habitat. The proposal would represent an increase of almost 25% to the waste water network.
- There is no definitive realistic timeframe for the upgrade works necessary to make the plant compliant with its licence conditions.
- The appellant has no objection to school improvement works for the existing population being served at the school provided that the development does not

result in additional loading to a waste water treatment plant that is consistently failing to meet its EPA Licence requirements.

6.2 Applicant Response

The applicant's response to the appeal may be summarised as follows:

- The Board of Management of the existing school commits to restricting the number of pupils attending the proposed school to the present numbers, i.e. 338 pupils and 62 staff.
- On construction of the new school, the existing school building will no longer operate as a school and any further development on the site would be subject to planning permission being obtained.
- Other improvements that would accrue from the proposed development would include the attenuation of storm water, water conservation measures resulting in reduced foul water outflow, improved parking, traffic calming and other infrastructural works.
- The Board is asked to consider the granting of planning permission subject to a condition being attached to restrict the numbers to 338 pupils and 62 staff and that any additional development of the school site be subject to an application for planning permission.

The response included an undertaking from the Board of Management and a Consulting Engineer's report. The latter report refers to the difficulties associated with Carrignavar's waste water treatment plant and Irish Water's acceptance in principle to allow a connection to the waste water network subject to the proposal being solely a transfer of the existing connection load and the connection not resulting in an additional load to the plant.

6.3 Planning Authority Response

I have no record of any response to the appeal from the planning authority.

6.4 Further Responses

In response to the applicant's response to the appeal, the appellant submitted that, should the Board decide to apply a condition confirming the limiting of the numbers of pupils and staff to the present numbers, IFI would have no other objection as it

would not result in an increased loading on the public sewerage facilities in Carrignavar.

7.0 Assessment

- 7.1 I consider that the sole issue meriting consideration in this assessment relates to waste water treatment. I am satisfied to conclude that the proposed development would not have an adverse impact on residential amenity nor on the amenities of the area, would not have any adverse impacts on traffic safety and would otherwise be in accordance with the proper planning and sustainable development the area. The site for the proposed school is appropriately located, close to the village core, adjoining but separate from residential properties, with provisions for a safe access onto the public road and adequate pedestrian links back to the village centre. I further note and accept the need for the provision of the school accommodation, which will significantly enhance the community's educational facilities. The existing school is developed on a notably congested and constrained site and the development of a new school, as an appropriate alternative to the redevelopment of the existing school, is accepted.
- 7.2 I note that the applicant, in response to the appeal, has acknowledged that the existing Carrignavar waste water treatment plant discharges to the Cloghnagashee River and that this waterbody is an important salmonid river. The Annual Environmental Report for this treatment plant is also referenced in the response. It is noted that the current organic loading is more than double the organic capacity of the plant and that the hydraulic loading is almost double the hydraulic capacity of the plant. This plant is very significantly failing to comply with its licensed discharge limits.
- 7.3 The original proposal, and indeed the design for the permitted school, is intended to cater for 480 pupils and 80 staff. The existing school accommodates 338 pupils and 62 staff. The proposed design would seek to accommodate a p.e. increase of 160. This would constitute a very significant increase in the numbers at the school and would evidently add substantially to the overloaded public sewerage system.
- 7.4 In order to address the constraints that exist at present, the applicant, in response to the appeal, seeks to contain the numbers at the new school to equate with those at

the existing school. I note that Inland Fisheries Ireland have no objection if this is adhered to. I further note the requirements of Irish Water as set out in the applicant's response to the appeal. In my opinion, the proposed approach is a reasonable proposal to allow a much needed educational facility to advance. It is essential, however, that the connection to the public sewerage system from the existing school is blocked when the new school is completed until such time as development on the existing school site requiring discharge to the public sewerage system can be accommodated. There can be no increased impacts for the existing public treatment system. I acknowledge that the impact of this will be to leave a large site with established school buildings unoccupied close to the village centre without a use, certainly for the immediate term. There are no indications that the treatment plant for the village will be undergoing upgrading in the immediate future. Given the public sewerage system constraints at this time, there can be no avoidance of this outcome. It is evident that the development of the village of Carrignavar has been permitted to exceed greatly the capacity of its basic public provisions and the need to effectively put a stop to increased development at this location is a necessity until such time as appropriate upgrading of basic public services has taken place.

8.0 Recommendation

I recommend that permission is granted subject to the following reasons, considerations and conditions.

9.0 Reasons and Considerations

Having regard to the need for improved educational facilities within the village of Carrignavar and a requirement to limit the accommodation of the school to existing pupils and staff due to constraints in the existing public sewerage system, it is considered that, subject to appropriate conditions, the proposed development would not be prejudicial to public health, would not adversely impact on the residential or other amenities of the area, would not endanger public safety by reason of traffic

hazard, and would otherwise be in accordance with the provisions of the current Cork 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, as amended by the further drawings and details submitted to the planning authority on the 23rd October, 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. The applicant or developer shall enter into water and waste water connection agreements with Irish Water, prior to commencement of development.

Reason: In the interest of public health.

3. The occupancy of the school shall be limited to a maximum of 338 pupils and 62 staff until such time as an upgrading of the existing Carrignavar Waste Water Treatment Plant has been completed. The waste water connection to the existing school shall be blocked following the completion and occupancy of the new school and no new connection to the public waste water network shall be permitted from the existing school without prior approval from Irish Water.

Reason: In the interest of public health.

4. Details of the materials, colours and textures of all the external finishes to the proposed school shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity

5. The 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 and to ensure a proper standard of development.

6. Prior to the commencement of development, the following shall be submitted to, and agreed in writing, with the planning authority:

(a) traffic management provisions, inclusive of road signage, pedestrian crossing provisions and traffic calming measures; and

(b) the layout and design of car parking, bicycle parking and public lighting provisions.

Reason: In the interest of traffic safety.

7. 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 noise and vibration management measures, importation of fill, and off-site disposal of construction/demolition waste.

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

8. Site development and building works shall be carried out only between the hours of 0800 to 1900 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 residential amenities of property in the vicinity.

Kevin Moore
Senior Planning Inspector

13th February 2020